

Briefing: Stewardship Land Reclassification - letters to reappoint National Panel members

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11 AUG 2023

To	Minister of Conservation	Date submitted	9 August 2023
Risk Assessment	Low Reappointing Panel members will maintain reclassification progress while intersecting workstreams are advanced.	Priority	Normal
Reference	23-B-0362	DocCM	DOC-7415383
Security Level	In Confidence		

Action sought	Approve the attached letters to reappoint National Panel members	Timeframe	23 August 2023
Attachments	Attachment A – Reappointment letters for National Panel members Attachment B – Gazette notice for reappointment of National Panel members		

Contacts	
Name and position	Cell phone
Claire Spencer, Director National Programmes 2	9(2)(a)
Nicole Kunzmann, Reclassification Manager	

Executive summary – Whakarāpopoto ā kaiwhakahaere

1. As part of the Stewardship Land Reclassification Project, two independent advisory National Panels are operating in the West Coast and Northern part of the Ngāi Tahu takiwā. The appointments for the National Panel members expired on 1 June 2023.
2. On 2 August 2022 APH noted your intention to reappoint National Panel members until 30 June 2024 [APH-23-MIN-0208 refers].
3. The next steps in the reappointment process are to approve the letters of reappointment for each Panel member (Attachment A) and the associated Gazette notice (Attachment B).

We recommend that you ... (Ngā tohutohu)

		Decision
a)	Approve the reappointment letters for National Panel members (Attachment A)	Yes / No
b)	Approve the Gazette notice for the reappointment of National Panel members (Attachment B)	Yes / No

Date: / /

Marie Long
 DDG National Operations and Regulatory
 Services
 For Director-General of Conservation

9(2)(a)

Date: 16/08/2023

Hon Willow-Jean Prime
Minister of Conservation

Purpose – Te aronga

1. To seek your approval of the attached letters and Gazette notice to reappoint Stewardship Land National Panel members until 30 June 2024.

Background and context – Te horopaki

2. In April 2021, Cabinet agreed to a programme of work to improve how we reclassify stewardship land [CBC-21-MIN-0045 refers]. Before this, the reclassification progress had been slow due to the complexity of the work, volume of land involved (30% of DOC administered land is stewardship), and a lack of prioritisation.
3. The new approach to reclassification work included:
 - The appointment of National Panels to provide recommendations to you about reclassification of stewardship land.
 - Legislative amendments to streamline processes for the reclassification and disposal of stewardship land, better enabling the work of the National Panels.
4. Two National Panels were established with an initial focus on stewardship land in the Western and Northern South Island. The agreed reclassification project was not confined to set time period, although the Cabinet Business Committee (CBC) noted the Minister’s intent to appoint Panellists for an initial term of up to two years, to be reviewed thereafter [CBC-21-MIN-0045 refers].
5. National Panel appointments expired on 1 June 2023. You recently undertook the Cabinet Appointments and Honours Committee (APH) process seeking to extend National Panel member appointments. Extending National Panel appointments will enable the work already underway in the Western and Northern parts of the Ngāi Tahu takiwā to continue.
6. Alongside the National Panels, a Ngāi Tahu-appointed Mana Whenua Panel was established to engage in the project across the Western and Northern South Island. This followed an Agreement between the Minister of Conservation (then Minister Allan) and the Kaiwhakahaere of Ngāi Tahu, Lisa Tumahai. This Agreement expires on 28 October 2023.
7. On 27 July 2023 you met with the Kaiwhakahaere. You agreed in principle that the term of the Ngāi Tahu Agreement would be extended to align with the revised term of National Panel member appointments.
8. We are awaiting a letter from Ngāi Tahu outlining their expectations regarding an extension of the Agreement. Once we have received this, we will work with the Ngāi Tahu project team to finalise the details of an extension. We will update you on any progress via the status report.

Cabinet APH has noted National Panel reappointments until 30 June 2024

9. On 2 August 2022, APH noted your intention to reappoint National Panel members until 30 June 2024 [APH-23-MIN-0208 refers].
10. The National Panel members noted by APH for reappointment are as follows:

Panel One - Western South Island	Panel Two - Northern South Island
Mr Neil Clifton (Chair)	Hon Philip Woollaston (Chair)
Dr William (Bill) Lee	William (Willie) Shaw
Jo Breese	Laura Coll Mclaughlin
Dr Katharine Watson	Geoff Canham
Dr Marama Muru-Lanning	Mary O’Keeffe
Philip Blakely	Philip Blakely

11. The next step in the reappointment process is to approve the letters of appointment for each Panel member (Attachment A) and the associated Gazette notice (Attachment B).
12. The Panels are currently operating, and being remunerated, as independent contractors. Their new term of appointment will commence on the date you sign the reappointment letters and the associated Gazette notice. Renewing their appointment as a section 56 advisory body maintains public perceptions of the legitimacy of the Panels.
13. Following these appointments, the two National Panels will have eleven members. Five members will be female and one member will be of Māori descent.

Risk assessment – Aronga tūraru

14. Intersecting workstreams have strategic implications for the delivery of the reclassification project (23-B-0289 refers). Reappointing National Panel members until 30 June 2024 will maintain progress while these intersecting workstreams are advanced:
 - 9(2)(f)(iv)
 - The proposed 'No New Mines' policy.
 - 9(2)(f)(iv)
15. The complexities of land reclassification may further impact the delivery of reclassification recommendations by the Panels. If the Panels are unable to deliver final recommendations within their extended term, it may be appropriate to review the Panel-led approach to reclassification and explore alternative delivery models. 30 June 2024 will represent a distinct point at which the Panel-led approach to reclassification can be discontinued or extended if successful.

Treaty principles (section 4) – Ngā mātāpono Tiriti (section 4)

16. As rangatira and kaitiaki, whānau, hapū, and iwi have a strong interest in any decisions on the reclassification of stewardship land. The Ngāi Tahu-appointed Mana Whenua Panel was established to represent the interests of mana whenua in the reclassification of stewardship land on the West Coast and northern part of their takiwā.

Consultation – Kōrero whakawhiti

17. You have consulted with your Cabinet colleagues regarding these reappointments through the APH process.

Financial implications – Te hiraunga pūtea

18. 9(2)(i)

Next steps – Ngā tāwhaitanga

19. If you approve the attached reappointment letters (Attachment A) we will inform the National Panel members of your decision and work with your office to dispatch the correspondence.
20. A notice for reappointment of National Panel members will be published in the Gazette (Attachment B).

ENDS