

Context on the conservation portfolio



Department of
Conservation
Te Papa Atawhai

In the interest of forest conservation, we support paperless electronic publishing.

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Introduction

Purpose

This document is part of a package of briefing materials designed to introduce you to your role as Minister of Conservation and the conservation portfolio.

This document provides more detailed context on the conservation portfolio – including legislation, planning and permissions frameworks, international agreements, and domestic and international bodies. It also provides an overview of Vote Conservation finances and sets out how the Department works with you.

It is intended to provide you with detailed reference information to assist you in your first months as Minister.



Female tree weta. *Photo: Kyle Bland*

1. Working with you

This section provides an overview of how we propose to interact with you and your office. It includes how we will work with you to determine priorities for our work, the Budget process, and support your public engagement and communications. Appendix 1 sets out a detailed proposal for how we manage reporting to you. We will work with you and your office to ensure it meets your needs and expectations.

Meetings, visits and events

Your most regular personal contact with Departmental officials is likely to be through meetings with the Director-General and senior managers with other staff available to provide technical and expert advice. You can request meetings on specific topics as you need. The Conservation Private Secretaries will arrange attendance of appropriate officials and briefing material.

Departmental staff and your Private Secretaries are available to support you in Cabinet Committees and in meetings with colleagues and stakeholders. They are also available to support you in visits and events around New Zealand and overseas.

Papers - Cabinet papers, advice, and correspondence

Much of your engagement with the portfolio is likely to be through papers, including Cabinet papers, advice via briefings and memos, and draft correspondence.

- We propose to provide you with a weekly Status Report to update you on key issues and events in the past week and in coming weeks.
- You may request advice and we will initiate advice on some matters (e.g. a recommendation to approve the addition of land to a National Park). Advice will usually be in the form of briefings and memos. You and your office can of course also request information via meetings, e-mails and phone calls. Advice provided will include contact numbers for staff to provide further support.
- Cabinet papers are drafted by the Department on your behalf for your review and approval before submitting to a Cabinet committee. Consultation with other departments is managed by DOC, and consultation with other Ministers is managed by your office. Some papers require joint signing by you and other Ministers.
- Ministerial correspondence is managed by your office, with the help of DOC Government Services who coordinate drafting, track progress and maintain records.

Four-year Plan

The Four-year Plan is a departmental document that sets out the strategic intent over a four-year period. It is produced in partnership with you and gives a full picture of how the Department intends to deliver on government priorities.

It includes risks, trade-offs and capability requirements. It also incorporates our budget and workforce strategies over this timeframe. The Department's Statement of Intent is contained in the first section of the Four-year Plan.

Annual report

The Department's Annual Report is a key accountability document, reporting against the current Statement of Intent, Four-year Plan, Minister's priorities and Estimates documents. It is one of the most important ways the department is accountable to members of Parliament and the public. DOC's Annual Report for the year ended 30 June 2017 has been produced, audited and printed, and is awaiting tabling in the House, which should be undertaken by your office in coordination with the Bills Office as soon as possible after the commencement of the next session of Parliament. We will brief you separately on this process.

Output Plan

The Department's Output Plan sets out your ministerial priorities over the medium term, and the outputs that the Department will deliver to achieve them (along with their associated performance measures). Outputs and measures are set out in sufficient detail to allow clear allocation of resources and management responsibility. We report twice a year to you against the Output Plan.

Budget process and the Estimates of Appropriations

Budget planning has an initial strategic phase in which you, your staff and the Department determine the overall direction and priorities. This is followed by the initiatives (or bids) phase in which you and the Department develop specific proposals, which are assessed by the Treasury.

We work with you and your staff to identify, cost and prioritise bids. The Treasury is consulted on all proposals involving new spending, and other departments are consulted as necessary.

We help you prepare for budget meetings with other ministers, including the Minister of Finance. Final Cabinet decisions on the Budget are usually made around March to April.

The Estimates outline the Government's planned costs for the coming year, by output class within each vote, and how performance will be measured. They are published on Budget day and the Estimates for Vote Conservation require your signature.

Public engagements and communications

The Department works with your staff to provide advice and support for your public engagements and communications. This can include briefings, logistical support, draft speech notes and other written material.

We advise you of opportunities to participate in significant public events concerning conservation, and we look for opportunities to familiarise you with our operations and public conservation land.

2. Your responsibilities, functions and powers

This section provides an introduction to your responsibilities and functions as Minister. It sets out the key legislation that you and the Department work under, your key ministerial relationships, and information on delegations and decision making.

2.1 Legislation in the conservation portfolio

Major legislation administered by the Department of Conservation, and other legislation under which you and the Director-General of Conservation have the most important functions are listed below.

The full list of legislation is included in Appendix 2.

