
**KEI MUA I TE AROARO O TE RŌPŪ WHAKAMANA
I TE TIRITI O WAITANGI**

BEFORE THE WAITANGI TRIBUNAL

WAI 2180

IN THE MATTER OF

the Treaty of Waitangi Act 1975

AND

IN THE MATTER OF

**THE TAIHAPE: RANGITĪKEI KI
RANGIPŌ DISTRICT INQUIRY**

BRIEF OF EVIDENCE OF REGINALD VICTOR ROBERT KEMPER

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INTRODUCTION

1. My full name is **Reginald (Reg) Victor Robert Kemper**. I hold the position of Director Operations, Kaihautū, Matarautaki within Te Papa Atawhai/Department of Conservation (**DOC**), based in the National Office, Wellington.¹ I am responsible for Operations, Lower North Island Region (**LNI**) and work closely with my colleagues responsible for the Central North Island Region (**CNI**) based out of Taupo. The Taihape: Rangitīkei ki Rangipō District Inquiry (**the Inquiry District**) straddles these regions.
2. I have used the term ‘Taihape Maori’ throughout this brief in line with the Tribunal’s practice but wish to acknowledge each of the iwi, hapū and whānau in this rohe.

Background and experience

3. I was the Director Partnerships for LNI Region from 2013. The role focussed on growing conservation and conservation support with the community. The LNI Region stretches from East Cape to Wellington and includes the Kapiti Coast, Wairarapa, Manawatu, Hawke’s Bay and East Coast districts. My current role as Director Operations for the same region also incorporates the Chatham Islands. The focus of my present role is on the delivery of conservation outcomes for the DOC Region, the Department, central and local Government, and involves further key stakeholders within the community, including iwi and conservation volunteers.
4. I started as a trainee ranger for the New Zealand Forest Services and was part of DOC when it was formed in 1987. I’ve undertaken various roles over the years including in the Waipoua Kauri forests, Nelson Lakes National Park Manager, Hokitika, and Fiordland. I’ve been involved in a wide range of issues and projects including recreation, mainland Islands, Timberlands, 1080, mining and concessions, biodiversity and marine work, and the evolution of the great walks programme and community conservation.

¹ Throughout this evidence I will refer to “DOC” as a shorthand term to cover the Director-General and the Department. If appropriate, I may also use “DOC” to cover the Minister of Conservation. The legislation administered by DOC empowers both the Minister and the Director-General to act in certain situations. These powers are often delegated to staff within the Department. To avoid complicating the evidence, I have therefore referred to “DOC”, although in some cases the statutory requirements may relate to a specific aspect of DOC.

5. In 2011 I led the internal DOC review. This work recommended a change in organisation design to create a co-production approach to achieving conservation. Today this is expressed in the “working with others” approach achieved through Partnerships for the purpose of growing conservation.

Scope of evidence

6. DOC’s activity in the Inquiry District is guided by national legislative or policy processes. Functions are devolved to regions. As such, it is necessary for me to discuss some matters at national and regional levels. DOC has provided more fulsome evidence on these national matters in previous inquiries which I agree with and adopt but do not propose to repeat wholesale.² The conservation landscape is complex, so I only wish to focus on those matters most useful to this Inquiry.
7. I have read the evidence of Mr Mohi on behalf of Ngā Whenua Rāhui and Mr Fleury on behalf of DOC which focuses on Taihape-specific issues. I agree with their evidence.
8. My evidence covers:
- 8.1 DOC’s Legislation (particularly sections 4 and 6 of the Conservation Act 1987)
 - 8.2 Statutory Management Planning
 - 8.3 DOC’s Priorities
 - 8.4 Kāhui Kaupapa Atawhai
 - 8.5 DOC’s Management
 - 8.6 Engagement with Taihape Māori (including local statutory management planning and DOC’s structure)

DOC boundaries in the Inquiry District

9. The Inquiry District straddles portions of DOC’s Lower and Central North Island Regions. **(Map RK1)** The DOC Regional boundary bisects the western

² In particular Wai 1040 #Z7 Joint Brief of Evidence of Sue Reed-Thoma and Rolien Susan Elliot dated 9 November 2016.

portion of the Inquiry district as it follows the Napier – Taihape highway eastwards from its junction with State Highway 1 until swinging north to follow the western boundary of the Taruarau catchment before swinging east via Panoko Stream to the boundary of Kaweka Forest Park. Taihape is in LNI. Waiouru is in the CNI region.

