



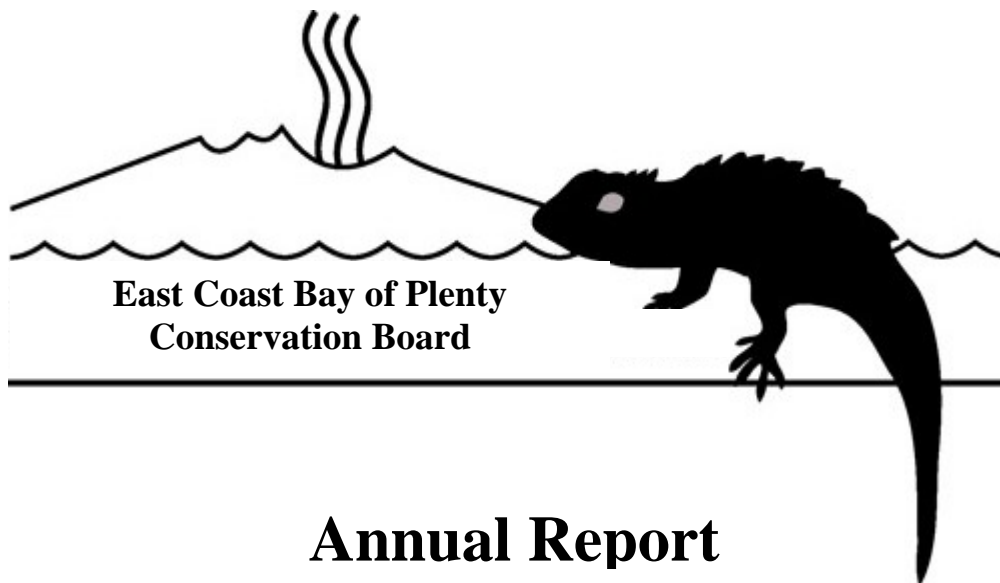
East Coast Bay of Plenty Conservation Board

Annual Report

1 July 2009 - 30 June 2010



Department of Conservation
Te Papa Atawhai



1 July 2009 - 30 June 2010

**Presented to the New Zealand Conservation Authority
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Front cover: The Board, Gisborne Forest and Bird and DOC staff, Andy Bassett (Area Manager Gisborne Whakatane) and Jamie Quirk (Ranger Marine/CLE) at Te Tapuwae O Rongokako Marine Reserve (Whangara, north of Gisborne). Photo: Leilani Fraser

Photos on pages 4, 9, 11, 13, 14, 15, 16, 20, 21, 22, and 23 taken by Board member, Suzanne Williams.

Photos on pages 12, 18 and 21 taken by Board Support Officer, Leilani Fraser.

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1. CHAIRPERSON'S REPORT

Tena Koutou Katoa

Once again, it is my great pleasure, as Chairperson and member of the East Coast Bay of Plenty Conservation Board, that I present the Board's Annual Report for 2009-2010.

Over the last 12 months the Bay of Plenty Conservancy got a lot bigger with the addition of a large part of the former East Coast Conservancy. In spite of the review and the subsequent changes, the Board has once again had another productive year with a number of achievements and highlights.

The Board's draft Bay of Plenty Conservation Management Strategy (CMS) was taken off the table after the Conservancy amalgamation meant that both of the draft CMS's would need to be merged. The Conservation Board continues to cite the valuable work that is being done by Community Landcare Groups, Iwi, passionate individuals and Conservancy Staff throughout the East Coast Bay of Plenty Conservancy. I would like to take my hat off to the Conservancy Staff that successfully managed the Whirinaki 25 celebrations. It was also the first time I met our now new Minister of Conservation, Hon Kate Wilkinson.



The Board, DOC staff and Te Tapatoru a Toi members on Moutohora (Whale Island), Whakatane (March 2010)

Our Board activities continue to include field trips which allows us the ability to see first-hand the work of Conservancy Staff and not just hear about it in a monitoring report. The Board were particularly taken with their recent trip to Gisborne and one of our most recent additions to the Conservancy, Te Tapuwae O Rongokako Marine Reserve. I would like to particularly recognise the cooperation and professional relationship the Board has with East Coast Bay of Plenty Conservator, Henry Weston and his supportive team of staff. Special mention must be given to Mark Davies and Leilani Fraser who both directly support the Board and their behind the scenes works allows us to plough through sometimes significant agendas, as well as the support that Mark has given me as the Boards representative on Te Tapatoru a Toi (Joint Management Committee).

I would once again like to acknowledge my fellow Board members for their untiring work, especially the time and effort they have put into sub-committee work. The degree of passion and professional commitment to conservation by Board members is of the highest calibre.

In closing, I would like to pay special mention to those Board members who have run their terms and are now no longer on the Board. It has indeed been a privilege to have your input and commitment and I wish you well.

Noho ora mai

Anthony Olsen
Chairperson
East Coast Bay of Plenty Conservation Board

2. INTRODUCTION TO THE EAST COAST BAY OF PLENTY CONSERVATION BOARD

This is the first annual report of the East Coast Bay of Plenty Conservation Board. The Bay of Plenty Conservation Board was reconfigured to the East Coast Bay of Plenty Conservancy and renamed the East Coast Bay of Plenty Conservation Board on 1 July 2009. This was due to a review of the East Coast Hawke's Bay Conservancy which resulted in a decision by the Minister of Conservation to disestablish the East Coast Hawke's Bay Conservation Board.

The East Coast Bay of Plenty Conservation Board is one of the thirteen statutory bodies appointed by the Minister of Conservation under Section P of the Conservation Act 1987. The functions and powers of the Board are outlined in Sections 6M and 6N respectively. The role of the Board as laid out in the Act is as follows:

- To recommend the approval of Conservation Management Strategies;
- To approve Conservation Management Plans;
- To advise on how Conservation Management Strategies and Plans are being put into practice;
- To advise on proposed changes to the status of land areas of national and international significance;
- To advise on proposals for new walkways;
- To liaise with Fish and Game Councils on conservation matters;
- To carry out the other powers delegated to the Board by the Minister of Conservation, the Conservation Act or any other Act;
- To advocate its interests at any public forum or in any statutory planning process.

These functions and powers, where exercised, are reported on separately within this report.

