Stewardship Land Reclassification

Summary of Submissions Report

Appendix 6: Hokitika

Department of Conservation
Te Papa Atawhai

New Zealand Government

Table of Contents

HOK_01 – Taramakau Riverbed – 2809263 1

Tarahanga e Toru Historic Reserve - HOK_01_2809263a 2

HOK_01 – Kumara – 2809267 10

Scenic Reserve (a) - HOK_01_2809267b 10

HOK_01 – Kumara - Wardens Road – 2809268 13

Tarahanga e Toru Historic Reserve - HOK_01_2809268c 14

HOK_01 – Kumara - Cashman Street – 2809269 22

Conservation Park (Kohimara) - HOK_01_2809269d 22

HOK_01 – Kumara - Town Belt North – 2809270 26

Conservation Park (Kohimara) - HOK_01_2809270e 26

HOK_01 – Kumara - Cashman Street – 2809271 30

Conservation Park (Kohimara) - HOK_01_2809271f 30

HOK_01 – Kumara - Town Belt North – 2809272 34

Conservation Park (Kohimara) - HOK_01_2809272g 34

HOK_01 – Kumara - Town Belt North – 2809273 38

Conservation Park (Kohimara) - HOK_01_2809273h 38

HOK_01 – Kumara – 2809274 42

Conservation Park (Kohimara) - HOK_01_2809274i 42

HOK_01 – Greymouth - Kumara Tramway – 2809332 46

Conservation Park (Kohimara) - HOK_01_2809332j 46

HOK_01 – Kumara - Cashman Street – 2809333 50

Conservation Park (Kohimara) - HOK_01_2809333k 50

HOK_02 – Kumara Junction – 2809264 54

Scenic Reserve (a) - HOK_02_2809264l 54

HOK_03 – Taramakau River /Ōtira River – 2806316 56

Tarahanga e Toru Historic Reserve - HOK_03_2806316m 57

HOK_04 – Kapitea Creek – 2809265 66

Conservation Park (Kapitia) - HOK_04_2809265n 66

HOK_04 – Chesterfield – 2809278 70

Conservation Park (Kapitia) - HOK_04_2809278o 70

HOK_04 – Kapitea Creek – 2809292 74

Conservation Park (Kapitia) - HOK_04_2809292p 74

HOK_05 – Kumara Straight – 2809266 78

Conservation Park (Kohimara) - HOK_05_2809266q 78

HOK_05 – Dillmanstown – 2809275 82

Conservation Park (Kohimara) - HOK_05_2809275r 82

HOK_05 – Kumara Straight – 2809334 86
Conservation Park (Kohimara) - HOK_05_2809334s 86
HOK_06 – German Gully – 2806209 89
Conservation Park (Waimea) - HOK_06_2806209t 89
HOK_07 – Stafford – 2809279 93
Conservation Park (Waimea) - HOK_07_2809279u 93
HOK_08 – Arahura River Mouth – 2809280 97
Local Purpose (Kapukapuka Ngāi Tahu) Reserve - HOK_08_2809280v 98
HOK_09 – Stafford – 2809281 100
Conservation Park (Waimea) - HOK_09_2809281f 101
Disposal - HOK_09_2809281g 104
HOK_09 – Stafford (Central/East) – 2809281 108
Disposal - HOK_09_2809281h 108
HOK_09 – Stafford - High Street – 2809331 112
Conservation Park (Waimea) - HOK_09_2809331w 112
Disposal - HOK_09_2809331x 115
HOK_10 – Big Dam Hill – 2809285 118
Conservation Park (Waimea) - HOK_10_2809285y 118
HOK_11 – North Bank Arahura Road – 2806208 122
Retain in Stewardship - HOK_11_2806208a 122
HOK_12 – Duffers Creek – 2809283 126
Conservation Park (Ōkūkū) - HOK_12_2809283b 126
HOK_12 – Lake Mudgie – 2809288 130
Conservation Park (Ōkūkū) - HOK_12_2809288c 130
HOK_13 – Shamrock Creek – 2809353 134
Amenity Area - HOK_13_2809353d 134
HOK_14 – Kawhaka Creek – 2809287 136
Local Purpose (Kawhaka Ngāi Tahu) Reserve - HOK_14_2809287e 137
HOK_15 – Bells Dam – 2809284 139
Scenic Reserve (a) - HOK_15_2809284f 139
HOK_17 – Blue Spur Road – 2809286 142
Conservation Park (Houhou) - HOK_17_2809286g 142
HOK_17 – Blue Spur – 2809289 146
Conservation Park (Houhou) - HOK_17_2809289h 146
HOK_18 – Blue Spur Road – 2805688 150
Conservation Park (Houhou) - HOK_18_2805688i 150
HOK_18 – Kaniere Forest – 2805691 154
Conservation Park (Kaniere) - HOK_18_2805691j 154

HOK_18 – Blue Spur Range – 2806246 158
Conservation Park (Houhou) - HOK_18_2806246k 158
HOK_19 – Kokatahi Riverbed – 2805712 162
Conservation Park (Kokatahi Awa) - HOK_19_2805712l 162
HOK_19 – Wanganui/Otira Catchments – 2805713 166
Tarahanga e Toru Historic Reserve - HOK_19_2805713c 167
Conservation Park (Hokitika) - HOK_19_2805713d 177
HOK_19 – Kawhaka Forest – 2805715 183
Tarahanga e Toru Historic Reserve - HOK_19_2805715m 184
HOK_19 – Mathias Pass Road – 2806159 192
Conservation Park (Kowhitirangi) - HOK_19_2806159n 192
HOK_19 – Hokitika River - Bluff Creek – 2806272 196
Conservation Park (Hokitika) - HOK_19_2806272o 196
HOK_20 – Aickens Base – 2806317 201
Recreation Reserve - HOK_20_2806317p 201
HOK_21 – Kokatahi/Hokitika Riverbed – 2805690 203
Conservation Park (Hokitika Awa) - HOK_21_2805690l 204
Disposal - HOK_21_2805690m 207
Conservation Park (Hokitika Awa) - HOK_21_2805690n 211
HOK_21 – Styx River (Pasture) – 2805710 216
Conservation Park (Kokatahi Awa) - HOK_21_2805710v 216
Disposal - HOK_21_2805710w 220
Conservation Park (Kokatahi Awa) - HOK_21_2805710x 223
HOK_21 – Toaroha Riverbed (Pasture) – 2805711 227
Conservation Park (Kokatahi Awa) - HOK_21_2805711y 227
Disposal - HOK_21_2805711a 231
Conservation Park (Kokatahi Awa) - HOK_21_2805711b 235
HOK_21 – Kokatahi River – 2805720 239
Conservation Park (Kokatahi Awa) - HOK_21_2805720e 239
Disposal - HOK_21_2805720f 243
Conservation Park (Kokatahi Awa) - HOK_21_2805720g 246
HOK_22 – Kaniere Farm – 2805693 250
Conservation Park (Kaniere) - HOK_22_2805693q 250
HOK_22 – Kaniere Farm – 2805694 254
Conservation Park (Kaniere) - HOK_22_2805694r 254
HOK_23 – Hans Bay - Lake Kaniere – 2805718 258
Scenic Reserve (a) - HOK_23_2805718s 258
HOK_24 – Wainihinihi Creek – 2805714 261

Tarahanga e Toru Historic Reserve - HOK_24_2805714t 262
HOK_25 – Ōtira River Conservation Area – 2806321 269
National Park (Arthur's Pass) - HOK_25_2806321u 270
Retain in Stewardship - HOK_25_2806321v 273
HOK_25 – Otira Conservation Area – 2806322 276
Local Purpose (Water Supply) Reserve - HOK_25_2806322w 276
HOK_26 – Takutai – 2805689 278
Recreation Reserve - HOK_26_2805689x 278
HOK_27 – Pine Creek – 2805692 281
Scenic Reserve (a) - HOK_27_2805692y 281
HOK_28 – Mahināpua Creek/Tūwharewhare – 2806156 283
Scenic Reserve (a) - HOK_28_2806156a 283
HOK_29 – Mahinapua Store – 2805695 286
Disposal - HOK_29_2805695b 286
HOK_30 – Mananui Bush – 2805696 290
Scenic Reserve (a) - HOK_30_2805696c 290
HOK_31 – Seddon Terrace – 2805699 293
Wildlife Management Area - HOK_31_2805699d 293
HOK_32 – Frosty Creek – 2805697 295
Scenic Reserve (a) - HOK_32_2805697e 295
HOK_33 – Butlers – 2805698 298
Conservation Park (Mahinapua - Hokitika) - HOK_33_2805698o 299
Retain in Stewardship - HOK_33_2805698p 301
Conservation Park (Mahinapua - Hokitika) - HOK_33_2805698q 304
HOK_34 – Camp Creek – 2805700 308
Wildlife Management Area - HOK_34_2805700f 308
HOK_34 – Woolhouse Creek – 2805701 311
Wildlife Management Area - HOK_34_2805701g 311
HOK_34 – Bennett Creek – 3267740 314
Wildlife Management Area - HOK_34_3267740h 314
HOK_35 – Woolhouse Creek – 2805702 317
Conservation Park (Tōtara) - HOK_35_2805702i 317
HOK_35 – Tarleton Falls – 2806245 320
Conservation Park (Kowhitirangi) - HOK_35_2806245j 320
HOK_36 – Camelback – 2805721 323
Scenic Reserve (a) - HOK_36_2805721k 323
HOK_37 – Lake Arthur – 2805708 326
Scenic Reserve (a) - HOK_37_2805708l 326

HOK_37 – Lake Arthur – 2805709 329
Scenic Reserve (a) - HOK_37_2805709m 329
HOK_38 – Tōtara River – 2805703 331
Disposal - HOK_38_2805703r 331
Local Purpose (River Conservation) Reserve - HOK_38_2805703s 335
HOK_38 – Tōtara River – 2805704 338
Local Purpose (River Conservation) Reserve - HOK_38_2805704n 338
HOK_38 – Donnelly Creek – 2805705 341
Disposal - HOK_38_2805705t 341
Local Purpose (River Conservation) Reserve - HOK_38_2805705u 345
HOK_38 – Donnelly Creek – 2805706 348
Local Purpose (River Conservation) Reserve - HOK_38_2805706o 348
HOK_39 – Bond Street - Ross – 2805717 351
Local Purpose (Community Use) Reserve - HOK_39_2805717p 351
HOK_40 – Park Terrace - Ross – 2805716 353
Historic Reserve - HOK_40_2805716q 353
HOK_41 – Mount Greenland Road – 2805719 356
Local Purpose (Community Use) Reserve - HOK_41_2805719r 356
HOK_42 – Donnelly Creek – 2805707 359
Local Purpose (Community Use) Reserve - HOK_42_2805707s 359
HOK_43 – Mcleods Road – 2805513 362
Conservation Park (Mikonui) - HOK_43_2805513t 362
HOK_43 – Totara - Mikonui Forests – 2806269 366
Conservation Park (Mikonui) - HOK_43_2806269u 366
HOK_43 – Mine Creek – 2809720 371
Conservation Park (Mikonui) - HOK_43_2809720v 371
HOK_44 – Mikonui River - SH 6 – 2805524 375
Local Purpose (Mikonui Nohoanga Ngāi Tahu) Reserve - HOK_44_2805524w 375
HOK_45 – Mikonui River Mouth – 2805509 378
Wildlife Management Area - HOK_45_2805509m 379
Disposal - HOK_45_2805509n 382
Wildlife Management Area - HOK_45_2805509o 386
HOK_45 – Waitaha – 2805514 390
Wildlife Management Area - HOK_45_2805514s 390
Disposal - HOK_45_2805514t 393
Wildlife Management Area - HOK_45_2805514u 397
HOK_46 – Shearers Swamp - Mikonui – 2805510 400
Scenic Reserve (a) - HOK_46_2805510x 400

HOK_46 – Waikoriri Creek – 2805511 403
Wildlife Management Area - HOK_46_2805511y 403
HOK_47 – Mikonui River – 2805512 406
Conservation Park (Mikonui) - HOK_47_2805512p 406
Disposal - HOK_47_2805512q 410
Conservation Park (Mikonui) - HOK_47_2805512r 415
HOK_48 – Waitaha River /Kakapotahi River – 2805517 419
Conservation Park (Waitaha) - HOK_48_2805517a 419
HOK_49 – Little Waitaha River – 2805518 424
Conservation Park (Waitaha) - HOK_49_2805518b 424
HOK_49 – Little Waitaha River – 2805635 429
Conservation Park (Waitaha) - HOK_49_2805635y 430
Disposal - HOK_49_2805635a 434
Conservation Park (Waitaha) - HOK_49_2805635b 438
HOK_50 – Waitaha Riverbed – 2805634 443
Conservation Park (Waitaha) - HOK_50_2805634v 444
Disposal - HOK_50_2805634w 447
Conservation Park (Waitaha) - HOK_50_2805634x 451
HOK_50 – Waitaha Riverbed – 2805643 455
Conservation Park (Waitaha) - HOK_50_2805643e 456
Disposal - HOK_50_2805643f 459
Conservation Park (Waitaha) - HOK_50_2805643g 463
HOK_51 – Pukekura – 2805640 467
Scenic Reserve (a) - HOK_51_2805640c 467
HOK_52 – Waitaha Forest – 2805641 469
Conservation Park (Waitaha) - HOK_52_2805641d 470
Retain in Stewardship - HOK_52_2805641e 475

HOK_01 – Taramakau Riverbed – 2809263

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Taramakau Riverbed	HOK_01_2809263a	Tarahanga e Toru Historic Reserve	Tarahanga e Toru Historic Reserve	20	39

DOC Conservation Values Report (CVR) Description

A 409.4903-ha area that includes a significant section of the lower Taramakau River and some tributaries, including largely braided river channels, riparian margins, bare gravel, gorse-covered islands and some adjacent small patches of cutover forest on river terrace and moraine. In the wider landscape, this area sits largely within private land, much of it undeveloped. Activities here include fishing, walking, swimming, salmon fishing and jet boating. Taramakau River is a Deed of Recognition area and Statutory Acknowledgement area. Under Schedule 56 of the Deed of Settlement, the Taramakau River was and still is a significant indigenous fishery and source of manu (birds). The river remains a source of rich and abundant harvests. The area is noted particularly for its tuna/eel and īnaka (whitebait) fisheries. There is also goldmining history, so the recorded archaeological sites have high historical values as the locations of both Māori and early post-European settlements.

Panel Recommendations

National Panel: Historic reserve (Tarahanga e Toru), to protect and illustrate the significance of the identified historic and archaeological features, and reflect the value of the area to Ngāi Tahu, while preserving the indigenous flora and fauna present and providing for the existing recreational use of the area.

Mana Whenua Panel: Historic reserve (Tarahanga e Toru) appropriately acknowledges the mana of Ngāi Tahu and the immense cultural significance of the area to Poutini Ngāi Tahu.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of historic reserve (Tarahanga e Toru).

Summary of accepted submissions: Those submissions 'accepted' as holding merit supported the proposed classification of historic reserve as appropriately reflecting the perspectives and cultural significance of the area to Ngāi Tahu and the status of the Taramakau River as a Deed of Settlement area or supported the position of the Mana Whenua Panel.

Section 4 and Treaty principles: The Mana Whenua Panel have supported the proposed historic reserve, supported by submissions from Treaty partner organisations, and have signalled Ngāi Tahu interests associated with this stewardship area, including a historic Pā site, urupā and gardens were located in the vicinity of the north side of the Taramakau river mouth, and on the south side, a historic Pā site, mahinga kai and kāinga nohoanga. The area is surrounded by Māori Reserve Land in recognition of the historic occupation within this area. Further kāinga nohoanga were established along the length of the river which were related to the taking of mahinga kai and, in particular, the retrieval of pounamu.

The Taramakau River is a Deed of Recognition area and Statutory Acknowledgement area under the Ngāi Tahu Claims Settlement Act 1998.

The Mana Whenua Panel identified that this stewardship area is part of Poutini Ngāi Tahu legends, customs and traditions centred around pounamu. The area includes ara tawhito and connects to the passes used to link the east and west coasts, and the mahinga kai resources that supported pā, seasonal nohoanga and travellers; "the river itself was, therefore, a significant part of the pounamu trail, via which the taonga was transported from its source to be traded up and down the country" and "the tūpuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of the river, the relationship of people with the river and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngāi Tahu today".

Under Section 4 of the Act, reasonable steps must be taken to actively protect relevant Treaty partner values and interests. This obligation is not absolute and unqualified, however. Active protection requires you to properly understand

the nature of the interests claimed and to reconcile that material with any wider or competing rights or interests, and to make informed decisions that are reasonable in the circumstances. My assessment, considering those submissions accepted, is that the proposed classification provides appropriate protection for the scale and nature of the identified Ngāi Tahu interests, including the identified historic resources and places, objects and natural features, and such things thereon or therein contained that are of cultural interest (e.g. nohoanga, pā sites, ara tawhito, urupā, mahinga kai and pounamu). I note that the Mana Whenua Panel have supported the notified classification, and I am not otherwise aware of any inconsistency between the proposed classification and the identified Ngāi Tahu interests.

Rationale: Historic reserves are held for the purpose of "protecting and preserving in perpetuity such places, objects, and natural features, and such things thereon or therein contained as are of historic, archaeological, cultural, educational, and other special interest" (Reserves Act 1977, s.18(1)). The notified proposal was underpinned by the cultural interest of the places, natural features, and historic resources, as described by the Mana Whenua Panel and can be described as an example of a substantive outcome for Ngāi Tahu consistent with Section 4 of the Act and Treaty principles.

I acknowledge submissions opposing the notified proposal as not adequately reflecting the natural resources present, which hold value for recreational users. However, I do not accept that these concerns warrant overturning the notified proposal, particularly given that in this instance the places themselves and the natural features present that are of historic, archaeological, cultural, educational, or other special interest, are protected under the primary reserve purpose. Further, the scenic, archaeological, geological, biological, and other scientific features, indigenous flora and fauna, and wildlife are all required to be protected "to the extent compatible with the principal or primary purpose of the reserve" (Section 18(2)(c)) of the Reserves Act 1977). The Reserves Act also provides that "the public shall have freedom of entry and access to the reserve" subject to restrictions which are not unique to the proposed classification, i.e. those "necessary for the protection and general well-being of the reserve and for the protection and control of the public using it" (Section 18(2(b)) Reserves Act 1977).

My conclusion is that on balance the natural resources are appropriately protected, and public recreational access adequately provided for, under the proposed classification when considering the historic resources present and the nature of the historical and cultural interests and significance of the area to Ngāi Tahu.

Tarahanga e Toru Historic Reserve - HOK_01_2809263a

Support

Ecology and Landscape (Allowed)

- A submitter expressed general support for the Tarahanga e Toru historic reserve, though characterising it as covering too large an area and advocating that a mixture of other classifications should also be used to recognise areas of high ecological value.

I recommend that these comments are accepted to the extent that I agree for this stewardship area the natural resources present are appropriately protected under the proposed classification when considering the historic resources present and the cultural significance of the area to Ngāi Tahu. Under a historic reserve classification, "where scenic, archaeological, geological, biological, or other scientific features, or indigenous flora or fauna, or wildlife are present on the reserve, those features or that flora or fauna or wildlife shall be managed and protected to the extent compatible with the principal or primary purpose of the reserve" (Reserves Act 1977, s. 18(2)(c)).

Historic and Cultural Values (Allowed)

- Submitters expressed support for the recommendation as reflecting the cultural significance of the wider area and the Taramakau River in particular. Support for the proposed name was also noted.
- Submitters noted "there are pounamu traditions, trails & passes (particularly Rakimaurikura, Te Tarahanga o Kaniere & Amuri Pass) there were trading routes for pounamu & kai in times of war & peace, connecting Te Poutini with the east coast".
- Submitters who otherwise expressed opposition to the larger Tarahanga e Toru Historic Reserve commonly stated their support for sections of the Taramakau River to be classified as a historic reserve (e.g. "where it applies to sections of the Taramakau riverbed/river mouth that contain physical evidence of the history on site, consistent with the Reserves Act Guide, as well as the nohoanga site and the full Deed of Recognition area").

I recommend that these comments are accepted. I agree that the area contains significant historic and cultural values for Ngāi Tahu (e.g. a significant part of the pounamu trails; a significant mahinga kai site and kāinga nohoanga were established along the length of the river; Taramakau River is a Deed of Recognition area and Statutory Acknowledgement area) which are appropriately protected under the proposed classification.

Treaty Considerations (Allowed)

- Submitters supported the recommendation for the full Deed of Recognition area along the Taramakau riverbed.
- Submissions stated they support the position of the Mana Whenua Panel on the basis that these recommendations reflect the rights and interests of mana whenua and recognise Ngāi Tahu's connection to their ancestral lands (e.g. "by adopting the recommendations of the Mana Whenua Panel the Minister will give effect to the principles of the Treaty of Waitangi").
- Submitters noted that the proposed historic reserves recognise "sites of significance to Ngāi Tahu and ensure Ngāi Tahu values, alongside conservation values, are at the forefront of the classification". They noted the values and interests present, e.g. "pounamu traditions, the trails and passes (particularly Rakimaurikura, Te Tarahanga o Kaniere and Amuri Pass) that were trading routes for pounamu and kai in times of war and peace, connecting Tai Poutini with the east coast". It was advocated that "the proposed reserves must acknowledge the mana and rangatiratanga of Ngāi Tahu, and provide for Ngāi Tahu wellbeing, kaitiakitanga and mahinga kai".

I recommend that these comments are accepted. I acknowledge that that the Tarahanga e Toru Historic Reserve area is of historical and cultural significance to Ngāi Tahu identity. My assessment is that the proposed classification appropriately reflects the significance of the historic resources, and the historical and cultural interests present within the area, and provides appropriate protection for the identified Ngāi Tahu interests.

General (Allowed)

- Submissions expressed support for the proposed classification or the recommendations of the Mana Whenua Panel, without providing further justification.
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level based on its "high cultural conservation value".
- A submitter stated support for the recommendations of the National Panel as reflecting the use of the land and adequately protecting against its degradation.

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.

Oppose

Access and Recreation (Allowed)

- Submissions specific to the Taramakau Riverbed area opposed the recommendation based on concern that historic reserve classification would not protect recreational access, with submitters noting the area's value for walking, fishing, and whitebaiting (e.g. "My family has spent many hours fishing and picnicking at the Taramakau River mouth. We travel frequently from Canterbury to Hokitika and always stop off at the mouth to enjoy a walk on the beach or watch the sun set in the ocean. It is a wonderfully wild and scenic spot, easily accessible from the main road although we have witnessed serious erosion of the beach track").
- One submitter specified that they only opposed the recommendation in part (acknowledging the significance of the upstream area to Ngāi Tahu and the various settlement sites), proposing the area downstream of the Taramakau bridge be given a classification "that prioritises and balances wildlife, cultural, recreational and scenic values", such as local purpose (esplanade) reserve, wildlife management area, or conservation park.
- Submitters objected to historic reserve for the whole Tarahanga e Toru area on the grounds that the recommended classification does not appropriately reflect the extremely high recreational values of the area, which submitters criticised as inadequately described in the technical reports (e.g. "I am disappointed at the lack of recreation research done to aid the process of reclassification", "The DOC-supplied identified recreational values for the proposed historic reserve are disappointingly weak. For this vast area of 180,000 ha the department should have been able to do much better").

- A substantial number of submitters who commented on the whole area recommended as Tarahanga e Toru offered personal recollections of their recreational experiences and highlighted the extensive opportunities for tramping, camping, mountaineering, hunting, kayaking, and packrafting.
- Submitters were concerned that public access by foot or helicopter could be limited, particularly as the possibility of vesting means that access could be restricted or charged for.
- Submitters emphasised that "guaranteed free public access should be a bottom line in any classification" (e.g. "public access, the hut, bridge and track systems, and other recreational facilities are not recognised or guaranteed under this category", "historical reserves do not guarantee freedom of access, and impose restrictions on camping", "historic reserves may be leased by an administrating body potentially privatising the area", "experience with management of the Waitaiki Historic Reserve is that access is denied for spurious reasons", "fees may be charged for access and use").
- Submitters were also concerned that recreation would be affected if the natural values of the area are not given adequate protection. It was noted that historic reserve classification would only protect recreation values to the extent compatible with the historic values identified, and that the classification may allow various commercial activities to take place which would detract from the recreation values (e.g. "The appeal of these huts for many visitors is the isolated location and untouched areas. The suggested classification to historic reserve would potentially lower the recreation value of these areas by allowing easier access to mining and the development of land").
- To ensure public access and protect recreation values, submitters advocated variously for ecological area, scenic reserve, conservation park or national park, or joint historic/recreation reserve.
- Submitters frequently advocated for national park classification for the whole area recommended as Tarahanga e Toru Historic Reserve, to protect the high recreation values (e.g. "a classification under the National Parks Act or alternatively, Part 4 of Conservation Act would provide more balanced and appropriate management of ecological, recreational and mana whenua values. It will better protect recreation, conservation and the highly valued ecological and whitewater values in this area, requiring public consultation for any concessions, works or changes to access arrangements or future reclassifications").
- Submitters otherwise suggested that access be explicitly guaranteed under the Reserves Act (e.g. "either the classification be under the Conservation Act, or mechanisms to ensure practical enduring access and conservation of other natural values are expressly provided for in any classification under the Reserves Act").

I recommend that these comments are <u>not accepted</u>. While I agree that the wider area recommended as Tarahanga e Toru holds high value for recreation use, and that there are recreation values associated with the Taramakau River that are relevant to this stewardship area, my assessment is that public recreational access is adequately provided for when considering the historic resources present and the cultural interest and significance of the area to Ngāi Tahu. The public "shall have freedom of entry and access to the reserve", subject to restrictions "necessary for the protection and general well-being of the reserve and for the protection and control of the public using it" (Section 18(2(b)) Reserves Act 1977). I acknowledge submitters concerns a historic reserve classification can limit access, however I do not accept that this concern warrants overturning the notified proposal. Such potential access restrictions are not unique to the proposed classification and exist elsewhere within the legislation, for example under the Reserves Act 1977 and s.4(2)(e) of the National Parks Act 1980.

Climate Change and Natural Hazards (Allowed)

- Submitters noted that the area recommended as Tarahanga e Toru contains "large enough areas necessary for carbon sinks to help New Zealand meet international agreements on climate change" (e.g. "a significant part of our potential carbon sinks, biodiversity bases, and natural fresh water sources"), advocating for a classification with a higher emphasis on environmental protection.

I recommend these comments are <u>not accepted.</u> While I acknowledge submitters' comments that the larger area recommended as Tarahanga e Toru contains unmodified areas, the protection of which may support climate mitigation, my assessment is that on balance the natural resources present are appropriately protected under the proposed classification when considering the historic resources present and the cultural significance of the area to Ngāi Tahu

Ecology and Landscape (Allowed)

- Submissions specific to the Taramakau Riverbed area recommended a classification which provides higher protection for the ecological and scenic values (e.g. "that prioritises and balances wildlife, cultural, recreational and scenic values").
- Submitters referenced various ecological values, e.g. "the lower stretch of the river and river mouth is an important habitat for many indigenous fish and bird species. The riverbed is classified as an acutely threatened environment therefore it deserves the highest level of legal protection", "kororā nest in the Taramakau estuary and lagoon areas", or noted that there are uncommon ecosystems and threatened species present, and the opportunity for ecosystem restoration in response to flood events or coastal erosion. Recommended alternatives included local purpose (esplanade) reserve, wildlife management area, conservation park, scenic reserve or government purpose (river floodplain) reserve.
- Submitters opposed historic reserve classification for the area recommended as Tarahanga e Toru on the grounds that it does not offer adequate protection for the natural resources present, or only protects ecological values to the extent compatible with the primary purpose of the reserve (e.g. "this classification appears to provide relatively weak protection to both conservation and public access", "historic reserve classification could allow for management and development that is inconsistent with the recreational and biodiversity values present", "the highly valuable qualities of these areas are their wild, scenic, rugged, unmodified nature and free access (…) These qualities are not protected at all by the recommendation of a historic reserve, in fact this level of protection doesn't come close to covering it").
- Submitters advocated variously for ecological area, scenic reserve, conservation park, national park, scientific reserve for parts, or a combination of these classifications, suggesting these would provide a higher level of protection for the natural values of the area.
- A national park classification was frequently proposed, with submitters noting that the area recommended for Tarahanga e Toru Historic Reserve shares many of the same natural values as the Arthur's Pass National Park. They highlighted that the area is largely remote and intact, with notable freshwater values and wildlife. Descriptions of these values generally focused on more remote and inland parts of the area recommended as Tarahanga e Toru.
- Several submitters advocated for the entire Tarahanga e Toru grouping to form a new national park to reflect the "cultural, ecological, landscape and recreational values" (e.g. "a new Tarahanga e Toru/3 Passes National Park"). It was recommended that this "grouping be extended south to include the entire Waitaha catchment".
- Submitters often suggested that historic reserve is inappropriate for such an extensive area (e.g. "The area is very large and some parts of it may be better suited to scenic reserve, national park, ecological area or scientific reserve classification", "Along with many other sections of legislation that are inappropriate for such a large pristine bit of land…", "The recommendation that vast landscapes, such as the proposed Tarahanga e Toru Historic Reserve area, may be acceptable only if it offers robust protection to the extraordinary ecological, geological, palaeontological, cultural, landscape, recreational and spiritual values of that area"). The Tarahanga e Toru grouping was identified as more than four times the size of Paparoa National Park and two and a half times the size of Aoraki-Mt Cook National Park.

I recommend that these comments are <u>not accepted</u>. Although I agree that the area is of ecological value, particularly from a freshwater perspective (e.g. threatened braided riverbed environment with a high level of freshwater fish diversity), my assessment is that on balance the natural resources present are appropriately protected under the proposed classification when considering the historic resources present and the cultural interest and significance of the area to Ngāi Tahu. Under a historic reserve classification, "where scenic, archaeological, geological, biological, or other scientific features, or indigenous flora or fauna, or wildlife are present on the reserve, those features or that flora or fauna or wildlife shall be managed and protected to the extent compatible with the principal or primary purpose of the reserve" (Reserves Act 1977, s. 18(2)(c)).

Historic and Cultural Values (Allowed)

- Some submitters who opposed historic reserve classification for the whole Tarahanga e Toru area expressed support for historic reserve for the pounamu trails themselves and the Taramakau River, or suggested that these should be acknowledged or protected separately (e.g. the Taramakau river mouth should be excluded and vested to mana whenua "due to its proven historical value", "we would be supportive of a classification of Historic Reserve for

the sections of the Taramakau River covered by Schedule 56 of the Ngāi Tahu Claims Settlement Act (…) subject to the right of public access at no cost being guaranteed in the reclassification process and relevant management plans").

- Submitters were critical of the lack of clearly defined purpose for the entire Tarahanga e Toru reserve or clear identification of the "place, object, and natural feature or other thing that is to be preserved and protected", suggesting that it is unclear how other conservation values would be protected.
- Submitters noted that the identified historical resources are largely experiential or "cultural and non-physical in nature, making management of these values, over and above secondary objectives and values (e.g. recreation and ecological), highly subjective and open to interpretation".
- Some submitters suggested that their current opposition may be reviewed if the purpose is clarified. It was stated that this lack made it difficult for submitters to comment on the recommendation (e.g. "the proper identification of the primary purpose of the historic reserve is a prerequisite for proper consultation. This is because the primary purpose of the reserve takes priority over the protection of scenic, archaeological, geological, biological, or other scientific features, and indigenous flora or fauna on the reserve (…) We simply do not know what we are commenting on").
- Submitters opposed the recommendation on the grounds that the classification is not intended for large landscapes, but "for small-scale, discrete and recognised archaeological and historical sites and buildings" and the "preservation of structures and objects". They suggested that historic reserve is inappropriate for the proportionally small extent of tangible heritage within the large area (e.g. "The proposed 82,000 hectare Historic Reserve with no physical historical structures to conserve is contrary to DOC's own guidance that a site should not be classified as Historic Reserve unless there is obvious physical evidence of its history remaining on site", "The proposed Historic Reserve covers a vast area of great cultural, ecological and recreational importance within which historical structures and objects are almost entirely post colonisation (old benched tracks etc) and cover a vanishingly small percentage of the area", "the area proposed for historic reserve status appears far more extensive than required to provide for the protection of historic sites and cultural values", "While Amuri Pass and the Tass-Nancy Saddle may have been historic travelling routes for Māori, there is virtually no built historic heritage in this vast wild area").
- Submitters commonly advocated for classification as national park over the whole area to protect both historic and ecological values, while ensuring access. It was argued that the preservation of the land is critical in preserving the stories and legends inherent in old trails and landscape features, and therefore protection of the outstanding ecological, scenic, and recreational values is critical in further enhancing protection of historical values present.
- Submitters noted that the National Parks Act 1980 requires that "sites and objects of archaeological and historical interest shall as far as possible be preserved". It was suggested a National Park management plan could effectively protect cultural and historic values, with submitters referencing the Paparoa National Park management plan as a successful example of this.

recommend that these comments are <u>not accepted</u>. My assessment is that on balance the proposed classification appropriately reflects the historic resources present within the area (e.g. historic pā, urupā, gardens, mahinga kai and occupation sites located in the vicinity of the Taramakau river mouth, a significant part of the pounamu trails; a significant mahinga kai site, Taramakau River is a Deed of Recognition area and Statutory Acknowledgement) and the nature of the historical and cultural interests and significance of the area to Ngāi Tahu.

Treaty Considerations (Allowed)

- A submission specific to the Taramakau Riverbed area stated that they only oppose the recommendation in regard to the area downstream of the Taramakau Bridge, acknowledging the significance of the estuary and upstream areas of the Taramakau River to Ngāi Tahu and noting the presence of sites protected under the Heritage New Zealand Pouhere Taonga Act 2014. They also noted that a reserve owned by the Mawhera Incorporation has a short section of shared boundary at the southern end of the estuary area.
- Submitters regarding the entire Tarahanga e Toru area acknowledged the significance of the area to Ngāi Tahu, but suggested that given the long list of wider conservation values present, the extent of the proposed reserve should be revisited, or that other classifications would be more suitable (e.g. "we acknowledge that there is an immense significance and rich history within this area of Pounamu trails, settlements and Pā, mahinga kai

gathering, and its general importance to Poutini Ngāi Tahu. We feel that this only adds to the reasons for which it should be more strongly protected, and we believe that its ecological value should be prioritized above all else").

- Submitters suggested that the proposed classification does "not adequately encompass both nature protection and mana whenua aspirations".
- Submitters advocated for a national park classification "where proper recognition of Ngāi Tahu's presence past and present, can be achieved alongside appropriate protection for natural and recreational values".
- Submitters referenced various examples where Ngāi Tahu have a "major role" in management and planning of National Parks (e.g. "National parks do not preclude additional mechanisms for protecting cultural values, such as the topuni which recognises the tapu associated with Aoraki", "the Treaty principle of partnership can be upheld through shared governance and management practices as is the case for Paparoa National Park", "any outstanding cultural issues can be managed through some form of shared governance and management (...) Kaitiakitanga of this hugely valued and much used area should rest with the nation as a whole albeit with acknowledgment of, and provision for, the ability for Ngāi Tahu whānui to reconnect to their ancestral lands, provide for the mana and rangatiratanga of Ngāi Tahu and to exercise kaitiakitanga and mahinga kai. Such arrangements would be provided for through an enlightened National Park Management Plan").
- Ecological area was also suggested as an option which could simultaneously protect mana whenua interests "if historical values were established as principles in the gazetting of the classification and/or relevant management plans".

I recommend that these comments are <u>not accepted</u>. My assessment is that on balance the proposed classification appropriately reflects the historic resources present within the area (e.g. historic pā, urupā, gardens, mahinga kai and occupation sites located in the vicinity of the Taramakau river mouth, a significant part of the pounamu trails; a significant mahinga kai site, Taramakau River is a Deed of Recognition area and Statutory Acknowledgement) and the nature of the historical and cultural interests and significance of the area to Ngāi Tahu.

General (Allowed)

- A submitter recommended adding the area to the Taramakau Scenic Reserve without providing further justification.
- Submissions expressed general opposition to the proposed classification without providing further justification (e.g. "values more suited to Conservation Park", "request that the area be given national park status").
- Submitters raised concerns that "historic reserve status can be altered and allow for other purposes".
- Submitters expressed support for the name Tarahanga e Toru for the land grouping, though advocated for various other classifications (e.g. "We think the name Tarahanga e Toru would be fitting for a higher status classification").

I recommend that these comments are <u>not accepted</u>. 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 opposed the classification on the grounds that historic reserve may not prevent mining, hydro schemes or other development in the area, and that the public may not be able to have a say in any proposed activities (particularly if the reserve is vested).
- Submitters stated that both mining and potential hydro-electric development are inappropriate "from recreation and conservation perspectives" (e.g. "there are four significant gold sources and the potential for rare earth minerals identified in the proposed historic reserve. All are in areas that recreationalists would consider far too precious to mine", "Another area of concern (...) is potential for hydro-electric development in this area of pristine unmodified rivers important for recreation and biodiversity", "if there are already 3,284 damns on New Zealand rivers alone, then why are the leaders of today pushing for more unnecessary ruin to the land?"). National park or ecological area classification were suggested as preferable alternatives.
- A submitter who advocated for national park status commented, "For us to sustain our thriving eco-tourism and adventure-tourism sectors here in NZ and our skilled workers that represent us overseas, we need well-trained and well-practised professionals. This area is one of the best places in our country to gain and sustain these skills. As a backyard for students [of] the well recognised Tai Poutini Polytechnic, the next generation of such professionals, this area is our main training ground".

- Conversely, other submitters opposed the classification as being too restrictive for mining and associated economic opportunities. It was suggested that historic reserve classification would add "a great deal of cost in both time and money relative to any extra protection given", and that a conservation park classification or retaining the land in stewardship would provide "more than adequate legal protection", and allow for commercial uses such as mining to be considered on a case-by-case basis.
- A submitter noted various applications in progress and suggested retaining the relevant areas as stewardship, or reclassification as a conservation park.

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

Process and Consultation (Not Allowed)

- Submitters queried the extent of land proposed for historic reserve classification, suggesting that the large-scale historic reserve recommendations by the Panels "suggests a failure to search out and find the correct reserve classification for each one" or "a lack of detailed investigation by the Panels".
- A submitter highlighted that as well as clarification of purpose, as details of management are unknown, a further public consultation process will be required.
- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land, limitations of the consultation, and potential conflicts of interest, particularly regarding the proposed Griffin Creek hydro scheme or potential mining.

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

Other (Not Allowed)

- Submitters raised concern about potential vesting of the proposed reserve, suggesting that this may impact on public access (e.g. "if this were to take place there are no guarantees that public access is preserved, nor regarding the preservation of the landscape").
- A submitter suggested that "if the vesting of this area does occur, proper funding and investment into clear governance practices and management plans should be provided for to enable proper management of these highly significant areas".
- Submitters who opposed the classification suggested that they might come to support the proposed reserve if public access and participation in future management planning processes could be ensured, or if there is a mechanism to ensure DOC has ongoing input into decision-making (e.g. "I support mana whenua stewardship but want assurances about public voice in river conservation", "There is a high level of public interest in this very large area and the ongoing involvement of DOC provides greater certainty that this public interest can be reflected in management").
- A submitter advocated that due to the scale of the proposed reserve, it "should be included as a separate Place in the CMS so the public can have input into how it is managed".
- One submission opposed all reclassification of stewardship land to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access", or suggested that free, enduring public access must be retained, including by helicopter.

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)

- Submitters expressed concern that historic reserve does not adequately recognise and protect ecological and biodiversity values (e.g. "provides no strong protection for native wildlife and plants or landscape".
- Submitters suggested the proposed Tarahanga e Toru Historic Reserve is an unusual use of the designation in terms of size and scale (e.g. "I am uncomfortable with the massive extension of the concept of a Historic Reserve covering such a vast landscape").

I recommend that these comments are not accepted. Although I agree that the area is of ecological value, particularly from a freshwater perspective (e.g. threatened braided riverbed environment with a high level of freshwater fish diversity), my assessment is that on balance the natural resources present are appropriately protected under the proposed classification and that historic reserve is appropriate when considering the historic resources present and the cultural interest and significance of the area to Ngāi Tahu. Under a historic reserve classification, "where scenic, archaeological, geological, biological, or other scientific features, or indigenous flora or fauna, or wildlife are present on the reserve, those features or that flora or fauna or wildlife shall be managed and protected to the extent compatible with the principal or primary purpose of the reserve" (Reserves Act 1977, s. 18(2)(c)).

- A submitter wanted to ensure that the "rivers are maintained in a free-flowing unmodified state, and in particular that the conservation classification does not allow for dams or flow diversions".

I recommend that these comments are not accepted. Authorisation of any 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.

Treaty Considerations (Allowed)

- Submitters acknowledged the high significance of the area to mana whenua.

I recommend that these comments are accepted. I acknowledge that that the Tarahanga e Toru Historic Reserve area is of historical and cultural significance to Ngāi Tahu identity. My assessment is that the proposed classification appropriately reflects the significance of the historic resources, and the historical and cultural interests present within the area, and provides appropriate protection for the identified Ngāi Tahu interests.

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 which supports reconsideration of the notified classification.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter stated that the proposed classification does not provide strong protection for natural values as it "will allow for commercial activities and leases that national park or scenic reserve status would not allow".
- A submitter suggested that the justification for the recommendation implies the "mountains and rivers might provide economically", advocating for separation between decision makers and permission applicants.
- A submitter suggested that the DOC system should continue to be the only one used for concessions, and that helicopter landing permissions should continue to be available.

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

HOK_01 – Kumara – 2809267

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Kumara	HOK_01_2809267b	Scenic Reserve (a)	Scenic Reserve (a)	14	4

DOC Conservation Values Report Description

A 16.1762-ha area containing a part of the Taramakau River and its riparian margin near the town of Kumara. The area is in between private land and Taramakau Riverbed Conservation Area. Activities here include fishing, walking, swimming, salmon fishing and jet boating. Taramakau River is a Deed of Recognition area and Statutory Acknowledgement area. Under Schedule 56 of the Deed of Settlement, the Taramakau River was and still is a significant indigenous fishery and source of manu. The river remains a source of rich and abundant harvests. The area is noted particularly for its tuna/eel and īnaka fisheries. There is also goldmining history, so the recorded archaeological sites have high historical values as the locations of both Māori and early post-European settlements.

Panel Recommendations

National Panel: Scenic reserve (a), to reflect the identified values. This area is not considered to be of sufficiently complementary historic value to warrant classifying it as historic reserve consistent with the rest of the areas in HOK_01.

Mana Whenua Panel: The Mana Whenua Panel supports the recommendation of the Western South Island National Panel.

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 and offering sufficient protection in the context of climate change. 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 classification, supported by submissions from Treaty partner organisations.

The Mana Whenua Panel have signalled specific Ngāi Tahu interests associated with this stewardship area, particularly that "the Taramakau River is a Deed of Recognition area and Statutory Acknowledgement area", "there was a pā at the mouth of the river, and kāinga nohoanga (temporary settlements) were established along the length of the river", "the river itself was, therefore, a significant part of the pounamu trail".

Given the Mana Whenua support for the notified classification, I consider the classification is not inconsistent with the identified interests.

Rationale: My conclusion is that the proposed classification will appropriately promote the conservation of the natural and historic resources present (e.g. active riverbed and riparian margins).

Scenic Reserve (a) - HOK_01_2809267b

Support

Access and Recreation (Allowed)

- A submitter expressed support for the proposed classification while stating the need to maintain recreational and fishery access.

I recommend that these comments are accepted. I agree the proposed scenic reserve will provide 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. 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)

- A submitter supported the proposed classification as it offers a high level of protection "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).

Treaty Considerations (Allowed)

- Submissions stated they support the position of the Mana Whenua Panel on the basis that these recommendations reflect the rights and interests of mana whenua and recognise Ngāi Tahu's connection to their ancestral lands (e.g. "by adopting the recommendations of the Mana Whenua Panel the Minister will give effect to the principles of the Treaty of Waitangi").

I recommend that these comments are accepted. My conclusion is that, while recognising the significance of the area to Ngāi Tahu, on balance the natural and historic resources present are appropriately protected under the proposed classification. I note that the Mana Whenua Panel have supported the proposed scenic reserve.

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, agreeing they reflected the "information in the technical reports" or expressed support for the recommendations of the Mana Whenua Panel.
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Oppose

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions 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 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 the limitations of the consultation.

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

Other (Not Allowed)

- A submission opposed all reclassification of stewardship land to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

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 which supports reconsideration of the notified classification.