10. The administrative boundaries that DOC uses intersect across, and do not reflect, the rohe of iwi, hapū and whanau within the Taihape district. In addition, the location of the DOC boundaries and offices has changed over time. The details of this are set out below however I want to acknowledge up front that this complexity has made it difficult for Taihape Māori individually and as iwi, hapū and whānau to have daily and ongoing relationships with DOC.
11. The map attached as **exhibit RK2** shows the public conservation lands within the Inquiry District. In the east and north, most of the public conservation land is “Forest Park” - Ruahine, and Kaweka Forest Parks, and some small southern portions of the Kaimanawa Forest Parks. In the southern half of the Inquiry district there are a considerable number of scenic reserves. In the central west is Hihitahi Forest Sanctuary (a specially protected area). There are no National Parks in the Inquiry District,

DOC’S LEGISLATIVE, PLANNING AND PRIORITISATION CONTEXT

Conservation Act 1987 and formation of DOC

12. DOC was formed in 1987 as part of the then Government’s reform of environmental legislation and administration. The predecessor agencies of particular relevance to this Inquiry are the Lands and Survey Department, NZ Forest Service, NZ Wildlife Service. Much of the land administered by DOC in the Inquiry District was brought into public administration under these agencies and several of the land exchanges of interest to claimants were negotiated in that era. DOC inherited land, staff (including Mr Fleury and myself), information, and – in this region – a number of substantially progressed negotiations including land exchanges from these agencies.
13. DOC’s purpose is to administer the Conservation Act 1987 (**the Act**). DOC has responsibilities under the Act for:

- 13.1 land: including public conservation lands, reserves, sanctuaries, conservation parks and other conservation areas;³
 - 13.2 its relationship with its Treaty Partner: (discussed further below);
 - 13.3 species: including indigenous wildlife, marine mammals, wild animals and (from 1990) freshwater fish;
 - 13.4 statutory bodies: including New Zealand Conservation Authority, Conservation Boards, Fish and Game Councils, and administering bodies under the Reserves Act 1977;
 - 13.5 non-statutory bodies: of particular importance in this District, Nga Whenua Rahui.
14. How these responsibilities and relationships are managed and conducted will depend on the legislative provisions that apply to them. DOC has only the functions and powers expressly stated in legislation;⁴ although there is flexibility on how those functions are prioritised and managed. Prioritisation will often be at the direction of the Minister.
15. Although the statutory and non-statutory organisations named above are established under DOC-administered Acts or advise on functions exercised under those Acts, they are not part of DOC. Several of them have functions that relate to reviewing and reporting on how DOC is administering the legislation.

Conservation Act 1987 Section 4

16. Section 4 of the Act requires that it “shall so be interpreted and administered as to give effect to the principles of the Treaty of Waitangi”.
17. I understand that this is the broadest Treaty obligation within any legislation and applies to all of those who have responsibilities under the Act. This includes, via Schedule 1, its roles under the Reserves Act 1977, the Wild

³ Since the passing of the Resource Management Act 1991, DOC has had oversight of the coastal marine area however this has limited relevance for this inland Inquiry District.

⁴ See by way of example, Conservation Act 1987 section 6 Functions.

Animal Control Act 1977 and the Wildlife Act 1953.⁵ In effect this provides a lens through which DOC must interpret and administer all its work.