Legislation administered by the Department of Conservation

Conservation Act 1987

The Act underpins the governance, administration and management of New Zealand's conservation estate and sports fish and game resources. It establishes the Department of Conservation, the NZ Conservation Authority and conservation boards, the New Zealand Fish and Game Council, and regional fish and game councils. It governs the administration of other conservation legislation and provides for management of the majority of public conservation land including stewardship land. Your functions include:

- Appointments to the New Zealand Conservation Authority, conservation boards and the Guardians of Lake Manapouri;
- Statutory management of land and other resources through General Policy Statements, Conservation Management Strategies and management plans for land, freshwater fisheries etc;
- Oversight of sports fish and game management by the New Zealand Fish and Game Council and regional fish and game councils including approval of policies and management plans;
- Managing land and resources, notably the establishment of specially protected areas such as sanctuary, wilderness and ecological areas;
- Managing marginal strips (the 'Queen's chain') along waterways and the coast;
- Managing freshwater fisheries and their habitats;
- Managing private use, such as grazing, commercial tourism and infrastructure. (Some activities are managed under other legislation.);
- Establishing and supporting conservation covenants on private and Māori land.

National Parks Act 1980

The National Parks Act preserves in perpetuity areas that so beautiful, unique or special that their preservation is in the national interest, for their intrinsic worth and for the benefit, use and enjoyment of the public.

You may recommend an Order in Council to establish a national park or to make a addition on the request and recommendation of the New Zealand Conservation Authority. The Authority must also approve management plans, which are mandatory.

Subject to its management plan, you have the power to grant concessions and other authorisations for activities in a national park.

Reserves Act 1977

The Reserves Act governs the administration and management of local authority and other reserves as well as those managed by the Department. Its overall purpose is to protect areas of special value, including for recreation and for access to and along waterways and the coast. Classifications include scenic, scientific, nature and wildlife management reserves. Many reserves, including numerous offshore islands and several national reserves, have very high value and are strictly protected.

Most powers in relation to individual reserves are delegated to the Director-General and local authorities. Your powers include:

- Appointing bodies to control and manage reserves;
- Approving bylaws;
- Managing private use, such as grazing, commercial tourism and infrastructure, in Crown reserves including those controlled and managed by other bodies. (Some activities are managed under other legislation.);
- Establishing and supporting conservation covenants on private and Māori land.

Marine Reserves Act 1971

Marine Reserves are areas containing underwater scenery, natural features or marine life of such distinctive quality, or so typical, beautiful or unique, that their preservation for scientific study is in the national interest.

Under the Act, you can recommend the creation of marine reserves by Order in Council, subject to the concurrence of the Minister of Transport and Minister for Primary Industries.

Wildlife Act 1953

The Wildlife Act regulates the keeping and killing of wild birds and animals, including some fish and invertebrates, but excluding marine mammals. All species are protected unless scheduled as game, unprotected, or subject to the Wild Animals Control Act. The Act's jurisdiction covers all New Zealand fisheries waters, including the EEZ.

The Act gives you powers to:

- Establish wildlife sanctuaries, refuges and management reserves;
- Declare invertebrates and marine animals to be wildlife under the Act;
- Add and change the level of protection for specific species;

- Control hunting and farming of certain animals (e.g. stoats and ferrets);
- Control the taking and holding of wildlife or wildlife products.

Wild Animal Control Act 1977

The Act gives you wide powers regarding the control of animals listed in the Sixth Schedule of the Wildlife Act, currently wild deer, chamois, tahr, wild goats and wild pigs, to manage their effects on vegetation, soils, waters and wildlife. This includes approving wild animal control plans. The Act covers the granting of concessions for wild animal recovery operations, and the granting of permits for hunting on public conservation land.

Marine Mammals Protection Act 1978

The Act regulates protection and management of marine mammals in New Zealand and New Zealand fisheries waters, including the EEZ.

It allows you to:

- Establish marine mammal sanctuaries, within which specific activities are regulated for the protection of marine mammals;
- Approve population management plans for marine mammal species, with the concurrence of the Minister of Fisheries. These plans can set maximum allowable levels of fishing-related mortality for the species concerned;
- Manage the collection, holding and trade of whalebone;
- Manage research and filming activities;
- Manage the holding of marine mammals in captivity.

Regulations under the Act control commercial marine mammal tourism activities.

Trade in Endangered Species Act 1989

The Trade in Endangered Species Act implements CITES (the International Convention on the Trade in Endangered Species of Wild Flora and Fauna). It controls New Zealand's import and export of species listed in schedules 1-3 of the Convention.

Other legislation under which you have functions

Resource Management Act 1991

Your functions under the Resource Management Act relate to the management of the coastal environment. They include:

- Preparation, implementation and monitoring of the New Zealand Coastal Policy Statement;
- Approval of all regional coastal plans;
- Vesting rights in reclaimed land (a transitional function as the Marine and Coastal Area (Takutai Moana) Act 2011 moved the decision-making role to the Minister of Lands);
- Planning and consent responsibilities for the offshore islands;
- Calling-in consent applications of national significance involving the coastal marine area;
- Roles with National Planning Standards and Streamlined and Collaborative planning processes involving the coastal marine area.

Biosecurity Act 1993

The Department provides you and other government agencies with advice on risks to indigenous biodiversity and management of some biosecurity incursions. It also manages priority pests and weeds on public conservation land and contributes to the implementation of regional pest management strategies.

