

Stewardship Land Reclassification

Summary of Submissions Report

Appendix 3: Paparoa



Department of
Conservation
Te Papa Atawhai

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PAP_01 – Marys Creek – 2808352

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Marys Creek	PAP_01_2808352n	Scenic Reserve (a)	Neutral	14	6

DOC Conservation Values Report (CVR) Description

Two small disjunct parcels with regenerating native forest cover, part of a connected corridor of native vegetation along Marys Creek, which links to other public conservation land. No tracks or facilities are present, and recreation is unlikely.

Panel Recommendations

National Panel: Scenic reserve (a), to preserve the identified flora and fauna, biological associations, and the natural environment.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of scenic reserve (a).

Summary of accepted submissions: Those submissions ‘accepted’ as holding merit supported the notified classification based on the presence of scenic natural areas, suggesting it offers sufficient protection in the context of climate change.

Section 4 and Treaty principles: The Mana Whenua Panel did not oppose the proposed classification.

No specific Ngāi Tahu interests were raised for consideration by the Mana Whenua Panel for this stewardship area. I acknowledge statements of the Mana Whenua Panel that “there is a deep connection between Ngāi Tahu and all of the whenua in the Ngāi Tahu takiwā, and the absence of site-specific values in the preliminary analysis does not detract from that connection, nor does it confirm that site-specific values are not present.”

Rationale: My conclusion is that the proposed classification will appropriately promote the conservation of the natural and historic resources present (e.g. regenerating native forest).

Scenic Reserve (a) - PAP_01_2808352n

Support

Climate Change and Natural Hazards (Allowed)

- Submissions expressed strong support, stating that classifications that provide strong environmental protection are particularly important in light of the impacts of climate change.

I recommend that these comments are accepted. I agree that the protection of the existing natural resources present is of increasing importance when considering the need for climate mitigation. Classification as scenic reserve will support this outcome. The relevance of this factor for reclassification decisions is evident when the future-focused elements in the definition of conservation are considered, including, “safeguarding the options of future generations”, in relation to ‘natural resources’, “the air, water and soil in or on which any plant or animal lives or may live”, and in relation to ‘protection’ of a resource, “restoration to some former state and its augmentation, enhancement, or expansion” (Conservation Act 1987, s. 2).

Ecology and Landscape (Allowed)

- Submissions supported the scenic reserve recommendation based on the presence of “nationally significant ecological systems and scenic natural areas”.

I recommend that this comment is accepted. I agree that the area contains scenic natural areas, and that the proposed classification will appropriately promote the protection and preservation of the identified natural resources. The CVR notes the area to contain features typical of the Foulwind Ecological District. Under a scenic reserve classification

“indigenous flora and fauna, ecological associations, and natural environment and beauty shall as far as possible be preserved” (Reserves Act 1977, s. 19(2)(a)).

General (Allowed)

- Submissions expressed overall support for the recommendations made by the National Panel without providing specific justifications.
- Submissions agreed that the recommendation reflects the information provided in the technical reports.
- Submissions expressed a general preference for stewardship land to be reclassified at the highest possible classification based on its “high cultural conservation value”.

I recommend that these comments are accepted. However, because no further justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is identified, these submission points do not raise any matters for further consideration.

Oppose

Ecology and Landscape (Allowed)

- A submission stated that the land area in question is relatively small and already represented insignificant quantities throughout the region, so “should be dispersed”.
- A submission stated that the values are more suited to conservation area.

I recommend that these comments are not accepted. The natural resources identified in the CVR are appropriately protected and preserved by the proposed classification, and the material raised is not specific so does not warrant overturning the notified classification.

Permissions, Economic Factors and Land Use (Not Allowed)

- One submission opposed reclassification as a scenic reserve on the grounds that, although it does not prohibit mining, it adds extra restrictions with consequent negative economic benefits, suggesting that retaining the land in stewardship or reclassifying it as a conservation park provides adequate legal protection while allowing commercial activities such as mining to be considered on a case-by-case basis.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- One submission opposed any reclassification of stewardship land to specially protected areas unless the land was specifically purchased by the Nature Heritage Fund for the purpose of adding it to a national park.

As I have recommended these comments are not allowed, I recommend they are not accepted.

No Opinion/Position Stated

Access and Recreation (Allowed)

- Submissions that did not select or state a clear opinion were concerned with ensuring that any reclassification provides explicitly for access, sports fishing, and gamebird hunting.

I recommend that these comments are not accepted. Insufficient information is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised which supports reconsideration of the notified classification. The proposed classification does not prohibit public access for the activities, if authorised (e.g. in a hunting permit). Authorisation of such activities involves a separate decision-making process, the outcome of which would depend on effects on the conservation values present rather than the proposed land classification.

General (Allowed)

- One submission advocated generally for all national parks, forest parks, scenic reserves and stewardship land to be protected from development.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

PAP_02 – Ananui Creek – 2806955

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Ananui Creek	PAP_02_2806955o	National Park (Paparoa)		6054*	21
Ananui Creek	PAP_02_2806955p		Stewardship	13	52

DOC Conservation Values Report Description

A 12-ha block adjoining Little Totara River Conservation Area and Paparoa National Park. The wider assessment area includes a wide range of landforms, vegetation associations and ecosystems from recent river terraces to steep and dissected granite and gneiss, limestone bluffs and alpine crests. It is almost entirely unmodified native vegetation and its connectivity to other public conservation lands is critically important for protecting functioning ecosystems and processes. The area includes a range of wildlife, including threatened and at-risk species, and three undescribed Powelliphanta land snail taxa restricted to the PAP_02 assessment area.

Panel Recommendations

National Panel: National park investigation to reflect the identified values, increase the overall integrity of the Paparoa National Park, and to improve landscape continuity.

Mana Whenua Panel: Retain as stewardship land pending further policy work or legal reform, based on the tribal position that the addition of land to national parks will not give effect to the principles of the Treaty of Waitangi as it alienates Ngāi Tahu from their ancestral lands.

S.49(2)(d) Recommendation

- **Proceed** with the notified proposal, by referring this area to the NZCA for its consideration on the suitability of a national park classification in accordance with the relevant policy and procedures, including Policy 6 of the General Policy for National Parks and Section 4 of the Conservation Act 1987.

Summary of accepted submissions: The submissions ‘accepted’ as holding merit supported the proposed national park addition to protect the area’s natural values, improve climate change mitigation, and ensure ongoing public recreational access. Submitters referenced specific natural resources which were noted to be of high value and similar in nature to the adjoining Paparoa National Park.

Section 4 and Treaty principles: The Mana Whenua Panel opposed the proposed national park referrals, supported by submissions from Treaty partner organisations. Te Rūnanga o Ngāi Tahu oppose all additions to national parks within the Ngāi Tahu takiwā as “the addition of land to national parks will not give effect to the principles of the Treaty of Waitangi (as required by section 4 of the Conservation Act 1987) as it alienates Ngāi Tahu from our ancestral lands”. The Mana Whenua Panel have also signalled Ngāi Tahu interests associated with this stewardship area, particularly that “Ngāi Tahu may have future aspirations for this land (such as from an economic wellbeing and development perspective)”.

I note that my s.49 recommendations and your decision on whether to refer this area to the NZCA for their consideration must give effect to Treaty principles independently of the NZCA’s section 4 obligations.

Although I acknowledge the Mana Whenua Panel opposition to the notified proposal, my assessment, considering those submissions accepted, is that the natural and historic resources present are of a similar nature to the adjacent national park, and warrant proceeding with a referral to the NZCA. Giving effect to Section 4 of the Act includes taking reasonable steps to actively protect the identified Treaty partner interests, but this obligation is not absolute and unqualified, as this would be inconsistent with DOC’s other statutory responsibilities.

* This figure includes 5,976 submissions made using a Forest and Bird template.

Referring this area to the NZCA for their consideration provides an opportunity for the NZCA to further assess the natural and historic resources present, and explore specific Ngāi Tahu interests and aspirations, including their consideration as to what giving effect to Treaty principles may require.

Rationale: My conclusion, considering those submissions accepted, is that the natural and historic resources present warrant referral to the NZCA for their consideration as per the process set out in Chapter 3 of the introduction to this Summary of Submissions Report.

National Park (Paparoa) – PAP_02_28069550

Support

Access and Recreation (Allowed)

- Submissions supported the national park recommendation on the grounds that this reflects the high recreation values, ensures ongoing public access, ensures that unique flora and fauna is protected for the enjoyment of present and future generations, and supports intergenerational participation in conservation.

I recommend that these comments are accepted. These comments hold merit under the Conservation Act as they support promotion of recreation that is not inconsistent with the preservation of the natural and historic resources present.

- Submitters particularly noted that the wider area contains caves of high scientific and recreational significance.

I recommend that these comments are not accepted. Although there may be “caves of high scientific and recreational significance” in the wider area my understanding, based on the Western South Island Region Cave and Karst Operational Plan (2018, pg.66), is that no caves are present in this conservation area.

Climate Change and Natural Hazards (Allowed)

- Submissions suggested that suitable stewardship land should be incorporated into adjacent conservation areas to support climate change mitigation, and that the protection of the area was especially important in the context of climate change.

I recommend that these comments are accepted. I agree that the protection of the existing natural resources present is of increasing importance when considering the need for climate mitigation. Classification as national park will support this outcome. The relevance of this factor for reclassification decisions is evident when the future-focused elements in the definition of conservation are considered, including, “safeguarding the options of future generations”, in relation to ‘natural resources’, “the air, water and soil in or on which any plant or animal lives or may live”, and in relation to ‘protection’ of a resource, “restoration to some former state and its augmentation, enhancement, or expansion” (Conservation Act 1987, s. 2).

Ecology and Landscape (Allowed)

- Submissions noted the area is part of a large contiguous block of forested land and within an outstanding natural landscape, with high vegetation diversity, the presence of threatened species like mudfish and Powelliphanta snail, as well as encompassing various headwaters and contributing to protection of freshwater values.
- The area was noted to contain the complex geology and landforms of the Paparoa Range and its adjoining lowlands, with important karst and limestone and granite landforms.
- Submissions stated that adding the area to the Paparoa National Park provides a buffer zone for the existing national park and other adjacent protected areas, like the Paparoa Wilderness Area, and improves representativeness, landscape continuity and ecological connectivity for threatened species across the larger region.
- In general terms, submissions advocated for higher protection for more areas of stewardship land where the land is adjacent to national parks or wilderness areas, arguing that in many cases the values are indistinguishable.
- The values were perceived to be comparable to the surrounding Paparoa National Park, and adding areas to the national park was viewed as streamlining the management of these areas and improving broader conservation outcomes, specifically regarding biodiversity (Te Mana o te Taiao, i.e. Aotearoa New Zealand Biodiversity Strategy), climate and freshwater outcomes.

- Submissions noted that current land delineations are “historic and arbitrary” rather than informed by ecological principles.

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present. The natural resources identified by submitters are consistent with those described in the CVR, although I note that this specific conservation area does contain a greater proportion of modified areas than the wider assessment area (including a vehicle track). The contiguous boundary with Paparoa National Park further supports your notified intention to refer this area to the NZCA for its recommendation as to the suitability of a national park addition.

Treaty Considerations (Allowed)

- Submissions acknowledged the legitimacy of concerns raised by the Mana Whenua Panel regarding national parks. However, they viewed maximum protection of the natural values as paramount and suggested that changes to management or legislative frameworks should be made to better reflect the intent of Treaty principles, and to ensure free access and use of national parks for cultural, traditional, historical, and customary purposes, while ensuring that natural values are preserved and protected.
- Submissions stated that where the Mana Whenua Panel had not identified site-specific values for the land, they supported additions to national parks.

I recommend that these comments are accepted to the extent that they agree the natural and historic resources present warrant referral to the NZCA for their consideration. However, while the possibility of future changes to management or legislative frameworks is identified by submitters as a potential means of reconciling that purpose with Treaty partner interests, such changes are not being considered within this reclassification exercise. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA’s consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions expressed general support for reclassification as a national park: they “support the proposed additions to national parks and would like to see more areas given the highest level of protection”, and advocated for high or maximum environmental protection across all stewardship land to support native reforestation, enhance ecological buffer zones, maintain ecological diversity, and support the creation of ecological corridors.
- Submissions expressed agreement with the national panel recommendation, stating their support for stewardship land to be reclassified at the highest possible level based on its “high cultural conservation value”.
- Submissions also expressed agreement without providing further justification.
- Submissions noted that national park classification “applies a precautionary principle that these lands are best left in a natural state unless there is a good case otherwise”.

I recommend that these comments are accepted. However, because no further justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions supported the expansion of the Paparoa National Park based on anticipated benefits for tourism in the area, noting that the presence of attractions such as the Paparoa Great Walk and the Coast Road Highway has led to investments in tourism-related industries.
- Submissions noted that legislative “let out clauses” exist to enable things in national parks that are “necessary and have wide approval”.
- Submissions said that national parks support a nature economy, stating that this is in line with the Te Whanaketanga Tai Poutini West Coast Economic Strategy 2050.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions raised concerns about there being no terms of reference for the Mana Whenua Panel, and suggested that Mana Whenua Panel concerns regarding national parks should have been resolved prior to the reclassification project.
- Submissions raised concerns about there being no terms of reference for the Mana Whenua Panel, and suggested that Mana Whenua Panel concerns regarding national parks should have been resolved prior to the reclassification project.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Oppose

Access and Recreation (Allowed)

- Submissions expressed concern about loss of recreation opportunities and access, suggesting that other classifications may provide a better balance between recreational enjoyment and protection of natural values. Restrictions on dog walking were raised specifically as a concern by a West Coast resident. Classifications suggested were conservation park, or scenic reserve or recreation reserve if additional protection is required.
- Submissions opposed any reclassification unless the classification purpose provides explicitly for ongoing access for hunting and fishing, or opposed national park reclassification as this excludes hunting for native gamebird species like pūkeko and paradise shelduck.

I recommend that these comments are not accepted. The methods of appreciation and recreational enjoyment proposed (dog access, hunting of indigenous avifauna) are potentially incompatible with protecting and preserving the natural resources described in the CVR, and the points raised do not justify overturning the notified intention. Although under a national park classification “the public shall have freedom of entry and access” this is subject to restrictions “necessary for the preservation of the native plants and animals or for the welfare in general of the parks” (National Parks Act 1980, s. 4(2)).

Ecology and Landscape (Allowed)

- Submissions suggested that the ecological values of the land are not high enough to meet the standard for national park classification, describing the land as “not so unique or scientifically important to meet the standard set by the National Parks Act”. They recommended conservation park, or suggested a scenic reserve or recreation reserve, to ensure sufficient protection in areas where there is potential risk of damaging activities such as mining.
- Submissions described the area as highly modified (milled due to former forestry and containing several logging roads) and therefore not meeting the standard for national parks.

I recommend that these comments are not accepted. Although this specific conservation area does contain a greater proportion of modified areas than the wider assessment area (including a vehicle track), my conclusion is that the natural resources described in the CVR (including the presence of almost entirely in unmodified native vegetation) justify referring this area to the NZCA for its recommendation as to the suitability of a national park addition. This is further supported by the contiguous boundary with adjoining Paparoa National Park.

Treaty Considerations (Allowed)

- Several submissions opposed the proposed national park classification whilst supporting the proposal to retain the area in stewardship, pending conservation law reform to create more appropriate forms of protected area classifications from a Ngāi Tahu perspective. This follows a Ngāi Tahu tribal position that a national park classification “obstructs Ngāi Tahu from maintaining ancestral relationships with the whenua, obstructs kaitiaki rights and responsibilities, limits the meaningful involvement of Ngāi Tahu in decision-making processes, and is less enabling of customary practices that are fundamental to sustaining tribal identity and mana”.
- Submissions considered reclassification as a national park to be misaligned with Treaty obligations, and advocated for these areas to remain as stewardship land until classifications that more appropriately reflect Treaty principles are established.

Potential changes to management or legislative frameworks are not the subject of the notified proposal. As such, I recommend that comments advocating for such amendments are not accepted. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA's consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions stated their opposition to adding more land to national parks or their preference for the Mana Whenua Panel recommendation, without providing further justification.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions opposed classification as a national park on the grounds that this classification is “too restrictive” or citing the negative impacts on potential economic benefit derived from mineral resource extraction. They suggested that this would not be in the best interests of the public.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- Submissions expressed the view that though national park classification protects land from physical development it does not equate to effective protection from introduced pests or predators.
- One submission opposed any reclassification of stewardship land to specially protected areas unless the land was specifically purchased by the Nature Heritage Fund for the purpose of adding it to a national park.

As I have recommended these comments are not allowed, I recommend they are not accepted.

No Opinion/Position Stated

General (Allowed)

- One submission advocated generally for all national parks, forest parks, scenic reserves and stewardship land to be protected from development.

I recommend that these comments are not accepted. The legislation does not provide for absolute protection from development – rather it contemplates that some activities may be acceptable and provides a mechanism for authorising such activities, through the grant of concessions. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Retain in Stewardship – PAP_o2_2806955p

The comments received in relation to the Mana Whenua Panel recommendation are summarised below and have been considered in relation to the notified proposal when forming s.49 allow/accept recommendations.

Support

Ecology and Landscape (Allowed)

- Submissions opposed national park reclassification on the grounds that the area is highly modified due to former forestry and still contains logging roads.
- Submissions stated that there was insufficient evidence of the conservation value and characteristics justifying national park status for various pieces of stewardship land.

- Submissions expressed doubt that reclassifying stewardship land as national parks would have a positive impact on conservation, citing DOC funding and resource limitations.

I recommend that these comments are not accepted. Although this specific conservation area does contain a greater proportion of modified areas than the wider assessment area (including a vehicle track), my conclusion is that the natural and historic resources described in the CVR (including almost entirely in unmodified native vegetation) justify referring this area to the NZCA for its recommendation as to the suitability of a national park addition. This is further supported by the contiguous boundary with the adjoining Paparoa National Park.

Treaty Considerations (Allowed)

- Submissions in support of retaining land in stewardship did so on the grounds that adding land to national parks would not give effect to Treaty principles, as the classification impedes Ngāi Tahu's ability to exercise their mana whenua, kaitiakitanga, and mahinga kai rights and responsibilities and limits their involvement in decision-making processes, alienating them from their cultural and ancestral connections with the land.
- Submissions advocated for conservation law reform to create more appropriate forms of protected area classifications from a Ngāi Tahu perspective.

Potential changes to management or legislative frameworks are not the subject of the notified proposal. As such, I recommend that comments advocating for such amendments are not accepted. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA's consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions stated their agreement with the recommendation to maintain in stewardship or stated they agree with the Mana Whenua Panel without providing further justification.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submitters stated that reclassifying land as national park or other classifications which fall under Schedule 4 could have economic consequences by excluding mineral extraction and other activities on that land. The potential loss of opportunities resulting from these restrictions was seen as damaging, particularly in terms of mineral extraction and site rehabilitation. It was suggested that a holistic view, considering mineral prospectivity and other economic, social, and cultural considerations, should be taken.
- One submission specified preference for land to either be retained in stewardship or reclassified as a conservation park.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions opposed the recommendation based on objections to the process or limitations of the consultation.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Oppose

Ecology and Landscape (Allowed)

- Submissions stated that the values are equivalent or similar to those in the surrounding national park, and that national park reclassification would improve ecological connectivity, buffer the existing park, and streamline management to improve conservation outcomes.
- Submissions noted various features such as the geology and landforms of the Paparoa Range and lowlands, the high wildlife values and vegetation representativeness, freshwater values, nationally significant ecosystems, and that the area is within an outstanding natural landscape.

- Submissions expressed a preference for national park classification, citing high conservation values and emphasizing that national park classification supports important biodiversity and climate outcomes, and ensures protection against activities such as mining.

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present which warrant the conclusion that National Park status is appropriate given the natural values present. The ecological values identified in these submissions are consistent with those described in the CVR. They are appropriately protected and preserved by the proposed classification. They warrant referring this area to the NZCA for its recommendation as to the suitability of a national park addition.

Treaty Considerations (Allowed)

- Submissions expressed a preference for adding the land to the national park to ensure protection of the natural resources, but advocated for mana whenua to have free access and use of national parks for cultural, traditional, historical, and customary purposes, describing this as aligning with section 4 of the National Parks Act, and for conservation principles to be carried out in an “established collegial co-governance manner”.
- Submissions argued against retaining land as stewardship where no areas had been identified as specifically valuable to Ngāi Tahu.

I recommend that these comments are accepted to the extent that they agree the natural and historic resources present warrant referral to the NZCA for their consideration. However, while the possibility of future changes to management or legislative frameworks is identified by submitters as a potential means of reconciling that purpose with Treaty partner interests, such changes are not being considered within this reclassification exercise. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA’s consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions also recommended other classifications, such as scenic reserve or conservation park, rather than retaining the land in stewardship.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Process and Consultation (Not Allowed)

- Other submissions in opposition did so because they objected to the process or limitations of the consultation.

As I have recommended these comments are not allowed, I recommend they are not accepted.

No Opinion/Position Stated

Access and Recreation (Allowed)

- Submissions that did not select or state a clear opinion queried whether this classification allowed for hunting and fishing.

I recommend that these comments are not accepted. Insufficient information is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised which supports reconsideration of the notified classification. It should be noted that the proposed classification does not prohibit public access for the proposed activities, or the activities themselves when appropriately authorised (for example under a hunting permit) where consistent with preservation of the conservation values present.

Treaty Considerations (Allowed)

- It was recommended that concerns expressed by the Mana Whenua Panel around national parks be addressed as a priority, to avoid having to leave land in stewardship.

I recommend that these comments are not accepted. Potential changes to management or legislative frameworks are not the subject of the notified classification proposal.

General (Allowed)

- One submission advocated generally for all national parks, forest parks, scenic reserves and stewardship land to be protected from development.

I recommend that these comments are not accepted. The legislation does not provide for absolute protection from development – rather it contemplates that some activities may be acceptable and provides a mechanism for authorising such activities, through the grant of concessions. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

PAP_02 – Northern Paparoa Range – 2808295

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Northern Paparoa Range	PAP_02_2808295q	National Park (Paparoa)		6063*	25
Northern Paparoa Range	PAP_02_2808295r		Stewardship	17	57

DOC Conservation Values Report Description

A large area (11407 ha) adjoining the Paparoa National Park, Paparoa Wilderness Area and the Lower Buller Gorge Scenic Reserve. The wider assessment area includes a wide range of landforms, vegetation associations and ecosystems, from recent river terraces to steep and dissected granite and gneiss, limestone bluffs and alpine crests. It is almost entirely in unmodified native vegetation and its connectivity to other public conservation lands is critically important for protecting functioning ecosystems and processes. The area includes a range of wildlife, including threatened and at-risk species, and three undescribed Powelliphanta land snail taxa restricted to the PAP_02 assessment area. The area includes the Buckland Peaks track and hut.

Panel Recommendations

National Panel: National park investigation to reflect the identified values, increase the overall integrity of the Paparoa National Park, and to improve landscape continuity.

Mana Whenua Panel: Retain as stewardship land pending further policy work or legal reform, based on the tribal position that the addition of land to national parks will not give effect to the principles of the Treaty of Waitangi as it alienates Ngāi Tahu from their ancestral lands.

S.49(2)(d) Recommendation

- **Proceed** with the notified proposal, by referring this area to the NZCA for its consideration on the suitability of a national park classification in accordance with the relevant policy and procedures, including Policy 6 of the General Policy for National Parks and Section 4 of the Conservation Act 1987.

Summary of accepted submissions: The submissions 'accepted' as holding merit supported the proposed national park addition to protect the area's natural values, improve climate change mitigation, and ensure ongoing public recreational access. Submitters referenced specific natural resources which were noted to be of high value and similar in nature to the adjoining Paparoa National Park.

Section 4 and Treaty principles: The Mana Whenua Panel opposed the proposed national park referrals, supported by submissions from Treaty partner organisations. Te Rūnanga o Ngāi Tahu oppose all additions to national parks within the Ngāi Tahu takiwā as "the addition of land to national parks will not give effect to the principles of the Treaty of Waitangi (as required by section 4 of the Conservation Act 1987) as it alienates Ngāi Tahu from our ancestral lands". The Mana Whenua Panel have also signalled Ngāi Tahu interests associated with this stewardship area, particularly that "Ngāi Tahu may have future aspirations for this land (such as from an economic wellbeing and development perspective)".

I note that my s.49 recommendations and your decision on whether to refer this area to the NZCA for their consideration must give effect to Treaty principles independently of the NZCA's section 4 obligations.

Although I acknowledge the Mana Whenua Panel opposition to the notified proposal, my assessment, considering those submissions accepted, is that the natural and historic resources present are of a similar nature to the adjacent national park, and warrant proceeding with the notified proposal. Giving effect to Section 4 of the Act includes taking reasonable steps to actively protect the identified Treaty partner interests, but this obligation is not absolute and unqualified, as this would be inconsistent with DOC's other statutory responsibilities.

* This figure includes 5,976 submissions made using a Forest and Bird template.

Referring this area to the NZCA for their consideration provides an opportunity for the NZCA to further assess the natural and historic resources present, and explore specific Ngāi Tahu interests and aspirations, including their consideration as to what giving effect to Treaty principles may require.

Rationale: My conclusion, considering those submissions accepted, is that the natural and historic resources present warrant referral to the NZCA for their consideration as per the process set out in Chapter 3 of the introduction to this Summary of Submissions Report.

National Park (Paparoa) – PAP_02_2808295q

Support

Access and Recreation (Allowed)

- Submissions supported reclassification as a national park based on the area's high recreation values, suggesting that the proposed classification will guarantee public access and ensure the area is protected for the enjoyment of all present and future generations.
- Submissions noted the area contains caves of high recreational significance and is popular with local trampers and campers.

I recommend that these comments are accepted. These comments provide site-specific details regarding the public access and recreational features present which are consistent with those described in the CVR, and warrant consideration. They hold merit under the Conservation Act as they support promotion of recreation that is not inconsistent with the preservation of the natural and historic resources present.

Climate Change and Natural Hazards (Allowed)

- Submissions suggested that suitable stewardship land should be incorporated into adjacent areas to support climate change mitigation, and that the protection of the area was especially important in the context of climate change.

I recommend that these comments are accepted. I agree that the protection of the existing natural resources present is of increasing importance when considering the need for climate mitigation. Classification as national park will support this outcome. The relevance of this factor for reclassification decisions is evident when the future-focused elements in the definition of conservation are considered, including, “safeguarding the options of future generations”, in relation to ‘natural resources’, “the air, water and soil in or on which any plant or animal lives or may live”, and in relation to ‘protection’ of a resource, “restoration to some former state and its augmentation, enhancement, or expansion” (Conservation Act 1987, s. 2).

Ecology and Landscape (Allowed)

- Submissions expressed support for the area to be added to the Paparoa National Park based on its ecological, geological and landscape values, which were described as similar or indistinguishable to the adjoining Paparoa National Park. It was suggested that reclassification as a national park would align land classifications more closely with ecological principles (with current delineations deemed “historic and arbitrary”).
- Submissions noted that expanding the national park would include more of the complex geology and landforms of the Paparoa Range and its adjoining lowlands, and that the area contains important karst landforms and caves of high scientific significance.
- The high ecological values mentioned included the mostly unmodified vegetation, “abundance of native flora and fauna species”, “unique cave systems, historic places and lush West Coast rainforest”, that the altitudinal sequence is intact; and that the Townson Tarn on Buckland Peak is a naturally uncommon ecosystem.
- Submissions noted that the area is the westernmost recorded location of the elusive Butlers ringlet (*Erebiola butleri*) butterfly. The area is a species management unit for the brown mudfish and three large Powelliphanta land snail taxa are present.
- Submissions supported national park reclassification on the grounds that it would increase habitat, enhance ecological connectivity and landscape continuity, and provide a buffer to safeguard the bordering wilderness area

(e.g. support native reforestation, enhance ecological buffer zones, maintain ecological diversity, and support the creation of ecological corridors).

- A submission noted the area to be “an outstanding natural landscape with Outstanding Natural Character”.
- Submissions noted that the area is within a prominent vista from Westport, making it “worthy of highest protection”, and that there is a “view of virgin pākihi that is not very visible from the state highway, and was a common sight 50 years ago”.

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present which warrant consideration. The natural resources identified by submitters are consistent with those described in the CVR. The contiguous boundary with Paparoa National Park and Paparoa Wilderness Area further supports your notified intention to refer this area to the NZCA to for its recommendation as the suitability of a National Park addition.

Treaty Considerations (Allowed)

- Submissions acknowledged the concerns raised by the Mana Whenua Panel regarding national parks and wanted to see these addressed. However, they viewed maximum protection of the natural values as paramount and suggested that changes to management or legislative frameworks should be made to better reflect the intent of Treaty principles, and to ensure free access and use of national parks for cultural, traditional, historical, and customary purposes, while ensuring that natural values were preserved and protected under a national park classification.
- Submissions supported additions to adjacent national parks where the Mana Whenua Panel had not identified site-specific cultural values for the land.

I recommend that these comments are accepted to the extent that they agree the natural and historic resources present warrant referral to the NZCA for their consideration. However, while the possibility of future changes to management or legislative frameworks is identified by submitters as a potential means of reconciling that purpose with Treaty partner interests, such changes are not being considered within this reclassification exercise. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA’s consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions expressed agreement with the National Panel recommendation and stated support for all stewardship land to be reclassified at the highest possible level.
- Submissions agreed that the recommendation reflected the information in the technical reports.
- Submissions expressed agreement for the National Panel’s recommendation or for additions to the national park, without providing further justification.
- Submissions commented that national park classification “applies a precautionary principle that these lands are best left in a natural state unless there is a good case otherwise”.

I recommend that these comments are accepted. However, because no further justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised, these submission points do not raise any matters.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions supported the expansion of the Paparoa National Park based on anticipated benefits for tourism in the area, noting that the presence of attractions such as the Paparoa Great Walk and the Coast Road Highway has led to investments in tourism-related industries.
- Submissions stated that national parks support a nature economy, and that this is in line with the Te Whanaketanga Tai Poutini West Coast Economic Strategy 2050.
- Submissions commented that national park classification prevents mining and means development proposals are subject to higher scrutiny. They also noted that legislative “let out clauses” exist to enable things in national parks that are “necessary and have wide approval”.
- One submission stated that a small part of the area extends over “uneconomic prospectable uranium deposits”.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions expressed concerns about the reclassification process, stating that there are “major inconsistencies and contradictions” where high value conservation land has not been recommended for reclassification as a national park.
- While acknowledging that national park classification would be a suitable reflection of the values of the area, submissions recommended that this change, given the consequent heightened restrictions, should only occur following “extensive consultation and agreement with the local iwi, stakeholders, concessionaires, interested groups and local residents in consideration in addition to not only the environmental and ecological assets, but to such things as tracking, huts, air space and landings, noise and rating”.
- Submissions raised concerns about there being no terms of reference for the Mana Whenua Panel, and suggested that Mana Whenua Panel concerns regarding national parks should have been resolved prior to the reclassification project.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- Submissions acknowledged that Ngāi Tahu opposes national parks in principle, but suggested that land under statutory acknowledgements or nohoanga sites, if excluded from national park status, should not remain in stewardship.
- Submissions advocated for more funding for pest control.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Oppose

Access and Recreation (Allowed)

- Submissions expressed concern about loss of recreation opportunities and suggested that other classifications, such as conservation park or, where higher protection is warranted, scenic or recreation reserve, may provide a better balance between recreational enjoyment and protection of natural resources.
- Several submissions raised concern about restrictions on dog access.
- Submissions opposed national park reclassification as excluding hunting for native species which are classified as gamebirds, such as pūkeko and paradise shelduck.
- Submissions opposed any reclassification unless the reclassified purpose provides explicitly for access (including helicopter), sports fishing and gamebird hunting.
- Submitters noted that there is already access to the national park via Bucklands Peak Track.

I recommend that these comments are not accepted. The methods of appreciation and recreational enjoyment proposed (dog access, hunting of indigenous avifauna) are potentially incompatible with protecting and preserving the natural resources described in the CVR, and the points raised do not justify overturning the notified intention. Although under a national park classification “the public shall have freedom of entry and access”, this is subject to restrictions “necessary for the preservation of the native plants and animals or for the welfare in general of the parks” (National Parks Act 1980, s. 4(2)).

Ecology and Landscape (Allowed)

- Submissions opposed all national park recommendations, describing the land as “not so unique or scientifically important to meet the standard set by the National Parks Act”. They recommended reclassification as a conservation park, or suggested a scenic reserve or recreation reserve, to ensure sufficient protection in areas where there is potential risk of damaging activities such as mining, or recreation reserve where areas have high cultural or recreational value to the public.
- Submissions noted that the area has been milled, still contains several logging roads, and lacks national park level values (e.g. “All lowland areas were extensively logged during the 1900s”).
- One submission specifically noted that the “dogleg” part of this conservation area is of low conservation value.

I recommend that these comments are not accepted. Although areas of modification may be present, the natural resources described in the CVR (including almost entirely in unmodified native vegetation) justify referring this area to the NZCA for its recommendation as to the suitability of a national park addition. This is further supported by the contiguous boundary with Paparoa National Park and Paparoa Wilderness Area.

Treaty Considerations (Allowed)

- Several submissions opposed the proposed national park investigation whilst supporting the proposal to retain the area in stewardship pending conservation law reform to create more appropriate forms of protected area classifications from a Ngāi Tahu perspective. This follows a Ngāi Tahu tribal position that a national park classification, “Obstructs Ngāi Tahu from maintaining ancestral relationships with the whenua, obstructs kaitiaki rights and responsibilities, limits the meaningful involvement of Ngāi Tahu in decision-making processes, and is less enabling of customary practices that are fundamental to sustaining tribal identity and mana”.
- Submissions considered reclassification as a national park to be misaligned with Treaty obligations, and advocated for these areas to remain as stewardship land until classifications that more appropriately reflect Treaty principles are established.

Potential changes to management or legislative frameworks are not the subject of the notified proposal. As such, I recommend that comments advocating for such amendments are not accepted. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA’s consideration as to what giving effect to Treaty principles may require

General (Allowed)

- One submitter suggested that the area should be added to the adjacent Paparoa Wilderness Area, without including further justification.
- Submissions expressed support for the recommendation made by the Mana Whenua Panel or general opposition to adding more land to national parks, without providing further justification.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions opposed national park reclassification on the grounds that it was “too restrictive”, and would impact on land use, access and mining.
- Submissions opposed national park reclassification based on the negative impacts on potential economic benefit derived from mineral resource extraction. They argued that this would not be in the best interests of the public.
- Submissions stated that any change should not affect existing permissions.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- One submitter who carries out possum control in the area suggested this may change if left to the Department of Conservation.
- A submitter living adjacent to the area was concerned about privacy and security issues arising from a potential national park classification.
- Submissions expressed the view that national park classification does not equate to effective protection from introduced pests or predators.

- One submission opposed all reclassification of stewardship land unless it was purchased by the Nature Heritage Fund for the purpose of adding it to a national park.

As I have recommended these comments are not allowed, I recommend they are not accepted.

No Opinion/Position Stated

General (Allowed)

- Submissions advocated generally for all national parks, forest parks, scenic reserves and stewardship land to be protected from development.

I recommend that these comments are not accepted. The legislation does not provide for absolute protection from development – rather it contemplates that some activities may be acceptable and provides a mechanism for authorising such activities, through the grant of concessions. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Retain in Stewardship – PAP_02_2808295r

The comments received in relation to the Mana Whenua Panel recommendation are summarised below and have been considered in relation to the notified proposal when forming s.49 allow/accept recommendations.

Support

Ecology and Landscape (Allowed)

- A submission noted that the area is highly modified due to former forestry and still contains several logging roads.
- Submissions suggested that there was insufficient evidence of the conservation value and characteristics justifying national park status.

I recommend that these comments are not accepted. Although areas of modification may be present, my conclusion is the natural and historic resources described in the CVR (almost entirely in unmodified native vegetation) justify referring this area to the NZCA for its recommendation as to the suitability of a national park addition. This is further supported by the contiguous boundary with Paparoa National Park and the Paparoa Wilderness Area.

Treaty Considerations (Allowed)

- Several submissions opposed the proposed national park investigation whilst supporting the proposal to retain the area in stewardship, pending conservation law reform to create more appropriate forms of protected area classifications from a Ngāi Tahu perspective. This follows a Ngāi Tahu tribal position that a national park classification “obstructs Ngāi Tahu from maintaining ancestral relationships with the whenua, obstructs kaitiaki rights and responsibilities, limits the meaningful involvement of Ngāi Tahu in decision-making processes, and is less enabling of customary practices that are fundamental to sustaining tribal identity and mana”.
- Submissions considered reclassification as a national park to be misaligned with Treaty obligations, and advocated for these areas to remain as stewardship land until classifications that more appropriately reflect Treaty principles are established.

Potential changes to management or legislative frameworks are not the subject of the notified proposal. As such, I recommend that comments advocating for such amendments are not accepted. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA’s consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions expressed support for the recommendation made by the Mana Whenua Panel, without providing further justification.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions argued that reclassifying land as national park, or other classifications which fall under Schedule 4, could have economic consequences by excluding mineral extraction and other activities on that land, and that the natural values of the land may not warrant this. The potential loss of opportunities resulting from these restrictions was seen as damaging, particularly in terms of mineral extraction and site rehabilitation. It was suggested that a holistic view, considering mineral prospectivity and other economic, social, and cultural considerations, should be taken.
- Submissions supported either retaining all land in stewardship, or reclassification as a conservation park, suggesting that this would provide “more than adequate legal protection” while allowing activities to be assessed on a case-by-case basis.
- Submissions stated that any change should not affect existing permissions.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- Submissions expressed doubt that reclassifying stewardship land as national parks would have a positive impact on conservation, citing DOC funding and resource limitations.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Oppose

Access and Recreation (Allowed)

- Submissions advocated for reclassification as a national park to ensure ongoing access and enjoyment of the protected natural resources, and to reflect the recreational values of the area.

I recommend that these comments are accepted. These comments hold merit under the Conservation Act as they support promotion of recreation that is not inconsistent with the preservation of the natural and historic resources present.

Climate Change and Natural Hazards (Allowed)

- Submissions noted that ensuring high protection of these areas was especially important in the context of climate change.

I recommend that these comments are accepted. I agree that the protection of the existing natural resources present is of increasing importance when considering the need for climate mitigation. Classification as national park will support this outcome. The relevance of this factor for reclassification decisions is evident when the future-focused elements in the definition of conservation are considered, including “safeguarding the options of future generations”, in relation to ‘natural resources’, “the air, water and soil in or on which any plant or animal lives or may live”, and in relation to ‘protection’ of a resource, “restoration to some former state and its augmentation, enhancement, or expansion” (Conservation Act 1987, s. 2).

Ecology and Landscape (Allowed)

- Several submissions expressed preference for reclassification as a national park to reflect the high ecological and landscape values with nationally significant ecological systems and natural areas, and the comparable values to the nearby national park (e.g. “abundance of wildlife including threatened at risk and distinct species”, “including ecosystems untouched by humans”).
- Submissions suggested the area should be added to the Paparoa National Park as the area is the westernmost recorded location of the elusive Butlers ringlet (*Erebiola butleri*) butterfly.
- One submitter noted that the area is considered an “outstanding natural landscape with Outstanding Natural Character” and has diverse geological features and landforms including lowland river terraces, steep dissected high granite and gneiss ridges, limestone bluffs and karst.

- One submitter suggested that the area should be added to the Paparoa Wilderness Area or Paparoa National Park, without including further justification.

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present which warrant the conclusion that National Park status is appropriate given the natural values present. The natural resources identified by submitters are consistent with those described in the CVR. The area's connection to the adjoining Paparoa National Park and Paparoa Wilderness Area further supports your notified intention to refer this area to the NZCA for its recommendation as to the suitability of a national park addition.

Treaty Considerations (Allowed)

- Submissions acknowledged that Ngāi Tahu opposes national parks in principle but argued for reclassification as a national park to ensure protection of natural values, suggesting that national park classification could still allow for customary access and Treaty settlements, or that legislative or management framework changes should occur to address these concerns.
- Submissions expressed that where the Mana Whenua Panel had not identified site-specific cultural values for the land, it should be reclassified as a national park to ensure protection from activities such as mining which may be allowed on stewardship land.

I recommend that these comments are accepted to the extent that they agree the natural and historic resources present warrant referral to the NZCA for their consideration. However, while the possibility of future changes to management or legislative frameworks is identified by submitters as a potential means of reconciling that purpose with Treaty partner interests, such changes are not being considered within this reclassification exercise. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA's consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions opposed retaining land in stewardship, describing it as a “meaningless recommendation”.
- Submissions queried the extent of the recommendations to retain land in stewardship, noting this was nearly 8,000 ha, suggesting this could instead be reclassified as a scenic reserve or conservation park.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

- Submissions expressed preference for the National Panel recommendation, stating their support for stewardship land to be reclassified at the highest possible level.
- Submissions expressed preference for reclassification as a national park and for high protection for more stewardship land, either without providing further justification or based on the “reasons outlined in the conservation value reports”.

I recommend that these comments are accepted. However, because no further justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is identified, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- One submitter questioned whether the area should be used for economic purposes, given the conservation values present.
- Submissions opposed retaining the area in stewardship on the grounds that this would not protect the land from damaging activities such as mining, noting the existence of prospecting permits in some areas.
- One submission noted that a small part of the area extends over “uneconomic prospectable uranium deposits”.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.

As I have recommended these comments are not allowed, I recommend they are not accepted.

No Opinion/Position Stated

Treaty Considerations (Allowed)

- Submissions recommended that amendments to the National Parks Act to address the concerns identified by the Mana Whenua Panel are resolved as a priority so there is no need to retain land in stewardship in the meantime.

Potential changes to management or legislative frameworks are not the subject of the public notice. As such, I recommend that comments advocating for such amendments are not accepted.

General (Allowed)

- Submissions advocated generally for all national parks, forest parks, scenic reserves and stewardship land to be protected from development.

I recommend that these comments are not accepted. The legislation does not provide for absolute protection from development – rather it contemplates that some activities may be acceptable and provides a mechanism for authorising such activities, through the grant of concessions. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

PAP_02 – Little Tōtara River – 2808369

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Little Tōtara River	PAP_02_2808369s	National Park (Paparoa)		6053*	23
Little Tōtara River	PAP_02_2808369t		Stewardship	15	49

DOC Conservation Values Report Description

A large area (5469 ha) adjoining the Paparoa National Park and Northern Paparoa Range Conservation Area. The wider assessment area is described to include a wide range of landforms, vegetation associations and ecosystems, from recent river terraces to steep and dissected granite and gneiss, limestone bluffs, and alpine crests. It is almost entirely in unmodified native vegetation and its connectivity to other public conservation lands is critically important for protecting functioning ecosystems and processes. The area includes a range of wildlife, including threatened and at-risk species, and three undescribed Powelliphanta land snail taxa restricted to the PAP_02 assessment area.

Panel Recommendations

National Panel: National park investigation to reflect the identified values, increase the overall integrity of the Paparoa National Park, and improve landscape continuity.

Mana Whenua Panel: Retain as stewardship land pending further policy work or legal reform, based on the tribal position that the addition of land to national parks will not give effect to the principles of the Treaty of Waitangi as it alienates Ngāi Tahu from their ancestral lands.

S.49(2)(d) Recommendation

- **Proceed** with the notified proposal, by referring this area to the NZCA for its consideration on the suitability of a national park classification in accordance with the relevant policy and procedures, including Policy 6 of the General Policy for National Parks and Section 4 of the Conservation Act 1987.

Summary of accepted submissions: The submissions ‘accepted’ as holding merit supported the proposed national park addition to protect the area’s natural values, improve climate change mitigation, and ensure ongoing public recreational access. Submitters referenced specific natural resources which were noted to be of high value and similar in nature to the adjoining Paparoa National Park.

Section 4 and Treaty principles: The Mana Whenua Panel opposed the proposed national park referrals, supported by submissions from Treaty partner organisations. Te Rūnanga o Ngāi Tahu oppose all additions to national parks within the Ngāi Tahu takiwā as “the addition of land to national parks will not give effect to the principles of the Treaty of Waitangi (as required by section 4 of the Conservation Act 1987) as it alienates Ngāi Tahu from our ancestral lands”. The Mana Whenua Panel have also signalled Ngāi Tahu interests associated with this stewardship area, particularly that “Ngāi Tahu may have future aspirations for this land (such as from an economic wellbeing and development perspective)”.

I note that my s.49 recommendations and your decision on whether to refer this area to the NZCA for their consideration must give effect to Treaty principles independently of the NZCA’s section 4 obligations.

Although I acknowledge the Mana Whenua Panel opposition to the notified proposal, my assessment, considering those submissions accepted, is that the natural and historic resources present are of a similar nature to the adjacent national park, and warrant proceeding with a referral to the NZCA. Giving effect to Section 4 of the Act includes taking reasonable steps to actively protect the identified Treaty partner interests, but this obligation is not absolute and unqualified, as this would be inconsistent with DOC’s other statutory responsibilities.

* This figure includes 5,976 submissions made using a Forest and Bird template.

Referring this area to the NZCA for their consideration provides an opportunity for the NZCA to further assess the natural and historic resources present, and explore specific Ngāi Tahu interests and aspirations, including their consideration as to what giving effect to Treaty principles may require.

Rationale: My conclusion, considering those submissions accepted, is that the natural and historic resources present warrant referral to the NZCA for their consideration as per the process set out in Chapter 3 of the introduction to this Summary of Submissions Report.

National Park (Paparoa) – PAP_02_2808369s

Support

Access and Recreation (Allowed)

- Submissions supported reclassification as a national park based on the area's high recreation values, suggesting that the proposed classification will guarantee public access and ensure the area is protected for the enjoyment of all present and future generations.
- One submitter noted that the area contains caves of high scientific and recreational significance.

I recommend that these comments are accepted. These comments provide site-specific details regarding the public access and recreational features present which are consistent with those described in the CVR, and warrant consideration. They hold merit under the Conservation Act as they support promotion of recreation that is not inconsistent with the preservation of the natural and historic resources present. The Western South Island Region Cave and Karst Operational Plan (2018, pg. 66) confirms the potential for karst formations within this conservation area.

Climate Change and Natural Hazards (Allowed)

- Submissions commented that protection of these areas was especially important in the context of climate change (e.g. "greatly assist in creating resilience against climate change effects by being a valuable carbon sink").
- A submitter advocated for stewardship land to be incorporated into adjacent areas to support climate change mitigation.

I recommend that these comments are accepted. I agree that the protection of the existing natural resources present is of increasing importance when considering the need for climate mitigation. Classification as national park will support this outcome. The relevance of this factor for reclassification decisions is evident when the future-focused elements in the definition of conservation are considered, including, "safeguarding the options of future generations" in relation to 'natural resources', "the air, water and soil in or on which any plant or animal lives or may live", and in relation to 'protection' of a resource, "restoration to some former state and its augmentation, enhancement, or expansion" (Conservation Act 1987, s. 2).

Ecology and Landscape (Allowed)

- Submissions supported reclassification as a national park, stating that ecological, geological and landscape values are high and similar or indistinguishable to the adjoining Paparoa National Park (e.g. "contains uncommon habitats and rare undescribed species of *Powelliphanta*").
- Submissions expressed support on the grounds that expanding the national park would include more of the complex geology and landforms of the Paparoa Range and its adjoining lowlands. The area was noted as "an outstanding natural landscape with Outstanding Natural Character", and containing diverse geological features and landforms, including "lowland river terraces, steep dissected high granite and gneiss ridges, limestone bluffs and karst".
- Submitters highlighted the karst landforms as "very important" and noted the "mix of granite and limestone geology, and outstanding scenery".
- Submitters suggested that the proposed national park addition would support native reforestation and increase habitat, enhance ecological buffer zones and corridors, and landscape continuity (e.g. expanding the national park would provide a larger buffer for the Paparoa Wilderness Area), and align land classifications more closely with ecological principles (with current delineations described as "historic and arbitrary").

- national park reclassification was seen as protecting indigenous flora and fauna from damaging activities such as mining and clearing, and as enabling critical biodiversity (Te Mana o te Taiao), climate and freshwater outcomes.
- One submitter suggested that the area should be added to the Paparoa National Park or Paparoa Wilderness Area, without including further justification.

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present. The natural resources identified by submitters are consistent with those described in the CVR. The contiguous boundary with Paparoa National Park further supports your notified intention to refer this area to the NZCA for its recommendation as to the suitability of a national park addition.

Treaty Considerations (Allowed)

- Submissions acknowledged the concerns raised by the Mana Whenua Panel regarding national parks and wanted to see these addressed. However, they viewed maximum protection of the natural values as paramount and suggested that changes to management or legislative frameworks should be made to better reflect the intent of Treaty principles, and to ensure free access and use of national parks for cultural, traditional, historical, and customary purposes, while ensuring that natural values were preserved and protected under a national park classification.
- Submissions supported additions to adjacent national parks where the Mana Whenua Panel had not identified site-specific cultural values for the land.

I recommend that these comments are accepted to the extent that they agree the natural and historic resources present warrant referral to the NZCA for their consideration. However, while the possibility of future changes to management or legislative frameworks is identified by submitters as a potential means of reconciling that purpose with Treaty partner interests, such changes are not being considered within this reclassification exercise. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA's consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions expressed general support for all additions to national parks and stated they “support the proposed additions to national parks and would like to see more areas given the highest level of protection”.
- Submissions expressed agreement with the National Panel recommendation, stating their support for stewardship land to be reclassified at the highest possible level based on its “high cultural conservation value”.
- Submissions agreed that the recommendation reflects the information in the technical reports.
- Submissions expressed agreement for the National Panel's recommendation or for additions to the national park, without providing further justification.
- Submissions noted that national park classification “applies a precautionary principle that these lands are best left in a natural state unless there is a good case otherwise”.

I recommend that these comments are accepted. However, because no further justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is identified, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- One submitter noted that the area was not previously included in the Paparoa National Park to secure a supply of quality limestone to the Cape Foulwind cement works, which has since closed.
- Submissions supported the expansion of the Paparoa National Park based on anticipated benefits for tourism in the area, noting that the presence of attractions such as the Paparoa Great Walk and the Coast Road Highway has led to investments in tourism-related industries.
- Submissions noted that national parks support a nature economy, and that this is in line with the Te Whanaketanga Tai Poutini West Coast Economic Strategy 2050.
- Submissions noted that national park classification prevents mining and also stated that legislative “let out clauses” exist to enable things in national parks that are “necessary and have wide approval”.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions expressed concerns about the reclassification process, stating that there are “major inconsistencies and contradictions” where high value conservation land has not been recommended for reclassification as a national park.
- While acknowledging that national park classification would be a suitable reflection of the values of the area, submissions recommended that this change, given the consequent heightened restrictions, should only occur following “extensive consultation and agreement with the local iwi, stakeholders, concessionaires, interested groups and local residents in consideration in addition to not only the environmental and ecological assets, but to such things as tracking, huts, air space and landings, noise and rating”.
- Submissions raised concerns about there being no terms of reference for the Mana Whenua Panel, and suggested that Mana Whenua Panel concerns regarding national parks should have been resolved prior to the reclassification project.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- Submissions acknowledged that Ngāi Tahu opposes national parks in principle, but suggested that land under statutory acknowledgements or nohoanga sites, if excluded from national park status, should not remain in stewardship.
- Submissions advocated for more funding for pest control.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Oppose

Access and Recreation (Allowed)

- Submitters noted opposition to national park classification due to impacts on adjoining landowners in the form of restrictions for dog access, with associated hunting implications.
- Submitters commented that the area has good 4WD road access and should have low restrictions on public access, and that there are more recreational options for local residents if left as stewardship land.
- Submissions expressed concern about loss of recreation opportunities and suggested that other classifications, such as conservation park or, where higher protection is warranted, scenic or recreation reserve, may provide a better balance between recreational enjoyment and protection of natural resources.
- Restrictions on dog walking were raised specifically as a concern by a West Coast resident.
- Submissions opposed national park reclassification as excluding hunting for native species which are classified as gamebirds, such as pūkeko and paradise shelduck.
- Submissions opposed any reclassification unless the reclassified purpose provides explicitly for access (including helicopter), sports fishing and gamebird hunting.

I recommend that these comments are not accepted. The methods of appreciation and recreational enjoyment proposed (dog access, 4WD use, hunting of indigenous avifauna) are potentially incompatible with protecting and preserving the natural resources described in the CVR, and the points raised do not justify overturning the notified intention. Although under a national park classification “the public shall have freedom of entry and access” this is subject to restrictions “necessary for the preservation of the native plants and animals or for the welfare in general of the parks” (National Parks Act 1980, s. 4(2)).

Ecology and Landscape (Allowed)

- The area was noted to be highly modified due to former forestry and still contains several logging roads (e.g. “extensively logged during the 1900s”).
- Submissions opposed all national park recommendations, describing the land as “not so unique or scientifically important to meet the standard set by the National Parks Act”. They recommended reclassification as a conservation park, or suggested a scenic reserve or recreation reserve, to ensure sufficient protection in areas

where there is potential risk of damaging activities such as mining, or recreation reserve where areas have high cultural or recreational value to the public.

I recommend that these comments are not accepted. Although areas of modification may be present, the natural resources described in the CVR (almost entirely in unmodified native vegetation) justify referring this area to the NZCA for its recommendation as to the suitability of a national park addition. This is further supported by the contiguous nature of the boundary with adjoining Paparoa National Park.

Treaty Considerations (Allowed)

- Several submissions opposed the proposed national park investigation whilst supporting the proposal to retain the area in stewardship, pending conservation law reform to create more appropriate forms of protected area classifications from a Ngāi Tahu perspective. This follows a Ngāi Tahu tribal position that a national park classification “obstructs Ngāi Tahu from maintaining ancestral relationships with the whenua, obstructs kaitiaki rights and responsibilities, limits the meaningful involvement of Ngāi Tahu in decision-making processes, and is less enabling of customary practices that are fundamental to sustaining tribal identity and mana”.
- Submissions considered reclassification as a national park to be misaligned with Treaty obligations, and advocated for these areas to remain as stewardship land until classifications that more appropriately reflect Treaty principles are established.

Potential changes to management or legislative frameworks are not the subject of the notified proposal. As such, I recommend that comments advocating for such amendments are not accepted. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA’s consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions expressed support for the recommendation made by the Mana Whenua Panel or general opposition to adding more land to national parks, without providing further justification.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions opposed national park reclassification on the grounds that it was “too restrictive” and would impact on adjoining landowners in the form of restrictions for access, mining, and exclude future extractive use.
- Submissions opposed national park reclassification based on the negative impacts on potential economic benefit derived from mineral resource extraction. They argued that this would not be in the best interests of the public.
- Submissions stated that any change should not affect existing permissions.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- One submission suggested that local residents should have a majority say in land reclassification compared to people who live outside the region.
- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- Submissions expressed the view that national park classification does not equate to effective protection from introduced pests or predators.
- One submission opposed all reclassification of stewardship land unless it was purchased by the Nature Heritage Fund for the purpose of adding it to a national park.

As I have recommended these comments are not allowed, I recommend they are not accepted.

No Opinion/Position Not Stated

General (Allowed)

- Submissions advocated generally for all national parks, forest parks, scenic reserves and stewardship land to be protected from development.

I recommend that these comments are not accepted. The legislation does not provide for absolute protection from development – rather it contemplates that some activities may be acceptable and provides a mechanism for authorising such activities, through the grant of concessions. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Retain in Stewardship – PAP_o2_2808369t

The comments received in relation to the Mana Whenua Panel recommendation are summarised below and have been considered in relation to the notified proposal when forming s.49 allow/accept recommendations.

Support

Access and Recreation (Allowed)

- Submitters expressed support for retaining the area in stewardship based on its benefits for recreational aspects, dog access and food gathering.

I recommend that these comments are not accepted. The methods of appreciation and recreational enjoyment proposed (dog access, food gathering) are potentially incompatible with protecting and preserving the natural resources described in the CVR, and the points raised do not justify overturning the notified intention. Although under a national park classification “the public shall have freedom of entry and access”, this is subject to restrictions “necessary for the preservation of the native plants and animals or for the welfare in general of the parks” (National Parks Act 1980, s. 4(2)).

Ecology and Landscape (Allowed)

- It was noted that the area is highly modified due to former forestry and still contains several logging roads.
- Submissions suggested that there was insufficient evidence of the conservation value and characteristics justifying national park status.

I recommend that these comments are not accepted. Although areas of modification may be present, my conclusion is the natural and historic resources described in the CVR (almost entirely in unmodified native vegetation) justify referring this area to the NZCA for its recommendation as to the suitability of a national park addition. This is further supported by the contiguous boundary with the adjoining Paparoa National Park.

Treaty Considerations (Allowed)

- Several submissions opposed the proposed national park investigation whilst supporting the proposal to retain the area in stewardship, pending conservation law reform to create more appropriate forms of protected area classifications from a Ngāi Tahu perspective. This follows a Ngāi Tahu tribal position that a national park classification “obstructs Ngāi Tahu from maintaining ancestral relationships with the whenua, obstructs kaitiaki rights and responsibilities, limits the meaningful involvement of Ngāi Tahu in decision-making processes, and is less enabling of customary practices that are fundamental to sustaining tribal identity and mana”.
- Submissions considered reclassification as a national park to be misaligned with Treaty obligations, and advocated for these areas to remain as stewardship land until classifications that more appropriately reflect Treaty principles are established.

Potential changes to management or legislative frameworks are not the subject of the notified proposal. As such, I recommend that comments advocating for such amendments are not accepted. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA’s consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions expressed support for the recommendation made by the Mana Whenua Panel, without providing further justification.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions argued that reclassifying land as national park, or other classifications which fall under Schedule 4, could have economic consequences by excluding mineral extraction and other activities on that land, and that the natural values of the land may not warrant this. The potential loss of opportunities resulting from these restrictions was seen as damaging, particularly in terms of mineral extraction and site rehabilitation. It was suggested that a holistic view, considering mineral prospectivity and other economic, social, and cultural considerations, should be taken.
- Submissions supported either retaining all land in stewardship or reclassification as a conservation park, suggesting that this would provide “more than adequate legal protection” while allowing activities to be assessed on a case-by-case basis.
- Submissions stated that any change should not affect existing permissions.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- Submissions expressed doubt that reclassifying stewardship land as national parks would have a positive impact on conservation, citing DOC funding and resource limitations.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Oppose

Access and Recreation (Allowed)

- Submissions advocated for reclassification as a national park to ensure ongoing access and enjoyment of the protected natural resources, and to reflect the recreational values of the area.
- Submissions suggested a national park classification would better secure “access to the treasures of this land”.

I recommend that these comments are accepted. These comments hold merit under the Conservation Act as they support promotion of recreation that is not inconsistent with the preservation of the natural and historic resources present.

Climate Change and Natural Hazards (Allowed)

- Submissions noted that ensuring high protection of these areas was especially important in the context of climate change.

I recommend that these comments are accepted. I agree that the protection of the existing natural resources present is of increasing importance when considering the need for climate mitigation. Classification as national park will support this outcome. The relevance of this factor for reclassification decisions is evident when the future-focused elements in the definition of conservation are considered, including “safeguarding the options of future generations”, in relation to ‘natural resources’, “the air, water and soil in or on which any plant or animal lives or may live”, and in relation to ‘protection’ of a resource, “restoration to some former state and its augmentation, enhancement, or expansion” (Conservation Act 1987, s. 2).

Ecology and Landscape (Allowed)

- Submissions expressed preference for reclassification as a national park to reflect the high ecological and landscape values with nationally significant ecological systems and natural areas, and the comparable values to the surrounding national park (e.g. “increase the overall integrity of Paparoa NP”).

- It was noted that the area is considered “an outstanding natural landscape with Outstanding Natural Character” and contains “diverse geological features and landforms from, lowland river terraces, steep dissected high granite and gneiss ridges, limestone bluffs and karst”.
- The area was noted to be of high ecological value with an “abundance of wildlife including threatened, at-risk and distinct species”, including three large Powelliphanta land snail taxa.

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present which warrant the conclusion that National Park status is appropriate given the natural values present. The natural resources identified by submitters are consistent with those described in the CVR. The contiguous boundary with the Paparoa National Park further supports your notified intention to refer this area to the NZCA for its recommendation as to the suitability of a national park addition.

Treaty Considerations (Allowed)

- Submissions acknowledged that Ngāi Tahu opposes national parks in principle, but argued for reclassification as a national park to ensure protection of natural values, suggesting that national park classification could still allow for customary access and Treaty settlements, or that legislative or management framework changes should occur to address these concerns.
- Submissions expressed that where the Mana Whenua Panel had not identified site-specific cultural values for the land, it should be reclassified as a national park to ensure protection from activities such as mining, which may be allowed on stewardship land.

I recommend that these comments are accepted to the extent that they agree the natural and historic resources present warrant referral to the NZCA for their consideration. However, while the possibility of future changes to management or legislative frameworks is identified by submitters as a potential means of reconciling that purpose with Treaty partner interests, such changes are not being considered within this reclassification exercise. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA’s consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- One submitter suggested that the area should be added to the Paparoa Wilderness Area or Paparoa National Park, without including further justification.
- Submissions opposed the “blanket veto” of national park recommendations and the recommendation to retain in stewardship, describing it as a “meaningless recommendation”.
- Submissions expressed preference for reclassification as a national park and for high protection for more stewardship land, either without providing further justification, or based on the “reasons outlined in the conservation value reports”.
- Submissions expressed preference for the National Panel recommendation, stating their support for stewardship land to be reclassified at the highest possible level based on its “high cultural conservation” values.

I recommend that these comments are accepted. However, because no further justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is identified, these submission points do not raise any matters for further consideration.

- Submissions queried the extent of the recommendations to retain land in stewardship, noting this was nearly 8,000 ha, suggesting this could instead be reclassified as a scenic reserve or conservation park.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- One submission noted that a small part of the area extends over “uneconomic prospectable uranium deposits”.
- Submissions opposed retaining the area in stewardship on the grounds that this would not protect the land from damaging activities such as mining, noting the existence of prospecting permits in some areas.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.

As I have recommended these comments are not allowed, I recommend they are not accepted.

No Opinion/Position Not Stated

Access and Recreation (Allowed)

- One submission noted the area to have good 4WD road access and suggested that accessible land such as this should have low restrictions on public access.

I recommend that this comment is not accepted. The method of appreciation and recreational enjoyment proposed (4WD use) is potentially incompatible with protecting and preserving the natural resources described in the CVR, and the point raised do not justify overturning the notified intention. Although under a national park classification “the public shall have freedom of entry and access” this is subject to restrictions, “necessary for the preservation of the native plants and animals or for the welfare in general of the parks” (National Parks Act 1980, s. 4(2)).

Treaty Considerations (Allowed)

- Submissions recommended that amendments to the National Parks Act to address the concerns identified by the Mana Whenua Panel are resolved as a priority so there is no need to retain land in stewardship in the meantime.

Potential changes to management or legislative frameworks are not the subject of the notified classification proposal. As such, I recommend that comments advocating for such amendments are not accepted.

General (Allowed)

- Submissions advocated generally for all national parks, forest parks, scenic reserves and stewardship land to be protected from development.

I recommend that these comments are not accepted. The legislation does not provide for absolute protection from development – rather it contemplates that some activities may be acceptable and provides a mechanism for authorising such activities, through the grant of concessions. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

PAP_03 – Doctor Bay – 2808289

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Doctor Bay	PAP_03_2808289u	Scenic Reserve (a)	Neutral	18	7

DOC Conservation Values Report Description

An 11-ha area of coastal cliffs and terrace with pākihi, coastal turf and regenerating coastal forest. There are critically endangered ecosystems and nationally critical plant species, notably the locally endemic Charleston gentian. This area has been cleared and modified in the past for gold mining but is now entirely covered in native vegetation, with some remnants of older vegetation in gullies throughout. This area makes an important contribution to the connectivity of the coastal cliffs to the forests of the Paparoa Ranges and is connected to the Charleston Scenic Reserve and a QEII Covenant. The Constant Bay walking track and rock climbing access tracks are present. The area contains archaeological remains associated with the Town Lead gold workings.

Panel Recommendations

National Panel: Scenic reserve (a), to protect the ecological values and preserve the archaeological features, while providing for the recreational values of the area.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of scenic reserve (a).

Summary of accepted submissions: Those submissions ‘accepted’ as holding merit supported the notified classification as providing for ongoing recreational access, offering sufficient protection in the context of climate change, and reflecting the notable natural and historic resources present.

Section 4 and Treaty principles: The Mana Whenua Panel did not oppose the proposed classification.

No specific Ngāi Tahu interests were raised for consideration by the Mana Whenua Panel for this stewardship area. I acknowledge statements of the Mana Whenua Panel that “there is a deep connection between Ngāi Tahu and all of the whenua in the Ngāi Tahu takiwā, and the absence of site-specific values in the preliminary analysis does not detract from that connection, nor does it confirm that site-specific values are not present.”

Rationale: My conclusion is that the proposed classification will appropriately promote the conservation of the natural and historic resources present (e.g. regenerating coastal forest with critically endangered ecosystems and nationally critical plant species) and reflects the context of the adjacent scenic reserve.