18. DOC recognises that successful implementation of the principles of the Treaty of Waitangi depends on the circumstances of each case: this includes the statutory conservation framework, and the significance to tangata whenua of the taonga in question. DOC has developed goals to help staff comply with section 4 and the Treaty principles (attached as **exhibit RK3**). This work has been developed ‘in-house’ and is led by the Deputy Director-General Kahui, Kaupapa Atawhai. They were last updated in July 2017. These goals are not set in stone and will change as our understanding of the principles of the Treaty of Waitangi evolves.
19. DOC’s history is not as long as many Crown agencies, (nor anywhere as long as the Crown and Maori have been interacting on these lands). DOC has had, and continues to have, its own learning curve in relation to how to understand and apply section 4 of the Conservation Act both internally and externally. It is a continuing journey, but the goals set out in **exhibit RK3** above in relation to the principles of the Treaty of Waitangi have provided a strong basis for DOC staff to progress that journey.

Statutory Conservation entities

20. One way the Act provides for community leadership of, and input into, conservation is through the New Zealand Conservation Authority and regional Conservation Boards.

New Zealand Conservation Authority

21. The New Zealand Conservation Authority contributes a national perspective to the development and approval of statutory management strategies and plans discussed above.⁶ It also monitors the effectiveness of these documents. It can advocate for the interests of the Authority in public hearings.

⁵ This selection of legislation from Schedule 1 is selected due to its direct relevance to the Inquiry District. There is no specific reference to the Treaty of Waitangi in any of these Acts, but it has been accepted that the link between sections 4 and 6 of the Conservation Act and the functions of DOC undertaken under the other Acts in Schedule 1 means that giving effect to the principles of the Treaty of Waitangi apply across DOC’s work.

⁶ Specifically, the Authority advises the Minister on General Policy and approves Conservation Management Strategies and Conservation Management Plans.

22. The Authority's membership is appointed from recognised interest groups and representatives, with those members having interests in conservation, natural earth and marine sciences, and recreation. Two of the 13 members are appointed after consultation with the Minister of Maori Affairs. To my knowledge there has been no appointment of Taihape Māori to the Authority.

Conservation Boards

23. The Conservation Act provides for regional Conservation Boards. The Boards consist mainly of local citizens with an interest in conservation. They are involved in substantive statutory planning processes; providing advice to the Minister on conservation matters; and advocacy for conservation in the community. I acknowledge the significant role of Mr Richard Steedman as a long serving Board Member.
24. Although Board Members are members of the public they are not appointed to represent the public generally, but are appointed because of their interest in conservation. The Minister must consult with the Minister of Maori Affairs about the interests involved where appointments are made that concern the interests of the tangata whenua of an area.⁷
25. The three Conservation Boards in the Inquiry district are now the Wellington; East Coast/Hawke's Bay; and Tongariro/ Taupo Boards (with a small area still within Taranaki/Whanganui). The boundaries of these Boards changed in 2011. **Exhibit RK4** identifies the previous Conservation Board boundaries and **Exhibit RK5** identifies the current Conservation Board boundaries. These changes were brought about due to DOC restructuring, but it is fair to say that for this Inquiry district the boundaries have become more complex.
26. Mr Richard Steedman, who has presented evidence to the Inquiry, was Deputy Chair of the Tongariro / Taranaki / Whanganui Conservation Board and, with the change of boundaries in 2011, he was appointed to the Wellington Conservation Board instead.
27. Conservation Boards are not a vehicle of DOC, although they are serviced by DOC staff. The Boards have the statutory power to appear before tribunals

⁷ The Conservation Act now also includes the identification of specific areas where the Board must have a representative of specified iwi. This provision has generally been included as a result of Treaty Claims Settlement Acts.

and courts to advocate for its interests and can, therefore, take a position which differs from DOC. The position of the Boards can also differ from the community more broadly as the Boards' roles relate to conservation rather than to community representation. As with any statutory body, they can only exercise their legislated functions.