3. MEMBERSHIP OF THE EAST COAST BAY OF PLENTY CONSERVATION BOARD

Membership of the East Coast Bay of Plenty Conservation Board during the reporting period was as follows:

Board Members	Home Location	Meetings Attended
Anthony Olsen (Chairperson)	Matata	5
John Coster	Tauranga	5
Margriet Theron	Rotorua	5
Suzanne Williams	Tauranga	5
Ian Pirani	Katikati	4
Hera Smith	Rotorua/Murupara	3
Joe Doherty	Ngaputahi/Rerewhakaaitu	3
Michael Hayden	Waihi	4
Maureen Burgess	Te Puke	5
* Stephen Parr (Deputy Chairperson)	Tauranga	0
# Roger Pikia	Hamilton	0

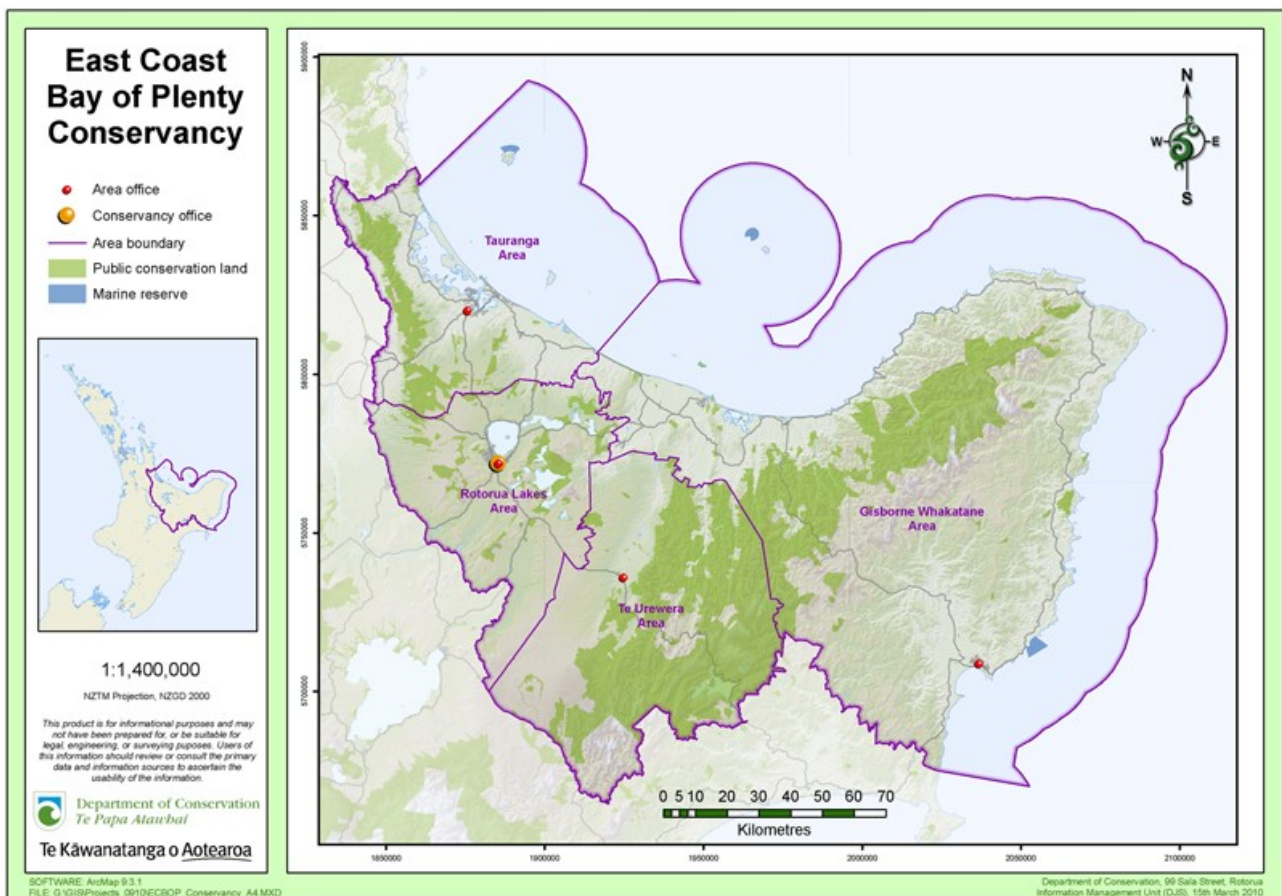
* Stephen Parr's term on the Board ended on 31st August 2009 and he attended his final meeting on 5th June 2009. # Roger Pikia was appointed to the Conservation Board on 1st September 2008 and resigned on 7th August 2009.

The Board has been frustrated at the amount of time it has taken to appoint new members to the Board for 2009 and 2010. The length of time has been due to the merging of East Coast and Bay of Plenty Conservancy and also Wellington and Hawke's Bay Conservancy in 2009 and a need to have representation on the Board from the East Coast and Hawke's Bay regions. The Board hopes to be able to meet new Board members at its September 2010 meeting.

4. FEES AND ALLOWANCES

The Chairperson receives a daily meeting fee of \$190 and other Board members receive a daily meeting fee of \$140. Members are reimbursed for actual and reasonable expenses incurred while engaged on Board business. Fees and allowances are paid in accordance with the Fees and Travelling Allowances Act 1951.

5. THE BOARD'S AREA



The East Coast Bay of Plenty Conservancy extends from Paeroa in the northwest to Gisborne in the southwest.

Forests such as Te Urewera National Park and Whirinaki Forest Park, Raukumara and Kaimai Mamaku Conservation Parks are enjoyed by a wide range of recreational users from around and beyond our region. These ancient ranges are connected intimately with significant coastal forest and dunelands that lie at the fringes of the Conservancy and continue into the depths of the marine world through to various islands and beyond.

Wetland features, associated vegetation and the geothermal wonders of the Rotorua Lakes and surrounding reserve network also provide unique features to an area that is as diverse in species as it is in people groups and communities.

This is a Conservancy rich in historic and cultural sites, boasting the landing place of the Horouta waka and Te Ikaroa-a-Rauru waka and the Turanganui River Historic Precinct where the nationally significant Cook Landing Site National Historic Reserve are located. The rock, Te Toka-a-Taiau, with links to all iwi of Tairāwhiti is important as a tribal boundary marker and is the site of the first hongi between European and Maori.