HOK_01 – Kumara - Wardens Road – 2809268

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Kumara - Wardens Road	HOK_01_2809268c	Tarahanga e Toru Historic Reserve	Tarahanga e Toru Historic Reserve	17	36

DOC Conservation Values Report Description

A 31.077-ha area that contains a part of the Taramakau River braided river channel, riparian margin, and bare gravel on river terrace and moraine near the town of Kumara. The area borders both private land and public conservation land. Activities here include fishing, walking, swimming, salmon fishing and jet boating. Taramakau River is a Deed of Recognition area and Statutory Acknowledgement area. Under Schedule 56 of the Deed of Settlement, the Taramakau River was and still is a significant indigenous fishery and source of manu. The river remains a source of rich and abundant harvests. The area is noted particularly for its tuna/eel and īnaka fisheries. There is also goldmining history, so the recorded archaeological sites have high historical values as the locations of both Māori and early post-European settlements.

Panel Recommendations

National Panel: Historic reserve (Tarahanga e Toru), to protect and illustrate the significance of the identified historic and archaeological features and reflect the value of the area to Ngāi Tahu, while preserving the indigenous flora and fauna present and providing for the existing recreational use of the area.

Mana Whenua Panel: Historic reserve (Tarahanga e Toru) appropriately acknowledges the mana of Ngāi Tahu and the immense cultural significance of the area to Poutini Ngāi Tahu.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of historic reserve (Tarahanga e Toru).

Summary of accepted submissions: The submissions 'accepted' as holding merit supported the proposed classification of historic reserve as appropriately reflecting the perspectives and cultural significance of the area to Ngāi Tahu and the status of the Taramakau River as a Deed of Settlement area, and noted the ecological value of the area as a mahinga kai site.

Section 4 and Treaty principles: The Mana Whenua Panel have supported the proposed historic reserve, supported by submissions from Treaty partner organisations, and have signalled Ngāi Tahu interests associated with this stewardship area, including kāinga nohoanga along the length of the river which were related to the taking of mahinga kai and, in particular, the retrieval of pounamu. The river was a significant part of the pounamu trail which was transported from its source to be traded up and down the country.

The Taramakau River is a Deed of Recognition area and Statutory Acknowledgement area under the Ngāi Tahu Claims Settlement Act 1998.

This stewardship area is part of Poutini Ngāi Tahu legends, customs and traditions centred around pounamu. The area includes ara tawhito and connects to the passes used to link the east and west coasts, and the mahinga kai resources that supported pā, seasonal nohoanga and travellers. The Mana Whenua Panel identified that "the river itself was, therefore, a significant part of the pounamu trail, via which the taonga was transported from its source to be traded up and down the country" and "the tūpuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of the river, the relationship of people with the river and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngāi Tahu today."

Under Section 4 of the Act, reasonable steps must be taken to actively protect relevant Treaty partner values and interests. This obligation is not absolute and unqualified, however. Active protection requires you to properly understand the nature of the interests claimed and to reconcile that material with any wider or competing rights or interests, and to make informed decisions that are reasonable in the circumstances. My assessment, considering those submissions

accepted, is that the proposed classification provides appropriate protection for the scale and nature of the identified Ngāi Tahu interests, including the identified historic resources and places, objects and natural features, and such things thereon or therein contained that are of cultural interest (e.g. nohoanga, ara tawhito and mahinga kai). I note that the Mana Whenua Panel have supported the notified classification, and I am not otherwise aware of any inconsistency between the proposed classification and the identified Ngāi Tahu interests.

Rationale: Historic reserves are held for the purpose of "protecting and preserving in perpetuity such places, objects, and natural features, and such things thereon or therein contained as are of historic, archaeological, cultural, educational, and other special interest" (Reserves Act 1977, s.18(1)). The notified proposal was underpinned by the cultural interest of the places, natural features, and historic resources, as described by the Mana Whenua Panel and can be described as an example of a substantive outcome for Ngāi Tahu consistent with Section 4 of the Act and Treaty principles.

I acknowledge submissions opposing the notified proposal as not adequately reflecting the natural resources present, which hold value for recreational users. However, I do not accept that these concerns warrant overturning the notified proposal, particularly given that in this instance the places themselves and the natural features present that are of historic, archaeological, cultural, educational, or other special interest, are protected under the primary reserve purpose. Further, the scenic, archaeological, geological, biological, and other scientific features, indigenous flora and fauna, and wildlife are all required to be protected "to the extent compatible with the principal or primary purpose of the reserve" (Section 18(2)(c)) of the Reserves Act 1977). The Reserves Act also provides that "the public shall have freedom of entry and access to the reserve" subject to restrictions which are not unique to the proposed classification, i.e. those "necessary for the protection and general well-being of the reserve and for the protection and control of the public using it" (Section 18(2(b)) Reserves Act 1977).

My conclusion is that on balance the natural resources are appropriately protected, and public recreational access adequately provided for, under the proposed classification when considering the historic resources present and the nature of the historical and cultural interests and significance of the area to Ngāi Tahu.

Tarahanga e Toru Historic Reserve - HOK_01_2809268c

Support

Ecology and Landscape (Allowed)

- A submitter expressed support and commented that "the lagoon is an important ecosystem feature and has flax which is a primary resource for river crossing by mokihi in the old days. If the grazing is rolled back there are good sites for restoring vegetation of cultural significance and providing shelter for mahinga kai. I look forward to restrictions on dogs, humans and vehicles, that will encourage the torea to nest").

I recommend that these comments are accepted. I agree that the natural resources present (e.g. described in the CVR to represent high levels of rarity and distinctiveness in the fresh water community, described by the Mana Whenua Panel as "a significant indigenous fishery and source of manu"), are appropriately protected under the proposed classification when considering the historic resources present and the cultural significance of the area to Ngāi Tahu.

- A submitter expressed general support for the Tarahanga e Toru historic reserve, though characterising it as covering too large an area and advocating that a mixture of other classifications should also be used to recognise areas of high ecological value.

I recommend that these comments are accepted to the extent that I agree that the natural resources present are appropriately protected under the proposed classification when considering the historic resources present and the cultural significance of the area to Ngāi Tahu. Under a historic reserve classification, "where scenic, archaeological, geological, biological, or other scientific features, or indigenous flora or fauna, or wildlife are present on the reserve, those features or that flora or fauna or wildlife shall be managed and protected to the extent compatible with the principal or primary purpose of the reserve" (Reserves Act 1977, s. 18(2)(c)). I note that this comment is made in reference to ecological values of the wider area notified as Tarahanga e Toru and may not be directly relevant to this specific stewardship area.

Historic and Cultural Values (Allowed)

- Submitters expressed support for the recommendation as reflecting the cultural significance of the area. Support for the proposed name was also noted.
- Submitters noted "there are pounamu traditions, trails & passes (particularly Rakimaurikura, Te Tarahanga o Kaniere & Amuri Pass) there were trading routes for pounamu & kai in times of war & peace, connecting Te Poutini with the east coast".
- Submitters who otherwise expressed opposition to the larger Tarahanga e Toru Historic Reserve commonly stated their support for sections of the Taramakau River to be classified as a historic reserve (e.g. "where it applies to sections of the Taramakau riverbed/river mouth that contain physical evidence of the history on site, consistent with the Reserves Act Guide, as well as the nohoanga site and the full Deed of Recognition area").

I recommend that these comments are accepted to the extent I agree that the area contains significant historic and cultural values for Ngāi Tahu (e.g. a significant part of the pounamu trails; a significant mahinga kai site and kāinga nohoanga were established along the length of the river; Taramakau River is a Deed of Recognition area and Statutory Acknowledgement area) which are appropriately protected under the proposed classification.

Treaty Considerations (Allowed)

- Submitters supported the recommendation for the full Deed of Recognition area along the Taramakau riverbed.
- Submissions stated they support the position of the Mana Whenua Panel on the basis that these recommendations reflect the rights and interests of mana whenua and recognise Ngāi Tahu's connection to their ancestral lands (e.g. "by adopting the recommendations of the Mana Whenua Panel the Minister will give effect to the principles of the Treaty of Waitangi").
- Submitters noted that the proposed historic reserves recognise "sites of significance to Ngāi Tahu and ensure Ngāi Tahu values, alongside conservation values, are at the forefront of the classification". They noted the values and interests present, e.g. "pounamu traditions, the trails and passes (particularly Rakimaurikura, Te Tarahanga o Kaniere and Amuri Pass) that were trading routes for pounamu and kai in times of war and peace, connecting Tai Poutini with the east coast". It was advocated that "the proposed reserves must acknowledge the mana and rangatiratanga of Ngāi Tahu, and provide for Ngāi Tahu wellbeing, kaitiakitanga and mahinga kai".

I recommend that these comments are accepted. I acknowledge that that the Tarahanga e Toru Historic Reserve area is of historical and cultural significance to Ngāi Tahu identity. My assessment is that the proposed classification appropriately reflects the significance of the historic resources, and the historical and cultural interests present within the area, and provides appropriate protection for the identified Ngāi Tahu interests.

General (Allowed)

- Submissions expressed support for the proposed classification or the recommendations of the Mana Whenua Panel, without providing further justification.
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level based on its "high cultural conservation value".
- A submitter stated support for the recommendations of the National Panel as reflecting the use of the land and adequately protecting against its degradation.

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.

Oppose

Access and Recreation (Allowed)

- Submitters objected to historic reserve classification for the whole area recommended as Tarahanga e Toru on the grounds that the classification does not appropriately protect the extremely high recreational values of the area and may curtail public access, noting that historic reserve classification would only protect recreation values to the extent compatible with the historic values identified (e.g. "public access, the hut, bridge and track systems, and other recreational facilities are not recognised or guaranteed under this category", "historical reserves do not

guarantee freedom of access, and impose restrictions on camping"). Concerns were raised that the recommendation classification could allow activities which would diminish recreation values (e.g. "another area of concern (...) is potential for hydro-electric development in this area of pristine unmodified rivers important for recreation and biodiversity").

- A substantial number of submitters who commented on the whole area recommended as Tarahanga e Toru offered personal recollections of their recreational experiences and highlighted the extensive opportunities for tramping, camping, mountaineering, hunting, kayaking, and packrafting.
- Submissions made in relation to the whole area recommended as Tarahanga e Toru raised concerns that both the DOC conservation values reports and the Panels' recommendation reports lacked full consideration of the recreation values present (e.g. "I am disappointed at the lack of recreation research done to aid the process of reclassification", "The DOC-supplied identified recreational values for the proposed historic reserve are disappointingly weak. For this vast area of 180,000 ha the department should have been able to do much better").
- Submitters noted that historic reserve classification does not guarantee free public access (e.g. "historic reserves may be leased by an administrating body potentially privatising the area", "experience with management of the Waitaiki Historic Reserve is that access is denied for spurious reasons", "fees may be charged for access and use", "the widespread use of s58(c) to charge for admission should be ruled out").
- To ensure public access and protect recreation values, submitters advocated variously for ecological area, scenic reserve, conservation park or national park, or joint historic/recreation reserve.
- Submitters frequently advocated for national park classification for the whole area recommended as Tarahanga e Toru Historic Reserve, to protect the high recreation values (e.g. "a classification under the National Parks Act or alternatively, Part 4 of Conservation Act would provide more balanced and appropriate management of ecological, recreational and mana whenua values. It will better protect recreation, conservation and the highly valued ecological and whitewater values in this area, requiring public consultation for any concessions, works or changes to access arrangements or future reclassifications").
- Submitters otherwise suggested that access be explicitly guaranteed under the Reserves Act (e.g. "either the classification be under the Conservation Act, or mechanisms to ensure practical enduring access and conservation of other natural values are expressly provided for in any classification under the Reserves Act").

I recommend that these comments are <u>not accepted</u>. While I agree that the area recommended as Tarahanga e Toru holds high value for recreation use, and that there may be recreation values associated with the Taramakau River that are relevant to this stewardship area, my assessment is that on balance public recreational access is adequately provided for, when considering the historic resources present and the cultural interest and significance of the area to Ngāi Tahu. The public "shall have freedom of entry and access to the reserve", subject to restrictions "necessary for the protection and general well-being of the reserve and for the protection and control of the public using it" (Section 18(2(b)) Reserves Act 1977). I acknowledge submitters concerns a historic reserve classification can limit access, however I do not accept that this concern warrants overturning the notified proposal. Such potential access restrictions are not unique to the proposed classification and exist elsewhere within the legislation, for example under the Reserves Act 1977 and s.4(2)(e) of the National Parks Act 1980.

Climate Change and Natural Hazards (Allowed)

- Submitters noted that the area recommended as Tarahanga e Toru contains "large enough areas necessary for carbon sinks to help New Zealand meet international agreements on climate change" (e.g. "a significant part of our potential carbon sinks, biodiversity bases, and natural fresh water sources"), advocating for a classification with a greater emphasis on environmental protection.

I recommend that these comments are <u>not accepted</u>. While I acknowledge submitters' comments the larger area recommended as Tarahanga e Toru contains unmodified areas, my assessment is that on balance the natural resources present are appropriately protected under the proposed classification when considering the historic resources present and the cultural significance of the area to Ngāi Tahu.

Ecology and Landscape (Allowed)

- A submitter noted that there are uncommon ecosystems (including dunes and wetlands) and threatened species present within this stewardship area, and the opportunity for ecosystem restoration in response to flood events or coastal erosion, recommending scenic reserve or government purpose (river floodplain) reserve.
- Submitters opposed historic reserve classification for the whole area recommended as Tarahanga e Toru on the grounds that it does not offer adequate protection for the natural resources present, or only protects ecological values to the extent compatible with the primary purpose of the reserve (e.g. "this classification appears to provide relatively weak protection to both conservation and public access", "historic reserve classification could allow for management and development that is inconsistent with the recreational and biodiversity values present", "the highly valuable qualities of these areas are their wild, scenic, rugged, unmodified nature and free access (…) These qualities are not protected at all by the recommendation of a historic reserve, in fact this level of protection doesn't come close to covering it").
- Submitters commented that the lack of clearly defined purpose meant the public were unable to understand how the natural values would be protected in relation to this primary purpose (e.g. "This is because the primary purpose of the reserve takes priority over the protection of scenic, archaeological, geological, biological, or other scientific features, and indigenous flora or fauna on the reserve").
- Submitters often suggested that historic reserve is inappropriate for such an extensive area (e.g. "The area is very large and some parts of it may be better suited to scenic reserve, national park, ecological area or scientific reserve classification", "Along with many other sections of legislation that are inappropriate for such a large pristine bit of land…", "The recommendation that vast landscapes, such as the proposed Tarahanga e Toru Historic Reserve area, may be acceptable only if it offers robust protection to the extraordinary ecological, geological, palaeontological, cultural, landscape, recreational and spiritual values of that area"). The Tarahanga e Toru grouping was identified as more than four times the size of Paparoa National Park and two and a half times the size of Aoraki-Mt Cook National Park.
- Submitters advocated variously for ecological area, scenic reserve, conservation park or national park, or suggested a combination of these classifications. Some submitters recommended ecological area "gazetted with 2 or more purposes" as this protects "recreation and ecological values and simultaneously protects mana whenua interests should historical values be established as principles". A national park classification was frequently proposed, with submitters noting that the area recommended for Tarahanga e Toru Historic Reserve shares many of the same natural values as the Arthurs Pass National Park. Several submitters advocated for the entire Tarahanga e Toru grouping to form a new national park to reflect the "cultural, ecological, landscape and recreational values" (e.g. "a new Tarahanga e Toru/3 Passes National Park"). It was recommended that this "grouping be extended south to include the entire Waitaha catchment".

I recommend that these comments are <u>not accepted</u>. Although I agree that the area is of ecological value, particularly from a freshwater perspective (e.g. described in the CVR to represent high levels of rarity and distinctiveness in the fresh water community), my assessment is that on balance the natural resources present are appropriately protected under the proposed classification when considering the historic resources present and the cultural interest and significance of the area to Ngāi Tahu. Under a historic reserve classification, "where scenic, archaeological, geological, biological, or other scientific features, or indigenous flora or fauna, or wildlife are present on the reserve, those features or that flora or fauna or wildlife shall be managed and protected to the extent compatible with the principal or primary purpose of the reserve" (Reserves Act 1977, s. 18(2)(c)).

Historic and Cultural Values (Allowed)

- Some submitters who opposed historic reserve classification for the whole Tarahanga e Toru area expressed support for historic reserve for the pounamu trails themselves and the Taramakau River or suggested that these should be acknowledged or protected separately (e.g. the Taramakau river mouth should be excluded and vested to mana whenua "due to its proven historical value", "we would be supportive of a classification of Historic Reserve for the sections of the Taramakau River covered by Schedule 56 of the Ngāi Tahu Claims Settlement Act (…) subject to the right of public access at no cost being guaranteed in the reclassification process and relevant management plans").

- A submission made specifically in reference to this conservation area commented that "historic sites are not recorded as being present, or are present only at small discrete parts of the land parcel, historic/cultural values appear to be principally experiential (e.g. an historic route)", recommending scenic reserve or government purpose (river floodplain) reserve.
- Submissions regarding the whole area recommended as Tarahanga e Toru were critical of the lack of clearly defined purpose for the reserve or clear identification of the "place, object, and natural feature or other thing that is to be preserved and protected", suggesting that it is unclear how other conservation values would be protected.
- Submitters noted that the identified historical resources are largely experiential or "cultural and non-physical in nature, making management of these values, over and above secondary objectives and values (e.g. recreation and ecological), highly subjective and open to interpretation".
- Some submitters suggested that their current opposition may be reviewed if the purpose is clarified. It was stated that this lack made it difficult for submitters to comment on the recommendation (e.g. "the proper identification of the primary purpose of the historic reserve is a prerequisite for proper consultation. This is because the primary purpose of the reserve takes priority over the protection of scenic, archaeological, geological, biological, or other scientific features, and indigenous flora or fauna on the reserve (...) We simply do not know what we are commenting on").
- Submitters regarding the whole area recommended as Tarahanga e Toru opposed the proposed historic reserve on the grounds that the classification is not intended for large landscapes, but "for small-scale, discrete and recognised archaeological and historical sites and buildings" and the "preservation of structures and objects". They suggested that historic reserve is inappropriate for the proportionally small extent of tangible heritage within the large area (e.g. "The proposed 82,000 hectare Historic Reserve with no physical historical structures to conserve is contrary to DOC's own guidance that a site should not be classified as Historic Reserve unless there is obvious physical evidence of its history remaining on site", "The proposed Historic Reserve covers a vast area of great cultural, ecological and recreational importance within which historical structures and objects are almost entirely post colonisation (old benched tracks etc) and cover a vanishingly small percentage of the area", "the area proposed for historic reserve status appears far more extensive than required to provide for the protection of historic sites and cultural values", "While Amuri Pass and the Tass-Nancy Saddle may have been historic travelling routes for Māori, there is virtually no built historic heritage in this vast wild area").
- Submitters commonly advocated for classification as national park over the whole area to protect both historic and ecological values, while ensuring access. It was argued that the preservation of the land is critical in preserving the stories and legends inherent in old trails and landscape features, and therefore protection of the outstanding ecological, scenic, and recreational values is critical in further enhancing protection of historical values present.
- Submitters noted that the National Parks Act 1980 requires that "sites and objects of archaeological and historical interest shall as far as possible be preserved". It was suggested a National Park management plan could effectively protect cultural and historic values, with submitters referencing the Paparoa National Park management plan as a successful example of this.

I recommend that these comments are <u>not accepted</u>. My assessment is that the proposed classification appropriately reflects the historic resources present within the area (e.g. a significant part of the pounamu trails, kāinga nohoanga were established along the length of the river, Taramakau River is a Deed of Recognition area and Statutory Acknowledgement area) and the nature of the historical and cultural interests and significance of the area to Ngāi Tahu.

Treaty Considerations (Allowed)

- Submitters acknowledged the significance of the area to Ngāi Tahu, but suggested that given the long list of wider conservation values present, the extent of the proposed reserve should be revisited, or that other classifications would be more suitable (e.g. "we acknowledge that there is an immense significance and rich history within this area of Pounamu trails, settlements and Pā, mahinga kai gathering, and its general importance to Poutini Ngāi Tahu. We feel that this only adds to the reasons for which it should be more strongly protected, and we believe that its ecological value should be prioritized above all else").
- Submitters suggested that the proposed classification does "not adequately encompass both nature protection and mana whenua aspirations".

- Submitters advocated for a national park classification "where proper recognition of Ngāi Tahu's presence past and present, can be achieved alongside appropriate protection for natural and recreational values".
- Submitters referenced various examples where Ngāi Tahu have a "major role" in management and planning of National Parks (e.g. "National parks do not preclude additional mechanisms for protecting cultural values, such as the topuni which recognises the tapu associated with Aoraki", "the Treaty principle of partnership can be upheld through shared governance and management practices as is the case for Paparoa National Park", "any outstanding cultural issues can be managed through some form of shared governance and management (…) Kaitiakitanga of this hugely valued and much used area should rest with the nation as a whole albeit with acknowledgment of, and provision for, the ability for Ngāi Tahu whānui to reconnect to their ancestral lands, provide for the mana and rangatiratanga of Ngāi Tahu and to exercise kaitiakitanga and mahinga kai. Such arrangements would be provided for through an enlightened National Park Management Plan").
- Ecological area was also suggested as an option which could simultaneously protect mana whenua interests "if historical values were established as principles in the gazetting of the classification and/or relevant management plans".

I recommend that these comments are <u>not accepted</u>. It is my conclusion that the proposed classification appropriately protects the natural and historic resources present within the area Tahu (e.g. Taramakau River is a Deed of Recognition area and Statutory Acknowledgement area; a significant part of the pounamu trails; a significant mahinga kai site and kāinga nohoanga were established along the length of the river), and reflects the nature of the historical and cultural interests and significance of the area to Ngāi Tahu, providing appropriate protection for the identified Treaty partner interests.

General (Allowed)

- Submissions expressed general opposition to the proposed classification without providing further justification (e.g. "values more suited to Conservation Park", "request that the area be given national park status").
- Submitters raised concerns that "historic reserve status can be altered and allow for other purposes".
- Submitters expressed support for the name Tarahanga e Toru for the land grouping, though advocated for various other classifications (e.g. "We think the name Tarahanga e Toru would be fitting for a higher status classification").

I recommend that these comments are <u>not accepted</u>. 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 opposed the classification on the grounds that historic reserve may not prevent mining, hydro schemes or other development in the area, and that the public may not be able to have a say in any proposed activities (particularly if the reserve is vested).
- Submitters stated that both mining and potential hydro-electric development are inappropriate "from recreation and conservation perspectives" (e.g. "there are four significant gold sources and the potential for rare earth minerals identified in the proposed historic reserve. All are in areas that recreationalists would consider far too precious to mine", "Another area of concern (…) is potential for hydro-electric development in this area of pristine unmodified rivers important for recreation and biodiversity", "if there are already 3,284 damns on New Zealand rivers alone, then why are the leaders of today pushing for more unnecessary ruin to the land?"). National park or ecological area classification were suggested as preferable alternatives.
- A submitter who advocated for national park status commented, "For us to sustain our thriving eco-tourism and adventure-tourism sectors here in NZ and our skilled workers that represent us overseas, we need well-trained and well-practised professionals. This area is one of the best places in our country to gain and sustain these skills. As a backyard for students [of] the well recognised Tai Poutini Polytechnic, the next generation of such professionals, this area is our main training ground".
- Conversely, other submitters opposed the classification as being too restrictive for mining and associated economic opportunities. It was suggested that historic reserve classification would add "a great deal of cost in both time and money relative to any extra protection given", and that a conservation park classification or retaining the land in stewardship would provide "more than adequate legal protection", and allow for commercial uses such as mining to be considered on a case-by-case basis.

- A submitter noted various applications in progress and suggested retaining the relevant areas as stewardship, or reclassification as a conservation park.

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

Process and Consultation (Not Allowed)

- Submitters queried the extent of land proposed for historic reserve classification, suggesting that the large-scale historic reserve recommendations by the Panels "suggests a failure to search out and find the correct reserve classification for each one" or "a lack of detailed investigation by the Panels".
- A submitter highlighted that as well as clarification of purpose, as details of management are unknown, a further public consultation process will be required.
- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land, limitations of the consultation, and potential conflicts of interest, particularly regarding the proposed Griffin Creek hydro scheme or potential mining.

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

Other (Not Allowed)

- Submitters raised concern about potential vesting of the proposed reserve, suggesting that this may impact on public access (e.g. "if this were to take place there are no guarantees that public access is preserved, nor regarding the preservation of the landscape").
- A submitter suggested that "if the vesting of this area does occur, proper funding and investment into clear governance practices and management plans should be provided for to enable proper management of these highly significant areas".
- Submitters who opposed the classification suggested that they might come to support the proposed reserve if public access and participation in future management planning processes could be ensured, or if there is a mechanism to ensure DOC has ongoing input into decision-making (e.g. "I support mana whenua stewardship but want assurances about public voice in river conservation", "There is a high level of public interest in this very large area and the ongoing involvement of DOC provides greater certainty that this public interest can be reflected in management").
- A submitter advocated that due to the scale of the proposed reserve, it "should be included as a separate Place in the CMS so the public can have input into how it is managed".
- One submission opposed all reclassification of stewardship land to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access", or suggested that free, enduring public access must be retained.

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)

- Submitters expressed concern that historic reserve does not adequately recognise and protect ecological and biodiversity values (e.g. "provides no strong protection for native wildlife and plants or landscape".
- Submitters suggested the proposed Tarahanga e Toru Historic Reserve is an unusual use of the designation in terms of size and scale (e.g. "I am uncomfortable with the massive extension of the concept of a Historic Reserve covering such a vast landscape").

I recommend that these comments are not accepted. Although I agree that the area is of ecological value, particularly from a freshwater perspective (e.g. described in the CVR to represent high levels of rarity and distinctiveness in the fresh water community), my assessment is that on balance the natural resources present are appropriately protected under the proposed classification when considering the historic resources present and the cultural interest and significance of the area to Ngāi Tahu. Under a historic reserve classification, "where scenic, archaeological, geological, biological, or other scientific features, or indigenous flora or fauna, or wildlife are present on the reserve, those features or that flora or fauna or wildlife shall be managed and protected to the extent compatible with the principal or primary purpose of the reserve" (Reserves Act 1977, s. 18(2)(c)).

Treaty Considerations (Allowed)

- Submitters acknowledged the high significance of the area to mana whenua.

I recommend that these comments are accepted. I acknowledge that that the Tarahanga e Toru Historic Reserve area is of historical and cultural significance to Ngāi Tahu identity. My assessment is that the proposed classification appropriately reflects the significance of the historic resources ((e.g. Taramakau River is a Deed of Recognition area and Statutory Acknowledgement area; a significant part of the pounamu trails; a significant mahinga kai site and kāinga nohoanga were established along the length of the river), and the historical and cultural interests present within the area, and provides appropriate protection for the identified Ngāi Tahu interests.

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 which supports reconsideration of the notified classification.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter stated that the proposed classification does not provide strong protection for natural values as it "will allow for commercial activities and leases that national park or scenic reserve status would not allow".
- A submitter suggested that the justification for the recommendation implies the "mountains and rivers might provide economically", advocating for separation between decision makers and permission applicants.

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

HOK_01 – Kumara - Cashman Street – 2809269

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Kumara - Cashman Street	HOK_01_2809269d	Conservation Park (Kohimara)	Neutral	12	12

DOC Conservation Values Report Description

A 1.1564-ha area of forest surrounded by private land near the town of Kumara. Taramakau River is a Deed of Recognition area and Statutory Acknowledgement area. There is also goldmining history, so the recorded archaeological sites have high historical values as the locations of both Māori and early post-European settlements.

Panel Recommendations

National Panel: Conservation park (Kohimara), to reflect the mosaic of values present and protect natural and historic resources while facilitating public recreation and enjoyment of the area.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of conservation park.

Summary of accepted submissions: Those submissions 'accepted' as holding merit supported the notified status as appropriate for the historic values present or noted the recreational values across the wider area.

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 "a historic Pā site, urupā and gardens were located in the vicinity of the north side of the Taramakau River mouth", "a historic Pā site, mahinga kai and occupations sites" were located on the south side, "the south of the Taramakau River mouth, the Conservation Area is surrounded by Māori Reserve land in recognition of the historic occupation within this area" and, this significant connection for Ngāi Tahu "must be recognised, considered and provided for". The Mana Whenua Panel further specified that the Taramakau River is a Deed of Recognition area and Statutory Acknowledgement area.

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

Rationale: My conclusion is that on balance the natural resources present (e.g. lowland forest) are appropriately protected under the proposed classification, when also considering the historic resources present (e.g. part of the wider significant archaeological landscape around Kumara; all of the sites have high archaeological potential if any parts of them remain intact), and the significance of the area to Ngāi Tahu. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Conservation Park (Kohimara) - HOK_01_2809269d

Support

Access and Recreation (Allowed)

- Submissions supported the classification, outlining the proximity to Hokitika and recreational use that occurs across the wider area, including walking, biking, hunting and a section of the West Coast Wilderness Trail.

I recommend that these comments are accepted. I agree that the proposed classification will appropriately provide for recreational use. I note that the location of this piece of land on the edge of the Kumara settlement means not all of the activities referred to occur within this stewardship area.

Historic and Cultural Values (Allowed)

- Submissions supported the classification as appropriate to protect the "abundant evidence of long Māori and later European occupation".

I recommend that these comments are accepted. I agree that the proposed classification of conservation park appropriately protects the historic values present as described by the CVR (e.g. on the land behind Kumara towards Taramakau River, large areas of tailings are visible on historic photographs on the Kumara-Cashman Street areas and at least two of the Kumara-North Town Belt areas. Part of the wider significant archaeological landscape around Kumara; all of the sites have high archaeological potential if any parts of them remain intact). The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, agreed it reflected the "information in the technical reports", or supported the recommendations made by the Mana Whenua Panel without providing further justification.
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter expressed "trust that Conservation Park status will provide full protection from any future mining applications in these areas".
- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide "more than adequate legal protection".
- A submission in support of conservation park advocated for greater protection from "intrusive development" such as mining and hydro schemes, stating that "most of the Southern Alps deserves protection equivalent to that of National Park status".

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

Other (Not Allowed)

- A submission suggested that the implementation of the proposed classification "needs to be followed up with sufficient funding for pest eradication".

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

Oppose

Ecology and Landscape (Allowed)

- A submission was concerned with ensuring conservation park status provided "greater protection for indigenous species, enhanced water quality for native fish species and ensured landscape continuity".
- A submitter noted the area may have "the last remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened" and warrants a higher level of protection than that proposed, suggesting national park, wildlife management, scenic reserve, nature reserve or scientific reserve as more appropriate.

I recommend that these comments are not accepted. My assessment is that the natural resources present (e.g. lowland forest) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

- Submissions noted the close proximity of the proposed conservation parks to one another and recommended combining the proposed parks to ensure "long-term protection and maintenance of biological diversity".

I recommend that these comments are not accepted. There are no specifications in the Conservation Act 1987 or Conservation General Policy regarding the size or proximity of distinct conservation parks.

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification, or expressed concern that the classification would not provide any greater protection than the current 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)

- A submitter who expressed general concern about the low-level protection offered by conservation park, noted support for that classification for land "potentially containing crown minerals". The support was contingent on the land being registered as a specially protected area if significant conservation values were present.
- A submitter opposed the classification due to a lack of clarity on the activities allowed under the conservation park status and was concerned the status would not protect the conservation values identified.

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

Process and Consultation (Not Allowed)

- A submitter stated that if a national park classification is "politically unpalatable, then political judgement calls must be made by accountable politicians, not by the Panel".
- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.
- A submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values".
- A submitter sought clarification on the economic, well-being and development aspirations of Ngāi Tahu referred to in the recommendation report. The submitter felt unable to assess the suitability of the proposed classification without understanding the aspirations and their potential impact on natural values.

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 to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access", or wanted to see the area maintained to allow these activities to occur.

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 which supports reconsideration of the notified classification.

Other (Not Allowed)

- A submitter advocated for new conservation parks to "come with additional Government funding for better biodiversity work and more pest control".

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

HOK_01 – Kumara - Town Belt North – 2809270

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Kumara - Town Belt North	HOK_01_2809270e	Conservation Park (Kohimara)	Neutral	12	13

DOC Conservation Values Report Description

A 0.1517-ha area of forest surrounded by private land in the town of Kumara. Taramakau River is a Deed of Recognition area and Statutory Acknowledgement area. There is also goldmining history, so the recorded archaeological sites have high historical values as the locations of both Māori and early post-European settlements.

Panel Recommendations

National Panel: Conservation park (Kohimara), to reflect the mosaic of values present and protect natural and historic resources while facilitating public recreation and enjoyment of the area.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of conservation park.

Summary of accepted submissions: Those submissions 'accepted' as holding merit supported the notified status as appropriate for the historic values present or noted the recreational values across the wider area.

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 "a historic Pā site, urupā and gardens were located in the vicinity of the north side of the Taramakau River mouth", "a historic Pā site, mahinga kai and occupations sites" were located on the south side, "the south of the Taramakau River mouth, the Conservation Area is surrounded by Māori Reserve land in recognition of the historic occupation within this area" and, this significant connection for Ngāi Tahu "must be recognised, considered and provided for". The Mana Whenua Panel further specified that the Taramakau River is a Deed of Recognition area and Statutory Acknowledgement area.

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

Rationale: My conclusion is that on balance the natural resources present (e.g. lowland forest) are appropriately protected under the proposed classification, when also considering the historic resources present (e.g. part of the wider significant archaeological landscape around Kumara; all of the sites have high archaeological potential if any parts of them remain intact), and the significance of the area to Ngāi Tahu. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Conservation Park (Kohimara) - HOK_01_2809270e

Support

Access and Recreation (Allowed)

- Submissions supported the classification, outlining the proximity to Hokitika and recreational use that occurs across the wider area, including walking, biking, hunting and a section of the West Coast Wilderness Trail.

I recommend that these comments are accepted. I agree that the proposed classification will appropriately provide for recreational use. I note that the location of this piece of land on the edge of the Kumara settlement means not all of the activities referred to occur within this stewardship area.

Historic and Cultural Values (Allowed)

- Submissions supported the classification as appropriate to protect the "abundant evidence of long Māori and later European occupation".

I recommend that these comments are accepted. I agree that the proposed classification of conservation park appropriately protects the historic values present across the wider area as described by the CVR (e.g. on the land behind Kumara towards Taramakau River, large areas of tailings are visible on historic photographs on the Kumara-Cashman Street areas and at least two of the Kumara-North Town Belt areas. Part of the wider significant archaeological landscape around Kumara; all of the sites have high archaeological potential if any parts of them remain intact). The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, or agreed it reflected the "information in the technical reports".
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide "more than adequate legal protection".
- A submitter expressed "trust that Conservation Park status will provide full protection from any future mining applications in these areas".
- A submission in support of conservation park advocated for greater protection from "intrusive development" such as mining and hydro schemes, stating that "most of the Southern Alps deserves protection equivalent to that of National Park status".

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

Other (Not Allowed)

- A submission suggested that the implementation of the proposed classification "needs to be followed up with sufficient funding for pest eradication".

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

Oppose

Ecology and Landscape (Allowed)

- A submission was also concerned with ensuring conservation park status provided "greater protection for indigenous species, enhanced water quality for native fish species and ensured landscape continuity".
- A submitter noted the area may have "the last remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened" and warrants a higher level of protection than that proposed, suggesting national park, wildlife management, scenic reserve, nature reserve or scientific reserve as more appropriate.

I recommend that these comments are not accepted. My assessment is that the natural resources present (e.g. lowland forest) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

- Submissions noted the close proximity of the proposed conservation parks to one another and recommended combining the proposed parks to ensure "long-term protection and maintenance of biological diversity".

I recommend that these comments are not accepted. There are no specifications in the Conservation Act 1987 or Conservation General Policy regarding the size or proximity of distinct conservation parks.

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification, or expressed concern that the classification would not provide any greater protection than the current status.
- A submission proposed that the land be added to the Paynes Gully Scenic Reserve without providing further details.

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 submitter who expressed general concern about the low-level protection offered by conservation park, noted support for that classification for land "potentially containing crown minerals". The support was contingent on the land being registered as a specially protected area if significant conservation values were present.
- A submitter opposed the classification due to a lack of clarity on the activities allowed under the conservation park status and was concerned the status would not protect the conservation values identified.

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

Process and Consultation (Not Allowed)

- A submitter stated that if a national park classification is "politically unpalatable, then political judgement calls must be made by accountable politicians, not by the Panel".
- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.
- A submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values".
- A submitter sought clarification on the economic, well-being and development aspirations of Ngāi Tahu referred to in the recommendation report. The submitter felt unable to assess the suitability of the proposed classification without understanding the aspirations and their potential impact on natural values.

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 to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access", or wanted to see the area maintained to allow these activities to occur.

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.

Climate Change and Natural Hazards (Allowed)

- A submitter highlighted that the conservation park status may be useful for flood plain management and recommended structures and earthworks on the land are limited.

I recommend that these comments are accepted to the extent that I agree that the natural resources present are appropriately protected by the proposed conservation park classification, with the associated potential for mitigation of flooding.

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 which supports reconsideration of the notified classification.

Other (Not Allowed)

- A submitter advocated for new conservation parks to "come with additional Government funding for better biodiversity work and more pest control".

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

HOK_01 – Kumara - Cashman Street – 2809271

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Kumara - Cashman Street	HOK_01_2809271f	Conservation Park (Kohimara)	Neutral	12	12

DOC Conservation Values Report Description

A 0.3031-ha area of forest surrounded by private land in the town of Kumara. Taramakau River is a Deed of Recognition area and Statutory Acknowledgement area. There is also goldmining history, so the recorded archaeological sites have high historical values as the locations of both Māori and early post-European settlements.

Panel Recommendations

National Panel: Conservation park (Kohimara), to reflect the mosaic of values present and protect natural and historic resources while facilitating public recreation and enjoyment of the area.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of conservation park.

Summary of accepted submissions: Those submissions 'accepted' as holding merit supported the notified status as appropriate for the historic values present or noted the recreational values across the wider area.

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 "a historic Pā site, urupā and gardens were located in the vicinity of the north side of the Taramakau River mouth", "a historic Pā site, mahinga kai and occupations sites" were located on the south side, "the south of the Taramakau River mouth, the Conservation Area is surrounded by Māori Reserve land in recognition of the historic occupation within this area" and, this significant connection for Ngāi Tahu "must be recognised, considered and provided for". The Mana Whenua Panel further specified that the Taramakau River is a Deed of Recognition area and Statutory Acknowledgement area.

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

Rationale: My conclusion is that on balance the natural resources present (e.g. lowland forest) are appropriately protected under the proposed classification, when also considering the historic resources present (e.g. part of the wider significant archaeological landscape around Kumara; all of the sites have high archaeological potential if any parts of them remain intact), and the significance of the area to Ngāi Tahu. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Conservation Park (Kohimara) - HOK_01_2809271f

Support

Access and Recreation (Allowed)

- Submissions supported the classification, outlining the proximity to Hokitika and recreational use that occurs across the wider area, including walking, biking, hunting and a section of the West Coast Wilderness Trail.

I recommend that these comments are accepted. I agree that the proposed classification will appropriately provide for recreational use. I note that the location of this piece of land on the edge of the Kumara settlement means not all of the activities referred to occur within this stewardship area.

Historic and Cultural Values (Allowed)

- Submissions supported the classification as appropriate to protect the "abundant evidence of long Māori and later European occupation".

I recommend that these comments are accepted. I agree that the proposed classification of conservation park appropriately protects the historic values present as described by the CVR (e.g. on the land behind Kumara towards Taramakau River, large areas of tailings are visible on historic photographs on the Kumara-Cashman Street areas and at least two of the Kumara-North Town Belt areas. Part of the wider significant archaeological landscape around Kumara; all of the sites have high archaeological potential if any parts of them remain intact). The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, or agreed it reflected the "information in the technical reports".
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide "more than adequate legal protection".
- A submitter expressed "trust that Conservation Park status will provide full protection from any future mining applications in these areas".
- A submission in support of conservation park advocated for greater protection from "intrusive development" such as mining and hydro schemes, stating that "most of the Southern Alps deserves protection equivalent to that of National Park status".

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

Other (Not Allowed)

- A submission suggested that the implementation of the proposed classification "needs to be followed up with sufficient funding for pest eradication".

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

Oppose

Ecology and Landscape (Allowed)

- A submitter noted the area may have "the last remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened" and warrants a higher level of protection than that proposed, suggesting national park, wildlife management, scenic reserve, nature reserve or scientific reserve as more appropriate.
- A submission was also concerned with ensuring conservation park status provided "greater protection for indigenous species, enhanced water quality for native fish species and ensured landscape continuity".

I recommend that these comments are not accepted. My assessment is that the natural resources present (e.g. lowland forest) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

- Submissions noted the close proximity of the proposed conservation parks to one another and recommended combining the proposed parks to ensure "long-term protection and maintenance of biological diversity".

I recommend that these comments are not accepted. There are no specifications in the Conservation Act 1987 or Conservation General Policy regarding the size or proximity of distinct conservation parks.

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification, or expressed concern that the classification would not provide any greater protection than the current 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)

- A submitter who expressed general concern about the low-level protection offered by conservation park, noted support for that classification for land "potentially containing crown minerals". The support was contingent on the land being registered as a specially protected area if significant conservation values were present.
- A submitter opposed the classification due to a lack of clarity on the activities allowed under the conservation park status and was concerned the status would not protect the conservation values identified.

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

Process and Consultation (Not Allowed)

- A submitter stated that if a national park classification is "politically unpalatable, then political judgement calls must be made by accountable politicians, not by the Panel".
- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.
- A submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values".
- A submitter sought clarification on the economic, well-being and development aspirations of Ngāi Tahu referred to in the recommendation report. The submitter felt unable to assess the suitability of the proposed classification without understanding the aspirations and their potential impact on natural values.

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 to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access", or wanted to see the area maintained to allow these activities to occur.

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 which supports reconsideration of the notified classification.

Other (Not Allowed)

- A submitter advocated for new conservation parks to "come with additional Government funding for better biodiversity work and more pest control".

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

HOK_01 – Kumara - Town Belt North – 2809272

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Kumara - Town Belt North	HOK_01_2809272g	Conservation Park (Kohimara)	Neutral	12	13

DOC Conservation Values Report Description

A 3.9908-ha area made up of four sections of forest surrounded by private land in the town of Kumara. Taramakau River is a Deed of Recognition area and Statutory Acknowledgement area. There is also goldmining history, so the recorded archaeological sites have high historical values as the locations of both Māori and early post-European settlements. The Kumara community maintains a popular local track, Taylor's Hill, that passes through one of the sections.

Panel Recommendations

National Panel: Conservation park (Kohimara), to reflect the mosaic of values present and protect natural and historic resources while facilitating public recreation and enjoyment of the area.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of conservation park.

Summary of accepted submissions: Those submissions 'accepted' as holding merit supported the notified status as appropriate for the historic values present or noted the recreational values across the wider area.

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 "a historic Pā site, urupā and gardens were located in the vicinity of the north side of the Taramakau River mouth", "a historic Pā site, mahinga kai and occupations sites" were located on the south side, "the south of the Taramakau River mouth, the Conservation Area is surrounded by Māori Reserve land in recognition of the historic occupation within this area" and, this significant connection for Ngāi Tahu "must be recognised, considered and provided for". The Mana Whenua Panel further specified that the Taramakau River is a Deed of Recognition area and Statutory Acknowledgement area.

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

Rationale: My conclusion is that on balance the natural resources present (e.g. lowland forest) are appropriately protected under the proposed classification, when also considering the historic resources present (e.g. part of the wider significant archaeological landscape around Kumara; all of the sites have high archaeological potential if any parts of them remain intact), and the significance of the area to Ngāi Tahu. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Conservation Park (Kohimara) - HOK_01_2809272g

Support

Access and Recreation (Allowed)

- Submissions supported the classification, outlining the proximity to Hokitika and recreational use that occurs across the wider area, including walking, biking, hunting and a section of the West Coast Wilderness Trail.

I recommend that these comments are accepted. I agree that the proposed classification will appropriately provide for recreational use. I note that the location of this piece of land on the edge of the Kumara settlement means not all of the activities referred to occur within this stewardship area.

Historic and Cultural Values (Allowed)

- Submissions supported the classification as appropriate to protect the "abundant evidence of long Māori and later European occupation".

I recommend that these comments are accepted. I agree that the proposed classification of conservation park appropriately protects the historic values present as described by the CVR (e.g. on the land behind Kumara towards Taramakau River, large areas of tailings are visible on historic photographs on the Kumara-Cashman Street areas and at least two of the Kumara-North Town Belt areas. Part of the wider significant archaeological landscape around Kumara; all of the sites have high archaeological potential if any parts of them remain intact). The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, or agreed it reflected the "information in the technical reports".
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter expressed "trust that Conservation Park status will provide full protection from any future mining applications in these areas".
- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide "more than adequate legal protection".
- A submission in support of conservation park advocated for greater protection from "intrusive development" such as mining and hydro schemes, stating that "most of the Southern Alps deserves protection equivalent to that of National Park status".