Statutory planning documents

28. The legislation sets up a hierarchy of statutory planning documents to give strategic and operational parameters to DOC's to work within. The documents have the effect of informing the Minister and Director-General on how public conservation land and other natural and historic resources are to be managed. Unlike planning documents under the RMA which control how others use natural and physical resources, these conservation statutory planning documents do not restrict or affect the exercise of any legal right or power by any person other than the Minister or the Director-General (or specified statutory bodies such as the Fish and Game Council).
29. The Act provides for Conservation General Policy,⁸ Conservation Management Strategies (CMSs), and Conservation Management Plans (CMPs). Other Acts provide for equivalent documents that might relate to specific locations or species (for example management plans under the Reserves Act 1997).
30. The Conservation General Policy includes, at Chapter 2, specific policies related to the Treaty of Waitangi, its principles, tangata whenua as kaitiaki and recognition of customary use (see **Exhibit RK6**). Although these are broad policies they do ensure that issues related to the interests of Māori should be considered when decisions are made under conservation legislation. The Conservation General Policy also informs the CMSs and CMPs.
31. The documents are developed through a process that involves the statutory bodies discussed above and which includes input from those with interests in the lands and the relevant conservation issues as well as public submissions. Given section 4 of the Conservation Act and the interests that tangata whenua

⁸ The related National Parks General Policy is not relevant to this Inquiry.

have, it would be remiss if Māori were not involved in the development of these statutory documents.

Statutory planning documents within the Inquiry District

32. A key role for Conservation Boards is the preparation, review and amendment of the relevant statutory CMSs. In the Inquiry area these documents are in a state of flux.
33. There are three approved CMSs which incorporate parts of the Taihape Inquiry district – Whanganui which was approved in 1997; Hawke’s Bay which was approved in 1994; and Tongariro/Taupo which was approved in 2002.
34. As a result of the various restructurings, the Taihape Inquiry district is no longer within the Whanganui/Taranaki area (except a small piece). More of it is now in the Wellington area. The present reviews of the CMSs will, therefore, result in some changes as to which CMSs will apply to the Inquiry area:
 - 34.1 The revised Wellington CMS has been approved by the Authority. Taihape Māori were consulted on the pre-draft document prior to public notification and were consulted on the draft document before consideration by the Board.
 - 34.2 Hawke’s Bay has now been combined with East Coast Conservation Board and a review is underway of the two existing CMSs. A new CMS is being drafted by DOC, which includes input from Taihape Māori, and is expected to be publicly notified in early 2019.
 - 34.3 The Tongario/Taupo CMS was approved in May 2002 and a review is not yet scheduled.
35. Conservation Management Plans for places are not common throughout Aotearoa. In the Inquiry area there is the Ruahine Forest Park Management Plan approved in 1992 (which is likely to be replaced by the Wellington CMS and the Hawke’s Bay/East Coast CMS) and the Kaweka Forest Park Management Plan 1991. The Kaimanawa Forest Park Management Plan 2007 (which touches the boarder of the Inquiry area) specifically acknowledges consultation with the Tuwharetoa Maori Trust Board. If there are further CMPs, DOC would likewise ensure consultation with iwi occurs.

DOC's priorities

36. In addition to statutory planning documents, DOC has several strategic priorities at a national level to better deliver conservation, recreation and history. These non-statutory matters are intended to give a direction for DOC's efforts and guide resourcing in several key areas, including ensuring that its responsibilities under section 4 of the Conservation Act and the requirements of the Conservation General Policy are fulfilled.
37. At the highest level of these non-statutory matters is DOC's vision (50+ years) being: **New Zealand is the greatest living space on Earth.** It is a place where, increasingly, the knowledge and commitment of New Zealanders is focused on restoring and sustaining a natural environment.
38. The related Outcome Statement is: **New Zealanders gain environmental, social and economic benefits from healthy functioning ecosystems, recreation opportunities, and living our history.** DOC's overarching purpose is : **Our nature – conservation leadership for what makes us New Zealand.**
39. Sitting under this are intermediate targets for 2040:
- 39.1 The diversity of our natural heritage is maintained and restored.
- 39.2 Our history is brought to life and protected.
- 39.3 New Zealanders and our visitors are enriched by outdoor experiences.
- 39.4 New Zealanders connect and contribute to conservation.
40. And 'stretch goals' for 2025:
- 40.1 90% of New Zealanders' lives are enriched through connection to our nature.
- 40.2 Whānau, hapū and iwi are able to practise their responsibilities as kaitiaki of natural and cultural resources on public conservation lands and waters.