Scenic Reserve (a) – PAP_03_2808289u

Support

Access and Recreation (Allowed)

- It was noted that scenic reserve appropriately provides for an easily accessible and unique recreational experience and that the area has high recreation values (e.g. “Penguin colony here and outstanding coastal scenery. High recreation values”).

I recommend that these comments are accepted. These comments provide site-specific details regarding the public access and recreational features present which are consistent with those described in the CVR, and which are appropriately reflected by the notified classification. They hold merit under the Conservation Act as they support promotion of recreation that is not inconsistent with the preservation of the natural and historic resources present.

Climate Change and Natural Hazards (Allowed)

- Submissions expressed support for scenic reserve reclassification as offering a high level of environmental protection, noting that this is particularly important in the context of climate change.

I recommend that these comments are accepted. I agree that the protection of the existing natural resources present is of increasing importance when considering the need for climate mitigation. Classification as scenic reserve will support this outcome. The relevance of this factor for reclassification decisions is evident when the future-focused elements in the definition of conservation are considered, including “safeguarding the options of future generations”, in relation to ‘natural resources’, “the air, water and soil in or on which any plant or animal lives or may live”, and in relation to ‘protection’ of a resource, “restoration to some former state and its augmentation, enhancement, or expansion” (Conservation Act 1987, s. 2).

Ecology and Landscape (Allowed)

- Submissions in support stated that scenic reserve was appropriate to protect the ecological features.
- Submissions referenced various ecological values, such as kororā nesting in the area, nationally significant ecological systems, critically endangered coastal turf ecosystems, and significant flora and fauna.
- It was noted that the area will “make a good addition” to the adjacent Charleston Scenic Reserve and “complement an adjacent QEII covenant area”.

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present which warrant consideration. The natural resources identified by submitters are consistent with those described in the CVR, and they are appropriately protected and preserved by the proposed classification. The contiguous nature of the adjoining Charleston Scenic Reserve further supports your notified intention to classify this area as a scenic reserve.

Historic and Cultural Values (Allowed)

- It was mentioned that the area has “high recreation and historical values”.

I recommend that these comments are accepted. The historic resources noted by submitters are consistent with those described in the CVR (archaeological remains associated with the Town Lead gold workings). The proposed classification provides for the protection of these historic resources, while also considering the notable natural resources present (e.g. regenerating coastal forest with critically endangered ecosystems and nationally critical plant species), as per Section 19(2)(d) of the Reserves Act 1977.

General (Allowed)

- Submissions expressed agreement with the National Panel recommendation, stating their support for stewardship land to be reclassified at the highest possible level based on its “high cultural conservation value”.
- Submissions expressed agreement with the recommendation without providing further justification, or supported the recommendation on the grounds that it appropriately reflects the values stated in the technical reports.

I recommend that these comments are accepted. However, because no further justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is identified, these submission points do not raise any matters for further consideration.

Oppose

Climate Change and Natural Hazards (Allowed)

- One submission opposed the recommendation, suggesting that the site “should be reviewed for community climate adaptation and resilience”.

I recommend that these comments are not accepted. The submitter does not clarify what kind of adaptation and resilience they refer to, and no new material is raised which supports reconsideration of the notified classification. The current review has already included climate change considerations, as per paragraph 16(g) of the National Panel’s Terms of Reference, “The panels are required to actively consider the Climate Change Commission report when making recommendations on the future land status of stewardship land”.

Historic and Cultural Values (Allowed)

- One submission stated that the area has “extensive historical gold workings” and that the locals would like to develop a short interpretative walkway to preserve this history, suggesting the area become “The Charleston Goldfields Heritage Park”.

I recommend that these comments are not accepted. The historic resources noted by submitters have been considered when determining the notified classification (the CVR notes archaeological remains associated with the Town Lead gold workings). The proposed classification provides for the protection of these historic resources, while also considering the notable natural resources present (e.g. regenerating coastal forest with critically endangered ecosystems and nationally critical plant species), as per Section 19(2)(d) of the Reserves Act 1977.

Permissions, Economic Factors and Land Use (Not Allowed)

- One submission opposed reclassification as scenic reserve, noting that though it does not prohibit mining it adds extra restrictions with consequent negative economic benefits. The submitter suggested that retaining the land in stewardship or reclassifying it as a conservation park provides adequate legal protection while allowing commercial activities such as mining to be considered on a case-by-case basis.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- One submission opposed all reclassification of stewardship land unless it was purchased by the Nature Heritage Fund for the purpose of adding it to a national park.

As I have recommended these comments are not allowed, I recommend they are not accepted.

No Opinion/Position Not Stated

Access and Recreation (Allowed)

- Submissions stated they did not oppose scenic reserve classification as long as rock climbing access is maintained or enhanced, but recommended recreation reserve to reflect the area’s high value for climbing. They noted that “The Doctor Bay area includes the Charleston Crags which provide excellent climbing opportunities for local and visiting climbers on good quality rock”.

I recommend that these comments are not accepted. The recreation values of the area and the provision of public access have been considered when determining the notified classification (e.g. the established Constant Bay walking track and rock climbing access tracks). The proposed classification provides for the public to have freedom of entry and access to the reserve, subject to conditions necessary for the protection and well-being of the reserve and the public themselves, as per Section 19(2)(b) of the Reserves Act 1977. Further, I note that the ‘Charleston Crags’ rock climbing features themselves appear to be adjacent to, and not within, the stewardship area in question.

- Submissions were concerned with ensuring that any reclassification provides explicitly for access, sports fishing and gamebird hunting.

I recommend that these comments are not accepted. Insufficient information is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised which supports reconsideration of the notified classification. The proposed classification does not prohibit public access for the activities, if authorised (for example in a hunting permit). Authorisation of such activities involves a separate decision-making process, the outcome of which would depend on effects on the conservation values present rather than the proposed land classification.

General (Allowed)

- Submissions advocated generally for all national parks, forest parks, scenic reserves and stewardship land to be protected from development.

I recommend that these comments are not accepted. The legislation does not provide for absolute protection from development – rather it contemplates that some activities may be acceptable and provides a mechanism for authorising such activities, through the grant of concessions. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

PAP_04 – Nile River – 2808291

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Nile River (Riverbed)	PAP_04_2808291e	Local Purpose (River Conservation) Reserve	Neutral	15	14
Nile River (Pasture)	PAP_04_2808291d	Disposal	Disposal	11	31

DOC Conservation Values Report Description

A 7-ha area of cleared river terrace and active riverbed with a small area of exotic scrub in the south west corner. Possible skink habitat. Isolated and grazed under a concession with no known recreation use or historic value. No easy access, tracks or facilities.

Nile River (Riverbed)

Panel Recommendations

National Panel: Local purpose (river conservation) reserve so the riverbed and riparian sections are retained in public conservation land.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Do not proceed with the notified proposal for the 'riverbed' section, retaining the area in stewardship.

Summary of accepted submissions: Those submissions 'accepted' as holding merit expressed either opposition or no opinion in relation to the notified classification on the basis that the purpose of the reserve is not clearly defined, leaving it uncertain how the natural resources present in this section of the stewardship area will be protected.

Section 4 and Treaty principles: The Mana Whenua Panel did not oppose the proposed classification.

No specific Ngāi Tahu interests were raised for consideration by the Mana Whenua Panel for this stewardship area. I acknowledge statements of the Mana Whenua Panel that "there is a deep connection between Ngāi Tahu and all of the whenua in the Ngāi Tahu takiwā, and the absence of site-specific values in the preliminary analysis does not detract from that connection, nor does it confirm that site-specific values are not present."

Rationale: Further policy work by the Department is required to describe the purpose of the proposed reserve and to identify any potential management implications. This process will provide clarity as to whether the proposed local purpose reserve reflects the natural and historic resources present, or if another classification is more appropriate.

Local Purpose (River Conservation) Reserve – PAP_04_2808291e

Support

Access and Recreation (Allowed)

- One submission supported the recommendation as enabling river access, noting that they opposed any disposal of former or current riverbed that protects actual or potential public access as the river moves. They

recommended reclassification of the whole as local purpose reserve for river conservation, river access or recreation access.

I recommend that these comments are not accepted. I have concluded based on comments in opposition that the purpose of the notified classification provides insufficient detail to comment on whether it appropriately protects the natural resources described, or if another classification may be more appropriate. Any limits on public access will be determined as part of the future policy work.

General (Allowed)

- Submissions stated their agreement in general terms, without providing further justification, or expressed their preference for stewardship land to be reclassified at the highest possible classification based on its “cultural conservation value”.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- One submission in support stated that any change should not affect the existing permissions, noting that there is a grazing licence present, and that this licence includes requirements for fencing to protect wetlands.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- It was suggested that “river authority consultation” should occur.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- One submission noted that they assumed there would be no grazing concessions permitted in the local purpose reserve.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Oppose

Climate Change and Natural Hazards (Allowed)

- Submissions suggested that other classifications would be more appropriate to support revegetation for carbon sequestration or flood buffering from climate change effects. It was suggested that river margins that are subject to flooding from climate change effects should be “incorporated into a special class” to ensure they are retained in public ownership and revegetated to contribute to emissions reduction, rather than classified as local purpose reserves where “they can have their status changed without notification”. One submission proposed government purpose (climate mitigation) reserve as a possible classification.

I recommend that these comments are accepted to the extent that I have concluded based on comments in opposition that the purpose of the notified classification provides insufficient detail to comment on whether it appropriately protects the natural resources described, or if another classification may be more appropriate.

Ecology and Landscape (Allowed)

- Submissions opposed the recommendation on the basis that the purpose of the reserve is not clearly defined, leaving it uncertain how freshwater values, natural values and the natural processes of the river will be protected.
- Submissions suggested a review of all recommendations for Local purpose (river conservation) reserves to reclassify the land in a way which will prioritise natural and freshwater values and the natural processes of the river, and support strategic management of riverine areas on a catchment or ecosystem scale.
- Concerns were raised that the lack of a clearly defined purpose would mean the area could be vested to an authority that would not effectively manage the area to protect the natural values, or that would not have conservation as its core focus, leading to “local interpretations of river conservation” and inappropriate use. More

broadly, submissions also suggested that government agencies are not adequately managing and protecting riverbeds and their margins, and that the reclassification process “creates an opportunity for more responsible management”.

I recommend that these comments are accepted. I agree that the purpose of the notified classification provides insufficient detail to comment on whether it appropriately ensures protection of the conservation of the natural resources present (i.e. areas of riparian vegetation and a section of riverbed).

- Various classifications were suggested as more appropriate to ensure that protection of the natural values and processes takes primacy, and that only compatible uses are allowed. These included government purpose (te mana o te wai) reserve, scenic reserve, ecological area (to recognise the role of water in connecting ecosystems and delivering nutrients), or wildlife management area or wildlife reserve.

I recommend that these comments are accepted to the extent that I agree that the purpose of the notified classification provides insufficient detail to comment on whether it provides appropriate protection of the natural resources noted by submitters, or if another classification should be considered.

- One submission opposed the classification based on the “limited conservation values” of the site, suggesting disposal instead.

I recommend that this comment is not accepted. While part of the larger PAP_04 assessment area contains components of low conservation value (i.e. cleared of most native vegetation for grazing), the area notified as local purpose river conservation contains active riverbed, and therefore holds freshwater conservation values which warrant retention as public conservation land.

General (Allowed)

- Submissions opposed the recommendation as “inappropriate”, stating that it gives no greater protection than current stewardship status.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions raised concerns that the recommended classification would maintain the status quo or “business as usual” and allow activities such as grazing or modification to occur.
- It was stated that other examples of local purpose reserves held for river conservation (e.g. in the Rangitata River in Canterbury) have demonstrated that the classification does not ensure river margins/corridors or freshwater values will be protected from inappropriate use or development.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.
- A submission opposed the recommendation on the basis that no reclassification should proceed without a full socioeconomic assessment undertaken by the Department in partnership with the local/regional councils.

As I have recommended these comments are not allowed, I recommend they are not accepted.

No Opinion/Position Not Stated

Access and Recreation (Allowed)

- Submissions were concerned with ensuring that any reclassification provides explicitly for access, sports fishing and gamebird hunting.

I recommend that these comments are not accepted. Insufficient information is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised which supports reconsideration of the

notified classification. The proposed classification does not prohibit public access for the activities, if authorised (for example in a hunting permit). Authorisation of such activities involves a separate decision-making process, the outcome of which would depend on effects on the conservation values present rather than the proposed land classification.

Ecology and Landscape (Allowed)

- Submissions commented that information regarding the purpose of the river conservation needed to be clearer, (i.e. for ecological reasons or for flood protection), and warned that Local purpose (river conservation) reserves had been “misused” in Canterbury and consideration was therefore needed when assigning this classification.

I recommend that these comments are accepted. I agree that the purpose of the notified classification provides insufficient detail to comment on whether it appropriately promotes the conservation of the natural resources present (areas of riparian vegetation and a section of riverbed).

Nile River (Pasture)

Panel Recommendations

National Panel: Disposal, as the conservation area consists almost entirely of developed pasture, with limited conservation or cultural value.

Mana Whenua Panel: Disposal, as the pastoral components are highly modified and should not form part of public conservation land.

S.49(2)(d) Recommendation

- Proceed with the notified proposal for the 'pasture' section of the area, referring the area to the Department to investigate the suitability of disposal.

Summary of accepted submissions: Those submissions 'accepted' as holding merit supported the proposed disposal investigation based on the low conservation values present, noting that the land has been converted to pasture. Also accepted were comments noting that this outcome is supported by the Mana Whenua Panel and reflects the perspectives of Ngāi Tahu.

Section 4 and Treaty principles: The Mana Whenua Panel supported the proposed disposal investigation, supported by submissions from Treaty partner organisations, as the pastoral components are highly modified.

Rationale: Although parts of the wider stewardship area are unlikely to meet the Conservation General Policy 6(d) and Conservation Act (s. 26) tests for disposal, the pastoral components of this stewardship area hold little conservation value and warrant further consideration as to the suitability of disposal.

Disposal – PAP_o4_2808291d

Support

Ecology and Landscape (Allowed)

- Submissions expressed support for disposal of stewardship land that has no conservation value or natural values remaining, such as land that is fully converted to pasture.

I recommend that these comments are accepted. I agree that the area holds low conservation values and that the highly modified nature of the pastoral components of this stewardship area (e.g. cleared of most native vegetation for grazing) justify referring this area to the Department to investigate the suitability of disposal. I note that any parts of the area identified to have substantive natural values are unlikely to pass the Conservation General Policy and legislative disposal tests.

Treaty Considerations (Allowed)

- Submissions supported the recommendations of the Mana Whenua Panel as reflecting the values, interests, and perspectives of Ngāi Tahu, and fulfilling obligations under the Treaty of Waitangi.

I recommend that these comments should be accepted. I note the Mana Whenua Panel have supported the notified disposal proposal. The highly modified nature of the pastoral components of this stewardship area (e.g. cleared of most native vegetation for grazing) justify referring this area to the Department to investigate the suitability of disposal.

General (Allowed)

- Submissions expressed general agreement with the Panels' recommendations without providing justification.

I recommend that these comments are accepted. However, because no further justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised, these submission points do not raise any matters.

Other (Not Allowed)

- It was noted that disposals only form 0.01% of the stewardship land in the West Coast reclassification process.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Oppose

Access and Recreation (Allowed)

- Submissions opposed disposal, arguing that many river terraces support access to the backcountry which would be lost if the land is privatised.
- Submissions raised concerns that marginal strips do not guarantee access, particularly if the river changes.

I recommend that these comments are not accepted. The area is separated from the nearby road by private land, and the CVR notes that there is no easy access to the area and that it likely receives little recreational use. Any potential disposal arising from the Departmental investigation will trigger the formation of marginal strips, which will secure ongoing public access along the riparian corridor.

Climate Change and Natural Hazards (Allowed)

- Submissions opposed disposal on the grounds that all public conservation land, even if modified/pasture, offers potential for climate change mitigation (i.e. opportunities for restoration and carbon sequestration, as well as for flood/erosion buffering, or allowing room for natural river processes). It was suggested that “the freeholding of land adjacent to riverbeds often results in additional rock protection work which constrains the river, and the natural processes at play”, and that this can lead to erosion elsewhere.
- Submissions argued that disposing of public conservation land compromises future sustainability and climate mitigation options, noting that climate change is heightening pressure on ecosystems.

I recommend that these comments are not accepted. The area’s highly modified state (cleared of most native vegetation for grazing), and its landscape context (situated within farmland and not connected to other public conservation land) limit the appropriateness and effectiveness of retaining it for ecosystem restoration and carbon sequestration. I note that any potential disposal arising from the Departmental investigation will trigger the formation of marginal strips for qualifying waterbodies, which will be retained and protected as public conservation land.

Ecology and Landscape (Allowed)

- Submissions opposed disposal, stating that widespread vegetation clearance, vulnerable ecosystems and New Zealand’s seriously declining biodiversity make retaining all conservation land essential, especially to reach the goals of Te Mana o te Taiao.
- Submissions opposed disposal of lowland river terraces on the grounds that little remains in public conservation land, and that there is potential for restoration with minimal intervention through the natural gorse to native succession process, particularly given the high rainfall on the West Coast and the proximity of nearby forests and seed sources.
- Submissions noted that modified pasture is still likely to retain indigenous species like juncus and carex.

I recommend that these comments are not accepted. The area’s highly modified state (cleared of most native vegetation for grazing), and its landscape context (situated within farmland and not connected to other public conservation land) limit the appropriateness and effectiveness of retaining it for restoration. I note that any potential disposal arising from the Departmental investigation will trigger the formation of marginal strips for qualifying waterbodies, which will be retained and protected as public conservation land.

General (Allowed)

- Submissions frequently opposed disposal in general terms, arguing that public conservation land is best retained for future generations or future conservation purposes.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions recommended that the potential productivity of the land should be considered as this may assist New Zealand in dealing with food security issues.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions suggested that the existing reclassification framework should have a flexible classification for holding land in a conservation bank for future options, and a precautionary policy should be adopted to hold land for potential future conservation use.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- It was suggested that “in many cases a land exchange with the adjacent landowner would result in better outcomes for conservation and for farm management”.

As I have recommended these comments are not allowed, I recommend they are not accepted.

No Opinion/Position Stated

Climate Change and Natural Hazards (Allowed)

- One submission recommended that riverbeds and adjacent land should be retained or that any land with potential for carbon sequestration should be retained.

I recommend that these comments are not accepted. The area's small size (less than seven ha), highly modified nature (cleared of most native vegetation for grazing), and its landscape context (situated within farmland and not connected to other public conservation land) limit the appropriateness of retaining it for ecosystem restoration and carbon sequestration. I note that any potential disposal arising from the Departmental investigation will trigger the formation of marginal strips for qualifying waterbodies, which will be retained and protected as public conservation land.

Other (Not Allowed)

- One submission noted that stewardship land proposed for disposal is subject to Heritage New Zealand Pouhere Taonga notification process for disposal of Crown-owned land, noting that Heritage New Zealand Pouhere Taonga may recommend heritage protection measures as part of this disposal process.
- It was suggested that any funds from land sold should go to the Nature Heritage Fund.

As I have recommended these comments are not allowed, I recommend they are not accepted.

PAP_05 - Deep Creek – 2806767

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Deep Creek	PAP_05_2806767v	Scenic Reserve (a)	Neutral	20	9

DOC Conservation Values Report Description

A 63-ha area containing predominantly flat terrace and gully vegetation, with Schedule 2 wetlands. Adjoining the Four Mile Scenic Reserve and Four Mile River Conservation Area, it is an important connecting piece linking protected coastal and marine terrace with inland areas of the ecological district.

Panel Recommendations

National Panel: Scenic reserve (a), to protect the ecological and archaeological values, while providing for the recreational values of the area.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of scenic reserve (a).

Summary of accepted submissions: Those submissions ‘accepted’ as holding merit supported the notified classification as offering sufficient protection in the context of climate change.

Section 4 and Treaty principles: The Mana Whenua Panel have signalled Ngāi Tahu interests associated with this stewardship area, particularly that “Ngāi Tahu may have future aspirations for this land (such as from an economic wellbeing and development perspective)”.

Given the Mana Whenua Panel have not opposed the notified classification, therefore I consider the classification is not inconsistent with the identified interests.

Rationale: My conclusion is that, while recognising the significance of the area to Ngāi Tahu, the natural resources present are appropriately protected under the proposed classification. This is supported by the context of the adjacent scenic reserve.

Scenic Reserve (a) - PAP_05_2806767v

Support

Climate Change and Natural Hazards (Allowed)

- Submissions expressed support for scenic reserve reclassification as offering a high level of environmental protection, noting that this is particularly important in the context of climate change.

I recommend that these comments are accepted. I agree that the protection of the existing natural resources present is of increasing importance when considering the need for climate mitigation. Classification as scenic reserve will support this outcome. The relevance of this factor for reclassification decisions is evident when the future-focused elements in the definition of conservation are considered, including, “safeguarding the options of future generations”, in relation to ‘natural resources’, “the air, water and soil in or on which any plant or animal lives or may live”, and in relation to ‘protection’ of a resource, “restoration to some former state and its augmentation, enhancement, or expansion” (Conservation Act 1987, s.2).

Ecology and Landscape (Allowed)

- A submission supported the recommendation on the basis that the area contains “high ecological values very similar to the existing national parks”.

I recommend that this comment is accepted to the extent that I agree the natural resources present are appropriately protected under the proposed classification. However, my conclusion is that the natural values present are more closely

aligned with those in the adjacent scenic reserve than the Paparoa National Park, which is not in the immediate vicinity. Although predominantly dominated by native vegetation, the CVR also notes areas of modification where land was previously cleared for mining, and the presence of exotic weeds.

General (Allowed)

- Submissions expressed agreement with the National Panel recommendation, stating their support for stewardship land to be reclassified at the highest possible level based on its “high cultural conservation value”.
- Submissions expressed agreement with the recommendation without providing further justification, or supported the recommendation on the grounds that it appropriately reflects the values stated in the technical reports.

I recommend that these comments are accepted. However, because no further justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is identified, these submission points do not raise any matters for further consideration.

Oppose

Ecology and Landscape (Allowed)

- Submissions in opposition sought reclassification as a national park to appropriately recognise the area’s landscape context and features, and its ecological values.
- Submissions described its position in relation to the existing national park and connection to other stewardship areas recommended for inclusion in the national park, suggesting it would be rational for this area to align with neighbouring areas. Other features mentioned were its high naturalness, its habitat for aquatic and terrestrial species, its uniqueness as the only coastal area of metamorphic rock in the Punakaiki Ecological District, and its “distinct and iconic” landscape features.
- A submission also suggested the area should be given “the same classification as the adjacent Ballarat Terrace”.

I recommend that these comments are not accepted. The natural values present are more closely aligned with those in the adjacent scenic reserve than the Paparoa National Park, which is not in the immediate vicinity. Although predominantly dominated by native vegetation, the CVR also notes areas of modification where land was previously cleared for mining, and the presence of exotic weeds. I note that the nearby ‘Ballarat Terrace’ which is referenced is held in a mixture of stewardship and scenic reserve.

Historic and Cultural Values (Allowed)

- A submission advocated for the creation of a “Charleston Goldfields Heritage Park”.

I recommend that this comment is not accepted. The historic resources present have been considered when determining the notified classification (the CVR notes archaeological remains associated with gold mining infrastructure). The proposed classification provides for the protection of these historic resources, while also considering the notable natural resources present (e.g. flat terrace and gully vegetation, with Schedule 2 wetlands), as per Section 19(2)(d) of the Reserves Act 1977.

Permissions, Economic Factors and Land Use (Not Allowed)

- One submission opposed reclassification as scenic reserve, noting that though this classification does not prohibit mining, it adds extra restrictions with consequent negative economic benefits, suggesting that retaining the land in stewardship or reclassifying as conservation park provides adequate legal protection, while allowing commercial activities such as mining, to be considered on a case-by-case basis.
- One submission stated that any change should not affect the existing permissions.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- One submission opposed all reclassification of stewardship land unless it was purchased by the Nature Heritage Fund for the purpose of adding it to a national park.

As I have recommended these comments are not allowed, I recommend they are not accepted.

No Opinion/Position Not Stated

Access and Recreation (Allowed)

- Submissions were concerned with ensuring that any reclassification provides explicitly for access, sports fishing and gamebird hunting.

I recommend that these comments are not accepted. Insufficient information is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised which supports reconsideration of the notified classification. The proposed classification does not prohibit public access for the activities, if authorised (for example in a hunting permit). Authorisation of such activities involves a separate decision-making process, the outcome of which would depend on effects on the conservation values present rather than the proposed land classification.

General (Allowed)

- Submissions advocated generally for all national parks, forest parks, scenic reserves and stewardship land to be protected from development.

I recommend that these comments are not accepted. The legislation does not provide for absolute protection from development – rather it contemplates that some activities may be acceptable and provides a mechanism for authorising such activities, through the grant of concessions. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

PAP_05 - Four Mile River – 2808365

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Four Mile River	PAP_05_2808365w	Scenic Reserve (a)	Neutral	19	9

DOC Conservation Values Report Description

A 200-ha area with a coastal boundary containing predominantly flat terrace and gully vegetation, with Schedule 2 wetlands. Adjoining Deep Creek Conservation Area, it is an important connecting piece linking protected coastal and marine terrace with inland areas of the ecological district.

Panel Recommendations

National Panel: Scenic reserve (a), to protect the ecological and archaeological values, while providing for the recreational values.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of scenic reserve (a).

Summary of accepted submissions: Those submissions ‘accepted’ as holding merit supported the notified classification as offering sufficient protection in the context of climate change, and being appropriate in terms of managing the area for recreation and protecting the natural values present.

Section 4 and Treaty principles: The Mana Whenua Panel have signalled Ngāi Tahu interests associated with this stewardship area, particularly that “Ngāi Tahu may have future aspirations for this land (such as from an economic wellbeing and development perspective)”.

Given the Mana Whenua Panel have not opposed the notified classification, I therefore consider the classification is not inconsistent with the identified interests.

Rationale: My conclusion is that, while recognising the significance of the area to Ngāi Tahu, the natural resources present are appropriately protected under the proposed classification. This is supported by the context of the adjacent scenic reserve.

Scenic Reserve (a) - PAP_05_2808365w

Support

Access and Recreation (Allowed)

- Submissions in support discussed the Kawatiri Coastal Trail (under development), with one in support stating that the recommendation provides for appropriate management of the area for recreation, including the cycle trail, and the other recommending that provision should be made for it.

I recommend that these comments are accepted. These comments provide site-specific details regarding the public access and recreational features present which are consistent with those described in the CVR. The proposed classification provides for the public to have freedom of entry and access to the reserve, subject to conditions necessary for the protection and well-being of the reserve and the public themselves, as per Section 19(2)(b) of the Reserves Act 1977.

Climate Change and Natural Hazards (Allowed)

- Submissions expressed support for scenic reserve reclassification as offering a high level of environmental protection, noting that this is particularly important in the context of climate change.

I recommend that these comments are accepted. I agree that the protection of the existing natural resources present is of increasing importance when considering the need for climate mitigation. Classification as scenic reserve will support this outcome. The relevance of this factor for reclassification decisions is evident when the future-focused elements in the

definition of conservation are considered, including, “safeguarding the options of future generations”, in relation to ‘natural resources’, “the air, water and soil in or on which any plant or animal lives or may live”, and in relation to ‘protection’ of a resource, “restoration to some former state and its augmentation, enhancement, or expansion” (Conservation Act 1987, s. 2).

Ecology and Landscape (Allowed)

- Submissions supported scenic reserve as appropriately protecting the natural values.

I recommend that these comments are accepted. I agree that the proposed classification will appropriately promote the protection and preservation of the identified natural resources identified in the CVR (predominantly flat terrace and gully vegetation, with Schedule 2 wetlands), and they are appropriately protected and preserved by the proposed classification.

General (Allowed)

- Submissions expressed agreement with the National Panel recommendation, stating their support for stewardship land to be reclassified at the highest possible level based on its “high cultural conservation value”.
- Submissions expressed agreement with the recommendation without providing further justification, or supported the recommendation on the grounds that it appropriately reflects the values stated in the technical reports.

I recommend that these comments are accepted. However, because no further justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is identified, these submission points do not raise any matters for further consideration.

Oppose

Ecology and Landscape (Allowed)

- Submissions in opposition sought reclassification as a national park to appropriately recognise its landscape context and features and its ecological values.
- Submissions referenced its position in relation to the existing national park and connection to other stewardship areas recommended for inclusion in the national park, suggesting it would be rational for this area to align with neighbouring areas. Other features mentioned were its high naturalness, its habitat for aquatic and terrestrial species, its uniqueness as the only coastal area of metamorphic rock in the Punakaiki Ecological District, and its “distinct and iconic” landscape features.

I recommend that these comments are not accepted. The natural values present are more closely aligned with those in the adjacent scenic reserve than the Paparoa National Park, which is not in the immediate vicinity. Although predominantly dominated by native vegetation, the CVR also notes areas of modification where land was previously cleared for mining, and the presence of exotic weeds.

Historic and Cultural Values (Allowed)

- A submission advocated for the creation of a “Charleston Goldfields Heritage Park”.

I recommend that this comment is not accepted. The historic resources present have been considered when determining the notified classification (the CVR notes archaeological remains associated with gold mining infrastructure). The proposed classification provides for the protection of these historic resources, while also considering the notable natural resources present (e.g. flat terrace and gully vegetation, with Schedule 2 wetlands), as per Section 19(2)(d) of the Reserves Act 1977.

Permissions, Economic Factors and Land Use (Not Allowed)

- One submission opposed reclassification as scenic reserve, noting that though this classification does not prohibit mining it adds extra restrictions with consequent negative economic benefits, suggesting that retaining the land in stewardship or reclassifying it as a conservation park provides adequate legal protection while allowing commercial activities such as mining to be considered on a case-by-case basis.
- One submission stated that any change should not affect the existing permissions.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- One submission opposed all reclassification of stewardship land unless it was purchased by the Nature Heritage Fund for the purpose of adding it to a national park.

As I have recommended these comments are not allowed, I recommend they are not accepted.

No Opinion/Position Not Stated

Access and Recreation (Allowed)

- Submissions were concerned with ensuring that any reclassification provides explicitly for access, sports fishing and gamebird hunting.

I recommend that these comments are not accepted. Insufficient information is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised which supports reconsideration of the notified classification. The proposed classification does not prohibit public access for the activities, if authorised (for example in a hunting permit). Authorisation of such activities involves a separate decision-making process, the outcome of which would depend on effects on the conservation values present rather than the proposed land classification.

General (Allowed)

- Submissions advocated generally for all national parks, forest parks, scenic reserves and stewardship land to be protected from development.

I recommend that these comments are not accepted. The legislation does not provide for absolute protection from development – rather it contemplates that some activities may be acceptable and provides a mechanism for authorising such activities, through the grant of concessions. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

PAP_o6 - Basin Road – 2808292

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Basin Road	PAP_o6_2808292x	National Park (Paparoa)		6058*	26
Basin Road	PAP_o6_2808292y		Stewardship	16	51

DOC Conservation Values Report Description

A 75-ha highly connected area which contains a variety of niches, ecosystems and habitats. It is part of a wider area which is important for karst, caves and limestone, with predominantly regenerating indigenous forest.

Panel Recommendations

National Panel: National park investigation to reflect the identified values, increase the overall integrity of the Paparoa National Park, and to improve landscape continuity.

Mana Whenua Panel: Retain as stewardship land pending further policy work or legal reform, based on the tribal position that the addition of land to national parks will not give effect to the principles of the Treaty of Waitangi as it alienates Ngāi Tahu from their ancestral lands.

S.49(2)(d) Recommendation

- **Proceed** with the notified proposal, by referring this area to the NZCA for its consideration on the suitability of a national park classification in accordance with the relevant policy and procedures, including Policy 6 of the General Policy for National Parks and Section 4 of the Conservation Act 1987.

Summary of accepted submissions: The submissions ‘accepted’ as holding merit supported the proposed national park addition to protect the area’s natural values, improve climate change mitigation, and ensure ongoing public recreational access. Submitters referenced specific natural resources which were noted to be of high value and similar in nature to the adjoining Paparoa National Park.

Section 4 and Treaty principles: The Mana Whenua Panel opposed the proposed national park referrals, supported by submissions from Treaty partner organisations. Te Rūnanga o Ngāi Tahu oppose all additions to national parks within the Ngāi Tahu takiwā as “the addition of land to national parks will not give effect to the principles of the Treaty of Waitangi (as required by section 4 of the Conservation Act 1987) as it alienates Ngāi Tahu from our ancestral lands”. The Mana Whenua Panel have also signalled Ngāi Tahu interests associated with this stewardship area, particularly that “Ngāi Tahu may have future aspirations for this land (such as from an economic wellbeing and development perspective)”.

I note that my s.49 recommendations and your decision on whether to refer this area to the NZCA for their consideration must give effect to Treaty principles independently of the NZCA’s section 4 obligations.

Although I acknowledge the Mana Whenua Panel opposition to the notified proposal, my assessment, considering those submissions accepted, is that the natural and historic resources present are of a similar nature to the adjacent national park, and warrant proceeding with a referral to the NZCA. Giving effect to Section 4 of the Act includes taking reasonable steps to actively protect the identified Treaty partner interests, but this obligation is not absolute and unqualified, as this would be inconsistent with DOC’s other statutory responsibilities.

* This figure includes 5,976 submissions made using a Forest and Bird template.

Referring this area to the NZCA for their consideration provides an opportunity for the NZCA to further assess the natural and historic resources present, and explore specific Ngāi Tahu interests and aspirations, including their consideration as to what giving effect to Treaty principles may require.

Rationale: My conclusion, considering those submissions accepted, is that the natural and historic resources present warrant referral to the NZCA for their consideration as per the process set out in Chapter 3 of the introduction to this Summary of Submissions Report.

National Park (Paparoa) - PAP_o6_2808292x

Support

Access and Recreation (Allowed)

- Submissions supported the national park recommendation on the grounds that this reflects the high recreation values, ensures ongoing public access, ensures that unique flora and fauna is protected for the enjoyment of present and future generations, and supports intergenerational participation in conservation.

I recommend that these comments are accepted. These comments hold merit under the Conservation Act as they support promotion of recreation that is not inconsistent with the preservation of the natural and historic resources present.

- Submissions noted the area contains caves of high recreational significance (e.g. “caves that are nationally and internationally significant”, “cavers use Te Tahi cave and Hole in Hill cave, tramping tracks and commercial rainforest train railway, rafting and caving”). Several other “popular recreational caves” were mentioned.

I recommend that these comments are not accepted. Although there may be “caves of high scientific and recreational significance” in the wider area, my understanding based on the Western South Island Region Cave and Karst Operational Plan (2018, pg.66) is that no caves are present in this conservation area.

Climate Change and Natural Hazards (Allowed)

- Submissions suggested that suitable stewardship land should be incorporated into adjacent areas to support climate change mitigation, and that the protection of the area was especially important in the context of climate change.

I recommend that these comments are accepted. I agree that the protection of the existing natural resources present is of increasing importance when considering the need for climate mitigation. Classification as national park will support this outcome. The relevance of this factor for reclassification decisions is evident when the future-focused elements in the definition of conservation are considered, including, “safeguarding the options of future generations”, in relation to ‘natural resources’, “the air, water and soil in or on which any plant or animal lives or may live”, and in relation to ‘protection’ of a resource, “restoration to some former state and its augmentation, enhancement, or expansion” (Conservation Act 1987, s. 2).

Ecology and Landscape (Allowed)

- Submissions supported reclassification as a national park, noting that ecological, geological and landscape values are high and similar or indistinguishable to the Paparoa National Park.
- Submissions in support noted that expanding the national park would include more of the complex geology and landforms of the Paparoa Range and its adjoining lowlands, and that the area is included in “an outstanding natural landscape with High to Outstanding Natural Character”.
- Submitters described the ecological value of the area (e.g. “supports a diversity for flora and fauna including rare, threatened and at-risk species”, “Short-range troglobitic cave species”, “Large areas of wetlands”).
- Submitters supported reclassification as national park on the grounds that it would increase habitat, enhance ecological connectivity and landscape continuity, provide a larger buffer for the Paparoa Wilderness Area, streamline the management of these areas, and align land classifications more closely with ecological principles (with current delineations deemed “historic and arbitrary”). It was also suggested that it would enable critical biodiversity (Te Mana o te Taiao), climate, and freshwater outcomes.

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present. The natural resources identified by submitters are consistent with those described in the CVR (e.g. highly diverse area with a wide variety of niches, ecosystems, and habitats), supporting your notified intention to refer this area to the NZCA for its recommendation as to the suitability of a national park addition.

- Submissions highlighted features such as important karst landforms and caves of high scientific significance which had been largely unexplored when the park was formed (e.g. “a distinctive broad inland basin of complex karst topography, and hydrology, with many caves, tomos and limestone arch, deep gorges and terrace systems”, “rare and beautiful speleothems”, noted in the Paparoa National Park Management Plan as “having significant cave systems”).

I recommend that these comments are not accepted. Although there may be caves of scientific significance in the wider area, my understanding based on the Western South Island Region Cave and Karst Operational Plan (2018, pg.66) is that no caves are present in this conservation area.

Historic and Cultural Values (Allowed)

- Submitters noted the heritage values present (e.g. “historic gold mining is evident in the area (Argyles Dam) and water races”, “gold mining relics”).

I recommend that these comments are accepted. The historic resources noted by submitters are consistent with those described in the CVR (e.g. archaeological remains associated with a rich goldmining history). Historic resources are protected as “Sites and objects of archaeological and historical interest shall as far as possible be preserved” (s4 (2)(c) National Parks Act 1980), further supporting your notified intention to refer this area to the NZCA for its recommendation as to the suitability of a national park addition.

Treaty Considerations (Allowed)

- Submissions acknowledged the concerns raised by the Mana Whenua Panel regarding national parks and wanted to see these addressed. However, they viewed maximum protection of the natural values as paramount and suggested that changes to management or legislative frameworks should be made to better reflect the intent of Treaty principles, and to ensure free access and use of national parks for cultural, traditional, historical, and customary purposes, while ensuring that natural values were preserved and protected under a national park classification.
- Submissions supported additions to adjacent national parks where the Mana Whenua Panel had not identified site-specific cultural values for the land.

I recommend that these comments are accepted to the extent that they agree the natural and historic resources present warrant referral to the NZCA for their consideration. However, while the possibility of future changes to management or legislative frameworks is identified by submitters as a potential means of reconciling that purpose with Treaty partner interests, such changes are not being considered within this reclassification exercise. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA’s consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions expressed general support for all additions to national parks and stated they “support the proposed additions to national parks and would like to see more areas given the highest level of protection”.
- Submissions expressed agreement with the National Panel recommendation, stating their support for stewardship land to be reclassified at the highest possible level based on its “high cultural conservation value”, or that this reflected the information in the technical reports.
- Submissions expressed agreement for the National Panel’s recommendation or for additions to the national park, without providing further justification.
- Submissions noted that national park classification “applies a precautionary principle that these lands are best left in a natural state unless there is a good case otherwise”.

I recommend that these comments are accepted. However, because no further justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is identified, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submitters noted that the area was not previously included in the Paparoa National Park to secure a supply quality limestone to the Cape Foulwind cement works, which has since closed.
- Submissions supported the expansion of the Paparoa National Park based on anticipated benefits for tourism in the area, noting that the presence of attractions such as the Paparoa Great Walk and the Coast Road Highway has led to investments in tourism-related industries.
- Submissions noted that national parks support a nature economy, and that this is in line with the Te Whanaketanga Tai Poutini West Coast Economic Strategy 2050.
- Submissions noted that national park classification prevents mining and means development proposals are subject to higher scrutiny (e.g. will protect indigenous flora and fauna from damaging activities such as mining and clearing). They also noted that legislative “let out clauses” exist to enable things in national parks that are “necessary and have wide approval”.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions expressed concerns about the reclassification process, stating that there are “major inconsistencies and contradictions” where high value conservation land has not been recommended for reclassification as a national park.
- While acknowledging that national park classification would be a suitable reflection of the values of the area, submissions recommended that this change, given the consequent heightened restrictions, should only occur following “extensive consultation and agreement with the local iwi, stakeholders, concessionaires, interested groups and local residents in consideration in addition to not only the environmental and ecological assets, but to such things as tracking, huts, air space and landings, noise and rating”.
- Submissions raised concerns about there being no terms of reference for the Mana Whenua Panel, and suggested that Mana Whenua Panel concerns regarding national parks should have been resolved prior to the reclassification project.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- Submissions noted that the Paparoa National Park Management Plan includes a milestone for a National Park investigation to be initiated by 2019.
- Submissions acknowledged that Ngāi Tahu opposes national parks in principle, but suggested that land under statutory acknowledgements or nohoanga sites, if excluded from national park status, should not remain in stewardship.
- Submissions advocated for more funding for pest control.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Oppose

Access and Recreation (Allowed)

- It was noted that the Kawatiri Coastal Trail will pass through the area and should be facilitated by the Panels’ recommendations. A historic reserve was proposed.
- Submitters mentioned various recreational benefits of classifying the area as a historic reserve (e.g. “the Limestone escarpment has significant gold workings, water races and tunnels that the locals and other interested historians suggest could provide for a superb interpretive walkway”).

I recommend that these comments are not accepted. The proposed development of new trails in the area is not prohibited by a potential national park classification, the appropriateness of which would be determined in a revised national park management plan process.

- Submissions expressed concern about loss of recreation opportunities and suggested that other classifications, such as conservation park or, where higher protection is warranted, scenic or recreation reserve, may provide a better balance between recreational enjoyment and protection of natural resources.
- It was suggested that the recreational use of the area would be impacted by a national park classification (e.g. “The 4 Mile Rd is an important recreational asset for access into the Nile River for recreation, biking, 4WD use and dog walking, and hunting with dogs”). Restrictions on dog walking were raised specifically as a concern by a West Coast resident.
- Submissions opposed national park reclassification as excluding hunting for native species which are classified as gamebirds, such as pūkeko and paradise shelduck.
- Submissions opposed any reclassification unless the reclassified purpose provides explicitly for access (including helicopter), sports fishing and gamebird hunting.

I recommend that these comments are not accepted. The methods of appreciation and recreational enjoyment proposed (dog access, 4WD use, hunting of indigenous avifauna) are potentially incompatible with protecting and preserving the natural resources described in the CVR, and the points raised do not justify overturning the notified intention. Although under a national park classification “the public shall have freedom of entry and access” this is subject to restrictions “necessary for the preservation of the native plants and animals or for the welfare in general of the parks” (National Parks Act 1980, s. 4(2)(e)).

Ecology and Landscape (Allowed)

- Submissions opposed all recommended reclassification as a national park, describing the land as “not so unique or scientifically important to meet the standard set by the National Parks Act”. They recommended reclassification as a conservation park, or suggested a scenic reserve or recreation reserve, to ensure sufficient protection in areas where there is potential risk of damaging activities such as mining, or recreation reserve where areas have high cultural or recreational value to the public.

I recommend that these comments are not accepted. Although areas of modification may be present, the natural resources described in the CVR (e.g. highly diverse area with a wide variety of niches, ecosystems, and habitats) justify referring this area to the NZCA for its recommendation as to the suitability of a national park addition.

Historic and Cultural Values (Allowed)

- Submitters proposed classifying the area as a ‘Charleston Goldfields Heritage Park’ or as a historic reserve due to the historic features present (e.g. “nationally significant historic Charleston Goldfield”, “the goldfield is one large archaeological area”, “a maze of water races, tunnels, old hotel and house sites that represents a treasure trove of archaeological remnants”).
- The area is noted to include a seven kilometre section of ancient pounamu trail, with this specific section known as the ‘Tauhinu Pakihi’ which would be better protected as a historic reserve.

I recommend that these comments are not accepted. Although the historic resources noted by submitters are consistent with those described in the CVR (e.g. archaeological remains associated with a rich goldmining history), the points raised do not justify overturning the notified intention. Under a national park classification “Sites and objects of archaeological and historical interest shall as far as possible be preserved” (National Parks Act 1980, s. 4(2)(c)). The identified natural and historic resources warrant referring this area to the NZCA for its recommendation as to the suitability of a national park addition.

Treaty Considerations (Allowed)

- Several submissions opposed the proposed national park investigation whilst supporting the proposal to retain the area in stewardship, pending conservation law reform to create more appropriate forms of protected area classifications from a Ngāi Tahu perspective. This follows a Ngāi Tahu tribal position that a national park classification “obstructs Ngāi Tahu from maintaining ancestral relationships with the whenua, obstructs kaitiaki

rights and responsibilities, limits the meaningful involvement of Ngāi Tahu in decision-making processes, and is less enabling of customary practices that are fundamental to sustaining tribal identity and mana”.

- Submissions considered reclassification as a national park to be misaligned with Treaty obligations, and advocated for these areas to remain as stewardship land until classifications that more appropriately reflect Treaty principles are established.

Potential changes to management or legislative frameworks are not the subject of the notified proposal. As such, I recommend that comments advocating for such amendments are not accepted. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA’s consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions expressed support for the recommendation made by the Mana Whenua Panel or general opposition to adding more land to national parks, without providing further justification.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submitters outlined the potential economic benefits of classifying the area as a historic reserve, with associated development opportunities which would be impacted by a national park classification (e.g. “to put this region into National Park will provide protection such that will make these sought after projects incredibly difficult”).
- Submissions opposed national park reclassification on the grounds that it was “too restrictive”.
- Submissions opposed national park reclassification based on the negative impacts on potential economic benefit derived from mineral resource extraction. They argued that this would not be in the best interests of the public.
- Submissions stated that any change should not affect existing permissions.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- It was suggested that “local residents should have a majority say in proposed land classification” as opposed to individuals from outside the region.
- It was proposed that classification should not occur until conversations have occurred with the local population around the around developing potential infrastructure (e.g. tracks and huts).
- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- Submitters suggested that there is already enough national park land around Charleston.
- Submissions expressed the view that national park classification does not equate to effective protection from introduced pests or predators.
- One submission opposed all reclassification of stewardship land unless it was purchased by the Nature Heritage Fund for the purpose of adding it to a national park.

As I have recommended these comments are not allowed, I recommend they are not accepted.

No Opinion/Position Not Stated

General (Allowed)

- Submissions advocated generally for all national parks, forest parks, scenic reserves and stewardship land to be protected from development.

I recommend that these comments are not accepted. The legislation does not provide for absolute protection from development – rather it contemplates that some activities may be acceptable and provides a mechanism for authorising such activities, through the grant of concessions. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Retain in Stewardship - PAP_o6_2808292y

The comments received in relation to the Mana Whenua Panel recommendation are summarised below and have been considered in relation to the notified proposal when forming s.49 allow/accept recommendations.

Support

Access and Recreation (Allowed)

- Submitters expressed support for retaining the area in stewardship based on recreational aspects, such as food gathering, biking, 4WD use, dog walking and hunting with dogs.

I recommend that these comments are not accepted. The methods of appreciation and recreational enjoyment proposed (4WD use, dog access, food gathering) are potentially incompatible with protecting and preserving the natural resources described in the CVR, and the points raised do not justify overturning the notified intention. Although under a national park classification “the public shall have freedom of entry and access” this is subject to restrictions “necessary for the preservation of the native plants and animals or for the welfare in general of the parks” (National Parks Act 1980, (s. 4(2)(e)).

Ecology and Landscape (Allowed)

- Submissions suggested that there was insufficient evidence of the conservation value and characteristics justifying national park status.

I recommend that these comments are not accepted. Although areas of modification may be present, the natural and historic resources described in the CVR (highly diverse area with a wide variety of niches, ecosystems, and habitats) justify referring this area to the NZCA for its recommendation as to the suitability of a national park addition.

Treaty Considerations (Allowed)

- Several submissions opposed the proposed national park investigation whilst supporting the proposal to retain the area in stewardship, pending conservation law reform to create more appropriate forms of protected area classifications from a Ngāi Tahu perspective. This follows a Ngāi Tahu tribal position that a national park classification “obstructs Ngāi Tahu from maintaining ancestral relationships with the whenua, obstructs kaitiaki rights and responsibilities, limits the meaningful involvement of Ngāi Tahu in decision-making processes, and is less enabling of customary practices that are fundamental to sustaining tribal identity and mana”.

I recommend that these comments are not accepted. Retaining these areas in stewardship without further investigation when there are natural resources present of a similar nature to the nearby national park would be inconsistent with promoting the conservation of those resources. The proposed national park status requires referral to the NZCA for its recommendation, which provides a further opportunity to explore site-specific Treaty partner interests and aspirations, and what Treaty principles may require.

- Submissions considered reclassification as a national park to be misaligned with Treaty obligations, and advocated for these areas to remain as stewardship land until classifications that more appropriately reflect Treaty principles are established.

Potential changes to management or legislative frameworks are not the subject of the notified classification proposal. As such, I recommend that comments advocating for such amendments are not accepted.

General (Allowed)

- Submissions expressed support for the recommendation made by the Mana Whenua Panel, without providing further justification.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions argued that reclassifying land as national park, or other classifications which fall under Schedule 4, could have economic consequences by excluding mineral extraction and other activities on that land, and that the natural values of the land may not warrant this. The potential loss of opportunities resulting from these restrictions was seen as damaging, particularly in terms of mineral extraction and site rehabilitation. It was suggested that a holistic view, considering mineral prospectivity and other economic, social, and cultural considerations, should be taken.
- Submissions supported either retaining all land in stewardship or reclassification as a conservation park, suggesting that this would provide "more than adequate legal protection" while allowing activities to be assessed on a case-by-case basis.
- Submissions stated that any change should not affect existing permissions.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- Submissions expressed doubt that reclassifying stewardship land as national parks would have a positive impact on conservation, citing DOC funding and resource limitations.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Oppose

Access and Recreation (Allowed)

- Submissions advocated for reclassification as a national park to ensure ongoing access and enjoyment of the protected natural resources for present and future generations, and to reflect the recreational values of the area. The recreation values present were noted to be better protected under a national park classification (e.g. "cavers use Te Tahi cave and Hole in Hill cave, tramping tracks and commercial rainforest train railway, rafting and caving").

I recommend that these comments are accepted. These comments hold merit under the Conservation Act as they support promotion of recreation that is not inconsistent with the preservation of the natural and historic resources present.

- It was noted that the Kawatiri Coastal Trail will pass through the area and should be facilitated by the Panels' recommendations. A historic reserve was proposed.

I recommend that these comments are not accepted. The proposed development of new trails in the area is not prohibited by a potential national park classification, the appropriateness of which would be determined in a revised national park management plan process.

- Submissions expressed preference for reclassification as a national park, describing the area with its 40 m gneiss wall beside the sea as a "perfect recreation site for rock climbers" and detailing their connection to the site as a place for learning and teaching.

I recommend that these comments are not accepted. Although there may be large gneiss sea cliffs in the wider area, my understanding is that none are present in this conservation area.

Climate Change and Natural Hazards (Allowed)

- Submissions noted that ensuring high protection of these areas was especially important in the context of climate change.

I recommend that these comments are accepted. I agree that the protection of the existing natural resources present is of increasing importance when considering the need for climate mitigation. Classification as national park will support this outcome. The relevance of this factor for reclassification decisions is evident when the future-focused elements in the definition of conservation are considered, including, "safeguarding the options of future generations", in relation to

natural resources’, “the air, water and soil in or on which any plant or animal lives or may live”, and in relation to ‘protection’ of a resource, “restoration to some former state and its augmentation, enhancement, or expansion” (Conservation Act 1987, s. 2).

Ecology and Landscape (Allowed)

- Submissions expressed preference for reclassification as a national park to reflect the high ecological and landscape values with nationally significant ecological systems, rare natural features, threatened and at-risk species, and comparable values to the surrounding national park.
- Submissions highlighted the landscape values of the area (e.g. “distinctive broad inland basin of complex karst topography, and hydrology, with many caves, tomos and limestone arch, deep gorges and terrace systems”, “banded gneiss rock wall”). The area was noted as “an outstanding natural landscape with High to Outstanding Natural Character”.

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present which warrant consideration. The natural resources identified by submitters are consistent with those described in the CVR (e.g. highly diverse area with a wide variety of niches, ecosystems, and habitats), supporting your notified intention to refer this area to the NZCA for its recommendation as to the suitability of a national park addition.

Historic and Cultural Values (Allowed)

- Submitters suggested that the “rich history of historic gold mining is evident in the area” is more appropriately protected under a national park classification.

I recommend that these comments are accepted. The historic resources noted by submitters are consistent with those described in the CVR (e.g. archaeological remains associated with a rich goldmining history), supporting your notified intention to refer this area to the NZCA for its recommendation as to the suitability of a national park addition.

- Submitters proposed classifying the area as a ‘Charleston Goldfields Heritage Park’ or as a historic reserve due to the historic features present (e.g. “nationally significant historic Charleston Goldfield”, “the goldfield is one large archaeological area”, “a maze of water races, tunnels, old hotel and house sites that represents a treasure trove of archaeological remnants”).
- The area was noted to include a seven kilometre section of ancient pounamu trail, with this specific section known as the ‘Tauhinu Pakihi’ considered to be better protected as a historic reserve.

I recommend that these comments are not accepted. Although the historic resources noted by submitters are consistent with those described in the CVR (e.g. archaeological remains associated with a rich goldmining history), the points raised do not justify overturning the notified intention. Under a national park classification “Sites and objects of archaeological and historical interest shall as far as possible be preserved” (National Parks Act 1980, s. 4(2)(c)). The identified natural and historic resources warrant referring this area to the NZCA for its recommendation as to the suitability of a national park addition.

Treaty Considerations (Allowed)

- Submissions acknowledged that Ngāi Tahu opposes national parks in principle, but argued for reclassification as a national park to ensure protection of natural values, suggesting that national park classification could still allow for customary access and Treaty settlements, or that legislative or management framework changes should occur to address these concerns.
- Submitters expressed support for legislative changes to “National Park structure including and not limited to, actual co-governance, and widespread reinstatement of indigenous place names”.
- Submissions expressed that where the Mana Whenua Panel had not identified site-specific cultural values for the land, it should be reclassified as a national park to ensure protection from activities such as mining which may be allowed on stewardship land.

I recommend that these comments are accepted to the extent that they agree the natural and historic resources present warrant referral to the NZCA for their consideration. However, while the possibility of future changes to management or legislative frameworks is identified by submitters as a potential means of reconciling that purpose with Treaty partner interests, such changes are not being considered within this reclassification exercise. The notified proposal includes

referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA's consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions opposed retaining land in stewardship, describing it as a "meaningless recommendation".
- Submissions queried the extent of the recommendations to retain land in stewardship, noting this was nearly 8,000 ha, suggesting this could instead be reclassified as a scenic reserve or conservation park.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

- Submissions expressed preference for reclassification as a national park and for high protection for more stewardship land, either without providing further justification or based on the "reasons outlined in the conservation value reports".
- Submissions expressed preference for the National Panel recommendation, stating their support for stewardship land to be reclassified at the highest possible level based on its high cultural conservation values.

I recommend that these comments are accepted. However, because no further justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is identified, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submission in support of a historic reserve suggested that it "would have a major positive impact on tourism growth at Charleston".
- Submissions opposed retaining the area in stewardship on the grounds that this would not protect the land from damaging activities such as mining, noting the existence of prospecting permits in some areas.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.

As I have recommended these comments are not allowed, I recommend they are not accepted.

No Opinion/Position Not Stated

Access and Recreation (Allowed)

- A submission noted opposition to National Park status due to restrictions on dog access which impacts on hunting.

I recommend that this comment is not accepted. The methods of appreciation and recreational enjoyment proposed (dog access, hunting of indigenous avifauna) are potentially incompatible with protecting and preserving the natural resources described in the CVR, and the points raised do not justify overturning the notified intention. Although under a national park classification "the public shall have freedom of entry and access" this is subject to restrictions "necessary for the preservation of the native plants and animals or for the welfare in general of the parks" (National Parks Act 1980, s. 4(2)(e)).

Treaty Considerations (Allowed)

- Submissions recommended that amendments to the National Parks Act to address the concerns identified by the Mana Whenua Panel are resolved as a priority so there is no need to retain land in stewardship in the meantime.

Potential changes to management or legislative frameworks are not the subject of the notified classification proposal. As such, I recommend that comments advocating for such amendments are not accepted.

General (Allowed)

- Submissions advocated generally for all national parks, forest parks, scenic reserves and stewardship land to be protected from development.

I recommend that these comments are not accepted. The legislation does not provide for absolute protection from development – rather it contemplates that some activities may be acceptable and provides a mechanism for authorising such activities through the grant of concessions. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

PAP_o6 - Nile River – 2808366

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Nile River	PAP_o6_2808366a	National Park (Paparoa)		6058*	23
Nile River	PAP_o6_2808366b		Stewardship	14	53

DOC Conservation Values Report Description

A 187-ha highly connected area which contains a variety of niches, ecosystems and habitats. It is part of a wider area which is important for karst, caves and limestone, with predominantly regenerating indigenous forest.

Panel Recommendations

National Panel: National park investigation to reflect the identified values, to increase the overall integrity of the Paparoa National Park, and to improve landscape continuity.

Mana Whenua Panel: Retain as stewardship land pending further policy work or legal reform, based on the tribal position that the addition of land to national parks will not give effect to the principles of the Treaty of Waitangi as it alienates Ngāi Tahu from their ancestral lands.

S.49(2)(d) Recommendation

- **Proceed** with the notified proposal, by referring this area to the NZCA for its consideration on the suitability of a national park classification in accordance with the relevant policy and procedures, including Policy 6 of the General Policy for National Parks and Section 4 of the Conservation Act 1987.

Summary of accepted submissions: The submissions ‘accepted’ as holding merit supported the proposed national park addition to protect the area’s natural values, improve climate change mitigation, and ensure ongoing public recreational access. Submitters referenced specific natural resources which were noted to be of high value and similar in nature to the adjoining Paparoa National Park.

Section 4 and Treaty principles: The Mana Whenua Panel opposed the proposed national park referrals, supported by submissions from Treaty partner organisations. Te Rūnanga o Ngāi Tahu oppose all additions to national parks within the Ngāi Tahu takiwā as “the addition of land to national parks will not give effect to the principles of the Treaty of Waitangi (as required by section 4 of the Conservation Act 1987) as it alienates Ngāi Tahu from our ancestral lands”. The Mana Whenua Panel have also signalled Ngāi Tahu interests associated with this stewardship area, particularly that “Ngāi Tahu may have future aspirations for this land (such as from an economic wellbeing and development perspective)”.

I note that my s.49 recommendations and your decision on whether to refer this area to the NZCA for their consideration must give effect to Treaty principles independently of the NZCA’s section 4 obligations.

Although I acknowledge the Mana Whenua Panel opposition to the notified proposal, my assessment, considering those submissions accepted, is that the natural and historic resources present are of a similar nature to the adjacent national park, and warrant proceeding with a referral to the NZCA. Giving effect to Section 4 of the Act includes taking reasonable steps to actively protect the identified Treaty partner interests, but this obligation is not absolute and unqualified, as this would be inconsistent with DOC’s other statutory responsibilities.

* This figure includes 5,976 submissions made using a Forest and Bird template.

Referring this area to the NZCA for their consideration provides an opportunity for the NZCA to further assess the natural and historic resources present, and explore specific Ngāi Tahu interests and aspirations, including their consideration as to what giving effect to Treaty principles may require.

Rationale: My conclusion, considering those submissions accepted, is that the natural and historic resources present warrant referral to the NZCA for their consideration as per the process set out in Chapter 3 of the introduction to this Summary of Submissions Report.

National Park (Paparoa) - PAP_o6_2808366a

Support

Access and Recreation (Allowed)

- Submissions supported the national park recommendation on the grounds that this reflects the high recreation values, ensures ongoing public access, ensures that unique flora and fauna are protected for the enjoyment of present and future generations, and supports intergenerational participation in conservation.
- Submissions noted the area contains caves of high recreational significance (e.g. “caves that are nationally and internationally significant”, “cavers use Te Tahi cave and Hole in Hill cave, tramping tracks and commercial rainforest train railway, rafting and caving”).

I recommend that these comments are accepted. These comments provide site-specific details regarding the public access and recreational features present which are consistent with those described in the CVR. They hold merit under the Conservation Act as they support promotion of recreation that is not inconsistent with the preservation of the natural and historic resources present. The Western South Island Region Cave and Karst Operational Plan (2018, pg.66) confirms the potential for karst formations within this conservation area.

Climate Change and Natural Hazards (Allowed)

- Submissions suggested that suitable stewardship land should be incorporated into adjacent areas to support climate change mitigation, and that the protection of the area was especially important in the context of climate change (e.g. “will assist in NZ reaching zero carbon targets”).

I recommend that these comments are accepted. I agree that the protection of the existing natural resources present is of increasing importance when considering the need for climate mitigation. Classification as national park will support this outcome. The relevance of this factor for reclassification decisions is evident when the future-focused elements in the definition of conservation are considered, including, “safeguarding the options of future generations”, in relation to ‘natural resources’, “the air, water and soil in or on which any plant or animal lives or may live”, and in relation to ‘protection’ of a resource, “restoration to some former state and its augmentation, enhancement, or expansion” (Conservation Act 1987, s. 2).

Ecology and Landscape (Allowed)

- Submissions in support noted that expanding the national park would include more of the complex geology and landforms of the Paparoa Range and its adjoining lowlands.
- Submissions highlighted important karst landforms and caves of high scientific significance which had been largely unexplored when the park was formed (e.g. “a distinctive broad inland basin of complex karst topography, and hydrology, with many caves, tomos and limestone arch, deep gorges and terrace systems”, “rare and beautiful speleothems”, “Nile River area caving system in a karst landscape”), and noting that the area is mentioned in the Paparoa National Park Management Plan as “having significant cave systems”.
- The area was noted to be “an outstanding natural landscape with High to Outstanding Natural Character”, with one submitter describing the area as “one of the most scenic valleys I have visited”.
- Submitters cited the ecological value of the area (e.g. “supports a diversity for flora and fauna including rare, threatened and at-risk species”, “Short-range troglobitic cave species”, “Large areas of wetlands, swamps and pakihi”, “nationally endangered avifauna such as whio and roroa”).
- Submissions expressed support for national park reclassification on the grounds that ecological, geological and landscape values are high and similar or indistinguishable to the adjoining Paparoa National Park, that it would

increase habitat, enhance ecological connectivity and landscape continuity, streamline the management of these areas, and align land classifications more closely with ecological principles (with current delineations deemed "historic and arbitrary"). It was also suggested that it would enable critical biodiversity (Te Mana o te Taiao), climate and freshwater outcomes, and would provide a larger buffer for the Paparoa Wilderness Area.

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present. The natural resources identified by submitters are consistent with those described in the CVR (e.g. complex karst topography, highly diverse area with a wide variety of niches, ecosystems, and habitats). The contiguous boundary with Paparoa National Park further supports your notified intention to refer this area to the NZCA for its recommendation as to the suitability of a national park addition.

Historic and Cultural Values (Allowed)

- Submitters noted the heritage values present (e.g. "historic gold mining is evident in the area (Argyles Dam) and water races").

I recommend that these comments are accepted. The historic resources noted by submitters are consistent with those described in the CVR (e.g. archaeological remains associated with a rich goldmining history). Historic resources are protected as "Sites and objects of archaeological and historical interest shall as far as possible be preserved" (National Parks Act 1980, s.4 (2)(c)), further supporting your notified intention to refer this area to the NZCA for its recommendation as to the suitability of a national park addition.

Treaty Considerations (Allowed)

- Submissions acknowledged the concerns raised by the Mana Whenua Panel regarding national parks and wanted to see these addressed. However, they viewed maximum protection of the natural values as paramount and suggested that changes to management or legislative frameworks should be made to better reflect the intent of Treaty principles, and to ensure free access and use of national parks for cultural, traditional, historical, and customary purposes, while ensuring that natural values were preserved and protected under a national park classification.
- Submissions supported additions to adjacent national parks where the Mana Whenua Panel had not identified site-specific cultural values for the land.

I recommend that these comments are accepted to the extent that they agree the natural and historic resources present warrant referral to the NZCA for their consideration. However, while the possibility of future changes to management or legislative frameworks is identified by submitters as a potential means of reconciling that purpose with Treaty partner interests, such changes are not being considered within this reclassification exercise. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA's consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions expressed general support for all additions to national parks and stated they "support the proposed additions to national parks and would like to see more areas given the highest level of protection".
- Submissions expressed agreement with the National Panel recommendation, stating their support for all stewardship land to be reclassified at the highest possible level, or that this reflected the information in the technical reports.
- Submissions expressed agreement for the National Panel's recommendation or for additions to the national park, without providing further justification.
- Submissions noted that national park classification "applies a precautionary principle that these lands are best left in a natural state unless there is a good case otherwise".