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

Other (Not Allowed)

- A submission suggested that the implementation of the proposed classification "needs to be followed up with sufficient funding for pest eradication".

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

Oppose

Ecology and Landscape (Allowed)

- A submitter noted the area may have "the last remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened" and warrants a higher level of protection than that proposed, suggesting national park, wildlife management, scenic reserve, nature reserve or scientific reserve as more appropriate.
- A submission was also concerned with ensuring conservation park status provided "greater protection for indigenous species, enhanced water quality for native fish species and ensured landscape continuity".

I recommend that these comments are not accepted. My assessment is that the natural resources present (e.g. lowland forest) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

- Submissions noted the close proximity of the proposed conservation parks to one another and recommended combining the proposed parks to ensure "long-term protection and maintenance of biological diversity".

I recommend that these comments are not accepted. There are no specifications in the Conservation Act 1987 or Conservation General Policy regarding the size or proximity of distinct conservation parks..

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification, or expressed concern that the classification would not provide any greater protection than the current status.
- A submission proposed that the land be added to the Paynes Gully Scenic Reserve without providing further details.

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 submitter who expressed general concern about the low-level protection offered by conservation park, noted support for that classification for land "potentially containing crown minerals". The support was contingent on the land being registered as a specially protected area if significant conservation values were present.
- A submitter opposed the classification due to a lack of clarity on the activities allowed under the conservation park status and was concerned the status would not protect the conservation values identified.

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

Process and Consultation (Not Allowed)

- A submitter stated that if a national park classification is "politically unpalatable, then political judgement calls must be made by accountable politicians, not by the Panel".
- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.
- A submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values".
- A submitter sought clarification on the economic, well-being and development aspirations of Ngāi Tahu referred to in the recommendation report. The submitter felt unable to assess the suitability of the proposed classification without understanding the aspirations and their potential impact on natural values.

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 to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access", or wanted to see the area maintained to allow these activities to occur.

I recommend that these comments are not accepted. No 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)

- 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 which supports reconsideration of the notified classification.

Other (Not Allowed)

- A submitter advocated for new conservation parks to "come with additional Government funding for better biodiversity work and more pest control".

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

HOK_01 – Kumara - Town Belt North – 2809273

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Kumara - Town Belt North	HOK_01_2809273h	Conservation Park (Kohimara)	Neutral	11	14

DOC Conservation Values Report Description

A 29.9087-ha area made up of two sections of forest surrounded by private land near the town of Kumara. Taramakau River is a Deed of Recognition area and Statutory Acknowledgement area. There is also goldmining history, so the recorded archaeological sites have high historical values as the locations of both Māori and early post-European settlements. The Kumara community maintains a popular local track, Taylor's Hill, that passes through one of the sections.

Panel Recommendations

National Panel: Conservation park (Kohimara), to reflect the mosaic of values present and protect natural and historic resources while facilitating public recreation and enjoyment of the area.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of conservation park.

Summary of accepted submissions: Those submissions 'accepted' as holding merit supported the notified status as appropriate for the historic values present or noted the recreational values across the wider area.

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 "a historic Pā site, urupā and gardens were located in the vicinity of the north side of the Taramakau River mouth", "a historic Pā site, mahinga kai and occupations sites" were located on the south side, "the south of the Taramakau River mouth, the Conservation Area is surrounded by Māori Reserve land in recognition of the historic occupation within this area" and, this significant connection for Ngāi Tahu "must be recognised, considered and provided for". The Mana Whenua Panel further specified that the Taramakau River is a Deed of Recognition area and Statutory Acknowledgement area.

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

Rationale: My conclusion is that on balance the natural resources present (e.g. lowland forest) are appropriately protected under the proposed classification, when also considering the historic resources present (e.g. part of the wider significant archaeological landscape around Kumara; all of the sites have high archaeological potential if any parts of them remain intact), and the significance of the area to Ngāi Tahu. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Conservation Park (Kohimara) - HOK_01_2809273h

Support

Access and Recreation (Allowed)

- Submissions supported the classification, outlining the proximity to Hokitika and recreational use that occurs across the wider area, including walking, biking, hunting and a section of the West Coast Wilderness Trail.

I recommend that these comments are accepted. I agree that the proposed classification will appropriately provide for recreational use, however I note not all the activities referred to occur within this stewardship area.

Historic and Cultural Values (Allowed)

- Submissions supported the classification as appropriate to protect the "abundant evidence of long Māori and later European occupation".

I recommend that these comments are accepted. I agree that the proposed classification of conservation park appropriately protects the historic values present as described by the CVR (e.g. on the land behind Kumara towards Taramakau River, large areas of tailings are visible on historic photographs on the Kumara-Cashman Street areas and at least two of the Kumara-North Town Belt areas. Part of the wider significant archaeological landscape around Kumara; all of the sites have high archaeological potential if any parts of them remain intact). The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, or agreed it reflected the "information in the technical reports".
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter expressed "trust that Conservation Park status will provide full protection from any future mining applications in these areas".
- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide "more than adequate legal protection".
- A submission in support of conservation park advocated for greater protection from "intrusive development" such as mining and hydro schemes, stating that "most of the Southern Alps deserves protection equivalent to that of National Park status".

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

Other (Not Allowed)

- A submission suggested that the implementation of the proposed classification "needs to be followed up with sufficient funding for pest eradication".

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

Oppose

Ecology and Landscape (Allowed)

- Submissions noted the area may have "the last remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened" and warrants a higher level of protection than that proposed, suggesting national park, wildlife management, scenic reserve, nature reserve or scientific reserve as more appropriate.
- A submission advocated for scenic reserve status, highlighting the naturally uncommon dune and wetland ecosystems present.
- A submission was also concerned with ensuring conservation park status provided "greater protection for indigenous species, enhanced water quality for native fish species and ensured landscape continuity".

I recommend that these comments are not accepted. My assessment is that the natural resources present (e.g. lowland forest) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

- Submissions noted the close proximity of the proposed conservation parks to one another and recommended combining the proposed parks to ensure "long-term protection and maintenance of biological diversity".

I recommend that these comments are not accepted. There are no specifications in the Conservation Act 1987 or Conservation General Policy regarding the size or proximity of distinct conservation parks.

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification, or expressed concern that the classification would not provide any greater protection than the current status.
- A submission proposed that the land be added to the Paynes Gully Scenic Reserve without providing further details.

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 submitter who expressed general concern about the low-level protection offered by conservation park, noted support for that classification for land "potentially containing crown minerals". The support was contingent on the land being registered as a specially protected area if significant conservation values were present.
- A submitter opposed the classification due to a lack of clarity on the activities allowed under the conservation park status and was concerned the status would not protect the conservation values identified.

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

Process and Consultation (Not Allowed)

- A submitter stated that if a national park classification is "politically unpalatable, then political judgement calls must be made by accountable politicians, not by the Panel".
- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.
- A submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values".
- A submitter sought clarification on the economic, well-being and development aspirations of Ngāi Tahu referred to in the recommendation report. The submitter felt unable to assess the suitability of the proposed classification without understanding the aspirations and their potential impact on natural values.

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 to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access", or wanted to see the area maintained to allow these activities to occur.

I recommend that these comments are not accepted. No 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)

- 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 which supports reconsideration of the notified classification.

Other (Not Allowed)

- A submitter advocated for new conservation parks to "come with additional Government funding for better biodiversity work and more pest control".

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

HOK_01 – Kumara – 2809274

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Kumara	HOK_01_2809274i	Conservation park (Kohimara)	Neutral	12	12

DOC Conservation Values Report Description

A 0.6527-ha area of forest with a road running through it, it is surrounded by private land near the town of Kumara. Taramakau River is a Deed of Recognition area and Statutory Acknowledgement area. There is also goldmining history, so the recorded archaeological sites have high historical values as the locations of both Māori and early post-European settlements

Panel Recommendations

National Panel: Conservation park (Kohimara), to reflect the mosaic of values present and protect natural and historic resources while facilitating public recreation and enjoyment of the area.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of conservation park.

Summary of accepted submissions: Those submissions 'accepted' as holding merit supported the notified status as appropriate for the historic values present or noted the recreational values across the wider area.

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 "a historic Pā site, urupā and gardens were located in the vicinity of the north side of the Taramakau River mouth", "a historic Pā site, mahinga kai and occupations sites" were located on the south side, "the south of the Taramakau River mouth, the Conservation Area is surrounded by Māori Reserve land in recognition of the historic occupation within this area" and, this significant connection for Ngāi Tahu "must be recognised, considered and provided for". The Mana Whenua Panel further specified that the Taramakau River is a Deed of Recognition area and Statutory Acknowledgement area.

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

Rationale: My conclusion is that on balance the natural resources present (e.g. lowland forest) are appropriately protected under the proposed classification, when also considering the historic resources present (e.g. part of the wider significant archaeological landscape around Kumara) and the significance of the area to Ngāi Tahu. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Conservation Park (Kohimara) - HOK_01_2809274i

Support

Access and Recreation (Allowed)

- Submissions supported the classification, outlining the proximity to Hokitika and recreational use that occurs across the wider area, including walking, biking, hunting and a section of the West Coast Wilderness Trail.

I recommend that these comments are accepted. I agree that the proposed classification will appropriately provide for recreational use, however I note not all the activities referred to occur within this stewardship area.

Historic and Cultural Values (Allowed)

- Submissions supported the classification as appropriate to protect the "abundant evidence of long Māori and later European occupation".

I recommend that these comments are accepted. I agree that the proposed classification of conservation park appropriately protects the historic values present as described by the CVR (e.g. part of the wider significant archaeological landscape around Kumara, old survey plans from the 1870s such as SO 8880 and SO 8879 also show dams and water races in this area). The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, or agreed it reflected the "information in the technical reports".
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter expressed "trust that Conservation Park status will provide full protection from any future mining applications in these areas".
- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide "more than adequate legal protection".
- A submission in support of conservation park advocated for greater protection from "intrusive development" such as mining and hydro schemes, stating that "most of the Southern Alps deserves protection equivalent to that of National Park status".

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

Other (Not Allowed)

- A submission suggested that the implementation of the proposed classification "needs to be followed up with sufficient funding for pest eradication".

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

Oppose

Ecology and Landscape (Allowed)

- Submissions noted the area may have "the last remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened" and warrants a higher level of protection than that proposed, suggesting national park, wildlife management, scenic reserve, nature reserve or scientific reserve as more appropriate.
- A submission was also concerned with ensuring conservation park status provided "greater protection for indigenous species, enhanced water quality for native fish species and ensured landscape continuity".

I recommend that these comments are not accepted. My assessment is that the natural resources present (e.g. lowland forest) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

- Submissions noted the close proximity of the proposed conservation parks to one another and recommended combining the proposed parks to ensure "long-term protection and maintenance of biological diversity".

I recommend that these comments are not accepted. There are no specifications in the Conservation Act 1987 or Conservation General Policy regarding the size or proximity of distinct conservation parks.

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification, or expressed concern that the classification would not provide any greater protection than the current 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)

- A submitter who expressed general concern about the low-level protection offered by conservation park, noted support for that classification for land "potentially containing crown minerals". The support was contingent on the land being registered as a specially protected area if significant conservation values were present.
- A submitter opposed the classification due to a lack of clarity on the activities allowed under the conservation park status and was concerned the status would not protect the high conservation values identified.

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

Process and Consultation (Not Allowed)

- A submitter stated that if a national park classification is "politically unpalatable, then political judgement calls must be made by accountable politicians, not by the Panel".
- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.
- A submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values".
- A submitter sought clarification on the economic, well-being and development aspirations of Ngāi Tahu referred to in the recommendation report. The submitter felt unable to assess the suitability of the proposed classification without understanding the aspirations and their potential impact on natural values.

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 to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access", or wanted to see the area maintained to allow these activities to occur.

I recommend that these comments are not accepted. No 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)

- 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 which supports reconsideration of the notified classification.

Other (Not Allowed)

- A submitter advocated for new conservation parks to "come with additional Government funding for better biodiversity work and more pest control".

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

HOK_01 – Greymouth - Kumara Tramway – 2809332

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Greymouth - Kumara Tramway	HOK_01_2809332j	Conservation park (Kohimara)	Neutral	12	12

DOC Conservation Values Report Description

A 3.3675-ha area of primarily forest at the back of the town of Kumara surrounded by private land. Taramakau River is a Deed of Recognition area and Statutory Acknowledgement area. There is also goldmining history, so the recorded archaeological sites have high historical values as the locations of both Māori and early post-European settlements

Panel Recommendations

National Panel: Conservation park (Kohimara), to reflect the mosaic of values present and protect natural and historic resources while facilitating public recreation and enjoyment of the area.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of conservation park.

Summary of accepted submissions: Those submissions 'accepted' as holding merit supported the notified status as appropriate for the historic values present or noted the recreational values across the wider area.

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 "a historic Pā site, urupā and gardens were located in the vicinity of the north side of the Taramakau River mouth", "a historic Pā site, mahinga kai and occupations sites" were located on the south side, "the south of the Taramakau River mouth, the Conservation Area is surrounded by Māori Reserve land in recognition of the historic occupation within this area" and, this significant connection for Ngāi Tahu "must be recognised, considered and provided for". The Mana Whenua Panel further specified that the Taramakau River is a Deed of Recognition area and Statutory Acknowledgement area.

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

Rationale: My conclusion is that on balance the natural resources present (e.g. lowland forest) are appropriately protected under the proposed classification, when also considering the historic resources present (e.g. part of the wider significant archaeological landscape around Kumara) and the significance of the area to Ngāi Tahu. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Conservation Park (Kohimara) - HOK_01_2809332j

Support

Access and Recreation (Allowed)

- Submissions supported the classification, outlining the proximity to Hokitika and recreational use that occurs across the wider area, including walking, biking, hunting and a section of the West Coast Wilderness Trail.

I recommend that these comments are accepted. I agree that the proposed classification will appropriately provide for recreational use, however, I note that not all the activities referred to occur within this stewardship area.

Historic and Cultural Values (Allowed)

- Submissions supported the classification as appropriate to protect the "abundant evidence of long Māori and later European occupation".

I recommend that these comments are accepted. I agree that the proposed classification of conservation park appropriately protects the historic values present as described by the CVR (e.g. part of the wider significant archaeological landscape around Kumara, old survey plans from the 1870s such as SO 8880 and SO 8879 also show dams and water races in this area). The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, or agreed it reflected the "information in the technical reports".
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter expressed "trust that Conservation Park status will provide full protection from any future mining applications in these areas".
- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide "more than adequate legal protection".
- A submission in support of conservation park advocated for greater protection from "intrusive development" such as mining and hydro schemes, stating that "most of the Southern Alps deserves protection equivalent to that of National Park status".

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

Other (Not Allowed)

- A submission suggested that the implementation of the proposed classification "needs to be followed up with sufficient funding for pest eradication".

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

Oppose

Ecology and Landscape (Allowed)

- Submissions noted the area may have "the last remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened" and warrants a higher level of protection than that proposed, suggesting national park, wildlife management, scenic reserve, nature reserve or scientific reserve as more appropriate.
- A submission was also concerned with ensuring conservation park status provided "greater protection for indigenous species, enhanced water quality for native fish species and ensured landscape continuity".

I recommend that these comments are not accepted. My assessment is that the natural resources present (e.g. lowland forest) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

- Submissions noted the close proximity of the proposed conservation parks to one another and recommended combining the proposed parks to ensure "long-term protection and maintenance of biological diversity".

I recommend that these comments are not accepted. There are no specifications in the Conservation Act 1987 or Conservation General Policy regarding the size or proximity of distinct conservation parks.

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification, or expressed concern that the classification would not provide any greater protection than the current 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)

- A submitter who expressed general concern about the low-level protection offered by conservation park, noted support for that classification for land "potentially containing crown minerals". The support was contingent on the land being registered as a specially protected area if significant conservation values were present.
- A submitter opposed the classification due to a lack of clarity on the activities allowed under the conservation park status and was concerned the status would not protect the high conservation values identified.

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

Process and Consultation (Not Allowed)

- A submitter stated that if a national park classification is "politically unpalatable, then political judgement calls must be made by accountable politicians, not by the Panel".
- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.
- A submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values".
- A submitter sought clarification on the economic, well-being and development aspirations of Ngāi Tahu referred to in the recommendation report. The submitter felt unable to assess the suitability of the proposed classification without understanding the aspirations and their potential impact on natural values.

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 to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access", or wanted to see the area maintained to allow these activities to occur.

I recommend that these comments are not accepted. No 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)

- 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 which supports reconsideration of the notified classification.

Other (Not Allowed)

- A submitter advocated for new conservation parks to "come with additional Government funding for better biodiversity work and more pest control".

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

HOK_01 – Kumara - Cashman Street – 2809333

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Kumara - Cashman Street	HOK_01_2809333k	Conservation Park (Kohimara)	Neutral	11	12

DOC Conservation Values Report Description

A 0.1012-ha area of primarily forest at the back of the town of Kumara, surrounded by private land. There is goldmining history, so the recorded archaeological sites have high historical values as the locations of both Māori and early post-European settlements. Taramakau River is a Deed of Recognition area and Statutory Acknowledgement area.

Panel Recommendations

National Panel: Conservation park (Kohimara), to reflect the mosaic of values present and protect natural and historic resources while facilitating public recreation and enjoyment of the area.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of conservation park.

Summary of accepted submissions: Those submissions 'accepted' as holding merit supported the notified status as appropriate for the historic values present or noted the recreational values across the wider area.

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 "a historic Pā site, urupā and gardens were located in the vicinity of the north side of the Taramakau River mouth", "a historic Pā site, mahinga kai and occupations sites" were located on the south side, "the south of the Taramakau River mouth, the Conservation Area is surrounded by Māori Reserve land in recognition of the historic occupation within this area" and, this significant connection for Ngāi Tahu "must be recognised, considered and provided for". The Mana Whenua Panel further specified that the Taramakau River is a Deed of Recognition area and Statutory Acknowledgement area.

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

Rationale: My conclusion is that on balance the natural resources present (e.g. lowland forest) are appropriately protected under the proposed classification, when also considering the historic resources present (e.g. part of the wider significant archaeological landscape around Kumara; all of the sites have high archaeological potential if any parts of them remain intact), and the significance of the area to Ngāi Tahu. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Conservation Park (Kohimara) - HOK_01_2809333k

Support

Access and Recreation

- Submissions supported the classification, outlining the proximity to Hokitika and recreational use that occurs across the wider area, including walking, biking, hunting and a section of the West Coast Wilderness Trail.

I recommend that these comments are accepted. I agree that the proposed classification will appropriately provide for recreational use, however, I note that not all the activities referred to occur within this stewardship area.

Historic and Cultural Values (Allowed)

- Submissions supported the classification as appropriate to protect the "abundant evidence of long Māori and later European occupation".

I recommend that these comments are accepted. I agree that the proposed classification of conservation park appropriately protects the historic values present as described by the CVR (e.g. on the land behind Kumara towards Taramakau River, large areas of tailings are visible on historic photographs on the Kumara-Cashman Street areas and at least two of the Kumara-North Town Belt areas. Part of the wider significant archaeological landscape around Kumara; all of the sites have high archaeological potential if any parts of them remain intact). The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, or agreed it reflected the "information in the technical reports".
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter expressed "trust that Conservation Park status will provide full protection from any future mining applications in these areas".
- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide "more than adequate legal protection".
- A submission in support of conservation park advocated for greater protection from "intrusive development" such as mining and hydro schemes, stating that "most of the Southern Alps deserves protection equivalent to that of National Park status".

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

Other (Not Allowed)

- A submission suggested that the implementation of the proposed classification "needs to be followed up with sufficient funding for pest eradication".

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

Oppose

Ecology and Landscape (Allowed)

- Submissions noted the area may have "the last remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened" and warrants a higher level of protection than that proposed, suggesting national park, wildlife management, scenic reserve, nature reserve or scientific reserve as more appropriate.
- A submission was also concerned with ensuring conservation park status provided "greater protection for indigenous species, enhanced water quality for native fish species and ensured landscape continuity".

I recommend that these comments are not accepted. My assessment is that the natural resources present (e.g. lowland forest) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

- Submissions noted the close proximity of the proposed conservation parks to one another and recommended combining the proposed parks to ensure "long-term protection and maintenance of biological diversity".

I recommend that these comments are not accepted. There are no specifications in the Conservation Act 1987 or Conservation General Policy regarding the size or proximity of distinct conservation parks.

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification, or expressed concern that the classification would not provide any greater protection than the current 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)

- A submitter who expressed general concern about the low-level protection offered by conservation park, noted support for that classification for land "potentially containing crown minerals". The support was contingent on the land being registered as a specially protected area if significant conservation values were present.
- A submitter opposed the classification due to a lack of clarity on the activities allowed under the conservation park status and was concerned the status would not protect the high conservation values identified.

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 submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values".
- A submitter stated that if a national park classification is "politically unpalatable, then political judgement calls must be made by accountable politicians, not by the Panel".
- A submitter sought clarification on the economic, well-being and development aspirations of Ngāi Tahu referred to in the recommendation report. The submitter felt unable to assess the suitability of the proposed classification without understanding the aspirations and their potential impact on natural values.

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 to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access", or wanted to see the area maintained to allow these activities to occur.

I recommend that these comments are not accepted. No 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)

- 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 which supports reconsideration of the notified classification.

Other (Not Allowed)

- A submitter advocated for new conservation parks to "come with additional Government funding for better biodiversity work and more pest control".

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

HOK_02 – Kumara Junction – 2809264

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Kumara Junction	HOK_02_2809264l	Scenic Reserve (a)	Neutral	10	4

DOC Conservation Values Report Description

A 0.6273-ha area of regenerating bush on outwash terrace next to the railway line, with no fresh water or easy access. Settlements were planned for the area but did not eventuate, and there are no associated sites.

Panel Recommendations

National Panel: Scenic reserve (a) will provide continuity of landscape across the area. This area provides buffering to the adjacent Taramakau Scenic Reserve, with which it shares similar natural 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 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. regenerating bush on outwash terrace).

Scenic Reserve (a) - HOK_02_2809264l

Support

Climate Change and Natural Hazards (Allowed)

- A submitter supported the proposed classification as it offers a high level of protection "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)

- A submitter supported the recommendation as being consistent with the purpose of a scenic reserve and noted it will "provide a valuable buffer to the adjacent reserve".

I recommend that these comments are accepted. I agree that the natural resources identified are appropriately protected and preserved by the proposed 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)).

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, agreeing they reflected the "information in the technical reports", or expressed support for the recommendations of the Mana Whenua Panel.
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Oppose

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions 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 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 the limitations of the consultation.

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

Other (Not Allowed)

- A submission opposed all reclassification of stewardship land to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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)

- 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 which supports reconsideration of the notified classification.

HOK_03 – Taramakau River /Ōtira River – 2806316

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Taramakau River/Ōtira River	HOK_03_2806316m	Tarahanga e Toru Historic Reserve	Tarahanga e Toru Historic Reserve	23	45

DOC Conservation Values Report Description

A 3780.0772-ha area that extends down the bed of Ōtira River from Otira and the bed of Taramakau River from Locke Stream to Kumara. It is approximately 60 km of Taramakau River from its headwaters in Arthur's Pass National Park to Kumara. It includes braided riverbed, islands and alluvial flats, and was used by both Māori and Pākehā as a key transport route. Taramakau River is a Deed of Recognition area and Statutory Acknowledgement area. DOC-managed tramping routes pass through the upper area. Fourteen concessions are in place, mainly non-intensive grazing licences, but also a large number of gravel extraction permits.

Panel Recommendations

National Panel: Historic reserve (Tarahanga e Toru), to protect and illustrate the significance of the identified historic and archaeological features and reflect the value of the area to Ngāi Tahu, while preserving the indigenous flora and fauna present and providing for the existing recreational use of the area.

Mana Whenua Panel: Historic reserve (Tarahanga e Toru) appropriately acknowledges the mana of Ngāi Tahu and the immense cultural significance of the area to Poutini Ngāi Tahu.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of historic reserve (Tarahanga e Toru).

Summary of accepted submissions: The submissions 'accepted' as holding merit supported the proposed classification of historic reserve for this stewardship area as appropriately reflecting the perspectives and cultural significance of the area to Ngāi Tahu, and reflecting the status of the Taramakau River as a Deed of Settlement area. Also 'accepted' were comments which were made in opposition to the larger area recommended as Tarahanga e Toru, but which stated support for historic reserve classification for specific areas, such as the Taramakau River or areas recognised under the Ngāi Tahu Claims Settlement Act 1998.

Section 4 and Treaty principles: The Mana Whenua Panel have supported the proposed historic reserve, supported by submissions from Treaty partner organisations, and have signalled Ngāi Tahu interests associated with this stewardship area, including ara tawhito linking the east and west coasts using Rakimaurikura, the alpine crossing at the head of the Taramakau River. This route was the easiest and favourite route used for trading pounamu and kai. Kaimatau (Mt Alexander) was a tohu whenua or notable landmark visible from all over the Taramakau and inland Grey Valley as a beacon for travellers.

The Taramakau River is a Deed of Recognition area and Statutory Acknowledgement area under the Ngāi Tahu Claims Settlement Act 1998.

The Mana Whenua Panel indicated that this central region of the West Coast is the heart of Poutini Ngāi Tahu legends, customs and traditions centred around pounamu; "Historical and contemporary associations with pounamu are integral to Ngāi Tahu identity" and "the immense historical, spiritual and cultural significance of this area cannot be understated". This stewardship area is part of a network of ara tawhito; "the mountains are criss-crossed by pounamu trails connecting the pā of Arahura, Taramakau and Māwhera with the great Ngāi Tahu trading centre of Kaiapoi Pā. Three passes in particular were lifelines for Ngāi Tahu as trading routes for pounamu and kai in times of war and peace" and "the varied and plentiful mahinga kai resources in this area supported pā and kāinga nohoanga (temporary settlements) throughout the region, and were critical to the success of the pounamu pathways".

Under Section 4 of the Act, reasonable steps must be taken to actively protect relevant Treaty partner values and interests. This obligation is not absolute and unqualified, however. Active protection requires you to properly understand the nature of the interests claimed and to reconcile that material with any wider or competing rights or interests, and to

make informed decisions that are reasonable in the circumstances. My assessment, considering those submissions accepted, is that the proposed classification provides appropriate protection for the scale and nature of the identified Ngāi Tahu interests, including the identified historic resources and places, objects and natural features, and such things thereon or therein contained that are of cultural interest (e.g. nohoanga, ara tawhito, mahinga kai and tohu whenua). I note that the Mana Whenua Panel have supported the notified classification, and I am not otherwise aware of any inconsistency between the proposed classification and the identified Ngāi Tahu interests.

Rationale: Historic reserves are held for the purpose of "protecting and preserving in perpetuity such places, objects, and natural features, and such things thereon or therein contained as are of historic, archaeological, cultural, educational, and other special interest" (Reserves Act 1977, s.18(1)). The notified proposal was underpinned by the cultural interest of the places, natural features, and historic resources, as described by the Mana Whenua Panel (e.g. "immense historical, spiritual and cultural significance") and can be described as an example of a substantive outcome for Ngāi Tahu consistent with Section 4 of the Act and Treaty principles.

I acknowledge submissions opposing the notified proposal as not adequately reflecting the natural resources present, which hold value for recreational users. However, I do not accept that these concerns warrant overturning the notified proposal, particularly given that in this instance the places themselves and the natural features present that are of historic, archaeological, cultural, educational, or other special interest, are protected under the primary reserve purpose. Further, the scenic, archaeological, geological, biological, and other scientific features, indigenous flora and fauna, and wildlife are all required to be protected "to the extent compatible with the principal or primary purpose of the reserve" (Section 18(2)(c)) of the Reserves Act 1977). The Reserves Act also provides that "the public shall have freedom of entry and access to the reserve" subject to restrictions which are not unique to the proposed classification, i.e. those "necessary for the protection and general well-being of the reserve and for the protection and control of the public using it" (Section 18(2(b)) Reserves Act 1977).

My conclusion is that on balance the natural resources are appropriately protected, and public recreational access adequately provided for, under the proposed classification when considering the historic resources present and the nature of the historical and cultural interests and significance of the area to Ngāi Tahu.

Tarahanga e Toru Historic Reserve - HOK_03_2806316m

Support

Ecology and Landscape (Allowed)

- A submitter expressed general support for the Tarahanga e Toru historic reserve, though characterising it as covering too large an area and advocating that a mixture of other classifications should also be used to recognise areas of high ecological value.

I recommend that these comments are accepted to the extent that I agree that the natural resources present are appropriately protected under the proposed classification when considering the historic resources present and the cultural significance of the area to Ngāi Tahu. Under a historic reserve classification, "where scenic, archaeological, geological, biological, or other scientific features, or indigenous flora or fauna, or wildlife are present on the reserve, those features or that flora or fauna or wildlife shall be managed and protected to the extent compatible with the principal or primary purpose of the reserve" (Reserves Act 1977, s. 18(2)(c)).

Historic and Cultural Values (Allowed)

- Submitters expressed support for the recommendation as reflecting the cultural significance of the wider area and the Taramakau River in particular. Support for the proposed name was also noted.
- Submitters noted "there are pounamu traditions, trails & passes (particularly Rakimaurikura, Te Tarahanga o Kaniere & Amuri Pass) there were trading routes for pounamu & kai in times of war & peace, connecting Te Poutini with the east coast".
- Submitters who otherwise expressed opposition to the larger Tarahanga e Toru Historic Reserve commonly stated their support for sections of the Taramakau River to be classified as a historic reserve (e.g. "where it applies to

sections of the Taramakau riverbed/river mouth that contain physical evidence of the history on site, consistent with the Reserves Act Guide, as well as the nohoanga site and the full Deed of Recognition area").

I recommend that these comments are accepted to the extent I agree that the area contains significant historic and cultural values for Ngāi Tahu (e.g. a significant part of the pounamu trails; a significant mahinga kai site and kāinga nohoanga were established along the length of the river; Taramakau River is a Deed of Recognition area and Statutory Acknowledgement area) which are appropriately protected under the proposed classification.

Treaty Considerations (Allowed)

- Submitters supported the recommendation for the full Deed of Recognition area along the Taramakau riverbed.
- Submissions stated they support the position of the Mana Whenua Panel on the basis that these recommendations reflect the rights and interests of mana whenua and recognise Ngāi Tahu's connection to their ancestral lands (e.g. "by adopting the recommendations of the Mana Whenua Panel the Minister will give effect to the principles of the Treaty of Waitangi").
- Submitters noted that the proposed historic reserves recognise "sites of significance to Ngāi Tahu and ensure Ngāi Tahu values, alongside conservation values, are at the forefront of the classification". They noted the values and interests present, e.g. "pounamu traditions, the trails and passes (particularly Rakimaurikura, Te Tarahanga o Kaniere and Amuri Pass) that were trading routes for pounamu and kai in times of war and peace, connecting Tai Poutini with the east coast". It was advocated that "the proposed reserves must acknowledge the mana and rangatiratanga of Ngāi Tahu, and provide for Ngāi Tahu wellbeing, kaitiakitanga and mahinga kai".

I recommend that these comments are accepted. I acknowledge that that the Tarahanga e Toru Historic Reserve area is of historical and cultural significance to Ngāi Tahu identity. My assessment is that the proposed classification appropriately reflects the significance of the historic resources, and the historical and cultural interests present within the area (e.g. nohoanga, ara tawhito, mahinga kai, pounamu and tohu whenua), and provides appropriate protection for the identified Ngāi Tahu interests.

General (Allowed)

- Submissions expressed support for the proposed classification or the recommendations of the Mana Whenua Panel, without providing further justification.
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level based on its "high cultural conservation value".
- A submitter stated support for the recommendations of the National Panel as reflecting the use of the land and adequately protecting against its degradation.

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.

Oppose

Access and Recreation (Allowed)

- Submitters objected to historic reserve for the whole Tarahanga e Toru area on the grounds that the recommended classification does not appropriately reflect the extremely high recreational values of the area, which submitters criticised as inadequately described in the technical reports (e.g. "I am disappointed at the lack of recreation research done to aid the process of reclassification", "The DOC-supplied identified recreational values for the proposed historic reserve are disappointingly weak. For this vast area of 180,000 ha the department should have been able to do much better").
- Submitters were concerned that public access by foot or helicopter could be limited, particularly as the possibility of vesting means that access could be restricted or charged for.
- Submitters emphasised that "guaranteed free public access should be a bottom line in any classification" (e.g. "public access, the hut, bridge and track systems, and other recreational facilities are not recognised or guaranteed under this category", "historical reserves do not guarantee freedom of access, and impose restrictions on camping", "historic reserves may be leased by an administrating body potentially privatising the area", "experience with

management of the Waitaiki Historic Reserve is that access is denied for spurious reasons", "fees may be charged for access and use").

- A substantial number of submitters who commented on the whole area recommended as Tarahanga e Toru offered personal recollections of their recreational experiences and highlighted the extensive opportunities for tramping, camping, mountaineering, hunting, kayaking, and packrafting (e.g. "a long established history of multi-day backcountry tramping, mountaineering and hunting trips", "a massive network of huts and tracks, many of which are community maintained", "with over 60 backcountry huts the proposed area is also highly valued by the tramping and hunting communities").
- Submitters were also concerned that recreation would be affected if the natural values of the area are not given adequate protection. It was noted that historic reserve classification would only protect recreation values to the extent compatible with the historic values identified, and that the classification may allow various commercial activities to take place which would detract from the recreation values (e.g. "The appeal of these huts for many visitors is the isolated location and untouched areas. The suggested classification to historic reserve would potentially lower the recreation value of these areas by allowing easier access to mining and the development of land").
- To ensure public access and protect recreation values, submitters advocated variously for ecological area, scenic reserve, conservation park or national park, or joint historic/recreation reserve.
- Submitters frequently advocated for national park classification for the whole area recommended as Tarahanga e Toru Historic Reserve, to protect the high recreation values (e.g. "a classification under the National Parks Act or alternatively, Part 4 of Conservation Act would provide more balanced and appropriate management of ecological, recreational and mana whenua values. It will better protect recreation, conservation and the highly valued ecological and whitewater values in this area, requiring public consultation for any concessions, works or changes to access arrangements or future reclassifications").
- Submitters otherwise suggested that access be explicitly guaranteed under the Reserves Act (e.g. "either the classification be under the Conservation Act, or mechanisms to ensure practical enduring access and conservation of other natural values are expressly provided for in any classification under the Reserves Act").

I recommend that these comments are <u>not accepted</u>. While I agree that the area recommended as Tarahanga e Toru holds high value for recreation use, and there are recreation values relevant to this stewardship area (e.g. DOC-managed tramping routes pass through the upper area), my assessment is that on balance public recreational access is adequately provided for, when considering the historic resources present and the cultural interest and significance of the area to Ngāi Tahu. The public "shall have freedom of entry and access to the reserve", subject to restrictions "necessary for the protection and general well-being of the reserve and for the protection and control of the public using it" (Section 18(2(b)) Reserves Act 1977). I acknowledge submitters concerns a historic reserve classification can limit access, however I do not accept that this concern warrants overturning the notified proposal. Such potential access restrictions are not unique to the proposed classification and exist elsewhere within the legislation, for example under the Reserves Act 1977 and s.4(2)(e) of the National Parks Act 1980.

Climate Change and Natural Hazards (Allowed)

- Submitters noted that the area recommended as Tarahanga e Toru contains "large enough areas necessary for carbon sinks to help New Zealand meet international agreements on climate change" (e.g. "a significant part of our potential carbon sinks, biodiversity bases, and natural fresh water sources"), advocating for a classification with a higher emphasis on environmental protection.

I recommend that these comments are <u>not accepted</u>. While I acknowledge submitters' comments the larger area recommended as Tarahanga e Toru contains unmodified areas, my assessment is that on balance the natural resources present are appropriately protected under the proposed classification when considering the historic resources present and the cultural significance of the area to Ngāi Tahu.

Ecology and Landscape (Allowed)

- A submitter (who noted they farm on part of the conservation area) commented that part of the area holds low conservation values and is suitable for disposal, describing it as "on riverbed predominantly gorse covered (we will

call it the Bowtie Parcel as the shape represents this) and it is adjacent our freehold and it is not linked to any other DOC Land".

I recommend that these comments are not accepted. Although that I agree that the parcel in question (an isolated parcel adjacent to SH 73, immediately west of Harrington Creek) may not hold natural resources of substantive value, it forms part of the Taramakau River braid plain, an area of historical and cultural significance to Ngāi Tahu (e.g. Taramakau River is a Deed of Recognition area and Statutory Acknowledgement area). My conclusion is that the natural resources present are appropriately protected under the proposed classification when considering the historic resources present and the cultural significance of the area to Ngāi Tahu.

- Submissions specific to this conservation area stated opposition based on concern that historic reserve does not adequately reflect or protect the natural values, particularly the freshwater values (e.g. "add headwaters of both rivers to Arthur's Pass National Park").
- A submitter noted the presence of "naturally uncommon ecosystems (including dunes and wetlands), at risk and/or threatened species, depleted ecosystems (in relatively good condition)".
- One submitter, "an individual geomorphologist that studies hillslope and river evolution" cited various long-term studies ("used the pristine rivers of the West Coast to demonstrate that Aotearoa New Zealand has among the fastest erosion rates in the world") and noted "these studies were only possible because [of] the unaltered states of these rivers". They recommended a classification which would provide a higher level of protection and ensure the rivers stay in an unaltered state.
- Submitters opposed historic reserve classification for the whole area recommended as Tarahanga e Toru on the grounds that it does not offer adequate protection for the natural resources present, or only protects ecological values to the extent compatible with the primary purpose of the reserve (e.g. "this classification appears to provide relatively weak protection to both conservation and public access", "historic reserve classification could allow for management and development that is inconsistent with the recreational and biodiversity values present", "the highly valuable qualities of these areas are their wild, scenic, rugged, unmodified nature and free access (…) These qualities are not protected at all by the recommendation of a historic reserve, in fact this level of protection doesn't come close to covering it").
- Submitters advocated variously for ecological area, scenic reserve, conservation park, national park, scientific reserve for parts, or a combination of these classifications, suggesting these would provide a higher level of protection for the natural values of the area.
- A national park classification was frequently proposed, with submitters noting that the area recommended for Tarahanga e Toru Historic Reserve shares many of the same natural values as the Arthur's Pass National Park. They highlighted that the area is largely remote and intact, with notable freshwater values and wildlife (e.g. "unmodified headwaters, uninterrupted mountains to sea, threatened ecosystems and species such as rare braided riverbed, indigenous fish un-dammed pathways, sand spit, bird breeding areas and public access", "covers more than 250,000ha of mountainous country with largely intact indigenous ecosystems and extensive habitats of at risk and threatened species. Much of this country has similar ecological value to that protected within Arthur's Pass National Park", "hardwood and broadleaf forests, rare wetlands, endemic species like the giant mole weta, giant land snails, kea, whio and petrel taiko and soils with scientific value", "the vast landscape remains almost as it was before humans arrived", "a stronghold for taonga species including kea and whio", "untouched kingdoms of scientific biodiversity", "contains roughly 60 kilometers of the Southern Alps. Within this area are numerous small glaciers and many significant peaks, the headwaters of some of the West Coast's major rivers", "There are over 300km of river in this area, all of it is pristine and the majority of it is remote", "For the fauna especially, the remote backcountry of the area provides a natural habitat suitable for recovering populations", "outstanding and Nationally Significant ecological, landscape and recreational values within this area that warrant the highest level of protection").
- Several submitters advocated for the entire Tarahanga e Toru grouping to form a new national park to reflect the "cultural, ecological, landscape and recreational values" (e.g. "a new Tarahanga e Toru/3 Passes National Park"). It was recommended that this "grouping be extended south to include the entire Waitaha catchment".
- Submitters often suggested that historic reserve is inappropriate for such an extensive area (e.g. "The area is very large and some parts of it may be better suited to scenic reserve, national park, ecological area or scientific reserve classification", "Along with many other sections of legislation that are inappropriate for such a large pristine bit of

land…", "The recommendation that vast landscapes, such as the proposed Tarahanga e Toru Historic Reserve area, may be acceptable only if it offers robust protection to the extraordinary ecological, geological, palaeontological, cultural, landscape, recreational and spiritual values of that area"). The Tarahanga e Toru grouping was identified as more than four times the size of Paparoa National Park and two and a half times the size of Aoraki-Mt Cook National Park.

- Submitters suggested that some parts of this area would meet the criteria for wilderness area (e.g. "majority of Tarahanga e Toru is further away from civilization and more remote than that of the Paparoa or Arthurs Park National Park", "Parts of the area even have values on par with the small number of wilderness areas on the West Coast").

I recommend that these comments are not accepted. Although I agree that the area is of ecological value, particularly from a freshwater perspective (e.g. described in the CVR as braided river with good natural character and high predicted water quality, and a significant area for freshwater fish species), my assessment is that on balance the natural resources present are appropriately protected under the proposed classification when considering the historic resources present and the cultural interest and significance of the area to Ngāi Tahu. Under a historic reserve classification, "where scenic, archaeological, geological, biological, or other scientific features, or indigenous flora or fauna, or wildlife are present on the reserve, those features or that flora or fauna or wildlife shall be managed and protected to the extent compatible with the principal or primary purpose of the reserve" (Reserves Act 1977, s. 18(2)(c)).

Historic and Cultural Values (Allowed)

- Some submitters who opposed historic reserve classification for the whole Tarahanga e Toru area expressed support for historic reserve for the pounamu trails themselves and the Taramakau River, or suggested that these should be acknowledged or protected separately (e.g. the Taramakau river mouth should be excluded and vested to mana whenua "due to its proven historical value", "we would be supportive of a classification of Historic Reserve for the sections of the Taramakau River covered by Schedule 56 of the Ngāi Tahu Claims Settlement Act (…) subject to the right of public access at no cost being guaranteed in the reclassification process and relevant management plans").
- Submitters were critical of the lack of clearly defined purpose for the reserve or clear identification of the "place, object, and natural feature or other thing that is to be preserved and protected", suggesting that it is unclear how other conservation values would be protected.
- Submitters noted that the identified historical resources are largely experiential or "cultural and non-physical in nature, making management of these values, over and above secondary objectives and values (e.g. recreation and ecological), highly subjective and open to interpretation".
- Some submitters suggested that their current opposition may be reviewed if the purpose is clarified. It was stated that this lack made it difficult for submitters to comment on the recommendation (e.g. "the proper identification of the primary purpose of the historic reserve is a prerequisite for proper consultation. This is because the primary purpose of the reserve takes priority over the protection of scenic, archaeological, geological, biological, or other scientific features, and indigenous flora or fauna on the reserve (…) We simply do not know what we are commenting on").
- Submitters opposed the recommendation on the grounds that the classification is not intended for large landscapes, but "for small-scale, discrete and recognised archaeological and historical sites and buildings" and the "preservation of structures and objects". They suggested that historic reserve is inappropriate for the proportionally small extent of tangible heritage within the large area (e.g. "The proposed 82,000 hectare Historic Reserve with no physical historical structures to conserve is contrary to DOC's own guidance that a site should not be classified as Historic Reserve unless there is obvious physical evidence of its history remaining on site", "The proposed Historic Reserve covers a vast area of great cultural, ecological and recreational importance within which historical structures and objects are almost entirely post colonisation (old benched tracks etc) and cover a vanishingly small percentage of the area", "the area proposed for historic reserve status appears far more extensive than required to provide for the protection of historic sites and cultural values", "While Amuri Pass and the Tass-Nancy Saddle may have been historic travelling routes for Māori, there is virtually no built historic heritage in this vast wild area").
- Submitters commonly advocated for classification as national park over the whole area to protect both historic and ecological values, while ensuring access. It was argued that the preservation of the land is critical in preserving the

stories and legends inherent in old trails and landscape features, and therefore protection of the outstanding ecological, scenic, and recreational values is critical in further enhancing protection of historical values present.

- Submitters noted that the National Parks Act 1980 requires that "sites and objects of archaeological and historical interest shall as far as possible be preserved". It was suggested a National Park management plan could effectively protect cultural and historic values, with submitters referencing the Paparoa National Park management plan as a successful example of this.

I recommend that these comments are not accepted. My assessment is that on balance the proposed classification appropriately reflects the historic resources present within the area (e.g. nohoanga, ara tawhito, mahinga kai, pounamu and tohu whenua) and the nature of the historical and cultural interests and significance of the area to Ngāi Tahu.