- 40.3 50% of New Zealand's natural ecosystems are benefiting from pest management.
 - 40.4 90% of our threatened species across New Zealand's ecosystems are managed to enhance their populations.
 - 40.5 50 freshwater ecosystems are restored from 'mountains to the sea'.
 - 40.6 A nationwide network of marine protected areas is in place, representing New Zealand's marine ecosystems.
 - 40.7 The stories of 50 historic Icon Sites are told and protected.
 - 40.8 50% of international holiday visitors come to New Zealand to connect with our natural places.
41. What this means in the Inquiry district is that DOC is not working in an *ad hoc* manner but is working to ensure that the outcomes can be achieved. The year 2025 is rapidly approaching by which stage the stretch goals set out above should be achieved. This includes providing for the recognition of whānau, hapū and iwi as kaitiaki.

DOC'S WORK IN THE INQUIRY DISTRICT

DOC's administrative boundaries related to Taihape Māori

42. As touched on above, from 2013, with the restructure of the central and lower North Island regions, DOC's administrative boundaries have cut through the Taihape Inquiry area. This is more easily understood by viewing the attached map (see **Exhibit RK1**). Currently the Taihape district incorporates two Operations Regions (Lower North Island and Central North Island) and three Operations Districts but previously it has incorporated:
- 42.1 2 Conservancies and 3 Areas; or
 - 42.2 3 Conservancies and 3 Areas/ Field centres; or
 - 42.3 2 Regions, 4 Districts and 4 Field bases.
43. The field bases have also changed. Ohutu field base with a single ranger is the only field base now located in the Inquiry area. The field bases at Ongaonga

and Mangaweka were removed with the restructuring in 2013. There are, however, bases at Turangi and Ohakune which do have management involvement with parts of the area subject to the Inquiry.

44. Although DOC may not have a big physical presence in the Taihape area, this does not mean that conservation programmes have not been undertaken and that consultation has not occurred with whānau, hapū and iwi. The conservation programmes in the area have been undertaken with objectives that include protecting the lands, forests, waters and the species that live in them while enhancing the ecosystems servicing them, as well as developing the recreation opportunities and sharing the stories of Aotearoa's history.

Kāhui Kaupapa Atawhai

45. Kāhui Kaupapa Atawhai is the group at DOC whose aim is to develop a cultural platform that connects people with the natural world and integrates Kaupapa Māori with conservation management. Its pepeha is “Kia Kotahi Mai - People and nature as one.” The intention is that all DOC staff can integrate conservation and Māori perspectives. The regionally-based Pou Tairangahau are strongly connected to this group, considered part of the Kāhui Kaupapa Atawhai network, and contribute to development of the cultural platform.
46. The Kaupapa Atawhai Strategic Direction (2006) states that the purpose of DOC's work with tangata whenua and Māori is to achieve positive conservation outcomes. To achieve this DOC must broker and maintain successful relationships. These relationships are based on:
- 46.1 protecting Māori cultural values on land managed by DOC and protecting conservation values on land owned by Māori;
 - 46.2 empowering Māori communities to fulfil their customary duty as kaitiaki of taonga and encouraging their participation in conservation delivery;
 - 46.3 balancing cultural, social and ecological values in decision making;