This physical location represents our ongoing responsibility to iwi under the Treaty of Waitangi as the Conservancy area is homeland to the whanau, hapu and iwi of Pare Hauraki, Tauranga Moana, Te Arawa Federation, Mataatua Waka, Te Tairāwhiti, Turanga-nui-a-kiwa and Te Urewera. An estimated 300,000 people dwell in or are connected to this Conservancy.

6. ACTIVITIES OF THE EAST BAY OF PLENTY CONSERVATION BOARD

6.1 BOARD MEETINGS AND FIELD TRIPS

Five Board meetings were held during the course of the year:

Date of Meeting	Meeting Venue	Location
7 August 2009	Department of Conservation Tauranga Area Office	Tauranga
2 October 2009	Whakaue Marae, Maketu	Maketu
4 December 2009	Department of Conservation East Coast Bay of Plenty Conservancy Office	Rotorua
17 March 2010	Department of Conservation Whakatane Office, Valley Road	Whakatane
11 June 2010	Department of Conservation Gisborne/Whakatane Area Office	Gisborne

The Board had the following field trips during the course of the year:

Tuesday 16th March 2010 (Moutohora - Whale Island, Whakatane)

Hosted by Te Kei Merito (Chairperson of Te Tapatoru a Toi, Joint Management Committee), Mrs Ngamihi Crapp, John Hohapata-Oke and Rapata Kopae (members of Te Tapatoru a Toi) and Andy Bassett (Area Manager for Gisborne/Whakatane), the Board attended a field trip to Moutohora (Whale Island) near Whakatane. The discussions focused on the role of Te Tapatoru a Toi, management of Moutohora and its history and Te Tapui Tokotoru, the Conservation Management Plan for Moutohora.

Friday 14th May 2010 (Waikaraka Estuary, Tauranga)

Hosted by Andrew Baucke (Area Manager Tauranga), some members of the Board attended a field trip to the Waikaraka Estuary in Tauranga to view sites where mangroves have been mechanically removed. Representatives from Environment Bay of Plenty also attended the field trip and answered questions from the Board.

Saturday 12th June 2010 (Te Tapuwae O Rongokako Marine Reserve, Whangara/Gisborne)

Hosted by Andy Bassett (Area Manager, Gisborne/Whakatane) and Jamie Quirk (Ranger, Marine/Compliance and Law Enforcement) the Board visited The Cook Landing Site National

Historic Reserve and Te Tapuwae O Rongokako Marine Reserve at Whangara, north of Gisborne. Jamie Quirk did a presentation for the Board highlighting the various species found in the reserve, the excellent relationship with the local iwi, Ngati Konohi and how monitoring has helped to increase the lobster populations within and outside of the reserve. Local Forest and Bird members were also in attendance at the field trip.

6.2 BOARD COMMITTEES

The Board's committees are named after the specific 'Place' sections of the draft Bay of Plenty Conservation Management Strategy (CMS) and members within the committees have a special interest in those places. The Board has other committees which deal with issues such as statutory planning (submissions), Board work planning and local government and TLA liaison.

Committee	Board Membership
National Issues / NZCA Liaison	Anthony Olsen
Neighbouring Board Liaison	Anthony Olsen, John Coster
Pest Management Issues	Hera Smith, Ian Pirani, Maureen Burgess
Biodiversity (eg. protected species)	Stephen Parr, Suzanne Williams
Treaty of Waitangi (section 4 of the Conservation Act 1987)	All Board members
Board Work Planning	Margriet Theron, Anthony Olsen, Mike Hayden, Hera Smith
Statutory Planning (Submissions etc)	Suzanne Williams, Anthony Olsen, Mike Hayden
Local Government and TLA Liaison	Maureen Burgess, Mike Hayden, Margriet Theron
Eastern Region Fish and Game Council Liaison	Ian Pirani
Recreation and Historic	Stephen Parr, John Coster, Joe Doherty, Mike Hayden
Islands	John Coster, Stephen Parr, Maureen Burgess
Kaimai-Mamaku Forest	Stephen Parr, Suzanne Williams, Mike Hayden, John Coster, Maureen Burgess
Whirinaki Forest	Margriet Theron, Hera Smith, Joe Doherty, Stephen Parr
Marine Reserves	Suzanne Williams, Maureen Burgess
Wetlands	Anthony Olsen, Ian Pirani, Suzanne Williams, Hera Smith
Volcanic and geothermal landforms, lakes and associated forests	Margriet Theron, Hera Smith, Suzanne Williams

6.3 OTHER MEETINGS AND ACTIVITIES ATTENDED BY BOARD MEMBERS

Joint Management Committee - Te Tapatoru a Toi

As part of the Ngati Awa settlement, the Ngati Awa Claims Settlement Act 2005 required the Minister of Conservation to delegate certain reserve management powers in order to recognise Ngati Awa values and relationships with three places - Moutohora (Whale Island) Wildlife Management Reserve, Ohope Scenic Reserve and Tauwhare Pa Scenic Reserve. The Joint Management Committee was formed and is known as 'Te Tapatoru a Toi'.

Te Tapui Tokotoru Conservation Management Plan was approved in October 2008 and will help to achieve the purpose of the Ngati Awa Claims Settlement Act 2005 and the requirements for reserve management planning under the Conservation Act 1987.

This committee has representatives nominated by Ngati Awa, the Department of Conservation and the East Coast Bay of Plenty Conservation Board. Anthony Olsen is the Board's representative on the committee. During the course of the year, Anthony attended meetings of Te Tapatoru a Toi and provided updates at Board meetings.



The Board and DOC staff at Waikaraka Estuary (May 2010)

The Board enjoyed a visit to Moutohora (Whale Island) on 16th March 2010 and were hosted by the committee's Chairperson, Te Kei Merito and members Mrs Ngamihi Crapp, Rapata Kopae and John Hohapata-Oke (a former Bay of Plenty Conservation Board member).

Lake Okareka Ratepayers and Residents Association Incorporation (LORRA)

Margriet Theron attended a public meeting of LORRA on Thursday 22nd October 2009 held at the Lake Okareka Community Hall, Rotorua. The public meeting was held to discuss a proposal that LORRA and Landcare Okareka are hoping to undertake to re-open and extend an old walking track around Lake Okareka that was in existence some 20 years ago.

Margriet noted that the meeting was very well attended and that the Lake Okareka community and staff from the Rotorua Lakes Area Office have a very good working relationship.