Crown Minerals Act 1991

Your approval is required for access for exploration, prospecting and mining on public conservation land, and in the 'common marine and coastal area'. Mining access decisions require joint approval by you and the Minister of Energy and Resources, taking into account the economic, mineral and national significance of the proposal, and the purpose for which the land is held. National parks and other areas listed in Schedule 4 of the Crown Minerals Act are 'off-limits' to mineral exploration or extraction.

Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012

Under this Act you may declare a marine species to be a threatened or an at-risk species. These are required to be specifically considered in preparing regulations and impact assessments, and in decision-making on marine consent applications.

Fisheries Act 1996

You and the Director-General have roles under the Fisheries Act in identifying and assessing the adverse effects of fishing on the aquatic environment (notably marine mammals and some wildlife). You also have the authority to apply Conservation Services Levies on the fishing industry to fund research and observer programmes that will help reduce those effects.

Kaikōura (Te Tai o Marokura) Marine Management Act 2014

The Department and the Ministry for Primary Industries jointly administer the Act and you have functions and powers that include the promulgation of regulations and joint authority for appointment of an advisory committee (Guardians). Amongst a range of marine management measures this Act established the Hikurangi Marine Reserve and sanctuaries for whales and seals.

Marine and Coastal Area (Takutai Moana) Act 2011

This Act created a 'common marine and coastal area' out to 12 nautical miles and allows iwi and hapū to seek customary title by negotiation or through the High Court. You have residual coastal management responsibilities under this Act. The Act provides for involvement of iwi in conservation-related processes, such as the issuing of marine mammal permits and creation of marine reserves. Where a customary marine title has been identified under the Act, the iwi may have a veto over conservation decisions, or their views may have to be given a strong weighting in the decision-making process. You also have powers to impose environmental controls on protected customary rights.

Delegations

Many statutory ministerial powers and responsibilities are routinely delegated to the Director-General, with further delegations from the Director-General to DOC staff. All delegations are conditional on being referred to a higher level if this is warranted by the issues involved, including: sensitive conservation values and political, social, economic or Treaty of Waitangi implications.

An Associate Minister of Conservation may, within the designated responsibilities and with your agreement, submit papers to Cabinet or a Cabinet committee. The Department advises and supports any such appointees and their staff.

If the Director-General considers a matter of sufficient national interest or importance, you will be asked whether it should be decided under delegation or referred to you for decision, regardless of any standing delegation.

2.2 Decision making

You have a large number of discretionary decision-making powers under statute, most of which are able to be challenged by affected parties or stakeholders. The exercise of discretion requires a decision maker to bring judgement to bear on what an appropriate decision should be in the circumstances. Statutory decisions often affect the interests of individuals, companies or other organisations (e.g. local authorities). Affected parties may seek judicial review of decisions and the way in which you make decisions and take actions can affect their legal robustness.



Maud Island Frog. *Photo: Sabine Bernert*

2.3 Ministerial relationships

The table below sets out the portfolios where your conservation responsibilities and interests overlap with those of other Ministers, and the issues where those links occur.

Minister	Issues
Agriculture	Biosecurity, possum control (OSPRI) border control, climate change
Arts, Culture and Heritage	Historic conservation
Climate Change Issues	Climate change impacts and adaptation
Economic Development	Aquaculture, bioprospecting, regional development, tourism
Education	Enviroschools programme, Environmental Education for Sustainability Strategy and Action Plan
Energy and Resources	Renewable energy, minerals and petroleum on public conservation lands, and in the coastal and marine environment (including managing seismic surveying)
Environment	Resource Management Act and Exclusive Economic Zone issues, sustainability, Biodiversity Strategy, climate change impacts and adaptation, aquaculture, coastal management, freshwater, environmental reporting, hazardous substances and new organisms control, environmental education
Finance	Budget round, all proposals requiring additional resources
Fisheries:	Marine biodiversity, marine protected areas, Conservation Services Programme, protected species (seabirds, fish, corals and marine mammal) bycatch, aquaculture
Foreign Affairs	All matters relating to international treaties
Forestry	Sustainable indigenous forestry, South Island Landless Natives Act 1906
Justice/Attorney-General	Marine and coastal area administration, and Treaty of Waitangi settlements and post settlement implementation
Land Information	South Island high country (tenure review), management and transfer of unallocated Crown lands (e.g., riverbeds)
Local Government	Resource Management Act issues, Treaty settlements, Reserves Act administration
Maori development	Maori interests in conservation land, appointments to statutory bodies, heritage protection, freshwater fisheries, Treaty settlements, marine and coastal areas, access to cultural materials
Science and Innovation	Science challenges, conservation research
Sport and Recreation	Recreation in conservation areas, outdoor recreation
Treaty of Waitangi Negotiations	Treaty negotiations involving cultural redress (public conservation land) and protocols
State Services	Chief Executive's performance, machinery of government issues
Tourism	Tourism strategy, tourism opportunities on public conservation land, marine tourism
Transport	Marine protected areas, marine pollution, oil and gas installations

3. Conservation planning and permissions

This section gives an introduction to the statutory framework for conservation management planning, and permissions such as concessions and permits.