- 46.4 interacting with Māori to manage potential risk and maximise opportunities;
 - 46.5 engendering Māori support for conservation and for DOC; and
 - 46.6 giving effect to the principles of the Treaty of Waitangi.
47. The Kāhui Kaupapa Atawhai group monitors and sustains Departmental capability to achieve effective engagement. The Tumuaki, Kāhui Kaupapa Atawhai (Deputy Director-General) designs this system and supports other Deputy Directors-General to deliver it. The system aims to build capability and diversity of Māori in DOC, and develop general capability within DOC staff to work with whānau, hapū and iwi and appreciate a Māori perspective. It also aims to work with Māori funding mechanisms (for example Nga Whenua Rāhui), and to help build Māori capability in conservation work outside DOC. The vision is for Mātauranga Māori (including Māori culture and way of seeing the world) to be acknowledged as essential to the work DOC does and should be integrated into DOC's everyday business.
48. Kāhui Kaupapa Atawhai is responsible for:
- 48.1 building cultural awareness and developing organisational capability for working in a Māori dimension while developing the foundation for iwi conservation leadership;
 - 48.2 leading the integration of kaupapa Māori as essential to conservation management through policies and mechanisms;
 - 48.3 the strategic implementation of section 4 of the Conservation Act; and
 - 48.4 growing whānau, hapū, iwi relationships in a post Treaty of Waitangi settlement environment to achieve more positive conservation outcomes for Aotearoa.
49. To assist with this kaupapa, Te Pukenga Atawhai training programme was developed. It is maintained and run by the Kāhui Kaupapa Atawhai network to enable staff to build and maintain effective working relationships with

whānau, hapū and iwi. It discusses Māori beliefs and values; the Treaty of Waitangi; Māori structures and systems; interacting and communicating with Māori; and organising hui. This programme has been reviewed to ensure it is relevant to all staff and is an indicator illustrating the importance of cultural capability building for DOC.

50. Te Pukenga Atawhai is an essential part of the staff development programme in DOC. Completion of the programme is reported to help staff engage more effectively with Māori. Having the programme as part of DOC's core training (every staff member goes through it) supports DOC's policy that engagement with Māori is the responsibility of all staff, not only Māori staff. Rangipo Mete Kingi (of the Taihape district) ran, when he was DOC's Kaupapa Atiwhai manager, the first pukenga for Manawatu, Rangitikei and Hawke's Bay DOC staff. The pukenga was at Aorangi marae and was attended by the current Tumuaki Kāhui Kaupapa Atawhai, Tata Lawton.
51. Pou Tairangahau within each region are an important link between local iwi and DOC. In the Taihape district, Carl Baker is based in Napier and has responsibilities for the Lower North Island. He is supported by Te Rangitūamatotoru Maniapoto who has responsibilities for the Central North Island including Whanganui through to Taupo.

Resource management work

52. DOC has the function (or mandate) from section 6(b) of the Conservation Act, to advocate for the conservation of natural and historic resources, including in relation to the habitat of threatened species, freshwater indigenous fisheries and fish habitat, and places administered by DOC. This advocacy includes being involved with planning and resource consent applications under the Resource Management Act.
53. A great deal of DOC's RMA work is technical (or specialist) advocacy, which does not always attract public attention. For instance, DOC receives many resource consent enquiries by potential applicants, and participates in many non-notified and notified consents, where technical input can help avoid adverse effects on matters of conservation importance.