Kaimai Catchments Project Terms of Reference - Signing Celebration

Anthony Olsen attended a function to celebrate the signing of the Terms of Reference for the Kaimai Catchments Project. The terms of reference formalises and establishes a joint agency Technical Advisory Group in order to progress the Kaimai Catchments project and was held on Tuesday 2nd February 2010 at the Tauranga Area Office.

Kaituna Wetland Kayak Trail Launch

On 14th February 2010, Board members Anthony Olsen Maureen Burgess and Margriet Theron attended the launch of the kayak trail at the Kaituna Wetlands. It was very well attended and a great success. DOC staff gave talks and acted as guides around the trail and kayaks were available so that everyone could have a go. MP for Rotorua, Todd McClay, gave a speech to open the trail and unveil a Fish and Game painting of mallards. The collaboration between the Department, Environment Bay of Plenty Regional Council and Fish and Game is working very well.

Mighty River Power Public Meeting

Margriet attended the annual public meeting for Mighty River Power held in Rotorua on 18th February 2010. Mighty River Power's Board of Directors was in attendance and Margriet noted that not enough members of the Rotorua public attended the meeting. Mighty River Power will be shifting its geothermal team to Rotorua (from Taupo and Hamilton) and much of the discussion focused on conservation impacts and geothermal fields.

National Wetlands Symposium 2010

The National Wetlands Symposium was held in Rotorua on 3rd - 5th March 2010 and three Board members were funded to attend on behalf of the Board. Suzanne Williams, Ian Pirani and

Margriet Theron attended as representatives of the Conservation Board and Maureen Burgess also attended, partly sponsored by the Western Bay of Plenty District Council and the Maketu Ongatoro Wetlands Group. The symposium was well attended and had many quality presentations and field trips.

7. FUNCTIONS UNDER SECTION 6M OF THE CONSERVATION ACT 1987

7.1 SECTION 6M 1(A) TO RECOMMEND THE APPROVAL BY THE CONSERVATION AUTHORITY OF CONSERVATION MANAGEMENT STRATEGIES AND THE REVIEW AND AMENDMENT OF SUCH STRATEGIES, UNDER THE RELEVANT ENACTMENTS

Draft Bay of Plenty Conservation Management Strategy 2008-2018

It was with regret that the Conservancy and Board decided to withdraw the Draft Bay of Plenty Conservation Management Strategy 2008-2018, under consideration by the NZCA. At the Board's 7th August 2009 meeting, the following resolutions were carried:

Resolved:

- 1. The Board endorses the Conservator's and Chair's decision to withdraw the draft BOP CMS 2008-2018 document from the NZCA consideration process.**
- 2. That the Department advises all submitters and stakeholders of the decision to withdraw and the reasons why and the proposal to use the draft to guide management of the places in the interim.**
- 3. The Board endorses the draft BOP CMS 2008-2018 as an internal working document to guide conservation management for the interim period, for the BOP portion of the new Conservancy, between now and a new East Coast Bay of Plenty CMS indicatively 2011 to 2012.**
- 4. The Board agrees that the CMS Monitoring Programme in the intervening period will be with the draft BOP CMS 2008-2018.**
- 5. That the Board notes the BOP CMS 1997-2007 will run on in the interim (will require MOC approval) and be used for all statutory decision making (mainly concessions applications).**
- 6. The Board endorses the Department's proposed approach of beginning a new internal process in consultation with the Board of a Strategic Direction and integrated planning.**

**Moved: John Coster
Seconded: Suzanne Williams
Carried**

The Conservator and Board Chair received a letter from the NZCA acknowledging the withdrawal of the Draft BOP CMS 2008-2018 from its consideration and approval process. The Conservator and Chair advised that they had also written to all CMS submitters advising them of the decisions to withdraw and the reasons why.

With the establishment of the new East Coast Bay of Plenty Conservancy on 1st July 2009, the priority needs to be on working with the Board to establish sensible objectives for conservation

across the enlarged Conservancy. This will then enable the Conservancy and Board to look toward a CMS for the Conservancy in the next two to three years.

The final draft of the BOP CMS 2008-2018 is now being made available to the general public as a working and reference document with the explanation that it is being used as 'a guide for the management of the previous Bay of Plenty portion of the new Conservancy and its Places'. The statutory tool for decision making will be the previous BOP CMS 1997-2007.

Linda Conning, member of the NZCA, attended the Board's 2nd October 2009 meeting and heard feedback from the Board. Linda thanked the Board for its comments and would take them back to the NZCA. Linda acknowledged the Board's and Department's frustration and disappointment with the CMS process. The Board moved the following resolution:

Resolved: The Board considers that the drafting of the Conservation Management Strategy for the new East Coast Bay of Plenty Conservancy should not be pursued until the Department of Conservation has reached a satisfactory level of agreement with the New Zealand Conservation Authority on the desired structure, content and level of consistency of Conservation Management Strategies prepared under the Conservation Act.

**Moved: Ian Pirani
Seconded: Suzanne Williams
Carried**

At the Board's 4th December 2009 meeting, it discussed the terms of the previous BOP CMS 1997-2007 and the previous East Coast Hawke's Bay CMS 1998-2008 which were formally extended by the Minister of Conservation in 2008 out to 2009 and 2010 respectively. That formal extension was due to expire.

Legal advice from Jonty Somers (Chief Legal Advisor in National Office) was received on 5th January 2010 and included:



The Board and DOC staff arriving on to Moutohora (Whale Island), ready to be welcomed by Te Tapatoru a Toi (March 2010)

1. Despite the mandatory requirement in section 17H(4)(b) of the Conservation Act 1987 to review CMSs within 10 years of their approval, failure to do so does not mean that a CMS lapses or otherwise expires.
2. The requirements in section 17D that there be a CMS, that it cover all protected areas within the CMS's boundaries and that it implement General Policies continue to apply until a CMS is replaced.
3. CMSs do not expire if the Minister refuses to grant an extension of time for the review of a CMS; or if the Department fails to complete a review within the statutorily designated timeframe.
4. While a failure to comply with section 17H(4)(b) (to conduct a review) would constitute a breach of statutory duty, a CMS continues in force until replaced. To conclude otherwise would result in a breach of section 17D which requires CMSs to be put in place for all areas managed by the Department and to implement General Policies.