3.1 Conservation management planning framework

Conservation management planning is governed by a hierarchy of planning documents established by conservation legislation in the following descending order of priority:

- **General policies:** The General Policy for National Parks is mandatory and there is currently one Conservation General Policy.
- **Conservation management strategies:** There is a requirement to have a Conservation Management Strategy providing objectives and implementation guidance for all protected areas and resources managed by the Department.
- **Management plans:** National Park Management Plans are mandatory, and some others are required by Treaty of Waitangi claims settlement legislation, Management plans are provided for by the Conservation, Wildlife, Reserves and Marine Reserves Acts.

General Policies

General Policies provide guidance for interpreting conservation legislation and the development of conservation management strategies and plans. They guide and, in some cases, direct decisions by the Minister, Director-General and other decision-makers, such as the NZCA, Conservation Boards and Fish and Game Councils. The NZCA has signalled its intent to review the General Policy for National Parks.

Conservation Management Strategies (CMSs)

A CMS provides a 10-year strategy for the integrated management of all lands and marine areas administered by the Department in a conservancy or region. CMS policies guide the Department in carrying out its statutory responsibilities, advocating for conservation, developing relationships with tangata whenua and working with other statutory agencies, the community, user groups and members of the public.

The requirement and process for preparing CMSs follow a public process set out in the Conservation Act 1987. They are approved by the NZCA, after having regard to any recommendations from you on the final draft.

A second generation of Conservation Management Strategy documents is being prepared, through an iwi/community engagement model. Reviews of some CMSs are scheduled consequent to Treaty of Waitangi claims settlement legislation.

National Park Management Plans (NPMPs)

The National Parks Act 1980 requires a management plan for every national park. These are 10-year plans, the preparation of which includes public consultation. The NZCA approves these plans after having regard to your views on the final draft. A full review of the Paparoa NPMP and a partial review of Kahurangi NPMP were completed in 2017, and reviews of the Westland Tai Poutini and Aoraki Mt Cook NPMPs, and a partial review of the Tongariro NPMP are underway. The Department intends to review the Mt Aspiring and Fiordland NPMPs beginning in late 2017 or early 2018.

3.2 Concessions and other statutory permissions

A concession is an authorisation, usually with operating conditions and charges, to conduct private or commercial activity on public conservation land. It may be a permit, licence, easement or lease.

Revenues from concession fees supplement Departmental operating budgets and support conservation projects.

Concessions are issued in your name but decisions are generally delegated to Departmental managers. Decisions on activities of national significance are generally made by either the Director-General or by you depending on who holds the statutory decision-making power in the particular case.

Aside from concessions, other forms of statutory and regulatory authorisation are required for private or commercial activities on public conservation land or where these affect natural resources managed under conservation legislation.

Examples of other statutory or regulatory authorisations include:

- marine mammal permits under the Marine Mammals Protection Regulations to conduct commercial tour operations;
- Wildlife Act 1953 authorities (to disturb or kill or hold or export wildlife);
- access arrangements under the Crown Minerals Act;
- national park accommodation authorisations.

Decision-making processes for statutory permissions vary according to the situation. The Department's aim is to deliver decisions efficiently and cost-effectively while taking due account of conservation risks and stakeholder interests. Much more is involved for a hydro dam proposal, for example, compared with an application for a guided walk on existing tracks, and current processes reflect this.

An environmental impact assessment is required for all permission applications. Consultation with the public, tangata whenua and conservation boards may be required, particularly where significant effects, long terms of operation or exclusive use of an area are anticipated. Conditions are usually set, for example, to minimise environmental effects, promote safety and provide for the payment of fees. Monitoring can also be required.

In recent years, there have more than 1,000 concession applications a year.

4. Statutory bodies and crown entities

This section sets out a list of bodies that you and/or the Department work with. After the New Zealand Conservation Authority, they are listed alphabetically.

The Department works with many different bodies day-to-day. As Minister, you have functions and responsibilities regarding some of these bodies.

The Conservation Act 1987 provides for public engagement with conservation management through a number of statutory bodies, some having members appointed by you. You will receive a briefing on upcoming appointments.

New Zealand Conservation Authority

The New Zealand Conservation Authority (NZCA) advises you and the Director-General, and represents the public interest in conservation at a national level. It must approve key conservation management documents – the general policy for national parks, conservation management strategies and national park management plans. It may also request investigations of land and may recommend additions to national parks or the establishment of new parks.

You are required to consult the NZCA on certain matters including appointments to conservation boards. The 13 NZCA members are appointed by you for 3 years, on the recommendation of designated organisations, and in consultation with specified Ministers, or following public nominations. The current chairperson is Dr Warren Parker, former Chief Executive Officer of Scion and Landcare Research.

Conservation Boards

Fifteen regional Conservation Boards are appointed by you to provide independent advice on the Department's policy and activities, including oversight of the development of each region's conservation management strategy. Once the NZCA approves a strategy, the relevant Conservation Board advises on its implementation. Boards report annually to the NZCA.