54. When deciding whether or not to become involved in a resource consent process DOC must balance a number of often competing factors. On one hand, the technical factors that will have a bearing on the outcome to a consent application (such as ecological values) need to be identified and presented to the applicant or decision-making authority in a coherent manner if those values are to be accorded proper weight. On the other hand, DOC must make a realistic assessment of its prospects of success in advocacy and the most effective use of its resources, including expert witnesses which may not be available from within DOC staff.
55. DOC views involvement in consents as a valuable opportunity to provide information to applicants and councils on the significance of values that may be affected by proposed developments. DOC seeks to ensure that resource consents include appropriate provisions to protect conservation values, including preservation of the natural character of water bodies. Because DOC tries to provide advice early in the consent process to applicants and councils, it tends to make submissions on only a few applications each year within the Inquiry District.
56. When DOC has been a submitter and has had a decision go against what it has sought, it may advance cases before the Environment Court where DOC has evidence that suggests the environmental effects of development will be significant, and where it is considered DOC's prospects of upholding the preservation or protection of natural and physical resources at stake are good, and where resources permit.
57. In its general advocacy role, the Operations Regions support iwi/tangata whenua perspectives where they align with conservation objectives. DOC has had a view that it is not its role, nor would it be appropriate, to generally advocate the position of iwi or tangata whenua. DOC has taken care to seek to ensure that its comments and participation in an issue do not detract from tangata whenua comments, by advising councils that because DOC's ecological concerns are met it does not mean that iwi concerns are necessarily addressed.
58. DOC seeks to improve environmental outcomes under the RMA, but the primary responsibility is with the local authorities. In relation to the Taihape district, DOC has worked with the Horizon Regional Council's "One Plan"

through submissions and appeals to try and achieve maintenance of water quality, indigenous habitat and protection of species. This has been the most important RMA planning document in the area over the last decade.

59. DOC has also been involved with specific resource consents such as those relating to the Tongariro Power Development. Working with others, DOC was successful in getting some restoration of flows into the Moawhango River.

Natural Heritage Management

DOC's management

60. DOC and the community face significant challenges to retain indigenous species in the places they currently occur and to expand their current range. DOC, through such measures as “Battle for the Birds” and “Project Crimson”, has had a major focus on pest control, although this is also controversial.
61. DOC is progressively implementing a more nationally-consistent and cohesive approach to conservation management across New Zealand’s lands and waters. This approach makes use of tools and processes that have been designed over the last decade. The tools and processes help DOC to set clearer goals, select conservation priorities, and monitor and report on the effectiveness of its natural heritage work.
62. DOC is bringing information about conservation priorities into discussions it is having with communities and tangata whenua about how to manage New Zealand’s native species and natural places. These conversations are helping identify what is valued at local places, how these fit the bigger picture, and what communities want to achieve for natural heritage in their region. This will be captured in the conservation management strategies being developed across the country.
63. Natural heritage work focuses on maintaining and restoring ecosystem composition and health, preventing species decline, ensuring long-term persistence of threatened species populations and protecting features and landscapes. In all of this, DOC seeks to work with others, including tangata whenua, local government, private landowners and land care community groups, to secure priority ecosystems and threatened species.

64. Within the Taihape district efforts have been made to assist declining ecosystems by the control of feral animals, programmes to tackle individual weeds, the use of pesticides and other methods to control small mammal pests and fencing to exclude livestock from reserves. Mr Fleury's evidence provides more details, but DOC's monitoring indicates that there has been an improvement, for example in the bird life of the northern Ruahine area. DOC would, of course, like to do more in the Taihape district and across Aotearoa but there is always a limit on resources and a question of priorities.

Engagement with Taihape Maori

65. Giving effect to the Treaty partnership obliges DOC to engage with Treaty partners at each location, ensure there is good communication and attempt to achieve mutual understanding of one another's perspectives. Engagement is most likely to be built on relationships and recognition of issues and interests in each place. In some cases this is (or can be) supported or enhanced by formal documentation such as Memoranda of Understanding or protocols with tangata whenua regarding their interests in an area.
66. There are no formal agreements between DOC and Iwi in the Taihape district. Some Taihape Māori have expressed some interest within the last five years in such agreements. Although management arrangements have not been negotiated, there have been regular meetings held between DOC and some Taihape Māori and meetings on specific issues (for example whio and concession applications). Formal arrangements may, but need not, await the outcome of Treaty settlements. DOC's experience is that that process can be useful to ensure there is clarity within and between parties and the relevant issues are understood however settlement is not a necessary precondition for entering into such
67. In the Taihape area DOC has had a history of seeking to involve tangata whenua in DOC's activities both statutory and operational (although it is recognised that complexities over administrative boundaries may have resulted in less than ideal results). There has also been a long history of DOC staff being engaged with local people and building strong personal bonds which DOC has tried to extend with the regular meetings discussed above and with

tangata whenua involvement in the induction of new DOC managers through a whakatau or pōwhiri and involvement in practical conservation projects.