7.2 SECTION 6M 1(C) TO ADVISE THE CONSERVATION AUTHORITY AND THE DIRECTOR-GENERAL ON THE IMPLEMENTATION OF CONSERVATION MANAGEMENT STRATEGIES AND CONSERVATION MANAGEMENT PLANS FOR AREAS WITHIN THE JURISDICTION OF THE BOARD

The Board assessed the implementation of the following CMS sections during the year:

**Part 1, Sections 1.1 Treaty of Waitangi and 1.2 Public Participation
Report by Jason Ward (Canmap Hawley)
Presented by Mark Davies (Conservation Support Manager) on 2 October 2009
Conservation Board Assessment by John Coster**

In terms of the CMS Monitoring Report topic, it was appropriate to get an independent consultant to complete the report. Jason Ward from Canmap Hawley completed the report on behalf of the Department. It was not possible for Jason to approach and interview each of the 40 iwi and 200 community groups within the conservancy. He therefore selected a random sample of iwi and community groups and their comments were incorporated into the report.



The Board and DOC staff visiting the Cook Landing Site National Historic Reserve in Gisborne (June 2010)

Both the General Policy and the CMS are based on an effective and respectful partnership between the Department, iwi and the community. The report discussed whether the Department is on track to meet the milestones and address the outcomes, objectives and policies in the two key areas - Treaty of Waitangi Responsibilities and Public Participation in Conservation management - across the Conservancy and its Places.

In terms of iwi relationships with the Department, iwi consider themselves actively involved but want greater involvement. In terms of education, the focus is on working with schools and educational providers which are connected to Places.

1. Board's assessment and summary of progress towards achievement of the implementation of the CMS

The Draft Bay of Plenty Conservancy Conservation Management Strategy 2008-2018 has been withdrawn from the NZ Conservation Authority's consideration and approval process, but will continue to be used to guide management of those areas of the Conservancy which lie within the former Bay of Plenty Conservancy. The Draft will provide a basis for the Board's monitoring programme until such time as a Conservation Management Strategy for the new East Coast Bay

of Plenty Conservancy is approved. In the meantime, the 1997-2007 Bay of Plenty Conservation Management Strategy provides the statutory basis for decision making by the Board.

The current monitoring report demonstrates

- 1.1 Active involvement by the Department in addressing its Treaty responsibilities through, in particular, the establishment of good working relationships with iwi groups at various levels, and;
- 1.2 Active and productive involvement of community groups in the Department's conservation management programmes.



The Board and DOC staff visiting Captain James Cook's memorial statue in Gisborne (June 2010)

The Department is making progress toward meeting the Draft Strategy's milestones.

Treaty of Waitangi

While the report demonstrates close and effective working relationships with some groups, other partnerships remain to be developed. It is becoming clear that protocols arising from Treaty settlements may differ from those for more general relationships.

Public Participation

The Department has well-established educational and advocacy programmes and opportunities for community and individual involvement in conservation management. Ongoing relationships with agencies such as Local Authorities are established, and consultation is carried out with specific community and special-interest groups.

2. Board Recommendations

- a) The Department and Board will need to remain aware of the different levels at which iwi may be engaged and to understand the structures involved. Relationships will be formed for different purposes with, for example, tribal authorities, iwi environmental units and individual Treaty settlement entities such as Te Tapatoru a Toi;
- b) Careful monitoring is required of the ability of iwi groups to meet the workload involved in partnership programmes with the Department. Sources of administrative and logistical support may need to be sought;
- c) The Department should maintain and enhance its existing educational programmes, opportunities for a range of public participation, and consultation with community groups and other agencies.

3. Considerations for the next CMS Review

- a) The Board will need to be prepared to monitor progress in developing cooperative and effective working relationships at different levels with iwi groups in the new Conservancy;
- b) The Board and staff should remain mindful in future reviews that the CMS makes a distinction between "Public Participation" (1.2) and "People's Benefit and Enjoyment" (1.5). The two can become confused.

4. Follow-up actions for the Board

- a) Board members are encouraged to undertake the Department's Te Pukenga Atawhai training. Additional training to enhance the Board's understanding of relevant iwi structures and protocols is also desirable;
- b) Individual Board member involvement with relevant community groups is to be encouraged.

5. CMS Monitoring Outcome

The Board confirms that:

- The Department is pursuing its Treaty of Waitangi responsibilities and making progress toward achieving the Draft Strategy's milestones; and that
- The milestones for public participation in conservation management are well on the way to being met.

Moved: John Coster / Seconded: Anthony Olsen

Part 2, Places, Section 2.4 Islands

Report by Chris Clark (Programme Manager Biodiversity, Tauranga Area Office)

Presented on 17 March 2010

Conservation Board Assessment by John Coster, Maureen Burgess and Suzanne Williams

The CMS monitoring report addressed the current management of the islands within the Bay of Plenty; the state of the natural and cultural values and the health of partnerships with owners of the islands.

The report did not include the islands managed by the former East Coast Hawke's Bay Conservancy.

The outcomes, objectives and management policies of CMS Section 2.4 include both direct island management and a wide range of complex and changing social values. This report addresses the biodiversity management and also reflects a reasonable snap-shot of the relationships pertaining to island management.



The Board and DOC staff arriving at Moutohora/Whale Island near Whakatane (March 2010)

Some of the islands are reserves held by the Crown under the Reserves Act 1977, whilst others are in Maori ownership and Maori Reserves under Te Ture Whenua Maori Act 1992 and some are Wildlife Refuges pursuant to the Wildlife Act 1953. It is essential therefore, that in the course of this monitoring report, due recognition is given to the mana whenua of the owners of the islands.

1. Board's assessment and summary of progress towards achievement of the implementation of the CMS

The Draft Bay of Plenty Conservancy Conservation Management Strategy 2008-2018 (the Draft CMS) has been withdrawn from the NZ Conservation Authority's consideration and approval process, but will continue to be used to guide management of those areas of the Conservancy a

basis for the Board's monitoring programme until such time as a Conservation Management Strategy for the new East Coast Bay of Plenty Conservancy is approved. In the meantime, the 1997-2007 Bay of Plenty Conservation Management Strategy provides the statutory basis for decision making by the Board.

This monitoring report addresses objectives, outcomes and policies of section 2.4 of the Draft CMS. It does not include islands managed by the former East Coast Hawkes Bay Conservancy, since these have not been incorporated into the Draft CMS. The Department's role in the management of a number of islands requires attention to partnerships with Maori owners, also addressed under the Draft CMS Monitoring Report for section 1.1, Treaty of Waitangi responsibilities, as well as to the concerns of other stakeholders, including territorial authorities and community groups.