Treaty Considerations (Allowed)

- Submitters regarding the entire Tarahanga e Toru area acknowledged the significance of the area to Ngāi Tahu, but suggested that given the long list of wider conservation values present, the extent of the proposed reserve should be revisited, or that other classifications would be more suitable (e.g. "we acknowledge that there is an immense significance and rich history within this area of Pounamu trails, settlements and Pā, mahinga kai gathering, and its general importance to Poutini Ngāi Tahu. We feel that this only adds to the reasons for which it should be more strongly protected, and we believe that its ecological value should be prioritized above all else").
- Submitters suggested that the proposed classification does "not adequately encompass both nature protection and mana whenua aspirations".
- Submitters advocated for a national park classification "where proper recognition of Ngāi Tahu's presence past and present, can be achieved alongside appropriate protection for natural and recreational values".
- Submitters referenced various examples where Ngāi Tahu have a "major role" in management and planning of National Parks (e.g. "National parks do not preclude additional mechanisms for protecting cultural values, such as the topuni which recognises the tapu associated with Aoraki", "the Treaty principle of partnership can be upheld through shared governance and management practices as is the case for Paparoa National Park", "any outstanding cultural issues can be managed through some form of shared governance and management (...) Kaitiakitanga of this hugely valued and much used area should rest with the nation as a whole albeit with acknowledgment of, and provision for, the ability for Ngāi Tahu whānui to reconnect to their ancestral lands, provide for the mana and rangatiratanga of Ngāi Tahu and to exercise kaitiakitanga and mahinga kai. Such arrangements would be provided for through an enlightened National Park Management Plan").
- Ecological area was also suggested as an option which could simultaneously protect mana whenua interests "if historical values were established as principles in the gazetting of the classification and/or relevant management plans".

I recommend that these comments are not accepted . It is my conclusion that the proposed classification appropriately protects the natural and historic resources present within the area, and reflects the nature of the historical and cultural interests and significance of the area to Ngāi Tahu, providing appropriate protection for the identified Treaty partner interests.

General (Allowed)

- Submissions expressed general opposition to the proposed classification without providing further justification (e.g. "values more suited to Conservation Park", "request that the area be given national park status").
- Submitters raised concerns that "historic reserve status can be altered and allow for other purposes".
- Submitters expressed support for the name Tarahanga e Toru for the land grouping, though advocated for various other classifications (e.g. "We think the name Tarahanga e Toru would be fitting for a higher status classification").

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 in opposition noted that part of this area is grazed under a concession and is important to the viability of the farm. It was noted that there have been discussions regarding a land exchange with DOC as this area has low conservation value and the adjacent freehold landowners would like to purchase it.

- Submissions suggested revisiting the recommendation and considering this area for disposal.
- A submitter recommended that there should be a "grandfather clause that allows historic uses to continue".
- Submitters opposed the classification on the grounds that historic reserve may not prevent mining, hydro schemes or other development in the area, and that the public may not be able to have a say in any proposed activities (particularly if the reserve is vested).
- Submitters stated that both mining and potential hydro-electric development are inappropriate "from recreation and conservation perspectives" (e.g. "there are four significant gold sources and the potential for rare earth minerals identified in the proposed historic reserve. All are in areas that recreationalists would consider far too precious to mine", "Another area of concern (…) is potential for hydro-electric development in this area of pristine unmodified rivers important for recreation and biodiversity", "if there are already 3,284 damns on New Zealand rivers alone, then why are the leaders of today pushing for more unnecessary ruin to the land?"). National park or ecological area classification were suggested as preferable alternatives.
- A submitter who advocated for national park status commented, "For us to sustain our thriving eco-tourism and adventure-tourism sectors here in NZ and our skilled workers that represent us overseas, we need well-trained and well-practised professionals. This area is one of the best places in our country to gain and sustain these skills. As a backyard for students [of] the well recognised Tai Poutini Polytechnic, the next generation of such professionals, this area is our main training ground".
- Conversely, other submitters opposed the classification as being too restrictive for mining and associated economic opportunities. It was suggested that historic reserve classification would add "a great deal of cost in both time and money relative to any extra protection given", and that a conservation park classification or retaining the land in stewardship would provide "more than adequate legal protection", and allow for commercial uses such as mining to be considered on a case-by-case basis.
- A submitter noted various applications in progress and suggested retaining the relevant areas as stewardship, or reclassification as a conservation park.

As I have recommended these comments are not allowed, I recommend they are <u>not accepted</u>.

Process and Consultation (Not Allowed)

- Submitters queried the extent of land proposed for historic reserve classification, suggesting that the large-scale historic reserve recommendations by the Panels "suggests a failure to search out and find the correct reserve classification for each one" or "a lack of detailed investigation by the Panels".
- A submitter highlighted that as well as clarification of purpose, as details of management are unknown, a further public consultation process will be required.
- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land, limitations of the consultation, and potential conflicts of interest, particularly regarding the proposed Griffin Creek hydro scheme or potential mining.

As I have recommended these comments are not allowed, I recommend they are <u>not accepted</u>.

Other (Not Allowed)

- Submitters raised concern about potential vesting of the proposed reserve, suggesting that this may impact on public access (e.g. "if this were to take place there are no guarantees that public access is preserved, nor regarding the preservation of the landscape").
- A submitter suggested that "if the vesting of this area does occur, proper funding and investment into clear governance practices and management plans should be provided for to enable proper management of these highly significant areas".
- Submitters who opposed the classification suggested that they might come to support the proposed reserve if public access and participation in future management planning processes could be ensured, or if there is a mechanism to ensure DOC has ongoing input into decision-making (e.g. "I support mana whenua stewardship but want assurances about public voice in river conservation", "There is a high level of public interest in this very large area and the ongoing involvement of DOC provides greater certainty that this public interest can be reflected in management").

- A submitter advocated that due to the scale of the proposed reserve, it "should be included as a separate Place in the CMS so the public can have input into how it is managed".
- One submission opposed all reclassification of stewardship land to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and provision for public access.

I recommend that these comments are not accepted. No 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.

- Submitters emphasised that free and enduring access to rivers should be assured (including via helicopter). A submitter noted that the riverbed area has "primary values for recreational use and access while clearly being of high significance to mana whenua".

I recommend that these comments are not accepted. My assessment is that public recreational access is adequately provided for when considering the historic resources present and the cultural significance of the area to Ngāi Tahu. The public "shall have freedom of entry and access to the reserve", subject to restrictions "necessary for the protection and general well-being of the reserve and for the protection and control of the public using it" (Section 18(2(b)) Reserves Act 1977).

Ecology and Landscape (Allowed)

- Submitters expressed concern that historic reserve does not adequately recognise and protect ecological and biodiversity values (e.g. "provides no strong protection for native wildlife and plants or landscape".
- Submitters suggested the proposed Tarahanga e Toru Historic Reserve is an unusual use of the designation in terms of size and scale (e.g. "I am uncomfortable with the massive extension of the concept of a Historic Reserve covering such a vast landscape").

I recommend that these comments are not accepted. Although I agree that the area is of ecological value, particularly from a freshwater perspective (e.g. described in the CVR as braided river with good natural character and high predicted water quality, and a significant area for freshwater fish species), my assessment is that on balance the natural resources present are appropriately protected under the proposed classification when considering the historic resources present and the cultural interest and significance of the area to Ngāi Tahu. Under a historic reserve classification, "where scenic, archaeological, geological, biological, or other scientific features, or indigenous flora or fauna, or wildlife are present on the reserve, those features or that flora or fauna or wildlife shall be managed and protected to the extent compatible with the principal or primary purpose of the reserve" (Reserves Act 1977, s. 18(2)(c)).

- A submitter wanted to ensure that the "rivers are maintained in a free-flowing unmodified state, and in particular that the conservation classification does not allow for dams or flow diversions".

I recommend that these comments are not accepted. Authorisation of any 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.

Treaty Considerations (Allowed)

- Submitters acknowledged the high significance of the area to mana whenua.

I recommend that these comments are accepted. I acknowledge that that the Tarahanga e Toru Historic Reserve area is of historical and cultural significance to Ngāi Tahu identity. My assessment is that the proposed classification appropriately reflects the significance of the historic resources, and the historical and cultural interests present within the area (e.g.

nohoanga, ara tawhito, mahinga kai, pounamu and tohu whenua), and provides appropriate protection for the identified Ngāi Tahu interests.

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 which supports reconsideration of the notified classification.

Permissions, Economic Factors and Land Use (Not Allowed)

- One submitter commented that "there needs to be more research in to the past and present land uses in this area, with some of the highly modified areas to be considered for farming or production forestry".
- A submitter stated that the proposed classification does not provide strong protection for natural values as it "will allow for commercial activities and leases that national park or scenic reserve status would not allow".
- A submitter suggested that the justification for the recommendation implies the "mountains and rivers might provide economically", advocating for separation between decision makers and permission applicants.
- A submitter suggested that the DOC system should continue to be the only one used for concessions, and that helicopter landing permissions should continue to be available.

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

HOK_04 – Kapitea Creek – 2809265

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Kapitea Creek	HOK_04_2809265n	Conservation Park (Kapitia)	Neutral	15	13

DOC Conservation Values Report Description

An 873.5942-ha area of outwash terraces dominated by lowland regenerating forest, shrubland and areas of wetland. The area extends c. 6 km inland from SH 6 and the coast. The streams here are being monitored under the Bio18 Migratory Fish workstream, and predicted to be significant habitat for longfin eel and īnanga. There are a number of sites that have historical value through their association with mining of the Lamplough Lead, one of the richest leads on the West Coast. There is access, but little recreation.

Panel Recommendations

National Panel: Conservation park (Kapitia), to reflect the mosaic of values present and protect natural and historic resources while facilitating public recreation and enjoyment of the area.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of conservation park.

Summary of accepted submissions: Those submissions 'accepted' as holding merit supported the notified status as appropriate for the historic values present or noted the recreational values across the wider area.

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 the area contains pounamu resources and "Pounamu is vested in Te Runanga o Ngāi Tahu pursuant to the Ngāi Tahu (Pounamu Vesting) Act 1997 in recognition of its significance to Ngāi Tahu". The Mana Whenua Panel further noted that "reclassification of areas containing pounamu must expressly provide for the rights of Ngāi Tahu over this taonga, including access".

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

Rationale: My conclusion is that on balance the natural resources present (e.g. regenerating forest with areas of shrubland and pākihi wetland, predicted significant habitat for longfin eel and īnanga) are appropriately protected under the proposed classification, when also considering the historic resources present (e.g. recorded archaeological sites with historical value through their association with mining of the Lamplough Lead) and the significance of the area to Ngāi Tahu. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Conservation Park (Kapitia) - HOK_04_2809265n

Support

Access and Recreation (Allowed)

- A submission supported the classification, outlining the proximity to Hokitika and recreational use that occurs across the wider area, including walking, biking, hunting and a section of the West Coast Wilderness Trail.

I recommend that these comments are accepted to the extent they support the classification, however I note that "little recreational use" was identified in the CVR.

Ecology and Landscape (Allowed)

- A submitter in support noted their view that the conservation area does not need to "extend beyond the streams and wetland areas to maintain conservation values".

I recommend that these comments are accepted to the extent that I agree that the natural resources present (e.g. regenerating forest with areas of shrubland and pākihi wetland, predicted significant habitat for longfin eel and īnanga) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Historic and Cultural Values (Allowed)

- Submissions supported the classification as appropriate to protect the "abundant evidence of long Māori and later European occupation".

I recommend that these comments are accepted. I agree that the proposed classification of conservation park appropriately protects the historic values present as described by the CVR (e.g. recorded archaeological sites with historical value through their association with mining of the Lamplough Lead). The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, agreed it reflected the "information in the technical reports", or supported the recommendation of the Mana Whenua Panel.
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter expressed "trust that Conservation Park status will provide full protection from any future mining applications in these areas".
- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide "more than adequate legal protection".
- A submission in support of conservation park advocated for greater protection from "intrusive development" such as mining and hydro schemes, stating that "most of the Southern Alps deserves protection equivalent to that of National Park status".

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

Other (Not Allowed)

- A submission suggested that the implementation of the proposed classification "needs to be followed up with sufficient funding for pest eradication".

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

Oppose

Ecology and Landscape (Allowed)

- A submission was concerned with ensuring conservation park status provided "greater protection for indigenous species, enhanced water quality for native fish species and ensured landscape continuity".
- A submitter recommended scenic reserve as more appropriate for a river valley site, noting the regenerating native vegetation (e.g. "the coastal terrace cliff and the entrenched gully walls have remnants of tall podocarps among the well developed rata kamahi regeneration") and calling it a "valuable remnant in a landscape that has seen a lot of development".

- A submitter noted the area may have "the last remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened" and warrants a higher level of protection than that proposed, suggesting national park, wildlife management, scenic reserve, nature reserve or scientific reserve as more appropriate.

I recommend that these comments are not accepted. My assessment is that the natural resources present (e.g. regenerating forest, freshwater values) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

- Submissions noted the close proximity of the proposed conservation parks to one another and recommended combining the proposed parks to ensure "long-term protection and maintenance of biological diversity".

I recommend that these comments are not accepted. There are no specifications in the Conservation Act 1987 or Conservation General Policy regarding the size or proximity of distinct conservation parks

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification, or expressed concern that the classification would not provide any greater protection than the current status. A submitter recommended adding the area to the Kumara Scenic Reserve.

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 submitter opposed the classification due to a lack of clarity on the activities allowed under the conservation park status and was concerned the status would not protect the high conservation values identified.
- A submitter who expressed general concern about the low-level protection offered by conservation park, noted support for that classification for land "potentially containing crown minerals". The support was contingent on the land being registered as a specially protected area if significant conservation values were present.

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

Process and Consultation (Not Allowed)

- A submitter stated that if a national park classification is "politically unpalatable, then political judgement calls must be made by accountable politicians, not by the Panel".
- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.
- A submitter sought clarification on the economic, well-being and development aspirations of Ngāi Tahu referred to in the recommendation report. The submitter felt unable to assess the suitability of the proposed classification without understanding these and their potential impact on natural values.

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 to specially protected areas unless it was purchased by the Nature Heritage Fund for the purpose of adding it to a national park.
- A submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values.

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

No Opinion/Position Stated

Access and Recreation (Allowed)

- Submissions queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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)

- 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 which supports reconsideration of the notified classification.

Other (Not Allowed)

- A submitter advocated for new conservation parks to "come with additional Government funding for better biodiversity work and more pest control".

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

HOK_04 – Chesterfield – 2809278

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Chesterfield	HOK_04_2809278o	Conservation Park (Kapitia)	Neutral	16	12

DOC Conservation Values Report Description

A 181.6465-ha area of outwash terraces dominated by lowland regenerating forest, shrubland and areas of wetland. The streams here are being monitored under the Bio18 Migratory Fish workstream, and predicted to be significant habitat for longfin eel and īnanga. There are a number of sites that have historical value through their association with mining of the Lamplough Lead, one of the richest leads on the West Coast. There is access, but little recreation.

Panel Recommendations

National Panel: Conservation park (Kapitia), to reflect the mosaic of values present and protect natural and historic resources while facilitating public recreation and enjoyment of the area.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of conservation park.

Summary of accepted submissions: Those submissions 'accepted' as holding merit supported the notified status as appropriate for the historic values present or noted the recreational values across the wider area.

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 the area contains pounamu resources and "Pounamu is vested in Te Runanga o Ngāi Tahu pursuant to the Ngāi Tahu (Pounamu Vesting) Act 1997 in recognition of its significance to Ngāi Tahu". The Mana Whenua Panel further noted that "reclassification of areas containing pounamu must expressly provide for the rights of Ngāi Tahu over this taonga, including access".

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

Rationale: My conclusion is that on balance the natural resources present (e.g. regenerating forest with areas of shrubland and pākihi wetland, predicted significant habitat for longfin eel and īnanga) are appropriately protected under the proposed classification, when also considering the historic resources present (e.g. recorded archaeological sites with historical value through their association with mining of the Lamplough Lead) and the significance of the area to Ngāi Tahu. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Conservation Park (Kapitia) - HOK_04_2809278o

Support

Access and Recreation (Allowed)

- A submission supported the classification, outlining the proximity to Hokitika and recreational use that occurs across the wider area, including walking, biking, hunting and a section of the West Coast Wilderness Trail.

I recommend that these comments are accepted to the extent they support the classification, however I note that "little recreational use" was identified in the CVR.

Ecology and Landscape (Allowed)

- A submitter noted their view that the conservation area does not need to "extend beyond the streams and wetland areas to maintain conservation values".

I recommend that these comments are accepted to the extent that I agree that the natural resources present (e.g. regenerating forest with areas of shrubland and pākihi wetland, predicted significant habitat for longfin eel and īnanga) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Historic and Cultural Values (Allowed)

- Submissions supported the classification as appropriate to protect the "abundant evidence of long Māori and later European occupation".

I recommend that these comments are accepted. I agree that the proposed classification of conservation park appropriately protects the historic values present as described by the CVR (e.g. recorded archaeological sites with historical value through their association with mining of the Lamplough Lead). The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, agreed it reflected the "information in the technical reports", or supported the recommendation of the Mana Whenua Panel.
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter expressed "trust that Conservation Park status will provide full protection from any future mining applications in these areas".
- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide "more than adequate legal protection".
- A submission in support of conservation park advocated for greater protection from "intrusive development" such as mining and hydro schemes, stating that "most of the Southern Alps deserves protection equivalent to that of National Park status".

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

Other (Not Allowed)

- A submission suggested that the implementation of the proposed classification "needs to be followed up with sufficient funding for pest eradication".

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

Oppose

Ecology and Landscape (Allowed)

- A submission was concerned with ensuring conservation park status provided "greater protection for indigenous species, enhanced water quality for native fish species and ensured landscape continuity".
- A submitter noted the area may have "the last remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened" and warrants a higher level of protection than that proposed, suggesting national park, wildlife management, scenic reserve, nature reserve or scientific reserve as more appropriate.
- One submitter recommended an alternative classification of ecological area for the "10 km of Kapitea Creek with predicted significant habitat for long finned eel and inanga".

I recommend that these comments are not accepted. My assessment is that the natural resources present (e.g. regenerating forest, freshwater values) are appropriately protected under the proposed classification. The primary purpose of

conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

- Submissions noted the close proximity of the proposed conservation parks to one another and recommended combining the proposed parks to ensure "long-term protection and maintenance of biological diversity".

I recommend that these comments are not accepted. There are no specifications in the Conservation Act 1987 or Conservation General Policy regarding the size or proximity of distinct conservation parks

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification, or expressed concern that the classification would not provide any greater protection than the current 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)

- A submitter opposed the classification due to a lack of clarity on the activities allowed under the conservation park status and was concerned the status would not protect the high conservation values identified.
- A submitter who expressed general concern about the low-level protection offered by conservation park, noted support for that classification for land "potentially containing crown minerals". The support was contingent on the land being registered as a specially protected area if significant conservation values were present.

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 submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values".
- A submitter stated that if a national park classification is "politically unpalatable, then political judgement calls must be made by accountable politicians, not by the Panel".
- A submitter sought clarification on the economic, well-being and development aspirations of Ngāi Tahu referred to in the recommendation report. The submitter felt unable to assess the suitability of the proposed classification without understanding the aspirations and their potential impact on natural values.

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 to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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.

Ecology and Landscape (Allowed)

- A submitter strongly recommended retention of the "unique remnant of the pākahe wetlands".

I recommend that these comments are accepted to the extent that I agree that the natural resources present (e.g. regenerating forest with areas of shrubland and pākihi wetland) warrant protection and are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

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 which supports reconsideration of the notified classification.

Other (Not Allowed)

- A submitter advocated for new conservation parks to "come with additional Government funding for better biodiversity work and more pest control".

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

HOK_04 – Kapitea Creek – 2809292

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Kapitea Creek	HOK_04_2809292p	Conservation Park (Kapitia)	Neutral	16	12

DOC Conservation Values Report Description

A 0.2555-ha area of lowland regenerating forest. This area is next to a track and near a portion of the Kapitia Creek.

Panel Recommendations

National Panel: Conservation park (Kapitia), to reflect the mosaic of values present and protect natural and historic resources while facilitating public recreation and enjoyment of the area.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of conservation park.

Summary of accepted submissions: Those submissions 'accepted' as holding merit supported the notified status as appropriate for the historic values present or noted the recreational values across the wider area.

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 the area contains pounamu resources and "Pounamu is vested in Te Runanga o Ngāi Tahu pursuant to the Ngāi Tahu (Pounamu Vesting) Act 1997 in recognition of its significance to Ngāi Tahu". The Mana Whenua Panel further noted that "reclassification of areas containing pounamu must expressly provide for the rights of Ngāi Tahu over this taonga, including access".

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

Rationale: My conclusion is that on balance the natural resources present (e.g. regenerating forest) are appropriately protected under the proposed classification when also considering the significance of the area to Ngāi Tahu. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Conservation Park (Kapitia) - HOK_04_2809292p

Support

Access and Recreation (Allowed)

- A submission supported the classification, outlining the proximity to Hokitika and recreational use that occurs across the wider area, including walking, biking, hunting and a section of the West Coast Wilderness Trail.

I recommend that these comments are accepted. I agree that the notified status will appropriately provide for recreational use. The proposed conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)). I note not all the activities referred to occur within this stewardship area.

Ecology and Landscape (Allowed)

- A submitter noted their view that the conservation area does not need to "extend beyond the streams and wetland areas to maintain conservation values".

I recommend that these comments are accepted to the extent that I agree that the natural resources present (e.g. regenerating forest) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Historic and Cultural Values (Allowed)

- Submissions supported the classification as appropriate to protect the "abundant evidence of long Māori and later European occupation".

I recommend that these comments are accepted. I agree that the proposed classification of conservation park appropriately protects the historic values present in the wider area as described by the CVR. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, agreed it reflected the "information in the technical reports", or supported the recommendation of the Mana Whenua Panel.
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter expressed "trust that Conservation Park status will provide full protection from any future mining applications in these areas".
- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide "more than adequate legal protection".
- A submission in support of conservation park advocated for greater protection from "intrusive development" such as mining and hydro schemes, stating that "most of the Southern Alps deserves protection equivalent to that of National Park status".

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

Other (Not Allowed)

- A submission suggested that the implementation of the proposed classification "needs to be followed up with sufficient funding for pest eradication".

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

Oppose

Ecology and Landscape (Allowed)

- A submission was concerned ensuring conservation park status provided "greater protection for indigenous species, enhanced water quality for native fish species and ensured landscape continuity".
- A submitter noted the area may have "the last remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened" and warrants a higher level of protection than that proposed, suggesting national park, wildlife management, scenic reserve, nature reserve or scientific reserve as more appropriate.

I recommend that these comments are not accepted. My assessment is that the natural resources present (e.g. regenerating forest) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

- Submissions noted the close proximity of the proposed conservation parks to one another and recommended combining the proposed parks to ensure "long-term protection and maintenance of biological diversity".

I recommend that these comments are not accepted. There are no specifications in the Conservation Act 1987 or Conservation General Policy regarding the size or proximity of distinct conservation parks.

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification, or expressed concern that the classification would not provide any greater protection than the current 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)

- A submitter who expressed general concern about the low-level protection offered by conservation park, noted support for that classification for land "potentially containing crown minerals". The support was contingent on the land being registered as a specially protected area if significant conservation values were present.
- A submitter opposed the classification due to a lack of clarity on the activities allowed under the conservation park status and was concerned the status would not protect the high conservation values identified.

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

Process and Consultation (Not Allowed)

- A submitter stated that if a national park classification is "politically unpalatable, then political judgement calls must be made by accountable politicians, not by the Panel".
- A submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values".
- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.
- A submitter sought clarification on the economic, well-being and development aspirations of Ngāi Tahu referred to in the recommendation report. The submitter felt unable to assess the suitability of the proposed classification without understanding the aspirations and their potential impact on natural values.

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 to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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)

- 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 which supports reconsideration of the notified classification.

Other (Not Allowed)

- A submitter advocated for new conservation parks to "come with additional Government funding for better biodiversity work and more pest control".

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

HOK_05 – Kumara Straight – 2809266

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Kumara Straight	HOK_05_2809266q	Conservation Park (Kohimara)	Neutral	15	13

DOC Conservation Values Report Description

A 216.3974-ha area that has previously been mined and is largely comprised of regenerating forest on outwash terraces and gentle hillslopes. Permissions are in place.

Panel Recommendations

National Panel: Conservation park (Kohimara), to reflect the mosaic of values present and protect natural and historic resources while facilitating public recreation and enjoyment of the area.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of conservation park.

Summary of accepted submissions: Those submissions 'accepted' as holding merit supported the notified status as appropriate for the historic values present or noted the recreational values across the wider area.

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 on balance the natural resources present (e.g. regenerating forest with areas of shrubland and pākihi wetland) are appropriately protected under the proposed classification, when also considering the historic resources present (e.g. heritage values relating to Māori occupation and historic gold mining, likely significantly more archaeological sites than are currently recorded). The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Conservation Park (Kohimara) - HOK_05_2809266q

Support

Access and Recreation (Allowed)

- A submission supported the classification, outlining the proximity to Hokitika and recreational use that occurs across the wider area, including walking, biking, hunting and a section of the West Coast Wilderness Trail.

I recommend that these comments are accepted. I agree that the notified status will appropriately provide for recreational use. The proposed conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)). I note not all the activities referred to occur within this stewardship area.

Historic and Cultural Values (Allowed)

- Submissions supported the classification as appropriate to protect the "abundant evidence of long Māori and later European occupation".

I recommend that these comments are accepted. I agree that the proposed classification of conservation park appropriately protects the historic values present as described by the CVR (e.g. heritage values relating to Māori occupation and historic gold mining, likely significantly more archaeological sites than are currently recorded). The primary purpose of

conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, agreed it reflected the "information in the technical reports", or supported the recommendation of the Mana Whenua Panel.
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter expressed "trust that Conservation Park status will provide full protection from any future mining applications in these areas".
- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide "more than adequate legal protection".
- A submission in support of conservation park advocated for greater protection from "intrusive development" such as mining and hydro schemes, stating that "most of the Southern Alps deserves protection equivalent to that of National Park status".

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

Other (Not Allowed)

- A submission suggested that the implementation of the proposed classification "needs to be followed up with sufficient funding for pest eradication".

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

Oppose

Ecology and Landscape (Allowed)

- A submission was also concerned with ensuring conservation park status provided "greater protection for indigenous species, enhanced water quality for native fish species and ensured landscape continuity".
- A submitter noted the area may have "the last remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened" and warrants a higher level of protection than that proposed, suggesting national park, wildlife management, scenic reserve, nature reserve or scientific reserve as more appropriate.

I recommend that these comments are not accepted. My assessment is that the natural resources present (e.g. regenerating forest) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

- Submissions noted the close proximity of the proposed conservation parks to one another and recommended combining the proposed parks to ensure "long-term protection and maintenance of biological diversity".

I recommend that these comments are not accepted. There are no specifications in the Conservation Act 1987 or Conservation General Policy regarding the size or proximity of distinct conservation parks.

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification, or expressed concern that the classification would not provide any greater protection than the current status.
- A submission recommended adding the area to the Kapitea Creek Scenic Reserve.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the scenic, 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 who expressed general concern about the low-level protection offered by conservation park, noted support for that classification for land "potentially containing crown minerals". The support was contingent on the land being registered as a specially protected area if significant conservation values were present.
- A submitter opposed the classification due to a lack of clarity on the activities allowed under the conservation park status and was concerned the status would not protect the high conservation values identified.
- A submitter opposed the classification due to concern that existing easement rights would be affected by any change, noting two existing easements for power and hydro-electricity.

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 submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values".
- A submitter stated that if a national park classification is "politically unpalatable, then political judgement calls must be made by accountable politicians, not by the Panel".
- A submitter sought clarification on the economic, well-being and development aspirations of Ngāi Tahu referred to in the recommendation report. The submitter felt unable to assess the suitability of the proposed classification without understanding the aspirations and their potential impact on natural values.

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 to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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)

- 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 which supports reconsideration of the notified classification.

Other (Not Allowed)

- A submitter advocated for new conservation parks to "come with additional Government funding for better biodiversity work and more pest control".

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

HOK_05 – Dillmanstown – 2809275

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Dillmanstown	HOK_05_2809275r	Conservation Park (Kohimara)	Neutral	18	14

DOC Conservation Values Report Description

A 582.9798-ha area that has previously been mined and is largely comprised of regenerating forest on outwash terraces and gentle hillslopes. The Dillmanstown workings and archaeological sites represent part of the last major rush on the West Coast and one of the largest. DOC manages the short walk to Londonderry Rock near Dillmanstown, and a trust manages a section of the Grade 2–3 West Coast Wilderness Trail (mountain biking) in the area. Permissions are in place.

Panel Recommendations

National Panel: Conservation park (Kohimara), to reflect the mosaic of values present and protect natural and historic resources while facilitating public recreation and enjoyment of the area. It is also noted that there is an existing land exchange proposal involving this area that is in the final stages of completion. This transaction will need to be finalised before the above recommendation is implemented.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of conservation park.

Summary of accepted submissions: Those submissions 'accepted' as holding merit supported the notified status as appropriate for the historic values present or noted the recreational values across the wider area.

Section 4 and Treaty principles: he 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 "Poutini Ngāi Tahu ancestors and their stories are literally embedded in this landscape", "immense historical, spiritual and cultural significance", "the mountains are criss-crossed by pounamu trails", "lifelines for Poutini Ngāi Tahu as trading routed for pounamu and kai", "mahinga kai resources in this area supported pā and kāinga nohoanga".

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

Rationale: My conclusion is that on balance the natural resources present (e.g. regenerating forest and outwash terraces) are appropriately protected under the proposed classification, when also considering the historic resources present (e.g. four recorded archaeological sites, heritage values relating to Māori occupation, likely more archaeological sites than are currently recorded, and gold workings around Dillmanstown associated with the last major rush on the West Coast) and the significance of the area to Ngāi Tahu. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Conservation Park (Kohimara) - HOK_05_2809275r

Support

Access and Recreation (Allowed)

- A submission supported the classification, outlining the proximity to Hokitika and recreational use that occurs, including walking, biking, hunting and a section of the West Coast Wilderness Trail.

The recreational values identified (i.e. walking and biking) are consistent with those described in the CVR and I agree they will be protected through the notified classification. The proposed conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Historic and Cultural Values (Allowed)

- Submissions supported the classification as appropriate to protect the "abundant evidence of long Māori and later European occupation".

I recommend that these comments are accepted. I agree that the proposed classification of conservation park appropriately protects the historic values present as described by the CVR (e.g. four recorded archaeological sites, heritage values relating to Māori occupation, gold workings associated with the last major rush on the West Coast). The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, agreed it reflected the "information in the technical reports", or supported the recommendation of the Mana Whenua Panel.
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter expressed "trust that Conservation Park status will provide full protection from any future mining applications in these areas".
- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide "more than adequate legal protection".
- A submission in support of conservation park advocated for greater protection from "intrusive development" such as mining and hydro schemes, stating that "most of the Southern Alps deserves protection equivalent to that of National Park status".

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

Other (Not Allowed)

- A submission suggested that the implementation of the proposed classification "needs to be followed up with sufficient funding for pest eradication".

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

Oppose

Ecology and Landscape (Allowed)

- A submission was also concerned with ensuring conservation park status provided "greater protection for indigenous species, enhanced water quality for native fish species and ensured landscape continuity".
- A submitter noted the area may have "the last remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened" and warrants a higher level of protection than that proposed, suggesting national park, wildlife management, scenic reserve, nature reserve or scientific reserve as more appropriate.

I recommend that these comments are not accepted. My assessment is that the natural resources present (e.g. regenerating forest) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

- Submissions noted the close proximity of the proposed conservation parks to one another and recommended combining the proposed parks to ensure "long-term protection and maintenance of biological diversity".

I recommend that these comments are not accepted. There are no specifications in the Conservation Act 1987 or Conservation General Policy regarding the size or proximity of distinct conservation parks.

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification, or expressed concern that the classification would not provide any greater protection than the current status.
- A submission recommended adding the area to the Dillmanstown Amenity Area.

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 submitter who expressed general concern about the low-level protection offered by conservation park, noted support for that classification for land "potentially containing crown minerals". The support was contingent on the land being registered as a specially protected area if significant conservation values were present.
- A submitter opposed the classification due to a lack of clarity on the activities allowed under the conservation park status and was concerned the status would not protect the high conservation values identified.
- A submitter opposed the classification due to concern that existing easement rights would be affected by any change, noting two existing easements for power and hydro-electricity.

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

Process and Consultation (Not Allowed)

- A submitter stated that if a national park classification is "politically unpalatable, then political judgement calls must be made by accountable politicians, not by the Panel".
- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.
- A submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values".
- A submitter sought clarification on the economic, well-being and development aspirations of Ngāi Tahu referred to in the recommendation report. The submitter felt unable to assess the suitability of the proposed classification without understanding the aspirations and their potential impact on natural values.

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 to specially protected areas unless it was purchased by the Nature Heritage Fund for the purpose of adding it to a national park.
- A submitter indicated their ownership of adjacent land and a willingness to consider a land swap with DOC.
- A submitter noted their opposition to disposal and concerns over intrusion from goldmining into the regenerating forest.

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

No Opinion/Position Stated

Access and Recreation (Allowed)

- Submissions queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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)

- 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 which supports reconsideration of the notified classification.

Other (Not Allowed)

- A submitter advocated for new conservation parks to "come with additional Government funding for better biodiversity work and more pest control".

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

HOK_05 – Kumara Straight – 2809334

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Kumara Straight	HOK_05_2809334s	Conservation Park (Kohimara)	Neutral	14	13

DOC Conservation Values Report Description

A 3.7982-ha area that has previously been mined and is largely comprised of regenerating forest on outwash terraces and gentle hillslopes.

Panel Recommendations

National Panel: Conservation park (Kohimara), to reflect the mosaic of values present and protect natural and historic resources while facilitating public recreation and enjoyment of the area.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of conservation park.

Summary of accepted submissions: Those submissions 'accepted' as holding merit supported the notified status as appropriate for the historic values present or noted the recreational values across the wider area.

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 on balance the natural resources present (e.g. regenerating forest with areas of shrubland and pākihi wetland) are appropriately protected under the proposed classification, when also considering the historic resources present (e.g. heritage values relating to Māori occupation and historic gold mining, likely significantly more archaeological sites than are currently recorded). The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Conservation Park (Kohimara) - HOK_05_2809334s

Support

Access and Recreation (Allowed)

- A submission supported the classification, outlining the proximity to Hokitika and recreational use that occurs across the wider area, including walking, biking, hunting and a section of the West Coast Wilderness Trail.

I recommend that these comments are accepted. I agree that the notified status will appropriately provide for recreational use. The proposed conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)). I note not all the activities referred to occur within this stewardship area.

Historic and Cultural Values (Allowed)

- Submissions supported the classification as appropriate to protect the "abundant evidence of long Māori and later European occupation".

I recommend that these comments are accepted. I agree that the proposed classification of conservation park appropriately protects the historic values present as described by the CVR (e.g. heritage values relating to Māori occupation and historic gold mining, likely significantly more archaeological sites than are currently recorded). The primary purpose of

conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, agreed it reflected the "information in the technical reports", or supported the recommendation of the Mana Whenua Panel.
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level based on its "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.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter expressed "trust that Conservation Park status will provide full protection from any future mining applications in these areas".
- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide "more than adequate legal protection".
- A submission in support of conservation park advocated for greater protection from "intrusive development" such as mining and hydro schemes, stating that "most of the Southern Alps deserves protection equivalent to that of National Park status".

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

Other (Not Allowed)

- A submission suggested that the implementation of the proposed classification "needs to be followed up with sufficient funding for pest eradication".

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

Oppose

Ecology and Landscape (Allowed)

- A submission was also concerned with ensuring conservation park status provided "greater protection for indigenous species, enhanced water quality for native fish species and ensured landscape continuity".
- A submitter noted the area may have "the last remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened" and warrants a higher level of protection than that proposed, suggesting national park, wildlife management, scenic reserve, nature reserve or scientific reserve as more appropriate.

I recommend that these comments are not accepted. My assessment is that the natural resources present (e.g. regenerating forest) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

- Submissions noted the close proximity of the proposed conservation parks to one another and recommended combining the proposed parks to ensure "long-term protection and maintenance of biological diversity".

I recommend that these comments are not accepted. There are no specifications in the Conservation Act 1987 or Conservation General Policy regarding the size or proximity of distinct conservation parks.

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification, or expressed concern that the classification would not provide any greater protection than the current status.
- A submission recommended adding the area to the Kapitea Creek Scenic Reserve.

I recommend that these comments are not accepted. Insufficient justification is provided regarding the scenic, 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 who expressed general concern about the low-level protection offered by conservation park, noted support for that classification for land "potentially containing crown minerals". The support was contingent on the land being registered as a specially protected area if significant conservation values were present.
- A submitter opposed the classification due to a lack of clarity on the activities allowed under the conservation park status and was concerned the status would not protect the high conservation values identified.
- A submitter opposed the classification due to concern that existing easement rights would be affected by any change, noting two existing easements for power and hydro-electricity.

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 submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values".
- A submitter stated that if a national park classification is "politically unpalatable, then political judgement calls must be made by accountable politicians, not by the Panel".
- A submitter sought clarification on the economic, well-being and development aspirations of Ngāi Tahu referred to in the recommendation report. The submitter felt unable to assess the suitability of the proposed classification without understanding the aspirations and their potential impact on natural values.

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 to specially protected areas unless it was purchased by the Nature Heritage Fund for the purpose of adding it to a national park.

No Opinion/Position Stated

Access and Recreation (Allowed)

- Submissions queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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)

- 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 which supports reconsideration of the notified classification.

Other (Not Allowed)

- A submitter advocated for new conservation parks to "come with additional Government funding for better biodiversity work and more pest control".

HOK_06 – German Gully – 2806209

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
German Gully	HOK_06_2806209t	Conservation Park (Waimea)	Neutral	16	14

DOC Conservation Values Report Description

A 288.999-ha area that is a mix of cutover and mature forest, largely on steep gully sides, with the exception of the northernmost block which is on terrace with incised streams. The areas represent the upper catchments, mid-stream sections and tributaries of small streams that run into German Gully, Waimea and Sunday creeks. Most retain high levels of naturalness due to the indigenous forestry values and have high predicted water quality. The southern blocks are near Shamrock Creek Amenity Area, a popular recreation area for walking, camping and gold fossicking. Hunting may occur in the other areas. As well as goldmining history and archaeological sites, there are mining-related permissions active now.

Panel Recommendations

National Panel: Conservation park (Waimea), to reflect the mosaic of values present and protect natural and historic resources while facilitating public recreation and enjoyment of the area.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of conservation park.

Summary of accepted submissions: Those submissions 'accepted' as holding merit supported the notified status as appropriate for the historic values present or noted the recreational values across the wider area.

Section 4 and Treaty principles: The Mana Whenua Panel have signalled specific Ngāi Tahu interests associated with this stewardship area, particularly that the area contains pounamu resources which are "vested in Te Runanga o Ngāi Tahu pursuant to the Ngāi Tahu (Pounamu Vesting) Act 1997" and the area "is adjacent to Ngāi Tahu Forestry". The Mana Whenua Panel further noted that "reclassification of areas containing pounamu must expressly provide for the rights of Ngāi Tahu over this taonga, including access" and "Ngāi Tahu may have future aspirations for this land (such as forestry and pounamu)".

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

Rationale: My conclusion is that on balance the natural resources present (e.g. cutover forest with mature remnants protecting tributaries of the main rivers, freshwater values including a diversity of whitebait species) are appropriately protected under the proposed classification, when also considering the historic resources present (e.g. historic values associated with gold mining, two recorded archaeological sites and potentially other unrecorded heritage features) and the significance of the area to Ngāi Tahu. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Conservation Park (Waimea) - HOK_06_2806209t

Support

Access and Recreation (Allowed)

- Submissions supported the classification, outlining the proximity to Hokitika and recreational use that occurs, including walking, biking and hunting.

I recommend that these comments are accepted. I agree that the notified status will appropriately provide for recreational use, however, I note that "little recreational use" was identified in the CVR. The proposed conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Historic and Cultural Values (Allowed)

- Submissions supported the classification as appropriate to protect the "abundant evidence of long Māori and later European occupation".

I recommend that these comments are accepted. I agree that the proposed classification of conservation park appropriately protects the historic values present as described by the CVR (e.g. historic values associated with gold mining, two recorded archaeological sites and potentially other unrecorded heritage features). The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, agreed it reflected the "information in the technical reports", or supported the recommendation of the Mana Whenua Panel.
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter expressed "trust that Conservation Park status will provide full protection from any future mining applications in these areas".
- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide "more than adequate legal protection".
- A submission in support of conservation park advocated for greater protection from "intrusive development" such as mining and hydro schemes, stating that "most of the Southern Alps deserves protection equivalent to that of National Park status".

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

Other (Not Allowed)

- A submission suggested that the implementation of the proposed classification "needs to be followed up with sufficient funding for pest eradication".

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

Oppose

Ecology and Landscape (Allowed)

- A submission was also concerned with ensuring conservation park status provided "greater protection for indigenous species, enhanced water quality for native fish species and ensured landscape continuity".
- A submitter noted the area may have "the last remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened" and warrants a higher level of protection than that proposed, suggesting national park, wildlife management, scenic reserve, nature reserve or scientific reserve as more appropriate.

I recommend that these comments are not accepted. My assessment is that the natural resources present (e.g. cutover forest with mature remnants protecting tributaries of the main rivers, freshwater values) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

- Submissions noted the close proximity of the proposed conservation parks to one another and recommended combining the proposed parks to ensure "long-term protection and maintenance of biological diversity".

I recommend that these comments are not accepted. There are no specifications in the Conservation Act 1987 or Conservation General Policy regarding the size or proximity of distinct conservation parks

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification, or expressed concern that the classification would not provide any greater protection than the current status.
- A submission recommended adding the area to the Shamrock Creek Amenity Area.

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 submitter who expressed general concern about the low-level protection offered by conservation park, noted support for that classification for land "potentially containing crown minerals". The support was contingent on the land being registered as a specially protected area if significant conservation values were present.
- A submitter opposed the classification due to a lack of clarity on the activities allowed under the conservation park status and was concerned the status would not protect the high conservation values identified.
- A submitter opposed the classification due to concern that existing permissions would be affected by the change in status, noting five existing concessions.

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 submitter stated that if a national park classification is "politically unpalatable, then political judgement calls must be made by accountable politicians, not by the Panel".
- A submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values".
- A submitter sought clarification on the economic, well-being and development aspirations of Ngāi Tahu referred to in the recommendation report. The submitter felt unable to assess the suitability of the proposed classification without understanding the aspirations and their potential impact on natural values.

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 to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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)

- 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 which supports reconsideration of the notified classification.

Other (Not Allowed)

- A submitter advocated for new conservation parks to "come with additional Government funding for better biodiversity work and more pest control".

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

HOK_07 – Stafford – 2809279

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Stafford	HOK_07_2809279u	Conservation Park (Waimea)	Neutral	12	13

DOC Conservation Values Report Description

A 288.999-ha area of outwash terrace with a steep terrace face above Waimea Creek. Mostly cutover with large areas of induced pākihi, but with remnant forest in steep gullies and terrace faces. The northern 'spike' has been humped and hollowed and developed into pasture, possibly after mining. Although there are other blocks like this locally, lowland coastal forest and wetlands are very rare in New Zealand because of the high level of habitat modification. The area benefits from QEII covenants to the west and south, that protect similar ecological values. It is likely to receive little recreation use as access is through private land.

Panel Recommendations

National Panel: Conservation park (Waimea), to reflect the mosaic of values present and protect natural and historic resources while facilitating public recreation and enjoyment of the area.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of conservation park.

Summary of accepted submissions: Those submissions 'accepted' as holding merit supported the notified status as appropriate for the ecological values 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 natural resources present (e.g. lowland forest and wetland in a relatively natural state) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Conservation Park (Waimea) - HOK_07_2809279u

Support

Access and Recreation (Allowed)

- A submission supported the classification, outlining the proximity to Hokitika and recreational use that occurs across the wider area, including walking, biking, hunting and a section of the West Coast Wilderness Trail.

I recommend that these comments are accepted to the extent they support the classification, however I note that "little recreational use" was identified in the CVR.

Ecology and Landscape (Allowed)

- A submitter noted that lowland wetland/pākihi is rare and at risk of development on private land. Disposal was opposed and classification as a scenic reserve or Waimea Conservation Park was supported.
- A submission highlighted the distinctive ecological values present including rare lowland coastal forests and wetlands, noting that adjacent land provides "prime habitat for the protected endemic fernbird" and many other species, and is under threat from farming, mining and invasive species.