You appoint all members of Conservation Boards, and approximately a third of all memberships expire each year (they are on an ongoing, three-year appointment cycle). Some 46 appointments are due in 2017/18.

Fish and Game Councils

Twelve regional Fish and Game Councils manage freshwater sport fishing and game bird hunting. Each has up to 12 members, elected by licence holders, and a non-voting Departmental representative. Each Council appoints one person to the New Zealand Fish and Game Council. The New Zealand Fish and Game Council advises you, develops policy and guidelines, advocates the interests of anglers and hunters and co-ordinates the fishery and game bird management through the setting of annual licence fees.

The Chair of the New Zealand Fish and Game Council is Lindsay Lyons and the newly appointed Chief Executive is Martin Taylor.

You are responsible for approving the councils' annual budgets, financial reports, and the sports fishing licence and game licence fees and conditions. You can require amendments to their recommended conditions for game seasons but they are not otherwise subject to your direction. They have an annual budget of about \$10 million, funded from sales of fishing and hunting licences.

The Taupo sports fishery is managed separately by the Department in consultation with the Taupo Fishery Advisory Committee, which has 11 members appointed by you. It is the only sports fishery not managed by a Fish and Game Council.

Game Animal Council

The Game Animal Council is a statutory body established under the Game Animal Council Act 2013 to represent the interests of the recreational hunting sector and improve the management of hunting resources, while contributing to positive conservation outcomes. Its main functions are: advising and making recommendations to you on hunting issues; providing information and education to the sector; promoting safety initiatives; conducting game animal research; and undertaking management functions for designated herds of special interest. The 9 members of the Council are appointed by you. Its current chair is Don Hammond.

Guardians of Lakes

The eight Guardians of Lakes Manapouri, Monowai and Te Anau are appointed by the Minister. They meet twice a year and work with electric power companies in monitoring the impact of power generation on the lakes, particularly on water levels.

The six Guardians of Lake Wanaka are appointed by the Minister, under the terms of the Lake Wanaka Preservation Act 1973. Their term has recently been extended by one year, to June 2018. They monitor the environmental health of the lake and its catchment, the use of the lake for recreational purposes, and ensure the purposes of the Act (especially preventing the natural outflow of the lake being varied, and preserving the water levels of the lake) are met.

Hauraki Gulf Forum

The Hauraki Gulf Forum is a statutory body established under the Hauraki Gulf Marine Park Act 2000 and administered by Auckland Council. It represents all local authorities adjoining the gulf or its catchments, and includes representatives of the Ministers of Conservation, Fisheries and Māori Affairs, together with six representatives from local iwi (appointed by you). It is charged with integrating management of the gulf through cooperation and better communication.



Kaikoura. *Photo: James Mortimer*

Kaikōura Marine Guardians

Under the Kaikōura (Te Tai o Marokura) Marine Management Act 2014, 11 Guardians are jointly appointed by you and the Minister for Primary Industries to an advisory committee that reports to both Ministers on biosecurity, conservation and fisheries matters within the Kaikoura Marine Area.

Marine reserve committees

Some marine reserves have committees to advise on their management. Some are established by you under the Conservation Act 1987, under terms of reference set by you. Others are established by the relevant conservation board.

Nature Heritage Fund Committee

The Nature Heritage Fund (NHF) Committee is an independent advisory committee appointed by you and serviced by the Department. The NHF was established in 1990 to achieve protection of ecologically valuable ecosystems on privately owned land through purchase and/or covenant.

The Committee assesses applications submitted to the NHF and makes recommendations to you for funding. The Committee provides management recommendations, such as protection status, special conditions, and who should administer the land, but it does not have an ongoing role with the resulting protected areas. The Fund has a revolving annual appropriation of \$1.803 million per annum.

The Committee also advises you on the conservation component of the South Island Landless Natives Act 1909 (SILNA) package. The SILNA package was established in 2002 and allows for a consideration payment to be made for the voluntary protection of privately owned, high conservation-value SILNA land. Approximately \$1.8 million of the package remains available for allocation.

Nga Whenua Rahui Komiti

The Nga Whenua Rahui (NWR) Komiti is an advisory committee appointed by the Minister of Conservation under s.56 of the Conservation Act 1987. The Komiti was established to advise you on the NWR fund which was established as part of the Indigenous Forest Policy in 1990 to achieve protection of indigenous forests on Maori land (subsequently extended to indigenous ecosystems). The Komiti advises you on applications for funding and on entering agreements with landowners to protect natural, cultural, spiritual and historic values on Maori land. The fund has an annual allocation of just over \$6 million for entering new agreements and for maintaining protection on existing lands covered by agreements.

The Komiti also advises you on the Matauranga Kura Taiao fund, a smaller fund (just over \$0.5 million) established under the Biodiversity Strategy in 2000 to protect traditional Matauranga Maori (Knowledge) as it relates to biodiversity.

You appoint Komiti members and consult with them about appointing a Chair.