In broad terms, the report demonstrates significant progress toward protecting and enhancing biodiversity on islands and establishing functional and productive partnerships with Maori owners. Appropriate recognition of cultural, historical and other values still requires attention.



Te Tapatoru a Toi member, Rapata Kopae, explaining the history of Moutohora/Whale Island to the Board and DOC staff (March 2010)

2. Board Recommendations

- 2.1 Restoration Plans for Tuhua, Mokoia and Moutohora need to be revised or developed, and implemented, taking cultural and other values into account;
- 2.2 The Department may need to develop policy on radio masts and other structures on islands;
- 2.3 The Board recognises that islands often embody more-or-less intact landscapes, representing a significant range of values - traditional, cultural, historic, archaeological and geological - factors which may have been severely compromised on the mainland. Islands may function as repositories of cultural memory as well as of biodiversity. Conservation Management Plans need to take the range of values represented in each case into account, perhaps by incorporating a statement of significance for each island.

3. Considerations for the next CMS Review

Cultural harvest (e.g. of kuia-oi) and species protection (e.g. kiore on Whakaari) are issues for ongoing discussion with iwi. Apparent conflict between cultural and biodiversity values may be resolved, for example, by the recognition that rights to cultural harvest can be acknowledged without necessarily translating them into action.

4. Follow-up actions for the Board

The report notes that Outcomes, Objectives and Policies for Islands, as expressed in the Draft CMS, are relatively undifferentiated and do not progress from the general to the specific as would normally be expected. It is acknowledged that, on examination, Management Policies as

expressed in the Draft CMS do not reflect the full scope of the Board's desired Outcomes and Objectives. In particular, while the Outcomes and Objectives require recognition and protection of historical and cultural values, neither the Management Policies nor Milestones (Part 3) address these concerns. This may be seen as a deficiency in the Draft CMS itself, to be addressed by an amendment (see Conservation Act s. 17F, 17I).

5. CMS Monitoring Outcome

- Biodiversity, pest control, habitat enhancement, fire control, visitor issues and management partnerships are all being actively progressed by the Department;
- Attention to cultural and other values still needs to be addressed through the proposed Conservation Management Plans and other means;
- The Department is making the expected progress toward meeting the Draft Strategy's milestones.

Moved: John Coster / Seconded: Suzanne Williams

7.3 SECTION 6M 1(D) (II) TO ADVISE THE CONSERVATION AUTHORITY AND THE DIRECTOR-GENERAL ON ANY OTHER CONSERVATION MATTER

Maori Conservation Leadership Hui for Conservation Board Members

The Conservation Board formed part of a contingent, including the Associate Minister of Conservation, dignitaries, members of the public, DOC staff and media personnel, which was welcomed on to Murumurunga Marae at Te Whaiti on 4th September 2009.

The powhiri welcome marked the opening of the Whirinaki 25 Celebrations - an opportunity to reflect on what has been achieved in conservation terms and to look to what the future holds for the Whirinaki and its communities. Dr David Bellamy was also invited to return to Whirinaki as a special guest.

After the powhiri, the Conservation Board had an opportunity to talk with the Associate Minister of Conservation, Hon Kate Wilkinson and the Director-General of the Department of Conservation, Al Morrison.



Dr David Bellamy with school children at the Whirinaki 25 Celebrations (September 2009)

Also at the hui were James Carlson (Te Runanga o Ngati Whare), Arthur Hinds (Chair, Waikato Conservation Board), Dave Field (Te Tapatoru a Toi) and Kevin Hackwell (Forest and Bird).

The Board discussed with the Minister and Director-General its concerns that the NZCA's views and approach to the Draft Bay of Plenty Conservation Management Strategy 2008 to 2018 (CMS, as submitted in October 2008 for their consideration and approval), differed significantly from those of the Board and the Department.

The Board was of the view that it was now very important that the Department picked up and continued the discussion with the NZCA at the National Office level on the desired structure, content and level of consistency of the CMS and to resolve this with the NZCA as soon as possible.



The Conservation Board and DOC staff awaiting the powhiri welcome on to Murumurunga Marae at Te Whaiti for the Whirinaki 25th Anniversary Celebrations (September 2009)

The Board was clear that it did not want to be involved in further work on the CMS until this matter has been agreed between the NZCA and Department and that there was a clear path to approval.

The Board believed that the merger of the Bay of Plenty and East Coast Conservancies now leads to the need to reconfigure and rethink the new conservancy and its Places. There would be no real benefit in continuing to engage over the draft Bay of Plenty CMS and that a new start needs to be made at the new conservancy level. Hence their decision to withdraw the CMS from the NZCA.

Al Morrison, Director-General of the Department, strongly supported the approach the Conservation Board had taken with the development of the BOP CMS and he endorsed the level and pitch of the document. He encouraged the Board to continue and to have confidence in itself as a Board. He advised that it was acceptable for the NZCA to have a different viewpoint from the Board and that the Board should continue to talk and work with the NZCA.

The Chair, Anthony Olsen, suggested that the Board focus its remaining hui time on the broader subject of ‘how conservation board members work with their communities and iwi’.

In summary, the discussion focused on:

- The range and distance of all of the communities within the East Coast Bay of Plenty conservancy is a challenge as it is not easy to have ongoing relationships;
- Board members need to be in touch with their communities so they can be informed and to bring that to the Board table;
- The importance of whakapapa to iwi to their Places always needs to be recognised.

The discussion branched into the Treaty negotiation and settlement process and points raised were:

- Kaitiakitanga - freehold land with Reserve status is one of the tools with settlements. It would be good to know how different mechanisms are working around the country;
- Kaitiakitanga is in accordance with each iwi and hapu and how to recognise that from a Departmental perspective;
- Suggestion and opportunity for the Department to be talking early with iwi well before settlement implementation about expectations so that models and tools can be designed together and work more effectively into the future;
- How is the kaitiakitanga concept going to work on the ground in terms of the NZ Tourism Strategy?
- Relationships are the priority for the Department in terms of implementing the protocols that come out of Treaty settlements;
- It is important that the ‘spirit’ of the protocol is talked about in discussions with iwi as it makes it easier for the discussion to flow.

Following the discussion, the Board requested a future workshop on Kaitiakitanga to be led by Taute Taiepa (Pou Kura Taiao - Indigenous Ethics Manager).

