

Departmental Memo

To	Minister of Conservation	Date submitted	18 December 2023
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Security Level	In Confidence		
From	Ruth Isaac, Deputy Director-General, Policy and Regulatory Services: S9(2)		
Subject	Initial briefing for the Environment Select Committee hearing on the Hauraki Gulf / Tīkapa Moana Marine Protection Bill, 21 December 2023		
Attachments	Attachment A – Initial briefing Attachment B – Presentation		

Purpose – Te aronga

1. To provide DOC's initial briefing and associated presentation on the Hauraki Gulf / Tīkapa Moana Marine Protection Bill for the Environment Select Committee hearing on 21 December 2023.

Background and context – Te horopaki

2. The Hauraki Gulf / Tīkapa Moana Marine Protection Bill (the Bill) proposes the establishment of 19 new marine protection areas in the Hauraki Gulf / Tīkapa Moana (the Gulf).
3. On 30 August 2023, the Bill had its first reading and was referred to the Environment Select Committee. Public submissions on the Bill closed on 1 November 2023; almost 8,000 submissions were received by the Select Committee.
4. The Clerk of the Environment Committee (the Clerk) has advised that the initial briefing to the Environment Select Committee on the Bill has been scheduled for 21 December 2023.

Initial briefing

5. As advisors to the Committee, DOC is required to provide the initial briefing (Attachment A) and associated presentation (Attachment B) to the Clerk two days prior to the hearing (by midday 19 December).
6. At the initial hearing, officials will present the Bill and explain key issues. Following the presentation of the Bill, Select Committee members may ask officials questions on the Bill. The initial briefing will be a private meeting of the Committee.
7. Officials in attendance for the initial briefing will be:
 - Sam Thomas, DOC Policy Director
 - Emma Hill, DOC Senior Policy Advisor
 - Jordi Tablada, DOC Marine Science Advisor

8. DOC legal and science experts will support the remainder of the hearing process, alongside policy. Fisheries New Zealand and Parliamentary Counsel Office officials will be in attendance at future hearings.
9. Aspects of the Bill that DOC anticipate will be raised by the Committee during the hearing include the treaty clause that replicates section 4 of the Conservation Act 1987, and the allowance for non-commercial customary fishing in high protection areas.
10. Officials are available to verbally brief you on details of the Bill before the initial hearing on Thursday.

Your role

11. You may be invited by the Committee and/or may choose to attend the initial briefing or subsequent meetings of the Committee as the hearing progresses.
12. If you do attend, officials would be in a secondary, supporting role to you, as lead Minister for the Bill. Your role would be discussed with the Clerk and/or chairperson. DOC can provide advice to support your attendance as required.
13. Given the level of detail expected, DOC recommends that you do not attend the initial hearing.

Risk assessment – Aronga tūraru

14. There are no significant risks associated with the contents of this memo.

Next steps – Ngā tāwhaitanga

15. You have been asked to provide the Leader of the House with your advice on retaining the Bill in the House [CORM-1134 refers]. This advice is required by 18 December 2023.
16. DOC will advise you on the timeline for the Committee's consideration of the Bill once this has been confirmed, including the report back date.
17. DOC will keep your office updated on the hearings as they proceed.
18. DOC will ask you to approve the Departmental Report, which will be due with the Committee following any hearing of oral submissions. The Departmental Report will provide recommendations on any changes proposed to the Bill by submitters, and any additional changes that DOC may recommend.

ENDS

Attachment A: Initial briefing

Attachment A is publicly available

Attachment B: Presentation

Attachment B is publicly available