I recommend that these comments are accepted. However, because no further justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is identified, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submitters noted that the area was not previously included in the Paparoa National Park to secure a supply quality limestone to the Cape Foulwind cement works, which has since closed.
- Submissions supported the expansion of the Paparoa National Park based on anticipated benefits for tourism in the area, stating that the presence of attractions such as the Paparoa Great Walk and the Coast Road Highway has led to investments in tourism-related industries.
- Submissions commented that national parks support a nature economy, and that this is in line with the Te Whanaketanga Tai Poutini West Coast Economic Strategy 2050.
- Submissions noted that national park classification prevents mining and means development proposals are subject to higher scrutiny (e.g. will protect indigenous flora and fauna from damaging activities such as mining and clearing). They also noted that legislative “let out clauses” exist to enable things in national parks that are “necessary and have wide approval”.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions expressed concerns about the reclassification process, stating that there are “major inconsistencies and contradictions” where high value conservation land has not been recommended for reclassification as a national park.
- While acknowledging that national park classification would be a suitable reflection of the values of the area, submissions recommended that this change, given the consequent heightened restrictions, should only occur following “extensive consultation and agreement with the local iwi, stakeholders, concessionaires, interested groups and local residents in consideration in addition to not only the environmental and ecological assets, but to such things as tracking, huts, air space and landings, noise and rating”.
- Submissions raised concerns about there being no terms of reference for the Mana Whenua Panel, and suggested that Mana Whenua Panel concerns regarding national parks should have been resolved prior to the reclassification project.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- Submissions noted that the Paparoa National Park Management Plan includes a milestone for a National Park investigation to be initiated by 2019.
- Submissions acknowledged that Ngāi Tahu opposes national parks in principle, but suggested that land under statutory acknowledgements or nohoanga sites, if excluded from national park status, should not remain in stewardship.
- Submissions advocated for more funding for pest control.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Oppose

Access and Recreation (Allowed)

- It was noted that the Kawatiri Coastal Trail will pass through the area and should be facilitated by the Panels’ recommendations. A historic reserve was proposed.

I recommend that these comments are not accepted. The proposed development of new trails in the area is not prohibited by a potential national park classification, the appropriateness of which would be determined in a revised national park management plan process.

- The area was noted as having good 4WD road access, and it was suggested that accessible land such as this should have low restrictions on public access (e.g. “this is one area that has a historical tram track as access”).

- Submissions expressed concern about loss of recreation opportunities and suggested that other classifications, such as conservation park or, where higher protection is warranted, scenic or recreation reserve, may provide a better balance between recreational enjoyment and protection of natural resources.
- Concerns about dog walking and restrictions on hunting with dogs were raised specifically.
- Submissions opposed national park reclassification as excluding hunting for native species which are classified as gamebirds, such as pūkeko and paradise shelduck, or opposed any reclassification unless the reclassified purpose provides explicitly for access (including helicopter), sports fishing and gamebird hunting.

I recommend that these comments are not accepted. The methods of appreciation and recreational enjoyment proposed (e.g. dog access, hunting of indigenous avifauna) are potentially incompatible with protecting and preserving the natural resources described in the CVR, and the points raised do not justify overturning the notified intention. Although under a national park classification “the public shall have freedom of entry and access” this is subject to restrictions “necessary for the preservation of the native plants and animals or for the welfare in general of the parks” (National Parks Act 1980, s. 4(2)(e)).

Ecology and Landscape (Allowed)

- Submissions opposed all recommended reclassification as a national park, describing the land as “not so unique or scientifically important to meet the standard set by the National Parks Act”. They recommended reclassification as a conservation park, or suggested a scenic reserve or recreation reserve, to ensure sufficient protection in areas where there is potential risk of damaging activities such as mining, or recreation reserve where areas have high cultural or recreational value to the public.

I recommend that these comments are not accepted. Although areas of modification may be present, my conclusion is the natural resources described in the CVR (e.g. complex karst topography, highly diverse area with a wide variety of niches, ecosystems, and habitats) justify referring this area to the NZCA for its recommendation as to the suitability of a national park addition. This is further supported by the land context of the adjoining Paparoa National Park.

Historic and Cultural Values (Allowed)

- Submitters proposed classifying the area as a ‘Charleston Goldfields Heritage Park’ or as a historic reserve due to the historic features present (e.g. “nationally significant historic Charleston Goldfield”, “the goldfield is one large archaeological area”, “a maze of water races, tunnels, old hotel and house sites that represents a treasure trove of archaeological remnants”).

I recommend that these comments are not accepted. Although the historic resources noted by submitters are consistent with those described in the CVR (e.g. archaeological remains associated with a rich goldmining history), the points raised do not justify overturning the notified intention. Under a national park classification “Sites and objects of archaeological and historical interest shall as far as possible be preserved” (National Parks Act 1980, s. 4(2)(c)). The identified natural and historic resources warrant referring this area to the NZCA for its recommendation as to the suitability of a national park addition.

Treaty Considerations (Allowed)

- Several submissions opposed the proposed national park investigation whilst supporting the proposal to retain the area in stewardship, pending conservation law reform to create more appropriate forms of protected area classifications from a Ngāi Tahu perspective. This follows a Ngāi Tahu tribal position that a national park classification “obstructs Ngāi Tahu from maintaining ancestral relationships with the whenua, obstructs kaitiaki rights and responsibilities, limits the meaningful involvement of Ngāi Tahu in decision-making processes, and is less enabling of customary practices that are fundamental to sustaining tribal identity and mana”.
- Submissions considered reclassification as a national park to be misaligned with Treaty obligations, and advocated for these areas to remain as stewardship land until classifications that more appropriately reflect Treaty principles are established.

Potential changes to management or legislative frameworks are not the subject of the notified proposal. As such, I recommend that comments advocating for such amendments are not accepted. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further

opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA's consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions suggested there was already enough land in national parks around Charleston.
- Submissions expressed support for the recommendation made by the Mana Whenua Panel or general opposition to adding more land to national parks, without providing further justification.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions opposed national park reclassification on the grounds that it was "too restrictive".
- Submissions opposed national park reclassification based on the negative impacts on potential economic benefit derived from mineral resource extraction. They argued that this would not be in the best interests of the public.
- Submissions stated that any change should not affect existing permissions.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- It was suggested that "local residents should have a majority say in proposed land classification" as opposed to individuals from outside the region.
- It was proposed that classification should not occur until conversations have occurred with the local population around developing potential infrastructure (e.g. tracks and huts).
- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- Submissions expressed the view that national park classification does not equate to effective protection from introduced pests or predators.
- One submission opposed all reclassification of stewardship land unless it was purchased by the Nature Heritage Fund for the purpose of adding it to a national park.

As I have recommended these comments are not allowed, I recommend they are not accepted.

No Opinion/Position Not Stated

General (Allowed)

- Submissions advocated generally for all national parks, forest parks, scenic reserves and stewardship land to be protected from development.

I recommend that these comments are not accepted. The legislation does not provide for absolute protection from development – rather it contemplates that some activities may be acceptable and provides a mechanism for authorising such activities, through the grant of concessions. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Retain in Stewardship - PAP_o6_2808366b

The comments received in relation to the Mana Whenua Panel recommendation are summarised below and have been considered in relation to the notified proposal when forming s.49 allow/accept recommendations.

Support

Access and Recreation (Allowed)

- Submitters expressed support for retaining the area in stewardship “based on recreational aspects, dog access and food gathering”.

I recommend that these comments are not accepted. The methods of appreciation and recreational enjoyment proposed (dog access, food gathering) are potentially incompatible with protecting and preserving the natural resources described in the CVR, and the points raised do not justify overturning the notified intention. Although under a national park classification “the public shall have freedom of entry and access” this is subject to restrictions “necessary for the preservation of the native plants and animals or for the welfare in general of the parks” (National Parks Act 1980, s. 4(2)(e)).

Ecology and Landscape (Allowed)

- Submissions suggested that there was insufficient evidence of the conservation value and characteristics justifying national park status.

I recommend that these comments are not accepted. Although areas of modification may be present, the natural and historic resources described in the CVR (e.g. complex karst topography, highly diverse area with a wide variety of niches, ecosystems, and habitats) justify referring this area to the NZCA for its recommendation as to the suitability of a national park addition.

Treaty Considerations (Allowed)

- Several submissions opposed the proposed national park investigation whilst supporting the proposal to retain the area in stewardship, pending conservation law reform to create more appropriate forms of protected area classifications from a Ngāi Tahu perspective. This follows a Ngāi Tahu tribal position that a national park classification “obstructs Ngāi Tahu from maintaining ancestral relationships with the whenua, obstructs kaitiaki rights and responsibilities, limits the meaningful involvement of Ngāi Tahu in decision-making processes, and is less enabling of customary practices that are fundamental to sustaining tribal identity and mana”.
- Submissions considered reclassification as a national park to be misaligned with Treaty obligations, and advocated for these areas to remain as stewardship land until classifications that more appropriately reflect Treaty principles are established.

Potential changes to management or legislative frameworks are not the subject of the notified proposal. As such, I recommend that comments advocating for such amendments are not accepted. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA’s consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions expressed support for the recommendation made by the Mana Whenua Panel, without providing further justification.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions argued that reclassifying land as national park, or other classifications which fall under Schedule 4, could have economic consequences by excluding mineral extraction and other activities on that land, and that the natural values of the land may not warrant this. The potential loss of opportunities resulting from these restrictions was seen as damaging, particularly in terms of mineral extraction and site rehabilitation. It was suggested that a holistic view, considering mineral prospectivity and other economic, social, and cultural considerations, should be taken.

- Submissions supported either retaining all land in stewardship or reclassification as a conservation park, suggesting that this would provide "more than adequate legal protection" while allowing activities to be assessed on a case-by-case basis.
- Submissions stated that any change should not affect existing permissions.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- Submissions expressed doubt that reclassifying stewardship land as national parks would have a positive impact on conservation, citing DOC funding and resource limitations.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Oppose

Access and Recreation (Allowed)

- The recreation values were noted to be better protected under a national park classification (e.g. "cavers use Te Tahi cave and Hole in Hill cave, tramping tracks and commercial rainforest train railway, rafting and caving").
- Submissions advocated for reclassification as a national park to ensure ongoing access and enjoyment of the protected natural resources, and to reflect the recreational values of the area.

I recommend that these comments are accepted. These comments hold merit under the Conservation Act as they support promotion of recreation that is not inconsistent with the preservation of the natural and historic resources present.

- It was noted that the Kawatiri Coastal Trail will pass through the area and should be facilitated by the Panels' recommendations. A historic reserve was proposed.

I recommend that these comments are not accepted. The proposed development of new trails in the area is not prohibited by a potential national park classification, the appropriateness of which would be determined in a revised national park management plan process.

- Submissions expressed preference for reclassification as a national park, describing the area with its 40 m gneiss wall beside the sea as a "perfect recreation site for rock climbers" and detailing their connection to the site as a place for learning and teaching.

I recommend that these comments are not accepted. Although there may be large gneiss sea cliffs in the wider area, my understanding is that none are present in this conservation area.

Climate Change and Natural Hazards (Allowed)

- Submissions noted that ensuring high protection of these areas was especially important in the context of climate change.

I recommend that these comments are accepted. I agree that the protection of the existing natural resources present is of increasing importance when considering the need for climate mitigation. Classification as national park will support this outcome. The relevance of this factor for reclassification decisions is evident when the future-focused elements in the definition of conservation are considered, including, "safeguarding the options of future generations", in relation to 'natural resources', "the air, water and soil in or on which any plant or animal lives or may live", and in relation to 'protection' of a resource, "restoration to some former state and its augmentation, enhancement, or expansion" (Conservation Act 1987, s. 2).

Ecology and Landscape (Allowed)

- Submissions expressed preference for reclassification as a national park to reflect the high ecological and landscape values with nationally significant ecological systems and natural areas, and the comparable values to the surrounding national park.
- Submitters cited the rare species present (e.g. "the assessment supports a diversity for flora and fauna including rare, threatened and at-risk species", "nationally endangered avifauna such as whio and roroa").

- Submissions noted the landscape values of the area (e.g. “distinctive broad inland basin of complex karst topography, and hydrology, with many caves, tomos and limestone arch, deep gorges and terrace systems”, “banded gneiss rock wall”).
- The area was noted as “an outstanding natural landscape with High to Outstanding Natural Character”.

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present. The natural resources identified by submitters are consistent with those described in the CVR (e.g. complex karst topography, highly diverse area with a wide variety of niches, ecosystems, and habitats). The contiguous boundary with Paparoa National Park further supports your notified intention to refer this area to the NZCA for their recommendation on the suitability of a National Park addition.

Historic and Cultural Values (Allowed)

- Submitters noted that the “rich history of historic gold mining is evident in the area” which was more appropriately protected under a national park classification.

I recommend that these comments are accepted. The historic resources noted by submitters are consistent with those described in the CVR (e.g. archaeological remains associated with a rich goldmining history). Historic resources are protected as “Sites and objects of archaeological and historical interest shall as far as possible be preserved” (National Parks Act 1980, s. 4(2)(c)), further supporting your notified intention to refer this area to the NZCA for its recommendation as to the suitability of a national park addition.

- Submitters proposed classifying the area as a ‘Charleston Goldfields Heritage Park’ or as a historic reserve due to the historic features present (e.g. “nationally significant historic Charleston Goldfield”).

I recommend that these comments are not accepted. Although the historic resources noted by submitters are consistent with those described in the CVR (e.g. archaeological remains associated with a rich goldmining history), the points raised do not justify overturning the notified intention. Under a national park classification “Sites and objects of archaeological and historical interest shall as far as possible be preserved” (National Parks Act 1980, s. 4(2)(c)). The identified natural and historic resources warrant referring this area to the NZCA for its recommendation as to the suitability of a national park addition.

Treaty Considerations (Allowed)

- Submissions acknowledged that Ngāi Tahu opposes national parks in principle, but argued for reclassification as a national park to ensure protection of natural values, suggesting that national park classification could still allow for customary access and Treaty settlements, or that legislative or management framework changes should occur to address these concerns.
- Submissions expressed that where the Mana Whenua Panel had not identified site-specific cultural values for the land, it should be reclassified as a national park to ensure protection from activities such as mining which may be allowed on stewardship land.

I recommend that these comments are accepted to the extent that they agree the natural and historic resources present warrant referral to the NZCA for their consideration. However, while the possibility of future changes to management or legislative frameworks is identified by submitters as a potential means of reconciling that purpose with Treaty partner interests, such changes are not being considered within this reclassification exercise. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA’s consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions opposed retaining land in stewardship, describing it as a “meaningless recommendation”.
- Submissions queried the extent of the recommendations to retain land in stewardship, noting this was nearly 8,000 ha, suggesting this could instead be reclassified as a scenic reserve or conservation park.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

- Submissions expressed preference for reclassification as a national park and for high protection for more stewardship land, either without providing further justification or based on the “reasons outlined in the conservation value reports”.
- Submissions expressed preference for the National Panel recommendation, stating their support for stewardship land to be reclassified at the highest possible level based on its “high cultural conservation” values.

I recommend that these comments are accepted. However, because no further justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is identified, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions opposed retaining the area in stewardship on the grounds that this would not protect the land from damaging activities such as mining, noting the existence of prospecting permits in some areas.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.

As I have recommended these comments are not allowed, I recommend they are not accepted.

No Opinion/Position Not Stated

Access and Recreation (Allowed)

- A submission noted opposition to National Park status due to restrictions on dog access which impacts on hunting.

I recommend that these comments are not accepted. The methods of appreciation and recreational enjoyment proposed (dog access, hunting of indigenous avifauna) are potentially incompatible with protecting and preserving the natural resources described in the CVR, and the points raised do not justify overturning the notified intention. Although under a national park classification “the public shall have freedom of entry and access” this is subject to restrictions “necessary for the preservation of the native plants and animals or for the welfare in general of the parks” (National Parks Act 1980, s. 4(2)(e)).

Treaty Considerations (Allowed)

- Submissions recommended that amendments to the National Parks Act to address the concerns identified by the Mana Whenua Panel are resolved as a priority so there is no need to retain land in stewardship in the meantime.

Potential changes to management or legislative frameworks are not the subject of the notified classification proposal. As such, I recommend that comments advocating for such amendments are not accepted.

General (Allowed)

- Submissions advocated generally for all national parks, forest parks, scenic reserves and stewardship land to be protected from development.

I recommend that these comments are not accepted. The legislation does not provide for absolute protection from development – rather it contemplates that some activities may be acceptable and provides a mechanism for authorising such activities, through the grant of concessions. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

PAP_o6 - Charleston – 2808367

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Charleston	PAP_o6_2808367c	National Park (Paparoa)		6060*	25
Charleston	PAP_o6_2808367d		Stewardship	15	55

DOC Conservation Values Report Description

A 3601-ha highly connected area which contains a variety of niches, ecosystems and habitats. It is part of a wider area which is important for karst, caves and limestone, with predominantly regenerating indigenous forest.

Panel Recommendations

National Panel: National park investigation to reflect the identified values, increase the overall integrity of Paparoa National Park, and to improve landscape continuity.

Mana Whenua Panel: Retain as stewardship land pending further policy work or legal reform, based on the tribal position that the addition of land to national parks will not give effect to the principles of the Treaty of Waitangi as it alienates Ngāi Tahu from their ancestral lands.

S.49(2)(d) Recommendation

- **Proceed** with the notified proposal, by referring this area to the NZCA for its consideration on the suitability of a national park classification in accordance with the relevant policy and procedures, including Policy 6 of the General Policy for National Parks and Section 4 of the Conservation Act 1987.

Summary of accepted submissions: The submissions ‘accepted’ as holding merit supported the proposed national park addition to protect the area’s natural values and historic resources, improve climate change mitigation, and ensure ongoing public recreational access. Submitters referenced specific natural and historic resources which were noted to be of high value.

Section 4 and Treaty principles: The Mana Whenua Panel opposed the proposed national park referrals, supported by submissions from Treaty partner organisations. Te Rūnanga o Ngāi Tahu oppose all additions to national parks within the Ngāi Tahu takiwā as “the addition of land to national parks will not give effect to the principles of the Treaty of Waitangi (as required by section 4 of the Conservation Act 1987) as it alienates Ngāi Tahu from our ancestral lands”. The Mana Whenua Panel have also signalled Ngāi Tahu interests associated with this stewardship area, particularly that “Ngāi Tahu may have future aspirations for this land (such as from an economic wellbeing and development perspective)”.

I note that my s.49 recommendations and your decision on whether to refer this area to the NZCA for their consideration must give effect to Treaty principles independently of the NZCA’s section 4 obligations.

Although I acknowledge the Mana Whenua Panel opposition to the notified proposal, my assessment, considering those submissions accepted, is that the natural and historic resources present are of a similar nature to the adjacent national park, and warrant proceeding with a referral to the NZCA. Giving effect to Section 4 of the Act includes taking reasonable steps to actively protect the identified Treaty partner interests, but this obligation is not absolute and unqualified, as this would be inconsistent with DOC’s other statutory responsibilities.

* This figure includes 5,976 submissions made using a Forest and Bird template.

Referring this area to the NZCA for their consideration provides an opportunity for the NZCA to further assess the natural and historic resources present, and explore specific Ngāi Tahu interests and aspirations, including their consideration as to what giving effect to Treaty principles may require.

Rationale: My conclusion, considering those submissions accepted, is that the natural and historic resources present warrant referral to the NZCA for their consideration as per the process set out in Chapter 3 of the introduction to this Summary of Submissions Report.

National Park (Paparoa) – PAP_o6_2808367c

Support

Access and Recreation (Allowed)

- Submissions supported the national park recommendation on the grounds that this reflects the high recreation values, ensures ongoing public access, ensures that unique flora and fauna is protected for the enjoyment of present and future generations, and supports intergenerational participation in conservation.
- Submissions noted the area contains caves of high recreational significance (e.g. “caves that are nationally and internationally significant”, “cavers use Te Tahi cave and Hole in Hill cave, tramping tracks and commercial rainforest train railway, rafting and caving”).

I recommend that these comments are accepted. These comments provide site-specific details regarding the public access and recreational features present which are consistent with those described in the CVR, and warrant consideration. They hold merit under the Conservation Act as they support promotion of recreation that is not inconsistent with the preservation of the natural and historic resources present. The Western South Island Region Cave and Karst Operational Plan (2018, pg.66) confirms the potential for karst formations within this conservation area.

Climate Change and Natural Hazards (Allowed)

- Submissions suggested that suitable stewardship land should be incorporated into adjacent areas to support climate change mitigation, and that the protection of the area was especially important in the context of climate change.

I recommend that these comments are accepted. I agree that the protection of the existing natural resources present is of increasing importance when considering the need for climate mitigation. Classification as national park will support this outcome. The relevance of this factor for reclassification decisions is evident when the future-focused elements in the definition of conservation are considered, including, “safeguarding the options of future generations”, in relation to ‘natural resources’, “the air, water and soil in or on which any plant or animal lives or may live”, and in relation to ‘protection’ of a resource, “restoration to some former state and its augmentation, enhancement, or expansion” (Conservation Act 1987, s. 2).

Ecology and Landscape (Allowed)

- Submissions supported reclassification as a national park, noting that ecological, geological and landscape values are high, and similar or indistinguishable to the adjoining Paparoa National Park. The area was noted to be “an outstanding natural landscape with High to Outstanding Natural Character”.
- Submissions stated that expanding the national park would include more of the complex geology and landforms of the Paparoa Range and its adjoining lowlands.
- Submitters noted it contains important karst landforms and caves of high scientific significance which had been largely unexplored when the park was formed, (e.g. “a distinctive broad inland basin of complex karst topography, and hydrology, with many caves, tomos and limestone arch, deep gorges and terrace systems”, “rare and beautiful speleothems”), and is noted in the Paparoa National Park Management Plan as “having significant cave systems”.
- Submitters commented on the ecological value of the area (e.g. “supports a diversity for flora and fauna including rare, threatened and at risk species”, “Short-range troglobitic cave species”, “Large areas of wetlands (swamps and pākihi)”).
- Submissions stated that reclassification as a national park would increase habitat, enhance ecological connectivity and landscape continuity, streamline the management of these areas, provide a larger buffer for the

Paparoa Wilderness Area, align land classifications more closely with ecological principles (with current delineations deemed "historic and arbitrary"), and that the area "provides continuity and linkage for a small national park land parcel to the north and the main park to the south". It was also suggested that it would enable critical biodiversity (Te Mana o te Taiao), climate and freshwater outcomes.

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present which warrant consideration. The natural resources identified by submitters are consistent with those described in the CVR (e.g. complex karst topography, highly diverse area with a wide variety of niches, ecosystems, and habitats). The contiguous boundary with Paparoa National Park further supports your notified intention to refer this area to the NZCA for its recommendation as to the suitability of a national park addition.

Historic and Cultural Values (Allowed)

- Submitters noted the heritage values present (e.g. "historic gold mining is evident in the area").
- Submitters emphasised the heritage values of the Argyle water system, noted to be "nationally important for its size and intactness".

I recommend that these comments are accepted. The historic resources noted by submitters are consistent with those described in the CVR (e.g. archaeological remains associated with a rich goldmining history. Historic resources are protected as "Sites and objects of archaeological and historical interest shall as far as possible be preserved" (National Parks Act 1980, s. 4(2)(c)), further supporting your notified intention to refer this area to the NZCA for its recommendation as to the suitability of a national park addition.

Treaty Considerations (Allowed)

- Submissions acknowledged the concerns raised by the Mana Whenua Panel regarding national parks and wanted to see these addressed. However, they viewed maximum protection of the natural values as paramount and suggested that changes to management or legislative frameworks should be made to better reflect the intent of Treaty principles, and to ensure free access and use of national parks for cultural, traditional, historical, and customary purposes, while ensuring that natural values were preserved and protected under a national park classification.
- Submissions supported additions to adjacent national parks where the Mana Whenua Panel had not identified site-specific cultural values for the land.

I recommend that these comments are accepted to the extent that they agree the natural and historic resources present warrant referral to the NZCA for their consideration. However, while the possibility of future changes to management or legislative frameworks is identified by submitters as a potential means of reconciling that purpose with Treaty partner interests, such changes are not being considered within this reclassification exercise. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA's consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions expressed general support for all additions to national parks and for more stewardship land to be reclassified at the highest possible level.
- Submissions expressed agreement with the National Panel recommendation as reflecting the information in the technical reports.
- Submissions expressed agreement for the National Panel's recommendation or for additions to the national park, without providing further justification.
- Submissions noted that national park classification "applies a precautionary principle that these lands are best left in a natural state unless there is a good case otherwise".

I recommend that these comments are accepted. However, because no further justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is identified, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submitters stated that the area was not previously included in the Paparoa National Park to secure a supply quality limestone to the Cape Foulwind cement works, which has since closed (e.g. “Left out because of the now defunct limestone plant at Westport”).
- Submissions supported the expansion of the Paparoa National Park based on anticipated benefits for tourism in the area, noting that the presence of attractions such as the Paparoa Great Walk and the Coast Road Highway has led to investments in tourism-related industries.
- Submissions commented that national parks support a nature economy, and that this is in line with the Te Whanaketanga Tai Poutini West Coast Economic Strategy 2050.
- Submissions noted that national park classification prevents mining and means development proposals are subject to higher scrutiny (e.g. will protect indigenous flora and fauna from damaging activities such as mining and clearing). They also noted that legislative “let out clauses” exist to enable things in national parks that are “necessary and have wide approval”.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions expressed concerns about the reclassification process, stating that there are “major inconsistencies and contradictions” where high value conservation land has not been recommended for reclassification as a national park.
- While acknowledging that national park classification would be a suitable reflection of the values of the area, submissions recommended that this change, given the consequent heightened restrictions, should only occur following “extensive consultation and agreement with the local iwi, stakeholders, concessionaires, interested groups and local residents in consideration in addition to not only the environmental and ecological assets, but to such things as tracking, huts, air space and landings, noise and rating”.
- Submissions raised concerns about there being no terms of reference for the Mana Whenua Panel, and suggested that Mana Whenua Panel concerns regarding national parks should have been resolved prior to the reclassification project.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- Submissions noted that the Paparoa National Park Management Plan includes a milestone for a National Park investigation to be initiated by 2019.
- Noting that many West Coast residents were concerned about the effects of SNAs on their property rights, the submitter considered that this area provided an ideal opportunity to protect a large parcel of land and mitigate global warming.
- Submissions acknowledged that Ngāi Tahu opposes national parks in principle, but suggested that land under statutory acknowledgements or nohoanga sites, if excluded from national park status, should not remain in stewardship.
- Submissions advocated for more funding for pest control.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Oppose

Access and Recreation (Allowed)

- It was noted that the Kawatiri Coastal Trail will pass through the area and should be facilitated by the Panels’ recommendations. A historic reserve was proposed.

I recommend that these comments are not accepted. The proposed development of new trails in the area is not prohibited by a potential national park classification, the appropriateness of which would be determined in a revised national park management plan process.

- Submitters expressed opposition to national park classification due to recreational restrictions such as dog walking or hunting with dogs. The area was described as having good 4WD road access and it was suggested that accessible land such as this should have low restrictions on public access (e.g. “The 4 Mile Rd is an important recreational asset for access into the Nile River for recreation, biking, 4WD use and dog walking and hunting with dogs”).
- Submissions suggested that other classifications, such as conservation park or, where higher protection is warranted, scenic or recreation reserve, may provide a better balance between recreational enjoyment and protection of natural resources.
- Submissions opposed national park reclassification as excluding hunting for native species which are classified as gamebirds, such as pūkeko and paradise shelduck, or opposed any reclassification unless the reclassified purpose provides explicitly for access (including helicopter), sports fishing and gamebird hunting.

I recommend that these comments are not accepted. The methods of appreciation and recreational enjoyment proposed (e.g. dog access, hunting of indigenous avifauna) are potentially incompatible with protecting and preserving the natural resources described in the CVR, and the points raised do not justify overturning the notified intention. Although under a national park classification “the public shall have freedom of entry and access” this is subject to restrictions “necessary for the preservation of the native plants and animals or for the welfare in general of the parks” (National Parks Act 1980, s. 4(2)(e)).

Ecology and Landscape (Allowed)

- Submissions opposed all recommended reclassification as a national park, describing the land as “not so unique or scientifically important to meet the standard set by the National Parks Act”. They recommended reclassification as a conservation park, or suggested a scenic reserve or recreation reserve, to ensure sufficient protection in areas where there is potential risk of damaging activities such as mining, or recreation reserve where areas have high cultural or recreational value to the public.

I recommend that these comments are not accepted. Although areas of modification may be present, the natural resources described in the CVR (e.g. complex karst topography, highly diverse area with a wide variety of niches, ecosystems, and habitats) justify referring this area to the NZCA for its recommendation as to the suitability of a national park addition. This is further supported by the land context of the adjoining Paparoa National Park.

Historic and Cultural Values (Allowed)

- Submitters proposed classifying the area as the ‘Charleston Goldfields Heritage Park’ or as a historic reserve due to the historic features present (e.g. “nationally significant historic Charleston Goldfield”, “the goldfield is one large archaeological area”, “a maze of water races, tunnels, old hotel and house sites that represents a treasure trove of archaeological remnants”).
- The area is noted to include a seven kilometre section of ancient pounamu trail, with this specific section known as the ‘Tauhinu Pakihi’ which would be better protected as a historic reserve.

I recommend that these comments are not accepted. Although the historic resources noted by submitters are consistent with those described in the CVR (e.g. archaeological remains associated with a rich goldmining history), the points raised do not justify overturning the notified intention. Under a national park classification “Sites and objects of archaeological and historical interest shall as far as possible be preserved” (National Parks Act 1980, s. 4(2)(c)). The identified natural resources warrant referring this area to the NZCA for its recommendation as to the suitability of a national park addition.

Treaty Considerations (Allowed)

- Several submissions opposed the proposed national park investigation whilst supporting the proposal to retain the area in stewardship, pending conservation law reform to create more appropriate forms of protected area classifications from a Ngāi Tahu perspective. This follows a Ngāi Tahu tribal position that a national park classification “obstructs Ngāi Tahu from maintaining ancestral relationships with the whenua, obstructs kaitiaki rights and responsibilities, limits the meaningful involvement of Ngāi Tahu in decision-making processes, and is less enabling of customary practices that are fundamental to sustaining tribal identity and mana”.

- Submissions considered reclassification as a national park to be misaligned with Treaty obligations, and advocated for these areas to remain as stewardship land until classifications that more appropriately reflect Treaty principles are established.

Potential changes to management or legislative frameworks are not the subject of the notified proposal. As such, I recommend that comments advocating for such amendments are not accepted. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA's consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions suggested there was “enough” land in national parks around Charleston already.
- Submissions expressed support for the recommendation made by the Mana Whenua Panel or general opposition to adding more land to national parks, without providing further justification.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submitters outlined the potential economic benefits of classifying the area as a historic reserve instead, citing development opportunities which would be restricted by a national park classification.
- Submissions opposed national park reclassification on the grounds that it was “too restrictive”.
- Submissions opposed national park reclassification based on the negative impacts on potential economic benefit derived from mineral resource extraction. They argued that this would not be in the best interests of the public.
- Submissions stated that any change should not affect existing permissions.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- It was suggested that “local residents should have a majority say in proposed land classification” as opposed to individuals from outside the region.
- It was proposed that classification should not occur until conversations have occurred with the local population regarding the development of potential infrastructure (e.g. tracks and huts).
- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- Submissions expressed the view that national park classification does not equate to effective protection from introduced pests or predators.
- One submission opposed all reclassification of stewardship land unless it was purchased by the Nature Heritage Fund for the purpose of adding it to a national park.

As I have recommended these comments are not allowed, I recommend they are not accepted.

No Opinion/Position Not Stated

General (Allowed)

- Submissions advocated generally for all national parks, forest parks, scenic reserves and stewardship land to be protected from development.

I recommend that these comments are not accepted. The legislation does not provide for absolute protection from development – rather it contemplates that some activities may be acceptable and provides a mechanism for authorising

such activities, through the grant of concessions. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Retain in Stewardship - PAP_o6_2808367d

The comments received in relation to the Mana Whenua Panel recommendation are summarised below and have been considered in relation to the notified proposal when forming s.49 allow/accept recommendations.

Support

Access and Recreation (Allowed)

- Submitters expressed support for retaining the area in stewardship based on recreational aspects, such as food gathering, recreation, biking, 4WD use and dog walking and hunting with dogs.

I recommend that these comments are not accepted. The methods of appreciation and recreational enjoyment proposed (e.g. dog access, food gathering) are potentially incompatible with protecting and preserving the natural resources described in the CVR, and the points raised do not justify overturning the notified intention. Although under a national park classification “the public shall have freedom of entry and access” this is subject to restrictions “necessary for the preservation of the native plants and animals or for the welfare in general of the parks” (National Parks Act 1980, s. 4(2)(e)).

Ecology and Landscape (Allowed)

- Submissions suggested that there was insufficient evidence of the conservation value and characteristics justifying national park status.

I recommend that these comments are not accepted. Although areas of modification may be present, the natural and historic resources described in the CVR (e.g. complex karst topography, highly diverse area with a wide variety of niches, ecosystems, and habitats) justify referring this area to the NZCA for its recommendation as to the suitability of a national park addition.

Treaty Considerations (Allowed)

- Several submissions opposed the proposed national park investigation whilst supporting the proposal to retain the area in stewardship, pending conservation law reform to create more appropriate forms of protected area classifications from a Ngāi Tahu perspective. This follows a Ngāi Tahu tribal position that a national park classification “obstructs Ngāi Tahu from maintaining ancestral relationships with the whenua, obstructs kaitiaki rights and responsibilities, limits the meaningful involvement of Ngāi Tahu in decision-making processes, and is less enabling of customary practices that are fundamental to sustaining tribal identity and mana”.
- Submissions considered reclassification as a national park to be misaligned with Treaty obligations, and advocated for these areas to remain as stewardship land until classifications that more appropriately reflect Treaty principles are established.

Potential changes to management or legislative frameworks are not the subject of the notified proposal. As such, I recommend that comments advocating for such amendments are not accepted. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA’s consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions expressed support for the recommendation made by the Mana Whenua Panel, without providing further justification.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions argued that reclassifying land as national park, or other classifications which fall under Schedule 4, could have economic consequences by excluding mineral extraction and other activities on that land, and that the natural values of the land may not warrant this. The potential loss of opportunities resulting from these restrictions was seen as damaging, particularly in terms of mineral extraction and site rehabilitation. It was suggested that a holistic view, considering mineral prospectivity and other economic, social, and cultural considerations, should be taken.
- Submissions supported either retaining all land in stewardship or reclassification as a conservation park, suggesting that this would provide "more than adequate legal protection" while allowing activities to be assessed on a case-by-case basis.
- Submissions stated that any change should not affect existing permissions.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- Submissions expressed doubt that reclassifying stewardship land as national parks would have a positive impact on conservation, citing DOC funding and resource limitations.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Oppose

Access and Recreation (Allowed)

- Submissions advocated for reclassification as a national park to ensure ongoing access and enjoyment of the protected natural resources, and to reflect the recreational values of the area.
- The recreation values were considered to be better protected under a national park classification (e.g. "cavers use Te Tahi cave and Hole in Hill cave, tramping tracks and commercial rainforest train railway, rafting and caving").

I recommend that these comments are accepted. These comments hold merit under the Conservation Act as they support promotion of recreation that is not inconsistent with the preservation of the natural and historic resources present.

- It was noted that the Kawatiri Coastal Trail will pass through the area and should be facilitated by the Panels' recommendations. A historic reserve was proposed.

I recommend that these comments are not accepted. The proposed development of new trails in the area is not prohibited by a potential national park classification, the appropriateness of which would be determined in a revised national park management plan process.

- Submissions expressed preference for reclassification as a national park, describing the area with its 40 m gneiss wall beside the sea as a "perfect recreation site for rock climbers", and detailing their connection to the site as a place for learning and teaching.

I recommend that these comments are not accepted. Although there may be large gneiss sea cliffs in the wider area, my understanding is that none are present in this conservation area.

Climate Change and Natural Hazards (Allowed)

- Submissions noted that ensuring high protection of these areas was especially important in the context of climate change.

I recommend that these comments are accepted. I agree that the protection of the existing natural resources present is of increasing importance when considering the need for climate mitigation. Classification as national park will support this outcome. The relevance of this factor for reclassification decisions is evident when the future-focused elements in the definition of conservation are considered, including, "safeguarding the options of future generations", in relation to 'natural resources', "the air, water and soil in or on which any plant or animal lives or may live", and in relation to 'protection' of a resource, "restoration to some former state and its augmentation, enhancement, or expansion" (Conservation Act 1987, s. 2).

Ecology and Landscape (Allowed)

- Submissions expressed preference for reclassification as a national park to reflect the high ecological and landscape values with nationally significant ecological systems and natural areas, and the comparable values to the surrounding national park.
- Various landscape and geographical features were highlighted (e.g. “distinctive broad inland basin of complex karst topography, and hydrology, with many caves, tomos and limestone arch, deep gorges and terrace systems”, “banded gneiss rock wall”).
- The area was noted as “an outstanding natural landscape with High to Outstanding Natural Character”.
- Submitters preferred the higher level of protection offered by a national park classification for rare features and species” (e.g. “the assessment supports a diversity for flora and fauna including rare, threatened and at-risk species”).

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present. The natural resources identified by submitters are consistent with those described in the CVR (e.g. complex karst topography, highly diverse area with a wide variety of niches, ecosystems, and habitats), supporting your notified intention to refer this area to the NZCA for its recommendation as to the suitability of a national park addition.

Historic and Cultural Values (Allowed)

- Submitters commented that the “rich history of historic gold mining” evident in the area is appropriately protected under a national park classification.

I recommend that these comments are accepted. The historic resources noted by submitters are consistent with those described in the CVR (e.g. archaeological remains associated with a rich goldmining history). Historic resources are protected as “Sites and objects of archaeological and historical interest shall as far as possible be preserved” (National Parks Act 1980, s. 4(2)(c)), further supporting your notified intention to refer this area to the NZCA for its recommendation as to the suitability of a national park addition.

- Submitters proposed classifying the area as a ‘Charleston Goldfields Heritage Park’ or as a historic reserve due to the historic features present (e.g. “nationally significant historic Charleston Goldfield”, “the goldfield is one large archaeological area”, “a maze of water races, tunnels, old hotel and house sites that represents a treasure trove of archaeological remnants”).
- The area is noted to include a seven kilometre section of ancient pounamu trail, with this specific section known as the ‘Tauhinu Pakihi’ which would be better protected as a historic reserve.

I recommend that these comments are not accepted. Although the historic resources noted by submitters are consistent with those described in the CVR (e.g. archaeological remains associated with a rich goldmining history), the points raised do not justify overturning the notified intention. Under a national park classification “Sites and objects of archaeological and historical interest shall as far as possible be preserved” (National Parks Act 1980, s. 4(2)(c)). The identified natural resources warrant referring this area to the NZCA for its recommendation as to the suitability of a national park addition.

Treaty Considerations (Allowed)

- Submissions acknowledged that Ngāi Tahu opposes national parks in principle, but argued for reclassification as a national park to ensure protection of natural values, suggesting that national park classification could still allow for customary access and Treaty settlements, or that legislative or management framework changes should occur to address these concerns.
- Submissions expressed that where the Mana Whenua Panel had not identified site-specific cultural values for the land, it should be reclassified as a national park to ensure protection from activities such as mining which may be allowed on stewardship land.

I recommend that these comments are accepted to the extent that they agree the natural and historic resources present warrant referral to the NZCA for their consideration. However, while the possibility of future changes to management or legislative frameworks is identified by submitters as a potential means of reconciling that purpose with Treaty partner interests, such changes are not being considered within this reclassification exercise. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a

further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA's consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- A submission advocated for the area to be added to the Atbara-Nile Ecological Area.
- Submissions opposed retaining land in stewardship, describing it as a "meaningless recommendation".
- Submissions queried the extent of the recommendations to retain land in stewardship, noting this was nearly 8,000 ha, suggesting this could instead be reclassified as a scenic reserve or conservation park.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

- Submissions expressed preference for reclassification as a national park and for high protection for more stewardship land, either without providing further justification or based on the "reasons outlined in the conservation value reports".
- Submissions expressed preference for the National Panel recommendation, stating their support for stewardship land to be reclassified at the highest possible level based on its high cultural conservation values.

I recommend that these comments are accepted. However, because no further justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is identified, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submission in support of a historic reserve suggested that it "would have a major positive impact on tourism growth at Charleston".
- Submissions opposed retaining the area in stewardship on the grounds that this would not protect the land from damaging activities such as mining, noting the existence of prospecting permits in some areas.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.

As I have recommended these comments are not allowed, I recommend they are not accepted.

No Opinion/Position Not Stated

Access and Recreation (Allowed)

- Submissions expressed opposition to National Park status due to restrictions on dog access which impacts on hunting, and noted the area to have good 4WD road access and suggested that accessible land such as this should have low restrictions on public access.

I recommend that these comments are not accepted. The methods of appreciation and recreational enjoyment proposed (e.g. dog access) are potentially incompatible with protecting and preserving the natural resources described in the CVR. Although under a national park classification "the public shall have freedom of entry and access" this is subject to restrictions "necessary for the preservation of the native plants and animals or for the welfare in general of the parks" (National Parks Act 1980, s. 4(2)(e)).

Treaty Considerations (Allowed)

- Submissions recommended that amendments to the National Parks Act to address the concerns identified by the Mana Whenua Panel are resolved as a priority so there is no need to retain land in stewardship in the meantime.

Potential changes to management or legislative frameworks are not the subject of the notified classification proposal. As such, I recommend that comments advocating for such amendments are not accepted.

General (Allowed)

- Submissions advocated generally for all national parks, forest parks, scenic reserves and stewardship land to be protected from development.

I recommend that these comments are not accepted. The legislation does not provide for absolute protection from development – rather it contemplates that some activities may be acceptable and provides a mechanism for authorising such activities, through the grant of concessions. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

PAP_07 - White Horse Creek – 2806939

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
White Horse Creek	PAP_07_2806939e	National Park (Paparoa)		6053*	22
White Horse Creek	PAP_07_2806939f		Stewardship	14	498

DOC Conservation Values Report Description

A 2.6-ha coastal area connected to other stewardship land areas which are collectively surrounded by Paparoa National Park, containing diverse systems and flora and fauna.

Panel Recommendations

National Panel: National park investigation to reflect the identified values, increase the overall integrity of the Paparoa National Park, and to improve landscape continuity.

Mana Whenua Panel: Retain as stewardship land pending further policy work or legal reform, based on the tribal position that the addition of land to national parks will not give effect to the principles of the Treaty of Waitangi as it alienates Ngāi Tahu from their ancestral lands.

S.49(2)(d) Recommendation

- Proceed with the notified proposal, by referring this area to the NZCA for its consideration on the suitability of a national park classification in accordance with the relevant policy and procedures, including Policy 6 of the General Policy for National Parks and Section 4 of the Conservation Act 1987.

Summary of accepted submissions: The submissions ‘accepted’ as holding merit supported the proposed national park addition to protect the area’s natural values, improve climate change mitigation, and ensure ongoing public recreational access. Submitters referenced specific natural resources which were noted to be of high value and similar in nature to the adjoining Paparoa National Park.

Section 4 and Treaty principles: The Mana Whenua Panel opposed the proposed national park referrals, supported by submissions from Treaty partner organisations. Te Rūnanga o Ngāi Tahu oppose all additions to national parks within the Ngāi Tahu takiwā as “the addition of land to national parks will not give effect to the principles of the Treaty of Waitangi (as required by section 4 of the Conservation Act 1987) as it alienates Ngāi Tahu from our ancestral lands”.

I note that my s.49 recommendations and your decision on whether to refer this area to the NZCA for their consideration must give effect to Treaty principles independently of the NZCA’s section 4 obligations.

Although I acknowledge the Mana Whenua Panel opposition to the notified proposal, my assessment, considering those submissions accepted, is that the natural and historic resources present are of a similar nature to the adjacent national park, and warrant proceeding with a referral to the NZCA. Giving effect to Section 4 of the Act includes taking reasonable steps to actively protect the identified Treaty partner interests, but this obligation is not absolute and unqualified, as this would be inconsistent with DOC’s other statutory responsibilities.

Referring this area to the NZCA for their consideration provides an opportunity for the NZCA to further assess the natural and historic resources present, and explore specific Ngāi Tahu interests and aspirations, including their consideration as to what giving effect to Treaty principles may require.

Rationale: My conclusion, considering those submissions accepted, is that the natural and historic resources present warrant referral to the NZCA for their consideration as per the process set out in Chapter 3 of the introduction to this Summary of Submissions Report.

* This figure includes 5,976 submissions made using a Forest and Bird template.

National Park (Paparoa) - PAP_07_2806939e

Support

Access and Recreation (Allowed)

- Submissions supported the national park recommendation on the grounds that this reflects the high recreation values, ensures ongoing public access (e.g. “including ongoing climbing access”), ensures that unique flora and fauna is protected for the enjoyment of present and future generations, and supports intergenerational participation in conservation.

I recommend that these comments are accepted. These comments hold merit under the Conservation Act as they support promotion of recreation that is not inconsistent with the preservation of the natural and historic resources present.

- Submissions noted the area contains caves of high recreational significance.

I recommend that these comments are not accepted. Although there may be caves of high recreational significance in the wider area, my understanding based on the Western South Island Region Cave and Karst Operational Plan (2018, pg.66) is that there are no caves present in this conservation area.

Climate Change and Natural Hazards (Allowed)

- Submissions suggested that suitable stewardship land should be incorporated into adjacent areas to support climate change mitigation, and that the protection of the area was especially important in the context of climate change.

I recommend that these comments are accepted. I agree that the protection of the existing natural resources present is of increasing importance when considering the need for climate mitigation. Classification as national park will support this outcome. The relevance of this factor for reclassification decisions is evident when the future-focused elements in the definition of conservation are considered, including, “safeguarding the options of future generations”, in relation to ‘natural resources’, “the air, water and soil in or on which any plant or animal lives or may live”, and in relation to ‘protection’ of a resource, “restoration to some former state and its augmentation, enhancement, or expansion” (Conservation Act 1987, s. 2).

Ecology and Landscape (Allowed)

- Submissions supported reclassification as a national park, noting that ecological, geological and landscape values are high, and similar or indistinguishable to the adjoining Paparoa National Park. The area was noted as “an outstanding natural landscape with Outstanding Natural Character” and “a visually impressive section of scenic landscape visible along State Highway 6”.
- Submissions in support noted that expanding the national park would include more of the complex geology and landforms of the Paparoa Range and its adjoining lowlands. Features mentioned included important karst landforms and caves of high scientific significance which had been largely unexplored when the park was formed (e.g. “Ultramylonite rock within White Horse Creek conservation area is of national scientific and educational importance”, “precious and pristine areas”).
- Submissions highlighted ecological values (e.g. that the area is “one of four areas forming an important connection from the alpine tops to the coast”, with “kororā known to nest in the coastal areas”, and “is slowly reverting to its original lowland podocarp/beechn forested state”).
- Submissions expressed that national park reclassification would increase habitat, enhance ecological connectivity and landscape continuity, streamline the management of these areas, provide a larger buffer for the Paparoa Wilderness Area, and align land classifications more closely with ecological principles (noting that current delineations are “historic and arbitrary”). It was also suggested that it would enable critical biodiversity (Te Mana o te Taiao), climate, and freshwater outcomes.

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present. The natural resources identified by submitters are consistent with those described in the CVR (e.g. a variety of geologies and a rich diversity of native flora and fauna). The contiguous boundary with Paparoa National Park further

supports your notified intention to refer this area to the NZCA for its recommendation as to the suitability of a national park addition.

Historic and Cultural Values (Allowed)

- One submitter supported addition to the national park to protect a cave of historic significance (e.g. “There is also a significant sea cave, formed during a Pleistocene period of raised sea level which is of historical significance”).

I recommend that these comments are accepted. The historic resources noted by submitters are consistent with those described in the CVR (e.g. river and stream mouths at which there may be evidence of previously unrecorded Māori occupation), supporting your notified intention to refer this area to the NZCA for its recommendation as to the suitability of a national park addition.

Treaty Considerations (Allowed)

- Submissions acknowledged the concerns raised by the Mana Whenua Panel regarding national parks and wanted to see these addressed. However, they viewed maximum protection of the natural values as paramount and suggested that changes to management or legislative frameworks should be made to better reflect the intent of Treaty principles, and to ensure free access and use of national parks for cultural, traditional, historical, and customary purposes, while ensuring that natural values were preserved and protected under a national park classification.
- Submissions supported additions to adjacent national parks where the Mana Whenua Panel had not identified site-specific cultural values for the land.

I recommend that these comments are accepted to the extent that they agree the natural and historic resources present warrant referral to the NZCA for their consideration. However, while the possibility of future changes to management or legislative frameworks is identified by submitters as a potential means of reconciling that purpose with Treaty partner interests, such changes are not being considered within this reclassification exercise. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA’s consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions expressed general support for all additions to national parks and for more areas of stewardship land to be added to national parks.
- Submissions expressed agreement with the National Panel recommendation, stating their support for stewardship land to be reclassified at the highest possible level based on its high cultural conservation value, or that this reflected the information in the technical reports.
- Submissions expressed agreement for the National Panel’s recommendation or for additions to the national park, without providing further justification.
- Submissions noted that national park classification “applies a precautionary principle that these lands are best left in a natural state unless there is a good case otherwise”.

I recommend that these comments are accepted. However, because no further justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is identified, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions supported the expansion of the Paparoa National Park based on anticipated benefits for tourism in the area, noting that the presence of attractions such as the Paparoa Great Walk and the Coast Road Highway has led to investments in tourism-related industries.
- Submissions commented that national parks support a nature economy, and that this is in line with the Te Whanaketanga Tai Poutini West Coast Economic Strategy 2050.
- Submissions noted that national park classification prevents mining and means development proposals are subject to higher scrutiny (e.g. will protect indigenous flora and fauna from damaging activities such as mining

and clearing). They also noted that legislative “let out clauses” exist to enable things in national parks that are “necessary and have wide approval”.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions expressed concerns about the reclassification process, stating that there are “major inconsistencies and contradictions” where high value conservation land has not been recommended for reclassification as a national park.
- While acknowledging that national park classification would be a suitable reflection of the values of the area, submissions recommended that this change, given the consequent heightened restrictions, should only occur following “extensive consultation and agreement with the local iwi, stakeholders, concessionaires, interested groups and local residents in consideration in addition to not only the environmental and ecological assets, but to such things as tracking, huts, air space and landings, noise and rating”.
- Submissions raised concerns about there being no terms of reference for the Mana Whenua Panel, and suggested that Mana Whenua Panel concerns regarding national parks should have been resolved prior to the reclassification project.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- Submissions acknowledged that Ngāi Tahu opposes national parks in principle, but suggested that land under statutory acknowledgements or nohoanga sites, if excluded from national park status, should not remain in stewardship.
- Submissions advocated for more funding for pest control.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Oppose

Access and Recreation (Allowed)

- Submissions expressed concern about loss of recreation opportunities and suggested that other classifications, such as conservation park or, where higher protection is warranted, scenic or recreation reserve, may provide a better balance between recreational enjoyment and protection of natural resources.
- Restrictions on dog walking were raised specifically as a concern by a West Coast resident.
- Submissions opposed any reclassification unless the reclassified purpose provides explicitly for access (including helicopter), sports fishing and gamebird hunting. Concern was raised that a national park classification excluded hunting for native species which are classified as gamebirds, such as pūkeko and paradise shelduck.

I recommend that these comments are not accepted. The methods of appreciation and recreational enjoyment proposed (e.g. dog access, hunting of indigenous avifauna) are potentially incompatible with protecting and preserving the natural resources described in the CVR, and the points raised do not justify overturning the notified intention. Although under a national park classification “the public shall have freedom of entry and access” this is subject to restrictions “necessary for the preservation of the native plants and animals or for the welfare in general of the parks” (National Parks Act 1980, s. 4(2)(e)).

Ecology and Landscape (Allowed)

- Submissions opposed all recommended reclassification as a national park, describing the land as “not so unique or scientifically important to meet the standard set by the National Parks Act”. They recommended reclassification as a conservation park, or suggested a scenic reserve or recreation reserve, to ensure sufficient protection in areas where there is potential risk of damaging activities such as mining, or recreation reserve where areas have high cultural or recreational value to the public.

I recommend that these comments are not accepted. Although areas of modification may be present, the natural resources described in the CVR (e.g. a variety of geologies and a rich diversity of native flora and fauna) justify referring this area to

the NZCA for its recommendation as to the suitability of a national park addition. This is further supported by the land context of the adjoining Paparoa National Park.

Treaty Considerations (Allowed)

- Several submissions opposed the proposed national park investigation whilst supporting the proposal to retain the area in stewardship, pending conservation law reform to create more appropriate forms of protected area classifications from a Ngāi Tahu perspective. This follows a Ngāi Tahu tribal position that a national park classification “obstructs Ngāi Tahu from maintaining ancestral relationships with the whenua, obstructs kaitiaki rights and responsibilities, limits the meaningful involvement of Ngāi Tahu in decision-making processes, and is less enabling of customary practices that are fundamental to sustaining tribal identity and mana”.
- Submissions considered reclassification as a national park to be misaligned with Treaty obligations, and advocated for these areas to remain as stewardship land until classifications that more appropriately reflect Treaty principles are established.

Potential changes to management or legislative frameworks are not the subject of the notified proposal. As such, I recommend that comments advocating for such amendments are not accepted. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA’s consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions expressed support for the recommendation made by the Mana Whenua Panel or general opposition to adding more land to national parks, without providing further justification.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions opposed national park reclassification on the grounds that it was “too restrictive”.
- Submissions opposed national park reclassification based on the negative impacts on potential economic benefit derived from mineral resource extraction. They argued that this would not be in the best interests of the public.
- Submissions stated that any change should not affect existing permissions.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- Submissions expressed the view that national park classification does not equate to effective protection from introduced pests or predators.
- One submission opposed all reclassification of stewardship land unless it was purchased by the Nature Heritage Fund for the purpose of adding it to a national park.

As I have recommended these comments are not allowed, I recommend they are not accepted.

No Opinion/Position Not Stated

General (Allowed)

- Submissions advocated generally for all national parks, forest parks, scenic reserves and stewardship land to be protected from development.

I recommend that these comments are not accepted. The legislation does not provide for absolute protection from development – rather it contemplates that some activities may be acceptable and provides a mechanism for authorising such activities, through the grant of concessions. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Retain in Stewardship - PAP_07_2806939f

The comments received in relation to the Mana Whenua Panel recommendation are summarised below and have been considered in relation to the notified proposal when forming s.49 allow/accept recommendations.

Support

Ecology and Landscape (Allowed)

- Submissions suggested that there was insufficient evidence of the conservation value and characteristics justifying national park status.

I recommend that these comments are not accepted. Although areas of modification may be present, the natural and historic resources described in the CVR (e.g. a variety of geologies and a rich diversity of native flora and fauna) justify referring this area to the NZCA for its recommendation as to the suitability of a national park addition. This is further supported by the contiguous boundary with Paparoa National Park.

Treaty Considerations (Allowed)

- Several submissions opposed the proposed national park investigation whilst supporting the proposal to retain the area in stewardship, pending conservation law reform to create more appropriate forms of protected area classifications from a Ngāi Tahu perspective. This follows a Ngāi Tahu tribal position that a national park classification “obstructs Ngāi Tahu from maintaining ancestral relationships with the whenua, obstructs kaitiaki rights and responsibilities, limits the meaningful involvement of Ngāi Tahu in decision-making processes, and is less enabling of customary practices that are fundamental to sustaining tribal identity and mana”.
- Submissions considered reclassification as a national park to be misaligned with Treaty obligations, and advocated for these areas to remain as stewardship land until classifications that more appropriately reflect Treaty principles are established.

Potential changes to management or legislative frameworks are not the subject of the notified proposal. As such, I recommend that comments advocating for such amendments are not accepted. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA’s consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions expressed support for the recommendation made by the Mana Whenua Panel, without providing further justification.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions argued that reclassifying land as national park, or other classifications which fall under Schedule 4, could have economic consequences by excluding mineral extraction and other activities on that land, and that the natural values of the land may not warrant this. The potential loss of opportunities resulting from these restrictions was seen as damaging, particularly in terms of mineral extraction and site rehabilitation. It was suggested that a holistic view, considering mineral prospectivity and other economic, social, and cultural considerations, should be taken.
- Submissions supported either retaining all land in stewardship or reclassification as a conservation park, suggesting that this would provide “more than adequate legal protection” while allowing activities to be assessed on a case-by-case basis.

- Submissions stated that any change should not affect existing permissions.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- Submissions expressed doubt that reclassifying stewardship land as national parks would have a positive impact on conservation, citing DOC funding and resource limitations.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Oppose

Access and Recreation (Allowed)

- Submissions advocated for reclassification to Paparoa National Park to ensure “ongoing climbing access”.
- Submissions advocated for reclassification as a national park to ensure ongoing access and enjoyment of the protected natural resources, and to reflect the recreational values of the area.

I recommend that these comments are accepted. These comments hold merit under the Conservation Act as they support promotion of recreation that is not inconsistent with the preservation of the natural and historic resources present.

Climate Change and Natural Hazards (Allowed)

- Submissions noted that ensuring high protection of these areas was especially important in the context of climate change.

I recommend that these comments are accepted. I agree that the protection of the existing natural resources present is of increasing importance when considering the need for climate mitigation. Classification as national park will support this outcome. The relevance of this factor for reclassification decisions is evident when the future-focused elements in the definition of conservation are considered, including, “safeguarding the options of future generations”, in relation to ‘natural resources’, “the air, water and soil in or on which any plant or animal lives or may live”, and in relation to ‘protection’ of a resource, “restoration to some former state and its augmentation, enhancement, or expansion” (Conservation Act 1987, s. 2).

Ecology and Landscape (Allowed)

- Submissions expressed preference for reclassification as a national park to reflect the high ecological and landscape values with nationally significant ecological systems and natural areas, and the comparable values to the surrounding national park.
- Submitters emphasised the ecological values of the area (e.g. “very diverse with coastal systems, creeks, pakihi and mature indigenous forest”, “support rich diversity of flora and fauna”).
- The area was noted as “an outstanding natural landscape with Outstanding Natural Character”, and the “Ultramylonite rock within White Horse Creek conservation area is of national scientific and educational importance”.

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present which warrant consideration. The natural resources identified by submitters are consistent with those described in the CVR. The contiguous boundary with the adjoining Paparoa National Park further supports your notified intention to refer this area to the NZCA for its recommendation as to the suitability of a national park addition.

Treaty Considerations (Allowed)

- Submissions acknowledged that Ngāi Tahu opposes national parks in principle, but argued for reclassification as a national park to ensure protection of natural values, suggesting that national park classification could still allow for customary access and Treaty settlements, or that legislative or management framework changes should occur to address these concerns.
- Submissions expressed that where the Mana Whenua Panel had not identified site-specific cultural values for the land, it should be reclassified as a national park to ensure protection from activities such as mining which may be allowed on stewardship land.

I recommend that these comments are accepted to the extent that they agree the natural and historic resources present warrant referral to the NZCA for their consideration. However, while the possibility of future changes to management or legislative frameworks is identified by submitters as a potential means of reconciling that purpose with Treaty partner interests, such changes are not being considered within this reclassification exercise. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA's consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions expressed preference for the National Panel recommendation, stating their support for stewardship land to be reclassified at the highest possible level.
- Submissions expressed preference for reclassification as a national park and for high protection for more stewardship land, either without providing further justification or based on the "reasons outlined in the conservation value reports".

I recommend that these comments are accepted. However, because no further justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is identified, these submission points do not raise any matters for further consideration.

- Submissions opposed retaining land in stewardship, describing it as a "meaningless recommendation".
- Submissions queried the extent of the recommendations to retain land in stewardship, noting this was nearly 8,000 ha, suggesting this could instead be reclassified as a scenic reserve or conservation park.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions opposed retaining the area in stewardship on the grounds that this would not protect the land from damaging activities such as mining, noting the existence of prospecting permits in some areas.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.

As I have recommended these comments are not allowed, I recommend they are not accepted.

No Opinion/Position Not Stated

Treaty Considerations (Allowed)

- Submissions recommended that amendments to the National Parks Act to address the concerns identified by the Mana Whenua Panel are resolved as a priority so there is no need to retain land in stewardship in the meantime.

Potential changes to management or legislative frameworks are not the subject of the notified classification proposal. As such, I recommend that comments advocating for such amendments are not accepted.

General (Allowed)

- Submissions advocated generally for all national parks, forest parks, scenic reserves and stewardship land to be protected from development.

I recommend that these comments are not accepted. The legislation does not provide for absolute protection from development – rather it contemplates that some activities may be acceptable and provides a mechanism for authorising such activities, through the grant of concessions. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

PAP_07 - Four Mile River – 2808370

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Four Mile River	PAP_07_2808370g	Scenic Reserve (a)	Neutral	19	8

DOC Conservation Values Report Description

A 4.6-ha area connected to a scenic reserve and other stewardship land, containing diverse systems and flora and fauna.

Panel Recommendations

National Panel: Scenic reserve (a), to protect the identified ecological values while providing for recreational use of the area.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal scenic reserve (a).

Summary of accepted submissions: Those submissions ‘accepted’ as holding merit supported the notified classification as offering sufficient protection in the context of climate change, and reflecting the notable natural resources present.

Section 4 and Treaty principles: The Mana Whenua Panel did not oppose the proposed classification.

No specific Ngāi Tahu interests were raised for consideration by the Mana Whenua Panel for this stewardship area. I acknowledge statements of the Mana Whenua Panel that “there is a deep connection between Ngāi Tahu and all of the whenua in the Ngāi Tahu takiwā, and the absence of site-specific values in the preliminary analysis does not detract from that connection, nor does it confirm that site-specific values are not present.”

Rationale: My conclusion is that the proposed classification will appropriately promote the conservation of the natural and historic resources present (e.g. variety of geologies and a rich diversity of native flora and fauna) and reflects the context of the adjacent scenic reserve.

Scenic Reserve (a) - PAP_07_2808370g

Support

Climate Change and Natural Hazards (Allowed)

- Submissions expressed support for scenic reserve reclassification as offering a high level of environmental protection, noting that this is particularly important in the context of climate change.

I recommend that these comments are accepted. I agree that the protection of the existing natural resources present is of increasing importance when considering the need for climate mitigation. Classification as scenic reserve will support this outcome. The relevance of this factor for reclassification decisions is evident when the future-focused elements in the definition of conservation are considered, including, “safeguarding the options of future generations”, in relation to ‘natural resources’, “the air, water and soil in or on which any plant or animal lives or may live”, and in relation to ‘protection’ of a resource, “restoration to some former state and its augmentation, enhancement, or expansion” (Conservation Act 1987, s. 2).

Ecology and Landscape (Allowed)

- Submissions in support noted that there is a “rich diversity of flora and fauna”, including kororā nesting in the coastal area.

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present. The natural resources identified by submitters are consistent with those described in the CVR (e.g. a variety of geologies and a rich diversity of native flora and fauna), and they are appropriately protected and preserved by the

proposed classification. The contiguous boundary with the adjoining scenic reserve further supports your notified intention to classify this area as a scenic reserve.

General (Allowed)

- Submissions expressed agreement with the National Panel recommendation, stating their support for stewardship land to be reclassified at the highest possible level.
- Submissions expressed agreement with the recommendation without providing further justification, or supported the recommendation on the grounds that it appropriately reflects the values stated in the technical reports.

I recommend that these comments are accepted. However, because no further justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is identified, these submission points do not raise any matters for further consideration.

Oppose

Ecology and Landscape (Allowed)

- Submissions expressed a preference for the land to be added to Paparoa National Park rather than reclassified as a scenic reserve. Reasons included that land adjacent to the national park has high conservation values equivalent to those in the existing park, the presence of nationally important species such as roroa and kororā, vegetation patterns and diversity in these areas that would add to the continuity and representativeness of the national park, that they include more of the complex geology and landforms of the Paparoa Range and its adjoining lowlands, and that adding these areas would provide for “greater protection of a diverse range of land environments from the mountains to the sea”.
- Adding adjacent areas to the national park was viewed as “logical” and as streamlining the management of these areas and improving broader conservation outcomes, with submissions stating that current land delineations are historic rather than based on ecological principles.

I recommend that these comments are not accepted. Although the natural resources noted by submitters are consistent with those described in the CVR (e.g. a variety of geologies and a rich diversity of native flora and fauna), the points raised do not justify overturning the notified intention. Under a scenic reserve classification “indigenous flora and fauna, ecological associations, and natural environment and beauty shall as far as possible be preserved” (Reserves Act 1977, s. 19(2)(a)). I note that this area does not border the Paparoa National Park but is contiguous with the Four Mile Scenic Reserve, further supporting your notified intention to classify this area as a scenic reserve.

Permissions, Economic Factors and Land Use (Not Allowed)

- One submission opposed reclassification as scenic reserve, noting that though it does not prohibit mining it adds extra restrictions with consequent negative economic benefits, suggesting that retaining the land in stewardship or reclassifying it as a conservation park provides adequate legal protection while allowing commercial activities such as mining to be considered on a case-by-case basis.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- One submission opposed all reclassification of stewardship land unless it was purchased by the Nature Heritage Fund for the purpose of adding it to a national park.

As I have recommended these comments are not allowed, I recommend they are not accepted.

No Opinion/Position Not Stated

Access and Recreation (Allowed)

- Submissions were concerned with ensuring that any reclassification provides explicitly for access, sports fishing and gamebird hunting.

