

10 November 2025

Ref: OIAD-5754

Tēnā koe [REDACTED]

Thank you for your request to the Department of Conservation, received on 16 October 2025, in which you stated and asked:

“There are several reports/documents referred to in the draft decision report which were not attached with the report. My clients would like to request copies of these...:

1. *The NIWA report DOC -10347532*
2. *The DOC review of the Statement of Significance DOC-10279689*
3. *Fee assessment: DOC-10380009*
4. *Remediation Fee recommendation: DOC-10380008*
5. *The “Related advice” referred to in the Management Planning advice - DOC-6412862; DOC-6747833; DOC-10340192.*
6. *Financial Risk assessment: DOC-10416755*
7. *Ngai Tahu comment on the application.*
8. *Attachment 8: Letter to Ngai Tahu, page 33 of the DDR (this would hopefully have been picked up in the request after item 7).*
9. *Any documentation in relation to commitments DOC may have made to Taumutu that the leases would not continue indefinitely (refer to Taumutu letter to DOC dated 6 June 2025, Appendix 2 DDR).*
10. *My clients would also like to request copies of:*
 - a. *any correspondence, e-mails, records of meetings or telephone conversations between DOC and Ngai Tahu and/or Taumutu relating to any issues associated with the Lower Selwyn Huts lease application and continued presence of the huts. This could include (but is not limited to) discussions about the term applied for (and any reasons for a shorter term than applied for), huts management or environmental issues and any discussions about interpretation of the Te Waihora Joint Management Plan and DOC statutory documents. My clients have previously made a similar request in relation to Ngai Tahu on/around 2 April 2024, so the request as it relates to Ngai Tahu can be from that date. The request in relation to Taumutu is not so limited by that date.*
 - b. *Any submissions, reports, advice, Memoranda, draft policy, records of meetings, telephone calls, e-mails etc on the proposed provisions relating to the Lower Selwyn Huts in the Te Waihora Joint Management Plan (2005) approval process under the Ngai Tahu Claims Settlement Act 1998. “*

We have considered your request under the Official Information Act 1982 (the OIA).

Before proceeding to the Department's response, we have provided some contextual information relevant to your request.

Department's approach and limitations to availability of information

In line with your request, we have identified and collated copies of the documents and correspondence falling within the scope of your request.

While every effort has been made to identify and provide you with a full and complete list of what the Department holds, we note limitations to the availability of information for a range of reasons. Over time, there have been revised policies and processes, different record keeping practices, natural disasters, new information management systems, files and information sent to Archives New Zealand, and staff turnover.

Lower Selwyn Huts

As you know, originally the huts were constructed on the edge of Te Waihora | Lake Ellesmere (the lake) to facilitate recreational activities such as fishing and game bird shooting, which are popular around the lake margins. Over time however, many of these huts have evolved beyond their original purpose - some now offer more extensive amenities and function as holiday baches or even permanent homes for their 'owners'.

The Department administers the concessions for the land occupied by the individual structures that form the 'settlement'. Previously granted concessions expired on 30 June 2024, with no remaining rights of renewal.

In March 2024, hut owners were invited to apply for new, 'transitional' concessions. In the interim, while the new applications are being processed, a month-to-month arrangement allows for the ongoing occupancy of the land, in accordance with section 17ZAA of the Conservation Act 1987 (Conservation Act).

The draft Lower Selwyn Huts decision report has already been provided to applicants and their representatives for their review and comment. This is one of the later steps in the process undertaken prior to final decisions being made by the Department.

Department's response

Requested items numbered 1 through 10a

The documents, listed as Items 01 to 13 in the attached Document schedule, link to the draft Lower Selwyn Huts decision report.

I have decided to release the relevant parts of these documents, subject to information being withheld (in whole or part) under one or more of the following sections of the OIA, as applicable:

- personal information, under section 9(2)(a) – to protect the privacy of natural persons, including deceased people,
- commercially sensitive information, under section 9(2)(b)(ii) – to protect the commercial position of the person who supplied the information, or who is the subject of the information,
- free and frank expression under section 9(2)(g)(i) – to maintain the effective conduct of public affairs,

- advice subject to legal privilege, under section 9(2)(h) - to maintain legal professional privilege, and
- confidential information, under section 9(2)(j) – to enable the Crown to negotiate without disadvantage or prejudice.

In making my decision, I have considered the public interest considerations in section 9(1) of the OIA and determined there are no public interests that outweigh the grounds for withholding.