Predator Free Ltd

Predator Free 2050 Ltd is an independent Crown-owned company. You and the Minister of Finance are the shareholders. The role of Predator Free 2050 Ltd is to:

- invest in high-value, large-scale predator control initiatives
- invest in breakthrough scientific research into predator control and eradication
- attract investment from the private sector, philanthropists and local government

Predator Free 2050 Ltd receives \$6 million per year of new government funding and is expected to leverage additional contributions from business, local government and philanthropists of approximately \$10 million per year.

Queen Elizabeth II National Trust

The Queen Elizabeth II National Trust assists landowners to protect significant natural and cultural features on their land, primarily through open space covenants. It helps to fund covenant projects, advises landowners on management, and monitors covenants in its role as a perpetual trustee. It has an annual budget of about \$4 million, mostly from government grants. Its appropriation from “Vote: Conservation” is subject to your annual purchase agreement.

Its Board reports annually to you. You appoint its Chairperson and three Directors, and Trust members elect two more Directors. The current Chairperson is James Guild and the Chief Executive is Mike Jebson.

Reserve boards

Reserve Boards control and manage reserves according to the Reserves Act 1977. The Minister currently appoints the Lake Ōkātina Scenic Reserve Board, the Lake Rotoiti Scenic Reserve Board, the Lake Horowhenua Domain Board and the Kaiteriteri Recreation Reserve Board. The Lake Ōkātina appointments have recently been made, for a term through until 2022, and the other boards are not due for reappointments until mid-2018.

Boards and committees implementing Treaty of Waitangi claims settlements

A range of committees and boards have been established through Treaty of Waitangi claims settlement legislation. Most provide advice to the Minister on conservation matters in the iwi's area of interest. Others are joint advisory or management committees.

The Te Urewera Board governs Te Urewera (formerly Te Urewera National Park) and manages Te Urewera with assistance from DOC. Board members are appointed by iwi and the Minister of Conservation. Members of the Board were reappointed in September, for a further two-year period.

The Taupō-nui-a-Tia Management Board administers the beds of Lake Taupō, some tributaries and part of the Waikato River as if they were a recreation reserve. It has four Ngāti Tūwharetoa members and four Crown members appointed by you, in consultation with the Minister of Māori Affairs. The Crown has recently appointed its four members for a term through until 31 May 2020.



Punakaiki Marine Reserve, Buller. *Photo: Andris Apse*

5. International agreements and bodies

New Zealand is party to a range of international agreements and is a member of a number of international bodies dealing with environmental and conservation issues. Your approval or guidance may be needed on delegations and negotiating positions. Ministerial representation at meetings and negotiations is occasionally recommended where there is high level political interest but is determined by your availability.

DOC is New Zealand's lead agency for:

Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)

This Convention, and domestic implementing legislation, facilitates the regulation and control of international trade in wild animals and plants, and products.

Convention Concerning the Protection of the World Cultural and Natural Heritage (World Heritage Convention)

This Convention is concerned with the protection of cultural and natural heritage. The Department manages New Zealand's three World Heritage Sites - the New Zealand Subantarctic Islands, Te Wāhipounamu / South West New Zealand and Tongariro National Park.

The Ramsar Convention on Wetlands of International Importance especially as Waterfowl Habitat (Ramsar Convention)

An intergovernmental treaty that provides the framework for national action and international co-operation for the conservation and wise use of wetlands and their resources. New Zealand currently has 6 sites designated as Wetlands of International Importance (Ramsar Sites).

Convention on the Conservation of Migratory Species of Wild Animals (CMS)

This Convention aims to conserve migratory species throughout their range. It is relevant to a number of species that spend part of their migratory cycle in New Zealand territory. The Department also leads New Zealand representation in two subsidiary agreements.

Agreement on the Conservation of Albatrosses and Petrels

This multilateral Agreement aims to safeguard albatross and petrel populations in the Southern Ocean, particularly by reducing seabird bycatch from commercial fishing.

East Asian–Australasian Flyway Partnership

This partnership focuses on migratory birds that fly between the southern and northern hemispheres by way of Asia. It is particularly relevant to the survival of red knots and godwits, which breed in the Arctic - the longest migratory flight in the world.

Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES)

An intergovernmental body which assesses the state of biodiversity and of the ecosystem services it provides to society. IPBES aims to strengthen the science-policy interface to inform decision-making that supports long-term human well-being and sustainable development.

International Union for Conservation of Nature

The Department is the State Party representative to this membership union of government and civil society organisations. The organisation is dedicated to progressing conservation of natural resources including through sharing of knowledge and tools.

DOC is a contributing agency to:

Convention on Biological Diversity (CBD)

This convention promotes the conservation of biological diversity, sustainable use of genetic resources and fair sharing of the benefits. The New Zealand Biodiversity Strategy and Action Plan reflects our commitment to these goals.

International Convention for the Regulation of Whaling (IWC)

The Department is the New Zealand representative to the IWC Scientific Committee and provides advice to the Ministry of Foreign Affairs and Trade on policy matters. New Zealand is a strong advocate for the protection of whales and supported the moratorium on commercial whaling and the establishment of the Southern Ocean Whale Sanctuary.