I recommend that these comments are not accepted. Insufficient information is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised which supports reconsideration of the notified classification. The proposed classification does not prohibit public access for the activities, if authorised (for example in a hunting permit). Authorisation of such activities involves a separate decision-making process, the outcome of which would depend on effects on the conservation values present rather than the proposed land classification.

General (Allowed)

- Submissions advocated generally for all national parks, forest parks, scenic reserves and stewardship land to be protected from development.

I recommend that these comments are not accepted. The legislation does not provide for absolute protection from development – rather it contemplates that some activities may be acceptable and provides a mechanism for authorising such activities, through the grant of concessions. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submission stated that any change should not affect the existing permissions.

As I have recommended these comments are not allowed, I recommend they are not accepted.

PAP_07 - Four Mile River – 2808371

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Four Mile River	PAP_07_2808371h	National Park (Paparoa)		6052*	23
Four Mile River	PAP_07_2808371i		Stewardship	14	48

DOC Conservation Values Report Description

A 257-ha area situated between disjunct areas of Paparoa National Park, containing diverse systems and flora and fauna, and ecologically connecting the alpine tops to the coastline.

Panel Recommendations

National Panel: National park investigation to reflect the identified values, increase the overall integrity of the Paparoa National Park, and to improve landscape continuity.

Mana Whenua Panel: Retain as stewardship land pending further policy work or legal reform, based on the tribal position that the addition of land to national parks will not give effect to the principles of the Treaty of Waitangi as it alienates Ngāi Tahu from their ancestral lands.

S.49(2)(d) Recommendation

- **Proceed** with the notified proposal, by referring this area to the NZCA for its consideration on the suitability of a national park classification in accordance with the relevant policy and procedures, including Policy 6 of the General Policy for National Parks and Section 4 of the Conservation Act 1987.

Summary of accepted submissions: The submissions 'accepted' as holding merit supported the proposed national park addition to protect the area's natural values, improve climate change mitigation, and ensure ongoing public recreational access. Submitters referenced specific natural resources which were noted to be of high value.

Section 4 and Treaty principles: The Mana Whenua Panel opposed the proposed national park referrals, supported by submissions from Treaty partner organisations. Te Rūnanga o Ngāi Tahu oppose all additions to national parks within the Ngāi Tahu takiwā as "the addition of land to national parks will not give effect to the principles of the Treaty of Waitangi (as required by section 4 of the Conservation Act 1987) as it alienates Ngāi Tahu from our ancestral lands".

I note that my s.49 recommendations and your decision on whether to refer this area to the NZCA for their consideration must give effect to Treaty principles independently of the NZCA's section 4 obligations.

Although I acknowledge the Mana Whenua Panel opposition to the notified proposal, my assessment, considering those submissions accepted, is that the natural and historic resources present are of a similar nature to the adjacent national park, and warrant proceeding with a referral to the NZCA. Giving effect to Section 4 of the Act includes taking reasonable steps to actively protect the identified Treaty partner interests, but this obligation is not absolute and unqualified, as this would be inconsistent with DOC's other statutory responsibilities.

Referring this area to the NZCA for their consideration provides an opportunity for the NZCA to further assess the natural and historic resources present, and explore specific Ngāi Tahu interests and aspirations, including their consideration as to what giving effect to Treaty principles may require.

Rationale: My conclusion, considering those submissions accepted, is that the natural and historic resources present warrant referral to the NZCA for their consideration as per the process set out in Chapter 3 of the introduction to this Summary of Submissions Report.

* This figure includes 5,976 submissions made using a Forest and Bird template.

National Park (Paparoa) - PAP_07_2808371h

Support

Access and Recreation (Allowed)

- Submissions supported the national park recommendation on the grounds that this reflects the high recreation values, ensures ongoing public access (e.g. “including ongoing climbing access”), ensures that unique flora and fauna is protected for the enjoyment of present and future generations, and supports intergenerational participation in conservation.

I recommend that these comments are accepted. These comments hold merit under the Conservation Act as they support promotion of recreation that is not inconsistent with the preservation of the natural and historic resources present.

- Submissions noted the area contains caves of high recreational significance.

I recommend that these comments are not accepted. Although there may be caves of high recreational significance in the wider area, my understanding based on the Western South Island Region Cave and Karst Operational Plan (2018, pg.66) is that there are no caves present in this conservation area.

Climate Change and Natural Hazards (Allowed)

- Submissions suggested that suitable stewardship land should be incorporated into adjacent areas to support climate change mitigation, and that the protection of the area was especially important in the context of climate change.

I recommend that these comments are accepted. I agree that the protection of the existing natural resources present is of increasing importance when considering the need for climate mitigation. Classification as national park will support this outcome. The relevance of this factor for reclassification decisions is evident when the future-focused elements in the definition of conservation are considered, including, “safeguarding the options of future generations”, in relation to ‘natural resources’, “the air, water and soil in or on which any plant or animal lives or may live”, and in relation to ‘protection’ of a resource, “restoration to some former state and its augmentation, enhancement, or expansion” (Conservation Act 1987, s. 2).

Ecology and Landscape (Allowed)

- Submissions supported reclassification as a national park, noting that ecological, geological and landscape values are high and similar or indistinguishable to the adjoining Paparoa National Park, and that this would include more of the complex geology and landforms of the Paparoa Range and its adjoining lowlands. The area was noted as “an outstanding natural landscape with Outstanding Natural Character”, and to be “a visually impressive section of scenic landscape visible along State Highway 6”.
- Submissions cited the important karst landforms and caves of high scientific significance which had been largely unexplored when the park was formed (e.g. “Ultramylonite rock within White Horse Creek conservation area is of national scientific and educational importance”).
- Submitters emphasised the ecological value of the area (e.g. “diverse coastal ecosystems”, “southern limit of the endangered Charleston Tree Daisy”, “precious and pristine areas”, “remnants of unmodified blocks of indigenous forest”, “kororā known to nest in the coastal areas”).
- Submissions supported the recommendation on the grounds that it would increase habitat, enhance ecological connectivity and landscape continuity, provide a larger buffer for the Paparoa Wilderness Area, streamline the management of these areas, and align land classifications more closely with ecological principles (noting that current delineations are “historic and arbitrary”). It was also suggested that it would enable critical biodiversity (Te Mana o te Taiao), climate and freshwater outcomes.

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present. The natural resources identified by submitters are consistent with those described in the CVR (e.g. a variety of geologies and a rich diversity of native flora and fauna).

Treaty Considerations (Allowed)

- Submissions acknowledged the concerns raised by the Mana Whenua Panel regarding national parks and wanted to see these addressed. However, they viewed maximum protection of the natural values as paramount and suggested that changes to management or legislative frameworks should be made to better reflect the intent of Treaty principles, and to ensure free access and use of national parks for cultural, traditional, historical, and customary purposes, while ensuring that natural values were preserved and protected under a national park classification.
- Submissions supported additions to adjacent national parks where the Mana Whenua Panel had not identified site-specific cultural values for the land.

I recommend that these comments are accepted to the extent that they agree the natural and historic resources present warrant referral to the NZCA for their consideration. However, while the possibility of future changes to management or legislative frameworks is identified by submitters as a potential means of reconciling that purpose with Treaty partner interests, such changes are not being considered within this reclassification exercise. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA's consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions expressed general support for all additions to national parks, stated they “support the proposed additions to national parks and would like to see more areas given the highest level of protection”, and particularly for all stewardship land adjacent to national parks or wilderness areas to be given national park classification.
- Submissions expressed agreement with the National Panel recommendation, stating their support for stewardship land to be reclassified at the highest possible level based on its “high cultural conservation value”, or that this reflected the information in the technical reports.
- Submissions expressed agreement for the National Panel's recommendation, or for additions to the national park, without providing further justification.
- Submissions noted that national park classification “applies a precautionary principle that these lands are best left in a natural state unless there is a good case otherwise”.

I recommend that these comments are accepted. However, because no further justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is identified, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions supported the expansion of the Paparoa National Park based on anticipated benefits for tourism in the area, noting that the presence of attractions such as the Paparoa Great Walk and the Coast Road Highway has led to investments in tourism-related industries.
- Submissions noted that national parks support a nature economy, and that this is in line with the Te Whanaketanga Tai Poutini West Coast Economic Strategy 2050.
- Submissions noted that national park classification prevents mining and means development proposals are subject to higher scrutiny (e.g. will protect indigenous flora and fauna from damaging activities such as mining and clearing). They also noted that legislative “let out clauses” exist to enable things in national parks that are “necessary and have wide approval”.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions expressed concerns about the reclassification process, stating that there are “major inconsistencies and contradictions” where high value conservation land has not been recommended for reclassification as a national park.

- While acknowledging that national park classification would be a suitable reflection of the values of the area, submissions recommended that this change, given the consequent heightened restrictions, should only occur following "extensive consultation and agreement with the local iwi, stakeholders, concessionaires, interested groups and local residents in consideration in addition to not only the environmental and ecological assets, but to such things as tracking, huts, air space and landings, noise and rating".
- Submissions raised concerns about there being no terms of reference for the Mana Whenua Panel, and suggested that Mana Whenua Panel concerns regarding national parks should have been resolved prior to the reclassification project.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- Submissions acknowledged that Ngāi Tahu opposes national parks in principle, but suggested that land under statutory acknowledgements or nohoanga sites, if excluded from national park status, should not remain in stewardship.
- Submissions advocated for more funding for pest control.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Oppose

Access and Recreation (Allowed)

- Submissions expressed concern about loss of recreation opportunities and suggested that other classifications, such as conservation park or, where higher protection is warranted, scenic or recreation reserve, may provide a better balance between recreational enjoyment and protection of natural resources.
- Restrictions on dog walking were raised specifically as a concern by a West Coast resident.
- Submissions opposed any reclassification unless the reclassified purpose provides explicitly for access (including helicopter), sports fishing and gamebird hunting. Concern was raised that a national park classification excluded hunting for native species which are classified as gamebirds, such as pūkeko and paradise shelduck.

I recommend that these comments are not accepted. The methods of appreciation and recreational enjoyment proposed (e.g. dog access, hunting of indigenous avifauna) are potentially incompatible with protecting and preserving the natural resources described in the CVR, and the points raised do not justify overturning the notified intention. Although under a national park classification "the public shall have freedom of entry and access" this is subject to restrictions "necessary for the preservation of the native plants and animals or for the welfare in general of the parks" (National Parks Act 1980, s. 4(2)(e)).

Ecology and Landscape (Allowed)

- Submissions opposed all recommended reclassification as a national park, describing the land as "not so unique or scientifically important to meet the standard set by the National Parks Act". They recommended reclassification as a conservation park, or suggested a scenic reserve or recreation reserve, to ensure sufficient protection in areas where there is potential risk of damaging activities such as mining, or recreation reserve where areas have high cultural or recreational value to the public.

I recommend that these comments are not accepted. Although areas of modification may be present, the natural resources described in the CVR (e.g. a variety of geologies and a rich diversity of native flora and fauna) justify referring this area to the NZCA for its recommendation as to the suitability of a national park addition.

Treaty Considerations (Allowed)

- Several submissions opposed the proposed national park investigation whilst supporting the proposal to retain the area in stewardship, pending conservation law reform to create more appropriate forms of protected area classifications from a Ngāi Tahu perspective. This follows a Ngāi Tahu tribal position that a national park classification "obstructs Ngāi Tahu from maintaining ancestral relationships with the whenua, obstructs kaitiaki

rights and responsibilities, limits the meaningful involvement of Ngāi Tahu in decision-making processes, and is less enabling of customary practices that are fundamental to sustaining tribal identity and mana”.

- Submissions considered reclassification as a national park to be misaligned with Treaty obligations, and advocated for these areas to remain as stewardship land until classifications that more appropriately reflect Treaty principles are established.

Potential changes to management or legislative frameworks are not the subject of the notified proposal. As such, I recommend that comments advocating for such amendments are not accepted. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA’s consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions expressed support for the recommendation made by the Mana Whenua Panel or general opposition to adding more land to national parks, without providing further justification.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions opposed national park reclassification on the grounds that it was “too restrictive”.
- Submissions opposed national park reclassification based on the negative impacts on potential economic benefit derived from mineral resource extraction. They argued that this would not be in the best interests of the public.
- Submissions stated that any change should not affect existing permissions.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- A submission expressed the classification as national park “should only happen following extensive consultation and agreement with the local iwi, stakeholders, concessionaires, interested groups and local residents” to consider “such things as tracking, huts, air space and landings, noise and rating”.
- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- Submissions expressed the view that national park classification does not equate to effective protection from introduced pests or predators.
- One submission opposed all reclassification of stewardship land unless it was purchased by the Nature Heritage Fund for the purpose of adding it to a national park.

As I have recommended these comments are not allowed, I recommend they are not accepted.

No Opinion/Position Not Stated

General (Allowed)

- Submissions advocated generally for all national parks, forest parks, scenic reserves and stewardship land to be protected from development.

I recommend that these comments are not accepted. The legislation does not provide for absolute protection from development – rather it contemplates that some activities may be acceptable and provides a mechanism for authorising such activities, through the grant of concessions. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Retain in Stewardship - PAP_07_2808371i

The comments received in relation to the Mana Whenua Panel recommendation are summarised below and have been considered in relation to the notified proposal when forming s.49 allow/accept recommendations.

Support

Ecology and Landscape (Allowed)

- Submissions suggested that there was insufficient evidence of the conservation value and characteristics justifying national park status.

I recommend that these comments are not accepted. Although areas of modification may be present, the natural and historic resources described in the CVR (e.g. a variety of geologies and a rich diversity of native flora and fauna) justify referring this area to the NZCA for its recommendation as to the suitability of a national park addition. This is further supported by the contiguous boundary with Paparoa National Park.

Treaty Considerations (Allowed)

- Several submissions opposed the proposed national park investigation whilst supporting the proposal to retain the area in stewardship, pending conservation law reform to create more appropriate forms of protected area classifications from a Ngāi Tahu perspective. This follows a Ngāi Tahu tribal position that a national park classification “obstructs Ngāi Tahu from maintaining ancestral relationships with the whenua, obstructs kaitiaki rights and responsibilities, limits the meaningful involvement of Ngāi Tahu in decision-making processes, and is less enabling of customary practices that are fundamental to sustaining tribal identity and mana”.
- Submissions considered reclassification as a national park to be misaligned with Treaty obligations, and advocated for these areas to remain as stewardship land until classifications that more appropriately reflect Treaty principles are established.

Potential changes to management or legislative frameworks are not the subject of the notified proposal. As such, I recommend that comments advocating for such amendments are not accepted. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA’s consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions expressed support for the recommendation made by the Mana Whenua Panel, without providing further justification.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions argued that reclassifying land as national park, or other classifications which fall under Schedule 4, could have economic consequences by excluding mineral extraction and other activities on that land, and that the natural values of the land may not warrant this. The potential loss of opportunities resulting from these restrictions was seen as damaging, particularly in terms of mineral extraction and site rehabilitation. It was suggested that a holistic view, considering mineral prospectivity and other economic, social, and cultural considerations, should be taken.
- Submissions supported either retaining all land in stewardship or reclassification as a conservation park, suggesting that this would provide “more than adequate legal protection” while allowing activities to be assessed on a case-by-case basis.
- Submissions stated that any change should not affect existing permissions.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- Submissions expressed doubt that reclassifying stewardship land as national parks would have a positive impact on conservation, citing DOC funding and resource limitations.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Oppose

Access and Recreation (Allowed)

- Submissions advocated for reclassification to Paparoa National Park to ensure “ongoing climbing access”.
- Submissions advocated for reclassification as a national park to ensure ongoing access and enjoyment of the protected natural resources, and to reflect the recreational values of the area.

I recommend that these comments are accepted. These comments hold merit under the Conservation Act as they support promotion of recreation that is not inconsistent with the preservation of the natural and historic resources present.

Climate Change and Natural Hazards (Allowed)

- Submissions noted that ensuring high protection of these areas was especially important in the context of climate change.

I recommend that these comments are accepted. I agree that the protection of the existing natural resources present is of increasing importance when considering the need for climate mitigation. Classification as national park will support this outcome. The relevance of this factor for reclassification decisions is evident when the future-focused elements in the definition of conservation are considered, including, “safeguarding the options of future generations”, in relation to ‘natural resources’, “the air, water and soil in or on which any plant or animal lives or may live”, and in relation to ‘protection’ of a resource, “restoration to some former state and its augmentation, enhancement, or expansion” (Conservation Act 1987, s. 2).

Ecology and Landscape (Allowed)

- Submitters emphasised the ecological value of the area (e.g. “very diverse with coastal systems, creeks, pakihi and mature indigenous forest”, “support rich diversity of flora and fauna”).
- The area was noted as “an outstanding natural landscape with Outstanding Natural Character”.
- Submissions expressed preference for reclassification as a national park to reflect the high ecological and landscape values with nationally significant ecological systems and natural areas, and the comparable values to the surrounding national park.

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present. The natural resources identified by submitters are consistent with those described in the CVR. The contiguous boundary with Paparoa National Park further supports your notified intention to refer this area to the NZCA for its recommendation as to the suitability of a national park addition.

Treaty Considerations (Allowed)

- Submissions acknowledged that Ngāi Tahu opposes national parks in principle, but argued for reclassification as a national park to ensure protection of natural values, suggesting that national park classification could still allow for customary access and Treaty settlements, or that legislative or management framework changes should occur to address these concerns.
- Submissions expressed that where the Mana Whenua Panel had not identified site-specific cultural values for the land, it should be reclassified as a national park to ensure protection from activities such as mining which may be allowed on stewardship land.

I recommend that these comments are accepted to the extent that they agree the natural and historic resources present warrant referral to the NZCA for their consideration. However, while the possibility of future changes to management or legislative frameworks is identified by submitters as a potential means of reconciling that purpose with Treaty partner interests, such changes are not being considered within this reclassification exercise. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a

further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA's consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions opposed retaining land in stewardship, describing it as a "meaningless recommendation".
- Submissions queried the extent of the recommendations to retain land in stewardship, noting this was nearly 8,000 ha, suggesting this could instead be reclassified as a scenic reserve or conservation park.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

- Submissions expressed preference for reclassification as a national park and for high protection for more stewardship land, either without providing further justification or based on the "reasons outlined in the conservation value reports".
- Submissions expressed preference for the National Panel recommendation, stating their support for stewardship land to be reclassified at the highest possible level based on its high cultural conservation values.

I recommend that these comments are accepted. However, because no further justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is identified, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions opposed retaining the area in stewardship on the grounds that this would not protect the land from damaging activities such as mining, noting the existence of prospecting permits in some areas.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.

As I have recommended these comments are not allowed, I recommend they are not accepted.

No Opinion/Position Not Stated

Treaty Considerations (Allowed)

- Submissions recommended that amendments to the National Parks Act to address the concerns identified by the Mana Whenua Panel are resolved as a priority so there is no need to retain land in stewardship in the meantime.

Potential changes to management or legislative frameworks are not the subject of the notified classification proposal. As such, I recommend that comments advocating for such amendments are not accepted.

General (Allowed)

- Submissions advocated generally for all national parks, forest parks, scenic reserves and stewardship land to be protected from development.

I recommend that these comments are not accepted. The legislation does not provide for absolute protection from development – rather it contemplates that some activities may be acceptable and provides a mechanism for authorising such activities, through the grant of concessions. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

PAP_07 - Red Jacket Creek – 2808372

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Red Jacket Creek	PAP_07_2808372j	National Park (Paparoa)		6047*	23
Red Jacket Creek	PAP_07_2808372k		Stewardship	14	44

DOC Conservation Values Report Description

A 7.4-ha area connected to Paparoa National Park, containing diverse systems and flora and fauna.

Panel Recommendations

National Panel: National park investigation to reflect the identified values, increase the overall integrity of the Paparoa National Park, and to improve landscape continuity.

Mana Whenua Panel: Retain as stewardship land pending further policy work or legal reform, based on the tribal position that the addition of land to national parks will not give effect to the principles of the Treaty of Waitangi as it alienates Ngāi Tahu from their ancestral lands.

S.49(2)(d) Recommendation

- Proceed with the notified proposal, by referring this area to the NZCA for its consideration on the suitability of a national park classification in accordance with the relevant policy and procedures, including Policy 6 of the General Policy for National Parks and Section 4 of the Conservation Act 1987.

Summary of accepted submissions: The submissions 'accepted' as holding merit supported the proposed national park addition to protect the area's natural values, improve climate change mitigation, and ensure ongoing public recreational access. Submitters referenced specific natural resources which were noted to be of high value.

Section 4 and Treaty principles: The Mana Whenua Panel opposed the proposed national park referrals, supported by submissions from Treaty partner organisations. Te Rūnanga o Ngāi Tahu oppose all additions to national parks within the Ngāi Tahu takiwā as "the addition of land to national parks will not give effect to the principles of the Treaty of Waitangi (as required by section 4 of the Conservation Act 1987) as it alienates Ngāi Tahu from our ancestral lands".

I note that my s.49 recommendations and your decision on whether to refer this area to the NZCA for their consideration must give effect to Treaty principles independently of the NZCA's section 4 obligations.

Although I acknowledge the Mana Whenua Panel opposition to the notified proposal, my assessment, considering those submissions accepted, is that the natural and historic resources present are of a similar nature to the adjacent national park, and warrant proceeding with a referral to the NZCA. Giving effect to Section 4 of the Act includes taking reasonable steps to actively protect the identified Treaty partner interests, but this obligation is not absolute and unqualified, as this would be inconsistent with DOC's other statutory responsibilities.

Referring this area to the NZCA for their consideration provides an opportunity for the NZCA to further assess the natural and historic resources present, and explore specific Ngāi Tahu interests and aspirations, including their consideration as to what giving effect to Treaty principles may require.

Rationale: My conclusion, considering those submissions accepted, is that the natural and historic resources present warrant referral to the NZCA for their consideration as per the process set out in Chapter 3 of the introduction to this Summary of Submissions Report.

* This figure includes 5,976 submissions made using a Forest and Bird template.

National Park (Paparoa) - PAP_07_2808372j

Support

Access and Recreation (Allowed)

- Submissions supported the national park recommendation on the grounds that this reflects the high recreation values, ensures ongoing public access (e.g. “including ongoing climbing access”), ensures that unique flora and fauna is protected for the enjoyment of present and future generations, and supports intergenerational participation in conservation.

I recommend that these comments are accepted. These comments hold merit under the Conservation Act as they support promotion of recreation that is not inconsistent with the preservation of the natural and historic resources present.

- Submissions noted the area contains caves of high recreational significance.

I recommend that these comments are not accepted. Although there may be caves of high recreational significance in the wider area, my understanding of the Western South Island Region Cave and Karst Operational Plan (2018, pg.66) is that there are no caves present in this conservation area.

Climate Change and Natural Hazards (Allowed)

- Submissions suggested that suitable stewardship land should be incorporated into adjacent areas to support climate change mitigation, and that the protection of the area was especially important in the context of climate change.

I recommend that these comments are accepted. I agree that the protection of the existing natural resources present is of increasing importance when considering the need for climate mitigation. Classification as national park will support this outcome. The relevance of this factor for reclassification decisions is evident when the future-focused elements in the definition of conservation are considered, including, “safeguarding the options of future generations”, in relation to ‘natural resources’, “the air, water and soil in or on which any plant or animal lives or may live”, and in relation to ‘protection’ of a resource, “restoration to some former state and its augmentation, enhancement, or expansion” (Conservation Act 1987, s. 2).

Ecology and Landscape (Allowed)

- Submissions supported reclassification as a national park, noting that ecological, geological and landscape values are high, and similar or indistinguishable to the adjoining Paparoa National Park, and that this addition would include more of the complex geology and landforms of the Paparoa Range and its adjoining lowlands. The area was noted as “an outstanding natural landscape with Outstanding Natural Character”, and to be “a visually impressive section of scenic landscape visible along State Highway 6”.
- Submissions cited important karst landforms and caves of high scientific significance which had been largely unexplored when the park was formed (e.g. “Ultramylonite rock within White Horse Creek conservation area is of national scientific and educational importance”).
- Submitters emphasised the ecological value of the area (e.g. “diverse coastal ecosystems”, “southern limit of the endangered Charleston Tree Daisy”, “precious and pristine areas”, “kororā known to nest in the coastal areas”).
- Submissions in support noted that expanding the national park would provide a larger buffer for the Paparoa Wilderness Area, increase habitat, enhance ecological connectivity and landscape continuity, streamline the management of these areas, and align land classifications more closely with ecological principles (noting that current delineations are “historic and arbitrary”). It was also suggested that it would enable critical biodiversity (Te Mana o te Taiao), climate and freshwater outcomes.

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present. The natural resources identified by submitters are consistent with those described in the CVR (e.g. a variety of geologies and a rich diversity of native flora and fauna). The contiguous boundary with Paparoa National Park further supports your notified intention to refer this area to the NZCA for its recommendations as to the suitability of a national park addition.

Treaty Considerations (Allowed)

- Submissions acknowledged the concerns raised by the Mana Whenua Panel regarding national parks and wanted to see these addressed. However, they viewed maximum protection of the natural values as paramount and suggested that changes to management or legislative frameworks should be made to better reflect the intent of Treaty principles, and to ensure free access and use of national parks for cultural, traditional, historical, and customary purposes, while ensuring that natural values were preserved and protected under a national park classification.
- Submissions supported additions to adjacent national parks where the Mana Whenua Panel had not identified site-specific cultural values for the land.

I recommend that these comments are accepted to the extent that they agree the natural and historic resources present warrant referral to the NZCA for their consideration. However, while the possibility of future changes to management or legislative frameworks is identified by submitters as a potential means of reconciling that purpose with Treaty partner interests, such changes are not being considered within this reclassification exercise. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA's consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions expressed general "support for all additions to national parks and for more stewardship areas to be given the highest level of protection".
- Submissions expressed agreement with the National Panel recommendation, stating their support for stewardship land to be reclassified at the highest possible level based on its "high cultural conservation value", or that this reflected the information in the technical reports.
- Submissions expressed agreement for the National Panel's recommendation or for additions to the national park, without providing further justification.
- Submissions noted that national park classification "applies a precautionary principle that these lands are best left in a natural state unless there is a good case otherwise".

I recommend that these comments are accepted. However, because no further justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is identified, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions supported the expansion of the Paparoa National Park based on anticipated benefits for tourism in the area, noting that the presence of attractions such as the Paparoa Great Walk and the Coast Road Highway has led to investments in tourism-related industries.
- Submissions commented that national parks support a nature economy, and that this is in line with the Te Whanaketanga Tai Poutini West Coast Economic Strategy 2050.
- Submissions noted that national park classification prevents mining and means development proposals are subject to higher scrutiny (e.g. will protect indigenous flora and fauna from damaging activities such as mining and clearing). They also noted that legislative "let out clauses" exist to enable things in national parks that are "necessary and have wide approval".

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions expressed concerns about the reclassification process, stating that there are "major inconsistencies and contradictions" where high value conservation land has not been recommended for reclassification as a national park.
- While acknowledging that national park classification would be a suitable reflection of the values of the area, submissions recommended that this change, given the consequent heightened restrictions, should only occur following "extensive consultation and agreement with the local iwi, stakeholders, concessionaires, interested

groups and local residents in consideration in addition to not only the environmental and ecological assets, but to such things as tracking, huts, air space and landings, noise and rating”.

- Submissions raised concerns about there being no terms of reference for the Mana Whenua Panel, and suggested that Mana Whenua Panel concerns regarding national parks should have been resolved prior to the reclassification project.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- Submissions acknowledged that Ngāi Tahu opposes national parks in principle, but suggested that land under statutory acknowledgements or nohoanga sites, if excluded from national park status, should not remain in stewardship.
- Submissions advocated for more funding for pest control.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Oppose

Access and Recreation (Allowed)

- Submissions expressed concern about loss of recreation opportunities and suggested that other classifications, such as conservation park or, where higher protection is warranted, scenic or recreation reserve, may provide a better balance between recreational enjoyment and protection of natural resources.
- Restrictions on dog walking were raised specifically as a concern by a West Coast resident.
- Submissions opposed any reclassification unless the reclassified purpose provides explicitly for access (including helicopter), sports fishing and gamebird hunting. Concern was raised that a national park classification excluded hunting for native species which are classified as gamebirds, such as pūkeko and paradise shelduck.

I recommend that these comments are not accepted. The methods of appreciation and recreational enjoyment proposed (e.g. dog access, hunting of indigenous avifauna) are potentially incompatible with protecting and preserving the natural resources described in the CVR, and the points raised do not justify overturning the notified intention. Although under a national park classification “the public shall have freedom of entry and access” this is subject to restrictions “necessary for the preservation of the native plants and animals or for the welfare in general of the parks” (National Parks Act 1980, s. 4(2)(e)).

Ecology and Landscape (Allowed)

- Submissions opposed all recommended reclassification as a national park, describing the land as “not so unique or scientifically important to meet the standard set by the National Parks Act”. They recommended reclassification as a conservation park, or suggested a scenic reserve or recreation reserve, to ensure sufficient protection in areas where there is potential risk of damaging activities such as mining, or recreation reserve where areas have high cultural or recreational value to the public.

I recommend that these comments are not accepted. Although areas of modification may be present, the natural resources described in the CVR (e.g. a variety of geologies and a rich diversity of native flora and fauna) justify referring this area to the NZCA for its recommendation as to the suitability of a national park addition. This is further supported by the land context of the adjoining Paparoa National Park.

Treaty Considerations (Allowed)

- Several submissions opposed the proposed national park investigation whilst supporting the proposal to retain the area in stewardship, pending conservation law reform to create more appropriate forms of protected area classifications from a Ngāi Tahu perspective. This follows a Ngāi Tahu tribal position that a national park classification “obstructs Ngāi Tahu from maintaining ancestral relationships with the whenua, obstructs kaitiaki rights and responsibilities, limits the meaningful involvement of Ngāi Tahu in decision-making processes, and is less enabling of customary practices that are fundamental to sustaining tribal identity and mana”.

- Submissions considered reclassification as a national park to be misaligned with Treaty obligations, and advocated for these areas to remain as stewardship land until classifications that more appropriately reflect Treaty principles are established.

Potential changes to management or legislative frameworks are not the subject of the notified proposal. As such, I recommend that comments advocating for such amendments are not accepted. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA's consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions expressed support for the recommendation made by the Mana Whenua Panel or general opposition to adding more land to national parks, without providing further justification.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions opposed national park reclassification on the grounds that it was "too restrictive".
- Submissions opposed national park reclassification based on the negative impacts on potential economic benefit derived from mineral resource extraction. They argued that this would not be in the best interests of the public.
- Submissions stated that any change should not affect existing permissions.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- A submission expressed the classification as National Park "should only happen following extensive consultation and agreement with the local iwi, stakeholders, concessionaires, interested groups and local residents" to consider "such things as tracking, huts, air space and landings, noise and rating".
- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- Submissions expressed the view that national park classification does not equate to effective protection from introduced pests or predators.
- One submission opposed all reclassification of stewardship land unless it was purchased by the Nature Heritage Fund for the purpose of adding it to a national park.

As I have recommended these comments are not allowed, I recommend they are not accepted.

No Opinion/Position Not Stated

General (Allowed)

- Submissions advocated generally for all national parks, forest parks, scenic reserves and stewardship land to be protected from development.

I recommend that these comments are not accepted. The legislation does not provide for absolute protection from development – rather it contemplates that some activities may be acceptable and provides a mechanism for authorising such activities, through the grant of concessions. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Retain in Stewardship - PAP_07_2808372k

The comments received in relation to the Mana Whenua Panel recommendation are summarised below and have been considered in relation to the notified proposal when forming s.49 allow/accept recommendations.

Support

Ecology and Landscape (Allowed)

- Submissions suggested that there was insufficient evidence of the conservation value and characteristics justifying national park status.

I recommend that these comments are not accepted. Although areas of modification may be present, the natural and historic resources described in the CVR (e.g. a variety of geologies and a rich diversity of native flora and fauna) justify referring this area to the NZCA for its recommendation as to the suitability of a national park addition. This is further supported by the contiguous boundary with Paparoa National Park.

Treaty Considerations (Allowed)

- Several submissions opposed the proposed national park investigation whilst supporting the proposal to retain the area in stewardship, pending conservation law reform to create more appropriate forms of protected area classifications from a Ngāi Tahu perspective. This follows a Ngāi Tahu tribal position that a national park classification “obstructs Ngāi Tahu from maintaining ancestral relationships with the whenua, obstructs kaitiaki rights and responsibilities, limits the meaningful involvement of Ngāi Tahu in decision-making processes, and is less enabling of customary practices that are fundamental to sustaining tribal identity and mana”.
- Submissions considered reclassification as a national park to be misaligned with Treaty obligations, and advocated for these areas to remain as stewardship land until classifications that more appropriately reflect Treaty principles are established.

Potential changes to management or legislative frameworks are not the subject of the notified proposal. As such, I recommend that comments advocating for such amendments are not accepted. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA’s consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions expressed support for the recommendation made by the Mana Whenua Panel, without providing further justification.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions argued that reclassifying land as national park, or other classifications which fall under Schedule 4, could have economic consequences by excluding mineral extraction and other activities on that land, and that the natural values of the land may not warrant this. The potential loss of opportunities resulting from these restrictions was seen as damaging, particularly in terms of mineral extraction and site rehabilitation. It was suggested that a holistic view, considering mineral prospectivity and other economic, social, and cultural considerations, should be taken.
- Submissions supported either retaining all land in stewardship or reclassification as a conservation park, suggesting that this would provide “more than adequate legal protection” while allowing activities to be assessed on a case-by-case basis.
- Submissions stated that any change should not affect existing permissions.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- Submissions expressed doubt that reclassifying stewardship land as national parks would have a positive impact on conservation, citing DOC funding and resource limitations.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Oppose

Access and Recreation (Allowed)

- Submissions advocated for reclassification to Paparoa National Park to ensure “ongoing climbing access”.
- Submissions advocated for reclassification as a national park to ensure ongoing access and enjoyment of the protected natural resources, and to reflect the recreational values of the area.

I recommend that these comments are accepted. These comments hold merit under the Conservation Act as they support promotion of recreation that is not inconsistent with the preservation of the natural and historic resources present.

Climate Change and Natural Hazards (Allowed)

- Submissions noted that ensuring high protection of the area was especially important in the context of climate change.

I recommend that these comments are accepted. I agree that the protection of the existing natural resources present is of increasing importance when considering the need for climate mitigation. Classification as national park will support this outcome. The relevance of this factor for reclassification decisions is evident when the future-focused elements in the definition of conservation are considered, including, “safeguarding the options of future generations”, in relation to ‘natural resources’, “the air, water and soil in or on which any plant or animal lives or may live”, and in relation to ‘protection’ of a resource, “restoration to some former state and its augmentation, enhancement, or expansion” (Conservation Act 1987, s. 2).

Ecology and Landscape (Allowed)

- Submissions expressed preference for reclassification as a national park to reflect the high ecological and landscape values with nationally significant ecological systems and natural areas, and the comparable values to the surrounding national park.
- Submitters emphasised the ecological value of the area (e.g. “very diverse with coastal systems, creeks, pakihi and mature indigenous forest”, “support rich diversity of flora and fauna”).
- The area was noted as “an outstanding natural landscape with Outstanding Natural Character”.

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present. The natural resources identified by submitters are consistent with those described in the CVR. The contiguous boundary with Paparoa National Park further supports your notified intention to refer this area to the NZCA for its recommendation as to the suitability of a national park addition.

Treaty Considerations (Allowed)

- Submissions acknowledged that Ngāi Tahu opposes national parks in principle, but argued for reclassification as a national park to ensure protection of natural values, suggesting that national park classification could still allow for customary access and Treaty settlements, or that legislative or management framework changes should occur to address these concerns.
- Submissions expressed that where the Mana Whenua Panel had not identified site-specific cultural values for the land, it should be reclassified as a national park to ensure protection from activities such as mining which may be allowed on stewardship land.

I recommend that these comments are accepted to the extent that they agree the natural and historic resources present warrant referral to the NZCA for their consideration. However, while the possibility of future changes to management or legislative frameworks is identified by submitters as a potential means of reconciling that purpose with Treaty partner interests, such changes are not being considered within this reclassification exercise. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a

further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA's consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions opposed retaining land in stewardship, describing it as a "meaningless recommendation".
- Submissions queried the extent of the recommendations to retain land in stewardship, noting this was nearly 8,000 ha, suggesting this could instead be reclassified as a scenic reserve or conservation park.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

- Submissions expressed preference for the National Panel recommendation, stating their support for stewardship land to be reclassified at the highest possible level based on its "high cultural conservation values".
- Submissions expressed preference for reclassification as a national park and for high protection for more stewardship land, either without providing further justification or based on the "reasons outlined in the conservation value reports".

I recommend that these comments are accepted. However, because no further justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is identified, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions opposed retaining the area in stewardship on the grounds that this would not protect the land from damaging activities such as mining, noting the existence of prospecting permits in some areas.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.

As I have recommended these comments are not allowed, I recommend they are not accepted.

No Opinion/Position Not Stated

Treaty Considerations (Allowed)

- Submissions recommended that amendments to the National Parks Act to address the concerns identified by the Mana Whenua Panel are resolved as a priority so there is no need to retain land in stewardship in the meantime.

Potential changes to management or legislative frameworks are not the subject of the notified classification proposal. As such, I recommend that comments advocating for such amendments are not accepted.

General (Allowed)

- Submissions advocated generally for all national parks, forest parks, scenic reserves and stewardship land to be protected from development.

I recommend that these comments are not accepted. The legislation does not provide for absolute protection from development – rather it contemplates that some activities may be acceptable and provides a mechanism for authorising such activities, through the grant of concessions. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

PAP_07 - Red Jacket Creek – 2808373

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Red Jacket Creek	PAP_07_2808373l	National Park (Paparoa)		6050*	22
Red Jacket Creek	PAP_07_2808373m		Stewardship	14	45

DOC Conservation Values Report Description

An 18.2-ha area connecting Paparoa National Park to the coast, containing diverse systems and flora and fauna.

Panel Recommendations

National Panel: National park investigation to reflect the identified values, increase the overall integrity of the Paparoa National Park, and to improve landscape continuity.

Mana Whenua Panel: Retain as stewardship land pending further policy work or legal reform, based on the tribal position that the addition of land to national parks will not give effect to the principles of the Treaty of Waitangi as it alienates Ngāi Tahu from their ancestral lands.

S.49(2)(d) Recommendation

- Proceed with the notified proposal, by referring this area to the NZCA for its consideration on the suitability of a national park classification in accordance with the relevant policy and procedures, including Policy 6 of the General Policy for National Parks and Section 4 of the Conservation Act 1987.

Summary of accepted submissions: The submissions 'accepted' as holding merit supported the proposed national park addition to protect the area's natural values, improve climate change mitigation, and ensure ongoing public recreational access. Submitters referenced specific natural resources which were noted to be of high value.

Section 4 and Treaty principles: The Mana Whenua Panel opposed the proposed national park referrals, supported by submissions from Treaty partner organisations. Te Rūnanga o Ngāi Tahu oppose all additions to national parks within the Ngāi Tahu takiwā as "the addition of land to national parks will not give effect to the principles of the Treaty of Waitangi (as required by section 4 of the Conservation Act 1987) as it alienates Ngāi Tahu from our ancestral lands".

I note that my s.49 recommendations and your decision on whether to refer this area to the NZCA for their consideration must give effect to Treaty principles independently of the NZCA's section 4 obligations.

Although I acknowledge the Mana Whenua Panel opposition to the notified proposal, my assessment, considering those submissions accepted, is that the natural and historic resources present are of a similar nature to the adjacent national park, and warrant proceeding with a referral to the NZCA. Giving effect to Section 4 of the Act includes taking reasonable steps to actively protect the identified Treaty partner interests, but this obligation is not absolute and unqualified, as this would be inconsistent with DOC's other statutory responsibilities.

Referring this area to the NZCA for their consideration provides an opportunity for the NZCA to further assess the natural and historic resources present, and explore specific Ngāi Tahu interests and aspirations, including their consideration as to what giving effect to Treaty principles may require.

Rationale: My conclusion, considering those submissions accepted, is that the natural and historic resources present warrant referral to the NZCA for their consideration as per the process set out in Chapter 3 of the introduction to this Summary of Submissions Report.

* This figure includes 5,976 submissions made using a Forest and Bird template.

National Park (Paparoa) - PAP_07_28083731

Support

Access and Recreation (Allowed)

- Submissions supported the national park recommendation on the grounds that this reflects the high recreation values, ensures ongoing public access (e.g. “including ongoing climbing access”), ensures that unique flora and fauna is protected for the enjoyment of present and future generations, and supports intergenerational participation in conservation.

I recommend that these comments are accepted. These comments hold merit under the Conservation Act as they support promotion of recreation that is not inconsistent with the preservation of the natural and historic resources present.

- Submissions noted the area contains caves of high recreational significance.

I recommend that these comments are not accepted. Although there may be caves of high recreational significance in the wider area my understanding, based on the Western South Island Region Cave and Karst Operational Plan(2018, pg.66), is that no caves are present in this conservation area.

Climate Change and Natural Hazards (Allowed)

- Submissions suggested that suitable stewardship land should be incorporated into adjacent areas to support climate change mitigation, and that the protection of the area was especially important in the context of climate change.

I recommend that these comments are accepted. I agree that the protection of the existing natural resources present is of increasing importance when considering the need for climate mitigation. Classification as national park will support this outcome. The relevance of this factor for reclassification decisions is evident when the future-focused elements in the definition of conservation are considered, including, “safeguarding the options of future generations”, in relation to ‘natural resources’, “the air, water and soil in or on which any plant or animal lives or may live”, and in relation to ‘protection’ of a resource, “restoration to some former state and its augmentation, enhancement, or expansion” (Conservation Act 1987, s. 2).

Ecology and Landscape (Allowed)

- Submissions supported reclassification as a national park, noting that ecological, geological and landscape values are high and similar or indistinguishable to the adjoining Paparoa National Park. The area was noted as “an outstanding natural landscape with Outstanding Natural Character”, and to be “a visually impressive section of scenic landscape visible along State Highway 6”.
- Submissions noted that expanding the national park would include more of the complex geology and landforms of the Paparoa Range and its adjoining lowlands, citing important karst landforms and caves of high scientific significance which had been largely unexplored when the park was formed (e.g. “Ultramylonite rock within White Horse Creek conservation area is of national scientific and educational importance”).
- Submitters emphasised the ecological value of the area (e.g. “diverse coastal ecosystems”, “southern limit of the endangered Charleston Tree Daisy”, “precious and pristine areas”, “kororā known to nest in the coastal areas”).
- Submissions noted that expanding the national park would increase habitat, enhance ecological connectivity and landscape continuity, streamline the management of these areas, provide a larger buffer for the Paparoa Wilderness Area, and align land classifications more closely with ecological principles (noting that current delineations are “historic and arbitrary”). It was also suggested that it would enable critical biodiversity (Te Mana o Te Taiao), climate and freshwater outcomes.

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present. The natural resources identified by submitters are consistent with those described in the CVR (e.g. a variety of geologies and a rich diversity of native flora and fauna). The contiguous boundary with Paparoa National Park further supports your notified intention to refer this area to the NZCA for its recommendation as to the suitability of a national park addition.

Treaty Considerations (Allowed)

- Submissions acknowledged the concerns raised by the Mana Whenua Panel regarding national parks and wanted to see these addressed. However, they viewed maximum protection of the natural values as paramount and suggested that changes to management or legislative frameworks should be made to better reflect the intent of Treaty principles, and to ensure free access and use of national parks for cultural, traditional, historical, and customary purposes, while ensuring that natural values were preserved and protected under a national park classification.
- Submissions supported additions to adjacent national parks where the Mana Whenua Panel had not identified site-specific cultural values for the land.

I recommend that these comments are accepted to the extent that they agree the natural and historic resources present warrant referral to the NZCA for their consideration. However, while the possibility of future changes to management or legislative frameworks is identified by submitters as a potential means of reconciling that purpose with Treaty partner interests, such changes are not being considered within this reclassification exercise. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA's consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions expressed general support for all additions to national parks and for more stewardship land to be classified as national parks.
- Submissions expressed agreement with the National Panel recommendation, stating their support for stewardship land to be reclassified at the highest possible level based on its "high cultural conservation value", or that this reflected the information in the technical reports.
- Submissions expressed agreement for the National Panel's recommendation or for additions to the national park, without providing further justification.
- Submissions noted that national park classification "applies a precautionary principle that these lands are best left in a natural state unless there is a good case otherwise".

I recommend that these comments are accepted. However, because no further justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is identified, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions supported the expansion of the Paparoa National Park based on anticipated benefits for tourism in the area, noting that the presence of attractions such as the Paparoa Great Walk and the Coast Road Highway has led to investments in tourism-related industries.
- Submissions noted that national parks support a nature economy, and that this is in line with the Te Whanaketanga Tai Poutini West Coast Economic Strategy 2050.
- Submissions noted that national park classification prevents mining and means development proposals are subject to higher scrutiny (e.g. will protect indigenous flora and fauna from damaging activities such as mining and clearing). They also noted that legislative "let out clauses" exist to enable things in national parks that are "necessary and have wide approval".

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions expressed concerns about the reclassification process, stating that there are "major inconsistencies and contradictions" where high value conservation land has not been recommended for reclassification as a national park.
- While acknowledging that national park classification would be a suitable reflection of the values of the area, submissions recommended that this change, given the consequent heightened restrictions, should only occur following "extensive consultation and agreement with the local iwi, stakeholders, concessionaires, interested

groups and local residents in consideration in addition to not only the environmental and ecological assets, but to such things as tracking, huts, air space and landings, noise and rating”.

- Submissions raised concerns about there being no terms of reference for the Mana Whenua Panel, and suggested that Mana Whenua Panel concerns regarding national parks should have been resolved prior to the reclassification project.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- Submissions acknowledged that Ngāi Tahu opposes national parks in principle, but suggested that land under statutory acknowledgements or nohoanga sites, if excluded from national park status, should not remain in stewardship.
- Submissions advocated for more funding for pest control.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Oppose

Access and Recreation (Allowed)

- Submissions expressed concern about loss of recreation opportunities and suggested that other classifications, such as conservation park or, where higher protection is warranted, scenic or recreation reserve, may provide a better balance between recreational enjoyment and protection of natural resources.
- Restrictions on dog walking were raised specifically as a concern by a West Coast resident.
- Submissions opposed any reclassification unless the reclassified purpose provides explicitly for access (including helicopter), sports fishing and gamebird hunting. Concern was raised that a national park classification excluded hunting for native species which are classified as gamebirds, such as pūkeko and paradise shelduck.

I recommend that these comments are not accepted. The methods of appreciation and recreational enjoyment proposed (e.g. dog access, hunting of indigenous avifauna) are potentially incompatible with protecting and preserving the natural resources described in the CVR, and the points raised do not justify overturning the notified intention. Although under a national park classification “the public shall have freedom of entry and access” this is subject to restrictions “necessary for the preservation of the native plants and animals or for the welfare in general of the parks” (National Parks Act 1980, s. 4(2)(e)).

Ecology and Landscape (Allowed)

- Submissions opposed all recommended reclassification as a national park, describing the land as “not so unique or scientifically important to meet the standard set by the National Parks Act”. They recommended reclassification as a conservation park, or suggested a scenic reserve or recreation reserve, to ensure sufficient protection in areas where there is potential risk of damaging activities such as mining, or recreation reserve where areas have high cultural or recreational value to the public.

I recommend that these comments are not accepted. Although areas of modification may be present, the natural resources described in the CVR (e.g. a variety of geologies and a rich diversity of native flora and fauna) justify referring this area to the NZCA for its recommendation as to the suitability of a national park addition. This is further supported by the land context of the adjoining Paparoa National Park.

Treaty Considerations (Allowed)

- Several submissions opposed the proposed national park investigation whilst supporting the proposal to retain the area in stewardship, pending conservation law reform to create more appropriate forms of protected area classifications from a Ngāi Tahu perspective. This follows a Ngāi Tahu tribal position that a national park classification “obstructs Ngāi Tahu from maintaining ancestral relationships with the whenua, obstructs kaitiaki rights and responsibilities, limits the meaningful involvement of Ngāi Tahu in decision-making processes, and is less enabling of customary practices that are fundamental to sustaining tribal identity and mana”.

- Submissions considered reclassification as a national park to be misaligned with Treaty obligations, and advocated for these areas to remain as stewardship land until classifications that more appropriately reflect Treaty principles are established.

Potential changes to management or legislative frameworks are not the subject of the notified proposal. As such, I recommend that comments advocating for such amendments are not accepted. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA's consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions expressed support for the recommendation made by the Mana Whenua Panel or general opposition to adding more land to national parks, without providing further justification.

I recommend that these comments are accepted. However, because no further justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is identified, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions opposed national park reclassification on the grounds that it was "too restrictive".
- Submissions opposed national park reclassification based on the negative impacts on potential economic benefit derived from mineral resource extraction. They argued that this would not be in the best interests of the public.
- Submissions stated that any change should not affect existing permissions.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- Submissions expressed the view that national park classification does not equate to effective protection from introduced pests or predators.
- One submission opposed all reclassification of stewardship land unless it was purchased by the Nature Heritage Fund for the purpose of adding it to a national park.

As I have recommended these comments are not allowed, I recommend they are not accepted.

No Opinion/Position Not Stated

General (Allowed)

- Submissions advocated generally for all national parks, forest parks, scenic reserves and stewardship land to be protected from development.

I recommend that these comments are not accepted. The legislation does not provide for absolute protection from development – rather it contemplates that some activities may be acceptable and provides a mechanism for authorising such activities, through the grant of concessions. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Retain in Stewardship - PAP_07_2808373m

The comments received in relation to the Mana Whenua Panel recommendation are summarised below and have been considered in relation to the notified proposal when forming s.49 allow/accept recommendations.

Support

Ecology and Landscape (Allowed)

- Submissions suggested that there was insufficient evidence of the conservation value and characteristics justifying national park status.

I recommend that these comments are not accepted. Although areas of modification may be present, the natural and historic resources described in the CVR (e.g. a variety of geologies and a rich diversity of native flora and fauna) justify by referring this area to the NZCA for its consideration as to the suitability of a national park addition. This is further supported by the contiguous boundary with Paparoa National Park.

Treaty Considerations (Allowed)

- Several submissions opposed the proposed national park investigation whilst supporting the proposal to retain the area in stewardship, pending conservation law reform to create more appropriate forms of protected area classifications from a Ngāi Tahu perspective. This follows a Ngāi Tahu tribal position that a national park classification “obstructs Ngāi Tahu from maintaining ancestral relationships with the whenua, obstructs kaitiaki rights and responsibilities, limits the meaningful involvement of Ngāi Tahu in decision-making processes, and is less enabling of customary practices that are fundamental to sustaining tribal identity and mana”.
- Submissions considered reclassification as a national park to be misaligned with Treaty obligations, and advocated for these areas to remain as stewardship land until classifications that more appropriately reflect Treaty principles are established.

Potential changes to management or legislative frameworks are not the subject of the notified proposal. As such, I recommend that comments advocating for such amendments are not accepted. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA’s consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions expressed support for the recommendation made by the Mana Whenua Panel, without providing further justification.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions argued that reclassifying land as national park, or other classifications which fall under Schedule 4, could have economic consequences by excluding mineral extraction and other activities on that land, and that the natural values of the land may not warrant this. The potential loss of opportunities resulting from these restrictions was seen as damaging, particularly in terms of mineral extraction and site rehabilitation. It was suggested that a holistic view, considering mineral prospectivity and other economic, social, and cultural considerations, should be taken.
- Submissions supported either retaining all land in stewardship or reclassification as a conservation park, suggesting that this would provide “more than adequate legal protection” while allowing activities to be assessed on a case-by-case basis.
- Submissions stated that any change should not affect existing permissions.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- Submissions expressed doubt that reclassifying stewardship land as national parks would have a positive impact on conservation, citing DOC funding and resource limitations.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Oppose

Access and Recreation (Allowed)

- Submissions advocated for reclassification to Paparoa National Park to ensure “ongoing climbing access”.
- Submissions advocated for reclassification as a national park to ensure ongoing access and enjoyment of the protected natural resources, and to reflect the recreational values of the area.

I recommend that these comments are accepted. These comments hold merit under the Conservation Act as they support promotion of recreation that is not inconsistent with the preservation of the natural and historic resources present.

Climate Change and Natural Hazards (Allowed)

- Submissions noted that ensuring high protection of these areas was especially important in the context of climate change.

I recommend that these comments are accepted. I agree that the protection of the existing natural resources present is of increasing importance when considering the need for climate mitigation. Classification as national park will support this outcome. The relevance of this factor for reclassification decisions is evident when the future-focused elements in the definition of conservation are considered, including, “safeguarding the options of future generations”, in relation to ‘natural resources’, “the air, water and soil in or on which any plant or animal lives or may live”, and in relation to ‘protection’ of a resource, “restoration to some former state and its augmentation, enhancement, or expansion” (Conservation Act 1987, s. 2).

Ecology and Landscape (Allowed)

- Submitters emphasised the ecological value of the area (e.g. “very diverse with coastal systems, creeks, pakihi and mature indigenous forest”, “support rich diversity of flora and fauna”).
- The area was noted as “an outstanding natural landscape with Outstanding Natural Character”.
- Submissions expressed preference for reclassification as a national park to reflect the high ecological and landscape values with nationally significant ecological systems and natural areas, and the comparable values to the surrounding national park.

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present which warrant consideration. The natural resources identified by submitters are consistent with those described in the CVR. The contiguous boundary with Paparoa National Park further supports your notified intention to refer this area to the NZCA for its recommendation as to the suitability of a national park addition.

Treaty Considerations (Allowed)

- Submissions acknowledged that Ngāi Tahu opposes national parks in principle, but argued for reclassification as a national park to ensure protection of natural values, suggesting that national park classification could still allow for customary access and Treaty settlements, or that legislative or management framework changes should occur to address these concerns.
- Submissions expressed that where the Mana Whenua Panel had not identified site-specific cultural values for the land, it should be reclassified as a national park to ensure protection from activities such as mining which may be allowed on stewardship land.

I recommend that these comments are accepted to the extent that they agree the natural and historic resources present warrant referral to the NZCA for their consideration. However, while the possibility of future changes to management or legislative frameworks is identified by submitters as a potential means of reconciling that purpose with Treaty partner interests, such changes are not being considered within this reclassification exercise. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA’s consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions opposed retaining land in stewardship, describing it as a “meaningless recommendation”.

- Submissions queried the extent of the recommendations to retain land in stewardship, noting this was nearly 8,000 ha, suggesting this could instead be reclassified as a scenic reserve or conservation park.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

- Submissions expressed preference for the National Panel recommendation, stating their support for stewardship land to be reclassified at the highest possible level based on its high cultural conservation values.
- Submissions expressed preference for reclassification as a national park and for high protection for more stewardship land, either without providing further justification or based on the “reasons outlined in the conservation value reports”.

I recommend that these comments are accepted. However, because no further justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is identified, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions opposed retaining the area in stewardship on the grounds that this would not protect the land from damaging activities such as mining, noting the existence of prospecting permits in some areas.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.

As I have recommended these comments are not allowed, I recommend they are not accepted.

No Opinion/Position Not Stated

Treaty Considerations (Allowed)

- Submissions recommended that amendments to the National Parks Act to address the concerns identified by the Mana Whenua Panel are resolved as a priority so there is no need to retain land in stewardship in the meantime.

Potential changes to management or legislative frameworks are not the subject of the notified classification proposal. As such, I recommend that comments advocating for such amendments are not accepted.

General (Allowed)

- Submissions advocated generally for all national parks, forest parks, scenic reserves and stewardship land to be protected from development.

I recommend that these comments are not accepted. The legislation does not provide for absolute protection from development – rather it contemplates that some activities may be acceptable and provides a mechanism for authorising such activities, through the grant of concessions. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

PAP_o8 - Woodpecker Bay – 2808374

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Woodpecker Bay	PAP_o8_2808374n	National Park (Paparoa)		6061*	22
Woodpecker Bay	PAP_o8_2808374o		Stewardship	15	53

DOC Conservation Values Report Description

A 25-ha area comprised of limestone terraces containing bluffs and steep hillslopes, joining Paparoa National Park and linking with QEII covenants to the south, together providing connectivity between the sea and the national park.

Panel Recommendations

National Panel: National park investigation to reflect the identified values, rationalising the boundary of the Paparoa National Park, and to improve landscape continuity.

Mana Whenua Panel: Retain as stewardship land pending further policy work or legal reform, based on the tribal position that the addition of land to national parks will not give effect to the principles of the Treaty of Waitangi as it alienates Ngāi Tahu from their ancestral lands.

S.49(2)(d) Recommendation

- **Proceed** with the notified proposal, by referring this area to the NZCA for its consideration on the suitability of a national park classification in accordance with the relevant policy and procedures, including Policy 6 of the General Policy for National Parks and Section 4 of the Conservation Act 1987.

Summary of accepted submissions: The submissions ‘accepted’ as holding merit supported the proposed national park addition to protect the area’s natural values, improve climate change mitigation, and ensure ongoing public recreational access. Submitters referenced specific natural resources which were noted to be of high value.

Section 4 and Treaty principles: The Mana Whenua Panel opposed the proposed national park referrals, supported by submissions from Treaty partner organisations. Te Rūnanga o Ngāi Tahu oppose all additions to national parks within the Ngāi Tahu takiwā as “the addition of land to national parks will not give effect to the principles of the Treaty of Waitangi (as required by section 4 of the Conservation Act 1987) as it alienates Ngāi Tahu from our ancestral lands”.

I note that my s.49 recommendations and your decision on whether to refer this area to the NZCA for their consideration must give effect to Treaty principles independently of the NZCA’s section 4 obligations.

Although I acknowledge the Mana Whenua Panel opposition to the notified proposal, my assessment, considering those submissions accepted, is that the natural and historic resources present are of a similar nature to the adjacent national park, and warrant proceeding with a referral to the NZCA. Giving effect to Section 4 of the Act includes taking reasonable steps to actively protect the identified Treaty partner interests, but this obligation is not absolute and unqualified, as this would be inconsistent with DOC’s other statutory responsibilities.

Referring this area to the NZCA for their consideration provides an opportunity for the NZCA to further assess the natural and historic resources present, and explore specific Ngāi Tahu interests and aspirations, including their consideration as to what giving effect to Treaty principles may require.

Rationale: My conclusion, considering those submissions accepted, is that the natural and historic resources present warrant referral to the NZCA for their consideration as per the process set out in Chapter 3 of the introduction to this Summary of Submissions Report.

* This figure includes 5,976 submissions made using a Forest and Bird template.

National Park (Paparoa) - PAP_08_2808374n

Support

Access and Recreation (Allowed)

- Submissions supported the national park recommendation on the grounds that this reflects the high recreation values, ensures ongoing public access (e.g. “including ongoing climbing access”), ensures that unique flora and fauna is protected for the enjoyment of present and future generations, and supports intergenerational participation in conservation.

I recommend that these comments are accepted. These comments hold merit under the Conservation Act as they support promotion of recreation that is not inconsistent with the preservation of the natural and historic resources present.

Climate Change and Natural Hazards (Allowed)

- Submissions suggested that suitable stewardship land should be incorporated into adjacent areas to support climate change mitigation, and that the protection of the area was especially important in the context of climate change.

I recommend that these comments are accepted. I agree that the protection of the existing natural resources present is of increasing importance when considering the need for climate mitigation. Classification as national park will support this outcome. The relevance of this factor for reclassification decisions is evident when the future-focused elements in the definition of conservation are considered, including, “safeguarding the options of future generations”, in relation to ‘natural resources’, “the air, water and soil in or on which any plant or animal lives or may live”, and in relation to ‘protection’ of a resource, “restoration to some former state and its augmentation, enhancement, or expansion” (Conservation Act 1987, s. 2).

Ecology and Landscape (Allowed)

- Submitters in support described the area as “fault uplifted karst scarp, with unmodified indigenous forest”, part of a “karst landscape” and “fitting in with the surrounding landscapes of limestone escarpment ecosystems”. It was suggested that expanding the national park would include more of the complex geology and landforms of the Paparoa Range and its adjoining lowlands. The area was noted as “an outstanding natural landscape with Outstanding Coastal Natural Character”.
- Submitters stressed the ecological value of the area (e.g. “part of Western Paparoa Biodiversity Priority Site category A for great spotted kiwi”, “nationally important plant and animal species, including the Westland petrel”).
- Submissions supported reclassification as a national park, noting that ecological, geological and landscape values are high and similar or indistinguishable to the adjoining Paparoa National Park, that it would increase habitat, enhance ecological connectivity and landscape continuity, streamline the management of these areas, and would enable critical biodiversity (Te Mana o te Taiao), climate and freshwater outcomes.
- Submissions stated that reclassification as a national park would align land classifications more closely with ecological principles (noting that current delineations are “historic and arbitrary”).
- Submissions noted that expanding the national park would provide a larger buffer for the Paparoa Wilderness Area.

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present. The natural resources identified by submitters are consistent with those described in the CVR (e.g. high representativeness and naturalness, coastal limestone cliffs which provide a range of habitats and niches). The contiguous boundary with Paparoa National Park further supports your notified intention to refer this area to the NZCA for its recommendation as to the suitability of a national park addition.

Treaty Considerations (Allowed)

- Submissions acknowledged the concerns raised by the Mana Whenua Panel regarding national parks and wanted to see these addressed. However, they viewed maximum protection of the natural values as paramount and suggested that changes to management or legislative frameworks should be made to better reflect the intent of

Treaty principles, and to ensure free access and use of national parks for cultural, traditional, historical, and customary purposes, while ensuring that natural values were preserved and protected under a national park classification.

- Submissions supported additions to adjacent national parks where the Mana Whenua Panel had not identified site-specific cultural values for the land.

I recommend that these comments are accepted to the extent that they agree the natural and historic resources present warrant referral to the NZCA for their consideration. However, while the possibility of future changes to management or legislative frameworks is identified by submitters as a potential means of reconciling that purpose with Treaty partner interests, such changes are not being considered within this reclassification exercise. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA's consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions expressed general support for all additions to national parks, and for more stewardship areas to be reclassified as a national park.
- Submissions expressed agreement with the National Panel recommendation, stating their support for stewardship land to be reclassified at the highest possible level based on its high cultural conservation value, or that this reflected the information in the technical reports.
- Submissions expressed agreement for the National Panel's recommendation or for additions to the national park, without providing further justification.
- Submissions noted that national park classification "applies a precautionary principle that these lands are best left in a natural state unless there is a good case otherwise".

I recommend that these comments are accepted. However, because no further justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is identified, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions supported the expansion of the Paparoa National Park based on anticipated benefits for tourism in the area, noting that the presence of attractions such as the Paparoa Great Walk and the Coast Road Highway has led to investments in tourism-related industries.
- Submissions noted that national parks support a nature economy, and that this is in line with the Te Whanaketanga Tai Poutini West Coast Economic Strategy 2050.
- Submissions noted that national park classification prevents mining and means development proposals are subject to higher scrutiny (e.g. will protect indigenous flora and fauna from damaging activities such as mining and clearing). They also noted that legislative "let out clauses" exist to enable things in national parks that are "necessary and have wide approval".

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions expressed concerns about the reclassification process, stating that there are "major inconsistencies and contradictions" where high value conservation land has not been recommended for reclassification as a national park.
- While acknowledging that national park classification would be a suitable reflection of the values of the area, submissions recommended that this change, given the consequent heightened restrictions, should only occur following "extensive consultation and agreement with the local iwi, stakeholders, concessionaires, interested groups and local residents in consideration in addition to not only the environmental and ecological assets, but to such things as tracking, huts, air space and landings, noise and rating".

- Submissions raised concerns about there being no terms of reference for the Mana Whenua Panel, and suggested that Mana Whenua Panel concerns regarding national parks should have been resolved prior to the reclassification project.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- Submissions acknowledged that Ngāi Tahu opposes national parks in principle, but suggested that land under statutory acknowledgements or nohoanga sites, if excluded from national park status, should not remain in stewardship.
- Submissions advocated for more funding for pest control.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Oppose

Access and Recreation (Allowed)

- Submissions expressed concern about loss of recreation opportunities and suggested that other classifications, such as conservation park or, where higher protection is warranted, scenic or recreation reserve, may provide a better balance between recreational enjoyment and protection of natural resources.
- Restrictions on dog walking were raised specifically as a concern by a West Coast resident.
- Submissions opposed any reclassification unless the reclassified purpose provides explicitly for access (including helicopter), sports fishing and gamebird hunting. Concern was raised that a national park classification excluded hunting for native species which are classified as gamebirds, such as pūkeko and paradise shelduck.

I recommend that these comments are not accepted. The methods of appreciation and recreational enjoyment proposed (e.g. dog access, hunting of indigenous avifauna) are potentially incompatible with protecting and preserving the natural resources described in the CVR, and the points raised do not justify overturning the notified intention. Although under a national park classification “the public shall have freedom of entry and access” this is subject to restrictions “necessary for the preservation of the native plants and animals or for the welfare in general of the parks” (National Parks Act 1980, s. 4(2)(e)).