After the hui, a number of Board members and DOC staff returned to Rotorua to attend the Gala Dinner held at the Novotel Hotel in Rotorua. The dinner provided a great opportunity to partake in an indigenous inspired meal and celebrate where Whirinaki has got to in the last 25 years. Guest speaker, Dr David Bellamy was very entertaining and an auction of Whirinaki-related memorabilia went on sale, with proceeds put back into Whirinaki conservation.



The Board and Conservation Support Manager, Mark Davies, at the Waioeka Gorge Walkway (June 2010)

As a follow-up to the hui, a presentation on Kaitiakitanga and Cooperative Conservation Management was presented to the Board by Taute Taiepa at its 11th June 2010 meeting.

Mining in Public Conservation Land

The Board wrote to the Minister of Conservation on 22nd March 2010 to express its opposition to proposed mining in areas of schedule 4 in the Crown Minerals Act and is deeply concerned about the possibility of mining in other areas with high conservation values. While there are already examples of mining activity in some categories of public conservation land, the effects of that same activity would not be acceptable in other categories.

Game Animal Establishment Committee

The Board wrote to the Minister of Conservation on 22nd March 2010 to support the submission made by the Nelson Marlborough Conservation Board regarding the Game Animal Establishment Committee and the discussion paper “Options for Establishment of the New Zealand Game Animal Council”. The Board does not support the proposal for establishment of a New Zealand Game Animal Council which represents only one recreational group using public conservation land for the primary purpose of promoting hunting. The Board does support the current wild animal control regime and opposes any initiative to change the status of any wild animals from controlled species to managed species.

7.4 SECTION 6M 1(F) TO LIAISE WITH ANY FISH AND GAME COUNCIL ON MATTERS WITHIN THE JURISDICTION OF THE BOARD

Rob Pitkethley (Regional Manager for the Eastern Region Fish and Game Council) attended the Board’s 4th December 2009 meeting. At the meeting, Ian Pirani advised he was not successful in getting re-elected to the Eastern Region Fish and Game Council. However, Rob noted that Fish and Game would still like Ian to be its liaison person with the Conservation Board. The Board agreed that Ian should continue as its liaison person with Fish and Game and the following resolution was carried.

Resolved: That Ian Pirani, member of the East Coast Bay of Plenty Conservation Board, will continue to be the Board’s liaison person with the Eastern Region Fish and Game Council.

**Moved: Anthony Olsen
Seconded: Maureen Burgess
Carried**

The Board ensures that the Eastern Region Fish and Game Council, through Rob Pitkethley, are sent Board meeting agendas and minutes to keep them informed of the Board's work.

8. POWERS UNDER SECTION 6N OF THE CONSERVATION ACT 1987

8.1 SECTION 6N 2(A) EACH BOARD MAY ADVOCATE ITS INTEREST AT ANY PUBLIC FORUM OR IN ANY STATUTORY PLANNING PROCESS

The Board provided input to and advice on matters of the public conservation estate. During the year, the Board lodged submissions on:

- **Environment Bay of Plenty Regional Council - Pest Management in the Bay of Plenty Consultation and Discussion Document: What does the future hold?**
Submission by Suzanne Williams on behalf of the Board
- **Environment Bay of Plenty Regional Council - Draft Regional Policy Statement**
Submission by Suzanne Williams on behalf of the Board

The Board also provided advice on the following matters:

Application from Tauranga City Council to transfer/release Grass Carp under section 26ZM of the Conservation Act - Conservation Board Consultation

At the Board's 4th December 2009 meeting, Rebecca Lander (Technical Support Officer, Freshwater) consulted the Board about two applications to the Department received from Tauranga City Council to introduce grass carp into water bodies in the Tauranga area, with the aim of reducing nuisance aquatic plants. Introductions of species can potentially have negative effects and the introduction of grass carp to water bodies requires permits from both DOC and Fish and Game.

The DOC permitting process requires that the 'Transfer and Release of Live Aquatic Life to Freshwater' Standard Operating Procedure be followed and as part of the process the Department is required to consult with the Conservation Board. Margriet Theron was delegated by the Board to work with Rebecca on this matter. After some discussion about the concerns the Board had regarding containment, active management and maintenance, the Board moved the following resolution:

Resolved: That the Board's advice to the Department regarding the Application from Tauranga City Council to transfer grass carp under section 26ZM of the Conservation Act, is that it views the release of grass carp with concern and the Department should go back to the applicant for more information.

**Moved: John Coster
Seconded: Maureen Burgess
Carried**

At the Board's 11th June 2010 meeting, Conservator Henry Weston advised that Tauranga City Council was asked for more information and this was provided. The Department then sent the application through to the NZCA who had similar concerns as the Board about containment, active management and maintenance. All concerns were well addressed by the applicant.

The Conservancy made the recommendation to the General Manager Operations Northern, Barbara Browne that the application be approved.

Access Arrangement Application to the Minister of Conservation from Newmont Waihi Gold - Conservation Board Consultation

At the Board's 17th March 2010 meeting, Helen Neale (Technical Support Officer, Planning) consulted the Board about the access arrangement application to the Minister of Conservation received from Newmont Waihi Gold.

The Board recommended that Helen talk to the Historic Places Trust as the only issue they could see was to do with historic buildings in the area. The Board also thought there could be an opportunity to do a land swap. Board members Mike Hayden and John Coster were delegated to work with Helen Neale on behalf of the Board. At the Board's 11th June 2010 meeting, Mike and John reported that they had been working with Helen since the previous meeting regarding the access arrangement application and noted that the land affected is only very small in size.

Mike and John's advice to Helen was that a transfer of land would be appropriate compensation.

8.2 SECTION 6N 2(B) EACH BOARD MAY APPOINT COMMITTEES OF MEMBERS AND OTHER SUITABLE PERSONS AND DELEGATE TO THEM FUNCTIONS AND POWERS

Te Tapuwae O Rongokako Marine Reserve Committee

On 1st July 2009, the Board received a letter from the then Associate Minister of Conservation, Hon Kate Wilkinson, regarding the Te Tapuwae O Rongokako Marine Reserve Committee that had delegated functions from the East Coast Hawke's Bay Conservation Board in relation to the marine reserve at Whangara, north of Gisborne.

These functions are those that are normally exercised by the Conservation Board.

The Minister asked that the East Coast Bay of Plenty Conservation Board establish Te Tapuwae O Rongokako Marine Reserve Committee as a committee of the Board using its powers under section 6N of the Conservation Act. The Board would also need to appoint a Board representative on the committee.