I recommend that these comments are accepted. They provide site specific details regarding the natural resources present which are consistent with those described in the CVR (e.g. lowland forest and wetland, including pākihi). I agree that the natural values are appropriately protected through classification as a conservation park. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

- A submitter noted their support for "permanently protecting this piece of land with a high level of protection similar to a QEII covenant or greater".

I recommend that these comments are accepted to the extent they support the classification, however I note that QEII covenants can only be applied to private land so are not a relevant consideration in this process.

Historic and Cultural Values (Allowed)

- Submissions supported the classification as appropriate to protect the "abundant evidence of long Māori and later European occupation".

I recommend that these comments are accepted to the extent they support the classification, however I note that no historic or heritage values were identified in the CVR.

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, or agreed it reflected the "information in the technical reports".
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter expressed "trust that Conservation Park status will provide full protection from any future mining applications in these areas".
- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide "more than adequate legal protection".
- A submission in support of conservation park advocated for greater protection from "intrusive development" such as mining and hydro schemes, stating that "most of the Southern Alps deserves protection equivalent to that of National Park status".

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

Other (Not Allowed)

- A submission suggested that the implementation of the proposed classification "needs to be followed up with sufficient funding for pest eradication".
- A submission advocated for retention by DOC as they are a neighbour to the area and would like to see the land remain as pākihi and regenerating forest cross the boundary.
- A submission noted that the area is contiguous with the adjacent QEII covenant and the technical report is "not correct" to state otherwise. The protection and opportunity provided by the covenant was highlighted along with the ecological values present. The submission also noted the presence of paper roads in the area and the risk of encroachment, which they recommended was checked.

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

Oppose

Climate Change and Natural Hazards (Allowed)

- A submitter noted the impacts of development and grazing, highlighting the "fertile" land and opportunity for sequestration (e.g. "the land that has been developed is all exposed to flood hazard and the continued maintenance of pasture and grazing has many negative conservation and carbon consequences"). The submitter recommended allowing regeneration of the podocarp forest by excluding stock.

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 areas climate mitigation potential. The points raised do not warrant overturning the notified intention. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Ecology and Landscape (Allowed)

- A submission was concerned with ensuring conservation park status provided "greater protection for indigenous species, enhanced water quality for native fish species and ensured landscape continuity". Alternative classification as an ecological area or scenic reserve was recommended with the submission highlighting the presence of at risk/threatened species and depleted ecosystems "in relatively good condition".
- A submitter noted the area may have "the last remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened" and warrants a higher level of protection than that proposed, suggesting national park, wildlife management, scenic reserve, nature reserve or scientific reserve as more appropriate.

I recommend that these comments are not accepted. My assessment is that the natural resources present (e.g. lowland forest and wetland in a relatively natural state) are appropriately protected under the proposed classification and the points raised do not warrant overturning the notified intention. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

- Submissions noted the close proximity of the proposed conservation parks to one another and recommended combining the proposed parks to ensure "long-term protection and maintenance of biological diversity".

I recommend that these comments are not accepted. There are no specifications in the Conservation Act 1987 or Conservation General Policy regarding the size or proximity of distinct conservation parks

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification, or expressed concern that the classification would not provide any greater protection than the current 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)

- A submitter who expressed general concern about the low-level protection offered by conservation park, noted support for that classification for land "potentially containing crown minerals". The support was contingent on the land being registered as a specially protected area if significant conservation values were present.
- A submitter opposed the classification due to a lack of clarity on the activities allowed under the conservation park status and was concerned the status would not protect the high conservation values identified.

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

Process and Consultation (Not Allowed)

- A submitter stated that if a national park classification is "politically unpalatable, then political judgement calls must be made by accountable politicians, not by the Panel".
- A submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values".

- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.
- A submitter sought clarification on the economic, well-being and development aspirations of Ngāi Tahu referred to in the recommendation report. The submitter felt unable to assess the suitability of the proposed classification without understanding the aspirations and their potential impact on natural values.

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 to specially protected areas unless it was purchased by the Nature Heritage Fund for the purpose of adding it to a national park.
- A submitter noted their opposition to disposal of the pasture areas, recommended boundary adjustment to include the river bank and stock exclusion to allow forest regeneration.

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

No Opinion/Position Stated

Access and Recreation (Allowed)

- Submissions queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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)

- 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 which supports reconsideration of the notified classification.

Other (Not Allowed)

- A submitter advocated for new conservation parks to "come with additional Government funding for better biodiversity work and more pest control".

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

HOK_08 – Arahura River Mouth – 2809280

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Arahura River Mouth	HOK_08_2809280v	Local Purpose (Kapukapuka Ngāi Tahu) Reserve	Local Purpose (Kapukapuka Ngāi Tahu) Reserve	15	6

DOC Conservation Values Report Description

A 22.185-ha narrow strip of backdune vegetation which is a mix of pasture, wetland and dune vegetation at the mouth of Flowery Creek and Arahura River. It includes the coastal lowland part of the Arahura River Mouth Species Management Unit for black-billed gull (tarāpuka, *Larus bulleri*) (Nationally Critical). People access and walk down the beach from an access road to the north. There are Māori Reserve lands in the vicinity. The area is part of the estuary of the Arahura catchment, managed by the Department as a Ngā Awa site. This programme takes a whole catchment approach to restoration and works in partnership with others to restore the biodiversity of 14 rivers from the mountains to the sea. The Department's Bio18 migratory fish programme has identified this catchment as significant to longfin eel. A grazing licence is in place.

Panel Recommendations

National Panel: Local Purpose (Kapukapuka Ngāi Tahu) Reserve, to appropriately reflect the identified values while recognising the significance of this area to Ngāi Tahu.

Mana Whenua Panel: Local Purpose (Kapukapuka 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 of local purpose (Kapukapuka Ngāi Tahu) reserve.

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 have signalled a range of Ngāi Tahu interests associated with this stewardship area, e.g. "the entire Arahura river catchment is a place of immense spiritual and cultural significance for Ngāi Tahu", "the river catchment has been a valued source of pounamu for centuries, and the associated trails and trade routes form part of its cultural significance to Poutini Ngāi Tahu", "the Arahura river mouth is highly significant as the location of the old Arahura pā, and historical and contemporary mahinga kai values", "maintaining access and restoration is a high priority", "there are Māori reserve lands in the vicinity of this conservation area". They also noted future aspirations of Te Rūnanga o Ngāti Waewae for Arahura to improve the connectivity between the river, the pā, the urupā and Arahura marae and respond to impacts relating to climate change.

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: 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 (Kapukapuka Ngāi Tahu) Reserve - HOK_08_2809280v

Support

Historic and Cultural Values (Allowed)

- Submissions supported classification as a local purpose reserve reclassification where specific "cultural and historic values have been identified".
- A submission supported the classification noting the area has "historical significance as an old pā site" and is a place of "historical & contemporary mahinga kai practices", highlighting the connection the land would provide between the river, pā, the urupā and marae.

I recommend that these comments are not accepted. Although I agree that the area holds cultural and historic values, 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 and cultural values described, alongside the conservation of natural resources and identified Ngāi Tahu values and interests.

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" and ensuring Ngāi Tahu have a role "in management and decision-making". The noted the values present, e.g. "Old pā, historical and contemporary mahinga kai practices, adjacent to Māori Reserve lands, connection between river, pā, urupā and marae."
- 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 expressed general support for the proposed classification without providing further justification.
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level based on its "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.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submission supported the classification but expressed concern it would affect existing permissions.

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

Oppose

Climate Change and Natural Hazards (Allowed)

- A submission opposed the classification noting the opportunity for "for ecosystem restoration in response to flood events or coastal erosion" and seeking classification as a historic reserve.

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 provides appropriate protection of the natural resources and subsequent protection against flood events or coastal erosion, or if another classification should be considered.

Ecology and Landscape (Allowed)

- One submission opposed the recommendation on the basis that the purpose of the reserve is not clearly defined, leaving it uncertain if ecological and other values will be protected if 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 submitter highlighted the presence of at risk/threatened species and naturally uncommon ecosystems "including dunes and wetlands" in relatively good condition, recommending alternative classification as a historic reserve.

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 provides appropriate protection of the natural resources noted by submitters, or if another classification should be considered.

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

Ecology and Landscape (Allowed)

- A submitter noted the species identified in the CVR, and that kororā have been recorded in the area, advocating for any classification to protect threatened and at-risk species.

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.

Treaty Considerations (Allowed)

- The significance of the area to Ngāti Waewae was acknowledged by one submitter who stated their concern that harvesting could increase the risk of decline or extinction of threatened and at-risk species.

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)

- A submitter stated they were unable to support local purpose reserves without greater clarity of 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 and historical resources present.

HOK_09 – Stafford – 2809281

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Stafford	HOK_09_2809281f	Conservation Park (Waimea)		12	14
Stafford	HOK_09_2809281g		Disposal	6	23

DOC Conservation Values Report Description

A total of 2.6982-ha made up of multiple areas of largely developed and partly occupied areas north of the Waimea River in the historic settlement of Stafford. The township sat within the Waimea goldfield and is closely tied to the Scandinavian Hill diggings immediately behind it. The largest northern area retains some regenerating forest on terrace face. The area's naturalness, diversity and rarity values are low. It does have access, but little recreation is expected.

Panel Recommendations

National Panel: Conservation park (Waimea) is considered to reflect the values present, protecting natural and historic resources while providing for potential public recreation and enjoyment of the area.

Mana Whenua Panel: Disposal, as the area is significantly modified and will not improve or enhance conservation values in adjacent conservation areas. The area is considered to contain no or very low conservation values.

S.49(2)(d) Recommendation

- Proceed with the notified proposal for the portion of indigenous vegetation in the large northern block.
- Do not proceed with the notified proposal for the lowland, modified portions of the area.

Summary of accepted submissions: Regarding the vegetated portion of the northern block (which the CVR identifies as regenerating forest on terrace face), those submissions 'accepted' as holding merit either expressed general support for the proposed conservation park, or noted that outcome would support ongoing public access.

Regarding the lowland modified portions of this stewardship area (which the CVR identifies as modified exotic grassland), those submissions 'accepted' as holding merit opposed the proposed conservation park, while advocating for disposal, noting that the natural resources are modified from a history of mining (e.g. "this area was all mined in the 1980s", "there is agreement that none of this land holds conservation value"), and that the historic resources are not of high value (e.g. "no other artefacts, apart from old pieces of barbed wire fence from earlier farming in the 1950s-80s, are evident in the area"). Also accepted were comments noting that disposal of the area is supported by the Mana Whenua Panel and reflects the perspectives of Ngāi Tahu.

Section 4 and Treaty principles: The Mana Whenua Panel have opposed the notified intention, supported by submissions from Treaty partner organisations, instead recommending the area be considered for disposal as the pastoral components are "significantly modified" and contain "no or very low conservation values".

Regarding the vegetated portion of the northern block (which the CVR identifies as regenerating forest on terrace face), 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 warrant proceeding with the notified proposal for that part of the conservation area.

Regarding the lowland, modified portions of this stewardship area (which the CVR identifies as modified exotic grassland), I have concluded, considering those submissions accepted, that the area does not contain natural resources of sufficient value to justify the notified intention of conservation park. This is in accordance with the position of the Mana Whenua Panel.

Rationale: Regarding the portion of indigenous vegetation in the large northern block (which the CVR identifies as regenerating forest on terrace face), my conclusion considering those submissions accepted, is that the proposed classification will appropriately promote the conservation of the natural and historic resources present. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Regarding the lowland modified portions of the area (which the CVR identifies as modified exotic grassland), my conclusion, in accordance with submissions received, is that the area does not contain natural and historic resources of sufficient value to justify the notified proposal of conservation park. The isolated nature of the parcels between privately owned properties further supports this approach. I note that the CVR highlights that it is unknown whether there are any archaeological remains associated with the former township.

Conservation Park (Waimea) - HOK_09_2809281f

Access and Recreation (Allowed)

- A submission supported the proposed classification on the basis of preserving public access, should climbing potential be discovered in the future.

I recommend that these comments are accepted to the extent that I agree that the natural and historic resources present in the portion of indigenous vegetation in the large northern block (which the CVR identifies as regenerating forest on terrace face) are appropriately protected by the proposed classification. This will support ongoing public access to the area. The proposed conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)). Regarding the lowland modified portions of the area (which the CVR identifies as modified exotic grassland), my conclusion, considering submissions accepted, is that insufficient natural and historic resources are present to warrant the notified classification of conservation park.

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, or agreed it reflected the "information in the technical reports".
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level based on its "high cultural conservation value".

I recommend that these comments are accepted to the extent that I agree that the natural and historic resources present in the portion of indigenous vegetation in the large northern block (which the CVR identifies as regenerating forest on terrace face) are appropriately protected by the proposed classification. 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. Regarding the lowland modified portions of the area (which the CVR identifies as modified exotic grassland), my conclusion, considering submissions accepted, is that insufficient natural and historic resources are present to warrant the notified classification of conservation park.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide "more than adequate legal protection".
- A submitter expressed "trust that Conservation Park status will provide full protection from any future mining applications in these areas".
- A submission in support of conservation park advocated for greater protection from "intrusive development" such as mining and hydro schemes, stating that "most of the Southern Alps deserves protection equivalent to that of National Park status".

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

Other (Not Allowed)

- A submission suggested that the implementation of the proposed classification "needs to be followed up with sufficient funding for pest eradication".

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

Oppose

Ecology and Landscape (Allowed)

- A submitter, who advocated for the area to be disposed of, noted the disconnected nature of the parcels making up the conservation area and the modified nature of the natural resources present, resulting from a history of mining (e.g. "the western area is called Raffertys Creek and was intensively mined back in the 1860-80s", "this area was all mined in the 1980s, with the exception of the section that Scandinavia Street runs through and the area on top of the terrace above Raffertys Creek due to its inaccessibility by digger").

I recommend that these comments are accepted to the extent that I agree that the lowland modified portions of the area (which the CVR identifies as modified exotic grassland) contain insufficient natural and historic resources to warrant the notified classification of conservation park. Regarding the portion of indigenous vegetation in the large northern block (which the CVR identifies as regenerating forest on terrace face), my assessment is that the natural and historic resources present are appropriately protected by the proposed classification.

- A submission was also concerned with ensuring conservation park status provided "greater protection for indigenous species, enhanced water quality for native fish species and ensured landscape continuity".
- A submitter noted the area may have "the last remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened" and warrants a higher level of protection than that proposed, suggesting national park, wildlife management, scenic reserve, nature reserve or scientific reserve as more appropriate.

I recommend that these comments are not accepted. My assessment is that the natural and historic resources present in the portion of indigenous vegetation in the large northern block (which the CVR identifies as regenerating forest on terrace face) are appropriately protected by the proposed classification. Regarding the lowland modified portions of the area (which the CVR identifies as modified exotic grassland), my conclusion, considering submissions accepted, is that insufficient natural and historic resources are present to warrant the notified classification of conservation park.

- Submissions noted the close proximity of the proposed conservation parks to one another and recommended combining the proposed parks to ensure "long-term protection and maintenance of biological diversity". It was recommended to combine the proposed parks where the values are similar as this "provides greater opportunity for large landscape scale management".

I recommend that these comments are not accepted. There are no specifications in the Conservation Act 1987 or Conservation General Policy regarding the size or proximity of distinct conservation parks

Historic and Cultural Values (Allowed)

- A submitter who advocated for disposal of the land to "various neighbours", outlined their assessment of the historic resources present, which were not considered to warrant the notified classification of conservation park (e.g. "the area on top of the terrace by Raffertys contains numerous old water races, mine shafts and tunnels, which are a common feature in this valley", "no other artefacts, apart from old pieces of barbed wire fence from earlier farming in the 1950s-80s, are evident in the area"). Disposal was preferred to alleviate the legal issue of "disconnected blocks" and "ensure that the land is looked after and possibly developed as part of the currently growing residential population of the old town".

I recommend that these comments are accepted to the extent that I agree that the lowland modified portions of the area (which the CVR identifies as modified exotic grassland) contain insufficient natural and historic resources to warrant the notified classification of conservation park. The CVR highlights that it is unknown whether there are any archaeological remains associated with the former township. Regarding the portion of indigenous vegetation in the large northern block (which the CVR identifies as regenerating forest on terrace face), my assessment is that the natural and historic resources present are appropriately protected by the proposed classification.

- A submitter advocated for classification as a historical area or similar, highlighting the existence of a historic cemetery.

I recommend that these comments are not accepted. My assessment is that the area contains insufficient historic resources to warrant classification as historic reserve. The CVR highlights that it is unknown whether there are any archaeological remains associated with the former township.

Treaty Considerations (Allowed)

- The proposed classification was opposed on the basis that the "recommendations of the MWP reflect the values, interests, and perspectives of the Papatipu Rūnanga in whose Takiwā the relevant land is located".

I recommend that these comments are accepted to the extent that I agree that the lowland modified portions of the area (which the CVR identifies as modified exotic grassland) contain insufficient natural and historic resources to warrant the notified classification of conservation park. Regarding the vegetated portion of the northern block (which the CVR identifies as regenerating forest on terrace face), 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 warrant proceeding with the notified proposal for that part of the conservation area.

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed or expressed concern that the classification would not provide any greater protection than the current 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)

- A submitter who expressed general concern about the low-level protection offered by conservation park, noted support for that classification for land "potentially containing crown minerals". The support was contingent on the land being registered as a specially protected area if significant conservation values were present.
- Submissions opposed the classification due to a lack of clarity on the activities allowed for under the conservation park status and were concerned the status would not protect the high conservation values identified.
- One submission sought greater clarity on the possible economic activities that may occur, as signalled in the recommendation report.

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

Process and Consultation (Not Allowed)

- A submitter stated that if a national park classification is "politically unpalatable, then political judgement calls must be made by accountable politicians, not by the Panel".
- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.
- A submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values".

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 to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

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

Other (Not Allowed)

- A submitter advocated for new conservation parks to "come with additional Government funding for better biodiversity work and more pest control".

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

Disposal - HOK_09_2809281g

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 submitter noted that the land did not hold any substantive conservation value, and was therefore suitable for disposal ("there is agreement that none of this land holds conservation value").

I recommend that these comments are accepted to the extent that I agree that the lowland modified portions of the area (which the CVR identifies as modified exotic grassland) contain insufficient natural and historic resources to warrant the notified classification of conservation park. Regarding the portion of indigenous vegetation in the large northern block (which the CVR identifies as regenerating forest on terrace face), my assessment is that the natural and historic resources present are appropriately protected by the proposed classification.

Treaty Considerations (Allowed)

- Submissions supported the recommendations of the Mana Whenua Panel on the basis that these recommendations reflect the rights and interests of mana whenua, recognise Ngāi Tahu's connection to their ancestral lands, and fulfil obligations under the Treaty of Waitangi (e.g. "by adopting the recommendations of the Mana Whenua Panel the Minister will give effect to the principles of the Treaty of Waitangi").

I recommend that these comments are accepted to the extent that I agree that the lowland modified portions of the area (which the CVR identifies as modified exotic grassland) contain insufficient natural and historic resources to warrant the notified classification of conservation park. Regarding the vegetated portion of the northern block (which the CVR identifies as regenerating forest on terrace face), 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 warrant proceeding with the notified proposal for that part of the conservation area.

General (Allowed)

- A submission expressed general support for the recommendation by the Mana Whenua Panel.

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 objected to disposal on the grounds that this represents a loss of public access and ability for future generations to enjoy these areas, expressed opposition to any disposal which means a loss of recreation

opportunities such as climbing angling or hunting, or requested "appropriate mechanisms are used to ensure existing and future public use is maintained or improved" (e.g. "Retaining this land in the conservation estate will preserve public access if climbing potential is discovered in the future", "Oppose any disposal of stewardship land where that land holds recreational sports fishing or gamebird hunting values or provides public access to areas where sports fishing or gamebird hunting may be undertaken"). Alternative classification as a conservation park was recommended.

I recommend that these comments are accepted to the extent that I agree that the natural and historic resources present in the portion of indigenous vegetation in the large northern block (which the CVR identifies as regenerating forest on terrace face) are appropriately protected by the proposed classification. This will support ongoing public access to the area. The proposed conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)). Regarding the lowland modified portions of the area (which the CVR identifies as modified exotic grassland), my conclusion, considering submissions accepted, is that insufficient natural and historic resources are present to warrant the notified classification of conservation park. The CVR notes that the area contains no tracks or facilities, and is likely to receive little recreation use.

Climate Change and Natural Hazards (Allowed)

- Submissions opposed disposal on the grounds that it forgoes future opportunities such as carbon sequestration and climate mitigation, and the land should be protected for future generations (e.g. "The opportunities for carbon sequestration through indigenous vegetation are rapidly diminishing and every hectare of the conservation estate is of value", "in the midst of climate and biodiversity crises, conservation land should be protected for indigenous species to thrive and to safeguard the environment from extreme weather and other future issues").
- Submitters advocated for retention in Crown ownership and noted that disposal "will not assist with a reduction in emissions from agriculture".
- A submitter stated that no land should be disposed of if there is potential for restoration and that riverbeds and adjacent land should be retained for flood retention, with no grazing permitted.

I recommend that these comments are accepted to the extent that I agree that the natural resources present in the portion of indigenous vegetation in the large northern block (which the CVR identifies as regenerating forest on terrace face) are appropriately protected by the proposed conservation park classification, and the associated potential for climate mitigation. Regarding the lowland modified portions of the area (which the CVR identifies as modified exotic grassland), my conclusion, considering submissions accepted, is that insufficient natural and historic resources are present to warrant the notified classification of conservation park.

Ecology and Landscape (Allowed)

- Submissions expressed opposition to any disposal of stewardship land, advocating for retention in Crown ownership on the grounds that; there are likely to be natural values remaining, pasture areas are likely to contain some indigenous species, even highly modified land holds opportunities for ecosystem restoration, and areas near forests could easily revert to a natural state (e.g. "Most have remnants of native forests and provide islands of habitat for native species", "often close to native forest (and therefore seed source) meaning without grazing these areas will overtime readily revert to forest").
- Submissions opposed disposal where there is poor ecological representation in existing protected areas, recommending that lowland river terraces remain in public conservation land as so little remains and there is the potential for restoration and regeneration.
- A submission highlighted the ecological values present, including regenerating indigenous vegetation and the potential for freshwater ecological values. The submitter recommended classification as a conservation park status "as a minimum" (e.g. "These areas should be protected as they contain small sections of secondary growth indigenous forest, including indigenous vegetation, regenerating forest and shrubland species").
- A submission recommended that only modified landlocked sites without restoration potential should be disposed of.
- A submission opposed disposal, emphasising the importance of protecting natural values and recommended a "precautionary policy" to hold conservation future options open.

I recommend that these comments are accepted to the extent that I agree that the natural resources present in the portion of indigenous vegetation in the large northern block (which the CVR identifies as regenerating forest on terrace face) are appropriately protected by the proposed conservation park classification, and the associated potential for climate mitigation. Regarding the lowland modified portions of the area (which the CVR identifies as modified exotic grassland), my conclusion, considering submissions accepted, is that insufficient natural and historic resources are present to warrant the notified classification of conservation park.

Historic and Cultural Values (Allowed)

- A submitter advocated for the area to be added to the "Historical Area" or "appropriate designation" noting the presence of the historic cemetery.

I recommend that these comments are not accepted. My assessment is that the area contains insufficient historic resources to warrant classification as historic reserve. The CVR highlights that it is unknown whether there are any archaeological remains associated with the former township.

Treaty Considerations (Allowed)

- One submission stated no stewardship land should be disposed of, except to tangata whenua, "and only then with the need to maintain the block's cultural, conservation & mahika-kai values".
- One submission expressed a desire for maximum protection to allow nature to thrive, in keeping with the approach of the indigenous people of Aotearoa.

I recommend that these comments are not accepted. Regarding the lowland, modified portions of this stewardship area (which the CVR identifies as modified exotic grassland), I have concluded, considering those submissions accepted, that the area does not contain natural resources of sufficient value to justify the notified intention of conservation park. This is in accordance with the position of the Mana Whenua Panel. Regarding the vegetated portion of the northern block (which the CVR identifies as regenerating forest on terrace face), 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 warrant proceeding with the notified proposal for that part of the conservation area.

General (Allowed)

- Submissions expressed opposition to disposal of any stewardship land in general terms, expressed a desire for maximum environmental protection, such as national park or conservation park classification, or supported "a cautionary approach".

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 expressed opposition to disposal of any stewardship land and sought protection from development, mining, or other extractive activities.
- A submission advocated for no disposals and stated that there is "little or no added management burden to retain these lands" and disposal may cause costs to be incurred. Further concern was expressed that the "only possible advantage in the recommendation for land disposal is to the landowner who currently has a grazing license (or those who are farming regardless of whether they have a grazing license or not)".

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, including the timeframe for response, when compared to the scale of information notified.
- A submitter noted that "there is no requirement" that land with low conservation values is disposed of, expressing opposition to any disposal of riverbed or pastoral land in public ownership. Concerns regarding the limits of the notification were further highlighted as the "proposed disposals do not give even a general indication where disposal boundaries might be" making it difficult for submitters to comment. The submitter further stated that "The

National Panel is recommending 65 hectares for disposal, but has recommended up to an additional 1000 hectares of land may be disposed of where there is pastoral land alongside river conservation areas (subject to survey). This is not explained or justified".

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

Other (Not Allowed)

- One submission suggested 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.

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 which supports reconsideration of the notified classification.

Other (Not Allowed)

- One submission noted that disposal of land will be subject to Heritage New Zealand Pouhere Taonga Notification Process for Disposal of Crown-owned Land.

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

HOK_09 – Stafford (Central/East) – 2809281

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Stafford (Central/East)	HOK_09_2809281h	Disposal	Disposal	10	20

DOC Conservation Values Report Description

A total of 2.6982 ha made up of multiple areas of largely developed and partly occupied areas north of the Waimea River in the historic settlement of Stafford. The township sat within the Waimea goldfield and is closely tied to the Scandinavian Hill diggings immediately behind it. The largest northern area retains some regenerating forest on a terrace face. The area's naturalness, diversity and rarity values are low. It does have access, but little recreation is expected.

Panel Recommendations

National Panel: Disposal, as the area is considered to be of very low conservation value and to lack the historical significance of the rest of HOK_09.

Mana Whenua Panel: Disposal, as the area is significantly modified and will not improve or enhance conservation values in adjacent conservation areas. The area is considered to contain no or very low conservation values.

S.49(2)(d) Recommendation

- Proceed with the notified proposal, referring this 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 where there are no conservation values remaining. Also accepted were comments noting that this was outcome is supported by the Mana Whenua Panel and reflects the perspectives of Ngāi Tahu.

Section 4 and Treaty principles: The Mana Whenua Panel have supported the proposed disposal investigation, supported by submissions from Treaty partner organisations, on the grounds that the area is significantly modified.

Rationale: My assessment is that the stewardship area is of low conservation value, and warrants further investigation as to the suitability of disposal. I note that the CVR highlights that it is unknown whether there are any archaeological remains associated with the former township.

Disposal - HOK_09_2809281h

Support

Ecology and Landscape (Allowed)

- Submissions stated they support disposal of stewardship land where there are no conservation values remaining, or agreed that the land did not hold any conservation values and was therefore suitable for disposal.

I recommend that these comments are accepted. The stewardship area consists of modified pasture and holds low conservation values, supporting a disposal investigation. 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 on the basis that these recommendations reflect the rights and interests of mana whenua, recognise Ngāi Tahu's connection to their ancestral lands, and fulfil obligations under the Treaty of Waitangi (e.g. "by adopting the recommendations of the Mana Whenua Panel the Minister will give effect to the principles of the Treaty of Waitangi").

I recommend that these comments are accepted. I agree that the modified nature of the pastoral components of this stewardship area justifies referring this area to the Department to investigate the suitability of disposal. I note that the Mana Whenua Panel have supported the proposed disposal investigation.

General (Allowed)

- A submission expressed general support for the recommendation by the Mana Whenua Panel.

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.

Other (Not Allowed)

- A submitter suggested that survey and assessment should occur prior to disposal and listed the factors they believed should be considered, also recommending exchange with nearby land with unprotected indigenous vegetation where possible.
- 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 objected to disposal on the grounds that this represents a loss of public access and ability for future generations to enjoy these areas, expressed opposition to any disposal which means a loss of recreation opportunities such as climbing angling or hunting, or requested "appropriate mechanisms are used to ensure existing and future public use is maintained or improved" (e.g. "Retaining this land in the conservation estate will preserve public access if climbing potential is discovered in the future", "Oppose any disposal of stewardship land where that land holds recreational sports fishing or gamebird hunting values or provides public access to areas where sports fishing or gamebird hunting may be undertaken"). Alternative classification as a conservation park was recommended.

I recommend that these comments are not accepted. The highly modified pastoral area is unlikely to hold recreational values which justify retention as public conservation land. Any potential disposal arising from the Departmental investigation will trigger the formation of marginal strips for qualifying waterbodies which will secure ongoing public access along the riparian corridor.

Climate Change and Natural Hazards (Allowed)

- Submissions opposed disposal on the grounds that it forgoes future opportunities such as carbon sequestration climate mitigation and flood protection, and the land should be protected for future generations (e.g. "The opportunities for carbon sequestration through indigenous vegetation are rapidly diminishing and every hectare of the conservation estate is of value", "conservation land should be protected for indigenous species to thrive and to safeguard the environment from extreme weather and other future issues", "they are all front country areas that protect other significant areas from climate disruption, flooding, slips, erosion, and damage from sea surges and rising sea level").
- Submitters advocated for retention in Crown ownership or classification as a scenic reserve or ecological area.
- Submitters opposed disposal of the "larger northern section" as it has potential for carbon capture from revegetation and protection of the remaining indigenous forest.
- A submitter stated that no land should be disposed of if there is potential for restoration.

I recommend that these comments are not accepted. The area's highly modified nature and landscape context (bordered by farmland) limit the effectiveness of restoration for 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 expressed opposition to disposal of stewardship land, advocating for retention in Crown ownership on the grounds that; there are likely to be natural values remaining, pasture areas are likely to contain some indigenous species, even highly modified land holds opportunities for ecosystem restoration, and areas near forests

could easily revert to a natural state (e.g. "Most have remnants of native forests and provide islands of habitat for native species", "often close to native forest (and therefore seed source) meaning without grazing these areas will overtime readily revert to forest").

- A submission highlighted the ecological values present, including regenerating indigenous vegetation and the potential for freshwater ecological values. The submitter recommended classification as a conservation park status "as a minimum" (e.g. "These areas should be protected as they contain small sections of secondary growth indigenous forest, including indigenous vegetation, regenerating forest and shrubland species").
- Submissions opposed disposal where there is poor ecological representation in existing protected areas, recommending that lowland river terraces remain in public conservation land as so little remains and there is the potential for restoration and regeneration.
- A submission recommended that only modified landlocked sites without restoration potential should be disposed of.
- A submission opposed disposal, emphasising the importance of protecting natural values and recommended a "precautionary policy" to hold conservation future options open.

I recommend that these comments are <u>not accepted</u>. The area's small size and landscape context (surrounded by modified farmland) limit the effectiveness of retaining the area for restoration. The highly modified nature of the area (exotic grassland) justifies referring this area to the Department to investigate the suitability of disposal. 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.

Historic and Cultural Values (Allowed)

- A submitter advocated for the area to be added to the "Historical Area" or "appropriate designation" noting the presence of the historic cemetery.

I recommend that these comments are <u>not accepted</u>. The part of the stewardship area recommended for disposal is noted to lack the historic values present in other parts of the assessment area. The highly modified nature of the area (exotic grassland) justifies referring this area to the Department to investigate the suitability of disposal.

Treaty Considerations (Allowed)

- One submission stated no stewardship land should be disposed of, except to tangata whenua, "and only then with the need to maintain the block's cultural, conservation & mahika-kai values".
- One submission expressed a desire for maximum protection to allow nature to thrive, in keeping with the approach of the indigenous people of Aotearoa.

I recommend that these comments are <u>not accepted</u>. The proposed disposal investigation was supported by the Mana Whenua Panel, and any potential disposal of relevant land arising from the Departmental investigation will be subject to the first right of refusal process as set out in the Ngāi Tahu Claims Settlement Act 1998. The highly modified area is unlikely to hold substantive "conservation & mahika-kai values". The modified nature of the area (exotic grassland) justifies referring this area to the Department to investigate the suitability of disposal.

General (Allowed)

- Submissions expressed opposition to disposal of any stewardship land in general terms, expressed a desire for maximum environmental protection, such as national park or conservation park classification, or supported "a cautionary approach".

I recommend that these comments are <u>not accepted</u>. 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 expressed opposition to disposal of any stewardship land and sought protection from development, mining, or other extractive activities.
- A submission advocated for no disposals and stated that there is "little or no added management burden to retain these lands" and disposal may cause costs to be incurred. Further concern was expressed that the "only possible

advantage in the recommendation for land disposal is to the landowner who currently has a grazing license (or those who are farming regardless of whether they have a grazing license or not)".

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, including the timeframe for response, when compared to the scale of information notified.
- A submitter noted that "there is no requirement" that land with low conservation values is disposed of, expressing opposition to any disposal of riverbed or pastoral land in public ownership. Concerns regarding the limits of the notification were further highlighted as the "proposed disposals do not give even a general indication where disposal boundaries might be" making it difficult for submitters to comment. The submitter further stated that "The National Panel is recommending 65 hectares for disposal, but has recommended up to an additional 1000 hectares of land may be disposed of where there is pastoral land alongside river conservation areas (subject to survey). This is not explained or justified".
- A submitter stated that recommendations should be based on "conservation values alone", and that "recreation and use values are not conservation values".

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

Other (Not Allowed)

- One submission suggested 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.

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 which supports reconsideration of the notified classification.

Other (Not Allowed)

- One submission noted that disposal of land will be subject to Heritage New Zealand Pouhere Taonga Notification Process for Disposal of Crown-owned Land.

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

HOK_09 – Stafford - High Street – 2809331

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Stafford - High Street	HOK_09_2809331w	Conservation Park (Waimea)		11	13
Stafford - High Street	HOK_09_2809331x		Disposal	6	19

DOC Conservation Values Report Description

A 0.0369-ha area of pasture north of the Waimea River in the historic settlement of Stafford. The township sat within the Waimea goldfield and is closely tied to the Scandinavian Hill diggings immediately behind it. The area's naturalness, diversity and rarity values are low.

Panel Recommendations

National Panel: Conservation park (Waimea) is considered to reflect the values present, protecting natural and historic resources while providing for potential public recreation and enjoyment of the area.

Mana Whenua Panel: Disposal, as the area is significantly modified and will not improve or enhance conservation values in adjacent conservation areas. The area is considered to contain no or very low conservation values.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of conservation park.

Summary of accepted submissions: Those submissions 'accepted' as holding merit opposed the proposed conservation park, noting that the natural resources are modified from a history of mining (e.g. "it was mined to a depth of 6 meters in the 1980s", "there is agreement that none of this land holds conservation value"). Also accepted were comments noting that disposal of the area is supported by the Mana Whenua Panel and reflects the perspectives of Ngāi Tahu.

Section 4 and Treaty principles: The Mana Whenua Panel have opposed the notified intention, supported by submissions from Treaty partner organisations, instead recommending the area be considered for disposal as the pastoral components are "significantly modified" and contain no or very low conservation values.

My conclusion in light of those submissions accepted, and in accordance with the position of the Mana Whenua Panel, is that the area does not contain natural and historic resources of sufficient value to justify the notified intention of conservation park.

Rationale: My conclusion, considering those submissions accepted, is that the area is highly modified (described in the CVR as modified exotic grassland) and does not contain natural resources of sufficient value to justify the notified intention of conservation park. The isolated nature of the area, surrounded by privately owned properties, further supports this conclusion. I note that the CVR highlights that it is unknown whether there are any archaeological remains associated with the former township.

Conservation Park (Waimea) - HOK_09_2809331w

Support

Access and Recreation (Allowed)

- A submission supported the proposed classification on the basis of preserving public access, should climbing potential be discovered in the future.

I recommend that these comments are not accepted. I have concluded based on comments in opposition that the assessment area is highly modified and contains insufficient natural and historic values to justify the notified intention of conservation park. I note that the modified nature of the land (e.g. exotic grassland) means it is unlikely there are climbing values present. The CVR notes that the area contains no tracks or facilities, and is likely to receive little recreation use.

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, or agreed it reflected the "information in the technical reports".
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level based on its "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.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter expressed "trust that Conservation Park status will provide full protection from any future mining applications in these areas".
- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide "more than adequate legal protection".
- A submission in support of conservation park advocated for greater protection from "intrusive development" such as mining and hydro schemes, stating that "most of the Southern Alps deserves protection equivalent to that of National Park status".

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

Other (Not Allowed)

- A submission suggested that the implementation of the proposed classification "needs to be followed up with sufficient funding for pest eradication".

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

Oppose

Ecology and Landscape (Allowed)

- A submitter, who advocated for the area to be disposed of, noted the modified nature of the natural resources present, resulting from a history of mining (e.g. "it was mined to a depth of 6 meters in the 1980s"). It was suggested that the land "has been held in trust by DOC since its inception pending disposal" and "is neither use nor ornamentation to anyone except its immediate neighbours".

I recommend that these comments are accepted. I agree that the area (which the CVR identifies as modified exotic grassland) contains insufficient natural resources to warrant the notified classification of conservation park.

- Submitters noted that the proposed conservation parks are in close proximity to one another and "it appears to be an inefficient way of managing land for conservation". It was recommended to combine the proposed parks where the values are similar as this "provides greater opportunity for large landscape scale management".
- A submitter noted the area may have "the last remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened" and warrants a higher level of protection than that proposed, suggesting national park, wildlife management, scenic reserve, nature reserve or scientific reserve as more appropriate.

I recommend that these comments are not accepted. I have concluded based on comments in opposition that the assessment area is highly modified and contains insufficient natural and historic values to justify the notified intention of conservation park. I note that the CVR describes the area as having low diversity and pattern and does not identify the presence of any threatened or at-risk species.

Treaty Considerations (Allowed)

- The proposed classification was opposed on the basis that the "recommendations of the MWP reflect the values, interests, and perspectives of the Papatipu Rūnanga in whose Takiwā the relevant land is located".

I recommend that these comments are accepted. My conclusion in light of those submissions accepted, and in accordance with the position of the Mana Whenua Panel, is that the area does not contain natural and historic resources of sufficient value to justify the notified intention of conservation park.

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification, or expressed concern that the classification would not provide any greater protection than the current status.
- Alternative classification as a conservation area or historic reserve was recommended.

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 submitter who expressed general concern about the low-level protection offered by conservation park, noted support for that classification for land "potentially containing crown minerals". The support was contingent on the land being registered as a specially protected area if significant conservation values were present.
- Submissions opposed the classification due to a lack of clarity on the activities allowed for under the conservation park status and were concerned the status would not protect the high conservation values identified.
- One submission sought greater clarity on the possible economic activities that may occur, as signalled in the recommendation report.

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

Process and Consultation (Not Allowed)

- A submitter stated that if a national park classification is "politically unpalatable, then political judgement calls must be made by accountable politicians, not by the Panel".
- A submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values".
- 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 to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

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

Other (Not Allowed)

- A submitter advocated for new conservation parks to "come with additional Government funding for better biodiversity work and more pest control".

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

Disposal - HOK_09_2809331x

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 submitter noted that the land did not hold any substantive conservation value, and was therefore suitable for disposal ("there is agreement that none of this land holds conservation value").

I recommend that these comments are accepted. I agree that the area (which the CVR identifies as modified exotic grassland) contains insufficient natural resources to warrant the notified classification of conservation park.

Treaty Considerations (Allowed)

- Submissions supported the recommendations of the Mana Whenua Panel on the basis that these recommendations reflect the rights and interests of mana whenua, recognise Ngāi Tahu's connection to their ancestral lands, and fulfil obligations under the Treaty of Waitangi (e.g. "by adopting the recommendations of the Mana Whenua Panel the Minister will give effect to the principles of the Treaty of Waitangi").

I recommend that these comments are accepted. My conclusion in light of those submissions accepted, and in accordance with the position of the Mana Whenua Panel, is that the area does not contain natural and historic resources of sufficient value (described in the CVR as modified exotic grassland) to justify the notified intention of conservation park.

General (Allowed)

- A submission expressed general support for the recommendation by the Mana Whenua Panel.

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)

- 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 objected to disposal on the grounds that this represents a loss of public access and ability for future generations to enjoy these areas, expressed opposition to any disposal which means a loss of recreation opportunities such as climbing angling or hunting, or requested "appropriate mechanisms are used to ensure existing and future public use is maintained or improved" (e.g. "Retaining this land in the conservation estate will preserve public access if climbing potential is discovered in the future", "Oppose any disposal of stewardship land where that land holds recreational sports fishing or gamebird hunting values or provides public access to areas where sports fishing or gamebird hunting may be undertaken"). Alternative classification as a conservation park was recommended.

I recommend that these comments are not accepted. I have concluded based on comments in opposition that the assessment area is highly modified and contains insufficient natural and historic values to justify the notified intention of conservation park. The CVR notes that the area contains no tracks or facilities, and is likely to receive little recreation use.

Climate Change and Natural Hazards (Allowed)

- Submissions opposed disposal on the grounds that it forgoes future opportunities to deal with climate change such as carbon sequestration and climate mitigation, stating the land should be protected for future generations (e.g. "The opportunities for carbon sequestration through indigenous vegetation are rapidly diminishing and every hectare of the conservation estate is of value", "conservation land should be protected for indigenous species to thrive and to safeguard the environment from extreme weather and other future issues", "they are all front country areas that protect other significant areas from climate disruption, flooding, slips, erosion, and damage from sea surges and rising sea level").
- Submitters advocated for retention in Crown ownership, or classification as a scenic reserve, ecological area or conservation park.
- A submitter stated that no land should be disposed of if there is potential for restoration and that riverbeds and adjacent land should be retained for flood retention, with no grazing permitted.
- A submitter noted that disposal "will not assist with a reduction in emissions from agriculture".

I recommend that these comments are <u>not accepted</u>. My assessment is that the area is highly modified (described in the CVR as modified exotic grassland) does not contain natural resources of sufficient value to justify the notified intention of conservation park. The isolated nature of the area, surrounded by privately owned properties, further supports this conclusion.

Ecology and Landscape (Allowed)

- Submissions advocated for retention in Crown ownership on the grounds that there are likely to be natural values remaining, that pasture areas are likely to contain some indigenous species, that even highly modified land holds opportunities for ecosystem restoration and areas near forests could easily revert to a natural state (e.g. "Most have remnants of native forests and provide islands of habitat for native species", "often close to native forest (and therefore seed source) meaning without grazing these areas will overtime readily revert to forest").
- Submissions opposed disposal of any conservation land due to the current biodiversity crisis and the potential role the land may play in future conservation, noting the intent of Te Mana o te Taio and recommending a "precautionary policy" (e.g. "I believe that it is premature for any of these areas to be disposed of because it removes them irrevocably from serving any conservation or support role in the future").
- A submission highlighted the ecological values present in the area including "small sections" of secondary growth of indigenous forest, regenerating forest/shrubland, potential instream values and the role of the area as a "stepping stone" between modified areas. Classification as a conservation park status "as a minimum" was recommended.
- Submissions opposed disposal where there is poor ecological representation in existing protected areas, recommending that lowland river terraces remain in public conservation land as so little remains and there is the potential for restoration and regeneration.
- A submission recommended that only modified landlocked sites without restoration potential should be disposed of.

I recommend that these comments are <u>not accepted</u>. My assessment is that the area is highly modified (described in the CVR as modified exotic grassland) does not contain natural resources of sufficient value to justify the notified intention of conservation park. The isolated nature of the area, surrounded by privately owned properties, further supports this conclusion.

Treaty Considerations (Allowed)

- One submission stated no stewardship land should be disposed of, except to tangata whenua, "and only then with the need to maintain the block's cultural, conservation & mahika-kai values".
- One submission expressed a desire for maximum protection to allow nature to thrive, in keeping with the approach of the indigenous people of Aotearoa.

I recommend that these comments are <u>not accepted</u>. My conclusion in light of those submissions accepted, and in accordance with the position of the Mana Whenua Panel, is that the area does not contain natural and historic resources of sufficient value (described in the CVR as modified exotic grassland) to justify the notified intention of conservation park.

General (Allowed)

- Submissions expressed opposition to disposal of any stewardship land in general terms, expressed a desire for maximum environmental protection, such as national park or conservation park classification, or supported "a cautionary approach".

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 expressed opposition to disposal of any stewardship land and sought protection from development, mining, or other extractive activities.
- A submission advocated against disposals and stated that there is "little or no added management burden to retain these lands" and disposal may cause costs to be incurred.