Ecology and Landscape (Allowed)

- Submissions opposed all recommended reclassification as a national park, describing the land as “not so unique or scientifically important to meet the standard set by the National Parks Act”. They recommended reclassification as a conservation park, or suggested a scenic reserve or recreation reserve, to ensure sufficient protection in areas where there is potential risk of damaging activities such as mining, or recreation reserve where areas have high cultural or recreational value to the public.

I recommend that these comments are not accepted. Although areas of modification may be present, the natural resources described in the CVR (e.g. a variety of geologies and a rich diversity of native flora and fauna) justify referring this area to the NZCA for its recommendation as to the suitability of a national park addition. This is further supported by the land context of the adjoining Paparoa National Park.

Treaty Considerations (Allowed)

- Several submissions opposed the proposed national park investigation whilst supporting the proposal to retain the area in stewardship, pending conservation law reform to create more appropriate forms of protected area classifications from a Ngāi Tahu perspective. This follows a Ngāi Tahu tribal position that a national park classification “obstructs Ngāi Tahu from maintaining ancestral relationships with the whenua, obstructs kaitiaki rights and responsibilities, limits the meaningful involvement of Ngāi Tahu in decision-making processes, and is less enabling of customary practices that are fundamental to sustaining tribal identity and mana”.
- Submissions considered reclassification as a national park to be misaligned with Treaty obligations, and advocated for these areas to remain as stewardship land until classifications that more appropriately reflect Treaty principles are established.

Potential changes to management or legislative frameworks are not the subject of the notified proposal. As such, I recommend that comments advocating for such amendments are not accepted. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA's consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions expressed support for the recommendation made by the Mana Whenua Panel or general opposition to adding more land to national parks, without providing further justification.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions opposed national park reclassification on the grounds that it was "too restrictive".
- Submissions opposed national park reclassification based on the negative impacts on potential economic benefit derived from mineral resource extraction. They argued that this would not be in the best interests of the public.
- Submissions stated that any change should not affect existing permissions.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- Submissions expressed the view that national park classification does not equate to effective protection from introduced pests or predators.
- One submission opposed all reclassification of stewardship land unless it was purchased by the Nature Heritage Fund for the purpose of adding it to a national park.

As I have recommended these comments are not allowed, I recommend they are not accepted.

No Opinion/Position Not Stated

General (Allowed)

- Submissions advocated generally for all national parks, forest parks, scenic reserves and stewardship land to be protected from development.

I recommend that these comments are not accepted. The legislation does not provide for absolute protection from development – rather it contemplates that some activities may be acceptable and provides a mechanism for authorising such activities, through the grant of concessions. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Retain in Stewardship - PAP_o8_2808374o

The comments received in relation to the Mana Whenua Panel recommendation are summarised below and have been considered in relation to the notified proposal when forming s.49 allow/accept recommendations.

Support

Ecology and Landscape (Allowed)

- Submissions suggested that there was insufficient evidence of the conservation value and characteristics justifying national park status.

I recommend that these comments are not accepted. Although areas of modification may be present, the natural and historic resources described in the CVR (e.g. high representativeness and naturalness, coastal limestone cliffs which provide a range of habitats and niches) justify referring this area to the NZCA for its recommendation as to the suitability of a national park addition. This is further supported by the contiguous boundary with Paparoa National Park.

Treaty Considerations (Allowed)

- Several submissions opposed the proposed national park investigation whilst supporting the proposal to retain the area in stewardship, pending conservation law reform to create more appropriate forms of protected area classifications from a Ngāi Tahu perspective. This follows a Ngāi Tahu tribal position that a national park classification “obstructs Ngāi Tahu from maintaining ancestral relationships with the whenua, obstructs kaitiaki rights and responsibilities, limits the meaningful involvement of Ngāi Tahu in decision-making processes, and is less enabling of customary practices that are fundamental to sustaining tribal identity and mana”.
- Submissions considered reclassification as a national park to be misaligned with Treaty obligations, and advocated for these areas to remain as stewardship land until classifications that more appropriately reflect Treaty principles are established.

Potential changes to management or legislative frameworks are not the subject of the notified proposal. As such, I recommend that comments advocating for such amendments are not accepted. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA’s consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions expressed support for the recommendation made by the Mana Whenua Panel, without providing further justification.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions argued that reclassifying land as national park, or other classifications which fall under Schedule 4, could have economic consequences by excluding mineral extraction and other activities on that land, and that the natural values of the land may not warrant this. The potential loss of opportunities resulting from these restrictions was seen as damaging, particularly in terms of mineral extraction and site rehabilitation. It was suggested that a holistic view, considering mineral prospectivity and other economic, social, and cultural considerations, should be taken.
- Submissions supported either retaining all land in stewardship or reclassification as a conservation park, suggesting that this would provide “more than adequate legal protection” while allowing activities to be assessed on a case-by-case basis.
- Submissions stated that any change should not affect existing permissions.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- Submissions expressed doubt that reclassifying stewardship land as national parks would have a positive impact on conservation, citing DOC funding and resource limitations.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Oppose

Access and Recreation (Allowed)

- Submissions advocated for reclassification as a national park to ensure ongoing access and enjoyment of the protected natural resources, and to reflect the recreational values of the area.

I recommend that these comments are accepted. These comments hold merit under the Conservation Act as they support promotion of recreation that is not inconsistent with the preservation of the natural and historic resources present.

Climate Change and Natural Hazards (Allowed)

- Submissions noted that ensuring high protection of these areas was especially important in the context of climate change.

I recommend that these comments are accepted. I agree that the protection of the existing natural resources present is of increasing importance when considering the need for climate mitigation. Classification as national park will support this outcome. The relevance of this factor for reclassification decisions is evident when the future-focused elements in the definition of conservation are considered, including, “safeguarding the options of future generations”, in relation to ‘natural resources’, “the air, water and soil in or on which any plant or animal lives or may live”, and in relation to ‘protection’ of a resource, “restoration to some former state and its augmentation, enhancement, or expansion” (Conservation Act 1987, s. 2).

Ecology and Landscape (Allowed)

- Submissions expressed preference for reclassification as a national park to reflect the high ecological and landscape values with nationally significant ecological systems and natural areas, and the comparable values to the surrounding national park.
- Submitters stressed the ecological value of the area (e.g. “part of Western Paparoa Biodiversity Priority Site category A for great spotted kiwi”, “nationally important plant and animal species, including the Westland petrel”).
- The area was noted as “an outstanding natural landscape with Outstanding Coastal Natural Character”.
- Submitters described the area as containing “limestone escarpment ecosystems” with “specialised flora” and “mid Tertiary fossils of national scientific and educational importance”.

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present which warrant consideration. The natural resources identified by submitters are consistent with those described in the CVR. The contiguous boundary with Paparoa National Park further supports your notified intention to refer this area to the NZCA for its recommendation as to the suitability of a national park addition.

Treaty Considerations (Allowed)

- Submissions acknowledged that Ngāi Tahu opposes national parks in principle, but argued for reclassification as a national park to ensure protection of natural values, suggesting that national park classification could still allow for customary access and Treaty settlements, or that legislative or management framework changes should occur to address these concerns.
- Submissions expressed that where the Mana Whenua Panel had not identified site-specific cultural values for the land, it should be reclassified as a national park to ensure protection from activities such as mining which may be allowed on stewardship land.

I recommend that these comments are accepted to the extent that they agree the natural and historic resources present warrant referral to the NZCA for their consideration. However, while the possibility of future changes to management or legislative frameworks is identified by submitters as a potential means of reconciling that purpose with Treaty partner

interests, such changes are not being considered within this reclassification exercise. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA's consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions opposed retaining land in stewardship, describing it as a "meaningless recommendation".
- Submissions queried the extent of the recommendations to retain land in stewardship, noting this was nearly 8,000 ha, suggesting this could instead be reclassified as a scenic reserve or conservation park.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

- Submissions expressed preference for the National Panel recommendation, stating their support for stewardship land to be reclassified at the highest possible level based on its high cultural conservation values.
- Submissions expressed preference for reclassification as a national park and for high protection for more stewardship land, either without providing further justification or based on the "reasons outlined in the conservation value reports".

I recommend that these comments are accepted. However, because no further justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is identified, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter expressed that the area should not be "used in any way to generate income, or to give precedence of access or right of use to any specific group of New Zealanders".
- Submissions opposed retaining the area in stewardship on the grounds that this would not protect the land from damaging activities such as mining, noting the existence of prospecting permits in some areas.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.

As I have recommended these comments are not allowed, I recommend they are not accepted.

No Opinion/Position Not Stated

Treaty Considerations (Allowed)

- Submissions recommended that amendments to the National Parks Act to address the concerns identified by the Mana Whenua Panel are resolved as a priority so there is no need to retain land in stewardship in the meantime.

Potential changes to management or legislative frameworks are not the subject of the notified classification proposal. As such, I recommend that comments advocating for such amendments are not accepted.

General (Allowed)

- Submissions advocated generally for all national parks, forest parks, scenic reserves and stewardship land to be protected from development.

I recommend that these comments are not accepted. The legislation does not provide for absolute protection from development – rather it contemplates that some activities may be acceptable and provides a mechanism for authorising such activities, through the grant of concessions. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

PAP_09 – Fox River – 2808375

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Fox River	PAP_09_2808375p	National Park (Paparoa)		6058*	21
Fox River	PAP_09_2808375q		Stewardship	13	52

DOC Conservation Values Report Description

A 2.7-ha area joining the Paparoa National Park, adjacent to a large ecological management unit which extends over much of the national park, with similar vegetation cover.

Panel Recommendations

National Panel: National park investigation to reflect the identified values which are complementary to the adjacent Paparoa National Park, rationalising the boundary of the national park and improving landscape continuity.

Mana Whenua Panel: Retain as stewardship land pending further policy work or legal reform, based on the tribal position that the addition of land to national parks will not give effect to the principles of the Treaty of Waitangi as it alienates Ngāi Tahu from their ancestral lands.

S.49(2)(d) Recommendation

- **Proceed** with the notified proposal, by referring this area to the NZCA for its consideration on the suitability of a national park classification in accordance with the relevant policy and procedures, including Policy 6 of the General Policy for National Parks and Section 4 of the Conservation Act 1987.

Summary of accepted submissions: The submissions ‘accepted’ as holding merit supported the proposed national park investigation to protect the area’s natural values, improve climate change mitigation, and ensure ongoing public recreational access. Submitters referenced specific natural resources which were noted to be of high value. It was suggested that the Paparoa National Park Management Plan 2017 exhibits the principle of partnership and will support mana whenua to maintain kaitiaki status over this area.

Section 4 and Treaty principles: The Mana Whenua Panel opposed the proposed national park referrals, supported by submissions from Treaty partner organisations. Te Rūnanga o Ngāi Tahu oppose all additions to national parks within the Ngāi Tahu takiwā as “the addition of land to national parks will not give effect to the principles of the Treaty of Waitangi (as required by section 4 of the Conservation Act 1987) as it alienates Ngāi Tahu from our ancestral lands”.

I note that my s.49 recommendations and your decision on whether to refer this area to the NZCA for their consideration must give effect to Treaty principles independently of the NZCA’s section 4 obligations.

Although I acknowledge the Mana Whenua Panel opposition to the notified proposal, my assessment, considering those submissions accepted, is that the natural and historic resources present are of a similar nature to the adjacent national park, and warrant proceeding with a referral to the NZCA. Giving effect to Section 4 of the Act includes taking reasonable steps to actively protect the identified Treaty partner interests, but this obligation is not absolute and unqualified, as this would be inconsistent with DOC’s other statutory responsibilities.

Referring this area to the NZCA for their consideration provides an opportunity for the NZCA to further assess the natural and historic resources present, and explore specific Ngāi Tahu interests and aspirations, including their consideration as to what giving effect to Treaty principles may require.

Rationale: My conclusion, considering those submissions accepted, is that the natural and historic resources present warrant referral to the NZCA for their consideration as per the process set out in Chapter 3 of the introduction to this Summary of Submissions Report.

* This figure includes 5,976 submissions made using a Forest and Bird template.

National Park (Paparoa) - PAP_09_2808375p

Support

Access and Recreation (Allowed)

- The area was noted as “a packrafting treasure” which has “easy whitewater set in spectacular karst”.
- Submissions supported the national park recommendation on the grounds that this reflects the high recreation values, ensures ongoing public access (e.g. “including ongoing climbing access”), ensures that unique flora and fauna is protected for the enjoyment of present and future generations, and supports intergenerational participation in conservation.

I recommend that these comments are accepted. These comments provide site-specific details regarding the public access and recreational features present which are consistent with those described in the CVR, and warrant consideration. They hold merit under the Conservation Act as they support promotion of recreation that is not inconsistent with the preservation of the natural and historic resources present.

Climate Change and Natural Hazards (Allowed)

- Submissions suggested that suitable stewardship land should be incorporated into adjacent areas to support climate change mitigation, and that the protection of the area was especially important in the context of climate change.

I recommend that these comments are accepted. I agree that the protection of the existing natural resources present is of increasing importance when considering the need for climate mitigation. Classification as national park will support this outcome. The relevance of this factor for reclassification decisions is evident when the future-focused elements in the definition of conservation are considered, including, “safeguarding the options of future generations”, in relation to ‘natural resources’, “the air, water and soil in or on which any plant or animal lives or may live”, and in relation to ‘protection’ of a resource, “restoration to some former state and its augmentation, enhancement, or expansion” (Conservation Act 1987, s. 2).

Ecology and Landscape (Allowed)

- Submissions supported reclassification as a national park, noting that ecological, geological and landscape values are high and similar or indistinguishable to the adjoining Paparoa National Park, that it would increase habitat, enhance ecological connectivity and landscape continuity, provide a larger buffer for the Paparoa Wilderness Area, streamline the management of these areas, and align land classifications more closely with ecological principles (describing current delineations as “historic and arbitrary”).
- Submissions in support noted that expanding the national park would include more of the complex geology and landforms of the Paparoa Range and its adjoining lowlands. It was also suggested that it would enable critical biodiversity (Te Mana o te Taiao), climate and freshwater outcomes.
- Several submitters noted the ecological value of the area (e.g. “giant rata tower above the Fox River”, “high level of naturalness”, “complex ecosystem with podocarp, broadleaf and beech forest”, “provides habitat for nationally important species such as the roroa”).

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present which warrant consideration. The natural resources identified by submitters are consistent with those described in the CVR (e.g. a high level of representativeness and naturalness; an extension of the Paparoa National Park). The contiguous boundary with Paparoa National Park further supports your notified intention to refer this area to the NZCA for its recommendation as to the suitability of a national park addition.

Treaty Considerations (Allowed)

- One submitter recognised “the concerns of the Mana Whenua Panel” and “their aspirations to maintain kaitiaki status over this area”, suggesting that the Paparoa National Park Management Plan 2017 “creates such a partnership”.

I recommend that these comments are accepted. I agree that the Paparoa National Park Management Plan 2017 gives effect to the Treaty principle of partnership and supports the expression of kaitiakitanga (e.g. “the partnership between the Department and Ngāi Tahu in managing Paparoa National Park occurs directly with both Te Rūnanga o Ngāti Waewae as the representative body of the mana whenua, and Te Rūnanga o Ngāi Tahu as the Treaty partner”, Paparoa National Park Management Plan 2017 p. 13).

- Submissions acknowledged the concerns raised by the Mana Whenua Panel regarding national parks and wanted to see these addressed. However, they viewed maximum protection of the natural values as paramount and suggested that changes to management or legislative frameworks should be made to better reflect the intent of Treaty principles, and to ensure free access and use of national parks for cultural, traditional, historical, and customary purposes, while ensuring that natural values were preserved and protected under a national park classification.
- Submissions supported additions to adjacent national parks where the Mana Whenua Panel had not identified site-specific cultural values for the land.

I recommend that these comments are accepted to the extent that they agree the natural and historic resources present warrant referral to the NZCA for their consideration. However, while the possibility of future changes to management or legislative frameworks is identified by submitters as a potential means of reconciling that purpose with Treaty partner interests, such changes are not being considered within this reclassification exercise. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA’s consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions expressed general support for all additions to national parks and for more stewardship areas to be reclassified as national park.
- Submissions expressed agreement with the National Panel recommendation, stating their support for stewardship land to be reclassified at the highest possible level based on its “high cultural conservation value”, or that this reflected the information in the technical reports.
- Submissions expressed agreement for the National Panel’s recommendation or for additions to the national park, without providing further justification.
- Submissions noted that national park classification “applies a precautionary principle that these lands are best left in a natural state unless there is a good case otherwise”.

I recommend that these comments are accepted. However, because no further justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is identified, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- One submitter sought “a specific proviso prohibiting exploitation of the area through mining; and helicopter flights over, and landings in, the area for tourist purposes”.
- Submissions supported the expansion of the Paparoa National Park based on anticipated benefits for tourism in the area, noting that the presence of attractions such as the Paparoa Great Walk and the Coast Road Highway has led to investments in tourism-related industries.
- Submissions stated that national parks support a nature economy, and that this is in line with the Te Whanaketanga Tai Poutini West Coast Economic Strategy 2050.
- Submissions noted that national park classification prevents mining and means development proposals are subject to higher scrutiny (e.g. will protect indigenous flora and fauna from damaging activities such as mining and clearing). They also noted that legislative “let out clauses” exist to enable things in national parks that are “necessary and have wide approval”.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions expressed concerns about the reclassification process, stating that there are “major inconsistencies and contradictions” where high value conservation land has not been recommended for reclassification as a national park.
- While acknowledging that national park classification would be a suitable reflection of the values of the area, submissions recommended that this change, given the consequent heightened restrictions, should only occur following “extensive consultation and agreement with the local iwi, stakeholders, concessionaires, interested groups and local residents in consideration in addition to not only the environmental and ecological assets, but to such things as tracking, huts, air space and landings, noise and rating”.
- Submissions raised concerns about there being no terms of reference for the Mana Whenua Panel, and suggested that Mana Whenua Panel concerns regarding national parks should have been resolved prior to the reclassification project.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- Submissions acknowledged that Ngāi Tahu opposes national parks in principle, but suggested that land under statutory acknowledgements or nohoanga sites, if excluded from national park status, should not remain in stewardship.
- Submissions advocated for more funding for pest control.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Oppose

Access and Recreation (Allowed)

- Submissions expressed concern about loss of recreation opportunities and suggested that other classifications, such as conservation park or, where higher protection is warranted, scenic or recreation reserve, may provide a better balance between recreational enjoyment and protection of natural resources.
- Restrictions on dog walking were raised specifically as a concern by a West Coast resident.
- Submissions opposed any reclassification unless the reclassified purpose provides explicitly for access (including helicopter), sports fishing and gamebird hunting. Concern was raised that a national park classification excluded hunting for native species which are classified as gamebirds, such as pūkeko and paradise shelduck.

I recommend that these comments are not accepted. The methods of appreciation and recreational enjoyment proposed (e.g. dog access, hunting of indigenous avifauna) are potentially incompatible with protecting and preserving the natural resources described in the CVR, and the points raised do not justify overturning the notified intention. Although under a national park classification “the public shall have freedom of entry and access” this is subject to restrictions “necessary for the preservation of the native plants and animals or for the welfare in general of the parks” (National Parks Act 1980, s. 4(2)(e)).

Ecology and Landscape (Allowed)

- Submissions opposed all recommended reclassification as a national park, describing the land as “not so unique or scientifically important to meet the standard set by the National Parks Act”. They recommended reclassification as a conservation park, or suggested a scenic reserve or recreation reserve, to ensure sufficient protection in areas where there is potential risk of damaging activities such as mining, or recreation reserve where areas have high cultural or recreational value to the public.

I recommend that these comments are not accepted. Although areas of modification may be present, the natural resources described in the CVR (e.g. a high level of representativeness and naturalness) justify referring this area to the NZCA for its recommendation as to the suitability of a national park addition. This is further supported by the land context of the adjoining Paparoa National Park.

Treaty Considerations (Allowed)

- Several submissions opposed the proposed national park investigation whilst supporting the proposal to retain the area in stewardship, pending conservation law reform to create more appropriate forms of protected area classifications from a Ngāi Tahu perspective. This follows a Ngāi Tahu tribal position that a national park classification “obstructs Ngāi Tahu from maintaining ancestral relationships with the whenua, obstructs kaitiaki rights and responsibilities, limits the meaningful involvement of Ngāi Tahu in decision-making processes, and is less enabling of customary practices that are fundamental to sustaining tribal identity and mana”.
- Submissions considered reclassification as a national park to be misaligned with Treaty obligations, and advocated for these areas to remain as stewardship land until classifications that more appropriately reflect Treaty principles are established.

Potential changes to management or legislative frameworks are not the subject of the notified proposal. As such, I recommend that comments advocating for such amendments are not accepted. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA’s consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions expressed support for the recommendation made by the Mana Whenua Panel or general opposition to adding more land to national parks, without providing further justification.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions opposed national park reclassification on the grounds that it was “too restrictive”.
- Submissions opposed national park reclassification based on the negative impacts on potential economic benefit derived from mineral resource extraction. They argued that this would not be in the best interests of the public.
- Submissions stated that any change should not affect existing permissions.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- Submissions expressed the view that national park classification does not equate to effective protection from introduced pests or predators.
- One submission opposed all reclassification of stewardship land unless it was purchased by the Nature Heritage Fund for the purpose of adding it to a national park.

As I have recommended these comments are not allowed, I recommend they are not accepted.

No Opinion/Position Not Stated

General (Allowed)

- Submissions advocated generally for all national parks, forest parks, scenic reserves and stewardship land to be protected from development.

I recommend that these comments are not accepted. The legislation does not provide for absolute protection from development – rather it contemplates that some activities may be acceptable and provides a mechanism for authorising

such activities, through the grant of concessions. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Retain in Stewardship - PAP_09_2808375q

The comments received in relation to the Mana Whenua Panel recommendation are summarised below and have been considered in relation to the notified proposal when forming s.49 allow/accept recommendations.

Support

Ecology and Landscape (Allowed)

- Submissions suggested that there was insufficient evidence of the conservation value and characteristics justifying national park status.

I recommend that these comments are not accepted. Although areas of modification may be present, the natural and historic resources described in the CVR (e.g. despite historic grazing the area has high representativeness and naturalness; the geosyncline is a unique feature nationally) justify referring this area to the NZCA for its recommendation as to the suitability of a national park addition. This is further supported by the contiguous boundary with Paparoa National Park.

Treaty Considerations (Allowed)

- Several submissions opposed the proposed national park investigation whilst supporting the proposal to retain the area in stewardship, pending conservation law reform to create more appropriate forms of protected area classifications from a Ngāi Tahu perspective. This follows a Ngāi Tahu tribal position that a national park classification “obstructs Ngāi Tahu from maintaining ancestral relationships with the whenua, obstructs kaitiaki rights and responsibilities, limits the meaningful involvement of Ngāi Tahu in decision-making processes, and is less enabling of customary practices that are fundamental to sustaining tribal identity and mana”.
- Submissions considered reclassification as a national park to be misaligned with Treaty obligations, and advocated for these areas to remain as stewardship land until classifications that more appropriately reflect Treaty principles are established.

Potential changes to management or legislative frameworks are not the subject of the notified proposal. As such, I recommend that comments advocating for such amendments are not accepted. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA's consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions expressed support for the recommendation made by the Mana Whenua Panel, without providing further justification.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions argued that reclassifying land as national park, or other classifications which fall under Schedule 4, could have economic consequences by excluding mineral extraction and other activities on that land, and that the natural values of the land may not warrant this. The potential loss of opportunities resulting from these restrictions was seen as damaging, particularly in terms of mineral extraction and site rehabilitation. It was suggested that a holistic view, considering mineral prospectivity and other economic, social, and cultural considerations, should be taken.
- Submissions supported either retaining all land in stewardship or reclassification as a conservation park, suggesting that this would provide “more than adequate legal protection” while allowing activities to be assessed on a case-by-case basis.
- Submissions stated that any change should not affect existing permissions.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- Submissions expressed doubt that reclassifying stewardship land as national parks would have a positive impact on conservation, citing DOC funding and resource limitations.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Oppose

Access and Recreation (Allowed)

- One submission proposed a national park classification based on the area's "recreation properties".
- Submissions advocated for reclassification as a national park to ensure ongoing access and enjoyment of the protected natural resources, and to reflect the recreational values of the area.

I recommend that these comments are accepted. These comments hold merit under the Conservation Act as they support promotion of recreation that is not inconsistent with the preservation of the natural and historic resources present.

Climate Change and Natural Hazards (Allowed)

- Submissions noted that ensuring high protection of these areas was especially important in the context of climate change.

I recommend that these comments are accepted. I agree that the protection of the existing natural resources present is of increasing importance when considering the need for climate mitigation. Classification as national park will support this outcome. The relevance of this factor for reclassification decisions is evident when the future-focused elements in the definition of conservation are considered, including, "safeguarding the options of future generations", in relation to 'natural resources', "the air, water and soil in or on which any plant or animal lives or may live", and in relation to 'protection' of a resource, "restoration to some former state and its augmentation, enhancement, or expansion" (Conservation Act 1987, s. 2).

Ecology and Landscape (Allowed)

- Submissions expressed preference for reclassification as a national park to reflect the high ecological and landscape values with nationally significant ecological systems and natural areas, and the comparable values to the surrounding national park.
- The area was described as a "rare geological feature and provides habitat for nationally important species such as the roroa".
- Submitters noted the area to have "high levels of naturalness", with giant rata that "tower above the Fox River".

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present which warrant consideration. The natural resources identified by submitters are consistent with those described in the CVR (e.g. a high level of representativeness and naturalness; an extension of the Paparoa National Park). The contiguous boundary with Paparoa National Park further supports your notified intention to refer this area to the NZCA for its recommendation as to the suitability of a national park addition.

Treaty Considerations (Allowed)

- Submissions acknowledged that Ngāi Tahu opposes national parks in principle, but argued for reclassification as a national park to ensure protection of natural values, suggesting that national park classification could still allow for customary access and Treaty settlements, or that legislative or management framework changes should occur to address these concerns.
- Submissions expressed that where the Mana Whenua Panel had not identified site-specific cultural values for the land, it should be reclassified as a national park to ensure protection from activities such as mining which may be allowed on stewardship land.

I recommend that these comments are accepted to the extent that they agree the natural and historic resources present warrant referral to the NZCA for their consideration. However, while the possibility of future changes to management or

legislative frameworks is identified by submitters as a potential means of reconciling that purpose with Treaty partner interests, such changes are not being considered within this reclassification exercise. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA's consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions opposed retaining land in stewardship, describing it as a "meaningless recommendation".
- Submissions queried the extent of the recommendations to retain land in stewardship, noting this was nearly 8,000 ha, suggesting this could instead be reclassified as a scenic reserve or conservation park.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

- Submissions expressed preference for the National Panel recommendation, stating their support for stewardship land to be reclassified at the highest possible level based on its high cultural conservation values.
- Submissions expressed preference for reclassification as a national park and for high protection for more stewardship land, either without providing further justification or based on the "reasons outlined in the conservation value reports".

I recommend that these comments are accepted. However, because no further justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is identified, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions opposed retaining the area in stewardship on the grounds that this would not protect the land from damaging activities such as mining, noting the existence of prospecting permits in some areas.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.

As I have recommended these comments are not allowed, I recommend they are not accepted.

No Opinion/Position Not Stated

Treaty Considerations (Allowed)

- Submissions recommended that amendments to the National Parks Act to address the concerns identified by the Mana Whenua Panel are resolved as a priority so there is no need to retain land in stewardship in the meantime.

Potential changes to management or legislative frameworks are not the subject of the notified classification proposal. As such, I recommend that comments advocating for such amendments are not accepted.

General (Allowed)

- Submissions advocated generally for all national parks, forest parks, scenic reserves and stewardship land to be protected from development.

I recommend that these comments are not accepted. The legislation does not provide for absolute protection from development – rather it contemplates that some activities may be acceptable and provides a mechanism for authorising such activities, through the grant of concessions. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

PAP_10 - Bullock Creek Farm – 2808377

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Bullock Creek Farm	PAP_10_2808377r	National Park (Paparoa)		6073*	21
Bullock Creek Farm	PAP_10_2808377s		Stewardship	14	67

DOC Conservation Values Report Description

A 420-ha basin historically cleared for farming, surrounded by Paparoa National Park. Sitting within a nationally unique geosyncline, it contains a unique karst feature (a polje) and a wetland under restoration. The rest of the site is currently managed for restoration under a Jobs for Nature programme. Walking tracks, including the Cave Creek Memorial Track, are within this conservation area.

Panel Recommendations

National Panel: National park investigation to reflect the identified values, rationalising the boundary of the Paparoa National Park, and to improve landscape continuity.

Mana Whenua Panel: Retain as stewardship land pending further policy work or legal reform, based on the tribal position that the addition of land to national parks will not give effect to the principles of the Treaty of Waitangi as it alienates Ngāi Tahu from their ancestral lands.

S.49(2)(d) Recommendation

- Proceed with the notified proposal, by referring this area to the NZCA for its consideration on the suitability of a national park classification in accordance with the relevant policy and procedures, including Policy 6 of the General Policy for National Parks and Section 4 of the Conservation Act 1987.

Summary of accepted submissions: The submissions ‘accepted’ as holding merit supported the **proposed national park investigation** to protect the area’s natural values, improve climate change mitigation, and ensure ongoing public recreational access. Submitters referenced specific natural resources which were noted to be of high value. It was suggested that the Paparoa National Park Management Plan 2017 exhibits the principle of partnership and will support mana whenua to maintain kaitiaki status over this area.

Section 4 and Treaty principles: The Mana Whenua Panel opposed the proposed national park referrals, supported by submissions from Treaty partner organisations. Te Rūnanga o Ngāi Tahu oppose all additions to national parks within the Ngāi Tahu takiwā as “the addition of land to national parks will not give effect to the principles of the Treaty of Waitangi (as required by section 4 of the Conservation Act 1987) as it alienates Ngāi Tahu from our ancestral lands”.

I note that my s.49 recommendations and your decision on whether to refer this area to the NZCA for their consideration must give effect to Treaty principles independently of the NZCA’s section 4 obligations.

Although I acknowledge the Mana Whenua Panel opposition to the notified proposal, my assessment, considering those submissions accepted, is that the natural and historic resources present are of a similar nature to the adjacent national park, and warrant proceeding with a referral to the NZCA. Giving effect to Section 4 of the Act includes taking reasonable steps to actively protect the identified Treaty partner interests, but this obligation is not absolute and unqualified, as this would be inconsistent with DOC’s other statutory responsibilities.

* This figure includes 5,976 submissions made using a Forest and Bird template.

Referring this area to the NZCA for their consideration provides an opportunity for the NZCA to further assess the natural and historic resources present, and explore specific Ngāi Tahu interests and aspirations, including their consideration as to what giving effect to Treaty principles may require.

Rationale: My conclusion, considering those submissions accepted, is that the natural and historic resources present warrant referral to the NZCA for their consideration as per the process set out in Chapter 3 of the introduction to this Summary of Submissions Report.

National Park (Paparoa) - PAP_10_2808377r

Support

Access and Recreation (Allowed)

- Submitters noted that the area contains Cave Creek, the “site of the tragic 1995 collapse of a platform”, suggesting that “national park would be appropriate recognition for the victims and their loved ones” and “should be protected in acknowledgement of the families and all who wish to visit and respect the memorial site”.
- The area is noted to have “a number of walking and tramping tracks” and many caves (e.g. “Mt Bovis Track, Cave Stream track and Inland Pack Track”).
- Submitters noted the area to contain “an underground network of submerged caves that cave divers have only just begun to explore”, one of the “longest and most complex underwater systems in the country”.
- The area was noted to be “surrounded by soaring limestone cliffs important to the rock climbing community”.
- Submissions supported the national park recommendation on the grounds that this reflects the high recreation values, ensures ongoing public access ensures that unique flora and fauna is protected for the enjoyment of present and future generations, and supports intergenerational participation in conservation.

I recommend that these comments are accepted. These comments provide site-specific details regarding the public access and recreational features present which are consistent with those described in the CVR. They hold merit under the Conservation Act as they support promotion of recreation that is not inconsistent with the preservation of the natural and historic resources present.

- Submissions noted that the area was originally cleared for farming but is now “part of a multi million dollar Jobs for Nature planting restoration” led by Conservation Volunteers NZ, suggesting that this effort will be appreciated by future generations “if this area gets the protection of National Park status”.
- A submitter involved with a Jobs for Nature project in the area supported a national park classification only if it does not limit future conservation projects (e.g. “It would be a shame and waste if no other projects would be able to use the area through a new classification”).

Climate Change and Natural Hazards (Allowed)

- A national park classification was considered to “help to restrict global warming without restricting anyone’s freedom to visit the area and move through it on nature’s terms”.
- Submissions suggested that suitable stewardship land should be incorporated into adjacent areas to support climate change mitigation, and that the protection of the area was especially important in the context of climate change.

I recommend that these comments are accepted. I agree that the protection of the existing natural resources present is of increasing importance when considering the need for climate mitigation. Classification as national park will support this outcome. The relevance of this factor for reclassification decisions is evident when the future-focused elements in the definition of conservation are considered, including, “safeguarding the options of future generations”, in relation to ‘natural resources’, “the air, water and soil in or on which any plant or animal lives or may live”, and in relation to ‘protection’ of a resource, “restoration to some former state and its augmentation, enhancement, or expansion” (Conservation Act 1987, s. 2).

Ecology and Landscape (Allowed)

- Submissions supported reclassification as a national park, stating that ecological, geological and landscape values are high and similar or indistinguishable to the adjoining Paparoa National Park, that the area is “completely surrounded by National Park”, and noted that the West Coast conservation management strategy suggests the area “contains National Park Values and could be considered as an addition to Paparoa National Park” (e.g. “investigating adding Bullock Creek Farm to Paparoa National Park is a milestone in the park plan for initiating by 2019”).
- Submissions stated that expanding the national park would include more of the complex geology and landforms of the Paparoa Range and its adjoining lowlands. It was noted that “Bullock Creek is New Zealand’s only example of a polje” a unique karst feature which has been “recognised as a site of international significance”, “as well as a national wonder”.
- Submitters stressed the ecological value of the area, “scarlet mistletoe and varied podocarp forest with rimu, miro and kahikatea” providing habitat for “geckos, lesser short tailed bats”, that the area has previously been nominated as a Ramsar wetland, and that it has “species habitat that is indistinguishable from what is within the park”.
- Submissions supported national park classification on the grounds that it would increase habitat, enhance ecological connectivity and landscape continuity, streamline the management of these areas, “provide for landscape integrity, continuity, and connectivity within the Park and rationalise its boundaries”, and align land classifications more closely with ecological principles (describing current delineations as “historic and arbitrary”). It was also suggested that it would enable critical biodiversity (Te Mana o te Taiao), climate and freshwater outcomes.
- Submissions expressed general support for all stewardship land adjacent to national parks or wilderness areas to be given national park classification, noting that in many cases the values are indistinguishable, and that this would support native reforestation, enhance ecological buffer zones, maintain ecological diversity, and support the creation of ecological corridors.

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present. The natural resources identified by submitters are consistent with those described in the CVR (e.g. despite historic grazing the area has high representativeness and naturalness; the geosyncline is a unique feature nationally). The contiguous boundary with Paparoa National Park further supports your notified intention to refer this area to the NZCA for its recommendation as to the suitability of a national park addition.

Treaty Considerations (Allowed)

- One submitter recognised “the concerns of the Mana Whenua Panel” and “their aspirations to maintain kaitiaki status over this area”, suggesting that the Paparoa National Park Management Plan 2017 “creates such a partnership”.

I recommend that these comments are accepted. I agree that the Paparoa National Park Management Plan 2017 gives effect to the Treaty principle of partnership and supports the expression of kaitiakitanga (e.g. “the partnership between the Department and Ngāi Tahu in managing Paparoa National Park occurs directly with both Te Rūnanga o Ngāti Waewae as the representative body of the mana whenua, and Te Rūnanga o Ngāi Tahu as the Treaty partner”, Paparoa National Park Management Plan 2017 p. 13).

- Submissions acknowledged the concerns raised by the Mana Whenua Panel regarding national parks and wanted to see these addressed. However, they viewed maximum protection of the natural values as paramount and suggested that changes to management or legislative frameworks should be made to better reflect the intent of Treaty principles, and to ensure free access and use of national parks for cultural, traditional, historical, and customary purposes, while ensuring that natural values were preserved and protected under a national park classification.
- Submissions supported additions to adjacent national parks where the Mana Whenua Panel had not identified site-specific cultural values for the land.

I recommend that these comments are accepted to the extent that they agree the natural and historic resources present warrant referral to the NZCA for their consideration. However, while the possibility of future changes to management or legislative frameworks is identified by submitters as a potential means of reconciling that purpose with Treaty partner interests, such changes are not being considered within this reclassification exercise. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA's consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions expressed general support for all additions to national parks, stated they “support the proposed additions to national parks and would like to see more areas given the highest level of protection”.
- Submissions expressed agreement with the National Panel recommendation, stating their support for stewardship land to be reclassified at the highest possible level based on its “high cultural conservation” value, or that this reflected the information in the technical reports.
- Submissions expressed agreement for the National Panel's recommendation or for additions to the national park, without providing further justification.
- Submissions noted that national park classification “applies a precautionary principle that these lands are best left in a natural state unless there is a good case otherwise”.

I recommend that these comments are accepted. However, because no further justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is identified, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- One submitter sought “a specific proviso prohibiting exploitation of the area through mining; and helicopter flights over, and landings in, the area for tourist purposes”.
- Submissions supported the expansion of the Paparoa National Park based on anticipated benefits for tourism in the area, noting that the presence of attractions such as the Paparoa Great Walk and the Coast Road Highway has led to investments in tourism-related industries. It was suggested that national parks support a nature economy, and that this is in line with the Te Whanaketanga Tai Poutini West Coast Economic Strategy 2050.
- Submissions noted that national park classification prevents mining and means development proposals are subject to higher scrutiny (e.g. will protect indigenous flora and fauna from damaging activities such as mining and clearing). They also noted that legislative “let out clauses” exist to enable things in national parks that are “necessary and have wide approval”.
- A submitter expressed a desire “to preserve the area for future generations to visit and cherish, rather than allowing it to be exploited for commercial profit”.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions expressed concerns about the reclassification process, stating that there are “major inconsistencies and contradictions” where high value conservation land has not been recommended for reclassification as a national park.
- While acknowledging that national park classification would be a suitable reflection of the values of the area, submissions recommended that this change, given the consequent heightened restrictions, should only occur following “extensive consultation and agreement with the local iwi, stakeholders, concessionaires, interested groups and local residents in consideration in addition to not only the environmental and ecological assets, but to such things as tracking, huts, air space and landings, noise and rating”.
- Submissions raised concerns about there being no terms of reference for the Mana Whenua Panel, and suggested that Mana Whenua Panel concerns regarding national parks should have been resolved prior to the reclassification project.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- One submission noted that “it is exciting that a Ngāi Tahu/Kati Waewae perspective of the waters of the Paparoa and the unusual and magic nature of this place, and any historical cultural insights, might be shared with all, in the now under construction Ngāti Waewae Visitor Centre”.
- Submissions acknowledged that Ngāi Tahu opposes national parks in principle, but suggested that land under statutory acknowledgements or nohoanga sites, if excluded from national park status, should not remain in stewardship.
- Submissions advocated for more funding for pest control.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Oppose

Access and Recreation (Allowed)

- Submissions expressed concern about loss of recreation opportunities and suggested that other classifications, such as conservation park or, where higher protection is warranted, scenic or recreation reserve, may provide a better balance between recreational enjoyment and protection of natural resources.
- Restrictions on dog walking were raised specifically as a concern by a West Coast resident, while another described the various recreation uses they were concerned may be affected by national park classification (e.g. “the farm tracks are currently used by walkers, E-bikes and 4WD vehicles”). It was proposed the area should “become a Recreation Reserve with camping areas”.
- Submissions opposed any reclassification unless the reclassified purpose provides explicitly for access (including helicopter), sports fishing and gamebird hunting. Concern was raised that a national park classification excluded hunting for native species which are classified as gamebirds, such as pūkeko and paradise shelduck.

I recommend that these comments are not accepted. The methods of appreciation and recreational enjoyment proposed (e.g. dog access, hunting of indigenous avifauna) are potentially incompatible with protecting and preserving the natural resources described in the CVR, and the points raised do not justify overturning the notified intention. Although under a national park classification “the public shall have freedom of entry and access” this is subject to restrictions “necessary for the preservation of the native plants and animals or for the welfare in general of the parks” (National Parks Act 1980, s. 4(2)(e)).

Ecology and Landscape (Allowed)

- Submissions opposed all recommended reclassification as a national park, describing the land as “not so unique or scientifically important to meet the standard set by the National Parks Act”. They recommended reclassification as a conservation park, or suggested a scenic reserve or recreation reserve, to ensure sufficient protection in areas where there is potential risk of damaging activities such as mining, or recreation reserve where areas have high cultural or recreational value to the public.

I recommend that these comments are not accepted. Although areas of modification may be present, the natural resources described in the CVR (e.g. a variety of geologies and a rich diversity of native flora and fauna) justify referring this area to the NZCA for its recommendation as to the suitability of a national park addition. This is further supported by the land context of the adjoining Paparoa National Park.

Treaty Considerations (Allowed)

- Several submissions opposed the proposed national park investigation whilst supporting the proposal to retain the area in stewardship, pending conservation law reform to create more appropriate forms of protected area classifications from a Ngāi Tahu perspective. This follows a Ngāi Tahu tribal position that a national park classification “obstructs Ngāi Tahu from maintaining ancestral relationships with the whenua, obstructs kaitiaki rights and responsibilities, limits the meaningful involvement of Ngāi Tahu in decision-making processes, and is less enabling of customary practices that are fundamental to sustaining tribal identity and mana”.

- Submissions considered reclassification as a national park to be misaligned with Treaty obligations, and advocated for these areas to remain as stewardship land until classifications that more appropriately reflect Treaty principles are established.

Potential changes to management or legislative frameworks are not the subject of the notified proposal. As such, I recommend that comments advocating for such amendments are not accepted. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA's consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions expressed support for the recommendation made by the Mana Whenua Panel or general opposition to adding more land to national parks, without providing further justification.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions opposed national park reclassification on the grounds that it was "too restrictive".
- Submissions opposed national park reclassification based on the negative impacts on potential economic benefit derived from mineral resource extraction. They argued that this would not be in the best interests of the public.
- Submissions stated that any change should not affect existing permissions.
- Submitters suggested the area should be classified to facilitate restoration as a tōtara forest to be used by future generations (e.g. "the open fertile flat areas should be planted in sustainable production forests of native species such as tōtara for future generations to harvest and use for building").

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- Submissions expressed the view that national park classification does not equate to effective protection from introduced pests or predators.
- One submission opposed all reclassification of stewardship land unless it was purchased by the Nature Heritage Fund for the purpose of adding it to a national park.

As I have recommended these comments are not allowed, I recommend they are not accepted.

No Opinion/Position Not Stated

General (Allowed)

- Submissions advocated generally for all national parks, forest parks, scenic reserves and stewardship land to be protected from development.

I recommend that these comments are not accepted. The legislation does not provide for absolute protection from development – rather it contemplates that some activities may be acceptable and provides a mechanism for authorising such activities, through the grant of concessions. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Retain in Stewardship - PAP_10_2808377s

The comments received in relation to the Mana Whenua Panel recommendation are summarised below and have been considered in relation to the notified proposal when forming s.49 allow/accept recommendations.

Support

Ecology and Landscape (Allowed)

- Submissions suggested that there was insufficient evidence of the conservation value and characteristics justifying national park status.

I recommend that these comments are not accepted. Although areas of modification may be present, the natural and historic resources described in the CVR (e.g. despite historic grazing the area has high representativeness and naturalness; the geosyncline is a unique feature nationally) justify referring this area to the NZCA for its recommendation as to the suitability of a national park addition. This is further supported by the contiguous boundary with Paparoa National Park.

Treaty Considerations (Allowed)

- Several submissions opposed the proposed national park investigation whilst supporting the proposal to retain the area in stewardship, pending conservation law reform to create more appropriate forms of protected area classifications from a Ngāi Tahu perspective. This follows a Ngāi Tahu tribal position that a national park classification “obstructs Ngāi Tahu from maintaining ancestral relationships with the whenua, obstructs kaitiaki rights and responsibilities, limits the meaningful involvement of Ngāi Tahu in decision-making processes, and is less enabling of customary practices that are fundamental to sustaining tribal identity and mana”.
- Submissions considered reclassification as a national park to be misaligned with Treaty obligations, and advocated for these areas to remain as stewardship land until classifications that more appropriately reflect Treaty principles are established.

Potential changes to management or legislative frameworks are not the subject of the notified proposal. As such, I recommend that comments advocating for such amendments are not accepted. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA’s consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions expressed support for the recommendation made by the Mana Whenua Panel, without providing further justification.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions argued that reclassifying land as national park, or other classifications which fall under Schedule 4, could have economic consequences by excluding mineral extraction and other activities on that land, and that the natural values of the land may not warrant this. The potential loss of opportunities resulting from these restrictions was seen as damaging, particularly in terms of mineral extraction and site rehabilitation. It was suggested that a holistic view, considering mineral prospectivity and other economic, social, and cultural considerations, should be taken.
- Submissions supported either retaining all land in stewardship or reclassification as a conservation park, suggesting that this would provide “more than adequate legal protection” while allowing activities to be assessed on a case-by-case basis.
- Submissions stated that any change should not affect existing permissions.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- Submissions expressed doubt that reclassifying stewardship land as national parks would have a positive impact on conservation, citing DOC funding and resource limitations.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Oppose

Access and Recreation (Allowed)

- Submitters stated their preference for a national park classification as a “fitting memorial to those who lost their lives in the Cave Creek tragedy” (e.g. “a very good way of commemorating the 14 TPP students and staff who lost their lives in the 1995 Cave Creek Disaster”).
- Submitters noted the area contains the “Mt Bovis Track, Cave Stream Track and Inland Pack Track” which are “popular with recreational trampers”, suggesting a national park classification.
- The area was described as “towered by large limestone cliffs” which are “meaningful to the rock climbing community and are the definition of adventure climbing”.
- Submitters expressed concern that any classification status lower than national park would be “a conduit for people wanting to carry out activities not normally allowed in national parks (e.g. bringing in dogs, all terrain vehicles)”.
- Submissions advocated for reclassification as a national park to ensure ongoing access and enjoyment of the protected natural resources, and to reflect the recreational values of the area (e.g. a national park would protect “our only known easily accessible polje”).
- Submitters noted that a “project supported by conservation volunteers NZ has seen thousands of trees planted”, expressing support for a national park classification only “if it does not limit further opportunity for conservation projects”.

I recommend that these comments are accepted. These comments provide site-specific details regarding the public access and recreational features present which are consistent with those described in the CVR, and warrant consideration. They hold merit under the Conservation Act as they support promotion of recreation that is not inconsistent with the preservation of the natural and historic resources present.

Climate Change and Natural Hazards (Allowed)

- Submissions noted that ensuring high protection of these areas was especially important in the context of climate change.

I recommend that these comments are accepted. I agree that the protection of the existing natural resources present is of increasing importance when considering the need for climate mitigation. Classification as national park will support this outcome. The relevance of this factor for reclassification decisions is evident when the future-focused elements in the definition of conservation are considered, including, “safeguarding the options of future generations”, in relation to ‘natural resources’, “the air, water and soil in or on which any plant or animal lives or may live”, and in relation to ‘protection’ of a resource, “restoration to some former state and its augmentation, enhancement, or expansion” (Conservation Act 1987, s. 2).

Ecology and Landscape (Allowed)

- Submissions expressed preference for reclassification as a national park to reflect the high ecological and landscape values with nationally significant ecological systems and natural areas, and the comparable values to the surrounding national park (e.g. “surrounded by National Park with species habitat that is indistinguishable from what is within the park”).
- Submitters noted that the West Coast conservation management strategy suggests the area “contains National Park Values and could be considered as an addition to Paparoa National Park”.
- The area was noted to contain “landscape, natural features and ecological processes of such distinctive quality and significance that they are of national interest”, with the limestone geosyncline being “a unique feature nationally and a special feature of Punakaiki Ecological District”.
- One submitter expressed that a national park classification would “provide for landscape integrity, continuity, and connectivity within the Park and rationalise its boundaries”.

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present which warrant consideration. The natural resources identified by submitters are consistent with those described in the CVR (e.g. despite historic grazing, the area has high representativeness and naturalness; the geosyncline is a unique

feature nationally). The contiguous boundary with Paparoa National Park further supports your notified intention to refer this area to the NZCA for its recommendation as to the suitability of a national park addition.

Treaty Considerations (Allowed)

- Submissions acknowledged that Ngāi Tahu opposes national parks in principle, but argued for reclassification as a national park to ensure protection of natural values, suggesting that national park classification could still allow for customary access and Treaty settlements, or that legislative or management framework changes should occur to address these concerns.
- One submitter who advocated for national park noted that “Mana Whenua needs to be able to engage with legally protected land in ways that legislation disallows”.
- Submissions expressed that where mana whenua had not identified site-specific cultural values for the land, it should be reclassified as a national park to ensure protection from activities such as mining which may be allowed on stewardship land, and that as “no such site-specific mana whenua cultural values have been identified”, the “assessment of conservation values should form the basis for the reclassification decision”.

I recommend that these comments are accepted to the extent that they agree the natural and historic resources present warrant referral to the NZCA for their consideration. However, while the possibility of future changes to management or legislative frameworks is identified by submitters as a potential means of reconciling that purpose with Treaty partner interests, such changes are not being considered within this reclassification exercise. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA’s consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions opposed retaining land in stewardship, describing it as a “meaningless recommendation”.
- Submissions queried the extent of the recommendations to retain land in stewardship, noting this was nearly 8,000 ha, suggesting this could instead be reclassified as a scenic reserve or conservation park.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

- Submissions expressed preference for the National Panel recommendation, stating their support for stewardship land to be reclassified at the highest possible level based on its “high cultural conservation” values.
- Submissions expressed preference for reclassification as a national park and for high protection for more stewardship land, either without providing further justification or based on the “reasons outlined in the conservation value reports”.

I recommend that these comments are accepted. However, because no further justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is identified, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions opposed retaining the area in stewardship on the grounds that this would not protect the land from damaging activities such as mining, noting the existence of prospecting permits in some areas (e.g. “this block of limestone and river flats needs preserving for future generations of all Kiwis, and not left as stewardship land”).
- Submitters expressed preference for a national park classification, suggesting the area should not “be used in any way to generate income, or to give precedence of access or right of use to any specific group of New Zealanders”.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- One submitter hoped that “there may be Ngāti Waewae-led interpretation within the Paparoa National Park in the new visitor centre, to help bridge any cultural knowledge gap”.

As I have recommended these comments are not allowed, I recommend they are not accepted.

No Opinion/Position Not Stated

Access and Recreation (Allowed)

- Submitters noted the karst value of the area and high recreation value for caving.

I recommend that these comments are accepted. These comments hold merit under the Conservation Act as they support promotion of recreation that is not inconsistent with the preservation of the natural and historic resources present.

Ecology and Landscape (Allowed)

- Submitters noted a history of farming and industrial use of the area, and that it contains the country’s only polje feature.

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present which warrant consideration. The natural resources identified by submitters are consistent with those described in the CVR (e.g. despite historic grazing the area has high representativeness and naturalness; the geosyncline is a unique feature nationally). The contiguous boundary with Paparoa National Park further supports your notified intention to refer this area to the NZCA for its recommendation as to the suitability of a national park addition.

Treaty Considerations (Allowed)

- Submissions recommended that amendments to the National Parks Act to address the concerns identified by the Mana Whenua Panel are resolved as a priority so there is no need to retain land in stewardship in the meantime.

Potential changes to management or legislative frameworks are not the subject of the notified classification proposal. As such, I recommend that comments advocating for such amendments are not accepted.

General (Allowed)

- Submissions advocated generally for all national parks, forest parks, scenic reserves and stewardship land to be protected from development.

I recommend that these comments are not accepted. The legislation does not provide for absolute protection from development – rather it contemplates that some activities may be acceptable and provides a mechanism for authorising such activities, through the grant of concessions. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Other (Not Allowed)

- It was suggested the area should be classified to facilitate restoration as a totara forest to be used by future generations.

As I have recommended these comments are not allowed, I recommend they are not accepted.

PAP_11 – Punakaiki Coast Road – 2806888

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Punakaiki Coast Road	PAP_11_2806888t	Local Purpose (Punangāiri Ngāi Tahu) Reserve	Local Purpose (Punangāiri Ngāi Tahu) Reserve	22	29

DOC Conservation Values Report Description

A 16.7-ha largely forested area at Dolomite Point/Punakaiki which contains the current Paparoa National Park Visitor Centre and wastewater treatment plant. This is a high usage area that is popular with visitors, receiving over 500,000 visitors per annum. A new Visitor Experience Centre owned by Te Rūnanga o Ngāti Waewae is currently under development. The site is of significance for Ngāi Tahu and the redevelopment is a key step in the reestablishment of their cultural footprint and mana within Paparoa.

Panel Recommendations

National Panel: Local Purpose (Punangāiri Ngāi Tahu) Reserve to reflect the area's historic and contemporary significance to Ngāi Tahu and support the re-establishing of a cultural footprint in the Punakaiki area, and to facilitate Ngāi Tahu aspirations for the site and the new visitor centre.

Mana Whenua Panel: Local Purpose (Punangāiri Ngāi Tahu) Reserve, to give effect to the principles of the Treaty of Waitangi, enable Ngāi Tahu whānui to reconnect to their ancestral lands and provide for the mana and rangatiratanga of Ngāi Tahu as well as reserve purposes.

S.49(2)(d) Recommendation

- Do not proceed with the notified proposal the notified classification of Local Purpose (Punangāiri Ngāi Tahu) Reserve, retaining the area in stewardship.

Summary of accepted submissions: Those submissions 'accepted' as holding merit expressed opposition to the notified classification on the basis that the purpose of the reserve is not clearly defined, leaving it uncertain how the natural resources present will be protected.

Section 4 and Treaty principles: The Mana Whenua Panel supported the proposed classification, supported by submissions from Treaty partner organisations.

The Mana Whenua Panel have signalled specific Ngāi Tahu interests associated with this stewardship area, e.g. "the Punakaiki area is of historic and contemporary importance for Ngāi Tahu", "Paparoa is where Ngāi Tahu finally defeated the resident Ngāti Wairangi, establishing Ngāi Tahu as mana whenua of Te Tai Poutini", "the rugged coastline between Mawhera/Greymouth and Kawatiri/Wesport was traditionally a key pathway for pounamu trading and mahinga kai, especially inshore fishing", "the new Visitors Experience Centre proposed for this conservation area in collaboration with the Department of Conservation is to be owned by Ngāti Waewae. It is an important step in re-establishing a cultural footprint for mana whenua in the Punakaiki area".

I recognise and acknowledge the historic and cultural significance of the area to Ngāi Tahu. While such a local purpose reserve could provide for the primary purpose of management and protection of Ngāi Tahu values alongside the conservation values that are present, and might be described as an example of a substantive outcome for Ngāi Tahu consistent with Treaty principles, my assessment is that more work is required to clarify and describe the purpose of the proposed reserve.

Rationale: My assessment is that further policy work by the Department is required to describe the purpose of the proposed reserve and to identify any potential management implications. This will provide clarity as to whether the proposed local purpose reserve is appropriate, or if another classification should be considered.

Local Purpose (Punangāiri Ngāi Tahu) Reserve - PAP_11_2806888t

Support

Ecology and Landscape (Allowed)

- Submissions in support noted that the land at Dolomite Point had a long history of modification for human purposes.
- It was suggested that, as the land sits between the Pancake Rocks National Park promontory and the main Paparoa National Park to the east, the purpose of the reserve (when clarified further) should keep conservation values as a high priority, with as much indigenous vegetation and wildlife habitat as possible to remain undisturbed.

I recommend that these comments are not accepted. I have concluded based on comments in opposition that the purpose of the notified classification provides insufficient detail to comment on whether it appropriately protects the natural resources described, or if another classification may be more appropriate.

Treaty Considerations (Allowed)

- Submissions supported the recommendation on the grounds that it acknowledges the relationship between Ngāi Tahu and their ancestral lands, enables Ngāi Tahu whānui to reconnect with their lands, and supports the future economic wellbeing and aspirations of Ngāi Tahu in relation to their takiwā, therefore giving effect to the principles of the Treaty of Waitangi.
- Submitters viewed the recommendation as recognising sites of significance to Ngāi Tahu and ensuring Ngāi Tahu values, alongside conservation values, are at the forefront of the classification. Submitters noted the value of the area as the “site of the new visitor centre to be owned by Te Rūnanga o Ngāti Waewae”.
- Submissions viewed the recommendation as appropriate considering the new visitor centre is owned by Ngāti Waewae, and supported them managing the surrounding land.
- Submissions suggested the purpose and further detail of the classification must acknowledge the mana and rangatiratanga of Ngāi Tahu, and provide for Ngāi Tahu wellbeing, kaitiakitanga and mahinga kai, as well as provide a role for Ngāi Tahu in management and decision-making, and the option of vesting.
- Submissions supported reclassification as a local purpose reserve on the basis of identified cultural and historical values, noting their support for the Mana Whenua Panel recommendations where there has been identification of specific cultural and historical values.

I recommend that these comments are not accepted. Although I recognise and acknowledge the historic and cultural significance of the area to Ngāi Tahu, I have concluded based on comments in opposition that the purpose of the notified classification provides insufficient detail to comment on whether it both actively protects the identified Ngāi Tahu values and interests, and promotes the conservation of the identified natural and historic resources present.

General (Allowed)

- Submissions stated support for the recommendation without providing further justification.
- Submissions expressed a general preference for all stewardship land to be reclassified at the highest possible level to reflect land of such “high cultural conservation value”.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Other (Not Allowed)

- Submissions expressed support for the recommendation and suggested that consideration be given to allowing a new community centre on the site for the whole community to use. It was noted that in 2019, Ngāti Waewae wrote a letter of support for a stand-alone community facility at Dolomite Point, seeing it as complementary to the new visitor centre.

- One submission sought a specific proviso prohibiting commercial flights over and landings in the Dolomite Point Area.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Oppose

Access and Recreation (Allowed)

- A submission advocating for scenic reserve (as providing higher protection) noted that the “iconic” limestone cliffs are viewed by thousands of visitors to Dolomite Point.
- Submissions advocated for reclassification as national park, referencing the high recreation value of the area as a scenic drawcard for visitors, the new short walk being developed, and that the area is “required as an essential public utility space to support visitors to the national park”.

I recommend that these comments are accepted to the extent that I agree the purpose of the notified classification provides insufficient detail to comment on whether it provides for the recreational access as described. Any limits on public access, or the appropriateness of an alternative classification, will be determined as part of any future policy work.

Ecology and Landscape (Allowed)

- Concerns were raised that the proposed local purpose reserve may not prioritise conservation of natural values and that there is insufficient information provided regarding the purpose of the reserve.

I recommend that these comments are accepted. I agree that the purpose of the notified classification provides insufficient detail to comment on whether it appropriately promotes the conservation of the natural resources present.

- Submissions expressed preference for addition to the national park to ensure high protection for the natural values of the area. Reasons given included that the area is an enclave within the Paparoa National Park, holds similarly high ecological values to the national park, and that adding the area to the national park would allow integrated ecological management of this as a “priority biodiversity site”.
- Submitters cited its significant landscape values such as karst features, sinkholes and complex hydrology, its outstanding nikau coastal forest, and that it is part of the outstanding scenery of Punakaiki.
- Submissions advocating for national park reclassification suggested that the new visitor centre could be accommodated within this classification or could be in an amenity area within this, and that a potential new community centre (as proposed by the local community) could be within an amenity area, while the rest of the area would be protected from inappropriate development.
- Some opposed the recommendation in part, noting that the area is comprised of two parcels:
 - They suggested that the larger parcel holds similar values to the national park and that addition to the park would protect the area appropriately and support ecological connectivity.
 - Submissions described the larger parcel as less modified, with a taller canopy height and likely higher species diversity, with ferns, mosses, liverworts, and nikau habitat which is important for black-backed and red-billed gulls, as well as limestone rock outcrops.
 - It was also suggested the smaller area could be reclassified as a local purpose reserve, with the purpose being amenity or visitor centre.
- Other submissions suggested a scenic reserve classification (or simply “higher protection”) based on the area’s ecological importance and outstanding scenery.
- Submissions cited features such as its inclusion in the Paparoa limestone syncline, karst features, associations with Cassie’s Cave, the limestone cliffs, and the hydrological linkages with Paparoa National Park. One submitter wanted to ensure that no further clearance of indigenous vegetation is permitted.
- Submitters noted that this area is 16.7 ha with the majority of it unmodified, and that local purpose reserve classification is generally used for small and modified areas.
- Submitters were concerned that the classification would “essentially prioritise land use over conservation” or enable additional infrastructure development or commercial buildings in this “highly sensitive, much valued area” which would degrade the natural values.

I recommend that these comments are accepted to the extent that I agree that the purpose of the notified classification provides insufficient detail to comment on whether it provides appropriate protection of the natural resources noted by submitters, or if another classification should be considered.

Historic and Cultural Values (Allowed)

- The area was described as having significant heritage and cultural value to New Zealanders, with examples including generations of visitors to Pancake Rocks, the site of “the original hotel”, and goldmining trails, with submissions suggesting that this warranted reclassification as a national park.

I recommend that these comments are accepted to the extent that I have concluded based on comments in opposition that the purpose of the notified classification provides insufficient detail to comment on whether it appropriately protects the historic resources described, or if another classification may be more appropriate.

General (Allowed)

- Scenic reserve classification was recommended without any further justification.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Process and Consultation (Not Allowed)

- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.
- One submission put forth the view that there was a conflict of interest regarding this land parcel as “the Panel stands to gain”.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- Submissions suggested a study should be undertaken to understand the relationship between the karst, caves and hydrology before the classification is finalised.
- It was suggested that only the visitor centre should be divested to allow integrated ecological management with the broader area (though the submitter stated they support co-management).
- It was queried how any classification would factor in the management of the water source that the visitor centre and other infrastructure rely on.
- Submissions requested more information on vesting and how protection of species would be ensured if the land is vested.
- The area was noted to be part of a community trapping and education programme.
- It was suggested the land might be needed for rerouting of SH6 in the future.

As I have recommended these comments are not allowed, I recommend they are not accepted.

No Opinion/Position Stated

Access and Recreation (Allowed)

- Submissions were concerned with ensuring that any reclassification provides for ongoing public access, as well as hunting and fishing.

I recommend that these comments are not accepted. I have concluded based on comments in opposition that the purpose of the notified classification provides insufficient detail to comment on whether it appropriately protects the natural resources described, or if another classification may be more appropriate. Any limits on public access will be determined as part of any future policy work.

Ecology and Landscape (Allowed)

- One submission highlighted the karst values of the coast road area.

I recommend that this comment is not accepted. I have concluded based on comments in opposition that the purpose of the notified classification provides insufficient detail to comment on whether it appropriately protects the natural resources described, or if another classification may be more appropriate.

PAP_12 – Punakaiki River (River Mouth) – 2806889

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Punakaiki River	PAP_12_2806889u	Local Purpose (Punangāiri Awa Ngāi Tahu) Reserve	Local Purpose (Punangāiri Awa Ngāi Tahu) Reserve	23	13

DOC Conservation Values Report Description

A very small assessment area on the coast side of SH6 just north of the Punakaiki River. The area has a small amount of mixed and native vegetation but is largely an unpaved carpark used by the adjacent riding stables. The site also provides beach access for swimmers, walkers and whitebaiters. Blue penguin could use the area to moult or breed. There are no DOC-managed tracks or facilities. This area is used for mahinga kai.

Panel Recommendations

National Panel: Local purpose (Punangāiri Awa Ngāi Tahu) Reserve is considered to appropriately reflect the identified values while recognising the significance of this area to Ngāi Tahu.

Mana Whenua Panel: Local purpose (Punangāiri Awa Ngāi Tahu) Reserve, to give effect to the principles of the Treaty of Waitangi, enable Ngāi Tahu whānui to reconnect to their ancestral lands and provide for the mana and rangatiratanga of Ngāi Tahu as well as reserve purposes.

S.49(2)(d) Recommendation

- **Do not proceed** with the notified proposal the notified classification of Local purpose (Punangāiri Awa Ngāi Tahu), retaining the area in stewardship.

Summary of accepted submissions: Those submissions ‘accepted’ as holding merit expressed opposition to the notified classification on the basis that the purpose of the reserve is not clearly defined, leaving it uncertain how the natural resources present will be protected.

Section 4 and Treaty principles: The Mana Whenua Panel supported the proposed classification, supported by submissions from Treaty partner organisations.

The Mana Whenua Panel have signalled specific Ngāi Tahu interests associated with this stewardship area, e.g. “the Punakaiki area is of historic and contemporary importance for Ngāi Tahu”, “Paparoa is where Ngāi Tahu finally defeated the resident Ngāti Wairangi, establishing Ngāi Tahu as mana whenua of Te Tai Poutini”, “the coastline was part of the ara tawhito that provided access along Te Tai Poutini and facilitated the trade of pounamu”, “the Paparoa area was highly valued for the abundance of food and other natural resources available and the Punakaiki River mouth was traditionally used for mahinga kai and up to the present day”.