Antarctic Treaty and Environmental Protocol

The Antarctic Treaty promotes peaceful international scientific cooperation in Antarctica. The Department primarily contributes to New Zealand engagement under the Antarctic Treaty through the supplementary Protocol on Environmental Protection. The Protocol sets Antarctica aside as a natural reserve devoted to peace and science, and provides for the comprehensive protection of its environments and ecosystems.

Convention on the Conservation of Antarctic Marine Living Resources (CCAMLR)

CCAMLR is part of the Antarctic Treaty System and is the primary organisation through which the Department promotes conservation of Antarctic marine biodiversity and ecosystems.

Secretariat of the Pacific Regional Environment Programme (SPREP)

SPREP is established under the Convention on Conservation of Nature in the South Pacific (also known as the Apia Convention). SPREP assist's member governments and administrations with the protection and sustainable development of the region's environment.

Regional Fisheries Management Organisations

The Department promotes the conservation of vulnerable marine species and habitats from the impacts associated with internationally shared fisheries through engagement in relevant regional fisheries management organisations.

United Nations Convention on the Law of the Sea (UNCLOS)

The Department supports implementation of UNCLOS as another means of promoting marine conservation. The Department provides technical policy advice and support to the Ministry of Foreign Affairs in UN ocean processes. These include annual negotiations on resolutions, the regular process for global oceans assessment, and the negotiation of a new agreement for the conservation of marine biodiversity in the high seas (beyond national jurisdiction).

Other international engagements

The Department occasionally provides advice and support to the Government's engagement in other international fora as required to meet international obligations, achieve conservation outcomes and support New Zealand's strategic interests and foreign policy objectives.

Departmental staff also engage in international knowledge development and sharing processes and share conservation policy and practice expertise through bilateral and regional co-operation and capacity-building.



The Tongariro Crossing in Tongariro National Park, one of New Zealand's three World Heritage Sites. *Photo: Nir Ketraru.*

6. Vote Conservation

This section provides a snapshot of Vote Conservation finances.

The Department will offer a detailed briefing for you and your staff on the Vote Conservation finances and your accountabilities under the Public Finance Act 1989.

The Vote Conservation 2017/18 budget is \$467 million, comprising of the following components:

	2016/17 Actual \$000	2016/17 Budget \$000	2017/18 Budget \$000
Departmental Output Expenses			
Management of Natural Heritage*	194,190	195,751	173,267
Management of Recreational Opportunities	148,410	149,772	147,259
Conservation with the Community	29,016	32,863	33,716
Management of Historic Heritage	5,458	6,280	6,620
Crown Contribution to Regional Pest Management	2,887	3,291	3,291
Multi-Category Expenses & Capital Expenditure	7,970	11,576	12,296
	387,931	399,533	376,449
Departmental Capital Expenditure	20,021	27,354	35,644
Non-Departmental Output Expenses			
Community Conservation Funds	2,605	5,564	10,737
Other	18,626	23,045	8,821
Multi-Category Expenses & Capital Expenditure	10,599	16,018	23,602
	31,830	44,627	43,160
Non-Departmental Multi-year Expenditure (Predator Free NZ)		353	7,717
Non-Departmental Capital Expenditure	183	9,604	3,697
Total Vote Conservation Appropriations	439,965	481,471	466,667

*Please note: The key driver for the above decrease from 2016/17 actual expenditure for 'Management of Natural Heritage' (\$194m) to the 2017/18 budget amount (\$173m) is the one-off 2016/17 budget initiatives shown in the table below.

Actual Departmental expenditure funding sources in 2016/17 were \$340 million from the Crown (2017/18 Budget: \$321 million); Third Party Revenue \$53 million (2017/18 Budget: \$53 million), resulting in a reported surplus in 2016/17 of \$5 million (2017/18 Budget: \$2 million deficit).

New 2017 Budget Initiatives

The following new initiatives were funded in Budget 2017:

	2016/17 Actual \$000	2017/18 Budget \$000	2018/19 Budget \$000	2019/20 Budget \$000	2020/21 Budget \$000	2021/22 Budget \$000
Battle for Our Birds 2017	21,316					
Response to the Port Hills Fires	4,750					
Tourism Infrastructure - Maintenance		5,418	7,103	10,624	9,987	9,987
<i>related Capital injection</i>		5,344	1,044	6,294	8,334	4,084
Tourism Growth Initiative - New Walks		1,712	2,126	3,436	4,238	4,238
<i>related Capital injection</i>		700	2,320	2,970	4,300	5,650
Marine Protection & Development		750				
Regional Growth Programme		200	200			
Total New Policy Initiatives	26,066	14,124	12,793	23,324	26,859	23,959