Items 01 to 09 (per the attached Document schedule)

These documents evidence the review and testing of information by the Department (or other agencies, such as NIWA) and the provision of advice about the transitional concession applications and process for staff - with a view to informing the Department's approach and decisions.

Items 10 to 13 (per the attached Document schedule)

Despite a review of the material we hold, not many documents were located within the scope of your requested items numbered 9 and 10a. The documents identified are Items 10 to 13.

It is worth noting that the term 'commitments' often references obligations arising out of section 4 of the Conservation Act, settlement legislation enacted for the benefit of specific iwi, and documents implementing settlement deeds and legislation – where the Department is referenced and/or is a party. Further, there are 'commitments' to be adhered to within relevant statutory planning documents. As this information is already available to the general public, it will not be provided, per section 18(d) of the OIA, as it is publicly available. For example, by way of the Department's website, see: [iwi/hapū/whānau consultation consultation: Apply for permits](https://www.doc.govt.nz/get-involved/apply-for-permits/iwi-consultation/) | <https://www.doc.govt.nz/get-involved/apply-for-permits/iwi-consultation/>).

Requested item numbered 10b

This part of your request is for documents dating back over twenty years ago.

A search of the Department's records indicates off-site files that may or may not contain relevant information, some of which we are advised may no longer be available due to the Christchurch earthquakes or having been provided to Archives New Zealand (given the elapse of time).

The amount of research and collation required to progress this part of your request would impose an unreasonable administrative burden on the Department. This is because each potentially in scope item will need to be assessed to determine if it is in scope or not – with any in scope material then needing to be collated and prepared for release (including proposed withholding by redaction).

Aside from the collation aspect, this part of your request, as it stands, will also involve quite a number of internal and external parties. The consultation and notification necessitated, depending on the degree of involvement in the correspondence and exchanges identified, is a further time-consuming component connected to processing this part of your request.

In its current form, the time, effort and resources required for this part of your request are significant. Consequently, this part of your request is refused under section 18(f) of the OIA, as the information sought cannot be made available without substantial research and collation. I have borne in mind section 18B of the OIA but concluded that use of this provision would not assist in this case.

You are entitled to seek an investigation and review of my decisions by writing to an Ombudsman as provided by section 28(3) of the OIA.

Please note that this letter (with your personal details removed) and attached documents may be published on the Department's website.

As outlined in earlier exchanges, the additional two-week period to consider the draft Lower Selwyn Huts decision report is extended until Monday, 24 November 2025.

[Redacted signature area]

Nāku noa, nā



Phillippa Fox
Director, Regulatory Authorisations
Department of Conservation | *Te Papa Atawhai*

Document schedule

Item	Date	Document description	Decision
01	5 May 2025	NIWA report: Review of PDP memorandum relating to Aqualinc report for Lower Selwyn Huts [DOC-10347532]	Released in part
02	29 April 2024	Lower Selwyn Huts Statement of Significance – Review by the Department of Conservation [DOC-10279689]	Released in full
03	5 August 2025 to 18 August 2025	Lower Selwyn Huts Fee Assessment 2025 and associated email exchange) [DOC-10380009]	Released in part
04	5 August 2025	Lower Selwyn Huts Remediation Fee Recommendation(s) [DOC-10380008]	Released in part
05	28 August 2020	Management planning advice to support communications regarding Lower Selwyn Huts [DOC-6412862]	Released in part
06	13 August 2021	Additional management planning advice on decision making relating to the expiry of licences for the Lower Selwyn Huts [DOC-6747833]	Released in part
07	26 February 2025 to 11 March 2025	Further management planning advice on decision making relating to the expiry of licences for the Lower Selwyn Huts [DOC-10340192]	Released in part
08	31 July 2025 to 11 August 2025	Emails about update of Financial Risk Assessment related to Lower Selwyn Huts [DOC-10416755]	Released in part
09	11 August 2025	Financial Risk Assessment (attachment to above emails)	Released in part
10	6 June 2025	Submission by Taumutu Rūnanga Limited (Ngai Tahu) on the applications	Released in part
11	8 December 2023	Referenced as <i>Attachment 8: Letter to Ngai Tahu, page 33 of the DDR</i>	Released in part
12	29 April 2025	Email: Consultation on the Lower Selwyn Huts Concession Applications	Released in part
13	18 September 2025	Update on Lower Selwyn Huts Concession Process	Released in part