I recognise and acknowledge the historic and cultural significance of the area to Ngāi Tahu. While such a local purpose reserve could provide for the primary purpose of management and protection of Ngāi Tahu values alongside the conservation values that are present, and might be described as an example of a substantive outcome for Ngāi Tahu consistent with Treaty principles, my assessment is that more work is required to clarify and describe the purpose of the proposed reserve.

Rationale: My assessment is that further policy work by the Department is required to describe the purpose of the proposed reserve and to identify any potential management implications. This will provide clarity as to whether the proposed local purpose reserve is appropriate, or if another classification should be considered.

Local Purpose (Punangāiri Awa Ngāi Tahu) Reserve- PAP_12_2806889u

Support

Treaty Considerations (Allowed)

- Submissions viewed the recommendation as recognising sites of significance to Ngāi Tahu and ensuring “Ngāi Tahu values, alongside conservation values, are at the forefront of the classification”. They noted that the area is a mahinga kai site.
- Submissions supported the recommendation on the grounds that it acknowledges the relationship between Ngāi Tahu and their ancestral lands, enables Ngāi Tahu whānui to reconnect with their lands and supports the future economic wellbeing and aspirations of Ngāi Tahu in relation to their takiwā, and therefore gives effect to the principles of the Treaty of Waitangi.
- Submissions expressed support for proposed local purpose reserves “where cultural and historical values have been identified”.

I recommend that these comments are not accepted. Although I recognise and acknowledge the historic and cultural significance of the area to Ngāi Tahu, I have concluded based on comments in opposition that the purpose of the notified classification provides insufficient detail to comment on whether it both actively protects the identified Ngāi Tahu values and interests, and promotes the conservation of the identified natural and historic resources present.

General (Allowed)

- Submissions noted support for the recommendation without providing further justification.
- Submissions expressed a general preference for all stewardship land to be reclassified at the highest possible level to reflect land of such “high cultural conservation value”.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Oppose

Access and Recreation (Allowed)

- A submitter, who advocated for national park, noted that the Punakaiki area is “an ideal place for a school camp or day trip as there are many things to do and study in a small area”, and that “this land is required as an essential public utility space to support visitors to the National Park”.
- Submissions stated that “cultural and recreational values are significant here” and advocated for classification as conservation park “to protect all values including high cultural, biodiversity, and recreation values”.

I recommend that these comments are accepted to the extent that the purpose of the notified classification provides insufficient detail to comment on whether it provides for the recreational access as described. Any limits on public access, or the appropriateness of an alternative classification, will be determined as part of the future policy work.

Ecology and Landscape (Allowed)

- Submissions opposed the recommendation on the grounds that there is no clearly identified purpose of the reserve and consequent concern that ecological and other values would not be protected if they were incompatible with the primary purpose (e.g. “Local purpose reserve needs explaining about the intention for the level of environmental protection and restoration it will get”).
- Submitters expressed concern that the proposed local purpose reserve “may not prioritise nature conservation”.

I recommend that these comments are accepted. I agree that the purpose of the notified classification provides insufficient detail to comment on whether it appropriately promotes the conservation of the natural resources present.

- A submission advocated for scenic reserve or national park as the area “has high natural values including threatened species and is part of the outstanding scenery of Punakaiki”.
- Submissions advocated for the area to be added to the national park as it is being actively restored.

- A submission advocated for classification as conservation park as “wildlife values need to be acknowledged and protected”. It was noted that the area “provides habitat for coastal avifauna and assists river stability” and that kororā are present.

I recommend that these comments are accepted to the extent that the purpose of the notified classification provides insufficient detail to comment on whether it provides appropriate protection of the natural resources noted by submitters, or if another classification should be considered.

Treaty Considerations (Allowed)

- A submitter advocated for national park, noting that “under a living Treaty partnership, nohoanga sites & mahinga kai and National Parks need not be mutually exclusive”. It was suggested that the Paparoa National Park Management Plan Appendix 1 is “inclusive of historical/cultural entitlements of Nohoanga sites”.

I recommend that these comments are accepted to the extent that I recognise and acknowledge the historic and cultural significance of the area to Ngāi Tahu. However, I have concluded based on comments in opposition that the purpose of the notified classification provides insufficient detail to comment on whether it both actively protects the identified Ngāi Tahu values and interests, and promotes the conservation of the identified natural and historic resources present.

General (Allowed)

- Submissions expressed preference for the land to be reclassified as a national park, without providing further justification.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Process and Consultation (Not Allowed)

- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.

As I have recommended these comments are not allowed, I recommend they are not accepted.

No Opinion/Position Not Stated

Access and Recreation (Allowed)

- Submissions were concerned with ensuring that any reclassification provides for ongoing public access, as well as hunting and fishing.

I recommend that these comments are not accepted. I have concluded based on comments in opposition that the purpose of the notified classification provides insufficient detail to comment on whether it appropriately protects the natural resources described, or if another classification may be more appropriate. Any limits on public access will be determined as part of any future policy work.

Climate Change and Natural Hazards (Allowed)

- It was noted that this area of land is likely to be affected by sea level rise.

I recommend that these comments are not accepted. Although climate change considerations are a valid factor to account for in the reclassification process, supported by the future-focused elements within the definition of conservation, the purpose of the notified classification provides insufficient detail to comment on whether it adequately provides for this factor, or if another classification should be considered.

PAP_13 – Punakaiki River – 2806890v

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Punakaiki River	PAP_13_2806890v	Local Purpose (Punangāiri Nohoanga Ngāi Tahu) Reserve	Local Purpose (Punangāiri Nohoanga Ngāi Tahu) Reserve	23	10

DOC Conservation Values Report Description

The area comprises two primary parcels adjacent to, and part of, the Punakaiki River. The western area hosts a One Billion Trees project, through the Provincial Growth Fund, to enhance whitebait habitat, restore the area's wetland ecosystems, and enhance the location of the only known breeding colony of the Westland petrel. The project has already begun with earthworks and planting. There are Ngāi Tahu ancestral caves present in the wider area, and the western parcel includes a nohoanga site. Whitebaiters use this area to access the water, and there is a picnic table and carpark for day visitors and freedom campers.

Panel Recommendations

National Panel: Local purpose (Punangāiri Nohoanga Ngāi Tahu) Reserve is considered to appropriately reflect the identified values while recognising the significance of this area to Ngāi Tahu.

Mana Whenua Panel: Local purpose (Punangāiri Nohoanga Ngāi Tahu) Reserve, to give effect to the principles of the Treaty of Waitangi, enable Ngāi Tahu whānui to reconnect to their ancestral lands and provide for the mana and rangatiratanga of Ngāi Tahu as well as reserve purposes.

S.49(2)(d) Recommendation

- **Do not proceed** with the notified proposal the notified classification of Local purpose (Punangāiri Nohoanga Ngāi Tahu), retaining the area in stewardship.

Summary of accepted submissions: Those submissions 'accepted' as holding merit expressed opposition to the notified classification on the basis that the purpose of the reserve is not clearly defined, leaving it uncertain how the natural resources present, and public recreational access, will be protected.

Section 4 and Treaty principles: The Mana Whenua Panel supported the proposed classification, supported by submissions from Treaty partner organisations.

The Mana Whenua Panel have signalled specific Ngāi Tahu interests associated with this stewardship area, e.g. "the Punakaiki and wider Paparoa area is of historic and contemporary importance for Ngāi Tahu", "the coastline was part of the ara tawhito that provided access along Te Tai Poutini and facilitated the trade of pounamu", "the western unit of this conservation area contains a nohoanga site", "ancestral caves are also located in the vicinity of the conservation area".

I recognise and acknowledge the historic and cultural significance of the area to Ngāi Tahu. While such a local purpose reserve could provide for the primary purpose of management and protection of Ngāi Tahu values alongside the conservation values that are present, and might be described as an example of a substantive outcome for Ngāi Tahu consistent with Treaty principles, my assessment is that more work is required to clarify and describe the purpose of the proposed reserve.

Rationale: My assessment is that further policy work by the Department is required to describe the purpose of the proposed reserve and to identify any potential management implications. This will provide clarity as to whether the proposed local purpose reserve is appropriate, or if another classification should be considered.

Local Purpose (Punangāiri Nohoanga Ngāi Tahu) Reserve -

PAP_13_2806890v

Support

Access and Recreation (Allowed)

- A submitter expressed support for the proposed classification, but queried how “existing values, recreational access and restoration will be protected”.

I recommend that these comments are not accepted. I have concluded based on comments in opposition that the purpose of the notified classification provides insufficient detail to comment on whether it provides for the recreational access as described. Any limits on public access, or the appropriateness of an alternative classification, will be determined as part of the future policy work.

Climate Change and Natural Hazards (Allowed)

- A submitter supported the proposed classification, while noting that “sea level rise will inundate this area in the near future”.

I recommend that these comments are not accepted. I have concluded based on comments in opposition that the purpose of the notified classification provides insufficient detail to comment on whether it appropriately protects the natural and historic resources described, or if another classification may be more appropriate.

Historic and Cultural Values (Allowed)

- Submissions expressed support for proposed local purpose reserves “where cultural and historical values have been identified”.

I recommend that these comments are not accepted. I have concluded based on comments in opposition that the purpose of the notified classification provides insufficient detail to comment on whether it appropriately protects the natural and historic resources described, or if another classification may be more appropriate.

Treaty Considerations (Allowed)

- Submitters supported the “re-establishment of a cultural footprint for Ngāti Waewae in this area”, and noted the proposed local purpose reserve as “appropriate for this Nohoanga site”.
- Submissions viewed the recommendation as recognising sites of significance to Ngāi Tahu and ensuring “Ngāi Tahu values, alongside conservation values, are at the forefront of the classification”.
- Submissions supported the recommendation on the grounds that it acknowledges the relationship between Ngāi Tahu and their ancestral lands, enables Ngāi Tahu whānui to reconnect with their lands and supports the future economic wellbeing and aspirations of Ngāi Tahu in relation to their takiwā, and therefore gives effect to the principles of the Treaty of Waitangi.

I recommend that these comments are not accepted. Although I recognise and acknowledge the historic and cultural significance of the area to Ngāi Tahu, I have concluded based on comments in opposition that the purpose of the notified classification provides insufficient detail to comment on whether it both actively protects the identified Ngāi Tahu values and interests, and promotes the conservation of the identified natural and historic resources present.

General (Allowed)

- Submissions noted support for the recommendation without providing further justification.
- Submissions expressed a general preference for all stewardship land to be reclassified at the highest possible level to reflect land of such “high cultural conservation value”.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Oppose

Access and Recreation (Allowed)

- Submissions noted that “cultural and recreational values are significant here” and advocated for classification as conservation park “to protect all values including high cultural, biodiversity, and recreation values”.
- A submitter suggested the area should be included in the proposed local purpose (Punangāiri Awa Ngāi Tahu) reserve, “should not be privatised”, and “should provide for public access”.

I recommend that these comments are accepted to the extent that the purpose of the notified classification provides insufficient detail to comment on whether it provides for the recreational access as described. Any limits on public access, or the appropriateness of an alternative classification, will be determined as part of the future policy work.

Ecology and Landscape (Allowed)

- Submissions opposed reclassification as a local purpose reserve, citing insufficient information regarding the purpose of the reserve and consequent concern that ecological and other values would not be protected if they were incompatible with the primary purpose.

I recommend that these comments are accepted. I agree that the purpose of the notified classification provides insufficient detail to comment on whether it appropriately promotes the conservation of the natural resources present.

- A submission advocated for classification as conservation park as “wildlife values need to be acknowledged and protected under new classification”. It was noted that the area “provides habitat for coastal avifauna and assists river stability” and that kororā are present.
- Submissions advocated for the area to be added to the national park, as it is being actively restored (e.g. “given the publicly funded restoration work undertaken”).

I recommend that these comments are accepted to the extent I have concluded based on comments in opposition that the purpose of the notified classification provides insufficient detail to comment on whether it provides appropriate protection of the natural resources noted by submitters, or if another classification should be considered.

Treaty Considerations (Allowed)

- A submitter advocated for national park, noting that “under a living Treaty partnership, nohoanga sites & mahinga kai and National Parks need not be mutually exclusive”. It was suggested that the Paparoa National Park Management Plan Appendix 1 is “inclusive of historical/cultural entitlements of Nohoanga sites”.

I recommend that these comments are accepted to the extent I recognise and acknowledge the historic and cultural significance of the area to Ngāi Tahu. However, I have concluded based on comments in opposition that the purpose of the notified classification provides insufficient detail to comment on whether it both actively protects the identified Ngāi Tahu values and interests, and promotes the conservation of the identified natural and historic resources present.

General (Allowed)

- Submissions expressed preference for the land to be reclassified as a national park, without providing further justification.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Process and Consultation (Not Allowed)

- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.

As I have recommended these comments are not allowed, I recommend they are not accepted.

No Opinion/Position Stated

Access and Recreation (Allowed)

- Submissions were concerned with ensuring that any reclassification provides for ongoing public access, as well as hunting and fishing.

I have concluded based on comments in opposition that the purpose of the notified classification provides insufficient detail to comment on whether it provides for the recreational access as described. Any limits on public access, or the appropriateness of an alternative classification, will be determined as part of the future policy work.

PAP_14 – Punakaiki River (Inland) – 2806886

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Punakaiki River	PAP_14_2806886w	National Park (Paparoa)		6065*	21
Punakaiki River	PAP_14_2806886x		Stewardship	14	57

DOC Conservation Values Report Description

A complex landscape of coastal hillside forest, with many bluff systems and steep ridgelines and hillslopes. Part of the Punakaiki Ecological Management Unit and within the Punakaiki Biodiversity priority site. The Westland petrel (Naturally Uncommon) is locally endemic and only breeds in the Punakaiki area. The area includes a section of the multi day Paparoa Track, which is a Great Walk and the start point/exit for mountain bikers to reach the Punakaiki Valley. It is also part of the Punakaiki–Pororari River loop. There are other, non DOC-managed, tracks and rock climbing opportunities in the area. The history of the Inland Pack Track is important.

Panel Recommendations

National Panel: National park investigation to reflect the identified values, increase the overall integrity of the Paparoa National Park, and to improve landscape continuity.

Mana Whenua Panel: Retain as stewardship land pending further policy work or legal reform, based on the tribal position that the addition of land to national parks will not give effect to the principles of the Treaty of Waitangi as it alienates Ngāi Tahu from their ancestral lands.

S.49(2)(d) Recommendation

- Proceed with the notified proposal, by referring this area to the NZCA for its consideration on the suitability of a national park classification in accordance with the relevant policy and procedures, including Policy 6 of the General Policy for National Parks and Section 4 of the Conservation Act 1987.

Summary of accepted submissions: The submissions ‘accepted’ as holding merit supported the proposed national park investigation to protect the area’s natural values and historic resources, improve climate change mitigation, and ensure ongoing public recreational access. Submitters referenced specific natural resources and historic features which were noted to be of high value. It was suggested that the Paparoa National Park Management Plan 2017 exhibits the principle of partnership and will support mana whenua to maintain kaitiaki status over this area.

Section 4 and Treaty principles: The Mana Whenua Panel opposed the proposed national park referrals, supported by submissions from Treaty partner organisations. Te Rūnanga o Ngāi Tahu oppose all additions to national parks within the Ngāi Tahu takiwā as “the addition of land to national parks will not give effect to the principles of the Treaty of Waitangi (as required by section 4 of the Conservation Act 1987) as it alienates Ngāi Tahu from our ancestral lands”.

I note that my s.49 recommendations and your decision on whether to refer this area to the NZCA for their consideration must give effect to Treaty principles independently of the NZCA’s section 4 obligations.

Although I acknowledge the Mana Whenua Panel opposition to the notified proposal, my assessment, considering those submissions accepted, is that the natural and historic resources present are of a similar nature to the adjacent national park, and warrant proceeding with a referral to the NZCA. Giving effect to Section 4 of the Act includes taking reasonable steps to actively protect the identified Treaty partner interests, but this obligation is not absolute and unqualified, as this would be inconsistent with DOC’s other statutory responsibilities.

Referring this area to the NZCA for their consideration provides an opportunity for the NZCA to further assess the natural and historic resources present, and explore specific Ngāi Tahu interests and aspirations, including their consideration as to what giving effect to Treaty principles may require.

* This figure includes 5,976 submissions made using a Forest and Bird template.

Rationale: My conclusion, considering those submissions accepted, is that the natural and historic resources present warrant referral to the NZCA for their consideration as per the process set out in Chapter 3 of the introduction to this Summary of Submissions Report.

National Park (Paparoa) - PAP_14_2806886w

Support

Access and Recreation (Allowed)

- The area was noted as a valuable addition to the Paparoa National Park “as it includes the western entrance to the Paparoa Great Walk”, with submissions describing the area as a “magical finish for riders on this amazing track”.
- A submitter described their extensive experience tramping and caving in the area, expressing a “wish to see full protection of this block for future generations of Kiwis by addition to the Paparoa National Park”.
- Submissions supported the national park recommendation on the grounds that this reflects the high recreation values, ensures ongoing public access, ensures that unique flora and fauna is protected for the enjoyment of present and future generations, and supports intergenerational participation in conservation.

I recommend that these comments are accepted. These comments provide site-specific details regarding the public access and recreational features present which are consistent with those described in the CVR, and warrant consideration. They hold merit under the Conservation Act as they support promotion of recreation that is not inconsistent with the preservation of the natural and historic resources present.

Climate Change and Natural Hazards (Allowed)

- A submission noted that a national park classification affords greater protection of high natural values and is appropriate “given the biodiversity and climate crisis we are facing”.
- Submissions suggested that suitable stewardship land should be incorporated into adjacent areas to support climate change mitigation, and that the protection of the area was especially important in the context of climate change.

I recommend that these comments are accepted. I agree that the protection of the existing natural resources present is of increasing importance when considering the need for climate mitigation. Classification as national park will support this outcome. The relevance of this factor for reclassification decisions is evident when the future-focused elements in the definition of conservation are considered, including, “safeguarding the options of future generations”, in relation to ‘natural resources’, “the air, water and soil in or on which any plant or animal lives or may live”, and in relation to ‘protection’ of a resource, “restoration to some former state and its augmentation, enhancement, or expansion” (Conservation Act 1987, s. 2).

Ecology and Landscape (Allowed)

- Submissions noted that the area connects to the Paparoa National Park and holds scenic, ecological, geological and landscape values that are high and similar or indistinguishable to the adjoining Paparoa National Park, and that expanding the national park would include more of the complex geology and landforms of the Paparoa Range and its adjoining lowlands.
- Submissions referenced “outstanding coastal scenery”, “towering cliffs” with “huge Rata and Rimu”, that the “coastal hillside forest contains nīkau, northern rata, kawakawa and podocarp forest with other regenerating bush”, “untouched karst landscape”, and that “the bluff systems could provide nesting sites for taiko”. A national park classification was described as “appropriate and justified for the presence of the unique Westland petrel/taiko breeding colonies alone”.
- A submission noted that as a karst landscape, the area is connected to the “springs on Waikori Road that have been used as water supply for Punakaiki” and should be protected under National Park.
- Submissions supported reclassification as a national park on the grounds that it would increase habitat, enhance ecological connectivity and landscape continuity, streamline the management of these areas, and would enable critical biodiversity (Te Mana o te Taiao), climate and freshwater outcomes. It was suggested that a National Park

would align land classifications more closely with ecological principles (noting that current delineations are "historic and arbitrary").

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present which warrant consideration. The natural resources identified by submitters are consistent with those described in the CVR (e.g. an example of sedimentary hill country supporting a mix of old growth and seral indigenous vegetation; high level of rarity and distinctiveness). The contiguous boundary with Paparoa National Park further supports your notified intention to refer this area to the NZCA for its recommendation as to the suitability of a national park addition.

Historic and Cultural Values (Allowed)

- A submitter noted the historic value of the Inland Pack Track.

I recommend that these comments are accepted. The historic resources noted by submitters are consistent with those described in the CVR (e.g. heritage features associated with the Inland Pack Track), supporting your notified intention to refer this area to the NZCA for its recommendation as to the suitability of a national park addition.

Treaty Considerations (Allowed)

- One submitter recognised “the concerns of the Mana Whenua Panel” and “their aspirations to maintain kaitiaki status over this area”, suggesting that the Paparoa National Park Management Plan 2017 “creates such a partnership”.

I recommend that these comments are accepted. I agree that the Paparoa National Park Management Plan 2017 gives effect to the Treaty principle of partnership and supports the expression of kaitiakitanga (e.g. “the partnership between the Department and Ngāi Tahu in managing Paparoa National Park occurs directly with both Te Rūnanga o Ngāti Waewae as the representative body of the mana whenua, and Te Rūnanga o Ngāi Tahu as the Treaty partner”, Paparoa National Park Management Plan 2017 p. 13).

- Submissions acknowledged the concerns raised by the Mana Whenua Panel regarding national parks and wanted to see these addressed. However, they viewed maximum protection of the natural values as paramount and suggested that changes to management or legislative frameworks should be made to better reflect the intent of Treaty principles, and to ensure free access and use of national parks for cultural, traditional, historical, and customary purposes, while ensuring that natural values were preserved and protected under a national park classification.
- Submissions supported additions to adjacent national parks where the Mana Whenua Panel had not identified site-specific cultural values for the land.

I recommend that these comments are accepted to the extent that they agree the natural and historic resources present warrant referral to the NZCA for their consideration. However, while the possibility of future changes to management or legislative frameworks is identified by submitters as a potential means of reconciling that purpose with Treaty partner interests, such changes are not being considered within this reclassification exercise. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA’s consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions expressed general support for all additions to national parks, stated they “support the proposed additions to national parks and would like to see more areas given the highest level of protection”.
- Submissions expressed agreement with the National Panel recommendation, stating their support for stewardship land to be reclassified at the highest possible level based on its high cultural conservation value, or that this reflected the information in the technical reports.
- Submissions expressed agreement for the National Panel’s recommendation or for additions to the national park, without providing further justification.
- Submissions noted that national park classification “applies a precautionary principle that these lands are best left in a natural state unless there is a good case otherwise”.

I recommend that these comments are accepted. However, because no further justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is identified, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- One submitter sought “a specific proviso prohibiting exploitation of the area through mining; and helicopter flights over, and landings in, the area for tourist purposes”.
- Submissions supported the expansion of the Paparoa National Park based on anticipated benefits for tourism in the area, noting that the presence of attractions such as the Paparoa Great Walk and the Coast Road Highway has led to investments in tourism-related industries.
- Submissions stated that national parks support a nature economy, and that this is in line with the Te Whanaketanga Tai Poutini West Coast Economic Strategy 2050.
- Submissions noted that national park classification prevents mining and means development proposals are subject to higher scrutiny. They also noted that legislative “let out clauses” exist to enable things in national parks that are “necessary and have wide approval”.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions expressed concerns about the reclassification process, stating that there are “major inconsistencies and contradictions” where high value conservation land has not been recommended for reclassification as a national park.
- While acknowledging that national park classification would be a suitable reflection of the values of the area, submissions recommended that this change, given the consequent heightened restrictions, should only occur following “extensive consultation and agreement with the local iwi, stakeholders, concessionaires, interested groups and local residents in consideration in addition to not only the environmental and ecological assets, but to such things as tracking, huts, air space and landings, noise and rating”.
- Submissions raised concerns about there being no terms of reference for the Mana Whenua Panel, and suggested that Mana Whenua Panel concerns regarding national parks should have been resolved prior to the reclassification project.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- A submission stated that the surrounding national park is neglected, and that “goats are eating the vegetation here”.
- Submissions acknowledged that Ngāi Tahu opposes national parks in principle, but suggested that land under statutory acknowledgements or nohoanga sites, if excluded from national park status, should not remain in stewardship.
- Submissions advocated for more funding for pest control.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Oppose

Access and Recreation (Allowed)

- Submissions expressed concern about loss of recreation opportunities and suggested that other classifications, such as conservation park or, where higher protection is warranted, scenic or recreation reserve, may provide a better balance between recreational enjoyment and protection of natural resources.
- Restrictions on dog walking were raised specifically as a concern by a West Coast resident.
- Submissions opposed any reclassification unless the reclassified purpose provides explicitly for access (including helicopter), sports fishing and gamebird hunting. Concern was raised that a national park classification excluded hunting for native species which are classified as gamebirds, such as pūkeko and paradise shelduck.

I recommend that these comments are not accepted. The methods of appreciation and recreational enjoyment proposed (e.g. dog access, hunting of indigenous avifauna) are potentially incompatible with protecting and preserving the natural resources described in the CVR, and the points raised do not justify overturning the notified intention. Although under a national park classification “the public shall have freedom of entry and access” this is subject to restrictions “necessary for the preservation of the native plants and animals or for the welfare in general of the parks” (National Parks Act 1980, s. 4(2)(e)).

Ecology and Landscape (Allowed)

- Submissions opposed all recommended reclassification as a national park, describing the land as “not so unique or scientifically important to meet the standard set by the National Parks Act”. They recommended reclassification as a conservation park, or suggested a scenic reserve or recreation reserve, to ensure sufficient protection in areas where there is potential risk of damaging activities such as mining, or recreation reserve where areas have high cultural or recreational value to the public.

I recommend that these comments are not accepted. Although areas of modification may be present, the natural resources described in the CVR (e.g. an example of sedimentary hill country supporting a mix of old growth and seral indigenous vegetation; high level of rarity and distinctiveness) justify referring this area to the NZCA for its recommendation as to the suitability of a national park addition. This is further supported by the land context of the adjoining Paparoa National Park.

Treaty Considerations (Allowed)

- Several submissions opposed the proposed national park investigation whilst supporting the proposal to retain the area in stewardship, pending conservation law reform to create more appropriate forms of protected area classifications from a Ngāi Tahu perspective. This follows a Ngāi Tahu tribal position that a national park classification “obstructs Ngāi Tahu from maintaining ancestral relationships with the whenua, obstructs kaitiaki rights and responsibilities, limits the meaningful involvement of Ngāi Tahu in decision-making processes, and is less enabling of customary practices that are fundamental to sustaining tribal identity and mana”.
- Submissions considered reclassification as a national park to be misaligned with Treaty obligations, and advocated for these areas to remain as stewardship land until classifications that more appropriately reflect Treaty principles are established.

Potential changes to management or legislative frameworks are not the subject of the notified proposal. As such, I recommend that comments advocating for such amendments are not accepted. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA’s consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions expressed support for the recommendation made by the Mana Whenua Panel or general opposition to adding more land to national parks, without providing further justification.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions opposed national park reclassification on the grounds that it was “too restrictive”.
- Submissions opposed national park reclassification based on the negative impacts on potential economic benefit derived from mineral resource extraction. They argued that this would not be in the best interests of the public.
- Submissions stated that any change should not affect existing permissions.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- Submissions expressed the view that national park classification does not equate to effective protection from introduced pests or predators.
- One submission opposed all reclassification of stewardship land unless it was purchased by the Nature Heritage Fund for the purpose of adding it to a national park.

As I have recommended these comments are not allowed, I recommend they are not accepted.

No Opinion/Position Not Stated

General (Allowed)

- Submissions advocated generally for all national parks, forest parks, scenic reserves and stewardship land to be protected from development.

I recommend that these comments are not accepted. The legislation does not provide for absolute protection from development – rather it contemplates that some activities may be acceptable and provides a mechanism for authorising such activities, through the grant of concessions. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Retain in Stewardship - PAP_14_2806886x

The comments received in relation to the Mana Whenua Panel recommendation are summarised below and have been considered in relation to the notified proposal when forming s.49 allow/accept recommendations.

Support

Ecology and Landscape (Allowed)

- Submissions suggested that there was insufficient evidence of the conservation value and characteristics justifying national park status.

I recommend that these comments are not accepted. Although areas of modification may be present, the natural and historic resources described in the CVR (e.g. an example of sedimentary hill country supporting a mix of old growth and seral indigenous vegetation; high level of rarity and distinctiveness) justify referring this area to the NZCA for its recommendation as to the suitability of a national park addition. This is further supported by the contiguous boundary with Paparoa National Park.

Treaty Considerations (Allowed)

- Several submissions opposed the proposed national park investigation whilst supporting the proposal to retain the area in stewardship, pending conservation law reform to create more appropriate forms of protected area classifications from a Ngāi Tahu perspective. This follows a Ngāi Tahu tribal position that a national park classification “obstructs Ngāi Tahu from maintaining ancestral relationships with the whenua, obstructs kaitiaki rights and responsibilities, limits the meaningful involvement of Ngāi Tahu in decision-making processes, and is less enabling of customary practices that are fundamental to sustaining tribal identity and mana”.
- Submissions considered reclassification as a national park to be misaligned with Treaty obligations, and advocated for these areas to remain as stewardship land until classifications that more appropriately reflect Treaty principles are established.

Potential changes to management or legislative frameworks are not the subject of the notified proposal. As such, I recommend that comments advocating for such amendments are not accepted. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further

opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA's consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions expressed support for the recommendation made by the Mana Whenua Panel, without providing further justification.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions argued that reclassifying land as national park, or other classifications which fall under Schedule 4, could have economic consequences by excluding mineral extraction and other activities on that land, and that the natural values of the land may not warrant this. The potential loss of opportunities resulting from these restrictions was seen as damaging, particularly in terms of mineral extraction and site rehabilitation. It was suggested that a holistic view, considering mineral prospectivity and other economic, social, and cultural considerations, should be taken.
- Submissions supported either retaining all land in stewardship or reclassification as a conservation park, suggesting that this would provide "more than adequate legal protection" while allowing activities to be assessed on a case-by-case basis.
- Submissions stated that any change should not affect existing permissions.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- Submissions expressed doubt that reclassifying stewardship land as national parks would have a positive impact on conservation, citing DOC funding and resource limitations.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Oppose

Access and Recreation (Allowed)

- Submissions advocated for reclassification as a national park to ensure ongoing access and enjoyment of the protected natural resources, and to reflect the recreational values of the area (e.g. "for the enjoyment and well-being of our present and future generations").

I recommend that these comments are accepted. These comments hold merit under the Conservation Act as they support promotion of recreation that is not inconsistent with the preservation of the natural and historic resources present.

Climate Change and Natural Hazards (Allowed)

- Submissions noted that ensuring high protection of these areas was especially important in the context of climate change.

I recommend that these comments are accepted. I agree that the protection of the existing natural resources present is of increasing importance when considering the need for climate mitigation. Classification as national park will support this outcome. The relevance of this factor for reclassification decisions is evident when the future-focused elements in the definition of conservation are considered, including, "safeguarding the options of future generations", in relation to 'natural resources', "the air, water and soil in or on which any plant or animal lives or may live", and in relation to 'protection' of a resource, "restoration to some former state and its augmentation, enhancement, or expansion" (Conservation Act 1987, s. 2).

Ecology and Landscape (Allowed)

- Submissions expressed preference for reclassification as a national park to reflect the high ecological and landscape values with nationally significant ecological systems and natural areas, and the comparable values to the surrounding national park.
- The area was noted to contain “outstanding coastal scenery possibly with nest sites for Westland petrel” and to contain “ecological and scenic values that are similar to adjoining national parks”.
- Submissions opposed retaining the area in stewardship on the grounds that this would not protect the land from damaging activities such as mining, noting the existence of prospecting permits in some areas.

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present which warrant consideration. The natural resources identified by submitters are consistent with those described in the CVR (e.g. an example of sedimentary hill country supporting a mix of old growth and seral indigenous vegetation; high level of rarity and distinctiveness). The contiguous boundary with Paparoa National Park further supports your notified intention to refer this area to the NZCA for its recommendation as to the suitability of a national park addition.

Treaty Considerations (Allowed)

- Submissions acknowledged that Ngāi Tahu opposes national parks in principle, but argued for reclassification as a national park to ensure protection of natural values, suggesting that national park classification could still allow for customary access and Treaty settlements, or that legislative or management framework changes should occur to address these concerns.
- Submissions expressed that where the Mana Whenua Panel had not identified site-specific cultural values for the land, it should be reclassified as a national park to ensure protection from activities such as mining which may be allowed on stewardship land.

I recommend that these comments are accepted to the extent that they agree the natural and historic resources present warrant referral to the NZCA for their consideration. However, while the possibility of future changes to management or legislative frameworks is identified by submitters as a potential means of reconciling that purpose with Treaty partner interests, such changes are not being considered within this reclassification exercise. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA’s consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions opposed retaining land in stewardship, describing it as a “meaningless recommendation”.
- Submissions queried the extent of the recommendations to retain land in stewardship, noting this was nearly 8,000 ha, suggesting this could instead be reclassified as a scenic reserve or conservation park.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

- Submissions expressed preference for the National Panel recommendation, stating their support for stewardship land to be reclassified at the highest possible level based on its high cultural conservation values.
- Submissions expressed preference for reclassification as a national park and for high protection for more stewardship land, either without providing further justification or based on the “reasons outlined in the conservation value reports”.

I recommend that these comments are accepted. However, because no further justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is identified, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions expressed that the area should not “be used in any way to generate income, or to give precedence of access or right of use to any specific group of New Zealanders”.

- Submissions opposed retaining the area in stewardship on the grounds that this would not protect the land from damaging activities such as mining, noting the existence of prospecting permits in some areas.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.

As I have recommended these comments are not allowed, I recommend they are not accepted.

No Opinion/Position Not Stated

Treaty Considerations (Allowed)

- Submissions recommended that amendments to the National Parks Act to address the concerns identified by the Mana Whenua Panel are resolved as a priority so there is no need to retain land in stewardship in the meantime.

Potential changes to management or legislative frameworks are not the subject of the notified classification proposal. As such, I recommend that comments advocating for such amendments are not accepted.

General (Allowed)

- Submissions advocated generally for all national parks, forest parks, scenic reserves and stewardship land to be protected from development.

I recommend that these comments are not accepted. The legislation does not provide for absolute protection from development – rather it contemplates that some activities may be acceptable and provides a mechanism for authorising such activities, through the grant of concessions. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

PAP_14 - Punakaiki Coast Road (South) – 2806891

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Punakaiki Coast Road (South)	PAP_14_2806891y	National Park (Paparoa)		6070*	23
Punakaiki Coast Road (South)	PAP_14_2806891a		Stewardship	14	60

DOC Conservation Values Report Description

A complex landscape of coastal hillside forest, with many bluff systems and steep ridgelines and hillslopes. Part of the Punakaiki Ecological Management Unit and within the Punakaiki Biodiversity priority site. The Westland petrel (Naturally Uncommon) is locally endemic and only breeds in the Punakaiki area. There are non DOC-managed, tracks and rock climbing opportunities in the area. The history of the Inland Pack Track is important.

Panel Recommendations

National Panel: National park investigation to reflect the identified values, increase the overall integrity of the Paparoa National Park, and to improve landscape continuity.

Mana Whenua Panel: Retain as stewardship land pending further policy work or legal reform, based on the tribal position that the addition of land to national parks will not give effect to the principles of the Treaty of Waitangi as it alienates Ngāi Tahu from their ancestral lands.

S.49(2)(d) Recommendation

- **Proceed** with the notified proposal, by referring this area to the NZCA for its consideration on the suitability of a national park classification in accordance with the relevant policy and procedures, including Policy 6 of the General Policy for National Parks and Section 4 of the Conservation Act 1987.

Summary of accepted submissions: The submissions ‘accepted’ as holding merit supported the proposed national park investigation to protect the area’s natural values and historic resources, improve climate change mitigation, and ensure ongoing public recreational access. Submitters referenced specific natural resources and historic features which were noted to be of high value. It was suggested that the Paparoa National Park Management Plan 2017 exhibits the principle of partnership and will support mana whenua to maintain kaitiaki status over this area.

Section 4 and Treaty principles: The Mana Whenua Panel opposed the proposed national park referrals, supported by submissions from Treaty partner organisations. Te Rūnanga o Ngāi Tahu oppose all additions to national parks within the Ngāi Tahu takiwā as “the addition of land to national parks will not give effect to the principles of the Treaty of Waitangi (as required by section 4 of the Conservation Act 1987) as it alienates Ngāi Tahu from our ancestral lands”.

I note that my s.49 recommendations and your decision on whether to refer this area to the NZCA for their consideration must give effect to Treaty principles independently of the NZCA’s section 4 obligations.

Although I acknowledge the Mana Whenua Panel opposition to the notified proposal, my assessment, considering those submissions accepted, is that the natural and historic resources present are of a similar nature to the adjacent national park, and warrant proceeding with a referral to the NZCA. Giving effect to Section 4 of the Act includes taking reasonable steps to actively protect the identified Treaty partner interests, but this obligation is not absolute and unqualified, as this would be inconsistent with DOC’s other statutory responsibilities.

Referring this area to the NZCA for their consideration provides an opportunity for the NZCA to further assess the natural and historic resources present, and explore specific Ngāi Tahu interests and aspirations, including their consideration as to what giving effect to Treaty principles may require.

* This figure includes 5,976 submissions made using a Forest and Bird template.

Rationale: My conclusion, considering those submissions accepted, is that the natural and historic resources present warrant referral to the NZCA for their consideration as per the process set out in Chapter 3 of the introduction to this Summary of Submissions Report.

National Park (Paparoa) - PAP_14_2806891y

Support

Access and Recreation (Allowed)

- The Punakaiki River was noted as popular for packrafting, with people “using the excellent tracks and then returning via the river”.
- Submissions stated they did not oppose a national park classification “as long as rock climbing access is maintained”, though they recommended reclassification as a recreation reserve to recognise “the area’s high value for climbing”.
- Submissions in support of national park noted that the “bluffs provide a valued mix of rock-climbing routes” for varied skill levels.
- Submissions noted the area to be situated at the end of the Paparoa Great Walk, describing the area as a “magical finish for riders on this amazing track” which should be “should be protected from any kind of development”.
- Submissions supported the national park recommendation on the grounds that this reflects the high recreation values, ensures ongoing public access (e.g. “including ongoing climbing access”), ensures that unique flora and fauna is protected for the enjoyment of present and future generations, and supports intergenerational participation in conservation.

I recommend that these comments are accepted. These comments provide site-specific details regarding the public access and recreational features present which are consistent with those described in the CVR. They hold merit under the Conservation Act as they support promotion of recreation that is not inconsistent with the preservation of the natural and historic resources present.

Climate Change and Natural Hazards (Allowed)

- Submissions suggested that suitable stewardship land should be incorporated into adjacent areas to support climate change mitigation, and that the protection of the area was especially important in the context of climate change.

I recommend that these comments are accepted. I agree that the protection of the existing natural resources present is of increasing importance when considering the need for climate mitigation. Classification as national park will support this outcome. The relevance of this factor for reclassification decisions is evident when the future-focused elements in the definition of conservation are considered, including, “safeguarding the options of future generations”, in relation to ‘natural resources’, “the air, water and soil in or on which any plant or animal lives or may live”, and in relation to ‘protection’ of a resource, “restoration to some former state and its augmentation, enhancement, or expansion” (Conservation Act 1987, s. 2).

Ecology and Landscape (Allowed)

- Submissions in support referenced the “outstanding coastal scenery” and “ecological and scenic values that are similar to adjoining national parks”, including “unmodified indigenous forest”, “nīkau, northern rata, kawakawa and podocarp forest with other regenerating bush”, and “towering cliffs” with their “huge Rata and Rimu” (e.g. “supports a high number of vulnerable species that are nationally important”).
- Submissions noted that “the bluff systems could provide nesting sites for taiko”, with Punakaiki being “the only mainland breeding habitat for this species”. A national park classification was described as “appropriate and justified for the presence of the unique Westland petrel/taiko breeding colonies alone”.
- Submissions supported national park reclassification on the grounds that it would increase habitat, enhance ecological connectivity and landscape continuity, streamline the management of these areas, and would enable critical biodiversity (Te Mana o te Taiao), climate and freshwater outcomes.

- Submissions in support noted that expanding the national park would include more of the complex geology and landforms of the Paparoa Range and its adjoining lowlands.
- Submissions stated that a national park would align land classifications more closely with ecological principles (describing current delineations as "historic and arbitrary"). The area was noted to provide a "link between two parts of the NP that are currently not connected".
- A submitter noted that the area included a boarding house in the 1930s, and that "the land has rapidly regenerated from farmland to forest in the past 80 years".
- A submission noted that as a karst landscape, the area is connected to the "springs on Waikori Road that have been used as water supply for Punakaiki", and should be protected under National Park.

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present which warrant consideration. The natural resources identified by submitters are consistent with those described in the CVR (e.g. an example of sedimentary hill country supporting a mix of old growth and seral indigenous vegetation; high level of rarity and distinctiveness). The contiguous boundary with Paparoa National Park further supports your notified intention to refer this area to the NZCA for its recommendation as to the suitability of a national park addition.

Treaty Considerations (Allowed)

- One submitter recognised "the concerns of the Mana Whenua Panel" and "their aspirations to maintain kaitiaki status over this area", suggesting that the Paparoa National Park Management Plan 2017 "creates such a partnership".

I recommend that these comments are accepted. I agree that the Paparoa National Park Management Plan 2017 gives effect to the Treaty principle of partnership and supports the expression of kaitiakitanga (e.g. "the partnership between the Department and Ngāi Tahu in managing Paparoa National Park occurs directly with both Te Rūnanga o Ngāti Waewae as the representative body of the mana whenua, and Te Rūnanga o Ngāi Tahu as the Treaty partner", Paparoa National Park Management Plan 2017 p. 13).

- Submissions acknowledged the concerns raised by the Mana Whenua Panel regarding national parks and wanted to see these addressed. However, they viewed maximum protection of the natural values as paramount and suggested that changes to management or legislative frameworks should be made to better reflect the intent of Treaty principles, and to ensure free access and use of national parks for cultural, traditional, historical, and customary purposes, while ensuring that natural values were preserved and protected under a national park classification.
- Submissions supported additions to adjacent national parks where the Mana Whenua Panel had not identified site-specific cultural values for the land.

I recommend that these comments are accepted to the extent that they agree the natural and historic resources present warrant referral to the NZCA for their consideration. However, while the possibility of future changes to management or legislative frameworks is identified by submitters as a potential means of reconciling that purpose with Treaty partner interests, such changes are not being considered within this reclassification exercise. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA's consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions expressed general support for all additions to national parks and for more stewardship areas to be classified at the highest possible level.
- Submissions expressed agreement with the National Panel recommendation as reflecting the information in the technical reports, or without providing further justification.
- Submissions noted that national park classification "applies a precautionary principle that these lands are best left in a natural state unless there is a good case otherwise".

I recommend that these comments are accepted. However, because no further justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is identified, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions raised the importance of protecting this area from open cast mining, requesting “a specific proviso prohibiting exploitation of the area through mining; and helicopter flights over, and landings in, the area for tourist purposes”.
- Submissions supported the expansion of the Paparoa National Park based on anticipated benefits for tourism in the area, noting that the presence of attractions such as the Paparoa Great Walk and the Coast Road Highway has led to investments in tourism-related industries.
- Submissions noted that national parks support a nature economy, and that this is in line with the Te Whanaketanga Tai Poutini West Coast Economic Strategy 2050.
- Submissions noted that national park classification prevents mining and means development proposals are subject to higher scrutiny (e.g. will protect indigenous flora and fauna from damaging activities such as mining and clearing). They also noted that legislative “let out clauses” exist to enable things in national parks that are “necessary and have wide approval”.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions expressed concerns about the reclassification process, stating that there are “major inconsistencies and contradictions” where high value conservation land has not been recommended for reclassification as a national park.
- While acknowledging that national park classification would be a suitable reflection of the values of the area, submissions recommended that this change, given the consequent heightened restrictions, should only occur following “extensive consultation and agreement with the local iwi, stakeholders, concessionaires, interested groups and local residents in consideration in addition to not only the environmental and ecological assets, but to such things as tracking, huts, air space and landings, noise and rating”.
- Submissions raised concerns about there being no terms of reference for the Mana Whenua Panel, and suggested that Mana Whenua Panel concerns regarding national parks should have been resolved prior to the reclassification project.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- Submissions advocated for more funding for pest control, and particularly suggested more resources should be “applied to culling the goats that are in residence here”.
- One submission supported national park classification, but noted that future road access for houses in the area should be guaranteed.
- Submissions acknowledged that Ngāi Tahu opposes national parks in principle, but suggested that land under statutory acknowledgements or nohoanga sites, if excluded from national park status, should not remain in stewardship.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Oppose

Access and Recreation (Allowed)

- Submissions expressed concern about loss of recreation opportunities and suggested that other classifications, such as conservation park or, where higher protection is warranted, scenic or recreation reserve, may provide a better balance between recreational enjoyment and protection of natural resources.
- Restrictions on dog walking were raised specifically as a concern by a West Coast resident.

- Submissions opposed any reclassification unless the reclassified purpose provides explicitly for access (including helicopter), sports fishing and gamebird hunting. Concern was raised that a national park classification excluded hunting for native species which are classified as gamebirds, such as pūkeko and paradise shelduck.

I recommend that these comments are not accepted. The methods of appreciation and recreational enjoyment proposed (e.g. dog access, hunting of indigenous avifauna) are potentially incompatible with protecting and preserving the natural resources described in the CVR, and the points raised do not justify overturning the notified intention. Although under a national park classification “the public shall have freedom of entry and access” this is subject to restrictions “necessary for the preservation of the native plants and animals or for the welfare in general of the parks” (National Parks Act 1980, s. 4(2)(e)).

Ecology and Landscape (Allowed)

- Submissions opposed all recommended reclassification as a national park, describing the land as “not so unique or scientifically important to meet the standard set by the National Parks Act”. They recommended reclassification as a conservation park, or suggested a scenic reserve or recreation reserve, to ensure sufficient protection in areas where there is potential risk of damaging activities such as mining, or recreation reserve where areas have high cultural or recreational value to the public.

I recommend that these comments are not accepted. Although areas of modification may be present, the natural resources described in the CVR (e.g. an example of sedimentary hill country supporting a mix of old growth and seral indigenous vegetation; high level of rarity and distinctiveness) justify referring this area to the NZCA for its recommendation as to the suitability of a national park addition. This is further supported by the land context of the adjoining Paparoa National Park.

Treaty Considerations (Allowed)

- Several submissions opposed the proposed national park investigation whilst supporting the proposal to retain the area in stewardship, pending conservation law reform to create more appropriate forms of protected area classifications from a Ngāi Tahu perspective. This follows a Ngāi Tahu tribal position that a national park classification “obstructs Ngāi Tahu from maintaining ancestral relationships with the whenua, obstructs kaitiaki rights and responsibilities, limits the meaningful involvement of Ngāi Tahu in decision-making processes, and is less enabling of customary practices that are fundamental to sustaining tribal identity and mana”.
- Submissions considered reclassification as a national park to be misaligned with Treaty obligations, and advocated for these areas to remain as stewardship land until classifications that more appropriately reflect Treaty principles are established.

Potential changes to management or legislative frameworks are not the subject of the notified proposal. As such, I recommend that comments advocating for such amendments are not accepted. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA’s consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions expressed support for the recommendation made by the Mana Whenua Panel or general opposition to adding more land to national parks, without providing further justification.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- One submission suggested the area should be made available for housing.
- Submissions opposed national park reclassification on the grounds that it was “too restrictive”.
- Submissions opposed national park reclassification based on the negative impacts on potential economic benefit derived from mineral resource extraction. They argued that this would not be in the best interests of the public.
- Submissions stated that any change should not affect existing permissions.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- Submissions expressed the view that national park classification does not equate to effective protection from introduced pests or predators.
- One submission opposed all reclassification of stewardship land unless it was purchased by the Nature Heritage Fund for the purpose of adding it to a national park.

As I have recommended these comments are not allowed, I recommend they are not accepted.

No Opinion/Position Not Stated

Ecology and Landscape (Allowed)

- One submission noted the karst value of the coast road area.

I recommend that this comment is not accepted. Although areas of potential karst area present in the wider coast road area, my understanding, based on the Western South Island Region Cave and Karst Operational Plan(2018, pg.66) is that caves are not present in this stewardship area.

General (Allowed)

- Submissions advocated generally for all national parks, forest parks, scenic reserves and stewardship land to be protected from development.

I recommend that these comments are not accepted. The legislation does not provide for absolute protection from development – rather it contemplates that some activities may be acceptable and provides a mechanism for authorising such activities, through the grant of concessions. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Retain in Stewardship - PAP_14_2806891a

The comments received in relation to the Mana Whenua Panel recommendation are summarised below and have been considered in relation to the notified proposal when forming s.49 allow/accept recommendations.

Support

Ecology and Landscape (Allowed)

- Submissions suggested that there was insufficient evidence of the conservation value and characteristics justifying national park status.

I recommend that these comments are not accepted. Although areas of modification may be present, my assessment is that the natural and historic resources described in the CVR (e.g. an example of sedimentary hill country supporting a mix of old growth and seral indigenous vegetation; high level of rarity and distinctiveness) justify referring this area to the NZCA for its recommendation as to the suitability of a national park addition. This is further supported by the contiguous boundary with Paparoa National Park.

Treaty Considerations (Allowed)

- Several submissions opposed the proposed national park investigation whilst supporting the proposal to retain the area in stewardship, pending conservation law reform to create more appropriate forms of protected area classifications from a Ngāi Tahu perspective. This follows a Ngāi Tahu tribal position **that a national park classification** “obstructs Ngāi Tahu from maintaining ancestral relationships with the whenua, obstructs kaitiaki

rights and responsibilities, limits the meaningful involvement of Ngāi Tahu in decision-making processes, and is less enabling of customary practices that are fundamental to sustaining tribal identity and mana”.

- Submissions considered reclassification as a national park to be misaligned with Treaty obligations, and advocated for these areas to remain as stewardship land until classifications that more appropriately reflect Treaty principles are established.

Potential changes to management or legislative frameworks are not the subject of the notified proposal. As such, I recommend that comments advocating for such amendments are not accepted. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA’s consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions expressed support for the recommendation made by the Mana Whenua Panel, without providing further justification.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions argued that reclassifying land as national park, or other classifications which fall under Schedule 4, could have economic consequences by excluding mineral extraction and other activities on that land, and that the natural values of the land may not warrant this. The potential loss of opportunities resulting from these restrictions was seen as damaging, particularly in terms of mineral extraction and site rehabilitation. It was suggested that a holistic view, considering mineral prospectivity and other economic, social, and cultural considerations, should be taken.
- Submissions supported either retaining all land in stewardship or reclassification as a conservation park, suggesting that this would provide "more than adequate legal protection" while allowing activities to be assessed on a case-by-case basis.
- Submissions stated that any change should not affect existing permissions.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- Submissions expressed doubt that reclassifying stewardship land as national parks would have a positive impact on conservation, citing DOC funding and resource limitations.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Oppose

Access and Recreation (Allowed)

- Submissions referenced the area’s location at the end of the Paparoa Great Walk, describing the area as a "magical finish for riders on this amazing track", which should be "should be protected from any kind of development" (e.g. "backdrop to the entrance to the National Park and the Great Walk").
- Submissions advocated for reclassification as a national park to ensure ongoing access and enjoyment of the protected natural resources, and to reflect the recreational values of the area (e.g. "for the enjoyment and well-being of our present and future generations").
- Submissions in support of a national park classification noted the importance of the area for rock climbing.

I recommend that these comments are accepted. These comments provide site-specific details regarding the public access and recreational features present which are consistent with those described in the CVR, and warrant consideration. They hold merit under the Conservation Act as they support promotion of recreation that is not inconsistent with the preservation of the natural and historic resources present.

Climate Change and Natural Hazards (Allowed)

- Submissions suggested that ensuring high protection of these areas was especially important in the context of climate change.

I recommend that these comments are accepted. I agree that the protection of the existing natural resources present is of increasing importance when considering the need for climate mitigation. Classification as national park will support this outcome. The relevance of this factor for reclassification decisions is evident when the future-focused elements in the definition of conservation are considered, including, “safeguarding the options of future generations”, in relation to ‘natural resources’, “the air, water and soil in or on which any plant or animal lives or may live”, and in relation to ‘protection’ of a resource, “restoration to some former state and its augmentation, enhancement, or expansion” (Conservation Act 1987, s. 2).

Ecology and Landscape (Allowed)

- Submissions expressed preference for reclassification as a national park to reflect the high ecological, scenic and landscape values with nationally significant ecological systems and natural areas, and the comparable values to the surrounding national park.
- The area was noted to contain “a high number of vulnerable species that are nationally important”. Specifically, it was described as on the “flight path of the Westland Petrel”, with Punakaiki noted as “the only mainland breeding habitat for this species”, and to contain “outstanding coastal scenery possibly with nest sites for Westland petrel”.
- Submissions referenced the “towering cliffs” with their “huge Rata and Rimu” which are present, noting that the area connects to and holds the same unique values as the Paparoa National Park.
- Submissions suggested that a national park classification would support the “preservation of our local wilderness landscapes for future generations of Kiwis”.

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present which warrant consideration. The natural resources identified by submitters are consistent with those described in the CVR (e.g. an example of sedimentary hill country supporting a mix of old growth and seral indigenous vegetation; high level of rarity and distinctiveness). The contiguous boundary with Paparoa National Park further supports your notified intention to refer this area to the NZCA for its recommendation as to the suitability of a national park addition.

Treaty Considerations (Allowed)

- Submissions acknowledged that Ngāi Tahu opposes national parks in principle, but argued for reclassification as a national park to ensure protection of natural values, suggesting that national park classification could still allow for customary access and Treaty settlements, or that legislative or management framework changes should occur to address these concerns.
- Submissions suggested that where the Mana Whenua Panel had not identified site-specific cultural values for the land, it should be reclassified as a national park to ensure protection from activities such as mining which may be allowed on stewardship land.

I recommend that these comments are accepted to the extent that they agree the natural and historic resources present warrant referral to the NZCA for their consideration. However, while the possibility of future changes to management or legislative frameworks is identified by submitters as a potential means of reconciling that purpose with Treaty partner interests, such changes are not being considered within this reclassification exercise. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA’s consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions opposed retaining land in stewardship, describing it as a “meaningless recommendation”.
- Submissions queried the extent of the recommendations to retain land in stewardship, noting this was nearly 8,000 ha, suggesting this could instead be reclassified as a scenic reserve or conservation park.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

- Submissions expressed preference for the National Panel recommendation, stating their support for stewardship land to be reclassified at the highest possible level based on its high cultural conservation values.
- Submissions expressed preference for reclassification as a national park and for high protection for more stewardship land, either without providing further justification or based on the “reasons outlined in the conservation value reports”.

I recommend that these comments are accepted. However, because no further justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is identified, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submitters noted the importance of protecting the area from open cast mining and the importance of preserving the wild natural values which support tourism industries (e.g. “the area needs stronger protection against mining and other exploitation”).
- Submissions expressed that the area should not “be used in any way to generate income, or to give precedence of access or right of use to any specific group of New Zealanders”.
- Submissions opposed retaining the area in stewardship on the grounds that this would not protect the land from damaging activities such as mining.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.

As I have recommended these comments are not allowed, I recommend they are not accepted.

No Opinion/Position Not Stated

Ecology and Landscape (Allowed)

- A submitter noted the karst value of the coast road area.

I recommend that these comments are not accepted. Although areas of potential karst area present in the wider coast road area, my understanding, based on the Western South Island Region Cave and Karst Operational Plan(2018, pg.66) is that caves are not present in this stewardship area.

Treaty Considerations (Allowed)

- Submissions recommended that amendments to the National Parks Act to address the concerns identified by the Mana Whenua Panel are resolved as a priority so there is no need to retain land in stewardship in the meantime.

Potential changes to management or legislative frameworks are not the subject of the notified classification proposal. As such, I recommend that comments advocating for such amendments are not accepted.

General (Allowed)

- Submissions advocated generally for all national parks, forest parks, scenic reserves and stewardship land to be protected from development.

I recommend that these comments are not accepted. The legislation does not provide for absolute protection from development – rather it contemplates that some activities may be acceptable and provides a mechanism for authorising such activities, through the grant of concessions. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter suggested the area should be made available for housing.

As I have recommended this comment is not allowed, I recommend it is not accepted.

PAP_15 – Hibernia Creek – 2806936

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Hibernia Creek	PAP_15_2806936b	Scenic Reserve (a)	Neutral	24	7

DOC Conservation Values Report Description

A 0.6-ha area of prograding dunes adjacent to State Highway 6 supporting regenerating native forest and cleared areas with exotic plant species common. It is surrounded by QEII Open Space Covenant which adjoins Paparoa National Park, and performs an important function in supporting the ecological integrity of the western facing slope and the adjacent Covenant.

Panel Recommendations

National Panel: Scenic reserve (a), to preserve the identified flora and fauna, biological associations and the natural environment.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of scenic reserve (a).

Summary of accepted submissions: Those submissions ‘accepted’ as holding merit supported the notified classification as offering sufficient protection in the context of climate change, reflecting the natural resources present and supporting resilience for habitat in nearby areas.

Section 4 and Treaty principles: The Mana Whenua Panel did not oppose the proposed classification.

No specific Ngāi Tahu interests were raised for consideration by the Mana Whenua Panel for this stewardship area. I acknowledge statements of the Mana Whenua Panel that “there is a deep connection between Ngāi Tahu and all of the whenua in the Ngāi Tahu takiwā, and the absence of site-specific values in the preliminary analysis does not detract from that connection, nor does it confirm that site-specific values are not present.”

Rationale: My conclusion is that the proposed classification will appropriately promote the conservation of the natural and historic resources present (e.g. regenerating native forest and cleared areas with exotic plant species) and reflects the context of the adjacent scenic reserve.

Scenic Reserve (a) - PAP_15_2806936b

Support

Climate Change and Natural Hazards (Allowed)

- Submissions expressed support for scenic reserve reclassification as offering a high level of environmental protection, noting that this is particularly important in the context of climate change.

I recommend that these comments are accepted. I agree that the protection of the existing natural resources present is of increasing importance when considering the need for climate mitigation. Classification as scenic reserve will support this outcome. The relevance of this factor for reclassification decisions is evident when the future-focused elements in the definition of conservation are considered, including, “safeguarding the options of future generations”, in relation to ‘natural resources’, “the air, water and soil in or on which any plant or animal lives or may live”, and in relation to ‘protection’ of a resource, “restoration to some former state and its augmentation, enhancement, or expansion” (Conservation Act 1987, s. 2).

Ecology and Landscape (Allowed)

- Submissions expressed their support based on the area’s proximity to Nikau Scenic Reserve and the presence of petrel colonies. They viewed the recommendation as protecting ecological and landscape values that are aligned

with the nearby scenic reserve and the adjoining QE11 covenanted areas, and suggested it would provide added resilience for habitat in these nearby areas.

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present which warrant consideration. The natural resources identified by submitters are consistent with those described in the CVR (e.g. supporting the ecological integrity of the wider western facing slopes and adjacent covenant), and they are appropriately protected and preserved by the proposed classification. The contiguous nature of the adjoining scenic reserve further supports your notified intention to classify this area as a scenic reserve.

General (Allowed)

- Submissions expressed agreement with the recommendation, stating their support for stewardship land to be reclassified at the highest possible level based on its “high cultural conservation value”.
- Submissions expressed agreement with the recommendation without providing further justification, or supported the recommendation on the grounds that it appropriately reflects the values stated in the technical reports.

I recommend that these comments are accepted. However, because no further justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is identified, these submission points do not raise any matters for further consideration.

Oppose

Ecology and Landscape (Allowed)

- Ecological area or “ideally inclusion in the National Park” was recommended, as the proximity to the Barrytown Flats and sandplain forest make this an area of high ecological value.
- Another suggested it should be retained in stewardship and planted as totara forest so the forest would “support the Te Ara Taiko reserve as a buffer zone to the Taiko/Westland Petrel Colony”.
- One submission stated that the values “are more suited to conservation area”.

I recommend that these comments are not accepted. The natural resources identified in the CVR are appropriately protected and preserved by the proposed classification, and the material raised does not warrant overturning the notified classification. Under a scenic reserve classification “indigenous flora and fauna, ecological associations, and natural environment and beauty shall as far as possible be preserved” (Reserves Act 1977, s. 19(2)(a)).

Permissions, Economic Factors and Land Use (Not Allowed)

- One submission opposed reclassification as a scenic reserve, noting that though it does not prohibit mining it adds extra restrictions with consequent negative economic benefits, suggesting that retaining the land in stewardship or reclassifying it as a conservation park provides adequate legal protection while allowing commercial activities such as mining to be considered on a case-by-case basis.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- One submission opposed all reclassification of stewardship land unless it was purchased by the Nature Heritage Fund for the purpose of adding it to a national park.

As I have recommended these comments are not allowed, I recommend they are not accepted.

No Opinion/Position Not Stated

Access and Recreation (Allowed)

- Submissions were concerned with ensuring that any reclassification provides explicitly for access, sports fishing and gamebird hunting.

I recommend that these comments are not accepted. Insufficient information is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised which supports reconsideration of the notified classification. The proposed classification does not prohibit public access for the activities, if authorised (for example in a hunting permit). Authorisation of such activities involves a separate decision-making process, the outcome of which would depend on effects on the conservation values present rather than the proposed land classification.

General (Allowed)

- Submissions advocated generally for all national parks, forest parks, scenic reserves and stewardship land to be protected from development.

I recommend that these comments are not accepted. The legislation does not provide for absolute protection from development – rather it contemplates that some activities may be acceptable and provides a mechanism for authorising such activities, through the grant of concessions. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

PAP_16 – Barrytown Flat – 2806893

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Barrytown Flat	PAP_16_2806893c	Scenic Reserve (a)	Neutral	30	37

DOC Conservation Values Report Description

An 81-ha section of coastal plain with wetland vegetation in the remaining vestige of Maher Swamp. Pakiroa Flats Ecological Management Unit covers the entire area and sits adjacent to Punakaiki Marine Reserve Ecological Management Unit. The area is the best representative example of a coastal wetland in the Punakaiki Ecological District. It provides important habitat for wetland and forest avifauna and freshwater fish species. There is history of gold mining and flax cutting. This coastal area is part of a continuous area of significance to Poutini Ngāi Tahu.

Panel Recommendations

National Panel: Scenic reserve (a), to preserve the identified flora and fauna, biological associations and the natural environment.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of scenic reserve (a).

Summary of accepted submissions: Those submissions ‘accepted’ as holding merit supported the notified classification as offering sufficient protection in the context of climate change, reflecting the natural values present. Submitters referenced specific natural resources which were noted to be of high value.

Section 4 and Treaty principles: The Mana Whenua Panel did not oppose the proposed classification.

The Mana Whenua Panel have signalled specific Ngāi Tahu interests associated with this stewardship area, particularly that “this coastal area is part of a continuous area of significance to Poutini Ngāi Tahu”. Given the Mana Whenua Panel have not opposed the notified classification, therefore I consider the classification is not inconsistent with the identified interests.

Rationale: My conclusion is that the natural resources present (e.g. coastal plain with wetland vegetation) are appropriately protected under the proposed classification.

Scenic Reserve (a) - PAP_16_2806893c

Support

Climate Change and Natural Hazards (Allowed)

- Submissions expressed support for scenic reserve reclassification as offering a high level of environmental protection, noting that this is particularly important in the context of climate change.
- The area was noted as a valuable buffer against storm damage.

I recommend that these comments are accepted. I agree that the protection of the existing natural resources present is of increasing importance when considering the need for climate mitigation. Classification as scenic reserve will support this outcome. The relevance of this factor for reclassification decisions is evident when the future-focused elements in the definition of conservation are considered, including, “safeguarding the options of future generations”, in relation to ‘natural resources’, “the air, water and soil in or on which any plant or animal lives or may live”, and in relation to ‘protection’ of a resource, “restoration to some former state and its augmentation, enhancement, or expansion” (Conservation Act 1987, s. 2).

Ecology and Landscape (Allowed)

- Submissions supported the proposed classification as providing protection for the area's significant natural values. Various features were listed, such as nationally significant ecological systems and scenic natural areas; the rare wetland; the foreshore and northern dunes which are likely to be suitable breeding habitat for banded dotterel; native dune vegetation of *Muehlenbeckia axillaris*, *Phymatosorus*, *Carex pumilo*, and pingao; other remnant and rare indigenous vegetation; habitat for rare and endangered bird species, including petrel/tāiko; habitat for freshwater fish; and flax dune habitats which are an "important complement to the protected lands of the Paparoas". The area was also valued for its views of Aoraki, Rapahoe Range, and the spine of the Paparoas where the track traverses the ridge.
- Some submissions stated that while they supported scenic reserve, they would prefer a "higher" classification such as national park or ecological area to ensure that the area has appropriately stringent protection, or that scenic reserve is a "minimum recommendation". Reasons given included the importance of the rare coastal remnant forest wetland; the important wildlife habitat (a submitter had observed bittern/matuku here, and its proximity to the Westland Petrel breeding colony and in their flight path); landscape connectivity (connection with other significant scenic reserves and the Paparoa Nation Park in close proximity, and the importance of Mahers Swamp as connecting the smaller reserves and the remaining wetland/forest fragments along the flats together).