Mohua (yellowhead). Photo: Sabine Bernert

Appendix 1: Arrangements for working with you

Item	Proposed turnaround
Status Report	
<p>A weekly update of issues and events in the Conservation portfolio over the past and coming week. The purpose of the report is to keep you informed of key issues. It also can be useful for informing a weekly meeting between you and DOC senior leadership.</p> <p>The Status Report can be tailored to your preferences and could include: updates on matters requested by you, a list of conservation and joint papers going to Cabinet, a list of briefings due with you in the coming week, and a list of Official Information Act requests received.</p>	Deliver each Friday for the weekend bag
Briefings	
<p>These are substantive pieces of advice that usually include recommendations for decisions or deal with complex or controversial matters.</p> <p><i>Examples:</i> providing policy options for achieving a government priority, approving the transfer of land into iwi ownership following Treaty settlement negotiations, covering briefings for conservation Cabinet papers.</p>	15 days
Memos	
<p>These are short (< 2 pages) pieces of advice that do not require decisions. They may have attachments.</p> <p><i>Examples:</i> response to your requests for information, notes and talking points for a Cabinet Committee, a meeting or event.</p>	10 - 15 days
Ministerial correspondence	
<p>You may wish to respond to correspondence directly from your office, refer to DOC to draft a response for your signature, or refer to DOC for direct reply. Some items, such as those from Members of Parliament, have traditionally been dealt with as a priority with a shorter turnaround.</p> <p>We will work with your office to develop the style and tone that you prefer.</p>	15 days Priority items 10 days

<p>Official Information Act requests</p>	
<p>Requests for official information may be directed to you or to DOC. Requests directed to you may be managed within your office, referred to DOC to draft a response for your consideration, or transferred to DOC under the OIA for response.</p> <p>This is how we propose to interact with your office on OIA requests:</p> <ul style="list-style-type: none"> • All requests received are listed in the Status Report. • Your office considers requests directed to you and decides which are managed in your office, and which are referred or transferred to DOC. • DOC is responsible under the OIA for requests received by or transferred to DOC. Where there are potential risks (e.g. media interest) we will advise your office via a memo prior to responding to the requester. • Requests referred to DOC to draft a response on your behalf remain your responsibility under the OIA. We will process these and give you a briefing including: risks and mitigations; a proposed letter of response; and, materials for release with any proposed redactions. 	<p>5 days prior to statutory due date for response</p>
<p>Parliamentary Questions</p>	
<p>Written: You are required to respond to written parliamentary questions within six working days. We will provide draft responses in a standard template to your office. We may attach additional context to the draft response for your information.</p> <p>Oral: We will work with your office to establish processes for preparing for oral question responses that best suit your preferred approach. This will include subject matter experts being available to brief you in person.</p>	<p>3 days from due date</p> <p>Immediate</p>
<p>Speeches and events</p>	
<p>We will work with your Senior Private Secretary to establish templates for administrative information for events.</p> <p>These will be accompanied by speeches and advice as required. We can draft technical and factual content for your conservation portfolio speeches and provide material to your office in electronic form for your Press Secretary to finalise.</p>	<p>5 days prior to the event</p>
<p>Media</p>	
<p>Media requests will often have tight timeframes. The DOC Communications team will work with your Press Secretary and Private Secretaries to determine the most efficient approach.</p>	<p>Case by case</p>

Appendix 2: Legislation

Legislation administered by the Department of Conservation

- Conservation Act 1987
- Canterbury Provincial Buildings Vesting Act 1928
- Game Animal Council Act 2013
- Harbour Boards Dry Land Endowment Revesting Act 1991
- Hauraki Gulf Marine Park Act 2000
- Kapiti Island Public Reserve Act 1897
- Lake Wanaka Preservation Act 1973
- Marine Mammals Protection Act 1978
- Marine Reserves Act 1971
- Mount Egmont Vesting Act 1978
- National Parks Act 1980
- Native Plants Protection Act 1934
- Ngāi Tahu (Tūtaepatu Lagoon Vesting) Act 1998
- Queen Elizabeth the Second National Trust Act 1977
- Queenstown Reserves Vesting and Empowering Act 1971
- Reserves Act 1977
- Stewart Island Reserves Empowering Act 1976
- Sub-antarctic Islands Marine Reserves Act 2014
- Sugar Loaf Islands Marine Protected Area Act 1991
- Trade in Endangered Species Act 1989
- Tutae-Ka-Wetoweto Forest Act 2001
- Waitangi Endowment Act 1932-33
- Waitangi National Trust Board Act 1932
- Waitutu Block Settlement Act 1997
- West Coast Wind-blown Timber (Conservation Lands) Act 2014
- Wild Animal Control Act 1977
- Wildlife Act 1953

Other Acts under which the Department has functions

- Biosecurity Act 1993
- Crown Forest Assets Act 1989
- Crown Minerals Act 1991
- Crown Pastoral Land Act 1998
- Fisheries Act 1996
- Fire and Emergency New Zealand Act 2017
- Forests Act 1949
- Freedom Camping Act 2011
- Land Act 1948
- Local Government Act 1974
- Local Government Act 2002
- Maori Land Amendment and Maori Land Claims Adjustment Act 1926
- Marine and Coastal Area (Takutai Moana) Act 2011
- Public Works Act 1981
- Resource Management Act 1991
- Treaty of Waitangi claims settlement Acts