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, including the timeframe for response, when compared to the scale of information notified.
- A submitter noted that "there is no requirement" that land with low conservation values is disposed of, expressing opposition to any disposal of riverbed or pastoral land in public ownership. Concerns regarding the limits of the notification were further highlighted as the "proposed disposals do not give even a general indication where disposal boundaries might be" making it difficult for submitters to comment. The submitter further stated that "The National Panel is recommending 65 hectares for disposal, but has recommended up to an additional 1000 hectares of land may be disposed of where there is pastoral land alongside river conservation areas (subject to survey). This is not explained or justified".
- A submitter stated that recommendations should be based on "conservation values alone", and that "recreation and use values are not conservation values".

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

Other (Not Allowed)

- One submission suggested 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.

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 which supports reconsideration of the notified classification.

Other (Not Allowed)

- One submission noted that disposal of land will be subject to Heritage New Zealand Pouhere Taonga Notification Process for Disposal of Crown-owned Land.

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

HOK_10 – Big Dam Hill – 2809285

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Big Dam Hill	HOK_10_2809285y	Conservation Park (Waimea)	Neutral	16	13

DOC Conservation Values Report Description

A 1206.8031-ha area of lowland ridges and gullies separating Waimea Creek from Arahura River. Part of the area has been logged in the past, but it still holds large tracts of indigenous podocarp/hardwood forests, numerous streams, forested catchments and induced wetlands. The southern section of the area on the river terraces near the Arahura River is part of a DOC Ngā Awa site. There are ten recorded archaeological sites, all closely tied to the Waimea goldrush and comprise the physical mining operations alongside the settlements that supported these, and the transport networks that connected them. Recreation includes people walking the former forest service gravel roads, and occasional hunting by locals. Various permissions are in place.

Panel Recommendations

National Panel: Conservation park (Waimea), to reflect the mosaic of values present and protect natural and historic resources while facilitating public recreation and enjoyment of the area.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of conservation park.

Summary of accepted submissions: Those submissions 'accepted' as holding merit supported the notified status as appropriate for the historic values present or noted the recreational values across the wider area.

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 the area is in the vicinity of Ngāi Tahu forestry and that Ngāi Tahu may have future aspirations for this land, such as forestry.

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

Rationale: My conclusion is that on balance the natural resources present (e.g. tracts of indigenous forest, wetlands, part of a Ngā Awa site) are appropriately protected under the proposed classification, when also considering the historic resources present (e.g. ten recorded archaeological sites associated with the Waimea goldrush). The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Conservation Park (Waimea) - HOK_10_2809285y

Support

Access and Recreation (Allowed)

- A submission supported the classification, outlining the proximity to Hokitika and recreational use that occurs across the wider area including walking, biking and hunting.

I recommend that these comments are accepted. I agree that the notified status will appropriately provide for recreational use as identified in the CVR. The proposed conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Historic and Cultural Values (Allowed)

- Submissions supported the classification as appropriate to protect the "abundant evidence of long Māori and later European occupation".

I recommend that these comments are accepted. I agree that the proposed classification of conservation park appropriately protects the historic values present as described by the CVR (e.g. Aarchaeological sites associated with goldmining). The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, agreed it reflected the "information in the technical reports", or supported the recommendation of the Mana Whenua Panel.
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter expressed "trust that Conservation Park status will provide full protection from any future mining applications in these areas".
- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide "more than adequate legal protection.
- A submission in support of conservation park advocated for greater protection from "intrusive development" such as mining and hydro schemes, stating that "most of the Southern Alps deserves protection equivalent to that of National Park status".

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

Other (Not Allowed)

- A submission suggested that the implementation of the proposed classification "needs to be followed up with sufficient funding for pest eradication".

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

Oppose

Ecology and Landscape (Allowed)

- A submission was concerned with ensuring conservation park status provided "greater protection for indigenous species, enhanced water quality for native fish species and ensured landscape continuity".
- Alternative classification as an ecological area was recommended with the submission highlighting the presence of at risk/threatened species and depleted ecosystems "in relatively good condition".
- A submitter noted the area may have "the last remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened" and warrants a higher level of protection than that proposed, suggesting national park, wildlife management, scenic reserve, nature reserve or scientific reserve as more appropriate.

I recommend that these comments are not accepted. My assessment is that the natural resources present (e.g. indigenous forest modified by logging, freshwater values) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

- Submissions noted the close proximity of the proposed conservation parks to one another and recommended combining the proposed parks to ensure "long-term protection and maintenance of biological diversity".

I recommend that these comments are not accepted. There are no specifications in the Conservation Act 1987 or Conservation General Policy regarding the size or proximity of distinct conservation parks.

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification, or expressed concern that the classification would not provide any greater protection than the current status.
- A submission recommended adding the land to the Shamrock Creek Amenity Area 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)

- A submitter who expressed general concern about the low-level protection offered by conservation park, noted support for that classification for land "potentially containing crown minerals". The support was contingent on the land being registered as a specially protected area if significant conservation values were present.
- A submitter opposed the classification due to a lack of clarity on the activities allowed for under the conservation park status and was concerned the status would not protect the high conservation values identified.

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

Process and Consultation (Not Allowed)

- A submitter stated that if a national park classification is "politically unpalatable, then political judgement calls must be made by accountable politicians, not by the Panel".
- A submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values".
- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.
- A submitter sought clarification on the economic, well-being and development aspirations of Ngāi Tahu referred to in the recommendation report. The submitter felt unable to assess the suitability of the proposed classification without understanding the aspirations and their potential impact on natural values.

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 to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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)

- 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 which supports reconsideration of the notified classification.

Other (Not Allowed)

- A submitter advocated for new conservation parks to "come with additional Government funding for better biodiversity work and more pest control".
- A submission raised the challenge of ensuring cattle are excluded from waterways and that ongoing grazing may be contrary to the National Policy Statement for Freshwater.

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

HOK_11 – North Bank Arahura Road – 2806208

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
North Bank Arahura Road	HOK_11_2806208a	Stewardship	Stewardship	10	13

DOC Conservation Values Report Description

A 74.4551-ha area that runs parallel with Old Christchurch Road. It is coastal podocarp/broadleaved forest with some wetland areas on a coastal terrace. South Island fernbird (At Risk - Declining) have been heard in the wetland. Surrounding and nearby areas have been cleared for plantations and farming. The area is bisected by a road to Red Jacks. The area likely receives little recreation use except occasional hunting. This piece of conservation area has been identified by Te Rūnanga o Ngāti Waewae as a possible site for Papakāinga housing, and discussions have occurred with the Department.

Panel Recommendations

National Panel: Retain as stewardship land to appropriately reflect the identified values while enabling the ongoing discussions between mana whenua and the Department to continue.

Mana Whenua Panel: Retain as stewardship, supporting the Western South Island National Panel's recommendation.

S.49(2)(d) Recommendation

- Proceed with the notified proposal, retaining the area in stewardship.

Summary of accepted submissions: Those submissions 'accepted' as holding merit supported retaining the area in stewardship to recognise Ngāi Tahu interests or expressed general support for the proposal.

Section 4 and Treaty principles: The Mana Whenua Panel supported the notified proposal, supported by submissions from Treaty partner organisations. The Mana Whenua Panel have signalled a strong connection to this stewardship area, particularly that "the entire Arahura area is a place of immense spiritual and cultural significance for Ngāi Tahu", "the conservation area is also an integral part of a wider vision that Te Rūnanga o Ngāti Waewae have for Arahura, to improve the connectivity between the river, pā, the urupā, and Arahura marae and respond to impacts relating to climate change", "discussions have previously occurred with the Department of Conservation and Mana Whenua regarding the provision of Papakāinga to be established in the vicinity of the Arahura Marae" and "further assessment of the values and opportunities of this conservation area for Ngāi Tahu is required".

Under Section 4 of the Act, reasonable steps must be taken to actively protect relevant Treaty partner values and interests. This obligation is not absolute and unqualified, however. Active protection requires you to properly understand the nature of the interests claimed and to reconcile that material with any wider or competing rights or interests, and to make informed decisions that are reasonable in the circumstances.

My assessment, considering submissions accepted, is that it is reasonable in the circumstances to retain this area in stewardship to further explore Ngāi Tahu interests and aspirations, including what Treaty principles may require. I note that any further work will be undertaken in a manner consistent with Treaty principles.

Rationale: I have concluded based on those submissions accepted, and considering the identified Ngāi Tahu interests, that it is appropriate to retain the area in stewardship at this time. I note that as stewardship land the area will remain protected until an appropriate classification is determined.

Retain in Stewardship - HOK_11_2806208a

Support

Treaty Considerations

- A submission supported the retention of the area as stewardship land to enable continuing discussions with Te Rūnanga o Ngāti Waewae regarding the Papakāinga opportunity next to Arahura Marae.

- Submissions supported the position of the Mana Whenua Panel on the basis that their recommendations reflect the rights and interests of mana whenua and recognise Ngāi Tahu's connection to their ancestral lands (e.g. "by adopting the recommendations of the Mana Whenua Panel the Minister will give effect to the principles of the Treaty of Waitangi").

I recommend that these comments are accepted. My assessment, considering submissions accepted, is that it is reasonable in the circumstances to retain this area in stewardship to further explore Ngāi Tahu interests and aspirations, including what Treaty principles may require.

General

- Submissions stated support for the proposed classification, or agreement with the Mana Whenua Panel, 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 raised, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use

- A submission advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide adequate legal protection.

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

Other

- A submission supported retention in stewardship due to the "special circumstances" of the area to allow further negotiations and activities to occur, and advocated for a similar approach in other locations.

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

Oppose

Climate Change and Natural Hazards

- A submission opposed the classification noting the opportunity for carbon sequestration and seeking classification as an ecological area or scenic reserve.
- A submission opposed retention as stewardship land for the purpose of Papakāinga housing, stating concern that this is "clearly in conflict with natural and carbon values that should be protected for the long term" and noting that the "consequence of the recommendation is the destruction of forest that is actively sequestering carbon, disturbance of soil stores of carbon and disturbance of streams and bogs".

I recommend that these comments are not accepted. While I agree that the natural values present may support climate mitigation, it is my assessment, considering submissions accepted, is that it is reasonable in the circumstances to retain this area in stewardship to further explore Ngāi Tahu interests and aspirations, including what Treaty principles may require. I note that as stewardship land the area will remain protected until an appropriate classification is determined.

Ecology and Landscape

- Submissions expressed opposition to retaining in stewardship due to the ecological values present, noting the importance of protecting the regenerating remnant coastal podocarp/broadleaved forest and wetland and suggesting an alternative classification of ecological area, scenic reserve or another classification which would protect the forest (e.g. "rare coastal terrace regenerating podocarp forest", "The regeneration of kahikatea and rimu is well advanced, ten to twelve metres tall, with many trees greater than 25cm in diameter", "It has some wetland and waterways providing habitat for a number of threatened freshwater fish species (brown mudfish, koura and tuna for example)").
- The extent of clearing which has occurred on private land around the area was raised by submissions in opposition with concern that a higher level of protection is needed for the remaining forest, recognising the role it plays in connecting the remaining forests across land types (e.g. "There has been land clearance in the area over the last 10

years, a higher level of protection is needed for what remains (…) This network of native forest is one of the three large remnants of indigenous forest in the maritime zone between Taramakau and Arahura rivers").

- The need to clear forest to provide Papakāinga housing was questioned by submitters when there may be cleared sites available.

I recommend that these comments are not accepted. Although I agree that the area holds ecological value, my assessment, considering submissions accepted, is that it is reasonable in the circumstances to retain this area in stewardship to further explore Ngāi Tahu interests and aspirations, including what Treaty principles may require. I note that as stewardship land the area will remain protected until an appropriate classification is determined.

General

- Opposition to the retention as stewardship land was noted, "when there are values that exist that would justify reclassification".
- A submission expressed general opposition to retaining in stewardship, suggesting an alternative classification as "reserve status either scenic or conservation park".
- A submission noted preference for "the highest possible classification" due to the land's "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.

Permissions, Economic Factors and Land Use

- Submissions opposed retaining land in stewardship, describing it as a "meaningless recommendation" and expressing concern that the classification allows for the land to be used for extractive commercial activities. It was recommended that the land is either disposed of or classified into an appropriate category based on the values present (e.g. "Leaving an area as stewardship land leaves it open to ecologically degrading activities including mining, stock grazing, logging and residential developments and without rigorous protection from the environmental impacts of those industries").

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

Process and Consultation

- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation, including the timeframe for response, when compared to the scale of information notified.
- A submission queried the extent of land in South Westland not included in the reclassification process.

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

Other

- A submission suggested that consideration be given to the surrounding modified/developed land parcels being purchased to provide a Papakāinga site.
- A submission expressed concern about unauthorised grazing at the site.

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

No Opinion/Position Stated

Access and Recreation

- Submissions queried whether the proposed classification allows hunting, fishing and "provision for public access".

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

- A submission noted that the North Bank of the Arahura river was formerly podocarp forest and is of high conservation value, and expressed support for holding this land in the conservation estate.

I recommend that these comments are not accepted. Although I agree that the area holds ecological value, my assessment, considering submissions accepted, is that it is reasonable in the circumstances to retain this area in stewardship to further explore Ngāi Tahu interests and aspirations, including what Treaty principles may require. I note that as stewardship land the area will remain protected until an appropriate classification is determined.

Treaty Considerations

- A submission recommended consultation with Te Rūnanga o Ngāti Waewae as the area is "contiguous with Arahura Pa associations/cultural consideration".
- A submission suggested retaining as stewardship to allow further discussions with Ngāi Tahu.

I recommend that these comments are accepted. My assessment, considering submissions accepted, is that it is reasonable in the circumstances to retain this area in stewardship to further explore Ngāi Tahu interests and aspirations, including what Treaty principles may require.

General

- A 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 which supports reconsideration of the notified classification.

Other

- A submission opposed disposal of the land noting it can cause costs to be occurred and there is little burden to retaining.

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

HOK_12 – Duffers Creek – 2809283

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Duffers Creek	HOK_12_2809283b	Conservation Park (Ōkūkū)	Neutral	15	13

DOC Conservation Values Report Description

A 55.6593-ha pākihi wetland with associated forest and shrubland, much of it cutover and regenerating from a history of logging and mining. There is a myriad of stream channels throughout the wetlands. Other than occasional hunting, little recreation use is likely.

Panel Recommendations

National Panel: Conservation park (Ōkūkū), to reflect the mosaic of values present and protect natural and historic resources while facilitating public recreation and enjoyment of the area.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of conservation park.

Summary of accepted submissions: Those submissions 'accepted' as holding merit supported the notified status as appropriate for the historic values present or noted the recreational values across the wider area.

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 the area "is adjacent to Ngāi Tahu Forestry, an indication of Ngāi Tahu presence, interest and use of the land in this vicinity" and "Ngāi Tahu may have future aspirations for this land (such as forestry)".

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

Rationale: My conclusion is that on balance the natural resources present (a large pākihi wetland with associated forest and shrubland, much of it cutover and regenerating from a history of logging and mining) are appropriately protected under the proposed classification, when also considering the historic resources present. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Conservation Park (Ōkūkū) - HOK_12_2809283b

Support

Access and Recreation (Allowed)

- A submission supported the classification, outlining the proximity to Hokitika and recreational use that occurs across the wider area including walking, biking, hunting.

I recommend that these comments are accepted. I agree that the notified status will appropriately provide for recreational use as identified in the CVR (occasional hunting by locals). The proposed conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Historic and Cultural Values (Allowed)

- Submissions supported the classification as appropriate to protect the "abundant evidence of long Māori and later European occupation".

I recommend that these comments are accepted. I agree that the proposed classification of conservation park appropriately protects the historic values present. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, agreed it reflected the "information in the technical reports", or supported the recommendation of the Mana Whenua Panel.
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter expressed "trust that Conservation Park status will provide full protection from any future mining applications in these areas".
- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide "more than adequate legal protection".
- A submission in support of conservation park advocated for greater protection from "intrusive development" such as mining and hydro schemes, stating that "most of the Southern Alps deserves protection equivalent to that of National Park status".
- A submission supported the classification due to the higher levels of protection it will offer, noting the mining activity occurring on neighbouring land which "has extended inside the public conservation land".

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

Other (Not Allowed)

- A submission suggested that the implementation of the proposed classification "needs to be followed up with sufficient funding for pest eradication".

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

Oppose

Ecology and Landscape (Allowed)

- Alternative classification as an ecological area was recommended with the submission highlighting the presence of at risk/threatened species and depleted ecosystems "in relatively good condition".
- A submitter noted the area may have "the last remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened" and warrants a higher level of protection than that proposed, suggesting national park, wildlife management, scenic reserve, nature reserve or scientific reserve as more appropriate.
- A submission was also concerned with ensuring conservation park status provided "greater protection for indigenous species, enhanced water quality for native fish species and ensured landscape continuity".

I recommend that these comments are not accepted. My assessment is that the natural resources present (e.g. a large pākihi wetland with associated forest and shrubland, much of it cutover and regenerating from a history of logging and mining) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

- Submissions noted the close proximity of the proposed conservation parks to one another and recommended combining the proposed parks to ensure "long-term protection and maintenance of biological diversity".

I recommend that these comments are not accepted. There are no specifications in the Conservation Act 1987 or Conservation General Policy regarding the size or proximity of distinct conservation parks

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification, or expressed concern that the classification would not provide any greater protection than the current 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)

- A submitter who expressed general concern about the low-level protection offered by conservation park, noted support for that classification for land "potentially containing crown minerals". The support was contingent on the land being registered as a specially protected area if significant conservation values were present.
- A submitter opposed the classification due to a lack of clarity on the activities allowed for under the conservation park status and was concerned the status would not protect the high conservation values identified.
- One submission was concerned that the change in status would affect existing permissions noting a power line easement.

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

Process and Consultation (Not Allowed)

- A submitter stated that if a national park classification is "politically unpalatable, then political judgement calls must be made by accountable politicians, not by the Panel".
- A submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values".
- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.
- A submitter sought clarification on the economic, well-being and development aspirations of Ngāi Tahu referred to in the recommendation report. The submitter felt unable to assess the suitability of the proposed classification without understanding the aspirations and their potential impact on natural values.

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 to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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)

- 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 which supports reconsideration of the notified classification.

Other (Not Allowed)

- A submitter advocated for new conservation parks to "come with additional Government funding for better biodiversity work and more pest control".

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

HOK_12 – Lake Mudgie – 2809288

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Lake Mudgie	HOK_12_2809288c	Conservation Park (Ōkūkū)	Neutral	13	14

DOC Conservation Values Report Description

A 500.8586 ha pākihi wetland with associated forest and shrubland, much of it cutover and regenerating from a history of logging and mining. There is a myriad of stream channels throughout the wetlands. Other than occasional hunting, little recreation use is likely. Permissions are in place for beehives and a power line. The Davidson Log Hauler site has strong heritage interest for the layout and operation of such sites, as timber milling was a significant industry that supplied mining, building, railway construction and the export market.

Panel Recommendations

National Panel: Conservation park (Ōkūkū), to reflect the mosaic of values present and protect natural and historic resources while facilitating public recreation and enjoyment of the area.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of conservation park.

Summary of accepted submissions: Those submissions 'accepted' as holding merit supported the notified status as appropriate for the historic values present or noted the recreational values across the wider area.

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 the area "is adjacent to Ngāi Tahu Forestry, an indication of Ngāi Tahu presence, interest and use of the land in this vicinity" and "Ngāi Tahu may have future aspirations for this land (such as forestry)".

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

Rationale: My conclusion is that on balance the natural resources present (a large pākihi wetland with associated forest and shrubland, much of it cutover and regenerating from a history of logging and mining) are appropriately protected under the proposed classification, when also considering the historic resources present (the original location of a Davidson Log Hauler). The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Conservation Park (Ōkūkū) - HOK_12_2809288c

Support

Access and Recreation (Allowed)

- A submission supported the classification, outlining the proximity to Hokitika and recreational use that occurs across the wider area, including walking, biking, hunting.

I recommend that these comments are accepted. I agree that the notified status will appropriately provide for recreational use as identified in the CVR (i.e. occasional hunting by locals). The proposed conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Historic and Cultural Values (Allowed)

- Submissions supported the classification as appropriate to protect the "abundant evidence of long Māori and later European occupation".

I recommend that these comments are accepted. I agree that the proposed classification of conservation park appropriately protects the historic values present as described by the CVR (e.g. the original location of a Davidson Log Hauler). The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, agreed it reflected the "information in the technical reports", or supported the recommendation of the Mana Whenua Panel.
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter expressed "trust that Conservation Park status will provide full protection from any future mining applications in these areas".
- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide "more than adequate legal protection".
- A submission in support of conservation park advocated for greater protection from "intrusive development" such as mining and hydro schemes, stating that "most of the Southern Alps deserves protection equivalent to that of National Park status".
- A submission supported the classification due to the higher levels of protection it will offer, noting the mining activity occurring on neighbouring land which "has extended inside the public conservation land".

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

Other (Not Allowed)

- A submission suggested that the implementation of the proposed classification "needs to be followed up with sufficient funding for pest eradication".

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

Oppose

Ecology and Landscape (Allowed)

- Alternative classification as an ecological area was recommended with the submission highlighting the presence of at risk/threatened species and depleted ecosystems "in relatively good condition".
- A submission was also concerned about ensuring conservation park status provided "greater protection for indigenous species, enhanced water quality for native fish species and ensured landscape continuity".
- A submitter noted the area may have "the last remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened" and warrants a higher level of protection than that proposed, suggesting national park, wildlife management, scenic reserve, nature reserve or scientific reserve as more appropriate.

I recommend that these comments are not accepted. My assessment is that the natural resources present (e.g. a large pākihi wetland with associated forest and shrubland, much of it cutover and regenerating from a history of logging and mining) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

- Submissions noted the close proximity of the proposed conservation parks to one another and recommended combining the proposed parks to ensure "long-term protection and maintenance of biological diversity".

I recommend that these comments are not accepted. There are no specifications in the Conservation Act 1987 or Conservation General Policy regarding the size or proximity of distinct conservation parks

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification, or expressed concern that the classification would not provide any greater protection than the current status.
- A submission recommended adding the area to the Okuku Scenic Reserve 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)

- A submitter who expressed general concern about the low-level protection offered by conservation park, noted support for that classification for land "potentially containing crown minerals". The support was contingent on the land being registered as a specially protected area if significant conservation values were present.
- A submitter opposed the classification due to a lack of clarity on the activities allowed for under the conservation park status and was concerned the status would not protect the high conservation values identified.
- One submission was concerned that the change in status would 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.
- A submitter stated that if a national park classification is "politically unpalatable, then political judgement calls must be made by accountable politicians, not by the Panel".
- A submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values".
- A submitter sought clarification on the economic, well-being and development aspirations of Ngāi Tahu referred to in the recommendation report. The submitter felt unable to assess the suitability of the proposed classification without understanding the aspirations and their potential impact on natural values.

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 to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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.

Ecology and Landscape (Allowed)

- A submission noted the significance of a landscape approach and the need for a high level of protection.

I recommend that these comments are not accepted. My assessment is that the natural resources present (e.g. a large pākihi wetland with associated forest and shrubland, much of it cutover and regenerating from a history of logging and mining)

are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

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 which supports reconsideration of the notified classification.

Other (Not Allowed)

- A submitter advocated for new conservation parks to "come with additional Government funding for better biodiversity work and more pest control".

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

HOK_13 – Shamrock Creek – 2809353

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Shamrock Creek	HOK_13_2809353d	Amenity Area	Amenity Area	9	4

DOC Conservation Values Report Description

A 2.2176-ha sliver of land historically mined and regenerating, immediately south of the Shamrock Creek Amenity Area, but separated by Stafford Road. It is too narrow to reflect diversity and rarity. It has interesting history as part of the Waimea goldfield; one of the three big alluvial fields of the early rushes. It is being encroached by a current mining operation that has eaten into the southern boundary without any noted access arrangement. This is likely to present an ongoing moderate-to-severe level of disturbance to the area. Another company mining to the east/across Stafford Loop Road has a mining permit that covers this area and is proposing to use the area in the future for a mining road. No permissions are recorded.

Panel Recommendations

National Panel: Amenity area, as an addition to the adjoining Shamrock Creek Amenity Area. This will provide continuity of landscape and be consistent with the plans for its future use.

Mana Whenua Panel: The Mana Whenua Panel supports the recommendation of the Western South Island National Panel.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of amenity area.

Summary of accepted submissions: The submissions 'accepted' as holding merit supported the notified classification, noting that the proposed reserve reflects the perspectives of Ngāi Tahu.

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 the area "is adjacent to Ngāi Tahu Forestry, an indication of Ngāi Tahu presence, interest and use of the land in this vicinity" and "Ngāi Tahu may have future aspirations for this land (such as forestry)".

Given the Mana Whenua Panel support for the notified classification, I consider the classification is not inconsistent with the identified interests.

Rationale: My conclusion is that on balance the natural resources present (a narrow strip of scrub with little diversity) are appropriately protected under the proposed classification, when also considering protection of the identified Ngāi Tahu interests.

Amenity Area - HOK_13_2809353d

Support

Treaty Considerations (Allowed)

- Submissions supported the recommendations of the Mana Whenua Panel on the basis that these recommendations reflect the rights and interests of mana whenua, recognise Ngāi Tahu's connection to their ancestral lands, and fulfil obligations under the Treaty of Waitangi (e.g. "by adopting the recommendations of the Mana Whenua Panel the Minister will give effect to the principles of the Treaty of Waitangi").

I recommend that these comments should be accepted. My conclusion is that, while recognising the significance of the area to Ngāi Tahu, on balance the natural and historic resources present are appropriately protected under the proposed classification. I note that the Mana Whenua Panel have supported the notified classification.

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, agreed they reflected the "information in the technical reports", or expressed support for the recommendations of the Mana Whenua Panel.
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

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)

- A submission opposed all reclassification of stewardship land to specially protected areas 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.

HOK_14 – Kawhaka Creek – 2809287

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Kawhaka Creek	HOK_14_2809287e	Local Purpose (Kawhaka Ngāi Tahu) Reserve	Local Purpose (Kawhaka Ngāi Tahu) Reserve	15	6

DOC Conservation Values Report Description

A 29.674-ha stretch of Kawhaka Creek riverbed south of Old Christchurch Road, covering the river course, flood plain and some riparian vegetation. The adjacent banks have been developed into pasture. Any remaining intact native vegetation associated with the lowland, recent alluvial flats of the ecological district is ecologically important. This area also overlaps with the Ngā Awa catchment and the Bio18 Migratory Species programme, deeming this area as significant habitat for longfin eel. There is little recreational use except fishing. A grazing licence is in place.

Panel Recommendations

National Panel: Local Purpose (Kawhaka Ngāi Tahu) Reserve will provide appropriate protection for the identified values.

Mana Whenua Panel: Local Purpose (Kawhaka 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 of local purpose (Kawhaka Ngāi Tahu) reserve.

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 a strong connection with this conservation area, as it contains pounamu resources and is highly valued for pounamu fossicking. Pounamu is vested in Te Runanga o Ngāi Tahu pursuant to the Ngāi Tahu (Pounamu Vesting) Act 1997, in recognition of its significance to Ngāi Tahu. As kaitiaki, Ngāi Tahu has rights and responsibilities for management of pounamu. The reclassification of areas containing pounamu must expressly provide for the rights of Ngāi Tahu over this taonga, including access.

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: 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 (Kawhaka Ngāi Tahu) Reserve - HOK_14_2809287e

Support

Historic and Cultural Values (Allowed)

- Submissions supported classification as a local purpose reserve reclassification where specific "cultural and historic values have been identified".
- A submission supported the classification noting the area "needs the reserve status as it is a pounamu fossicking area".

I recommend that these comments are not accepted. Although I agree that the area holds cultural and historic values, 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 and cultural values described, alongside the conservation of natural resources and identified Ngāi Tahu values and interests.

Treaty Considerations (Allowed)

- Submissions viewed the recommendation as recognising the significance of the site to Ngāi Tahu, ensuring "Ngāi Tahu values, alongside conservation values, are at the forefront of the classification" and Ngāi Tahu have a role "in management and decision-making" (e.g. "agree with the Mana Whenua Panel that the decision on the reclassification of sites is important to acknowledge the mana and rangatiratanga of Ngāi Tahu"). They noted the values present, e.g. "Pounamu fossicking area".
- 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 expressed general support for the proposed classification without providing further justification.
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level based on its "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.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submission supported the classification but expressed concern it would affect existing permissions.

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

Oppose

Climate Change and Natural Hazards (Allowed)

- A submission opposed the classification noting the opportunity for carbon sequestration and "ecosystem restoration in response to flood events or coastal erosion" and seeking classification as a government purpose (river floodplain) reserve.

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 provides appropriate protection of the natural resources and subsequent protection against flood events or coastal erosion, or if another classification should be considered.

Ecology and Landscape (Allowed)

- One submission opposed the recommendation on the basis that the purpose of the reserve is not clearly defined, leaving it uncertain if ecological and other values will be protected if 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 submitter highlighted the presence of at risk/threatened species and "depleted ecosystems in relatively good condition" with the opportunity for restoration and recommending alternative classification as a government purpose (river floodplain) reserve.

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.

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 queried whether the proposed classification allows hunting, fishing and "provision for public 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 present, or if another classification may be more appropriate. Any limits on public access will be determined as part of any future policy work.

General (Allowed)

- A submitter stated they were unable to support local purpose reserves without greater clarity of 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 and historical resources present.

HOK_15 – Bells Dam – 2809284

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Bells Dam	HOK_15_2809284f	Scenic Reserve (a)	Scenic Reserve (a)	13	5

DOC Conservation Values Report Description

A 9.3595-ha area, predominantly a lake created by a small dam at the northern end over 100 years ago, is slowly filling in and is now becoming an ephemeral wetland (i.e. with fluctuating water level). Ephemeral wetlands are naturally rare and threatened ecosystems. Given proper survey, this site will undoubtedly contain some notable and possibly rare species. The site is associated with the huge demand for water generated by large scale alluvial mining last century. The development of water supply networks required significant investment and labour, and were valuable pieces of infrastructure in the goldfields.

Panel Recommendations

National Panel: Scenic reserve (a) will improve landscape continuity with the surrounding Okuku Scenic Reserve, a large forest that connects with many other important areas of public conservation land, as well as protecting the heritage values.

Mana Whenua Panel: The Mana Whenua Panel supports the recommendation of the Western South Island National Panel.

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 reflecting the notable natural resources present. 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 classification, supported by submissions from Treaty partner organisations.

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. lake and ephemeral wetland).

Scenic Reserve (a) - HOK_15_2809284f

Support

Climate Change and Natural Hazards (Allowed)

- A submitter supported the proposed classification as offering a high level of protection "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)

- A submitter expressed support on the basis that the area is now "ephemeral wetland as described in the technical assessment report", noting that this is a rare and threatened ecosystem, and suggesting it be added to the surrounding reserve.

I recommend that these comments are accepted. I agree that the natural resources identified are appropriately protected and preserved by the proposed 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)).

Treaty Considerations (Allowed)

- The recommendation of the Mana Whenua Panel was supported on the basis that it reflects "the values, interests, and perspectives of the Papatipu Rūnanga in whose Takiwā the relevant land is located", and that adopting the recommendations of the Mana Whenua Panel would give effect to the principles of the Treaty.

I recommend that these comments are accepted. I agree that natural resources present are appropriately protected by the proposed classification. I note that the Mana Whenua Panel have supported the proposed scenic reserve.

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, agreeing they reflected the "information in the technical reports", or expressed support for the recommendations of the Mana Whenua Panel.
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Oppose

General (Allowed)

- A submission opposed the proposed classification and suggested an alternative classification stating that the area had "values more suited to Conservation Area".

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 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 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 the limitations of the consultation.

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

Other (Not Allowed)

- A submission opposed all reclassification of stewardship land to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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)

- 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 which supports reconsideration of the notified classification.

HOK_17 – Blue Spur Road – 2809286

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Blue Spur Road	HOK_17_2809286g	Conservation Park (Houhou)	Neutral	12	15

DOC Conservation Values Report Description

A 149.8224-ha patch of forest and wetland on outwash and river terraces. Despite historic clearance, it is an ecologically important example of this lower altitude forest, of which very little remains intact in Hokitika Ecological District. The site would warrant further botanical and ecological field survey. The Blue Spur walkway is maintained and used by the local community. Houhou Creek and Blue Spur Range were prospected before 1865. The technology deployed in the Houhou goldfield was unusual on this part of the West Coast as a result of the black-sand gold lead, and there is a large cluster of associated archaeological sites. There are two permissions for power lines.

Panel Recommendations

National Panel: Conservation park (Houhou), to reflect the mosaic of values present, protecting natural and historic resources while facilitating public recreation and enjoyment of the area.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of conservation park.

Summary of accepted submissions: Those submissions 'accepted' as holding merit supported the notified status as appropriately representing the natural and historic resources present, or noted the recreational values across the wider area.

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 on balance the natural resources present (e.g. patches of forest and wetland on outwash and river terraces - despite historic clearance, they are still ecologically important examples of this lower altitude forest) are appropriately protected under the proposed classification, when also considering the historic resources present (e.g. a large cluster of archaeological sites associated with the Houhou lead). The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Conservation Park (Houhou) - HOK_17_2809286g

Support

Access and Recreation (Allowed)

- A submission supported the classification, outlining the recreational use that occurs across the wider assessment area, including popular walking trails and biking (e.g. "There are a number of popular local walks, including the Kaniere Water Race and Blue Spur walkways").

I recommend that these comments are accepted. I agree that the notified status will appropriately provide for recreational use as identified in the CVR (e.g. Blue Spur walkway, maintained by the local community). The proposed conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Ecology and Landscape (Allowed)

- A submission highlighted the high landscape values present and the "valuable addition to central Westlands conservation base" they make through their contribution to the sense of naturalness in the areas around Hokitika and "north all the way to the Paparoas".
- Submissions supported the classification, recognising the "diverse range of ecosystems, including examples of lowland forest and wetlands".

I recommend that these comments are accepted. I agree that the natural resources present (e.g. patches of forest and wetland on outwash and river terraces - despite historic clearance, they are still ecologically important examples of this lower altitude forest) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Historic and Cultural Values (Allowed)

- Submissions supported the proposed classification, noting the 19th-century goldmining value present.

I recommend that these comments are accepted. I agree that the proposed classification of conservation park appropriately protects the historic values present as described by the CVR (e.g. a large cluster of archaeological sites associated with the Houhou lead). The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, or agreed it reflected the "information in the technical reports".
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter expressed "trust that Conservation Park status will provide full protection from any future mining applications in these areas".
- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide "more than adequate legal protection".
- A submission in support of conservation park advocated for greater protection from "intrusive development" such as mining and hydro schemes, stating that "most of the Southern Alps deserves protection equivalent to that of National Park status".

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

Other (Not Allowed)

- A submission suggested that the implementation of the proposed classification "needs to be followed up with sufficient funding for pest eradication".

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

Oppose

Climate Change and Natural Hazards (Allowed)

- A submission noted the potential for rehabilitation and creation of a "much stronger ecological link" for the waterway as it passes through farmland, through riparian planting and governance.

I recommend that these comments are not accepted. My assessment is that the natural resources present (e.g. patches of forest and wetland on outwash and river terraces - despite historic clearance, they are still ecologically important examples of this lower altitude forest), and the associated potential for climate mitigation, are appropriately protected under the

proposed classification, when also considering the historic resources present. The points raised do not warrant overturning the notified intent. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Ecology and Landscape (Allowed)

- Submissions noted the presence of nationally important ecological values that "would not be properly protected as a Conservation Park". Values include rare old growth lowland forest in a landtype which has been "severely" depleted due to modification, and potential freshwater values (e.g. "depleted ecosystems in relatively good condition", "a wide range of habitats including the now rare old growth forest", "important habitat for whitebait diversity"), and recommended a higher level of protection than that proposed, suggesting national park, wildlife management, scenic reserve, ecological area, nature reserve or scientific reserve as more appropriate.

I recommend that these comments are not accepted. My assessment is that the natural resources present (e.g. patches of forest and wetland on outwash and river terraces - despite historic clearance, they are still ecologically important examples of this lower altitude forest) are appropriately protected under the proposed classification, when also considering the historic resources present. The points raised do not warrant overturning the notified intent. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification, or expressed concern that the classification would not provide any greater protection than the current status.
- A submission recommended alternative classification as an "appropriate reserve" status or addition of the area to Lake Kaniere.

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 submitter who expressed general concern about the low-level protection offered by conservation park, noted support for that classification for land "potentially containing crown minerals". The support was contingent on the land being registered as a specially protected area if significant conservation values were present.
- A submitter opposed the classification due to a lack of clarity on the activities allowed for under the conservation park status and was concerned the status would not protect the high conservation values identified.
- One submission was concerned that the change in status would affect existing permissions, noting the powerline easement at Blue Spur.

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

Process and Consultation (Not Allowed)

- A submitter stated that if a national park classification is "politically unpalatable, then political judgement calls must be made by accountable politicians, not by the Panel".
- A submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values".
- 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 to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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)

- 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 which supports reconsideration of the notified classification.

Other (Not Allowed)

- A submitter advocated for new conservation parks to "come with additional Government funding for better biodiversity work and more pest control".

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

HOK_17 – Blue Spur – 2809289

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Blue Spur	HOK_17_2809289h	Conservation Park (Houhou)	Neutral	15	13

DOC Conservation Values Report Description

A 64.8684-ha patch of forest and wetland on outwash and river terraces. Despite historic clearance, it is still an ecologically important example of this lower altitude forest, of which very little remains intact in Hokitika Ecological District. This site would warrant further botanical and ecological field survey. Active gold mining occurs around most of this area and has intruded over the legal boundary. The continued application and associated impacts of mining activities will present an ongoing threat to the integrity of this area. The Blue Spur walkway is maintained and used by the local community. Houhou Creek and Blue Spur Range were prospected before 1865. The technology deployed in the Houhou goldfield was unusual on this part of the West Coast as a result of the black-sand gold lead, and there is a large cluster of associated archaeological sites. There are two permissions for power lines.

Panel Recommendations

National Panel: Conservation park (Houhou), to reflect the mosaic of values present, protecting natural and historic resources while facilitating public recreation and enjoyment of the area.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of conservation park.

Summary of accepted submissions: Those submissions 'accepted' as holding merit supported the notified status as appropriately representing the natural and historic resources present, or noted the recreational values across the wider area.

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 on balance the natural resources present (e.g. patches of forest and wetland on outwash and river terraces - despite historic clearance, they are still ecologically important examples of this lower altitude forest) are appropriately protected under the proposed classification, when also considering the historic resources present (e.g. a large cluster of archaeological sites associated with the Houhou lead). The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Conservation Park (Houhou) - HOK_17_2809289h

Support

Access and Recreation (Allowed)

- Submissions supported the classification, outlining the recreational use that occurs, including popular walking trails and biking on a section of the West Coast Wilderness Trail, with the potential for additional sections to be created.

I recommend that these comments are accepted. I agree that the notified status will appropriately provide for recreational use as identified in the CVR (e.g. Blue Spur walkway, maintained by the local community. The proposed conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Ecology and Landscape (Allowed)

- A submission highlighted the high landscape values present and the "valuable addition to central Westlands conservation base" they make through their contribution to the sense of naturalness in the areas around Hokitika and "north all the way to the Paparoas".
- Submissions supported the classification, recognising the "diverse range of ecosystems, including examples of lowland forest and wetlands" or noting the importance of the "whole of Kaniere" for ecological biodiversity.

I recommend that these comments are accepted. I agree that the natural resources present (e.g. patches of forest and wetland on outwash and river terraces - despite historic clearance, they are still ecologically important examples of this lower altitude forest) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Historic and Cultural Values (Allowed)

- Submissions supported the proposed classification, noting the 19th-century goldmining value present.

I recommend that these comments are accepted. I agree that the proposed classification of conservation park appropriately protects the historic values present as described by the CVR (e.g. a large cluster of archaeological sites associated with the Houhou lead). The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, or agreed it reflected the "information in the technical reports".
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter expressed "trust that Conservation Park status will provide full protection from any future mining applications in these areas".
- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide "more than adequate legal protection".
- A submission in support of conservation park advocated for greater protection from "intrusive development" such as mining and hydro schemes, stating that "most of the Southern Alps deserves protection equivalent to that of National Park status".

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

Other (Not Allowed)

- A submission suggested that the implementation of the proposed classification "needs to be followed up with sufficient funding for pest eradication".

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

Oppose

Climate Change and Natural Hazards (Allowed)

- A submission noted the potential for rehabilitation and creation of a "much stronger ecological link" for the waterway through riparian planting and governance.

I recommend that these comments are not accepted. My assessment is that the natural resources present (e.g. patches of forest and wetland on outwash and river terraces - despite historic clearance, they are still ecologically important examples of this lower altitude forest), and the associated potential for climate mitigation, are appropriately protected under the

proposed classification, when also considering the historic resources present. The points raised do not warrant overturning the notified intent. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Ecology and Landscape (Allowed)

- Submissions noted the presence of nationally important ecological values that "would not be properly protected as a Conservation Park". Values include rare old growth lowland forest in a land type which has been "severely" depleted due to modification, and potential freshwater values (e.g. "depleted ecosystems in relatively good condition", "a wide range of habitats including the now rare old growth forest", "important habitat for whitebait diversity").
- Submitters recommended a higher level of protection than that proposed, suggesting national park, wildlife management, scenic reserve, ecological area, nature reserve or scientific reserve as more appropriate.

I recommend that these comments are not accepted. My assessment is that the natural resources present (e.g. patches of forest and wetland on outwash and river terraces - despite historic clearance, they are still ecologically important examples of this lower altitude forest) are appropriately protected under the proposed classification, when also considering the historic resources present. The points raised do not warrant overturning the notified intent. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification, or expressed concern that the classification would not provide any greater protection than the current 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)

- A submitter who expressed general concern about the low-level protection offered by conservation park, noted support for that classification for land "potentially containing crown minerals". The support was contingent on the land being registered as a specially protected area if significant conservation values were present.
- A submitter opposed the classification due to a lack of clarity on the activities allowed for under the conservation park status and was concerned the status would not protect the high conservation values identified.
- One submission was concerned that the change in status would affect existing permissions, noting the powerline easement at Blue Spur.

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

Process and Consultation (Not Allowed)

- A submitter stated that if a national park classification is "politically unpalatable, then political judgement calls must be made by accountable politicians, not by the Panel".
- A submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values".
- 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 to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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)

- 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 which supports reconsideration of the notified classification.

Other (Not Allowed)

- A submitter advocated for new conservation parks to "come with additional Government funding for better biodiversity work and more pest control".

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

HOK_18 – Blue Spur Road – 2805688

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Blue Spur Road	HOK_18_2805688i	Conservation Park (Houhou)	Conservation Park (Houhou)	17	14

DOC Conservation Values Report Description

A 168.5618-ha remnant area of podocarp/hardwood forest between areas of plantation forestry and other conservation areas. There is a very large habitat diversity – forest, pākihi and swamp wetlands, and numerous streams and creeks. The Bio18 Migratory Species programme deems waterways here significant for shortjaw kōkopu and longfin eel. The absence of dams suggests that the upper reaches of these waterways are important for many different migratory species that require connectivity between freshwater and salt water. Further sections of the West Coast Wilderness Trail may be built here to get sections of this trail off the road. There is historic interest from goldmining and power generation. A number of permissions are in place.

Panel Recommendations

National Panel: Conservation park (Houhou), to reflect the mosaic of values present, protecting natural and historic resources while facilitating public recreation and enjoyment of the area.

Mana Whenua Panel: The Mana Whenua Panel supports the recommendation of the Western South Island National Panel.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of conservation park.

Summary of accepted submissions: Those submissions 'accepted' as holding merit supported the notified status as appropriately representing the natural and historic resources present, or noted the recreational values across the wider area. 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 classification, supported by submissions from Treaty partner organisations.

The Mana Whenua Panel have signalled specific Ngāi Tahu interests associated with this stewardship area, particularly that the area is in the vicinity of Ngāi Tahu forestry and that Ngāi Tahu may have future aspirations for this land, such as forestry.

Given the Mana Whenua Panel support for the notified classification, I consider the classification is not inconsistent with the identified interests.

Rationale: My conclusion is that on balance the natural resources present (remnant areas of podocarp/hardwood forest between extensive areas of plantation forestry, very large habitat diversity) are appropriately protected under the proposed classification, when also considering the historic resources present (historic interest from goldmining and power generation, many associated archaeological sites). The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Conservation Park (Houhou) - HOK_18_2805688i

Support

Access and Recreation (Allowed)

- Submissions supported the classification, outlining the recreational use that occurs including kayaking, packrafting, walking, and biking on a section of the West Coast Wilderness Trail.