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present which warrant consideration. The natural resources identified by submitters are consistent with those described in the CVR (e.g. the best representative example of a coastal wetland in the Punakaiki Ecological District; a high level of naturalness and dominated by native plant species). The contiguous nature of the adjoining scenic reserve further supports your notified intention to classify this area as a scenic reserve. Under a scenic reserve classification "indigenous flora and fauna, ecological associations, and natural environment and beauty shall as far as possible be preserved" (Reserves Act 1977, s. 19(2)(a)).

General (Allowed)

- Submissions expressed agreement with the National Panel recommendation, stating their support for stewardship land to be reclassified at the highest possible level based on its "high cultural conservation value".
- Submissions expressed agreement with the recommendation without providing further justification, or supported the recommendation on the grounds that it appropriately reflects the values stated in the technical reports.

I recommend that these comments are accepted. However, because no further justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is identified, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submitters expressed a desire to protect the area from mining, noting that a mining permit exists for Canoe Creek to Razorback (e.g. "no mining concessions").

As I have recommended these comments are not allowed, I recommend they are not accepted.

Oppose

Access and Recreation (Allowed)

- A submitter who identified themselves as "a resident who uses this area weekly for recreation" suggested a "stronger recommendation of National Park" and that they would like to see more tracks and access for people. They disagreed with the description of the area as in a Backcountry remote zone, stating that the land is close to the main highway and "there would be 500+ residents living in this area enjoying the surrounds".

I recommend that these comments are not accepted for further consideration, as the proposed development of new trails in the area is not prohibited by the proposed classification, and the points raised do not justify overturning the notified intention. While there may be higher recreational use than that described in the CVR, the proposed classification provides

for the public to have freedom of entry and access to the reserve, subject to conditions necessary for the protection and well-being of the reserve and the public themselves, as per section 19(2)(b) Reserves Act 1977.

Climate Change and Natural Hazards (Allowed)

- Submissions in opposition proposed “higher” protection as either ecological area or national park, suggesting that this would provide a “valuable benchmark” for assessing changes to the coastline as a result of climate change and sea level rise, and would “provide some protection against sea level rise for adjoining properties”.

I recommend that these comments are not accepted. The proposed classification will support the protection of the natural resources present, and as a result support the area's climate mitigation potential. Under a scenic reserve classification “indigenous flora and fauna, ecological associations, and natural environment and beauty shall as far as possible be preserved” (Reserves Act 1977, s. 19(2)(a)).

- One submission in opposition suggested the site “should be reviewed for community climate adaptation and resilience”.

I recommend that these comments are not accepted. Comments regarding adaptation do not specify what type of adaptation they mean or why this should be considered for this conservation area, so I am unable to consider them further.

Community (Allowed)

- One submission advocated for higher protection (national park reclassification) on the grounds that this would “relieve the local community of the constant presence of test drilling and exploration, and the social disruption this causes as they seek to protect their fragile coastal environment”.

I recommend that these comments are not accepted. There are no exploration activities currently permitted on this area of stewardship land, so these comments are therefore not relevant to the public notice. I note that the activities the submitter is referring to are likely related to an application for a sandmining operation on freehold land in the Barrytown Flats area.

Ecology and Landscape (Allowed)

- Submissions opposed the recommendation on the basis that scenic reserve does not adequately reflect the area's high ecological, landscape and scenic values. ecological area was most commonly suggested as a more appropriate classification, while several submissions proposed reclassification as a national park. Scientific reserve or sanctuary area were also suggested, as well as submissions generally recommending “higher” or “highest” protection.
- Submissions proposing different classifications generally referenced the same features as important and worthy of protection.
- Submissions advocating for higher protection did so on the basis that it is the largest and “best representative example” of a coastal wetland remaining in the area; that lowland wetlands are represented poorly in the area and nationally; that it is “a site of national importance”; that the dune hollow wetlands are classified as an endangered ecosystem; and that the “significant and fragile” wetland ecosystem would be disturbed by the impacts of extractive activities such as noise, vibration, and potential waterway degradation.
- Submissions also suggested higher protection for the site based on its biodiversity values, referencing important habitat for wetland birds such as bittern and fernbird, nesting kororā at the adjacent coast and nearby coastal areas, mudfish recorded in the immediate north, the presence of threatened plant species, flax raupo, carex grassland, dune ridges with northern rata and podocarp forest, nikau palms and kamahi/mahoe forest, and described the vegetation of the area as “special” due to its unique geographical combination of warm sea current, climate, and minerals.
- Submissions proposing higher protection noted that the area also provides important ecological connectivity, particularly for birdlife such as bittern or Westland Black Petrel. They referenced its proximity to other scenic reserves and conservation areas, that land to the north was purchased by the Nature Heritage Fund in 2007 to extend and protect the wetland area; that it is adjacent to a marine reserve; that nearby Significant Natural Areas have been identified as bittern habitat; and that the area is connected to ecosystems within Paparoa National Park, and could contribute to a “necessary” mountain to sea corridor.

- It was suggested that the wetland should be given high protection so it can provide a “blueprint” and gene source to assist with any future wetland restoration nearby.
- Submissions frequently stated that protection for the area’s natural values is particularly crucial in light of the presence of other mining or exploration permits in the vicinity, wanting to ensure that no extractive activities could occur in the conservation area.

I recommend that these comments are not accepted. Although the natural resources noted by submitters are consistent with those described in the CVR (e.g. the best representative example of a coastal wetland in the Punakaiki Ecological District; a high level of naturalness and dominated by native plant species), the points raised do not justify overturning the notified intention. Under a scenic reserve classification “indigenous flora and fauna, ecological associations, and natural environment and beauty shall as far as possible be preserved” (Reserves Act 1977, s. 19(2)(a)). The contiguous nature of the adjoining scenic reserve further supports your notified intention to classify this area as a scenic reserve.

Historic and Cultural Values (Allowed)

- One submission in opposition (which proposed reclassification as a national park to protect the ecological features of the area) stated that “the history of goldmining in Maher’s Swamp is minimal and should not be featured at length in the description of this wetland”, and that, other than small-scale black sand claims on the beach, no terrestrial gold mining has occurred on the Barrytown Flats in approximately 80 years.

I recommend that these comments are not accepted. The justification included in the National Panel recommendation report is primarily based on the notable natural resources present. Although historic resources are protected under the proposed classification (e.g. s.19(2)(d) Reserves Act 1977), the potential lack of heritage values does not justify overturning the notified intention.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions in opposition proposed national park reclassification instead, suggesting this would preserve the high natural values and therefore support tourism in the area. One noted the economic benefits of the Great Walk for local businesses during Covid-19, and stated that “any extensions to the National Park can only help our usually thriving tourism industry in the area”. Another noted that “sustainable ecotourism businesses are an integral part of the Barrytown community, showcasing the unique native habitat and wildlife of the area”.
- Submissions referenced the existence of “placer deposit mining permits” in the vicinity, raising concerns that these would affect the area or be extended up to the boundary of this area, and suggested that this site (if protected from these activities) could “be a bellweather for monitoring the effects of this new and highly invasive large scale mining process on neighbouring coastal areas”.
- Conversely, one submission opposed reclassification as scenic reserve, noting that though it does not prohibit mining it adds extra restrictions with consequent negative economic benefits, suggesting that retaining the land in stewardship or reclassifying it as a conservation park provides adequate legal protection while allowing commercial activities such as mining to be considered on a case-by-case basis.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- One submission recommended that adjacent scenic reserves also be incorporated into the national park.
- One submission opposed all reclassification of stewardship land unless it was purchased by the Nature Heritage Fund for the purpose of adding it to a national park.

As I have recommended these comments are not allowed, I recommend they are not accepted.

No Opinion/Position Not Stated

Access and Recreation (Allowed)

- Submissions were concerned with ensuring that any reclassification provides explicitly for access, sports fishing and gamebird hunting.

I recommend that these comments are not accepted. Insufficient information is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised which supports reconsideration of the notified classification. The proposed classification does not prohibit public access for the activities, if authorised (for example in a hunting permit). Authorisation of such activities involves a separate decision-making process, the outcome of which would depend on effects on the conservation values present rather than the proposed land classification.

General (Allowed)

- Submissions advocated generally for all national parks, forest parks, scenic reserves and stewardship land to be protected from development.

I recommend that these comments are not accepted. The legislation does not provide for absolute protection from development – rather it contemplates that some activities may be acceptable and provides a mechanism for authorising such activities, through the grant of concessions. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

PAP_17 – Canoe Creek – 2806782

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Canoe Creek	PAP_17_2806782d	Local Purpose (River Conservation) Reserve	Neutral	12	15

DOC Conservation Values Report Description

A 20-ha area of Canoe Creek and the adjacent riparian margin as it emerges from the Paparoa Range South Conservation Area and flows to the sea. The upper catchment is within Paparoa National Park. Canoe Creek has a high level of naturalness of freshwater ecosystems, but the lower stretch of the parcel traverses modified farmland and is grazed. Gravel is sometimes taken from the bed of Canoe Creek.

Panel Recommendations

National Panel: Local purpose reserve to protect the ecological values – a braided river system and connecting corridor from Paparoa Range South Conservation Area to Canoe Creek Scenic Reserve and the wider coastal area. However, it lacks sufficient complementary conservation values to warrant classifying it consistently with either area.

Mana Whenua Panel: Neutral

S.49(2)(d) Recommendation

- Do not proceed with the notified proposal the notified classification of local purpose (river conservation) reserve, retaining the area in stewardship.

Summary of accepted submissions: Those submissions ‘accepted’ as holding merit expressed opposition to the notified classification on the basis that the purpose of the reserve is not clearly defined, leaving it uncertain how the natural resources present will be protected.

Section 4 and Treaty principles: The Mana Whenua Panel did not oppose the proposed classification.

No specific Ngāi Tahu interests were raised for consideration by the Mana Whenua Panel for this stewardship area. I acknowledge statements of the Mana Whenua Panel that “there is a deep connection between Ngāi Tahu and all of the whenua in the Ngāi Tahu takiwā, and the absence of site-specific values in the preliminary analysis does not detract from that connection, nor does it confirm that site-specific values are not present.”

Rationale: Further policy work by the Department is required to describe the purpose of the proposed reserve and to identify any potential management implications. This process will provide clarity as to whether the proposed local purpose reserve reflects the natural and historic resources present, or if another classification is more appropriate.

Local Purpose (River Conservation) Reserve - PAP_17_2806782d

Support

Ecology and Landscape (Allowed)

- Submissions supported the recommendation as providing a high level of protection. They described the area as a “precious and recovering riverine corridor”, having similar values to the existing national park, an important part of the local ecosystem with significant biodiversity, and noted the presence of kiwi and whio.
- A submitter who lives adjacent to Canoe Creek described an afforestation project they are undertaking to protect existing vegetation and replant the river flats that are currently “covered in deteriorating pasture”. They expressed support for enhanced protection of the entire Canoe Creek catchment (and stewardship land more broadly) to improve climate and biodiversity outcomes.
- A submitter expressed support but noted that clarification of purpose was important (i.e. ecological factors, flood protection, etc). They stated that Local purpose (river conservation) reserves had been “misused” in Canterbury and that this should be considered when assigning this classification.

I recommend that these comments are not accepted. I have concluded based on comments in opposition that the purpose of the notified classification provides insufficient detail to comment on whether it appropriately protects the natural resources described, or if another classification may be more appropriate.

General (Allowed)

- Submissions stated their agreement in general terms, without providing further justification, or expressed their preference for stewardship land to be reclassified at the highest possible classification based on its “cultural conservation value”.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submission noted that other areas in the vicinity are subject to mining or exploring permits, emphasising the importance of ensuring this site is protected.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Oppose

Access and Recreation (Allowed)

- Scenic reserve was suggested, with a submission stating the area has recreational access values.

I recommend that these comments are not accepted. Although recreational values (as an element of conservation values) are a valid consideration in the reclassification process, I have concluded based on comments in opposition that the purpose of the notified classification provides insufficient detail to comment on whether it provides for the public access described.

Climate Change and Natural Hazards (Allowed)

- Submissions suggested that other classifications would be more appropriate to support revegetation for carbon sequestration or flood buffering from climate change effects. It was suggested that river margins that are subject to flooding from climate change effects should be “incorporated into a special class” to ensure they are retained in public ownership and revegetated to contribute to emissions reduction, rather than classified as local purpose reserves where “they can have their status changed without notification”. One submission proposed government purpose (climate mitigation) reserve as a possible classification, while scenic reserve was also proposed as appropriate for its climate mitigation and sequestration values.

I recommend that these comments are accepted to the extent that I have concluded based on comments in opposition that the purpose of the notified classification provides insufficient detail to comment on whether it adequately provides for this factor, or if another classification should be considered.

Ecology and Landscape (Allowed)

- Submissions opposed the recommendation on the basis that the purpose of the reserve is not clearly defined, leaving it uncertain how freshwater values, natural values and the natural processes of the river will be protected.
- Submissions suggested a review of all recommendations for Local purpose (river conservation) reserves to reclassify the land in a way which would prioritise natural and freshwater values and the natural processes of the river, and support strategic management of riverine areas on a catchment or ecosystem scale.
- Concerns were raised that the lack of a clearly defined purpose would mean that the area could be vested to an authority that would not effectively manage the area to protect the natural values or that would not have conservation as its core focus, leading to “local interpretations of river conservation” and allowing inappropriate use. More broadly, submissions also suggested that government agencies are not adequately managing and protecting riverbeds and their margins, and that the reclassification process “creates an opportunity for more responsible management”.

I recommend that these comments are accepted. I agree that the purpose of the notified classification provides insufficient detail to comment on whether it appropriately ensures protection of the conservation of the natural resources present.

- Various classifications were suggested as more appropriate to ensure that protection of the natural values and processes takes primacy, and that only compatible uses are allowed. These included government purpose (Te Mana o Te Wai) reserve, ecological area (to recognise the role of water in connecting ecosystems and delivering nutrients), or wildlife management area or reserve (based on naturally uncommon ecosystems, including dunes and wetlands, threatened species, opportunities for restoration of depleted indigenous ecosystems, and high fauna values).
- Submissions also suggested national park classification, noting that the area links the Paparoa Range to other areas recommended for inclusion in the national park and to a coastal scenic reserve, creating an important river corridor, and that it has “striking” Palaeozoic Greenland geology to the south as well as tertiary mudstones to the north.
- Submissions also suggested scenic reserve (or “at least” scenic reserve), based on its connectivity, active riverbed and high scenic and ecological values, with one submission noting that “Canoe Creek has been disturbed by earth moving purposes for years”.
- It was stated that other examples of local purpose reserves held for river conservation (e.g. in the Rangitata River in Canterbury) have demonstrated that the classification does not ensure river margins/corridors or freshwater values will be adequately protected.

I recommend that these comments are accepted to the extent that the purpose of the notified classification provides insufficient detail to comment on whether it provides appropriate protection of the natural resources noted by submitters, or if another classification should be considered.

Permissions, Economic Factors and Land Use (Not Allowed)

- One submission proposed either scenic reserve or national park based on the area’s connectivity, concluding that “in any case it should not be grazed”.
- Submissions raised concerns that the recommended classification would maintain the status quo or “business as usual” and allow activities such as grazing or modification to occur, or suggested that the river conservation reserves “do not appear to be about conservation, but instead about controlling rivers for the conservation of soil”.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.
- A submission opposed the reclassification on the basis that no reclassifications should proceed without a full socioeconomic assessment undertaken by the Department in partnership with the West Coast Regional Council.

As I have recommended these comments are not allowed, I recommend they are not accepted.

No Opinion/Position Not Stated

Access and Recreation (Allowed)

- Submissions were concerned with ensuring that any reclassification provides explicitly for access, sports fishing and gamebird hunting.

I recommend that these comments are not accepted. I have concluded based on comments in opposition that the purpose of the notified classification provides insufficient detail to comment on whether it appropriately protects the natural resources described, or if another classification may be more appropriate. Any limits on public access will be determined as part of any future policy work.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions stated that any change should not affect the existing permissions, or that it was unclear how the current grazing lease would be affected.

As I have recommended these comments are not allowed, I recommend they are not accepted.

PAP_18 – Barrytown – SH6 – 2806570

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Barrytown – SH6	PAP_18_2806570e	National Park (Paparoa)		6069*	21
Barrytown – SH6	PAP_18_2806570f		Stewardship	14	65

DOC Conservation Values Report Description

The Barrytown – SH6 conservation area is part of the PAP_18 assessment area, which extends from the coastal lowlands over the alpine tops and down into the eastern Grey River/Māwheranui valley. The assessment area is largely intact and dominated by indigenous vegetation, with high levels of diversity and representativeness. It represents the whole ecosystem sequence from western coastal slopes through alpine environments into the more sheltered valleys of the eastern flanks. The wider area has a rich goldmining history, and various permissions are in place.

Panel Recommendations

National Panel: National park investigation to reflect the identified values, increase the overall integrity of the Paparoa National Park, and to improve landscape continuity.

Mana Whenua Panel: Retain as stewardship land pending further policy work or legal reform, based on the tribal position that the addition of land to national parks will not give effect to the principles of the Treaty of Waitangi as it alienates Ngāi Tahu from their ancestral lands.

S.49(2)(d) Recommendation

- Proceed with the notified proposal, by referring this area to the NZCA for its consideration on the suitability of a national park classification in accordance with the relevant policy and procedures, including Policy 6 of the General Policy for National Parks and Section 4 of the Conservation Act 1987.

Summary of accepted submissions: The submissions ‘accepted’ as holding merit supported the proposed national park investigation to protect the area’s natural values and historic resources and improve climate change mitigation.

Submitters referenced specific natural resources which were noted to be of high value.

Section 4 and Treaty principles: The Mana Whenua Panel opposed the proposed national park referrals, supported by submissions from Treaty partner organisations. Te Rūnanga o Ngāi Tahu oppose all additions to national parks within the Ngāi Tahu takiwā as “the addition of land to national parks will not give effect to the principles of the Treaty of Waitangi (as required by section 4 of the Conservation Act 1987) as it alienates Ngāi Tahu from our ancestral lands”. The Mana Whenua Panel have also signalled Ngāi Tahu interests associated with this stewardship area, particularly that “Ngāi Tahu may have future aspirations for this land (such as from an economic wellbeing and development perspective)”.

I note that my s.49 recommendations and your decision on whether to refer this area to the NZCA for their consideration must give effect to Treaty principles independently of the NZCA’s section 4 obligations.

Although I acknowledge the Mana Whenua Panel opposition to the notified proposal, my assessment, considering those submissions accepted, is that the natural and historic resources present are of a similar nature to the adjacent national park, and warrant proceeding with the notified proposal. Giving effect to Section 4 of the Act includes taking reasonable steps to actively protect the identified Treaty partner interests, but this obligation is not absolute and unqualified, as this would be inconsistent with DOC’s other statutory responsibilities.

Referring this area to the NZCA for their consideration provides an opportunity for the NZCA to further assess the natural and historic resources present, and explore specific Ngāi Tahu interests and aspirations, including their consideration as to what giving effect to Treaty principles may require.

* This figure includes 5,976 submissions made using a Forest and Bird template.

Rationale: My conclusion, considering those submissions accepted, is that the natural and historic resources present warrant referral to the NZCA for their consideration as per the process set out in Chapter 3 of the introduction to this Summary of Submissions Report.

National Park (Paparoa) - PAP_18_2806570e

Support

Access and Recreation (Allowed)

- Submissions supported the national park recommendation on the grounds that this reflects the high recreation values, ensures ongoing public access, ensures that unique flora and fauna is protected for the enjoyment of present and future generations, and supports intergenerational participation in conservation.

I recommend that these comments are accepted. They hold merit under the Conservation Act as they promote recreation that is not inconsistent with the preservation of the natural and historic resources present.

Climate Change and Natural Hazards (Allowed)

- The area was noted for its potential to sequester carbon as “emerging podocarp seedlings and juvenile trees mature” following “a history of clear fell logging and more recently selective and windfall logging”.
- A submitter noted that a national park classification would remove “additional stressors to help this habitat and its biodiversity successfully adapt to a changing climate”.
- Submissions suggested that suitable stewardship land should be incorporated into adjacent areas to support climate change mitigation, and that the protection of the area was especially important in the context of climate change.

I recommend that these comments are accepted. I agree that the protection of the existing natural resources present is of increasing importance when considering the need for climate mitigation. Classification as national park will support this outcome. The relevance of this factor for reclassification decisions is evident when the future-focused elements in the definition of conservation are considered, including, “safeguarding the options of future generations”, in relation to ‘natural resources’, “the air, water and soil in or on which any plant or animal lives or may live”, and in relation to ‘protection’ of a resource, “restoration to some former state and its augmentation, enhancement, or expansion” (Conservation Act 1987, s. 2).

Ecology and Landscape (Allowed)

- Submissions supported reclassification as a national park, noting that ecological, geological and landscape values are high and similar or indistinguishable to the adjoining Paparoa National Park. It was stated that expanding the national park would include more of the complex geology and landforms of the Paparoa Range and its adjoining lowlands (e.g. “contains a wide range of spectacular landforms, unique native vegetation”).
- The area was noted as “an outstanding natural landscape of Outstanding Natural Character”.
- The proposed classification was supported as reflecting and further enhancing landscape connectivity (e.g. “provides continuity of natural habitat from the Barrytown Flats to the alpine zone”, “intact ecosystems of great value, from alpine to coastal habitats”, an “important link between the lower altitude Mt Davy-Mt Watson coal measures environment to the south and complex limestone/granite environment of the Paparoa Range to the north”). A national park classification was suggested to increase “the overall integrity of the Paparoa National Park by reducing fragmentation”.
- Submitters noted that the area is used by the Westland petrel, highlighting several threats faced by the species, and suggested that “additional protection is critical for their survival”.
- A submitter noted that the area is “part of South Island beech gap and contains important rata/podocarp/broadleaved forests supporting the genetic diversity of native species” (e.g. “an iconic Powelliphanta species, whio and great spotted kiwi amongst a range of other rare, declining or endangered endemic species”).
- Reclassification as a National Park was supported on the grounds that increasing habitat and enhancing ecological connectivity would streamline the management of these areas and enable critical biodiversity (Te Mana o te Taiao), climate and freshwater outcomes. It was suggested that reclassification as a national park would

align land classifications more closely with ecological principles (noting that current delineations are "historic and arbitrary").

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present. The natural resources identified by submitters are consistent with those described in the CVR (e.g. contributing to strong altitudinal and geographical gradients expressed in vegetation associations; high level of diversity). Though this conservation area is small, its landscape context means it contributes to ecological and landscape integrity and represents part of a whole ecosystem sequence, supporting your notified intention to refer this area to the NZCA for its recommendation as to the suitability of a national park addition.

Historic and Cultural Values (Allowed)

- Submitters noted that the area is of "significant historical and cultural value" and "of considerable national interest" (e.g. "The area has a rich history of gold and coal mining and historic Croesus Track is actively maintained").

I recommend that these comments are accepted to the extent that I agree that any historic resources present will be appropriately protected by a potential national park classification. Although the CVR describes notable heritage values in adjacent areas, my assessment is that it is not present in this conservation area.

Treaty Considerations (Allowed)

- Submissions acknowledged the concerns raised by the Mana Whenua Panel regarding national parks and wanted to see these addressed. However, they viewed maximum protection of the natural values as paramount and suggested that changes to management or legislative frameworks should be made to better reflect the intent of Treaty principles, and to ensure free access and use of national parks for cultural, traditional, historical, and customary purposes, while ensuring that natural values were preserved and protected under a national park classification.
- Submissions supported additions to adjacent national parks where the Mana Whenua Panel had not identified site-specific cultural values for the land.

I recommend that these comments are accepted to the extent that they agree the natural and historic resources present warrant referral to the NZCA for their consideration. However, while the possibility of future changes to management or legislative frameworks is identified by submitters as a potential means of reconciling that purpose with Treaty partner interests, such changes are not being considered within this reclassification exercise. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA's consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions expressed general support for all additions to national parks and for more stewardship land to be given the highest possible protection.
- Submissions expressed agreement with the National Panel recommendation, stating their support for stewardship land to be reclassified at the highest possible level based on its "high cultural conservation value", or that this reflected the information in the technical reports.
- Submissions expressed agreement for the National Panel's recommendation or for additions to the national park, without providing further justification.
- Submissions noted that national park classification "applies a precautionary principle that these lands are best left in a natural state unless there is a good case otherwise".

I recommend that these comments are accepted. However, because no further justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is identified, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions emphasised the importance of protecting this area from open cast mining.

- Submissions supported the expansion of the Paparoa National Park based on anticipated benefits for tourism in the area, noting that the presence of attractions such as the Paparoa Great Walk and the Coast Road Highway has led to investments in tourism-related industries (e.g. “will provide low impact tourism for future generations and support our local economy in a sustainable way”).
- Submissions noted that national parks support a nature economy, and that this is in line with the Te Whanaketanga Tai Poutini West Coast Economic Strategy 2050.
- Submissions noted that national park classification prevents mining and means development proposals are subject to higher scrutiny (e.g. will protect indigenous flora and fauna from damaging activities such as mining and clearing). They also noted that legislative “let out clauses” exist to enable things in national parks that are “necessary and have wide approval”.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions expressed concerns about the reclassification process, stating that there are “major inconsistencies and contradictions” where high value conservation land has not been recommended for reclassification as a national park.
- While acknowledging that national park classification would be a suitable reflection of the values of the area, submissions recommended that this change, given the consequent heightened restrictions, should only occur following “extensive consultation and agreement with the local iwi, stakeholders, concessionaires, interested groups and local residents in consideration in addition to not only the environmental and ecological assets, but to such things as tracking, huts, air space and landings, noise and rating”.
- Submissions raised concerns about there being no terms of reference for the Mana Whenua Panel, and suggested that Mana Whenua Panel concerns regarding national parks should have been resolved prior to the reclassification project.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- Submissions acknowledged that Ngāi Tahu opposes national parks in principle, but suggested that land under statutory acknowledgements or nohoanga sites, if excluded from national park status, should not remain in stewardship.
- Submissions advocated for more funding for pest control.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Oppose

Access and Recreation (Allowed)

- Submissions expressed concern about loss of recreation opportunities and suggested that other classifications, such as conservation park or, where higher protection is warranted, scenic or recreation reserve, may provide a better balance between recreational enjoyment and protection of natural resources.
- Restrictions on dog walking were raised specifically as a concern by a West Coast resident.
- Submissions opposed any reclassification unless the reclassified purpose provides explicitly for access (including helicopter), sports fishing and gamebird hunting. Concern was raised that a national park classification excluded hunting for native species which are classified as gamebirds, such as pūkeko and paradise shelduck.

I recommend that these comments are not accepted. The methods of appreciation and recreational enjoyment proposed (e.g. dog access, hunting of indigenous avifauna) are potentially incompatible with protecting and preserving the natural resources described in the CVR, and the points raised do not justify overturning the notified intention. Although under a national park classification “the public shall have freedom of entry and access ” this is subject to restrictions “necessary for the preservation of the native plants and animals or for the welfare in general of the parks” (National Parks Act 1980, s. 4(2)(e)).

Ecology and Landscape (Allowed)

- Submissions opposed all recommended reclassification as a national park, describing the land as “not so unique or scientifically important to meet the standard set by the National Parks Act”. They recommended reclassification as a conservation park, or suggested a scenic reserve or recreation reserve, to ensure sufficient protection in areas where there is potential risk of damaging activities such as mining, or recreation reserve where areas have high cultural or recreational value to the public.

I recommend that these comments are not accepted. Although areas of modification may be present, the natural resources described in the CVR (e.g. strong altitudinal and geographical gradients expressed in vegetation associations; high level of diversity) justify referring this area to the NZCA for its recommendation as to the suitability of a national park addition.

Treaty Considerations (Allowed)

- Several submissions opposed the proposed national park investigation whilst supporting the proposal to retain the area in stewardship, pending conservation law reform to create more appropriate forms of protected area classifications from a Ngāi Tahu perspective. This follows a Ngāi Tahu tribal position that a national park classification “obstructs Ngāi Tahu from maintaining ancestral relationships with the whenua, obstructs kaitiaki rights and responsibilities, limits the meaningful involvement of Ngāi Tahu in decision-making processes, and is less enabling of customary practices that are fundamental to sustaining tribal identity and mana”.
- Submissions considered reclassification as a national park to be misaligned with Treaty obligations, and advocated for these areas to remain as stewardship land until classifications that more appropriately reflect Treaty principles are established.

Potential changes to management or legislative frameworks are not the subject of the notified proposal. As such, I recommend that comments advocating for such amendments are not accepted. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA’s consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions expressed support for the recommendation made by the Mana Whenua Panel or general opposition to adding more land to national parks, without providing further justification.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions opposed national park reclassification on the grounds that it was “too restrictive”.
- Submissions opposed national park reclassification based on the negative impacts on potential economic benefit derived from mineral resource extraction. They argued that this would not be in the best interests of the public.
- Submissions stated that any change should not affect existing permissions.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- Submissions expressed the view that national park classification does not equate to effective protection from introduced pests or predators.
- One submission opposed all reclassification of stewardship land unless it was purchased by the Nature Heritage Fund for the purpose of adding it to a national park.

As I have recommended these comments are not allowed, I recommend they are not accepted.

No Opinion/Position Not Stated

General (Allowed)

- Submissions advocated generally for all national parks, forest parks, scenic reserves and stewardship land to be protected from development.

I recommend that these comments are not accepted. The legislation does not provide for absolute protection from development – rather it contemplates that some activities may be acceptable and provides a mechanism for authorising such activities, through the grant of concessions. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Retain in Stewardship - PAP_18_280657of

The comments received in relation to the Mana Whenua Panel recommendation are summarised below and have been considered in relation to the notified proposal when forming s.49 allow/accept recommendations.

Support

Ecology and Landscape (Allowed)

- Submissions in support of retaining the land in stewardship suggested that there was insufficient evidence of the conservation value and characteristics justifying national park status.

I recommend that these comments are not accepted. Although areas of modification may be present, my assessment is that the natural and historic resources described in the CVR (e.g. strong altitudinal and geographical gradients expressed in vegetation associations; high level of diversity) justify by referring this area to the NZCA for its consideration as to the suitability of a national park addition.

Treaty Considerations (Allowed)

- Several submissions opposed the proposed national park investigation whilst supporting the proposal to retain the area in stewardship, pending conservation law reform to create more appropriate forms of protected area classifications from a Ngāi Tahu perspective. This follows a Ngāi Tahu tribal position that a national park classification “obstructs Ngāi Tahu from maintaining ancestral relationships with the whenua, obstructs kaitiaki rights and responsibilities, limits the meaningful involvement of Ngāi Tahu in decision-making processes, and is less enabling of customary practices that are fundamental to sustaining tribal identity and mana”.
- Submissions considered reclassification as a national park to be misaligned with Treaty obligations, and advocated for these areas to remain as stewardship land until classifications that more appropriately reflect Treaty principles are established.

Potential changes to management or legislative frameworks are not the subject of the notified proposal. As such, I recommend that comments advocating for such amendments are not accepted. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA’s consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions expressed support for the recommendation made by the Mana Whenua Panel, without providing further justification.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions argued that reclassifying land as national park, or other classifications which fall under Schedule 4, could have economic consequences by excluding mineral extraction and other activities on that land, and that the natural values of the land may not warrant this. The potential loss of opportunities resulting from these restrictions was seen as damaging, particularly in terms of mineral extraction and site rehabilitation. It was suggested that a holistic view, considering mineral prospectivity and other economic, social, and cultural considerations, should be taken.
- Submissions supported either retaining all land in stewardship or reclassification as a conservation park, suggesting that this would provide "more than adequate legal protection" while allowing activities to be assessed on a case-by-case basis.
- Submissions stated that any change should not affect existing permissions.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- Submissions expressed doubt that reclassifying stewardship land as national parks would have a positive impact on conservation, citing DOC funding and resource limitations.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Oppose

Access and Recreation (Allowed)

- Submissions advocated for reclassification as a national park to ensure ongoing access and enjoyment of the protected natural resources, and to reflect the recreational values of the area.
- A submitter noted that the Moonlight Creek track "offers access to the national park through lush, West Coast bush" and that a national park classification "truly reflects and will protect the ecological and recreational values of this area".
- Submitters advocated for a National Park addition "for the enjoyment and well-being of our present and future generations".

I recommend that these comments are accepted to the extent that they merit consideration under the Conservation Act as they support promotion of recreation that is not inconsistent with the preservation of the natural and historic resources present. I note that the recreational feature identified is not present in this conservation area.

Climate Change and Natural Hazards (Allowed)

- Submissions stated that ensuring high protection of these areas was especially important in the context of climate change.

I recommend that these comments are accepted. I agree that the protection of the existing natural resources present is of increasing importance when considering the need for climate mitigation. Classification as national park will support this outcome. The relevance of this factor for reclassification decisions is evident when the future-focused elements in the definition of conservation are considered, including, "safeguarding the options of future generations", in relation to 'natural resources', "the air, water and soil in or on which any plant or animal lives or may live", and in relation to 'protection' of a resource, "restoration to some former state and its augmentation, enhancement, or expansion" (Conservation Act 1987, s. 2).

Ecology and Landscape (Allowed)

- Submissions expressed preference for reclassification as a national park to reflect the high ecological and landscape values with nationally significant ecological systems and natural areas, and the comparable values to the surrounding national park (e.g. “numerous fauna that are of national importance”).
- Submitters suggested that retaining the area as stewardship land “does not recognise the uniqueness of the penguin colony surviving in precariously among threats of future development”, and that it “does not offer sufficient protection”.
- The area was noted as an “outstanding natural landscape of high natural character” and “provides and important link between the lower altitude Mt Davy-Mt Watson coal measures environment to the south and complex limestone/granite environment of the Paparoa Range to the north”.
- Submitters commented that the area contains “a wide range of spectacular landforms, unique native vegetation ranging from alpine to coastal habitats, and very diverse ecosystems”, advocating for a national park classification (e.g. “habitat for green gecko and distinct and rare wetland environments such as pākihi”).
- Submissions noted that the area’s “natural values are equal with those of the existing national park” with similar “geological, flora and fauna” features.

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present. The natural resources identified by submitters are consistent with those described in the CVR (e.g. contributing to strong altitudinal and geographical gradients expressed in vegetation associations; high level of diversity). Though this conservation area is small, its landscape context means it contributes to ecological and landscape integrity and represents part of a whole ecosystem sequence, supporting your notified intention to refer this area to the NZCA for its recommendation as to the suitability of a national park addition.

Historic and Cultural Values (Allowed)

- Submitters noted that the area is of “significant historical and cultural value” and “of considerable national interest” (e.g. “a rich history of gold and coal mining and historic Croesus Track is actively maintained”).

I recommend that these comments are accepted to the extent that any historic resources present are to be protected and preserved under the National Parks Act 1980. I note that the recreational feature identified is not present in this conservation area.

Treaty Considerations (Allowed)

- Submitters expressed that “the issue of Mana Whenua kaitiaki rights and responsibilities” should be addressed through conservation law reform, and that reclassification “should be based substantially, if not entirely, on conservation values”.
- Submissions acknowledged that Ngāi Tahu opposes national parks in principle, but argued for reclassification as a national park to ensure protection of natural values, suggesting that national park classification could still allow for customary access and Treaty settlements, or that legislative or management framework changes should occur to address these concerns.
- Submissions expressed that where the Mana Whenua Panel had not identified site-specific cultural values for the land, it should be reclassified as a national park to ensure protection from activities such as mining which may be allowed on stewardship land.

I recommend that these comments are accepted to the extent that they agree the natural and historic resources present warrant referral to the NZCA for their consideration. However, while the possibility of future changes to management or legislative frameworks is identified by submitters as a potential means of reconciling that purpose with Treaty partner interests, such changes are not being considered within this reclassification exercise. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA’s consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions expressed preference for the National Panel recommendation, stating their support for stewardship land to be reclassified at the highest possible level based on its high cultural conservation values.

- Submissions expressed preference for reclassification as a national park and for high protection for more stewardship land, either without providing further justification or based on the “reasons outlined in the conservation value reports”.

I recommend that these comments are accepted. However, because no further justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised, these submission points do not raise any matters for further consideration.

- Submissions queried the extent of the recommendations to retain land in stewardship, noting this was nearly 8,000 ha, suggesting this could instead be reclassified as a scenic reserve or conservation park.
- Submissions opposed retaining land in stewardship, describing it as a “meaningless recommendation”.

I recommend that these comments are not accepted for further consideration. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submitters noted the importance of protecting the area from open cast mining, and preserving the wild natural values which support tourism industries.
- Submissions opposed retaining the area in stewardship on the grounds that this would not protect the land from damaging activities such as mining, noting the existence of prospecting permits in some areas.
- Submissions stated that the area should not “be used in any way to generate income, or to give precedence of access or right of use to any specific group of New Zealanders”.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.

As I have recommended these comments are not allowed, I recommend they are not accepted.

No Opinion/Position Not Stated

Treaty Considerations (Allowed)

- Submissions recommended that amendments to the National Parks Act to address the concerns identified by the Mana Whenua Panel are resolved as a priority so there is no need to retain land in stewardship in the meantime.

Potential changes to management or legislative frameworks are not the subject of the notified classification proposal. As such, I recommend that comments advocating for such amendments are not accepted.

General (Allowed)

- Submissions advocated generally for all national parks, forest parks, scenic reserves and stewardship land to be protected from development.

I recommend that these comments are not accepted. The legislation does not provide for absolute protection from development – rather it contemplates that some activities may be acceptable and provides a mechanism for authorising such activities, through the grant of concessions. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

PAP_18 – Paparoa Range South – 2806778

Protected Area	Rec ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Paparoa Range South	PAP_18_2806778g	National Park (Paparoa)		6088*	21
Paparoa Range South	PAP_18_2806778h		Stewardship	16	80

DOC Conservation Values Report Description

This very large (16,052 ha) conservation area is part of the PAP_18 assessment area, which extends from the coastal lowlands over the alpine tops and down into the eastern Grey River/Māwheranui valley. The assessment area represents the whole ecosystem sequence from western coastal slopes through alpine environments into the more sheltered valleys of the eastern flanks. Dominated by indigenous vegetation, with high levels of diversity and representativeness. The Species Management Unit for the threatened large land snail *Powelliphanta gagei* is here, found only in the alpine zone of the south-western Paparoa Ranges. Paparoa Wildlife Trust has an extensive network of traps in the area and manage kiwi. The area has a rich goldmining history, and the historic Croesus Track is located within the area.

Panel Recommendations

National Panel: National park investigation to reflect the identified values, increase the overall integrity of the Paparoa National Park, and to improve landscape continuity.

Mana Whenua Panel: Retain as stewardship land pending further policy work or legal reform, based on the tribal position that the addition of land to national parks will not give effect to the principles of the Treaty of Waitangi as it alienates Ngāi Tahu from their ancestral lands.

S.49(2)(d) Recommendation

- **Proceed** with the notified proposal, by referring this area to the NZCA for its consideration on the suitability of a national park classification in accordance with the relevant policy and procedures, including Policy 6 of the General Policy for National Parks and Section 4 of the Conservation Act 1987.

Summary of accepted submissions: The submissions ‘accepted’ as holding merit supported the **proposed national park investigation** to protect the area’s natural values and historic resources, improve climate change mitigation, and ensure ongoing public recreational access. Submitters referenced specific natural resources and historic features which were noted to be of high value. It was suggested that the Paparoa National Park Management Plan 2017 exhibits the principle of partnership and will support mana whenua to maintain kaitiaki status over this area.

Section 4 and Treaty principles: The Mana Whenua Panel opposed the proposed national park referrals, supported by submissions from Treaty partner organisations. Te Rūnanga o Ngāi Tahu oppose all additions to national parks within the Ngāi Tahu takiwā as “the addition of land to national parks will not give effect to the principles of the Treaty of Waitangi (as required by section 4 of the Conservation Act 1987) as it alienates Ngāi Tahu from our ancestral lands”. The Mana Whenua Panel have also signalled Ngāi Tahu interests associated with this stewardship area, particularly that “Ngāi Tahu may have future aspirations for this land (such as from an economic wellbeing and development perspective)”.

I note that my s.49 recommendations and your decision on whether to refer this area to the NZCA for their consideration must give effect to Treaty principles independently of the NZCA’s section 4 obligations.

* This figure includes 5,976 submissions made using a Forest and Bird template.

Although I acknowledge the Mana Whenua Panel opposition to the notified proposal, my assessment, considering those submissions accepted, is that the natural and historic resources present are of a similar nature to the adjacent national park, and warrant proceeding with the notified proposal. Giving effect to Section 4 of the Act includes taking reasonable steps to actively protect the identified Treaty partner interests, but this obligation is not absolute and unqualified, as this would be inconsistent with DOC's other statutory responsibilities.

Referring this area to the NZCA for their consideration provides an opportunity for the NZCA to further assess the natural and historic resources present, and explore specific Ngāi Tahu interests and aspirations, including their consideration as to what giving effect to Treaty principles may require.

Rationale: My conclusion, considering those submissions accepted, is that the natural and historic resources present warrant referral to the NZCA for their consideration as per the process set out in Chapter 3 of the introduction to this Summary of Submissions Report.

National Park (Paparoa) - PAP_18_2806778g

Support

Access and Recreation (Allowed)

- Submissions advocated for a national park classification “for the enjoyment of present and future generations”.
- Submissions suggested that a national park classification “adds mana to the new Paparoa Great Walk which traverses part of the CA”.
- Submissions supported the national park recommendation on the grounds that this reflects the high recreation values, ensures ongoing public access (e.g. “including ongoing climbing access”), ensures that unique flora and fauna is protected for the enjoyment of present and future generations, and supports intergenerational participation in conservation.

I recommend that these comments are accepted. These comments provide site-specific details regarding the public access and recreational features present which are consistent with those described in the CVR (the area is traversed by the Paparoa Great Walk). They hold merit under the Conservation Act as they support promotion of recreation that is not inconsistent with the preservation of the natural and historic resources present.

Climate Change and Natural Hazards (Allowed)

- A national park classification was noted to “help to restrict global warming without restricting anyone’s freedom to visit the area and move through it on nature’s terms”.
- The area was noted for its potential to sequester carbon as “emerging podocarp seedlings and juvenile trees mature” following “a history of clear fell logging and more recently selective and windfall logging”.
- A submitter noted that a national park classification would remove “additional stressors to help this habitat and its biodiversity successfully adapt to a changing climate”.

I recommend that these comments are accepted. I agree that the protection of the existing natural resources present is of increasing importance when considering the need for climate mitigation. Classification as national park will support this outcome. The relevance of this factor for reclassification decisions is evident when the future-focused elements in the definition of conservation are considered, including, “safeguarding the options of future generations”, in relation to ‘natural resources’, “the air, water and soil in or on which any plant or animal lives or may live”, and in relation to ‘protection’ of a resource, “restoration to some former state and its augmentation, enhancement, or expansion” (Conservation Act 1987, s. 2).

Ecology and Landscape (Allowed)

- The area was noted to contain “intact ecosystems of great value, from alpine to coastal habitats”, with a national park classification “increasing the overall integrity of the Paparoa National Park by reducing fragmentation”.
- Submitters stated the area has an “important role” in connecting two high value ecological areas, Roaring Meg and Moonlight, and described it as containing “untouched forest and rugged landscape” (e.g. “a significant coastal forest habitat and ecosystem that needs protection”, “stunning untouched scenery”).

- Submitters noted that the area is used by the Westland petrel, highlighting several threats faced by the species, and suggesting that “additional protection is critical for their survival”. It was noted that the area is “part of South Island beech gap and contains important rata/podocarp/ broadleaved forests supporting the genetic diversity of native species” (e.g. “very unique Notofagus escarpment”), and that a large range of fauna were noted to be present due to landscape scale predator trapping (e.g. “a stronghold for the roroa”, “rare snail lives here, Powelliphanta gagei”).
- A submitter advocated for an ecological area classification “if NP status not achievable”.
- Submissions in support noted that expanding the national park would include more of the complex geology and landforms of the Paparoa Range and its adjoining lowlands (e.g. “contains a wide range of spectacular landforms, unique native vegetation ranging from alpine to coastal habitats, and very diverse ecosystems”). The area was noted as an “outstanding natural landscape of high natural character” which provides an “important link between the lower altitude Mt Davy- Mt Watson coal measures environment to the south and complex limestone /granite environment of the Paparoa Range to the north”.
- Submissions supported reclassification as a national park, noting that ecological, geological and landscape values are high and similar or indistinguishable to the adjoining Paparoa National Park, and that reclassification as a national park would align land classifications more closely with ecological principles (noting that current delineations are “historic and arbitrary”).
- Submissions in support suggested that national park classification would increase habitat, enhance ecological connectivity and landscape continuity, streamline the management of these areas, and would enable critical biodiversity (Te Mana o te Taiao), climate and freshwater outcomes.

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present. The natural resources identified by submitters are consistent with those described in the CVR (e.g. strong altitudinal and geographical gradients expressed in vegetation associations; high level of diversity). The contiguous boundary with Paparoa National Park further supports your notified intention to refer this area to the NZCA for its recommendation as to the suitability of a national park addition.

Historic and Cultural Values (Allowed)

- Submitters noted that the area is of “significant historical and cultural value” and “of considerable national interest” (e.g. “The area has a rich history of gold and coal mining and historic Croesus Track is actively maintained”).

I recommend that these comments are accepted. The historic resources noted by submitters are consistent with those described in the CVR (e.g. associated with the Croesus Track), supporting your notified intention to refer this area to the NZCA for its recommendation as to the suitability of a national park addition.

Treaty Considerations (Allowed)

- A submitter recognised “the concerns of the Mana Whenua Panel” and “their aspirations to maintain kaitiaki status over this area”, suggesting that the Paparoa National Park Management Plan 2017 “creates such a partnership”.

I recommend that these comments are accepted. I agree that the Paparoa National Park Management Plan 2017 gives effect to the Treaty principle of partnership and supports the expression of kaitiakitanga (e.g. “the partnership between the Department and Ngāi Tahu in managing Paparoa National Park occurs directly with both Te Rūnanga o Ngāti Waewae as the representative body of the mana whenua, and Te Rūnanga o Ngāti Tahu as the Treaty partner”, Paparoa National Park Management Plan 2017 p. 13).

- Submissions acknowledged the concerns raised by the Mana Whenua Panel regarding national parks and wanted to see these addressed. However, they viewed maximum protection of the natural values as paramount and suggested that changes to management or legislative frameworks should be made to better reflect the intent of Treaty principles, and to ensure free access and use of national parks for cultural, traditional, historical, and customary purposes, while ensuring that natural values were preserved and protected under a national park classification.

- Submissions supported additions to adjacent national parks where the Mana Whenua Panel had not identified site-specific cultural values for the land.

I recommend that these comments are accepted to the extent that they agree the natural and historic resources present warrant referral to the NZCA for their consideration. However, while the possibility of future changes to management or legislative frameworks is identified by submitters as a potential means of reconciling that purpose with Treaty partner interests, such changes are not being considered within this reclassification exercise. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA's consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions expressed general support for all additions to national parks, stated they “support the proposed additions to national parks and would like to see more areas given the highest level of protection”.
- Submissions expressed agreement with the National Panel recommendation, stating their support for stewardship land to be reclassified at the highest possible level based on its high cultural conservation value, or that this reflected the information in the technical reports.
- Submissions expressed agreement for the National Panel's recommendation or for additions to the national park, without providing further justification.
- Submissions noted that national park classification “applies a precautionary principle that these lands are best left in a natural state unless there is a good case otherwise”.

I recommend that these comments are accepted. However, because no further justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is identified, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions noted the importance of protecting this area from open cast mining, and sought “a specific proviso prohibiting exploitation of the area through mining; and helicopter flights over, and landings in, the area for tourist purposes”.
- Submissions advocated that the area should not be used by “any individual group or groups to generate income of any kind” (e.g. “desperately in need of protection from any kind of commercial activity”).
- Submitters raised concern about the presence of mineral prospecting permits, noting that “it is vital that National Park status is afforded to this area so it has the highest protection available”.
- Submissions supported the expansion of the Paparoa National Park based on anticipated benefits for tourism in the area, noting that the presence of attractions such as the Paparoa Great Walk and the Coast Road Highway has led to investments in tourism-related industries.
- Submissions noted that national parks support a nature economy, and that this is in line with the Te Whanaketanga Tai Poutini West Coast Economic Strategy 2050.
- Submissions noted that national park classification prevents mining and means development proposals are subject to higher scrutiny (e.g. will protect indigenous flora and fauna from damaging activities such as mining and clearing). They also noted that legislative “let out clauses” exist to enable things in national parks that are “necessary and have wide approval”.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions expressed concerns about the reclassification process, stating that there are “major inconsistencies and contradictions” where high value conservation land has not been recommended for reclassification as a national park.
- While acknowledging that national park classification would be a suitable reflection of the values of the area, submissions recommended that this change, given the consequent heightened restrictions, should only occur following “extensive consultation and agreement with the local iwi, stakeholders, concessionaires, interested

groups and local residents in consideration in addition to not only the environmental and ecological assets, but to such things as tracking, huts, air space and landings, noise and rating”.

- Submissions raised concerns about there being no terms of reference for the Mana Whenua Panel, and suggested that Mana Whenua Panel concerns regarding national parks should have been resolved prior to the reclassification project.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- A submitter referenced the area as being part of a proposal for a Paparoa National Park by the Native Forest Action Council in February 1979.
- Submissions called for more stewardship land to be given higher or maximum protection. Land around Aspiring and Westland Tai Poutini was specifically mentioned, with submissions arguing that this was similarly high value to other land (e.g. in Paparoa) recommended for national park reclassification.
- Submissions also proposed national park status for adjacent stewardship land, even if the values of the land did not fully meet the criteria. They argued that this would buffer the existing national park, streamline management (particularly if the area was an enclave in a national park), protect freshwater values, and support revegetation and restoration, and ensure protection of these lands in perpetuity.
- Submissions stated that scientific or nature reserves should also have been recommended for "such a vast area with such high natural and ecological values".
- Submissions acknowledged that Ngāi Tahu opposes national parks in principle, but suggested that land under statutory acknowledgements or nohoanga sites, if excluded from national park status, should not remain in stewardship.
- Submissions advocated for more funding for pest control.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Oppose

Access and Recreation (Allowed)

- Submissions expressed concern about loss of recreation opportunities and suggested that other classifications, such as conservation park or, where higher protection is warranted, scenic or recreation reserve, may provide a better balance between recreational enjoyment and protection of natural resources.
- Restrictions on dog walking were raised specifically as a concern by a West Coast resident.
- Submissions opposed any reclassification unless the reclassified purpose provides explicitly for access (including helicopter), sports fishing and gamebird hunting. Concern was raised that a national park classification excluded hunting for native species which are classified as gamebirds, such as pūkeko and paradise shelduck.

I recommend that these comments are not accepted. The methods of appreciation and recreational enjoyment proposed (e.g. dog access, hunting of indigenous avifauna) are potentially incompatible with protecting and preserving the natural resources described in the CVR, and the points raised do not justify overturning the notified intention. Although under a national park classification “the public shall have freedom of entry and access” this is subject to restrictions “necessary for the preservation of the native plants and animals or for the welfare in general of the parks” (National Parks Act 1980, s. 4(2)(e)).

Ecology and Landscape (Allowed)

- Submissions opposed all recommended reclassification as a national park, describing the land as “not so unique or scientifically important to meet the standard set by the National Parks Act”. They recommended reclassification as a conservation park, or suggested a scenic reserve or recreation reserve, to ensure sufficient protection in areas where there is potential risk of damaging activities such as mining, or recreation reserve where areas have high cultural or recreational value to the public.

I recommend that these comments are not accepted. Although areas of modification may be present, the natural resources described in the CVR (e.g. strong altitudinal and geographical gradients expressed in vegetation associations; high level

of diversity) justify referring this area to the NZCA for its recommendation as to the suitability of a national park addition. This is further supported by the land context of the adjoining Paparoa National Park.

Treaty Considerations (Allowed)

- Several submissions opposed the proposed national park investigation whilst supporting the proposal to retain the area in stewardship, pending conservation law reform to create more appropriate forms of protected area classifications from a Ngāi Tahu perspective. This follows a Ngāi Tahu tribal position that a national park classification “obstructs Ngāi Tahu from maintaining ancestral relationships with the whenua, obstructs kaitiaki rights and responsibilities, limits the meaningful involvement of Ngāi Tahu in decision-making processes, and is less enabling of customary practices that are fundamental to sustaining tribal identity and mana”.
- Submissions considered reclassification as a national park to be misaligned with Treaty obligations, and advocated for these areas to remain as stewardship land until classifications that more appropriately reflect Treaty principles are established.

Potential changes to management or legislative frameworks are not the subject of the notified proposal. As such, I recommend that comments advocating for such amendments are not accepted. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA’s consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions expressed support for the recommendation made by the Mana Whenua Panel or general opposition to adding more land to national parks, without providing further justification.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions opposed national park reclassification on the grounds that it was “too restrictive”.
- Submissions opposed national park reclassification based on the negative impacts on potential economic benefit derived from mineral resource extraction. They argued that this would not be in the best interests of the public.
- Submissions stated that any change should not affect existing permissions.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- Submissions expressed the view that national park classification does not equate to effective protection from introduced pests or predators.
- One submission opposed all reclassification of stewardship land unless it was purchased by the Nature Heritage Fund for the purpose of adding it to a national park.

As I have recommended these comments are not allowed, I recommend they are not accepted.

No Opinion/Position Not Stated

General (Allowed)

- Submissions advocated generally for all national parks, forest parks, scenic reserves and stewardship land to be protected from development.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Retain in Stewardship - PAP_18_2806778h

The comments received in relation to the Mana Whenua Panel recommendation are summarised below and have been considered in relation to the notified proposal when forming s.49 allow/accept recommendations.

Support

Ecology and Landscape (Allowed)

- Submissions suggested that there was insufficient evidence of the conservation value and characteristics justifying national park status.

I recommend that these comments are not accepted. Although areas of modification may be present, the natural and historic resources described in the CVR (e.g. strong altitudinal and geographical gradients expressed in vegetation associations; high level of diversity) justify referring this area to the NZCA for its recommendation as to the suitability of a national park addition. This is further supported by the contiguous boundary with Paparoa National Park.

Treaty Considerations (Allowed)

- Several submissions opposed the proposed national park investigation whilst supporting the proposal to retain the area in stewardship, pending conservation law reform to create more appropriate forms of protected area classifications from a Ngāi Tahu perspective. This follows a Ngāi Tahu tribal position that a **National Park classification** “obstructs Ngāi Tahu from maintaining ancestral relationships with the whenua, obstructs kaitiaki rights and responsibilities, limits the meaningful involvement of Ngāi Tahu in decision-making processes, and is less enabling of customary practices that are fundamental to sustaining tribal identity and mana”.
- Submissions considered reclassification as a national park to be misaligned with Treaty obligations, and advocated for these areas to remain as stewardship land until classifications that more appropriately reflect Treaty principles are established.

Potential changes to management or legislative frameworks are not the subject of the notified proposal. As such, I recommend that comments advocating for such amendments are not accepted. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA’s consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions expressed support for the recommendation made by the Mana Whenua Panel, without providing further justification.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions argued that reclassifying land as national park, or other classifications which fall under Schedule 4, could have economic consequences by excluding mineral extraction and other activities on that land, and that the natural values of the land may not warrant this. The potential loss of opportunities resulting from these restrictions was seen as damaging, particularly in terms of mineral extraction and site rehabilitation. It was suggested that a holistic view, considering mineral prospectivity and other economic, social, and cultural considerations, should be taken.
- Submissions supported either retaining all land in stewardship or reclassification as a conservation park, suggesting that this would provide “more than adequate legal protection” while allowing activities to be assessed on a case-by-case basis.
- Submissions stated that any change should not affect existing permissions.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- Submissions expressed doubt that reclassifying stewardship land as national parks would have a positive impact on conservation, citing DOC funding and resource limitations.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Oppose

Access and Recreation (Allowed)

- A submitter advocated for national park classification to add “mana to the new Paparoa Great Walk which traverses part of the CA”.
- Submissions advocated for reclassification as a national park to ensure ongoing access and enjoyment of the protected natural resources, and to reflect the recreational values of the area (e.g. “for the enjoyment and well-being of our present and future generations”).
- A submitter noted that the Moonlight Creek Track “offers access to the national park through lush, West Coast bush” and that a national park classification “truly reflects and will protect the ecological and recreational values of this area”.

I recommend that these comments are accepted. These comments provide site-specific details regarding the public access and recreational features present which are consistent with those described in the CVR (the area is traversed by the Paparoa Great Walk and the Moonlight Pack Track). They hold merit under the Conservation Act as they support promotion of recreation that is not inconsistent with the preservation of the natural and historic resources present.

Climate Change and Natural Hazards (Allowed)

- A submitter advocated for national park level protection in the face of “continuing global and local decline in biodiversity and the increasing threat of climate change to our future”.
- Submissions noted that ensuring high protection of these areas was especially important in the context of climate change.

I recommend that these comments are accepted. I agree that the protection of the existing natural resources present is of increasing importance when considering the need for climate mitigation. Classification as national park will support this outcome. The relevance of this factor for reclassification decisions is evident when the future-focused elements in the definition of conservation are considered, including, “safeguarding the options of future generations”, in relation to ‘natural resources’, “the air, water and soil in or on which any plant or animal lives or may live”, and in relation to ‘protection’ of a resource, “restoration to some former state and its augmentation, enhancement, or expansion” (Conservation Act 1987, s. 2).

Ecology and Landscape (Allowed)

- Submissions expressed preference for reclassification as a national park to reflect the high ecological and landscape values with nationally significant ecological systems and natural areas (e.g. “numerous fauna that are of national importance”, “a wide range of spectacular landforms, unique native vegetation ranging from alpine to coastal habitats, and very diverse ecosystems”, “habitat for green gecko and distinct and rare wetland environments such as pākihi”, “Moonlight Creek also supports a small Whio population”).
- Submissions noted that the area has comparable values to Paparoa National Park (e.g. “natural values are equal with those of the existing national park”).
- One submitter advocated for national park, “or Ecological Area if NP status not achievable”.
- The area was noted as an “outstanding natural landscape of high natural character” that provides an “important link between the lower altitude Mt Davy- Mt Watson coal measures environment to the south and complex limestone / granite environment of the Paparoa Range to the north”.

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present which warrant consideration. The natural resources identified by submitters are consistent with those described in the CVR (e.g. strong altitudinal and geographical gradients expressed in vegetation associations; high level of diversity). The

contiguous boundary with Paparoa National Park further supports your notified intention to refer this area to the NZCA for its recommendation as to the suitability of a national park addition.

Historic and Cultural Values (Allowed)

- Submitters noted that the area is of “significant historical and cultural value” and “of considerable national interest” (e.g. “a rich history of gold and coal mining and historic Croesus Track is actively maintained”).

I recommend that these comments are accepted. The historic resources noted by submitters are consistent with those described in the CVR (e.g. associated with the Croesus Track), supporting your notified intention to refer this area to the NZCA for its recommendation as to the suitability of a national park addition.

Treaty Considerations (Allowed)

- Submitters expressed that “the issue of Mana Whenua kaitiaki rights and responsibilities” should be addressed through conservation law reform, and “at a higher level than individual land parcel considerations”.
- Submissions acknowledged that Ngāi Tahu opposes national parks in principle, but argued for reclassification as a national park to ensure protection of natural values, suggesting that national park classification could still allow for customary access and Treaty settlements, or that legislative or management framework changes should occur to address these concerns.
- Submissions expressed that where the Mana Whenua Panel had not identified site-specific cultural values for the land, it should be reclassified as a national park to ensure protection from activities such as mining which may be allowed on stewardship land.

I recommend that these comments are accepted to the extent that they agree the natural and historic resources present warrant referral to the NZCA for their consideration. However, while the possibility of future changes to management or legislative frameworks is identified by submitters as a potential means of reconciling that purpose with Treaty partner interests, such changes are not being considered within this reclassification exercise. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA’s consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions opposed retaining land in stewardship, describing it as a “meaningless recommendation”.
- Submissions queried the extent of the recommendations to retain land in stewardship, noting this was nearly 8,000 ha, suggesting this could instead be reclassified as a scenic reserve or conservation park.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

- Submissions expressed preference for the National Panel recommendation, stating their support for stewardship land to be reclassified at the highest possible level based on its high cultural conservation values.
- Submissions expressed preference for reclassification as a national park and for high protection for more stewardship land, either without providing further justification or based on the “reasons outlined in the conservation value reports”.

I recommend that these comments are accepted. However, because no further justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is identified, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submitters noted the importance of protecting the area from open cast mining, and preserving the wild natural values which support tourism industries.
- Submissions opposed retaining the area in stewardship on the grounds that this would not protect the land from damaging activities such as mining, noting the existence of prospecting permits in some areas. (e.g. “support protection from mineral extraction in this special and unique area”).

- Submissions expressed that the area should not “be used in any way to generate income, or to give precedence of access or right of use to any specific group of New Zealanders”.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.

As I have recommended these comments are not allowed, I recommend they are not accepted.

No Opinion/Position Not Stated

Treaty Considerations (Allowed)

- Submissions recommended that amendments to the National Parks Act to address the concerns identified by the Mana Whenua Panel are resolved as a priority so there is no need to retain land in stewardship in the meantime.

Potential changes to management or legislative frameworks are not the subject of the notified classification proposal. As such, I recommend that comments advocating for such amendments are not accepted for further consideration.

General (Allowed)

- Submissions advocated generally for all national parks, forest parks, scenic reserves and stewardship land to be protected from development.

I recommend that these comments are not accepted. The legislation does not provide for absolute protection from development – rather it contemplates that some activities may be acceptable and provides a mechanism for authorising such activities, through the grant of concessions. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

PAP_18 – Barrytown – 2806783

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Barrytown	PAP_18_2806783i	National Park (Paparoa)		6072*	21
Barrytown	PAP_18_2806783j		Stewardship	13	70

DOC Conservation Values Report Description

The Barrytown conservation area is within the wider PAP_18 assessment area, which extends from the coastal lowlands over the alpine tops and down into the eastern Grey River/Māwheranui valley. The assessment area is largely intact and dominated by indigenous vegetation, with high levels of diversity and representativeness. It represents the whole ecosystem sequence from western coastal slopes through alpine environments into the more sheltered valleys of the eastern flanks. The wider area has a rich goldmining history, and various permissions are in place.

Panel Recommendations

National Panel: National park investigation to reflect the identified values, increase the overall integrity of the Paparoa National Park, and to improve landscape continuity.

Mana Whenua Panel: Retain as stewardship land pending further policy work or legal reform, based on the tribal position that the addition of land to national parks will not give effect to the principles of the Treaty of Waitangi as it alienates Ngāi Tahu from their ancestral lands.

S.49(2)(d) Recommendation

- **Proceed** with the notified proposal, by referring this area to the NZCA for its consideration on the suitability of a national park classification in accordance with the relevant policy and procedures, including Policy 6 of the General Policy for National Parks and Section 4 of the Conservation Act 1987.

Summary of accepted submissions: The submissions ‘accepted’ as holding merit supported the proposed national park investigation to protect the area’s natural values and improve climate change mitigation. Submitters referenced specific natural resources which were noted to be of high value.

Section 4 and Treaty principles: The Mana Whenua Panel opposed the proposed national park referrals, supported by submissions from Treaty partner organisations. Te Rūnanga o Ngāi Tahu oppose all additions to national parks within the Ngāi Tahu takiwā as “the addition of land to national parks will not give effect to the principles of the Treaty of Waitangi (as required by section 4 of the Conservation Act 1987) as it alienates Ngāi Tahu from our ancestral lands”. The Mana Whenua Panel have also signalled Ngāi Tahu interests associated with this stewardship area, particularly that “Ngāi Tahu may have future aspirations for this land (such as from an economic wellbeing and development perspective)”.

I note that my s.49 recommendations and your decision on whether to refer this area to the NZCA for their consideration must give effect to Treaty principles independently of the NZCA’s section 4 obligations.

Although I acknowledge the Mana Whenua Panel opposition to the notified proposal, my assessment, considering those submissions accepted, is that the natural and historic resources present are of a similar nature to the adjacent national park, and warrant proceeding with the notified proposal. Giving effect to Section 4 of the Act includes taking reasonable steps to actively protect the identified Treaty partner interests, but this obligation is not absolute and unqualified, as this would be inconsistent with DOC’s other statutory responsibilities.

Referring this area to the NZCA for their consideration provides an opportunity for the NZCA to further assess the natural and historic resources present, and explore specific Ngāi Tahu interests and aspirations, including their consideration as to what giving effect to Treaty principles may require.

* This figure includes 5,976 submissions made using a Forest and Bird template.

Rationale: My conclusion, considering those submissions accepted, is that the natural and historic resources present warrant referral to the NZCA for their consideration as per the process set out in Chapter 3 of the introduction to this Summary of Submissions Report.

National Park (Paparoa) - PAP_18_2806783i

Support

Access and Recreation (Allowed)

- Submissions supported the national park recommendation on the grounds that this reflects the high recreation values, ensures ongoing public access, ensures that unique flora and fauna is protected for the enjoyment of present and future generations, and supports intergenerational participation in conservation.

I recommend that these comments are accepted to the extent that they merit consideration under the Conservation Act and relevant legislation as they support promotion of recreation that is not inconsistent with the preservation of the natural and historic resources present.