68. Mr Richard Steedman has regularly been involved in the induction and briefing of summer staff first at Mangaweka and now Ohutu. Regular meetings have occurred between DOC with Aorangi Awarua Trust and Ngati Hauiti, for example, and these are on-going. DOC and Taihape Māori also work together on some organisations such as the Rangitikei District Council's Environment Theme Group and the Ruahine Whio Protectors Collective. Other examples are provided in Mr Fleury's evidence, including in relation to Kaimanawa horses.

NGĀ WHENUA RĀHUI

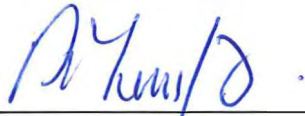
69. Ngā Whenua Rāhui is not part of DOC, but it is financed through Vote:Conservation with its own identified funding. It is an example of what is possible in the natural heritage area. Mr Mohi discusses what has been done in the Taihape district.
70. In essence, Ngā Whenua Rāhui is a contestable funding programme which exists to protect the natural integrity of Māori land and preserve mātauranga Māori. It offers two funds:
71. Ngā Whenua Rāhui Fund provides protection for Māori landowners through the use of 25 year re-viewable kawenata (covenants).
72. The separate Mātauranga Kura Taiao Fund seeks to preserve the customs, history and stories associated with Māori land and tikanga.
73. The Ngā Whenua Rāhui Fund supports the protection of indigenous ecosystems on Māori-owned land while honouring the rights guaranteed to landowners under Te Tiriti o Waitangi. The principles of the fund are geared towards the owners retaining tino rangatiratanga (ownership and control). In its kaupapa and role Ngā Whenua Rāhui is reaffirming the bond between tangata whenua and the land.
74. This funding arrangement was established in 1991 and falls within the auspices of DOC but is separately administered by the Ngā Whenua Rāhui Committee.

The Fund receives an annual allocation of funds from Government and the Ngā Whenua Rāhui Komiti makes recommendations to the Minister on funding applications. Given the significance of this work in the Taihape area, separate evidence is being provided but I do wish to endorse the value that DOC sees in assisting Taihape Māori to protect their own taonga.

CONCLUDING REMARKS

75. DOC is committed to finding practical ways to work with Māori on the management of natural, physical, historic and cultural resources on the land it manages, to involve Māori in decision making within the existing statutory framework and to provide for customary use and consideration of mātauranga Māori in conservation management. DOC can do these things within its existing statutory framework. In some instances, DOC can do this through the various Treaty of Waitangi settlements as they put specific requirements in place.
76. The Conservation General Policy provides nationally consistent policy to guide DOC management planning and statutory decision making and this Policy has statutory effect.
77. There are challenges for DOC in finding ways to engage with Māori in the development of policy at the national level. DOC is hopeful that relationships that are built between DOC staff in the Operations Regions will assist DOC to achieve this, including in work at the national level.
78. I recognise that DOC's relationships with whānau, hapū and iwi have sometimes been tenuous, and I acknowledge that there are concerns raised by whānau, hapū and iwi of the Taihape Inquiry district regarding the extent to which DOC has engaged with them regarding the protection of natural and historic heritage and our role in their access to their lands. I recognise that there is always room for improving the ways DOC engages with tangata whenua, but DOC does have good and established relationships with tangata whenua in Taihape district. Through partnerships with tangata whenua DOC wants to achieve more protection for the lands and resources of significance to whānau, hapū and iwi.

79. From my perspective, I believe that DOC has developed its thinking from the more preservationist views of the late 1980s to a more open and collaborative way of working based on establishing partnerships.



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