The Board and DOC staff at Te Tapuwae O Rongokako Marine Reserve, Whangara (June 2010)

The Minister realised there would be a delay with this due to the Board nominations process and suggested that the Board appoint the current East Coast/Hawke's Bay Conservation Board representative Vicki Thorpe of Gisborne as the Board's representative on the committee for purposes of continuity in the meantime.

At the Board's 7th August 2009 meeting the Te Tapuwae O Rongokako Marine Reserve Committee was discussed and the following resolutions carried:

Resolved: That the East Coast Bay of Plenty Conservation Board establishes Te Tapuwae O Rongokako Marine Reserve Committee as a committee of the Board using powers under section 6N of the Conservation Act.

**Moved: Maureen Burgess
Seconded: Suzanne Williams
Carried**

Resolved: That the East Coast Bay of Plenty Conservation Board appoints Vicki Thorpe of Gisborne as the Board's representative on the Te Tapuwae O Rongokako Marine Reserve Committee for purposes of continuity in the meantime till appointments on the committee expire on 31 August 2010.

**Moved: John Coster
Seconded: Anthony Olsen
Carried**

The Board regularly receives the agendas and minutes of meetings from the Committee's support officer, Sandra Groves and had the opportunity to visit Te Tapuwae O Rongokako Marine Reserve on 12th June 2010. The Board was hosted by the Gisborne/Whakatane Area Manager, Andy Bassett and Ranger Marine, Jamie Quirk.

9. GIVING EFFECT TO THE PRINCIPLES OF THE TREATY OF WAITANGI

The Board gives effect to the principles of the Treaty of Waitangi by:

- Monitoring the way in which the Conservancy is giving effect to Section 4 of the Conservation Act;
- Actively engaging in discussions on Treaty of Waitangi issues through its representative on the Ngati Awa/Department of Conservation Joint Management Committee (Te Tapatoru a Toi) and other forums with iwi;
- Holding meetings on marae and having field trips and inspections and engaging meaningfully with iwi representatives and local hapu;
- Ensuring that it has meaningful processes for iwi input to its work;
- Supporting the conservancy with settlement implementation where it can.



The Board, DOC staff and members of Te Tapatoru a Toi on Moutohora/Whale Island (March 2010)

Te Arawa

The Board held its 2nd October 2009 meeting at Whakaue Marae at Maketu in the Bay of Plenty.

A powhiri welcome was performed by the home people of Whakaue Marae and Board member Joe Doherty spoke on behalf of the Board and Department.

Te Ariki Trust

The Affiliate Te Arawa Iwi/Hapu Settlement Act was passed on 25 September 2008 and the Department was required under the Act to be represented on a Trust that acts for the interests of Ngati Rangitihi and the Crown on a Management Committee that will administer the Te Ariki Isthmus at Lake Tarawera in Rotorua. The Trust is known as the Te Ariki Trust and Hera Smith is the Department's representative.



*The Board and DOC staff and on Kaiti Hill overlooking Gisborne
(June 2010)*

Ngati Whare

The Board held its 4th September 2009 special meeting at Murumurunga Marae in the Whirinaki Forest Park, as part of the Forest Park's 25th Anniversary Celebrations. The Board, Minister of Conservation, Departmental staff and other dignitaries were welcomed on to Murumurunga Marae by members of Ngati Whare.

Ngati Awa

The Board visited Moutohora (Whale Island) on 16th March 2010 and were hosted on the island by members of Te Tapatoru a Toi (Joint Management Committee). Te Kei Merito (Chairperson) and committee members Mrs Ngamihi Crapp, Rapata Kopae and John Hohapata-Oke welcomed the Board on to Moutohora, guided the Board around the island and talked about the island's natural and cultural history.

10. LIAISON

10.1 MINISTER OF CONSERVATION

The then Associate Minister of Conservation, Hon Kate Wilkinson attended the Board's special meeting held on 4th September 2009 at Murumurunga Marae in the Whirinaki Forest Park, as part of the Forest Park's 25th Anniversary Celebrations

The Board and Departmental staff appreciated the Minister's attendance at the special meeting and enjoyed chatting to her over lunch.

10.2 NEW ZEALAND CONSERVATION AUTHORITY

The Board's liaison with the NZCA is through its members Linda Conning and Louise Savage. These links with the NZCA are useful in keeping up to date with national issues and informing the NZCA of issues important to the Board.

Linda Conning attended the Board's 2nd October 2009, 4th December 2009 and 17th March 2010 meetings.

Regular correspondence from NZCA Chairperson Don Ross is also appreciated as a means of keeping the Board up to date on NZCA meetings and activities. The minutes and meeting agendas of the NZCA are also received from Elena Sedouch, Senior Statutory Bodies Officer in Head Office.

10.3 OTHER CONSERVATION BOARDS

The Board appreciates the agendas, minutes and other correspondence received from the following Conservation Boards, throughout the year:

- Tongariro Taupo Conservation Board
- Waikato Conservation Board
- Taranaki Wanganui Conservation Board
- Wellington Hawke's Bay Conservation Board
- Auckland Conservation Board
- Chatham Islands Conservation Board
- Nelson Marlborough Conservation
- Otago Conservation Board
- West Coast Tai Poutini Conservation Board

10.4 OTHER ORGANISATIONS

Alan Fleming (Forest and Bird, Tauranga) - 2nd October 2009

Presentation on the Kaimai Mamaku Restoration Project and Te Puke Stone Enterprises

Alan Fleming, Central North Island Field Officer, went through his presentation on Forest and Bird's Kaimai Mamaku Restoration Project and discussed his concerns about Te Puke Stone Enterprises in terms of the quarry management and lack of buffer zones. The Department shares the concerns of Forest and Bird and also seeks restoration of the buffer zones. Anthony Olsen applauded Forest and Bird for its campaign to raise awareness of pest control in the Kaimai Mamaku area and looks forward to receiving updates about the restoration project.

Louise Clark (Boffa Miskell, Tauranga) - 4th December 2009

Presentation on Proposal for Gondola up Mount Te Aroha to Karangahake Gorge Walkway

Louise Clark, Senior Ecologist at Boffa Miskell in Tauranga gave a presentation to the Board regarding a proposal for a gondola up Mount Te Aroha to the Karangahake Gorge Walkway. Louise wanted to give the Board a heads-up about the proposal and may approach the Board at a later stage for its advice.



The Board and DOC staff visiting Waikaraka Estuary in Tauranga (May 2010)

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