I recommend that these comments are accepted. I agree that the notified status will appropriately provide for recreational use as identified in the CVR (various popular walking, tramping and cycling tracks). The proposed conservation park will be

managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Ecology and Landscape (Allowed)

- Submissions highlighted the significant landscape values present and the "valuable addition to central Westlands conservation base" they make through their contribution to the sense of naturalness and the "mosaic landscape" that in effect "stretches from the tops of the mountains to the coastal flats".
- Submissions supported the classification, recognising the "diverse range of ecosystems, including examples of lowland forest and wetlands".

I recommend that these comments are accepted. I agree that the natural resources present (e.g. remnant areas of podocarp/hardwood forest between extensive areas of plantation forestry, very large habitat diversity) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Historic and Cultural Values (Allowed)

- Submissions supported the proposed classification, noting the 19th-century goldmining value present.

I recommend that these comments are accepted. I agree that the proposed classification of conservation park appropriately protects the historic values present (historic interest from goldmining and power generation, many associated archeological sites). The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Treaty Considerations (Allowed)

- The recommendation of the Mana Whenua Panel was supported on the basis that it reflects "the values, interests, and perspectives of the Papatipu Rūnanga in whose Takiwā the relevant land is located", and that adopting the recommendations of the Mana Whenua Panel would give effect to the principles of the Treaty.

I recommend that these comments are accepted. My assessment is that, while recognising the significance of the area to Ngāi Tahu, on balance the natural and historic resources present are appropriately protected under the proposed classification. I note that the Mana Whenua Panel have supported the notified classification.

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, or agreed it reflected the "information in the technical reports".
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter expressed "trust that Conservation Park status will provide full protection from any future mining applications in these areas".
- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide "more than adequate legal protection".
- A submission in support of conservation park advocated for greater protection from "intrusive development" such as mining and hydro schemes, stating that "most of the Southern Alps deserves protection equivalent to that of National Park status".

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

Other (Not Allowed)

- A submission suggested that the implementation of the proposed classification "needs to be followed up with sufficient funding for pest eradication".

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

Oppose

Ecology and Landscape (Allowed)

- Submissions noted the presence of nationally important ecological values that "would not be properly protected as a Conservation Park". Values include rare old growth lowland forest in a land type which has been "severely" depleted due to modification, and potential freshwater values (e.g. "depleted ecosystems in relatively good condition", "a wide range of habitats including the now rare old growth forest", "important habitat for whitebait diversity"), and recommended a higher level of protection than that proposed, suggesting national park, wildlife management, scenic reserve, ecological area, nature reserve or scientific reserve as more appropriate.
- A submission noted an adjacent land parcel has a higher protection status than the conservation park classification proposed.

I recommend that these comments are not accepted. My assessment is that the natural resources present (e.g. remnant areas of podocarp/hardwood forest between extensive areas of plantation forestry, very large habitat diversity) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification, or expressed concern that the classification would not provide any greater protection than the current status.
- A submission recommended adding the area to Lake Kaniere Ecological Area or alternative classification to an "appropriate" reserve 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)

- A submitter who expressed general concern about the low-level protection offered by conservation park, noted support for that classification for land "potentially containing crown minerals". The support was contingent on the land being registered as a specially protected area if significant conservation values were present.
- A submitter opposed the classification due to a lack of clarity on the activities allowed for under the conservation park status and was concerned the status would not protect the high conservation values identified.
- One submission was concerned that the change in status would affect existing permissions including concessions and access arrangements.

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

Process and Consultation (Not Allowed)

- A submitter stated that if a national park classification is "politically unpalatable, then political judgement calls must be made by accountable politicians, not by the Panel".
- A submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values".
- 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 to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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)

- 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 which supports reconsideration of the notified classification.

Other (Not Allowed)

- A submitter advocated for new conservation parks to "come with additional Government funding for better biodiversity work and more pest control".

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

HOK_18 – Kaniere Forest – 2805691

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Kaniere Forest	HOK_18_2805691j	Conservation Park (Kaniere)	Conservation Park (Kaniere)	20	16

DOC Conservation Values Report Description

A 775.7317-ha remnant area of podocarp/hardwood forest between areas of plantation forestry and other conservation areas. There is a very large habitat diversity – forest, pākihi and swamp wetlands, small lakes, and numerous streams and creeks. The Bio18 Migratory Species programme deems waterways here significant for shortjaw kōkopu and longfin eel. The absence of dams suggests that the upper reaches of these waterways are important for many different migratory species that require connectivity between freshwater and salt water. There are various popular walking, tramping and cycling tracks, some managed by DOC and others by other parties. Further sections of the West Coast Wilderness Trail may be built here to get sections of this trail off the road. There is historic interest from goldmining and power generation. The historic Kaniere Water Race is here, with many associated archaeological sites. A large number of permissions are in place, mostly to do with current mining.

Panel Recommendations

National Panel: Conservation park (Kaniere), to reflect the mosaic of values present, protecting natural and historic resources while facilitating public recreation and enjoyment of the area.

Mana Whenua Panel: The Mana Whenua Panel supports the recommendation of the Western South Island National Panel.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of conservation park.

Summary of accepted submissions: Those submissions 'accepted' as holding merit supported the notified status as appropriately representing the natural and historic resources present, or noted the recreational values across the wider area. 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 classification, supported by submissions from Treaty partner organisations.

The Mana Whenua Panel have signalled specific Ngāi Tahu interests associated with this stewardship area, particularly that the area is in the vicinity of Ngāi Tahu forestry and that Ngāi Tahu may have future aspirations for this land, such as forestry.

Given the Mana Whenua Panel support for the notified classification, I consider the classification is not inconsistent with the identified interests.

Rationale: My conclusion is that on balance the natural resources present (remnant areas of podocarp/hardwood forest between extensive areas of plantation forestry, very large habitat diversity) are appropriately protected under the proposed classification, when also considering the historic resources present (historic interest from goldmining and power generation, many associated archaeological sites). The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Conservation Park (Kaniere) - HOK_18_2805691j

Support

Access and Recreation (Allowed)

- Submissions supported the classification, outlining the recreational use that occurs including kayaking, packrafting, walking and biking on a section of the West Coast Wilderness Trail, with the potential for additional sections to be built.

I recommend that these comments are accepted. I agree that the notified status will appropriately provide for recreational use as identified in the CVR (various popular walking, tramping and cycling tracks). The proposed conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Ecology and Landscape (Allowed)

- Submissions supported the classification, recognising the "diverse range of ecosystems, including examples of lowland forest and wetlands".

I recommend that these comments are accepted. I agree that the natural resources present (e.g. remnant areas of podocarp/hardwood forest between extensive areas of plantation forestry, very large habitat diversity) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Historic and Cultural Values (Allowed)

- Submissions supported the proposed classification, noting the 19th-century goldmining value present.

I recommend that these comments are accepted. I agree that the proposed classification of conservation park appropriately protects the historic values present (historic interest from goldmining and power generation, many associated archeological sites). The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Treaty Considerations (Allowed)

- The recommendation of the Mana Whenua Panel was supported on the basis that it reflects "the values, interests, and perspectives of the Papatipu Rūnanga in whose Takiwā the relevant land is located", and that adopting the recommendations of the Mana Whenua Panel would give effect to the principles of the Treaty.

I recommend that these comments are accepted. My assessment is that, while recognising the significance of the area to Ngāi Tahu, on balance the natural and historic resources present are appropriately protected under the proposed classification. I note that the Mana Whenua Panel have supported the notified classification.

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, or agreed it reflected the "information in the technical reports".
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter expressed "trust that Conservation Park status will provide full protection from any future mining applications in these areas".
- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide "more than adequate legal protection".
- A submission in support of conservation park advocated for greater protection from "intrusive development" such as mining and hydro schemes, stating that "most of the Southern Alps deserves protection equivalent to that of National Park status".

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

Other (Not Allowed)

- A submission suggested that the implementation of the proposed classification "needs to be followed up with sufficient funding for pest eradication".

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

Oppose

Ecology and Landscape (Allowed)

- Submissions opposed the classification highlighting the diverse ecological values present including large remnants of podocarp forest between plantation forestry, wetlands and numerous streams/lakes. The potential role of the waterways for migratory species was noted (e.g. "depleted ecosystems in relatively good condition", "large remnant areas of podocarp/hardwood forest between extensive areas of plantation forestry", "pākihi and swamp wetlands, small lakes and numerous streams and creeks", "waterways are important for many different migratory species").
- Submitters recommended a higher level of protection, suggesting scenic reserve or ecological area.
- A submission noted an adjacent land parcel has a higher protection status than the conservation park classification proposed.
- A submitter noted the area may have "the last remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened" and warrants a higher level of protection than that proposed, suggesting national park, wildlife management, scenic reserve, nature reserve or scientific reserve as more appropriate.

I recommend that these comments are not accepted. My assessment is that the natural resources present (e.g. remnant areas of podocarp/hardwood forest between extensive areas of plantation forestry, very large habitat diversity) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification, or expressed concern that the classification would not provide any greater protection than the current status.
- A submission recommended adding the area to Lake Kaniere or alternative classification to an "appropriate" reserve status.
- One submission recommended scenic reserve status for the "narrow part of the assessment area that lies between and adjacent to areas of Kaniere Scenic Reserve and contains part of the Kaniere Water Race Walkway".

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 submitter who expressed general concern about the low-level protection offered by conservation park, noted support for that classification for land "potentially containing crown minerals". The support was contingent on the land being registered as a specially protected area if significant conservation values were present.
- A submitter opposed the classification due to a lack of clarity on the activities allowed for under the conservation park status and was concerned the status would not protect the high conservation values identified.
- A submitter advocated that grazing, mining and other extractive activities should be "discontinued as soon as possible".
- One submission was concerned that the change in status would affect existing permissions including a number of grazing and easement concessions and mining access arrangements.

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

Process and Consultation (Not Allowed)

- A submitter stated that if a national park classification is "politically unpalatable, then political judgement calls must be made by accountable politicians, not by the Panel".
- A submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values".

- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.
- A submitter sought clarification on the economic, well-being and development aspirations of Ngāi Tahu referred to in the recommendation report. The submitter felt unable to assess the suitability of the proposed classification without understanding the aspirations and their potential impact on natural values.

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 to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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)

- 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 which supports reconsideration of the notified classification.

Other (Not Allowed)

- A submitter advocated for new conservation parks to "come with additional Government funding for better biodiversity work and more pest control".

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

HOK_18 – Blue Spur Range – 2806246

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Blue Spur Range	HOK_18_2806246k	Conservation Park (Houhou)	Conservation Park (Houhou)	17	14

DOC Conservation Values Report Description

A 577.7356-ha remnant area of podocarp/hardwood forest adjacent to areas of plantation forestry and other conservation areas. There is a very large habitat diversity – forest, pākihi and swamp wetlands, small lakes and numerous streams and creeks. The Bio18 Migratory Species programme deems waterways here significant for shortjaw kōkopu and longfin eel. The absence of dams suggests that the upper reaches of these waterways are important for many different migratory species that require connectivity between freshwater and salt water. There are various popular walking, tramping and cycling tracks, some managed by DOC and others by other parties. Further sections of the West Coast Wilderness Trail may be built here to get sections of this trail off the road. There is historic interest from goldmining and power generation. A large number of permissions are in place, mostly to do with current mining.

Panel Recommendations

National Panel: Conservation park (Houhou), to reflect the mosaic of values present, protecting natural and historic resources while facilitating public recreation and enjoyment of the area.

Mana Whenua Panel: The Mana Whenua Panel supports the recommendation of the Western South Island National Panel.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of conservation park.

Summary of accepted submissions: Those submissions 'accepted' as holding merit supported the notified status as appropriately representing the natural and historic resources present, or noted the recreational values across the wider area. 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 classification, supported by submissions from Treaty partner organisations.

The Mana Whenua Panel have signalled specific Ngāi Tahu interests associated with this stewardship area, particularly that the area is in the vicinity of Ngāi Tahu forestry and that Ngāi Tahu may have future aspirations for this land, such as forestry.

Given the Mana Whenua Panel support for the notified classification, I consider the classification is not inconsistent with the identified interests.

Rationale: My conclusion is that on balance the natural resources present (e.g. remnant areas of podocarp/hardwood forest between extensive areas of plantation forestry, very large habitat diversity) are appropriately protected under the proposed classification, when also considering the historic resources present (e.g. historic interest from goldmining and power generation, many associated archaeological sites). The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Conservation Park (Houhou) - HOK_18_2806246k

Support

Access and Recreation (Allowed)

- Submissions supported the classification, outlining the recreational use that occurs including kayaking, packrafting, walking and biking on a section of the West Coast Wilderness Trail with the potential for additional sections to be built.

I recommend that these comments are accepted. I agree that the notified status will appropriately provide for recreational use as identified in the CVR (various popular walking, tramping and cycling tracks). The proposed conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Ecology and Landscape (Allowed)

- Submissions supported the classification, recognising the "diverse range of ecosystems, including examples of lowland forest and wetlands" and the importance of the Blue Spur in the landscape context helping to provide "mountain to sea" links.

I recommend that these comments are accepted. I agree that the natural resources present (e.g. remnant areas of podocarp/hardwood forest between extensive areas of plantation forestry, very large habitat diversity) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Historic and Cultural Values (Allowed)

- Submissions supported the proposed classification, noting the 19th-century goldmining value present.

I recommend that these comments are accepted. I agree that the proposed classification of conservation park appropriately protects the historic values present (historic interest from goldmining and power generation, many associated archeological sites). The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Treaty Considerations (Allowed)

- The recommendation of the Mana Whenua Panel was supported on the basis that it reflects "the values, interests, and perspectives of the Papatipu Rūnanga in whose Takiwā the relevant land is located", and that adopting the recommendations of the Mana Whenua Panel would give effect to the principles of the Treaty.

I recommend that these comments are accepted. My assessment is that, while recognising the significance of the area to Ngāi Tahu, on balance the natural and historic resources present are appropriately protected under the proposed classification. I note that the Mana Whenua Panel have supported the notified classification.

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, or agreed it reflected the "information in the technical reports".
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter expressed "trust that Conservation Park status will provide full protection from any future mining applications in these areas".
- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide "more than adequate legal protection".
- A submission in support of conservation park advocated for greater protection from "intrusive development" such as mining and hydro schemes, stating that "most of the Southern Alps deserves protection equivalent to that of National Park status".

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

Other (Not Allowed)

- A submission suggested that the implementation of the proposed classification "needs to be followed up with sufficient funding for pest eradication".

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

Oppose

Ecology and Landscape (Allowed)

- Submissions noted the presence of nationally important ecological values that "would not be properly protected as a Conservation Park". Values include rare old growth lowland forest in a landtype which has been "severely" depleted due to modification, and potential freshwater values (e.g. "depleted ecosystems in relatively good condition", "now rare old forest growth", "Vulnerable/At Risk Declining indigenous fish") and recommended a higher level of protection, suggesting ecological area as more appropriate.
- A submission noted an adjacent land parcel has a higher protection status than the conservation park classification proposed.
- A submitter noted the area may have "the last remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened" and warrants a higher level of protection than that proposed, suggesting national park, wildlife management, scenic reserve, nature reserve or scientific reserve as more appropriate.

I recommend that these comments are not accepted. My assessment is that the natural resources present (e.g. remnant areas of podocarp/hardwood forest between extensive areas of plantation forestry, very large habitat diversity) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification, or expressed concern that the classification would not provide any greater protection than the current 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)

- A submitter who expressed general concern about the low-level protection offered by conservation park, noted support for that classification for land "potentially containing crown minerals". The support was contingent on the land being registered as a specially protected area if significant conservation values were present.
- A submitter opposed the classification due to a lack of clarity on the activities allowed for under the conservation park status and was concerned the status would not protect the high conservation values identified.
- One submission was concerned that the change in status would affect existing permissions including a number of grazing and easement concessions and mining access arrangements.

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

Process and Consultation (Not Allowed)

- A submitter stated that if a national park classification is "politically unpalatable, then political judgement calls must be made by accountable politicians, not by the Panel".
- A submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values".
- 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 to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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)

- 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 which supports reconsideration of the notified classification.

Other (Not Allowed)

- A submitter advocated for new conservation parks to "come with additional Government funding for better biodiversity work and more pest control".

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

HOK_19 – Kokatahi Riverbed – 2805712

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Kokatahi Riverbed	HOK_19_2805712l	Conservation Park (Kokatahi Awa)	Neutral	8	21

DOC Conservation Values Report Description

A 16.7287-ha area roughly covering a short section of the Kokatahi Riverbed and the land adjacent, which includes gravel riversides and farmland. This area is south of Lake Kaniere and is adjacent in parts to the Wanganui/Otira Catchments conservation area. Many places within the Wanganui/Otira area are intrinsic to Ngāi Tahu Pounamu legends. This area and its vicinity are a playground of backcountry adventurers from around the world, where people enjoy walking, tramping, extreme kayaking, commercial rafting and hunting.

Panel Recommendations

National Panel: Conservation park (Kokatahi Awa), to reflect the mosaic of values present, protecting natural and historic resources while facilitating public recreation and enjoyment of the area.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of conservation park.

Summary of accepted submissions: Those submissions 'accepted' as holding merit supported the notified classification as appropriate for the recreational values present and securing ongoing public access.

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 "Poutini Ngāi Tahu ancestors and their stories are literally embedded in this landscape", "immense historical, spiritual and cultural significance", "the mountains are criss-crossed by pounamu trails", "lifelines for Poutini Ngāi Tahu as trading routed for pounamu and kai", "mahinga kai resources in this area supported pā and kāinga nohoanga".

Given the Mana Whenua Panel support for the notified classification, I consider the classification is not inconsistent with the identified interests.

Rationale: My conclusion is that the natural resources present (e.g. braided riverbed and riverside margins) are appropriately protected under the proposed classification. I also note the recreational access the area supports. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Conservation Park (Kokatahi Awa) - HOK_19_2805712l

Support

Access and Recreation (Allowed)

- Submissions supported the classification as providing "an improved level of protection", but expressed concern that the recommendations failed to recognise all recreational values without providing further details.

I recommend that these comments are accepted. I agree that the proposed classification will support recreational use. The conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Ecology and Landscape (Allowed)

- Submissions supported the classification recognising the "whole of Kaniere area as important for ecological biodiversity".
- A submission supported conservation park status as "while the Southern Land parcels contain varied vegetations and ecosystems, some of which are of high levels of naturalness, they are not distinct enough to amount to a national park classification".

I recommend that these comments are accepted. I agree that the natural resources present as identified in the CVR (e.g. braided riverbed and margins) are appropriately protected under the proposed classification. The primary purpose of a conservation park includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, or agreed it reflected the "information in the technical reports".
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions expressed "trust that Conservation Park status will provide full protection from any future mining applications in these areas" or noted that without protections the land "will remain exposed to future potential hydro-electricity scheme and mining". A submitter noted that the classification would result in "adequate assessment" of commercial activities.
- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide "more than adequate legal protection".
- A submission in support of conservation park advocated for greater protection from "intrusive development" such as mining and hydro schemes, stating that "most of the Southern Alps deserves protection equivalent to that of National Park status".

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

Other (Not Allowed)

- A submission suggested that the implementation of the proposed classification "needs to be followed up with sufficient funding for pest eradication".

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

Oppose

Access and Recreation (Allowed)

- Submitters opposed the classification as not representing the high recreational values of the area including "multiple backcountry trails" and rivers of "national and international significance" to the rafting and kayaking community.
- A submitter noted the importance of preserving recreational values by enabling public access and ensuring any development projects do not come at the cost of recreational values.
- Submitters recommended national park status or addition to Westland Tai Poutini National Park due to the recreational values present across the catchment (e.g. "extraordinary nature of the wild rivers in this area", "the combination of wilderness, remoteness of the experiences available, and the relative ease of access to the edge cannot be easily compared").
- A submitter indicated their wish to "retain these opportunities in perpetuity for our children and theirs".

I recommend that these comments are not accepted. My assessment is that the recreational values present (e.g. kayaking, tramping and hunting) will be appropriately protected by the proposed classification and the points raised do not warrant overturning the notified intention. The proposed conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Climate Change and Natural Hazards (Allowed)

- A submitter advocated for restoration of the area "in response to flood events or coastal erosion" recommending classification as a government purpose (river floodplain) reserve.

I recommend that these comments are not accepted. My assessment is the proposed classification will support the protection of the natural resources present, and as a result support the areas climate mitigation potential. The points raised do not justify overturning the notified intention. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Ecology and Landscape (Allowed)

- Submitters sought a greater degree of protection, advocating for national park status or addition to the Westland Tai Poutini National Park due to the high ecological and scenic values present across the Wanganui/Otira catchments, including threatened and at-risk species (e.g. "some of the most pristine landscapes in New Zealand and likely the world", "as pristine, precious, and as unique as any other national park in Aotearoa", "high natural character braided river valleys").
- The range of ecosystems present in the catchment, "most in a high state of naturalness", was emphasised (e.g. "far greater values are present than signified by a Conservation Park, including altitudinal sequence from alpine peaks to lowlands").
- A submitter noted the area may have "the last remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened" and warrants a higher level of protection than that proposed, suggesting national park, wildlife management, scenic reserve, nature reserve or scientific reserve as more appropriate.

I recommend that these comments are not accepted. My assessment is that natural values present (e.g. braided riverbed, riverside margins) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

- Submitters noted that the proposed conservation parks are in close proximity to one another and "it appears to be an inefficient way of managing land for conservation". It was recommended to combine the proposed parks where the values are similar as this "provides greater opportunity for large landscape scale management.

I recommend that these comments are not accepted. That there are no specifications in the Conservation Act 1987 or Conservation General Policy regarding the size or proximity of distinct conservation parks

Treaty Considerations (Allowed)

- Submissions expressed the view that "mahinga kai and mana whenua involvement in planning are well provided for within the National Park Act" and that national park status would allow for co-management with Ngāi Tahu.

I recommend that these comments are not accepted. My assessment is that the natural values present are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed or expressed concern that the classification would not provide any greater protection than the current status. One submission recommended classification as either an ecological area or national park would be more appropriate.

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 submitter who expressed general concern about the low-level protection offered by conservation park, noted support for that classification for land "potentially containing crown minerals". The support was contingent on the land being registered as a specially protected area if significant conservation values were present.
- One submission sought greater clarity on the possible economic activities that may occur, as signalled in the recommendation report.

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

Process and Consultation (Not Allowed)

- A submitter stated that if a national park classification is "politically unpalatable, then political judgement calls must be made by accountable politicians, not by the Panel".
- A submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values".
- 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 to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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)

- 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 which supports reconsideration of the notified classification.

Permissions, Economic Factors and Land Use (Not Allowed)

- One submission was concerned that the change in status would affect existing permissions including a number of grazing and easement concessions and mining access arrangements.

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

Other (Not Allowed)

- A submitter advocated for new conservation parks to "come with additional Government funding for better biodiversity work and more pest control".

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

HOK_19 – Wanganui/Otira Catchments – 2805713

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Wanganui/Otira Catchments (Northern two units)	HOK_19_2805713c	Tarahanga e Toru Historic Reserve	Tarahanga e Toru Historic Reserve	18	128
Wanganui/Otira Catchments (South)	HOK_19_2805713d	Conservation Park (Hokitika)	Neutral	24	75

DOC Conservation Values Report Description

A 90074.2339-ha area of steep mountain country extending from the Main Divide to foothill forests, from Taramakau River near Arthur's Pass to Wanganui River near Harihari. The Wanganui/Otira Catchments (Northern two units) are 62098.3 ha, and Wanganui/Otira Catchments (South) are 27976.0 ha.

The assessment area is so large that almost every possible non-coastal common ecosystem in New Zealand is likely to be here. Consisting of steep and broken country, with large and fast rivers and gorges in some of New Zealand's highest rainfall zones, this area is largely unmodified. This area is very significant to Poutini Ngāi Tahu for a number of reasons, including extensive traditional transport routes for pounamu, place based traditional practices such as mahika kai (food gathering), and kainga nohoanga sites (temporary settlements). Many places within the Wanganui/Otira area are intrinsic to Ngāi Tahu Pounamu legends.

With a large network of tracks and huts – many managed by DOC, but others by other parties – this area is the playground of backcountry adventurers from around the world. People enjoy walking, tramping, extreme kayaking, commercial rafting and hunting. Major catchments have access roads to the beginning of tracks. Local helicopter operators provide air charter services into remote areas. There are two different periods of history represented by the many recorded heritage sites in the area: the early mineral extraction period of the late 19th and early 20th centuries, and 20th-century wild animal control. A large number of permissions are in place, for a diverse range of activities.

Wanganui/Otira Catchments (Northern two units)

Panel Recommendations

National Panel: Historic reserve (Tarahanga e Toru), to protect and illustrate the significance of the identified historic and archaeological features and reflect the value of the area to Ngāi Tahu, while preserving the indigenous flora and fauna present and providing for the existing recreational use of the area.

Mana Whenua Panel: Historic reserve (Tarahanga e Toru) appropriately acknowledges the mana of Ngāi Tahu and the immense cultural significance of the area to Poutini Ngāi Tahu.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of Historic Reserve (Tarahanga e Toru).

Summary of accepted submissions: Those submissions 'accepted' as holding merit expressed general support for the Tarahanga e Toru Historic Reserve, supported the classification as reflecting the cultural significance of the area or noted that the proposed historic reserve is supported by the Mana Whenua Panel, and reflects the perspectives of Ngāi Tahu. Also accepted were comments in support which noted the high recreational values present and the significance of the area as a mountains to sea sequence.

Section 4 and Treaty principles: The Mana Whenua Panel have supported the proposed historic reserve, supported by submissions from Treaty partner organisations, and have signalled Ngāi Tahu interests associated with this stewardship area, including the important trail following the Kokatahi (Styx River) into the Arahura headwaters and then across Te Tarahanga o Kaniere (Brownings Pass, also known as Nōti Raureka). This trail has carried 500 years of pounamu trading and numerous water parties since the first footsteps of Raureka.

The Mana Whenua Panel indicated that this central region of the West Coast is the heart of Poutini Ngāi Tahu legends, customs and traditions centred around pounamu; "the historical and contemporary associations with pounamu are integral to Poutini Ngāi Tahu identity" and "the immense historical, spiritual and cultural significance of this area cannot be understated". This stewardship area is part of a network of ara tawhito; "the mountains are criss-crossed by pounamu trails connecting the pā of Arahura, Taramakau and Māwhera with the great Ngāi Tahu trading centre of Kaiapoi Pā. Three passes in particular were lifelines for Ngāi Tahu as trading routes for pounamu and kai in times of war and peace" and "the varied and plentiful mahinga kai resources in this area supported pā and kāinga nohoanga throughout the region, and were critical to the success of the pounamu pathways".

Under Section 4 of the Act, reasonable steps must be taken to actively protect relevant Treaty partner values and interests. This obligation is not absolute and unqualified, however. Active protection requires you to properly understand the nature of the interests claimed and to reconcile that material with any wider or competing rights or interests, and to make informed decisions that are reasonable in the circumstances. My assessment, considering those submissions accepted, is that the proposed classification provides appropriate protection for the scale and nature of the identified Ngāi Tahu interests, including the identified historic resources and places, objects and natural features, and such things thereon or therein contained that are of cultural interest (nohoanga, ara tawhito, mahinga kai and pounamu). I note that the Mana Whenua Panel have supported the notified classification, and I am not otherwise aware of any inconsistency between the proposed classification and the identified Ngāi Tahu interests.

Rationale: Historic reserves are held for the purpose of "protecting and preserving in perpetuity such places, objects, and natural features, and such things thereon or therein contained as are of historic, archaeological, cultural, educational, and other special interest" (Reserves Act 1977, s.18(1)). The notified proposal was underpinned by the cultural interest of the places, natural features, and historic resources, as described by the Mana Whenua Panel (e.g. "immense historical, spiritual and cultural significance") and can be described as an example of a substantive outcome for Ngāi Tahu consistent with Section 4 of the Act and Treaty principles.

I acknowledge the large number of submissions opposing the notified proposal as not adequately reflecting the natural resources present, which are significant and wide ranging, and hold great value for recreational users. However, I do not accept that these concerns warrant overturning the notified proposal, particularly given that in this instance the places themselves and the natural features present that are of historic, archaeological, cultural, educational, or other special interest, are protected under the primary reserve purpose. Further, the scenic, archaeological, geological, biological, and other scientific features, indigenous flora and fauna, and wildlife are all required to be protected "to the extent compatible with the principal or primary purpose of the reserve" (Section 18(2)(c)) of the Reserves Act 1977). The Reserves Act also provides that "the public shall have freedom of entry and access to the reserve" subject to restrictions which are not unique to the proposed classification, i.e. those "necessary for the protection and general well-being of the reserve and for the protection and control of the public using it" (Section 18(2(b)) Reserves Act 1977).

My conclusion is that on balance the natural resources are appropriately protected, and public recreational access adequately provided for, under the proposed classification when considering the historic resources present and the nature of the historical and cultural interests and significance of the area to Ngāi Tahu.

Tarahanga e Toru Historic Reserve - HOK_19_2805713c

Support

Access and Recreation (Allowed)

- Submitters in support noted the recreation values of the area (e.g. "pristine white waters") and wanted to ensure these are provided for in the future. Similarly, a submitter commented that they were "unsure how recreational interests will be provided for", suggesting that parts of the reserve could be given a dual historic and recreation purpose. They also noted concern about helicopter landings, commenting that "this place has been managed to keep a large degree of natural quiet with regular helicopter landings minimised, I hope that is continued".

I recommend that these comments are accepted to the extent that I agree the wider area recommended as the Tarahanga e Toru Historic Reserve, and in particular this conservation area, holds high value for recreation use. My assessment is that public recreational access is adequately provided for, when considering the historic resources present and the cultural

significance of the area to Ngāi Tahu. I note that the public shall have freedom of entry and access to the reserve" subject to restrictions "necessary for the protection and general well-being of the reserve and for the protection and control of the public using it" (Section 18(2(b)) Reserves Act 1977).

Ecology and Landscape (Allowed)

- The recommendation was supported by a submitter who noted the significance of the area in a mountains to the sea sequence, and stated that it, alongside the other panel recommendations, will "greatly strengthen the intactness of this tract of landscape in a way that is unusual in Aotearoa/New Zealand".
- A submitter expressed general support for the Tarahanga e Toru historic reserve, though characterising it as covering too large an area and advocating that a mixture of other classifications should also be used to recognise areas of high ecological value.

I recommend that these comments are accepted to the extent that I agree there are high ecological values present, as described in the CVR (e.g. largely unmodified, with high natural diversity and pattern, encompassing a number of freshwater environments and highly diverse vegetation associated with intact altitudinal sequences). My assessment is that on balance the natural resources present are appropriately protected under the proposed classification when considering the historic resources present and the cultural significance of the area to Ngāi Tahu. Under a historic reserve classification, "where scenic, archaeological, geological, biological, or other scientific features, or indigenous flora or fauna, or wildlife are present on the reserve, those features or that flora or fauna or wildlife shall be managed and protected to the extent compatible with the principal or primary purpose of the reserve" (Reserves Act 1977, s. 18(2)(c)).

Historic and Cultural Values (Allowed)

- Submitters expressed support for the recommendation as reflecting the cultural significance of the area. Support for the proposed name was also noted.

I recommend that these comments are accepted. I agree that the area contains significant historic and cultural values for Ngāi Tahu (e.g. nohoanga, ara tawhito, mahinga kai, pounamu) which are appropriately protected under the proposed classification.

Treaty Considerations (Allowed)

- Submissions stated they support the position of the Mana Whenua Panel on the basis that these recommendations reflect the rights and interests of mana whenua and recognise Ngāi Tahu's connection to their ancestral lands (e.g. "by adopting the recommendations of the Mana Whenua Panel the Minister will give effect to the principles of the Treaty of Waitangi").
- Submitters noted that the proposed historic reserve recognises "Ngāi Tahu values over the land" and "sites of significance to Ngāi Tahu and ensure Ngāi Tahu values, alongside conservation values, are at the forefront of the classification". It was advocated that "the proposed reserves must acknowledge the mana and rangatiratanga of Ngāi Tahu, and provide for Ngāi Tahu wellbeing, kaitiakitanga and mahinga kai".
- Submitters noted that the proposed historic reserves recognise "sites of significance to Ngāi Tahu and ensure Ngāi Tahu values, alongside conservation values, are at the forefront of the classification". They noted the values and interests present, e.g. "pounamu traditions, the trails and passes (particularly Rakimaurikura, Te Tarahanga o Kaniere and Amuri Pass) that were trading routes for pounamu and kai in times of war and peace, connecting Tai Poutini with the east coast". It was advocated that "the proposed reserves must acknowledge the mana and rangatiratanga of Ngāi Tahu, and provide for Ngāi Tahu wellbeing, kaitiakitanga and mahinga kai".

I recommend that these comments are accepted. I acknowledge that that the Tarahanga e Toru Historic Reserve area is of historical and cultural significance to Ngāi Tahu identity. My assessment is that the proposed classification appropriately reflects the significance of the historic resources, and the historical and cultural interests present within the area, and provides appropriate protection for the identified Ngāi Tahu interests.

General (Allowed)

- Submissions expressed support for the proposed classification or the recommendations of the Mana Whenua Panel, without providing further justification.

- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level based on its "high cultural conservation value".
- A submitter stated support for the recommendations of the National Panel as reflecting the use of the land and adequately protecting against its degradation.

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)

- A submitter in support stated concern that change in status would affect the existing land uses, listing various concession present in the conservation area.

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

Oppose

Access and Recreation (Allowed)

- Submitters in opposition to the notified classification emphasised the recreational importance of the rivers in the Wanganui-Otira catchment (notably the Kokatahi, Whitcombe, Toaroha, Styx, Mungo, Hokitika and Taipo rivers) for kayaking and packrafting, and stated that these had not been described in the technical reports and insufficiently considered in the reclassification process (e.g. "Through whitewater learnings at Tai Poutini Polytechnic and Westland High School, the Toaroha has been a stepping stone for hundreds of local young people, giving them the confidence to venture deeper into the wild places", "The northern sections of the Wanganui Otira catchments contain one of the most significant clusters of wild rivers with outstanding recreational values for whitewater kayakers and packrafters, worldwide", "The extensive river systems, gorges and canyons in the area also set it apart from Arthur's Pass and other places. It is comparatively unique in New Zealand with 12 significant kayaking rivers and numerous recreational canyons").
- Submitters were concerned that historic reserve classification would not sufficiently protect the rivers to ensure they are kept in their natural state, or that access may not be guaranteed under historic reserve classification.
- Submissions also had a strong emphasis on the high recreational values of canyons in the Wanganui-Otira conservation area, noting that it contains "the bulk of the known high-quality (Nationally Significant) canyoning opportunities on the West Coast", but that these values are not mentioned all in the technical reports. Named canyons included Griffin Creek, Big Wainihinihi River, Dorothy Creek, Muriel Creek, and Deirdricks Creek. Griffin Creek in particular was highlighted as extremely important to submitters (e.g. "I have only been to one of the canyons listed above but my god, what a canyon that is!!", "… it is the highest tier canyoning experiences available in New Zealand. It has large, powerful waterfalls running into deep, clear, pristine water. The aqua-blue water sits on top of a brilliant combination of green and purple rocks. In terms of canyoning, it is technically challenging, but also incredibly playful. Out of the 20 canyons I have been in, it is, by-far, my favorite for not only the sport, but also the sheer beauty"). They viewed the proposed classification as providing insufficient protection to ensure the canyons remain in their natural state and were concerned that free public access is not guaranteed.
- Submitters referenced other instances where historic reserve classification had limited access to rivers (e.g. "a historic reserve status could result in reduced access. We have seen paddlers told not to paddle rivers elsewhere because local Iwi have competing commercial interests", "the paddling community has lost flight access to the upper Arahura river since 2015 (…) Further, there is no transparent process to discuss and resolve such matters with the managing entity, or any recourse to an Ombudsman, OIA request or any ability to appeal decisions made").
- Submitters objected to historic reserve for the whole Tarahanga e Toru area on the grounds that the recommended classification does not appropriately reflect the extremely high recreational values of the area, which submitters criticised as inadequately described in the technical reports (e.g. "I am disappointed at the lack of recreation research done to aid the process of reclassification", "The DOC-supplied identified recreational values for the proposed historic reserve are disappointingly weak. For this vast area of 180,000 ha the department should have been able to do much better"). A substantial number of submitters who commented on the whole area recommended as Tarahanga e Toru offered personal recollections of their recreational experiences and highlighted

the extensive opportunities for tramping, camping, mountaineering, and hunting, as well as kayaking and packrafting.

- Submitters were concerned that public access by foot or helicopter could be limited, particularly as the possibility of vesting allows public access to be restricted or charged for.
- Submitters emphasised that "guaranteed free public access should be a bottom line in any classification" (e.g. "public access, the hut, bridge and track systems, and other recreational facilities are not recognised or guaranteed under this category", "historic reserves may be leased by an administrating body potentially privatising the area", "experience with management of the Waitaiki Historic Reserve is that access is denied for spurious reasons", "fees may be charged for access and use").
- Submitters were also concerned that recreation would be affected if the natural values of the area are not given adequate protection. It was noted that historic reserve classification would only protect recreation values to the extent compatible with the historic values identified, and that the classification may allow various commercial activities to take place (e.g. "The appeal of these huts for many visitors is the isolated location and untouched areas. The suggested classification to historic reserve would potentially lower the recreation value of these areas by allowing easier access to mining and the development of land").
- To ensure public access and protect recreation values, submitters advocated variously for ecological area, scenic reserve, conservation park or national park, or joint historic/recreation reserve.
- Submitters frequently advocated for national park classification for the whole area recommended as Tarahanga e Toru Historic Reserve, to protect the high recreation values (e.g. "a classification under the National Parks Act or alternatively, Part 4 of Conservation Act would provide more balanced and appropriate management of ecological, recreational and mana whenua values. It will better protect recreation, conservation and the highly valued ecological and whitewater values in this area, requiring public consultation for any concessions, works or changes to access arrangements or future reclassifications").
- Submitters otherwise suggested that access be explicitly guaranteed under the Reserves Act (e.g. "either the classification be under the Conservation Act, or mechanisms to ensure practical enduring access and conservation of other natural values are expressly provided for in any classification under the Reserves Act").

I recommend that these comments are <u>not accepted.</u> While I agree the wider area recommended as the Tarahanga e Toru Historic Reserve, and in particular this conservation area, holds high value for recreation use, my assessment is that on balance public recreational access is adequately provided for, when considering the historic resources present and the cultural interest and significance of the area to Ngāi Tahu. The public "shall have freedom of entry and access to the reserve", subject to restrictions "necessary for the protection and general well-being of the reserve and for the protection and control of the public using it" (Section 18(2(b)) Reserves Act 1977). I acknowledge submitters concerns a historic reserve classification can limit access, however I do not accept that this concern warrants overturning the notified proposal. Such potential access restrictions are not unique to the proposed classification and exist elsewhere within the legislation, for example under the Reserves Act 1977 and s.4(2)(e) of the National Parks Act 1980.

Climate Change and Natural Hazards (Allowed)

- Submitters noted that the area recommended as Tarahanga e Toru contains "large enough areas necessary for carbon sinks to help New Zealand meet international agreements on climate change" (e.g. "a significant part of our potential carbon sinks, biodiversity bases, and natural fresh water sources"), advocating for a classification with a higher emphasis on environmental protection.

I recommend these comments are <u>not accepted.</u> While I acknowledge submitters' comments that the stewardship area contains unmodified and high value natural resources (e.g. largely unmodified, with high natural diversity and pattern, encompassing a number of freshwater environments and highly diverse vegetation associated with intact altitudinal sequences), my assessment is that on balance the natural resources present are appropriately protected under the proposed classification when considering the historic resources present and the cultural significance of the area to Ngāi Tahu.

Ecology and Landscape (Allowed)

- Submissions regarding the Wanganui/Otira Catchments opposed historic reserve, stating that the natural values outweigh the historic values in large parts of the conservation area, particularly the mountainous parts (e.g. "While areas in the Otira river bed may be best included in the Tarahanga e Toru Historic Reserve, the mountainous

country of the Wanganui/Otira catchments (northern units) are not suitable. These cover areas of mountainous terrain that do not fit the pattern of other Historic Reserves, have few historic sites, and are much more comparable with the adjacent Arthur's Pass National Park").

- Submitters commented that the technical report "does not fully acknowledge the nature of the landscape", noting that the Otira-Wanganui catchment sits immediately north of Te Wahipounamu UNESCO World Heritage Area, which has four national parks within it (e.g. "similar in characteristic to that area which has been deemed of international significance").
- Submitters opposed the recommendation based on ecological values of the specific conservation area, noting that much of the area is a "highly undisturbed natural environment", that there are "extensive zones of fen and marsh wetland types, high water quality and river naturalness", the presence of "at risk and/or threatened species, scenery and/or ecosystems, the preservation of which is in the national interest (national park quality)", and that its remoteness makes it a stronghold for threatened bird species.
- Submitters stated that the ecological values were inadequately represented in the technical reports for this conservation area (e.g. "Overall we feel that there has been a significant lack of ecological research into the whenua being reviewed", "The document mentions that every possible non-coastal common ecosystem in New Zealand is likely to be here. Use of the word likely in an official document implies that the panel does not have a comprehensive understanding of what exists within the area being reviewed"). A submitter concluded, "its biodiversity is of significance and warrants greater protection than a Conservation Area or a Historic Reserve would grant. The biodiversity in this area is simply far too important to leave vulnerable to exploitation".
- Submitters objected to historic reserve classification for the whole area recommended as Tarahanga e Toru, arguing that a historic reserve classification does not offer adequate protection for the unmodified natural resources present (e.g. "this classification appears to provide relatively weak protection to both conservation and public access", "historic reserve classification could allow for management and development that is inconsistent with the recreational and biodiversity values present", "the highly valuable qualities of these areas are their wild, scenic, rugged, unmodified nature and free access (...) These qualities are not protected at all by the recommendation of a historic reserve, in fact this level of protection doesn't come close to covering it", "The effects of mining may very well change the entire face of the landscape removing stretches of forest, polluting our water ways and disrupting our native ecosystems").
- Submitters commented that the lack of clearly defined purpose meant the public were unable to understand how the natural values would be protected in relation to this primary purpose (e.g. "This is because the primary purpose of the reserve takes priority over the protection of scenic, archaeological, geological, biological, or other scientific features, and indigenous flora or fauna on the reserve").
- Submitters advocating for higher protection for the natural values emphasised that the area recommended as Tarahanga e Toru is largely remote and intact, with notable freshwater and biodiversity values (e.g. "unmodified headwaters, uninterrupted mountains to sea, threatened ecosystems and species such as rare braided riverbed, indigenous fish un-dammed pathways, sand spit, bird breeding areas and public access", "the vast landscape remains almost as it was before humans arrived", "a stronghold for taonga species including kea and whio", "untouched kingdoms of scientific biodiversity", "contains roughly 60 kilometers of the Southern Alps. Within this area are numerous small glaciers and many significant peaks, the headwaters of some of the West Coast's major rivers", "There are over 300km of river in this area, all of it is pristine and the majority of it is remote", "For the fauna especially, the remote backcountry of the area provides a natural habitat suitable for recovering populations. The Kea and Whio populations especially benefit from the remoteness", "outstanding and Nationally Significant ecological, landscape and recreational values within this area that warrant the highest level of protection").
- Submitters often suggested that historic reserve is inappropriate for such an extensive area (e.g. "The area is very large and some parts of it may be better suited to scenic reserve, national park, ecological area or scientific reserve classification", "Along with many other sections of legislation that are inappropriate for such a large pristine bit of land...", "The recommendation that vast landscapes, such as the proposed Tarahanga e Toru Historic Reserve area, may be acceptable only if it offers robust protection to the extraordinary ecological, geological, palaeontological, cultural, landscape, recreational and spiritual values of that area"). The Tarahanga e Toru grouping was identified as more than four times the size of Paparoa National Park and two and a half times the size of Aoraki-Mt Cook National Park.

- Submitters advocated variously for ecological area, scenic reserve, conservation park or national park, or suggested a combination of these classifications. Some submitters recommended ecological area "gazetted with 2 or more purposes" as this protects "recreation and ecological values and simultaneously protects mana whenua interests should historical values be established as principles". A national park classification was frequently proposed, with submitters noting that the area recommended for Tarahanga e Toru Historic Reserve shares many of the same natural values as the Arthurs Pass National Park. Several submitters advocated for the entire Tarahanga e Toru grouping to form a new national park to reflect the "cultural, ecological, landscape and recreational values" (e.g. "a new Tarahanga e Toru/3 Passes National Park"). It was recommended that this "grouping be extended south to include the entire Waitaha catchment".
- Submitters suggested that some parts of this area would meet the criteria for wilderness area (e.g. "majority of Tarahanga e Toru is further away from civilization and more remote than that of the Paparoa or Arthurs Park National Park", "Parts of the area even have values on par with the small number of wilderness areas on the West Coast").