Climate Change and Natural Hazards (Allowed)

- The area was noted for its potential to sequester carbon as “emerging podocarp seedlings and juvenile trees mature” following “a history of clear fell logging and more recently selective and windfall logging”.
- A submission supporting the protection offered by a national park classification noted that the “area is extremely steep and has been hit by winds and cyclones repeatedly” and that any “activity on this area will exacerbate erosion and further threaten to divert Granite Creek into the Barrytown township”.
- Submissions noted that protection of these areas was especially important in the context of climate change, and that a national park classification would remove “additional stressors to help this habitat and its biodiversity successfully adapt to a changing climate”. It was advocated that the area should be incorporated into adjacent areas to support climate change mitigation.

I recommend that these comments are accepted. I agree that the protection of the existing natural resources present is of increasing importance when considering the need for climate mitigation. Classification as national park will support this outcome. The relevance of this factor for reclassification decisions is evident when the future-focused elements in the definition of conservation are considered, including, “safeguarding the options of future generations”, in relation to ‘natural resources’, “the air, water and soil in or on which any plant or animal lives or may live”, and in relation to ‘protection’ of a resource, “restoration to some former state and its augmentation, enhancement, or expansion” (Conservation Act 1987, s. 2).

Ecology and Landscape (Allowed)

- Submissions in support of national park classification suggested that ecological, geological and landscape values are high and comparable to the adjoining Paparoa National Park (e.g. “intact ecosystems of great value, from alpine to coastal habitats”, “outstanding ecological values of this land”, “for the protection of ecosystems running from coastal sub-alpine habitats”). It was stated that national park classification would increase “the overall integrity of the Paparoa National Park by reducing fragmentation”.
- Submitters noted that the area is used by the Westland petrel, highlighting several threats faced by the species, and suggesting that “additional protection is critical for their survival”. It was noted that the area is “part of South Island beech gap and contains important rata/podocarp/ broadleaved forests supporting the genetic diversity of native species”.
- Submissions in support noted that expanding the national park would include more of the complex geology and landforms of the Paparoa Range and its adjoining lowlands (e.g. “contains a wide range of spectacular landforms, unique native vegetation ranging from alpine to coastal habitats, and very diverse ecosystems”). The area was noted as an “outstanding natural landscape of high natural character” which “provides an important link between the lower altitude Mt Davy- Mt Watson coal measures environment to the south and complex limestone / granite environment of the Paparoa Range to the north”.

- Reclassification as a national park was supported on the grounds that it would increase habitat, enhance ecological connectivity and landscape continuity, streamline the management of these areas, and would enable critical biodiversity (Te Mana o te Taiao), climate and freshwater outcomes. It was suggested that reclassification as a national park would align land classifications more closely with ecological principles (noting that current delineations are "historic and arbitrary").

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present which warrant consideration. The natural resources identified by submitters are consistent with those described in the CVR (e.g. contributing to strong altitudinal and geographical gradients expressed in vegetation associations; high level of diversity). Though this conservation area is small, its landscape context means it contributes to ecological and landscape integrity and represents part of a whole ecosystem sequence, supporting your notified intention to refer this area to the NZCA for its recommendation as to the suitability of a national park addition.

Historic and Cultural Values (Allowed)

- Submitters noted that the area is of "significant historical and cultural value" and "of considerable national interest" (e.g. "The area has a rich history of gold and coal mining and historic Croesus Track is actively maintained").

I recommend that these comments are accepted to the extent that I agree that any historic resources present will be appropriately protected by a potential national park classification. Although the CVR describes notable heritage values in adjacent areas, my assessment is that it is not present in this conservation area.

Treaty Considerations (Allowed)

- Submitters suggested that "the issue of Mana Whenua kaitiaki rights and responsibilities" should be addressed through conservation law reform, and "at a higher level than individual land parcel considerations".
- Submissions acknowledged the concerns raised by the Mana Whenua Panel regarding national parks and wanted to see these addressed. However, they viewed maximum protection of the natural values as paramount and suggested that changes to management or legislative frameworks should be made to better reflect the intent of Treaty principles, and to ensure free access and use of national parks for cultural, traditional, historical, and customary purposes, while ensuring that natural values were preserved and protected under a national park classification.
- Submissions supported additions to adjacent national parks where the Mana Whenua Panel had not identified site-specific cultural values for the land.

I recommend that these comments are accepted to the extent that they agree the natural and historic resources present warrant referral to the NZCA for their consideration. However, while the possibility of future changes to management or legislative frameworks is identified by submitters as a potential means of reconciling that purpose with Treaty partner interests, such changes are not being considered within this reclassification exercise. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA's consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions expressed general support for all additions to national parks and for more stewardship land to be given maximum protection.
- Submissions expressed agreement with the National Panel recommendation, stating their support for stewardship land to be reclassified at the highest possible level based on its high cultural conservation value, or that this reflected the information in the technical reports.
- Submissions expressed agreement for the National Panel's recommendation or for additions to the national park, without providing further justification.
- Submissions noted that national park classification "applies a precautionary principle that these lands are best left in a natural state unless there is a good case otherwise".

I recommend that these comments are accepted. However, because no further justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions noted the importance of protecting this area from open cast mining, and advocated that the area should not be used by “any individual group or groups to generate income of any kind”.
- Submissions supported the expansion of the Paparoa National Park based on anticipated benefits for tourism in the area, noting that the presence of attractions such as the Paparoa Great Walk and the Coast Road Highway has led to investments in tourism-related industries.
- Submissions noted that national parks support a nature economy, and that this is in line with the Te Whanaketanga Tai Poutini West Coast Economic Strategy 2050.
- Submissions noted that national park classification prevents mining and means development proposals are subject to higher scrutiny (e.g. will protect indigenous flora and fauna from damaging activities such as mining and clearing). They also noted that legislative “let out clauses” exist to enable things in national parks that are “necessary and have wide approval”.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions expressed concerns about the reclassification process, stating that there are “major inconsistencies and contradictions” where high value conservation land has not been recommended for reclassification as a national park.
- While acknowledging that national park classification would be a suitable reflection of the values of the area, submissions recommended that this change, given the consequent heightened restrictions, should only occur following “extensive consultation and agreement with the local iwi, stakeholders, concessionaires, interested groups and local residents in consideration in addition to not only the environmental and ecological assets, but to such things as tracking, huts, air space and landings, noise and rating”.
- Submissions raised concerns about there being no terms of reference for the Mana Whenua Panel, and suggested that Mana Whenua Panel concerns regarding national parks should have been resolved prior to the reclassification project.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- A submitter referenced the area as part of a proposal for a Paparoa National Park by the Native Forest Action Council in February 1979.
- Submissions acknowledged that Ngāi Tahu opposes national parks in principle, but suggested that land under statutory acknowledgements or nohoanga sites, if excluded from national park status, should not remain in stewardship.
- Submissions advocated for more funding for pest control.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Oppose

Access and Recreation (Allowed)

- Submissions expressed concern about loss of recreation opportunities and suggested that other classifications, such as conservation park or, where higher protection is warranted, scenic or recreation reserve, may provide a better balance between recreational enjoyment and protection of natural resources.
- Restrictions on dog walking were raised specifically as a concern by a West Coast resident.
- Submissions opposed any reclassification unless the reclassified purpose provides explicitly for access (including helicopter), sports fishing and gamebird hunting. Concern was raised that a national park classification excluded hunting for native species which are classified as gamebirds, such as pūkeko and paradise shelduck.

I recommend that these comments are not accepted. The methods of appreciation and recreational enjoyment proposed (e.g. dog access, hunting of indigenous avifauna) are potentially incompatible with protecting and preserving the natural resources described in the CVR, and the points raised do not justify overturning the notified intention. Although under a national park classification “the public shall have freedom of entry and access” this is subject to restrictions “necessary for the preservation of the native plants and animals or for the welfare in general of the parks” (National Parks Act 1980, s. 4(2)(e)).

Ecology and Landscape (Allowed)

- Submissions opposed all recommended reclassification as a national park, describing the land as “not so unique or scientifically important to meet the standard set by the National Parks Act”. They recommended reclassification as a conservation park, or suggested a scenic reserve or recreation reserve, to ensure sufficient protection in areas where there is potential risk of damaging activities such as mining, or recreation reserve where areas have high cultural or recreational value to the public.

I recommend that these comments are not accepted. Although areas of modification may be present, the natural resources described in the CVR (e.g. strong altitudinal and geographical gradients expressed in vegetation associations; high level

Treaty Considerations (Allowed)

- Several submissions opposed the proposed national park investigation whilst supporting the proposal to retain the area in stewardship, pending conservation law reform to create more appropriate forms of protected area classifications from a Ngāi Tahu perspective. This follows a Ngāi Tahu tribal position that a national park classification “obstructs Ngāi Tahu from maintaining ancestral relationships with the whenua, obstructs kaitiaki rights and responsibilities, limits the meaningful involvement of Ngāi Tahu in decision-making processes, and is less enabling of customary practices that are fundamental to sustaining tribal identity and mana”.
- Submissions considered reclassification as a national park to be misaligned with Treaty obligations, and advocated for these areas to remain as stewardship land until classifications that more appropriately reflect Treaty principles are established.

Potential changes to management or legislative frameworks are not the subject of the notified proposal. As such, I recommend that comments advocating for such amendments are not accepted. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA’s consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions expressed support for the recommendation made by the Mana Whenua Panel or general opposition to adding more land to national parks, without providing further justification.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions opposed national park reclassification on the grounds that it was “too restrictive”.
- Submissions opposed national park reclassification based on the negative impacts on potential economic benefit derived from mineral resource extraction. They argued that this would not be in the best interests of the public.
- Submissions stated that any change should not affect existing permissions.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- Submissions expressed the view that national park classification does not equate to effective protection from introduced pests or predators.
- One submission opposed all reclassification of stewardship land unless it was purchased by the Nature Heritage Fund for the purpose of adding it to a national park.

As I have recommended these comments are not allowed, I recommend they are not accepted.

No Opinion/Position Not Stated

General (Allowed)

- Submissions advocated generally for all national parks, forest parks, scenic reserves and stewardship land to be protected from development.

I recommend that these comments are not accepted. The legislation does not provide for absolute protection from development – rather it contemplates that some activities may be acceptable and provides a mechanism for authorising such activities, through the grant of concessions. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Retain in Stewardship - PAP_18_2806783j

The comments received in relation to the Mana Whenua Panel recommendation are summarised below and have been considered in relation to the notified proposal when forming s.49 allow/accept recommendations.

Support

Ecology and Landscape (Allowed)

- Submissions suggested that there was insufficient evidence of the conservation value and characteristics justifying national park status.

I recommend that these comments are not accepted. Although areas of modification may be present, the natural and historic resources described in the CVR (e.g. strong altitudinal and geographical gradients expressed in vegetation associations; high level of diversity) justify referring this area to the NZCA for its recommendation as to the suitability of a national park addition.

Treaty Considerations (Allowed)

- Several submissions opposed the proposed national park investigation whilst supporting the proposal to retain the area in stewardship, pending conservation law reform to create more appropriate forms of protected area classifications from a Ngāi Tahu perspective. This follows a Ngāi Tahu tribal position that a national park classification “obstructs Ngāi Tahu from maintaining ancestral relationships with the whenua, obstructs kaitiaki rights and responsibilities, limits the meaningful involvement of Ngāi Tahu in decision-making processes, and is less enabling of customary practices that are fundamental to sustaining tribal identity and mana”.
- Submissions considered reclassification as a national park to be misaligned with Treaty obligations, and advocated for these areas to remain as stewardship land until classifications that more appropriately reflect Treaty principles are established.

Potential changes to management or legislative frameworks are not the subject of the notified proposal. As such, I recommend that comments advocating for such amendments are not accepted. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA’s consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions expressed support for the recommendation made by the Mana Whenua Panel, without providing further justification.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions argued that reclassifying land as national park, or other classifications which fall under Schedule 4, could have economic consequences by excluding mineral extraction and other activities on that land, and that the natural values of the land may not warrant this. The potential loss of opportunities resulting from these restrictions was seen as damaging, particularly in terms of mineral extraction and site rehabilitation. It was suggested that a holistic view, considering mineral prospectivity and other economic, social, and cultural considerations, should be taken.
- Submissions supported either retaining all land in stewardship or reclassification as a conservation park, suggesting that this would provide "more than adequate legal protection" while allowing activities to be assessed on a case-by-case basis.
- Submissions stated that any change should not affect existing permissions.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- Submissions expressed doubt that reclassifying stewardship land as national parks would have a positive impact on conservation, citing DOC funding and resource limitations.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Oppose

Access and Recreation (Allowed)

- Submissions advocated for reclassification as a national park to ensure ongoing access and enjoyment of the protected natural resources, and to reflect the recreational values of the area (e.g. "for the enjoyment and well-being of our present and future generations").

I recommend that these comments are accepted to the extent that they merit consideration under the Conservation Act and relevant legislation as they support promotion of recreation that is not inconsistent with the preservation of the natural and historic resources present.

Climate Change and Natural Hazards (Allowed)

- A submitter noted that the area is "extremely steep and has been hit by winds and cyclones repeatedly", advocating for National Park protection as "any activity on this area will exacerbate erosion and further threaten to divert Granite Creek into the Barrytown township".
- Submissions noted that ensuring high protection of these areas was especially important in the context of climate change.

I recommend that these comments are accepted. I agree that the protection of the existing natural resources present is of increasing importance when considering the need for climate mitigation. Classification as national park will support this outcome. The relevance of this factor for reclassification decisions is evident when the future-focused elements in the definition of conservation are considered, including, "safeguarding the options of future generations", in relation to 'natural resources', "the air, water and soil in or on which any plant or animal lives or may live", and in relation to 'protection' of a resource, "restoration to some former state and its augmentation, enhancement, or expansion" (Conservation Act 1987, s. 2).

Ecology and Landscape (Allowed)

- The area was noted as an "outstanding natural landscape of high natural character" and "provides an important link between the lower altitude Mt Davy- Mt Watson coal measures environment to the south and complex limestone/granite environment of the Paparoa Range to the north".

- Submitters commented that the area contains “a wide range of spectacular landforms, unique native vegetation ranging from alpine to coastal habitats, and very diverse ecosystems”, advocating for a national park classification (e.g. “habitat for green gecko and distinct and rare wetland environments such as pākihi”).
- A submitter noted the “outstanding ecological values of this land” and advocated for a national park classification “for the protection of ecosystems running from coastal sub-alpine habitats”.
- Submissions expressed preference for reclassification as a national park to reflect the high ecological and landscape values with nationally significant ecological systems and natural areas, and the comparable values to the surrounding national park (e.g. “natural values are equal with those of the existing national park”, “similar geological, flora and fauna”, “numerous fauna that are of national importance”).

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present which warrant consideration. The natural resources identified by submitters are consistent with those described in the CVR (e.g. contributing to strong altitudinal and geographical gradients expressed in vegetation associations; high level of diversity). Though this conservation area is small, its landscape context means it contributes to ecological and landscape integrity and represents part of a whole ecosystem sequence, supporting your notified intention to refer this area to the NZCA for its recommendation as to the suitability of a national park addition.

Historic and Cultural Values (Allowed)

- Submitters noted that the area is of “significant historical and cultural value” and “of considerable national interest” (e.g. “a rich history of gold and coal mining and historic Croesus Track is actively maintained”).

I recommend that these comments are not accepted. While historical values may be present in the wider assessment area, my assessment is that they are not relevant to this conservation area.

Treaty Considerations (Allowed)

- A submitter expressed that “the issue of Mana Whenua kaitiaki rights and responsibilities” should be addressed through conservation law reform, and “at a higher level than individual land parcel considerations”.
- Submissions acknowledged that Ngāi Tahu opposes national parks in principle, but argued for reclassification as a national park to ensure protection of natural values, suggesting that national park classification could still allow for customary access and Treaty settlements, or that legislative or management framework changes should occur to address these concerns.
- Submissions expressed that where the Mana Whenua Panel had not identified site-specific cultural values for the land, it should be reclassified as a national park to ensure protection from activities such as mining which may be allowed on stewardship land.

I recommend that these comments are accepted to the extent that they agree the natural and historic resources present warrant referral to the NZCA for their consideration. However, while the possibility of future changes to management or legislative frameworks is identified by submitters as a potential means of reconciling that purpose with Treaty partner interests, such changes are not being considered within this reclassification exercise. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA’s consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions opposed retaining land in stewardship, describing it as a “meaningless recommendation”.
- Submissions queried the extent of the recommendations to retain land in stewardship, noting this was nearly 8,000 ha, suggesting this could instead be reclassified as a scenic reserve or conservation park.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

- Submissions expressed preference for the National Panel recommendation, stating their support for stewardship land to be reclassified at the highest possible level based on its high cultural conservation values.

- Submissions expressed preference for reclassification as a national park and for high protection for more stewardship land, either without providing further justification or based on the “reasons outlined in the conservation value reports”.

I recommend that these comments are accepted. However, because no further justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is identified, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions opposed retaining the area in stewardship on the grounds that this would not protect the land from damaging activities such as mining, noting the existence of prospecting permits in some areas.
- Submitters noted the importance of protecting the area from open cast mining, and preserving the wild natural values which support tourism industries.
- Submissions expressed that the area should not “be used in any way to generate income, or to give precedence of access or right of use to any specific group of New Zealanders”.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.

As I have recommended these comments are not allowed, I recommend they are not accepted.

No Opinion/Position Not Stated

Treaty Considerations (Allowed)

- Submissions recommended that amendments to the National Parks Act to address the concerns identified by the Mana Whenua Panel are resolved as a priority so there is no need to retain land in stewardship in the meantime.

Potential changes to management or legislative frameworks are not the subject of the notified classification proposal. As such, I recommend that comments advocating for such amendments are not accepted for further consideration.

General (Allowed)

- Submissions advocated generally for all national parks, forest parks, scenic reserves and stewardship land to be protected from development.

I recommend that these comments are not accepted. The legislation does not provide for absolute protection from development – rather it contemplates that some activities may be acceptable and provides a mechanism for authorising such activities, through the grant of concessions. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

PAP_18 – Baker Creek – 2806784

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Baker Creek	PAP_18_2806784k	National Park (Paparoa)		6070*	22
Baker Creek	PAP_18_2806784l		Stewardship	14	65

DOC Conservation Values Report Description

Baker Creek Conservation Area is within the wider PAP_18 assessment area, which extends from the coastal lowlands over the alpine tops and down into the eastern Grey River/Māwheranui valley. The assessment area is largely intact and dominated by indigenous vegetation, with high levels of diversity and representativeness. It represents the whole ecosystem sequence from western coastal slopes through alpine environments into the more sheltered valleys of the eastern flanks. The wider area has a rich goldmining history, and various permissions are in place.

Panel Recommendations

National Panel: National park investigation to reflect the identified values, increase the overall integrity of the Paparoa National Park, and to improve landscape continuity.

Mana Whenua Panel: Retain as stewardship land pending further policy work or legal reform, based on the tribal position that the addition of land to national parks will not give effect to the principles of the Treaty of Waitangi as it alienates Ngāi Tahu from their ancestral lands.

S.49(2)(d) Recommendation

- Proceed with the notified proposal, by referring this area to the NZCA for its consideration on the suitability of a national park classification in accordance with the relevant policy and procedures, including Policy 6 of the General Policy for National Parks and Section 4 of the Conservation Act 1987.

Summary of accepted submissions: The submissions ‘accepted’ as holding merit supported the proposed national park investigation to protect the area’s natural values, improve climate change mitigation, and ensure ongoing public recreational access. Submitters referenced specific natural resources which were noted to be of high value.

Section 4 and Treaty principles: The Mana Whenua Panel opposed the proposed national park referrals, supported by submissions from Treaty partner organisations. Te Rūnanga o Ngāi Tahu oppose all additions to national parks within the Ngāi Tahu takiwā as “the addition of land to national parks will not give effect to the principles of the Treaty of Waitangi (as required by section 4 of the Conservation Act 1987) as it alienates Ngāi Tahu from our ancestral lands”. The Mana Whenua Panel have also signalled Ngāi Tahu interests associated with this stewardship area, particularly that “Ngāi Tahu may have future aspirations for this land (such as from an economic wellbeing and development perspective)”.

I note that my s.49 recommendations and your decision on whether to refer this area to the NZCA for their consideration must give effect to Treaty principles independently of the NZCA’s section 4 obligations.

Although I acknowledge the Mana Whenua Panel opposition to the notified proposal, my assessment, considering those submissions accepted, is that the natural and historic resources present are of a similar nature to the adjacent national park, and warrant proceeding with the notified proposal. Giving effect to Section 4 of the Act includes taking reasonable steps to actively protect the identified Treaty partner interests, but this obligation is not absolute and unqualified, as this would be inconsistent with DOC’s other statutory responsibilities.

Referring this area to the NZCA for their consideration provides an opportunity for the NZCA to further assess the natural and historic resources present, and explore specific Ngāi Tahu interests and aspirations, including their consideration as to what giving effect to Treaty principles may require.

* This figure includes 5,976 submissions made using a Forest and Bird template.

Rationale: My conclusion, considering those submissions accepted, is that the natural and historic resources present warrant referral to the NZCA for their consideration as per the process set out in Chapter 3 of the introduction to this Summary of Submissions Report.

National Park (Paparoa) – PAP_18_2806784k

Support

Access and Recreation (Allowed)

- Submissions supported the national park recommendation on the grounds that this reflects the high recreation values, ensures ongoing public access, ensures that unique flora and fauna is protected for the enjoyment of present and future generations, and supports intergenerational participation in conservation.

I recommend that these comments are accepted. These comments hold merit under the Conservation Act as they support promotion of recreation that is not inconsistent with the preservation of the natural and historic resources present.

Climate change and Natural Hazards (Allow)

- The area was noted for its potential to sequester carbon as “emerging podocarp seedlings and juvenile trees mature” following “a history of clear fell logging and more recently selective and windfall logging”.
- Submissions noted that protection of these areas was especially important in the context of climate change, and that a national park classification would remove “additional stressors to help this habitat and its biodiversity successfully adapt to a changing climate”. It was advocated that the area should be incorporated into adjacent areas to support climate change mitigation.

I recommend that these comments are accepted. I agree that the protection of the existing natural resources present is of increasing importance when considering the need for climate mitigation. Classification as national park will support this outcome. The relevance of this factor for reclassification decisions is evident when the future-focused elements in the definition of conservation are considered, including, “safeguarding the options of future generations”, in relation to ‘natural resources’, “the air, water and soil in or on which any plant or animal lives or may live”, and in relation to ‘protection’ of a resource, “restoration to some former state and its augmentation, enhancement, or expansion” (Conservation Act 1987, s. 2).

Ecology and Landscape (Allowed)

- Submissions in support noted that expanding the national park would include more of the complex geology and landforms of the Paparoa Range and its adjoining lowlands, “increasing the overall integrity of the Paparoa National Park by reducing fragmentation” (e.g. “contains a wide range of spectacular landforms, unique native vegetation ranging from alpine to coastal habitats, and very diverse ecosystems”).
- A submitter described the area as containing “large boulders that have tumbled down the hillside”, supporting “regenerating plants that are unique to the area”.
- Submitters noted that the area is used by the Westland petrel, highlighting several threats faced by the species, and suggesting that “additional protection is critical for their survival”. It was noted that the area is “part of South Island beech gap and contains important rata/podocarp/broadleaved forests supporting the genetic diversity of native species”.
- Submissions supported reclassification as a national park, noting that ecological, geological and landscape values are high and similar or indistinguishable to the adjoining Paparoa National Park, that it would increase habitat, enhance ecological connectivity and landscape continuity, streamline the management of these areas, and would enable critical biodiversity (Te Mana o te Taiao), climate and freshwater outcomes.
- Submissions stated that reclassification as a national park would align land classifications more closely with ecological principles (noting that current delineations are “historic and arbitrary”).

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present which warrant consideration. The natural resources identified by submitters are consistent with those described in the CVR (e.g. contributing to strong altitudinal and geographical gradients expressed in vegetation associations; high level of diversity). Though this conservation area is small, its landscape context means it contributes to ecological and landscape

integrity and represents part of a whole ecosystem sequence, supporting your notified intention to refer this area to the NZCA for its recommendation as to the suitability of a national park addition.

Historic and Cultural Values (Allowed)

- The area is noted to be of “significant historical and cultural value” and to be “of considerable national interest”.

I recommend that these comments are accepted to the extent that I agree that any historic resources present will be appropriately protected by a potential national park classification. Although the CVR describes notable heritage values in adjacent areas, my assessment is that it is not present in this conservation area.

Treaty Considerations (Allowed)

- A submitter recognised “the concerns of the Mana Whenua Panel” and “their aspirations to maintain kaitiaki status over this area”, suggesting that the Paparoa National Park Management Plan 2017 “creates such a partnership”.

I recommend that these comments are accepted. I agree that the Paparoa National Park Management Plan 2017 gives effect to the Treaty principle of partnership and supports the expression of kaitiakitanga (e.g. “the partnership between the Department and Ngāi Tahu in managing Paparoa National Park occurs directly with both Te Rūnanga o Ngāti Waewae as the representative body of the mana whenua, and Te Rūnanga o Ngāi Tahu as the Treaty partner”, Paparoa National Park Management Plan 2017 p. 13).

- Submitters expressed that “the issue of Mana Whenua kaitiaki rights and responsibilities” should be addressed through conservation law reform, and “at a higher level than individual land parcel considerations”.
- Submissions acknowledged the concerns raised by the Mana Whenua Panel regarding national parks and wanted to see these addressed. However, they viewed maximum protection of the natural values as paramount and suggested that changes to management or legislative frameworks should be made to better reflect the intent of Treaty principles, and to ensure free access and use of national parks for cultural, traditional, historical, and customary purposes, while ensuring that natural values were preserved and protected under a national park classification.
- Submissions supported additions to adjacent national parks where the Mana Whenua Panel had not identified site-specific cultural values for the land.

I recommend that these comments are accepted to the extent that they agree the natural and historic resources present warrant referral to the NZCA for their consideration. However, while the possibility of future changes to management or legislative frameworks is identified by submitters as a potential means of reconciling that purpose with Treaty partner interests, such changes are not being considered within this reclassification exercise. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA’s consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions expressed general support for all additions to national parks, stated they “support the proposed additions to national parks and would like to see more areas given the highest level of protection”, and particularly for all stewardship land adjacent to national parks or wilderness areas to be given national park classification, noting that in many cases the values are indistinguishable, and that this would support native reforestation, enhance ecological buffer zones, maintain ecological diversity, and support the creation of ecological corridors.
- Submissions expressed agreement with the National Panel recommendation, stating their support for stewardship land to be reclassified at the highest possible level based on its high cultural conservation value, or that this reflected the information in the technical reports.
- Submissions expressed agreement for the National Panel’s recommendation or for additions to the national park, without providing further justification.
- Submissions noted that national park classification “applies a precautionary principle that these lands are best left in a natural state unless there is a good case otherwise”.

I recommend that these comments are accepted. However, because no further justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is identified, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions expressed that a national park classification would “protect this area from, and be a buffer against” mining activities, referring to those permitted to occur from “Canoe Creek to Razorback”. One submitter sought “a specific proviso prohibiting exploitation of the area through mining and helicopter flights over, and landings in, the area for tourist purposes”.
- Submissions supported the expansion of the Paparoa National Park based on anticipated benefits for tourism in the area, noting that the presence of attractions such as the Paparoa Great Walk and the Coast Road Highway has led to investments in tourism-related industries.
- Submissions noted that national parks support a nature economy, and that this is in line with the Te Whanaketanga Tai Poutini West Coast Economic Strategy 2050.
- Submissions noted that national park classification prevents mining and means development proposals are subject to higher scrutiny (e.g. will protect indigenous flora and fauna from damaging activities such as mining and clearing). They also noted that legislative “let out clauses” exist to enable things in national parks that are “necessary and have wide approval”.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions expressed concerns about the reclassification process, stating that there are “major inconsistencies and contradictions” where high value conservation land has not been recommended for reclassification as a national park.
- While acknowledging that national park classification would be a suitable reflection of the values of the area, submissions recommended that this change, given the consequent heightened restrictions, should only occur following “extensive consultation and agreement with the local iwi, stakeholders, concessionaires, interested groups and local residents in consideration in addition to not only the environmental and ecological assets, but to such things as tracking, huts, air space and landings, noise and rating”.
- Submissions raised concerns about there being no terms of reference for the Mana Whenua Panel, and suggested that Mana Whenua Panel concerns regarding national parks should have been resolved prior to the reclassification project.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- A submitter referenced the area as part of a proposal for a Paparoa National Park by the Native Forest Action Council in February 1979.
- Submissions called for more stewardship land to be given higher or maximum protection. Land around Aspiring and Westland Tai Poutini was specifically mentioned, with submissions arguing that this was similarly high value to other land (e.g. in Paparoa) recommended for national park reclassification.
- Submissions also proposed national park status for adjacent stewardship land, even if the values of the land did not fully meet the criteria. They argued that this would buffer the existing national park, streamline management (particularly if the area was an enclave in a national park), protect freshwater values, and support revegetation and restoration, and ensure protection of these lands in perpetuity.
- Submissions stated that scientific or nature reserves should also have been recommended for “such a vast area with such high natural and ecological values”.
- Submissions acknowledged that Ngāi Tahu opposes national parks in principle, but suggested that land under statutory acknowledgements or nohoanga sites, if excluded from national park status, should not remain in stewardship.
- Submissions advocated for more funding for pest control.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Oppose

Access and Recreation (Allowed)

- A submitter noted the area “is forested and appears to be access way to the sea”, advocating for a local purpose reserve classification.
- Submissions expressed concern about loss of recreation opportunities and suggested that other classifications, such as conservation park or, where higher protection is warranted, scenic or recreation reserve, may provide a better balance between recreational enjoyment and protection of natural resources.
- Restrictions on dog walking were raised specifically as a concern by a West Coast resident.
- Submissions opposed any reclassification unless the reclassified purpose provides explicitly for access (including helicopter), sports fishing and gamebird hunting. Concern was raised that a national park classification excluded hunting for native species which are classified as gamebirds, such as pūkeko and paradise shelduck.

I recommend that these comments are not accepted. The methods of appreciation and recreational enjoyment proposed (e.g. dog access, hunting of indigenous avifauna) are potentially incompatible with protecting and preserving the natural resources described in the CVR, and the points raised do not justify overturning the notified intention. Although under a national park classification “the public shall have freedom of entry and access” this is subject to restrictions “necessary for the preservation of the native plants and animals or for the welfare in general of the parks” (National Parks Act 1980, s. 4(2)(e)).

Ecology and Landscape (Allowed)

- One submitter, who advocated for a local purpose reserve, described the area as “a small shard of stewardship land west from hillslope extending across Barrytown Flats to the sea”.
- Submissions opposed all recommended reclassification as a national park, describing the land as “not so unique or scientifically important to meet the standard set by the National Parks Act”. They recommended reclassification as a conservation park, or suggested a scenic reserve or recreation reserve, to ensure sufficient protection in areas where there is potential risk of damaging activities such as mining, or recreation reserve where areas have high cultural or recreational value to the public.

I recommend that these comments are not accepted. Although areas of modification may be present the natural resources described in the CVR (e.g. strong altitudinal and geographical gradients expressed in vegetation associations; high level of diversity) justify referring this area to the NZCA for its recommendation as to the suitability of a national park addition.

Treaty Considerations (Allowed)

- Several submissions opposed the proposed national park investigation whilst supporting the proposal to retain the area in stewardship, pending conservation law reform to create more appropriate forms of protected area classifications from a Ngāi Tahu perspective. This follows a Ngāi Tahu tribal position that a national park classification “obstructs Ngāi Tahu from maintaining ancestral relationships with the whenua, obstructs kaitiaki rights and responsibilities, limits the meaningful involvement of Ngāi Tahu in decision-making processes, and is less enabling of customary practices that are fundamental to sustaining tribal identity and mana”.
- Submissions considered reclassification as a national park to be misaligned with Treaty obligations, and advocated for these areas to remain as stewardship land until classifications that more appropriately reflect Treaty principles are established.

Potential changes to management or legislative frameworks are not the subject of the notified proposal. As such, I recommend that comments advocating for such amendments are not accepted. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA’s consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions expressed support for the recommendation made by the Mana Whenua Panel or general opposition to adding more land to national parks, without providing further justification.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions opposed national park reclassification on the grounds that it was "too restrictive".
- Submissions opposed national park reclassification based on the negative impacts on potential economic benefit derived from mineral resource extraction. They argued that this would not be in the best interests of the public.
- Submissions stated that any change should not affect existing permissions.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- Submissions expressed the view that national park classification does not equate to effective protection from introduced pests or predators.
- One submission opposed all reclassification of stewardship land unless it was purchased by the Nature Heritage Fund for the purpose of adding it to a national park.

As I have recommended these comments are not allowed, I recommend they are not accepted.

No Opinion/Position Not Stated

General (Allowed)

- Submissions advocated generally for all national parks, forest parks, scenic reserves and stewardship land to be protected from development.

I recommend that these comments are not accepted. The legislation does not provide for absolute protection from development – rather it contemplates that some activities may be acceptable and provides a mechanism for authorising such activities, through the grant of concessions. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Retain in Stewardship - PAP_18_2806784l

The comments received in relation to the Mana Whenua Panel recommendation are summarised below and have been considered in relation to the notified proposal when forming s.49 allow/accept recommendations.

Support

Ecology and Landscape (Allowed)

- Submissions in support of retaining the land in stewardship suggested that there was insufficient evidence of the conservation value and characteristics justifying national park status.

I recommend that these comments are not accepted. Although areas of modification may be present, my assessment is that the natural and historic resources described in the CVR (e.g. strong altitudinal and geographical gradients expressed in vegetation associations; high level of diversity) justify by referring this area to the NZCA for its consideration as to the suitability of a national park addition.

Treaty Considerations (Allowed)

- Several submissions opposed the proposed national park investigation whilst supporting the proposal to retain the area in stewardship, pending conservation law reform to create more appropriate forms of protected area classifications from a Ngāi Tahu perspective. This follows a Ngāi Tahu tribal position that a national park classification “obstructs Ngāi Tahu from maintaining ancestral relationships with the whenua, obstructs kaitiaki rights and responsibilities, limits the meaningful involvement of Ngāi Tahu in decision-making processes, and is less enabling of customary practices that are fundamental to sustaining tribal identity and mana”.
- Submissions considered reclassification as a national park to be misaligned with Treaty obligations, and advocated for these areas to remain as stewardship land until classifications that more appropriately reflect Treaty principles are established.

Potential changes to management or legislative frameworks are not the subject of the notified proposal. As such, I recommend that comments advocating for such amendments are not accepted. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA’s consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions expressed support for the recommendation made by the Mana Whenua Panel, without providing further justification.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions argued that reclassifying land as national park, or other classifications which fall under Schedule 4, could have economic consequences by excluding mineral extraction and other activities on that land, and that the natural values of the land may not warrant this. The potential loss of opportunities resulting from these restrictions was seen as damaging, particularly in terms of mineral extraction and site rehabilitation. It was suggested that a holistic view, considering mineral prospectivity and other economic, social, and cultural considerations, should be taken.
- Submissions supported either retaining all land in stewardship or reclassification as a conservation park, suggesting that this would provide “more than adequate legal protection” while allowing activities to be assessed on a case-by-case basis.
- Submissions stated that any change should not affect existing permissions.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- Submissions expressed doubt that reclassifying stewardship land as national parks would have a positive impact on conservation, citing DOC funding and resource limitations.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Oppose

Access and Recreation (Allowed)

- Submissions advocated for reclassification as a national park to ensure ongoing access and enjoyment of the protected natural resources, and to reflect the recreational values of the area (e.g. “for the enjoyment and well-being of our present and future generations”).

I recommend that these comments are accepted. These comments hold merit under the Conservation Act as they support promotion of recreation that is not inconsistent with the preservation of the natural and historic resources present.

- A submitter noted the area “is forested and appears to be [an] access way to the sea”, advocating for a local purpose reserve classification.

I recommend that these comments are not accepted. The points raised do not justify overturning the notified intention. Although under a national park classification “the public shall have freedom of entry and access” this is subject to restrictions “necessary for the preservation of the native plants and animals or for the welfare in general of the parks” (National Parks Act 1980, s. 4(2)(e)).

- A submitter noted that the Moonlight Creek track “offers access to the national park through lush, West Coast bush” and that a national park classification “truly reflects and will protect the ecological and recreational values of this area”.

I recommend that these comments are not accepted. Although the Moonlight Pack Track may traverse adjacent areas, my assessment is that it is not present in this conservation area.

Climate Change and Natural Hazards (Allowed)

- A submitter advocated for a higher level of protection, stating that “Bakers Creek will destroy if it is allowed to be disturbed and this very powerful creek could well take a new course that would threaten private land, the road and the beachfront”.
- Submissions noted that ensuring high protection of these areas was especially important in the context of climate change.

I recommend that these comments are accepted. I agree that the protection of the existing natural resources present is of increasing importance when considering the need for climate mitigation. Classification as national park will support this outcome. The relevance of this factor for reclassification decisions is evident when the future-focused elements in the definition of conservation are considered, including, “safeguarding the options of future generations”, in relation to ‘natural resources’, “the air, water and soil in or on which any plant or animal lives or may live”, and in relation to ‘protection’ of a resource, “restoration to some former state and its augmentation, enhancement, or expansion” (Conservation Act 1987, s. 2).

Ecology and Landscape (Allowed)

- Submissions expressed preference for reclassification as a national park to reflect the high ecological and landscape values with nationally significant ecological systems and natural areas, and the comparable values to the surrounding national park (e.g. “a wide range of spectacular landforms, unique native vegetation ranging from alpine to coastal habitats, and very diverse ecosystems”, “numerous fauna that are of national importance”, “outstanding ecological values of this land”, “for the protection of ecosystems running from coastal sub-alpine habitats”, “natural values are equal with those of the existing national park”, “has similar geological, flora and fauna”).
- A submitter advocated for national park for “preservation of our local wilderness landscapes for future generations of Kiwis”.

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present. The natural resources identified by submitters are consistent with those described in the CVR (e.g. contributing to strong altitudinal and geographical gradients expressed in vegetation associations; high level of diversity). Though this conservation area is small, its landscape context means it contributes to ecological and landscape integrity and represents part of a whole ecosystem sequence, supporting your notified intention to refer this area to the NZCA for its recommendation as to the suitability of a national park addition.

- One submitter, who advocated for a local purpose reserve, described the area as “a small shard of stewardship land west from hillslope extending across Barrytown Flats to the sea”.

I recommend that these comments are not accepted. While the area is small, its landscape context means it contributes to ecological and landscape integrity and represents part of a whole ecosystem sequence.

Historic and Cultural Values (Allowed)

- Submitters noted that the area is of “significant historical and cultural value” and “of considerable national interest”.

I recommend that these comments are not accepted. Although the CVR describes notable heritage values in adjacent areas, my assessment is that the values are not present in this conservation area.

Treaty Considerations (Allowed)

- A submitter expressed that “the issue of Mana Whenua kaitiaki rights and responsibilities” should be addressed through conservation law reform, and “at a higher level than individual land parcel considerations”.
- Submissions acknowledged that Ngāi Tahu opposes national parks in principle, but argued for reclassification as a national park to ensure protection of natural values, suggesting that national park classification could still allow for customary access and Treaty settlements, or that legislative or management framework changes should occur to address these concerns.
- Submissions expressed that where the Mana Whenua Panel had not identified site-specific cultural values for the land, it should be reclassified as a national park to ensure protection from activities such as mining which may be allowed on stewardship land.

I recommend that these comments are not accepted. Potential changes to management or legislative frameworks are not the subject of the notified classification proposal. Further, the proposed national park classification provides a mechanism to explore reconciliation of the concerns identified by mana whenua regarding a national park classification and develop a better understanding of site-specific Ngāi Tahu interests.

General (Allowed)

- Submissions opposed retaining land in stewardship, describing it as a “meaningless recommendation”.
- Submissions queried the extent of the recommendations to retain land in stewardship, noting this was nearly 8,000 ha, suggesting this could instead be reclassified as a scenic reserve or conservation park.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

- Submissions expressed preference for the National Panel recommendation, stating their support for stewardship land to be reclassified at the highest possible level based on its high cultural conservation values.
- Submissions expressed preference for reclassification as a national park and for high protection for more stewardship land, either without providing further justification or based on the “reasons outlined in the conservation value reports”.

I recommend that these comments are accepted. However, because no further justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is identified, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submitters noted the importance of protecting the area from open cast mining, and preserving the wild natural values which support tourism industries.
- Submissions opposed retaining the area in stewardship on the grounds that this would not protect the land from damaging activities such as mining, noting the existence of prospecting permits in some areas.
- Submissions expressed that the area should not “be used in any way to generate income, or to give precedence of access or right of use to any specific group of New Zealanders”.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.

As I have recommended these comments are not allowed, I recommend they are not accepted.

No Opinion/Position Not Stated

Treaty Considerations (Allowed)

- Submissions recommended that amendments to the National Parks Act to address the concerns identified by the Mana Whenua Panel are resolved as a priority so there is no need to retain land in stewardship in the meantime.

Potential changes to management or legislative frameworks are not the subject of the notified classification proposal. As such, I recommend that comments advocating for such amendments are not accepted.

General (Allowed)

- Submissions advocated generally for all national parks, forest parks, scenic reserves and stewardship land to be protected from development.

I recommend that these comments are not accepted. The legislation does not provide for absolute protection from development – rather it contemplates that some activities may be acceptable and provides a mechanism for authorising such activities, through the grant of concessions. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

PAP_18 – Seventeen Mile Bluff – 2809052

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Seventeen Mile Bluff	PAP_18_2809052m	National Park (Paparoa)		6064 ^{1*}	21
Seventeen Mile Bluff	PAP_18_2809052n		Stewardship	14	60

DOC Conservation Values Report Description

The Seventeen Mile Bluff conservation area is within the PAP_18 assessment area, which extends from the coastal lowlands over the alpine tops and down into the eastern Grey River/Māwheranui valley. The assessment area is largely intact and dominated by indigenous vegetation, with high levels of diversity and representativeness. It represents the whole ecosystem sequence from western coastal slopes through alpine environments into the more sheltered valleys of the eastern flanks. The wider area has a rich goldmining history, and various permissions are in place.

Panel Recommendations

National Panel: National park investigation to reflect the identified values, increase the overall integrity of the Paparoa National Park, and to improve landscape continuity.

Mana Whenua Panel: Retain as stewardship land pending further policy work or legal reform, based on the tribal position that the addition of land to national parks will not give effect to the principles of the Treaty of Waitangi as it alienates Ngāi Tahu from their ancestral lands.

S.49(2)(d) Recommendation

- Proceed with the notified proposal, by referring this area to the NZCA for its consideration on the suitability of a national park classification in accordance with the relevant policy and procedures, including Policy 6 of the General Policy for National Parks and Section 4 of the Conservation Act 1987.

Summary of accepted submissions: The submissions ‘accepted’ as holding merit supported the proposed national park investigation to protect the area’s natural values, improve climate change mitigation, and ensure ongoing public recreational access. Submitters referenced specific natural resources which were noted to be of high value.

Section 4 and Treaty principles: The Mana Whenua Panel opposed the proposed national park referrals, supported by submissions from Treaty partner organisations. Te Rūnanga o Ngāi Tahu oppose all additions to national parks within the Ngāi Tahu takiwā as “the addition of land to national parks will not give effect to the principles of the Treaty of Waitangi (as required by section 4 of the Conservation Act 1987) as it alienates Ngāi Tahu from our ancestral lands”. The Mana Whenua Panel have also signalled Ngāi Tahu interests associated with this stewardship area, particularly that “Ngāi Tahu may have future aspirations for this land (such as from an economic wellbeing and development perspective)”.

I note that my s.49 recommendations and your decision on whether to refer this area to the NZCA for their consideration must give effect to Treaty principles independently of the NZCA’s section 4 obligations.

Although I acknowledge the Mana Whenua Panel opposition to the notified proposal, my assessment, considering those submissions accepted, is that the natural and historic resources present are of a similar nature to the adjacent national park, and warrant proceeding with the notified proposal. Giving effect to Section 4 of the Act includes taking reasonable steps to actively protect the identified Treaty partner interests, but this obligation is not absolute and unqualified, as this would be inconsistent with DOC’s other statutory responsibilities.

* This figure includes 5,976 submissions made using a Forest and Bird template.

Referring this area to the NZCA for their consideration provides an opportunity for the NZCA to further assess the natural and historic resources present, and explore specific Ngāi Tahu interests and aspirations, including their consideration as to what giving effect to Treaty principles may require.

Rationale: My conclusion, considering those submissions accepted, is that the natural and historic resources present warrant referral to the NZCA for their consideration as per the process set out in Chapter 3 of the introduction to this Summary of Submissions Report.

National Park (Paparoa) - PAP_18_2809052m

Support

Access and Recreation (Allowed)

- The area was noted to be of high recreation value, “with beach access at low tide and a number of hard rock-climbing routes”. The “40+ metre high cliffs” are described as “not represented elsewhere around the coastline of New Zealand”.
- Submissions supported the national park recommendation on the grounds that this reflects the high recreation values, ensures ongoing public access, ensures that unique flora and fauna is protected for the enjoyment of present and future generations, and supports intergenerational participation in conservation.

I recommend that these comments are accepted. The comments provide site-specific details regarding the public access and recreational features present which are consistent with those described in the CVR. They hold merit under the Conservation Act as they support promotion of recreation that is not inconsistent with the preservation of the natural and historic resources present.

Climate Change and Natural Hazards (Allowed)

- The area was noted for its potential to sequester carbon as “emerging podocarp seedlings and juvenile trees mature” following “a history of clear fell logging and more recently, selective and windfall logging”.
- Submissions noted that protection of these areas was especially important in the context of climate change, and that a national park classification would remove “additional stressors to help this habitat and its biodiversity successfully adapt to a changing climate”. It was advocated that the area should be incorporated into adjacent areas to support climate change mitigation.

I recommend that these comments are accepted. I agree that the protection of the existing natural resources present is of increasing importance when considering the need for climate mitigation. Classification as national park will support this outcome. The relevance of this factor for reclassification decisions is evident when the future-focused elements in the definition of conservation are considered, including, “safeguarding the options of future generations”, in relation to ‘natural resources’, “the air, water and soil in or on which any plant or animal lives or may live”, and in relation to ‘protection’ of a resource, “restoration to some former state and its augmentation, enhancement, or expansion” (Conservation Act 1987, s. 2).

Ecology and Landscape (Allowed)

- Submissions in support of national park reclassification noted that ecological, geological and landscape values are high and similar or indistinguishable to the adjoining Paparoa National Park. The area was noted to contain “intact ecosystems of great value, from alpine to coastal habitats”, with the classification “increasing the overall integrity of the Paparoa National Park by reducing fragmentation”.
- A submitter noted that the “Greenland group greywacke cliffs” are an “outstanding coastal highlight on the Coast Road”.
- Submitters noted that the area is used by the Westland petrel, highlighting several threats faced by the species, and suggesting that “additional protection is critical for their survival”. It was noted that the area is “part of South Island beech gap and contains important rata/podocarp/broadleaved forests supporting the genetic diversity of native species” (e.g. “many mature Rata trees”).

- Submissions supported reclassification as a national park on the grounds that it would increase habitat, enhance ecological connectivity and landscape continuity, streamline the management of these areas, and would enable critical biodiversity (Te Mana o te Taiao), climate and freshwater outcomes.
- Submissions stated that reclassification as a national park would align land classifications more closely with ecological principles (noting that current delineations are "historic and arbitrary").

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present. The natural resources identified by submitters are consistent with those described in the CVR (e.g. strong altitudinal and geographical gradients expressed in vegetation associations; high level of diversity). Though this conservation area is small, its landscape context means it contributes to ecological and landscape integrity and represents part of a whole ecosystem sequence, supporting your notified intention to refer this area to the NZCA for its recommendation as to the suitability of a national park addition.

Historic and Cultural Values (Allowed)

- The area was noted to be of "significant historical and cultural value" and to be "of considerable national interest".

I recommend that these comments are accepted to the extent that I agree that any historic resources present will be appropriately protected by a potential national park classification. Although the CVR describes notable heritage values in adjacent areas, my assessment is that it is not present in this conservation area.

Treaty Considerations (Allowed)

- Submissions acknowledged the concerns raised by the Mana Whenua Panel regarding national parks and wanted to see these addressed. However, they viewed maximum protection of the natural values as paramount and suggested that changes to management or legislative frameworks should be made to better reflect the intent of Treaty principles, and to ensure free access and use of national parks for cultural, traditional, historical, and customary purposes, while ensuring that natural values were preserved and protected under a national park classification.
- Submissions supported additions to adjacent national parks where the Mana Whenua Panel had not identified site-specific cultural values for the land.

I recommend that these comments are accepted to the extent that they agree the natural and historic resources present warrant referral to the NZCA for their consideration. However, while the possibility of future changes to management or legislative frameworks is identified by submitters as a potential means of reconciling that purpose with Treaty partner interests, such changes are not being considered within this reclassification exercise. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA's consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions expressed general support for all additions to national parks and for more areas to be given maximum protection.
- Submissions expressed agreement with the National Panel recommendation, stating their support for stewardship land to be reclassified at the highest possible level based on its high cultural conservation value, or that this reflected the information in the technical reports.
- Submissions expressed agreement for the National Panel's recommendation or for additions to the national park, without providing further justification.
- Submissions noted that national park classification "applies a precautionary principle that these lands are best left in a natural state unless there is a good case otherwise".

I recommend that these comments are accepted. However, because no further justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is identified, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions supported the expansion of the Paparoa National Park based on anticipated benefits for tourism in the area, noting that the presence of attractions such as the Paparoa Great Walk and the Coast Road Highway has led to investments in tourism-related industries.
- Submissions noted that national parks support a nature economy, and that this is in line with the Te Whanaketanga Tai Poutini West Coast Economic Strategy 2050.
- Submissions noted that national park classification prevents mining and means development proposals are subject to higher scrutiny (e.g. will protect indigenous flora and fauna from damaging activities such as mining and clearing). They also noted that legislative “let out clauses” exist to enable things in national parks that are “necessary and have wide approval”.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions expressed concerns about the reclassification process, stating that there are “major inconsistencies and contradictions” where high value conservation land has not been recommended for reclassification as a national park.
- While acknowledging that national park classification would be a suitable reflection of the values of the area, submissions recommended that this change, given the consequent heightened restrictions, should only occur following “extensive consultation and agreement with the local iwi, stakeholders, concessionaires, interested groups and local residents in consideration in addition to not only the environmental and ecological assets, but to such things as tracking, huts, air space and landings, noise and rating”.
- Submissions raised concerns about there being no terms of reference for the Mana Whenua Panel, and suggested that Mana Whenua Panel concerns regarding national parks should have been resolved prior to the reclassification project.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- A submitter referenced the area as part of a proposal for a Paparoa National Park by the Native Forest Action Council in February 1979.
- Submissions acknowledged that Ngāi Tahu opposes national parks in principle, but suggested that land under statutory acknowledgements or nohoanga sites, if excluded from national park status, should not remain in stewardship.
- Submissions advocated for more funding for pest control.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Oppose

Access and Recreation (Allowed)

- Submissions expressed concern about loss of recreation opportunities and suggested that other classifications, such as conservation park or, where higher protection is warranted, scenic or recreation reserve, may provide a better balance between recreational enjoyment and protection of natural resources.
- Restrictions on dog walking were raised specifically as a concern by a West Coast resident.
- Submissions opposed any reclassification unless the reclassified purpose provides explicitly for access (including helicopter), sports fishing and gamebird hunting. Concern was raised that a national park classification excluded hunting for native species which are classified as gamebirds, such as pūkeko and paradise shelduck.

I recommend that these comments are not accepted. The methods of appreciation and recreational enjoyment proposed (e.g. dog access, hunting of indigenous avifauna) are potentially incompatible with protecting and preserving the natural resources described in the CVR, and the points raised do not justify overturning the notified intention. Although under a national park classification “the public shall have freedom of entry and access” this is subject to restrictions “necessary for

the preservation of the native plants and animals or for the welfare in general of the parks” (National Parks Act 1980, s. 4(2)(e)).

Ecology and Landscape (Allowed)

- Submissions opposed all recommended reclassification as a national park, describing the land as “not so unique or scientifically important to meet the standard set by the National Parks Act”. They recommended reclassification as a conservation park, or suggested a scenic reserve or recreation reserve, to ensure sufficient protection in areas where there is potential risk of damaging activities such as mining, or recreation reserve where areas have high cultural or recreational value to the public.

I recommend that these comments are not accepted. Although areas of modification may be present, my assessment is that the natural resources described in the CVR (e.g. largely intact and dominated by indigenous vegetation; strong altitudinal and geographical gradients expressed in vegetation associations; high level of diversity and representativeness) justify by referring this area to the NZCA for its consideration as to the suitability of a national park addition.

Treaty Considerations (Allowed)

- Several submissions opposed the proposed national park investigation whilst supporting the proposal to retain the area in stewardship, pending conservation law reform to create more appropriate forms of protected area classifications from a Ngāi Tahu perspective. This follows a Ngāi Tahu tribal position that a national park classification “obstructs Ngāi Tahu from maintaining ancestral relationships with the whenua, obstructs kaitiaki rights and responsibilities, limits the meaningful involvement of Ngāi Tahu in decision-making processes, and is less enabling of customary practices that are fundamental to sustaining tribal identity and mana”.
- Submissions considered reclassification as a national park to be misaligned with Treaty obligations, and advocated for these areas to remain as stewardship land until classifications that more appropriately reflect Treaty principles are established.

Potential changes to management or legislative frameworks are not the subject of the notified proposal. As such, I recommend that comments advocating for such amendments are not accepted. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA’s consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions expressed support for the recommendation made by the Mana Whenua Panel or general opposition to adding more land to national parks, without providing further justification.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions opposed national park reclassification on the grounds that it was “too restrictive”.
- Submissions opposed national park reclassification based on the negative impacts on potential economic benefit derived from mineral resource extraction. They argued that this would not be in the best interests of the public.
- Submissions stated that any change should not affect existing permissions.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- Submissions expressed the view that national park classification does not equate to effective protection from introduced pests or predators.
- One submission opposed all reclassification of stewardship land unless it was purchased by the Nature Heritage Fund for the purpose of adding it to a national park.

As I have recommended these comments are not allowed, I recommend they are not accepted.

No Opinion/Position Not Stated

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter sought “a specific proviso prohibiting exploitation of the area through mining; and helicopter flights over, and landings in, the area for tourist purposes”.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Retain in Stewardship - PAP_18_2809052n

The comments received in relation to the Mana Whenua Panel recommendation are summarised below and have been considered in relation to the notified proposal when forming s.49 allow/accept recommendations.

Support

Ecology and Landscape (Allowed)

- Submissions suggested that there was insufficient evidence of the conservation value and characteristics justifying national park status.

I recommend that these comments are not accepted. Although areas of modification may be present, the natural and historic resources described in the CVR (e.g. strong altitudinal and geographical gradients expressed in vegetation associations; high level of diversity) justify referring this area to the NZCA for its recommendation as to the suitability of a national park addition.

Treaty Considerations (Allowed)

- Several submissions opposed the proposed national park investigation whilst supporting the proposal to retain the area in stewardship, pending conservation law reform to create more appropriate forms of protected area classifications from a Ngāi Tahu perspective. This follows a Ngāi Tahu tribal position that a national park classification “obstructs Ngāi Tahu from maintaining ancestral relationships with the whenua, obstructs kaitiaki rights and responsibilities, limits the meaningful involvement of Ngāi Tahu in decision-making processes, and is less enabling of customary practices that are fundamental to sustaining tribal identity and mana”.
- Submissions considered reclassification as a national park to be misaligned with Treaty obligations, and advocated for these areas to remain as stewardship land until classifications that more appropriately reflect Treaty principles are established.

Potential changes to management or legislative frameworks are not the subject of the notified proposal. As such, I recommend that comments advocating for such amendments are not accepted. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA’s consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions expressed support for the recommendation made by the Mana Whenua Panel, without providing further justification.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions argued that reclassifying land as national park, or other classifications which fall under Schedule 4, could have economic consequences by excluding mineral extraction and other activities on that land, and that the natural values of the land may not warrant this. The potential loss of opportunities resulting from these restrictions was seen as damaging, particularly in terms of mineral extraction and site rehabilitation. It was suggested that a holistic view, considering mineral prospectivity and other economic, social, and cultural considerations, should be taken.
- Submissions supported either retaining all land in stewardship or reclassification as a conservation park, suggesting that this would provide "more than adequate legal protection" while allowing activities to be assessed on a case-by-case basis.
- Submissions stated that any change should not affect existing permissions.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- Submissions expressed doubt that reclassifying stewardship land as national parks would have a positive impact on conservation, citing DOC funding and resource limitations.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Oppose

Access and Recreation (Allowed)

- Submissions advocated for reclassification as a national park to ensure ongoing access and enjoyment of the protected natural resources, and to reflect the recreational values of the area (e.g. "for the enjoyment and well-being of our present and future generations").

I recommend that these comments are accepted. These comments hold merit under the Conservation Act as they support promotion of recreation that is not inconsistent with the preservation of the natural and historic resources present.

Climate Change and Natural Hazards (Allowed)

- Submissions noted that ensuring high protection of these areas was especially important in the context of climate change.

I recommend that these comments are accepted. I agree that the protection of the existing natural resources present is of increasing importance when considering the need for climate mitigation. Classification as national park will support this outcome. The relevance of this factor for reclassification decisions is evident when the future-focused elements in the definition of conservation are considered, including, "safeguarding the options of future generations", in relation to 'natural resources', "the air, water and soil in or on which any plant or animal lives or may live", and in relation to 'protection' of a resource, "restoration to some former state and its augmentation, enhancement, or expansion" (Conservation Act 1987, s. 2).

Ecology and Landscape (Allowed)

- Submissions expressed preference for reclassification as a national park to reflect the high ecological and landscape values with nationally significant ecological systems and natural areas, and the comparable values to the surrounding national park (e.g. contains "a wide range of spectacular landforms, unique native vegetation ranging from alpine to coastal habitats, and very diverse ecosystems", "natural values are equal with those of the existing national park", a "National treasure, worthy of including in the Paparoa National Park").
- Submitters also noted "numerous fauna that are of national importance", referencing "habitat for green gecko and distinct and rare wetland environments such as pākihi".

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present. The natural resources identified by submitters are consistent with those described in the CVR (e.g. strong altitudinal and geographical gradients expressed in vegetation associations, and high level of diversity). Though this conservation area is small, its landscape context means it contributes to ecological and landscape integrity and represents

part of a whole ecosystem sequence, supporting your notified intention to refer this area to the NZCA for its recommendation as to the suitability of a national park addition.

Historic and Cultural Values (Allowed)

- Submitters noted that the area is of “significant historical and cultural value” and “of considerable national interest”.

I recommend that these comments are not accepted. Although the CVR describes notable heritage values in adjacent areas, my assessment is that the values are not present in this conservation area.

Treaty Considerations (Allowed)

- Submissions acknowledged that Ngāi Tahu opposes national parks in principle, but argued for reclassification as a national park to ensure protection of natural values, suggesting that national park classification could still allow for customary access and Treaty settlements, or that legislative or management framework changes should occur to address these concerns.
- Submissions expressed that where the Mana Whenua Panel had not identified site-specific cultural values for the land, it should be reclassified as a national park to ensure protection from activities such as mining which may be allowed on stewardship land.

I recommend that these comments are accepted to the extent that they agree the natural and historic resources present warrant referral to the NZCA for their consideration. However, while the possibility of future changes to management or legislative frameworks is identified by submitters as a potential means of reconciling that purpose with Treaty partner interests, such changes are not being considered within this reclassification exercise. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA’s consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- Submissions opposed retaining land in stewardship, describing it as a “meaningless recommendation”.
- Submissions queried the extent of the recommendations to retain land in stewardship, noting this was nearly 8,000 ha, suggesting this could instead be reclassified as a scenic reserve or conservation park.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

- Submissions expressed preference for the National Panel recommendation, stating their support for stewardship land to be reclassified at the highest possible level based on its high cultural conservation values.
- Submissions expressed preference for reclassification as a national park and for high protection for more stewardship land, either without providing further justification or based on the “reasons outlined in the conservation value reports”.

I recommend that these comments are accepted. However, because no further justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is identified, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions stated that the area should not “be used in any way to generate income, or to give precedence of access or right of use to any specific group of New Zealanders”.
- Submissions opposed retaining the area in stewardship on the grounds that this would not protect the land from damaging activities such as mining, noting the existence of prospecting permits in some areas.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Process and Consultation (Not Allowed)

- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- One submitter hoped that “there may be Ngāti Waewae-led interpretation within the Paparoa National Park in the new visitor centre, to help bridge any cultural knowledge gap”.

As I have recommended these comments are not allowed, I recommend they are not accepted.

No Opinion/Position Not Stated

Treaty Considerations (Allowed)

- Submissions recommended that amendments to the National Parks Act to address the concerns identified by the Mana Whenua Panel are resolved as a priority so there is no need to retain land in stewardship in the meantime.

Potential changes to management or legislative frameworks are not the subject of the notified classification proposal. As such, I recommend that comments advocating for such amendments are not accepted for further consideration.

General (Allowed)

- Submissions advocated generally for all national parks, forest parks, scenic reserves and stewardship land to be protected from development.

I recommend that these comments are not accepted. The legislation does not provide for absolute protection from development – rather it contemplates that some activities may be acceptable and provides a mechanism for authorising such activities, through the grant of concessions. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

PAP_19 – Punakaiki Field Centre – 2806887

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Punakaiki Field Centre	PAP_19_2806887o	Government Purpose (Government Buildings) Reserve	Neutral	18	3

DOC Conservation Values Report Description

A small urban area that includes the domestic dwelling for the DOC Visitors Centre manager, office space and the Punakaiki DOC field base. Otherwise, the site is mainly lawn, with some trees and a portion of the carpark.

Panel Recommendations

National Panel: Government purpose (government buildings) reserve is consistent the use of the site and will ensure the continued availability of the site for use by the Department.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of government purpose (government buildings) reserve.

Summary of accepted submissions: Excepting those expressing general support for the proposal, no submissions were 'accepted' as holding substantial merit with regard to your notified proposal to classify the area as a government purpose (government buildings) reserve.

Section 4 and Treaty principles: The Mana Whenua Panel did not oppose the proposed classification.

No specific Ngāi Tahu interests were raised for consideration by the Mana Whenua Panel for this stewardship area. I acknowledge statements of the Mana Whenua Panel that "there is a deep connection between Ngāi Tahu and all of the whenua in the Ngāi Tahu takiwā, and the absence of site-specific values in the preliminary analysis does not detract from that connection, nor does it confirm that site-specific values are not present."

Rationale: My conclusion is that the proposed classification will support the ongoing use of the DOC field base and staff accommodation, while appropriately reflecting the modified nature of the natural resources present (e.g. mainly lawn, with some trees and a portion of a carpark). The proposed classification reflects the context of an existing and adjoining government purpose reserve – 'Government Buildings - Punakaiki Field Centre'.

Government Purpose (Government Buildings) Reserve -

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Support

Climate Change and Natural Hazards (Allowed)

- Submissions noted the site is vulnerable to sea level rise and erosion, and that this will need to be managed.

I recommend that these comments are accepted to the extent that I agree proposed classification will support the ongoing use of the DOC field base and staff accommodation, while appropriately reflecting the modified nature of the natural resources present (e.g. mainly lawn, with some trees and a portion of a carpark). The current review has already included climate change considerations, as per paragraph 16(g) of the National Panel's Terms of Reference, "The panels are required to actively consider the Climate Change Commission report when making recommendations on the future land status of stewardship land".

General (Allowed)

- Submissions expressed general support for the classification without providing specific justification.

- Submissions noted that the space is important for the operation of Paparoa National Park.

I recommend that these comments are accepted. However, because no further justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is identified, these submission points do not raise any matters for further consideration.

Other (Not Allowed)

- Submissions noted the presence of kororā on the coast and suggested a penguin management plan and predator control for the site.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Oppose

Process and Consultation (Not Allowed)

- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.

As I have recommended these comments are not allowed, I recommend they are not accepted.

Other (Not Allowed)

- One submission opposed all reclassification of stewardship land unless it was purchased by the Nature Heritage Fund for the purpose of adding it to a national park.

As I have recommended these comments are not allowed, I recommend they are not accepted.

No Opinion/Position Stated

Access and Recreation (Allowed)

- Submissions were concerned with ensuring that any reclassification provides for access, fishing and hunting.

I recommend that these comments are not accepted. Insufficient information is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised which supports reconsideration of the notified classification. The proposed activities are highly unlikely to be carried out on this urban site.

Climate Change and Natural Hazards (Allowed)

- It was noted that this area was in a “triple hazard zone” and is likely to be affected by climate change.

I recommend that these comments are not accepted. No justification is provided regarding natural resources of the specific stewardship area, and no new material is raised which supports reconsideration of the notified classification. The current review has already included climate change considerations, as per paragraph 16(g) of the National Panel’s Terms of Reference, “The panels are required to actively consider the Climate Change Commission report when making recommendations on the future land status of stewardship land”.