I recommend that these comments are <u>not accepted.</u> Although I agree there are high ecological values present, as described in the CVR (e.g. largely unmodified, with high natural diversity and pattern, encompassing a number of freshwater environments and highly diverse vegetation associated with intact altitudinal sequences), my assessment is that on balance the natural resources present are appropriately protected under the proposed classification when considering the historic resources present and the cultural interest and significance of the area to Ngāi Tahu. Under a historic reserve classification, "where scenic, archaeological, geological, biological, or other scientific features, or indigenous flora or fauna, or wildlife are present on the reserve, those features or that flora or fauna or wildlife shall be managed and protected to the extent compatible with the principal or primary purpose of the reserve" (Reserves Act 1977, s. 18(2)(c)).

Historic and Cultural Values (Allowed)

- Some submitters supported the proposed historic reserve for the pounamu trails themselves and the Taramakau River or suggested that these should be acknowledged or protected separately (e.g. "Māori pounamu trails across the southern Alps where it applies to sections of the public conservation land currently held in stewardship, that contain physical evidence of the history (consistent with the Reserves Act Guide), as well as nohoanga (temporary settlement) sites"., "the Pounamu Trails need special recognition in a new way where they track through National Parks and other Public Conservation areas").
- Submitters were critical of the lack of clearly defined purpose for the reserve or clear identification of the "place, object, and natural feature or other thing that is to be preserved and protected", suggesting that it is unclear how other conservation values would be protected.
- Submitters noted that the identified historical resources are largely experiential or "cultural and non-physical in nature, making management of these values, over and above secondary objectives and values (e.g. recreation and ecological), highly subjective and open to interpretation".
- Some submitters suggested that their current opposition may be reviewed if the purpose is clarified. It was stated that this lack made it difficult for submitters to comment on the recommendation (e.g. "the proper identification of the primary purpose of the historic reserve is a prerequisite for proper consultation. This is because the primary purpose of the reserve takes priority over the protection of scenic, archaeological, geological, biological, or other scientific features, and indigenous flora or fauna on the reserve (...) We simply do not know what we are commenting on").
- Submitters opposed the recommendation on the grounds that the classification is not intended for large landscapes, but "for small-scale, discrete and recognised archaeological and historical sites and buildings" and the "preservation of structures and objects". They suggested that historic reserve is inappropriate for the proportionally small extent of tangible heritage within the extensive area (e.g. "The proposed 82,000 hectare Historic Reserve with no physical historical structures to conserve is contrary to DOC's own guidance that a site should not be classified as Historic Reserve unless there is obvious physical evidence of its history remaining on site", "The proposed Historic Reserve covers a vast area of great cultural, ecological and recreational importance within which historical structures and objects are almost entirely post colonisation (old benched tracks etc) and cover a vanishingly small percentage of the area", "The historic sites described in the conservation value reports are mostly gold mining relics located at discrete low-altitude locations", "the area proposed for historic reserve status appears far more extensive than required to provide for the protection of historic sites and cultural values", "While Amuri Pass and

the Tass-Nancy Saddle may have been historic travelling routes for Māori, there is virtually no built historic heritage in this vast wild area").

- Submitters commonly advocated for classification as national park over the whole area to protect both historic and ecological values, while ensuring access. It was argued that the preservation of the land is critical in preserving the stories and legends inherent in old trails and landscape features, and therefore protection of the outstanding ecological, scenic, and recreational values is critical in further enhancing protection of historical values present.
- Submitters noted that the National Parks Act requires that "sites and objects of archaeological and historical interest shall as far as possible be preserved". It was suggested a National Park management plan could effectively protect cultural and historic values, with submitters referencing the Paparoa National Park management plan as a successful example of this.

I recommend that these comments are <u>not accepted</u>. My assessment is that on balance the proposed classification appropriately reflects the historic resources present within the area (e.g. nohoanga, ara tawhito, mahinga kai, pounamu) and the nature of the historical and cultural interests and significance of the area to Ngāi Tahu.

Treaty Considerations (Allowed)

- Submitters acknowledged the significance of the area to Ngāi Tahu, but suggested that given the long list of wider conservation values present, the extent of the proposed reserve should be revisited, or that other classifications would be more suitable (e.g. "we acknowledge that there is an immense significance and rich history within this area of Pounamu trails, settlements and Pā, mahinga kai gathering, and its general importance to Poutini Ngāi Tahu. We feel that this only adds to the reasons for which it should be more strongly protected, and we believe that its ecological value should be prioritized above all else").
- A submitter noted that they are "aware of and am sympathetic to sensitivities around past injustices and inequities around lack of access to traditional resources including Mahinga Kai for Tangata Whenua. I suggest these issues are better addressed throughout the conservation law reform, than by leaving massive swathes of land poorly protected through this reclassification process".
- A submitter stated that they respect the connection of mana whenua to the land and their aspirations to exercise mahinga kai and kaitiakitanga, "however we are very uncomfortable with a proposal without statutory guarantees of public access for low-impact recreational activities (…) Because their intentions are not specified, if this area is then vested to Ngāi Tahu as the Mana Whenua Panel have requested, then the outcome for public access to this significant waterway is even more uncertain".
- Submitters suggested that the proposed classification does "not adequately encompass both nature protection and mana whenua aspirations".
- Submitters advocated for a national park classification "where proper recognition of Ngāi Tahu's presence past and present, can be achieved alongside appropriate protection for natural and recreational values".
- Submitters referenced various examples where Ngāi Tahu have a "major role" in management and planning of National Parks (e.g. "National parks do not preclude additional mechanisms for protecting cultural values, such as the topuni which recognises the tapu associated with Aoraki", "the Treaty principle of partnership can be upheld through shared governance and management practices as is the case for Paparoa National Park", "any outstanding cultural issues can be managed through some form of shared governance and management (…) Kaitiakitanga of this hugely valued and much used area should rest with the nation as a whole albeit with acknowledgment of, and provision for, the ability for Ngāi Tahu whānui to reconnect to their ancestral lands, provide for the mana and rangatiratanga of Ngāi Tahu and to exercise kaitiakitanga and mahinga kai. Such arrangements would be provided for through an enlightened National Park Management Plan").
- Ecological area was also suggested as an option which could simultaneously protect mana whenua interests "if historical values were established as principles in the gazetting of the classification and/or relevant management plans".

I recommend that these comments are <u>not accepted</u> . It is my conclusion that the proposed classification appropriately protects the natural and historic resources present within the area, and reflects the nature of the historical and cultural interests and significance of the area to Ngāi Tahu, providing appropriate protection for the identified Treaty partner interests.

General (Allowed)

- Submissions expressed general opposition to the proposed classification or suggested other classifications (national park, conservation area, ecological area) without providing specific justification (e.g. "values more suited to Conservation Park").
- Submitters raised concerns that "historic reserve status can be altered and allow for other purposes".
- Submitters expressed support for the name Tarahanga e Toru for the land grouping, though advocated for various other classifications (e.g. "We think the name Tarahanga e Toru would be fitting for a higher status classification").

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 opposed the classification on the grounds that historic reserve may not prevent mining, hydro schemes or other development in the area, and that the public may not be able to have a say in any proposed activities (particularly if the reserve is vested).
- Submitters stated that both mining and potential hydro-electric development are inappropriate "from recreation and conservation perspectives" (e.g. "there are four significant gold sources and the potential for rare earth minerals identified in the proposed historic reserve. All are in areas that recreationalists would consider far too precious to mine", "Another area of concern (…) is potential for hydro-electric development in this area of pristine unmodified rivers important for recreation and biodiversity", "if there are already 3,284 dams on New Zealand rivers alone, then why are the leaders of today pushing for more unnecessary ruin to the land?"). National park or ecological area classification were suggested as preferable alternatives.
- Specific concern was raised regarding Griffin Creek, which has a concession to establish a run-of-river hydro scheme on it.
- Submitters were concerned that "regardless of the outcome of this ongoing case, changing its classification to Historic Reserve will give this pristine and recreationally important canyon less protection for the future" and that, in the event of vesting, the public would be unable to have a say regarding development.
- A submitter who advocated for national park status commented, "For us to sustain our thriving eco-tourism and adventure-tourism sectors here in NZ and our skilled workers that represent us overseas, we need well-trained and well-practised professionals. This area is one of the best places in our country to gain and sustain these skills. As a backyard for students [of] the well recognised Tai Poutini Polytechnic, the next generation of such professionals, this area is our main training ground".
- A submitter stated that current grazing licenses should not be renewed as the area is a "sensitive freshwater site".
- Conversely, other submitters opposed the classification as being too restrictive for mining and associated economic opportunities. It was suggested that historic reserve classification would add "a great deal of cost in both time and money relative to any extra protection given", and that a conservation park classification or retaining the land in stewardship would provide "more than adequate legal protection", and allow for commercial uses such as mining to be considered on a case-by-case basis.
- A submitter noted various applications in progress and suggested retaining the relevant areas as stewardship, or reclassification as a conservation park.

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

Process and Consultation (Not Allowed)

- Submitters raised concerns about potential conflicts of interest (e.g. "I am concerned about a conflict of interest in the panel with the Chair of mana whenua being the director of the NZ Institute for Minerals to Materials. Ngāi Tahu has already expressed interest in mining and hydro-electricity developments such as the damming of Griffin Creek. This would be possible in an historic reserve that has been vested to mana whenua with very little consent process").
- Submitters queried the extent of land proposed for historic reserve classification, suggesting that the large-scale historic reserve recommendations by the Panels "suggests a failure to search out and find the correct reserve classification for each one" or "a lack of detailed investigation by the Panels".

- A submitter highlighted that as well as clarification of purpose, as details of management are unknown, a further public consultation process will be required.
- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land, limitations of the consultation, and potential conflicts of interest, particularly regarding the proposed Griffin Creek hydro scheme or potential mining.

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

Other (Not Allowed)

- Submitters raised concern about potential vesting of the proposed reserve, suggesting that this may impact on public access (e.g. "if this were to take place there are no guarantees that public access is preserved, nor regarding the preservation of the landscape").
- A submitter suggested that "if the vesting of this area does occur, proper funding and investment into clear governance practices and management plans should be provided for to enable proper management of these highly significant areas".
- Submitters who opposed the classification suggested that they might come to support the proposed reserve if public access and participation in future management planning processes could be ensured, or if there is a mechanism to ensure DOC has ongoing input into decision-making (e.g. "I support mana whenua stewardship but want assurances about public voice in river conservation", "There is a high level of public interest in this very large area and the ongoing involvement of DOC provides greater certainty that this public interest can be reflected in management").
- A submitter advocated that due to the scale of the proposed reserve, it "should be included as a separate Place in the CMS so the public can have input into how it is managed".
- One submission opposed all reclassification of stewardship land to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

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.

- Submitters highlighted the importance of the rivers for kayakers and packrafters and wanted to ensure they remain protected. A submitter noted that the technical report is "very light on the recreational values in this area".

Irecommend that these comments are not accepted. My assessment is that public recreational access is adequately provided for when considering the historic resources present and the cultural significance of the area to Ngāi Tahu. The public "shall have freedom of entry and access to the reserve", subject to restrictions "necessary for the protection and general well-being of the reserve and for the protection and control of the public using it" (Section 18(2(b)) Reserves Act 1977).

Ecology and Landscape (Allowed)

- Submitters expressed concern that historic reserve does not adequately recognise and protect ecological and biodiversity values (e.g. "provides no strong protection for native wildlife and plants or landscape".
- Submitters suggested the proposed Tarahanga e Toru Historic Reserve is an unusual use of the designation in terms of size and scale (e.g. "I am uncomfortable with the massive extension of the concept of a Historic Reserve covering such a vast landscape").

I recommend that these comments are not accepted. While I agree there are high ecological values present, as described in the CVR (e.g. largely unmodified, with high natural diversity and pattern, encompassing a number of freshwater environments and highly diverse vegetation associated with intact altitudinal sequences) my assessment is that on balance the natural resources present are appropriately protected under the proposed classification and that historic reserve is appropriate when considering the historic resources present and the cultural interest and significance of the area to Ngāi Tahu.

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 which supports reconsideration of the notified classification.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter stated that the proposed classification does not provide strong protection for natural values as it "will allow for commercial activities and leases that national park or scenic reserve status would not allow".
- A submitter suggested that the justification for the recommendation implies the "mountains and rivers might provide economically", advocating for separation between decision makers and permission applicants.

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

Wanganui/Otira Catchments (South)

Panel Recommendations

National Panel: Conservation Park (Hokitika), to reflect the mosaic of values present, protecting natural and historic resources while facilitating public recreation and enjoyment of the area. The panel noted that the northern two units of the 'Wanganui/Otira Catchments' (2805713) have been separately recommended as a historic reserve.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Do not proceed with the notified proposal, retaining the area in stewardship at this time.

Summary of accepted submissions: Those submissions 'accepted' as holding merit expressed opposition to the notified classification on the basis that it does not adequately reflect the high value nature of the natural resources present (e.g. "contains a section of the Southern Alps, Ivory Lake, the upper Waitaha River and many kilometres of pristine, unmodified waterway", "significant number of taonga species, including many that are threatened and at risk of extinction") and highlighted the areas' landscape value (e.g. "The landscapes are pristine and deserving of the highest possible protection"). Also accepted were comments emphasising the remoteness of the area and wilderness values present (e.g. "The values here can only be described as similar to those found in gazetted wilderness areas or national parks", "The area is valued for its natural beauty and wilderness qualities for recreation").

Section 4 and Treaty principles: The Mana Whenua Panel did not oppose the proposed classification and have signalled Ngāi Tahu interests associated with the stewardship area, particularly that "Poutini Ngāi Tahu ancestors and their stories are literally embedded in this landscape", "immense historical, spiritual and cultural significance", "the mountains are criss-crossed by pounamu trails", "lifelines for Poutini Ngāi Tahu as trading routed for pounamu and kai", "mahinga kai resources in this area supported pā and kāinga nohoanga".

My assessment, considering those submissions accepted, is that the natural resources present warrant a classification which more appropriately reflects their value than that which was notified. Regarding the specific Ngāi Tahu interests identified by the Mana Whenua Panel, I note that any subsequent process to identify an appropriate classification would be undertaken in a manner consistent with Treaty principles.

Rationale: My conclusion, considering those submissions accepted, is that in this instance the natural resources present warrant a classification which more appropriately reflects their value than that which was notified (e.g. highly representative of the Whitcombe Ecological District, high level of naturalness, high natural diversity and pattern, notable for the absence of beech forest, important connectivity between the large forests of North and South Westland). The area does not contain sufficient historic resources to justify the more holistic classification of conservation park over this extensive area (e.g. the CVR indicates the presence of one recorded archaeological site in the assessment area Price Flat Hut, a collaboration between the government and a local outdoors club).

Conservation Park (Hokitika) - HOK_19_2805713d

Support

Access and Recreation (Allowed)

- Submissions supported the classification, outlining the "outstanding recreational values for whitewater kayakers and packrafters, worldwide", with one submitter recommending classification as a wild rivers reserve.
- Submissions expressed support for the classification due to the high recreational values present including the "long and rich history of tramping and climbing" in the area, and noted their view that many outdoor users would regard the area as the "backcountry capital of New Zealand".
- A submission supported the classification as providing "an improved level of protection", but expressed concern that unspecified recreational values in the Mikonui River Valley and Totara River Valley had not been recognised.

I recommend that these comments are not accepted. Although I agree that the proposed classification will support ongoing public access to the area, I have concluded based on submissions in opposition that the natural resources present warrant a classification which more appropriately reflects their value than that which was notified.

Ecology and Landscape (Allowed)

- A submission supported conservation park status as appropriate as the while the values present are high "they are not distinct enough to amount to a national park classification".
- Submitters expressed concern about the proximity of the proposed conservation parks to one another and recommended combining the various parks to form a "unified conservation park to allow ease of management". One submission noted that ecologically and recreationally "these areas form a contiguous whole" yet the current recommendations split the Waitaha River in two.
- A submission supported the classification subject to the addition of the area which abuts the Adams Wilderness Area to the wilderness area, and the renaming of the park to the Waitaha Conservation Park to better describe the remote landscapes.

I recommend that these comments are not accepted. Although I agree there are significant ecological values present, I have concluded based on submissions in opposition that the natural resources present warrant a classification which more appropriately reflects their value than that which was notified.

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, or agreed it reflected the "information in the technical reports".
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level based on its "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.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions expressed "trust that Conservation Park status will provide full protection from any future mining applications in these areas" or noted that without protections the land "will remain exposed to future potential hydro-electricity scheme and mining". A submitter noted that the classification would result in "adequate assessment" of commercial activities.
- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide "more than adequate legal protection".
- A submission in support of conservation park advocated for greater protection from "intrusive development" such as mining and hydro schemes, stating that "most of the Southern Alps deserves protection equivalent to that of National Park status".

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

Other (Not Allowed)

- A submission suggested that the implementation of the proposed classification "needs to be followed up with sufficient funding for pest eradication".

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

Oppose

Access and Recreation (Allowed)

- Submitters raised concern that both the DOC technical reports and the Panels' recommendation reports lacked full consideration of the recreation values present (e.g. "an inadequate description of its high recreational values").
- Submissions described the "extremely valuable" recreational values present, including whitewater kayaking and canyoning alongside tracks, huts, off-track exploration and hunting, noting their national and international significance (e.g. "the area contains Nationally Significant river systems and canyons as well as a wide range of

backcountry tracks and huts and off-track experiences important to hunters and trampers"). The general value of access to outdoor spaces was also noted (e.g. "These places not only contribute to protecting the planets ecosystem services but also allow for current and future generations of New Zealanders to experience and undergo spiritual growth by having access to some of the worlds most unspoilt places on an overcrowded and ecologically emphasised planet").

- Classification as a national park was frequently recommended to recognise the significance of the values and the need for the "highest level of protection" (e.g. "My expectation is that this place be considered as an addition Tai Poutini national park due to extraordinary nature of the wild rivers in this area", "I believe National Park status more appropriately reflects the high ecological values and natural ecosystems that exist in the area, and I believe that all New Zealanders should have the ability to freely access these highly natural areas"). Ecological area was also recommended by submitters as suitable to protect the recreational values present, with one submitter acknowledging the national park values present but advocating for individual ecological areas or wildlife management areas "respecting the Mana Whenua Panels position".
- The Waitaha River and Ivory Lake Hut were highlighted by a number of submitters as being of particular significance and warranting higher levels of protection (e.g. "This block of land holds a special place in my heart, in 2021 Ivory lake was the starting point for an 8 day kayaking expedition down the Waitaha river", "It is near to pristine and yet is accessible for recreation. The area is valued for its natural beauty and wilderness qualities for recreation", "Ivory Lake, which is in this assessment area, is in many ways the nexus of these routes, with its unique history of glaciology and hut still full of reminders of that period"). There was concern that conservation park status "is too weak for the superlative natural and recreational values".
- Submitters noted that the area also contains the entire Whitcombe River catchment, noting that the recreational values are similar to adjacent blocks and warrant higher protection.
- Submissions were concerned with ensuring ongoing public access for now and future generations while ensuring the ecological and ecosystem values present are protected (e.g. "I have spent many days, over many years, navigating gorges on the West Coast, walking and camping in our national parks and I hope that we can retain these opportunities in perpetuity for our children and theirs").

I recommend that these comments are accepted to the extent that they support a classification which more appropriately reflects the value of the natural resources present. Although I agree that the proposed conservation park is not appropriate for this area, these comments do not warrant overturning the notified intention which is managed "to facilitate public recreation and enjoyment" (Conservation Act 1987, s. 19(1)(b)). Rather, I have concluded based on submissions in opposition that the natural resources present warrant a classification which more appropriately reflects their value than that which was notified.

Climate Change and Natural Hazards (Allowed)

- A submitter recommended national park status as being necessary for climate mitigation and to meet international obligations.

I recommend that these comments are accepted to the extent that they support a classification which more appropriately reflects the value of the natural resources present. While I agree that the protection of the existing natural resources present is of increasing importance when considering the need for climate mitigation, and I have concluded based on submissions in opposition that the natural resources present warrant a classification which more appropriately reflects their value than that which was notified.

Ecology and Landscape (Allowed)

- Submitters advocated for a higher protective classification due to the ecological, scientific, scenic and natural values present, including many threatened and at-risk species (e.g. "this area contains a section of the Southern Alps, Ivory Lake, the upper Waitaha River and many kilometres of pristine, unmodified waterway", "this area provides habitat of a significant number of taonga species, including many that are threatened and at risk of extinction"). Classification as a wildlife management area, national park, ecological area or other appropriate classification was recommended.
- Submitters stated that the conservation park recommendation for this and other connected areas does not adequately reflect the landscape context or provide for holistic landscape/catchment management. It was noted

that the conservation area is large and connected to other protected land with a higher protection status, particularly the Adams Wilderness Area, and that this should be reflected with a higher classification (e.g. "the extent of this dramatic near pristine area backing onto the Adams Wilderness with its range of ecological, scientific, scenic, and natural features is so distinctive and beautiful that it warrants National Park classification", "Surely now is the time to afford the highest level of protection to these wild places and in doing so link lowland forests to the Alpine spine under National Park Protection. Obvious national park additions include the.... Wanganui/Otira Conservation Areas").

- Submissions advocated for protection of freshwater and river system values, calling them "Nationally Significant". The Waitaha was singled out by several submitters as being of particular significance (e.g. "the Waitaha River is one of the most dramatic rivers in New Zealand", "the catchment is home to many at-risk or threatened native species including whio").

I recommend that these comments are accepted. I agree that the natural resources present warrant a classification which more appropriately reflects their value than that which was notified. (e.g. described in the CVR as highly representative of the Whitcombe Ecological District, high level of naturalness, high natural diversity and pattern, notable for the absence of beech forest, important connectivity between the large forests of North and South Westland).

- Several submissions advocated for national park status, or specifically, addition to Westland Tai Poutini National. The values present were considered to be so "distinctive and beautiful" that they warrant national park classification ("the values here can only be described as similar to those found in gazetted wilderness areas or national parks in New Zealand and overseas", "the wilderness east of Hokitika _HOK_19 and HOK_43 is as pristine, precious, and as unique as any other national park in Aotearoa").
- Submitters were concerned that any lower classification than national park would not adequately protect the values present (e.g. "conservation park status carries too lower level of protection for this area").
- Submitters advocating for national park classification noted that the area is included is part of the ONL24 Outstanding Natural Landscape (e.g. "The relevant outstanding values cited in the report include extensive landscapes with incised valley systems high altitude peaks, glaciers, glacial lakes, permanent ice flows, and highly natural vegetation sequences from upper montane forests and shrubs to the nival Zone").
- Submitters were concerned that the current proposal cuts the Waitaha River in half and recommended combining adjacent areas, including the Waitaha Forest Conservation Area under one national park (either a new Waitaha National Park or addition to an existing park) to enable a holistic catchment based approach (e.g. "To achieve landscape scale conservation of the area as far as possible from the mountains to the sea, this area should be combined with the Waitaha Forest as one large national park or ecological area", "recommend managing the entire Waitaha Catchment from the alps to the sea, holistically as a National Park either as a stand-alone park or being added to Westland Tai Poutini National Park along with the Waitangi Conservation Area"). The opportunity to link the new national park was noted (e.g. "In time the Park could be linked across the main divide to the Rangitata/Rakaia Headwaters Conservation Area in Canterbury which is also likely to have National Park values").
- Submitters noted that the numerous proposed conservation parks are in close proximity to one another and recommended combining for "ease of management".

I recommend that these comments are accepted to the extent that they support a classification which more appropriately reflects the natural resources present. I agree that the natural values present warrant a classification which more appropriately reflects their value than that which was notified.

- Conversely, a submitter stated that the area had low conservation values and was indistinguishable from neighbouring freehold land.

I recommend that these comments are not accepted. I have concluded based on submissions in opposition that the natural resources present warrant a classification which more appropriately reflects their value than that which was notified.

Historic and Cultural Values (Allowed)

- Submissions opposed the proposed classification, advocating for national park status to protect the high historic and cultural values.
- A submission advocated for retention as a historic reserve to reflect the cultural significance of the area.

- A submitter noted the "rich history" of the Whitcombe River and the exploration and tragedies which had occurred there, however they advocated for national park or ecological area over historic reserve.

I recommend that these comments are not accepted. Although I agree that the proposed classification is not appropriate for this area, these comments do not warrant overturning the notified conservation park, the purpose of which includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)). Rather, I have concluded based on submissions in opposition that the natural resources present warrant a classification which more appropriately reflects their value than that which was notified.

Treaty Considerations (Allowed)

- Submissions expressed the view that "mahinga kai and mana whenua involvement in planning are well provided for within the National Park Act" and that national park status would allow for co-management with Ngāi Tahu.
- A submission expressed sympathy for "past injustices and inequities around lack of access to traditional resources including Mahinga Kai for Tangata Whenua" but recommended these issues are addressed through conservation law reform rather than "leaving massive swathes of land poorly protected through this reclassification process".

I recommend that these comments are accepted to the extent that I agree that the proposed classification is not appropriate for this area. My conclusion in accordance with submissions received, is that the natural resources present warrant a classification which more appropriately reflects their value than that which was notified. I note that any subsequent process to identify an appropriate classification would be undertaken in a manner consistent with Treaty principles.

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification, or expressed concern that the classification would not provide any greater protection than the current status. National Park (creation of new or addition to Arthurs Pass, Westland Tai Poutini or Mount Aspiring) and ecological area were recommended as alternative options.

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 were concerned about the "threats" of mining or hydro-electric development and recommended national park or ecological area status to protect against such activities, with the risk to the Waitaha particularly highlighted (e.g. "It is easily of equal value to the above proposed historic reserve therefore conservation park doesnt provide adequate protection for this amazing area that could be under threat from mining, hydro power schemes or other developments").
- A submitter who expressed general concern about the low-level protection offered by conservation park, noted support for that classification for land "potentially containing crown minerals". The support was contingent on the land being registered as a specially protected area if significant conservation values were present.
- A submitter opposed the classification due to a lack of clarity on the activities allowed for under the conservation park status and was concerned the status would not protect the high conservation values identified.
- A submission recommended that existing grazing licences should not be renewed and was concerned about the extent of permissions in place.
- Submissions were concerned that the change in status would affect existing permissions, including a number of grazing and easement concessions and mining access arrangements. A grazing concession which is critical to a neighbouring farm was particularly highlighted.

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 submitter stated that if a national park classification is "politically unpalatable, then political judgement calls must be made by accountable politicians, not by the Panel".

- A submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values".
- A submission was concerned about the "significant lack of ecological research" and the speed of the process being undertaken resulting in a lack of understanding by the Panels as to what exists and therefore "oversights" in the recommendations.
- A submission referenced the decision made by the Minister of the Environment to decline the Westpower hydro-electricity scheme in the Waitaha Valley in 2019. The submitter expressed concern regarding the Mana Whenua Panel's recommendations and conservation park status recommended by the National Panel when Westpower, in partnership with Ngāi Tahu, had sought a reconsideration of the decline after the reclassification recommendations had been released.

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 to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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)

- 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 which supports reconsideration of the notified classification.

Other (Not Allowed)

- A submitter advocated for new conservation parks to "come with additional Government funding for better biodiversity work and more pest control".

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

HOK_19 – Kawhaka Forest – 2805715

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Kawhaka Forest	HOK_19_2805715m	Tarahanga e Toru Historic Reserve	Tarahanga e Toru Historic Reserve	14	51

DOC Conservation Values Report Description

A 5122.5812-ha area adjacent on its eastern side to the Wanganui/Otira Catchments conservation area. Largely unmodified, with water quality and river naturalness predicted to be high, and highly diverse vegetation associated with intact altitudinal sequences (ranging from mixed podocarp/hardwood forests on the lower slopes to diverse alpine communities). Notable for the absence of beech forest (the "beech gap"). Part of a large uninterrupted sequence of public conservation land connected to Arthur's Pass National Park. The West Coast Wilderness Trail (cycling) passes through this area between Old Christchurch Road and Kawhaka Saddle. This area is significant to Poutini Ngāi Tahu for a number of reasons, including ara tawhito (traditional travel routes).

Panel Recommendations

National Panel: Historic reserve (Tarahanga e Toru), to protect and illustrate the significance of the identified historic and archaeological features and reflect the value of the area to Ngāi Tahu, while preserving the indigenous flora and fauna present and providing for the existing recreational use of the area.

Mana Whenua Panel: Historic reserve (Tarahanga e Toru) appropriately acknowledges the mana of Ngāi Tahu and the immense cultural significance of the area to Poutini Ngāi Tahu.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of Historic Reserve (Tarahanga e Toru).

Summary of accepted submissions: Those submissions 'accepted' as holding merit supported the classification as reflecting the cultural and historic significance of the area to Ngāi Tahu or noted that the proposed historic reserve is supported by the Mana Whenua Panel, and reflects the perspectives of Ngāi Tahu. Also accepted were comments that supported the classification as appropriate to recognise the deer culling and tramping history.

Section 4 and Treaty principles: The Mana Whenua Panel have supported the proposed historic reserve, supported by submissions from Treaty partner organisations, and have signalled Ngāi Tahu interests associated with this stewardship area, including ara tawhito that were trading routes for pounamu and kai.

The Mana Whenua Panel indicated that this central region of the West Coast is the heart of Poutini Ngāi Tahu legends, customs and traditions centred around pounamu; "historical and contemporary associations with pounamu are integral to Poutini Ngāi Tahu identity" and "the immense historical, spiritual and cultural significance of this area cannot be understated". This stewardship area is part of a network of ara tawhito; "the mountains are criss-crossed by pounamu trails connecting the pā of Arahura, Taramakau and Māwhera with the great Ngāi Tahu trading centre of Kaiapoi Pā. Three passes in particular were lifelines for Ngāi Tahu as trading routes for pounamu and kai in times of war and peace" and "the varied and plentiful mahinga kai resources in this area supported pā and kāinga nohoanga throughout the region, and were critical to the success of the pounamu pathways".

Under Section 4 of the Act, reasonable steps must be taken to actively protect relevant Treaty partner values and interests. This obligation is not absolute and unqualified, however. Active protection requires you to properly understand the nature of the interests claimed and to reconcile that material with any wider or competing rights or interests, and to make informed decisions that are reasonable in the circumstances. My assessment, considering those submissions accepted, is that the proposed classification provides appropriate protection for the scale and nature of the identified Ngāi Tahu interests, including the identified historic resources and places, objects and natural features, and such things thereon or therein contained that are of cultural interest (e.g nohoanga, ara tawhito, mahinga kai and pounamu). I note

that the Mana Whenua Panel have supported the notified classification, and I am not otherwise aware of any inconsistency between the proposed classification and the identified Ngāi Tahu interests.

Rationale: Historic reserves are held for the purpose of "protecting and preserving in perpetuity such places, objects, and natural features, and such things thereon or therein contained as are of historic, archaeological, cultural, educational, and other special interest" (Reserves Act 1977, s.18(1)). The notified proposal was underpinned by the cultural interest of the places, natural features, and historic resources, as described by the Mana Whenua Panel (e.g. "immense historical, spiritual and cultural significance") and can be described as an example of a substantive outcome for Ngāi Tahu consistent with Section 4 of the Act and Treaty principles.

I acknowledge submissions opposing the notified proposal as not adequately reflecting the natural resources present, which are significant and wide ranging, and hold great value for recreational users. However, I do not accept that these concerns warrant overturning the notified proposal, particularly given that in this instance the places themselves and the natural features present that are of historic, archaeological, cultural, educational, or other special interest, are protected under the primary reserve purpose. Further, the scenic, archaeological, geological, biological, and other scientific features, indigenous flora and fauna, and wildlife are all required to be protected "to the extent compatible with the principal or primary purpose of the reserve" (Section 18(2)(c)) of the Reserves Act 1977). The Reserves Act also provides that "the public shall have freedom of entry and access to the reserve" subject to restrictions which are not unique to the proposed classification, i.e. those "necessary for the protection and general well-being of the reserve and for the protection and control of the public using it" (Section 18(2(b)) Reserves Act 1977).

My conclusion is that on balance the natural resources are appropriately protected, and public recreational access adequately provided for, under the proposed classification when considering the historic resources present and the nature of the historical and cultural interests and significance of the area to Ngāi Tahu.

Tarahanga e Toru Historic Reserve - HOK_19_2805715m

Support

Ecology and Landscape (Allowed)

- A submitter expressed general support for the Tarahanga e Toru historic reserve, though characterising it as covering too large an area and advocating that a mixture of other classifications should also be used to recognise areas of high ecological value.

I recommend that these comments are accepted to the extent that I agree that the natural resources present are appropriately protected under the proposed classification when considering the historic resources present and the cultural significance of the area to Ngāi Tahu. Under a historic reserve classification, "where scenic, archaeological, geological, biological, or other scientific features, or indigenous flora or fauna, or wildlife are present on the reserve, those features or that flora or fauna or wildlife shall be managed and protected to the extent compatible with the principal or primary purpose of the reserve" (Reserves Act 1977, s. 18(2)(c)).

Historic and Cultural Values (Allowed)

- Submitters expressed support for the recommendation as reflecting the cultural significance of the area. Support for the proposed name was also noted.
- A submitter noted that the area is "part of the pounamu traditions, trails & passes (particularly Rakimaurikura, Te Tarahanga o Kaniere & Amuri Pass) there were trading routes for pounamu & kai in times of war & peace, connecting Te Poutini with the east coast".
- A submitter in support highlighted the heritage value of the huts and tracks, commenting that "it is perhaps one of the most important tramping areas where people can get a feeling for being in the footsteps of the deercullers and this rich part of New Zealand backcountry culture. This adds further depths of human history to this area worth preserving. It is a landscape with many layers of history to be valued".

I recommend that these comments are accepted to the extent I agree that the area contains significant historic and cultural values for Ngāi Tahu (e.g. nohoanga, ara tawhito, mahinga kai and pounamu) which are appropriately protected under the proposed classification.

Treaty Considerations (Allowed)

- Submitters stated they support the position of the Mana Whenua Panel on the basis that these recommendations reflect the rights and interests of mana whenua and recognise Ngāi Tahu's connection to their ancestral lands (e.g. "by adopting the recommendations of the Mana Whenua Panel the Minister will give effect to the principles of the Treaty of Waitangi").
- Submitters noted that the proposed historic reserves recognise "sites of significance to Ngāi Tahu and ensure Ngāi Tahu values, alongside conservation values, are at the forefront of the classification". They noted the values and interests present, e.g. "pounamu traditions, the trails and passes (particularly Rakimaurikura, Te Tarahanga o Kaniere and Amuri Pass) that were trading routes for pounamu and kai in times of war and peace, connecting Tai Poutini with the east coast". It was advocated that "the proposed reserves must acknowledge the mana and rangatiratanga of Ngāi Tahu, and provide for Ngāi Tahu wellbeing, kaitiakitanga and mahinga kai".

I recommend that these comments are accepted. I acknowledge that that the Tarahanga e Toru Historic Reserve area is of historical and cultural significance to Ngāi Tahu identity. My assessment is that the proposed classification appropriately reflects the significance of the historic resources, and the historical and cultural interests present within the area, and provides appropriate protection for the identified Ngāi Tahu interests.

General (Allowed)

- Submissions expressed support for the proposed classification or the recommendations of the Mana Whenua Panel, without providing further justification.
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level based on its "high cultural conservation value".
- A submitter stated support for the recommendations of the National Panel as reflecting the use of the land and adequately protecting against its degradation.

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)

- A submitter in stated expressed concern that change in status will affect the existing permissions, noting various grazing licenses, access easements, guiding concessions, structure easements, aircraft concessions, extraction permits, and telecommunications licenses.

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

Oppose

Access and Recreation (Allowed)

- Submitters objected to historic reserve for the whole Tarahanga e Toru area on the grounds that the recommended classification does not appropriately reflect the extremely high recreational values of the area, which submitters criticised as inadequately described in the technical reports (e.g. "I am disappointed at the lack of recreation research done to aid the process of reclassification", "The DOC-supplied identified recreational values for the proposed historic reserve are disappointingly weak. For this vast area of 180,000 ha the department should have been able to do much better").
- A substantial number of submitters who commented on the whole area recommended as Tarahanga e Toru offered personal recollections of their recreational experiences and highlighted the extensive opportunities for tramping, camping, mountaineering, hunting, kayaking, and packrafting.
- Submitters were concerned that public access by foot or helicopter could be limited, particularly as the possibility of vesting means that access could be restricted or charged for.

- Submitters emphasised that "guaranteed free public access should be a bottom line in any classification" (e.g. "public access, the hut, bridge and track systems, and other recreational facilities are not recognised or guaranteed under this category", "historical reserves do not guarantee freedom of access, and impose restrictions on camping", "historic reserves may be leased by an administrating body potentially privatising the area", "experience with management of the Waitaiki Historic Reserve is that access is denied for spurious reasons", "fees may be charged for access and use").
- Submitters were also concerned that recreation would be affected if the natural values of the area are not given adequate protection. It was noted that historic reserve classification would only protect recreation values to the extent compatible with the historic values identified, and that the classification may allow various commercial activities to take place (e.g. "The appeal of these huts for many visitors is the isolated location and untouched areas. The suggested classification to historic reserve would potentially lower the recreation value of these areas by allowing easier access to mining and the development of land").
- To ensure public access and protect recreation values, submitters advocated variously for ecological area, scenic reserve, conservation park or national park, or joint historic/recreation reserve.
- Submitters frequently advocated for national park classification for the whole area recommended as Tarahanga e Toru Historic Reserve, to protect the high recreation values (e.g. "a classification under the National Parks Act or alternatively, Part 4 of Conservation Act would provide more balanced and appropriate management of ecological, recreational and mana whenua values. It will better protect recreation, conservation and the highly valued ecological and whitewater values in this area, requiring public consultation for any concessions, works or changes to access arrangements or future reclassifications").
- Submitters otherwise suggested that access be explicitly guaranteed under the Reserves Act (e.g. "either the classification be under the Conservation Act, or mechanisms to ensure practical enduring access and conservation of other natural values are expressly provided for in any classification under the Reserves Act").

I recommend that these comments are <u>not accepted.</u> While I agree the wider area recommended as the Tarahanga e Toru Historic Reserve holds high value for recreation use, my assessment is that on balance public recreational access is adequately provided for, when considering the historic resources present and the cultural interest and significance of the area to Ngāi Tahu. The public "shall have freedom of entry and access to the reserve", subject to restrictions "necessary for the protection and general well-being of the reserve and for the protection and control of the public using it" (Section 18(2(b)) Reserves Act 1977). I acknowledge submitters concerns a historic reserve classification can limit access, however I do not accept that this concern warrants overturning the notified proposal. Such potential access restrictions are not unique to the proposed classification and exist elsewhere within the legislation, for example under the Reserves Act 1977 and s.4(2)(e) of the National Parks Act 1980.

Climate Change and Natural Hazards (Allowed)

- Submitters noted that the area recommended as Tarahanga e Toru contains "large enough areas necessary for carbon sinks to help New Zealand meet international agreements on climate change" (e.g. "a significant part of our potential carbon sinks, biodiversity bases, and natural fresh water sources"), advocating for a classification with a higher emphasis on environmental protection.

I recommend that these comments are <u>not accepted</u>. While I acknowledge submitters' comments that the stewardship area contains unmodified and high value natural resources (e.g. described in the CVR as largely unmodified, with high natural diversity and pattern, encompassing a number of freshwater environments and highly diverse vegetation associated with intact altitudinal sequences), my assessment is that on balance the natural resources present are appropriately protected under the proposed classification when considering the historic resources present and the cultural significance of the area to Ngāi Tahu.

Ecology and Landscape (Allowed)

- Submissions regarding the specific conservation area sought higher protection, noting the presence of at risk and/or threatened species, that the area shares similar values with adjacent land with a higher protected status, that "it is not clear how that classification will protect the conservation values of such a large area", and that "Kawhaka Forest must be preserved as [a] major watershed/cultural area".

- Submitters objected to historic reserve classification for the whole area recommended as Tarahanga e Toru, arguing that a historic reserve classification does not offer adequate protection for the unmodified natural resources present (e.g. "this classification appears to provide relatively weak protection to both conservation and public access", "historic reserve classification could allow for management and development that is inconsistent with the recreational and biodiversity values present", "the highly valuable qualities of these areas are their wild, scenic, rugged, unmodified nature and free access (…) These qualities are not protected at all by the recommendation of a historic reserve, in fact this level of protection doesn't come close to covering it", "The effects of mining may very well change the entire face of the landscape removing stretches of forest, polluting our water ways and disrupting our native ecosystems").
- Submitters commented that the lack of clearly defined purpose meant the public were unable to understand how the natural values would be protected in relation to this primary purpose (e.g. "This is because the primary purpose of the reserve takes priority over the protection of scenic, archaeological, geological, biological, or other scientific features, and indigenous flora or fauna on the reserve").
- Submitters advocating for higher protection for the natural values emphasised that the area recommended as Tarahanga e Toru is largely remote and intact, with notable freshwater and biodiversity values (e.g. "unmodified headwaters, uninterrupted mountains to sea, threatened ecosystems and species such as rare braided riverbed, indigenous fish un-dammed pathways, sand spit, bird breeding areas and public access", "the vast landscape remains almost as it was before humans arrived", "a stronghold for taonga species including kea and whio", "untouched kingdoms of scientific biodiversity", "contains roughly 60 kilometers of the Southern Alps. Within this area are numerous small glaciers and many significant peaks, the headwaters of some of the West Coast's major rivers", "There are over 300km of river in this area, all of it is pristine and the majority of it is remote", "For the fauna especially, the remote backcountry of the area provides a natural habitat suitable for recovering populations. The Kea and Whio populations especially benefit from the remoteness", "outstanding and Nationally Significant ecological, landscape and recreational values within this area that warrant the highest level of protection").
- Submitters often suggested that historic reserve is inappropriate for such an extensive area (e.g. "The area is very large and some parts of it may be better suited to scenic reserve, national park, ecological area or scientific reserve classification", "Along with many other sections of legislation that are inappropriate for such a large pristine bit of land…", "The recommendation that vast landscapes, such as the proposed Tarahanga e Toru Historic Reserve area, may be acceptable only if it offers robust protection to the extraordinary ecological, geological, palaeontological, cultural, landscape, recreational and spiritual values of that area"). The Tarahanga e Toru grouping was identified as more than four times the size of Paparoa National Park and two and a half times the size of Aoraki-Mt Cook National Park.
- Submitters advocated variously for ecological area, scenic reserve, conservation park or national park, or suggested a combination of these classifications. Some submitters recommended ecological area "gazetted with 2 or more purposes" as this protects "recreation and ecological values and simultaneously protects mana whenua interests should historical values be established as principles". A national park classification was frequently proposed, with submitters noting that the area recommended for Tarahanga e Toru Historic Reserve shares many of the same natural values as the Arthurs Pass National Park. Several submitters advocated for the entire Tarahanga e Toru grouping to form a new national park to reflect the "cultural, ecological, landscape and recreational values" (e.g. "a new Tarahanga e Toru/3 Passes National Park"). It was recommended that this "grouping be extended south to include the entire Waitaha catchment".
- Submitters suggested that some parts of this area would meet the criteria for wilderness area (e.g. "majority of Tarahanga e Toru is further away from civilization and more remote than that of the Paparoa or Arthurs Park National Park", "Parts of the area even have values on par with the small number of wilderness areas on the West Coast").

I recommend that these comments are <u>not accepted</u>. Although I agree that there are ecological values present (e.g. largely unmodified, with high natural diversity and pattern, encompassing a number of freshwater environments and highly diverse vegetation associated with intact altitudinal sequences), my assessment is that on balance the natural resources present are appropriately protected under the proposed classification when considering the historic resources present and the cultural interest and significance of the area to Ngāi Tahu. Under a historic reserve classification, "where scenic, archaeological, geological, biological, or other scientific features, or indigenous flora or fauna, or wildlife are present on the

reserve, those features or that flora or fauna or wildlife shall be managed and protected to the extent compatible with the principal or primary purpose of the reserve" (Reserves Act 1977, s. 18(2)(c)).

Historic and Cultural Values (Allowed)

- Submitters who broadly opposed the recommendation for the larger area stated they support historic reserve for the pounamu trails themselves, or that the trails should be specifically acknowledged (e.g. "Māori pounamu trails across the southern Alps where it applies to sections of the public conservation land currently held in stewardship, that contain physical evidence of the history (consistent with the Reserves Act Guide), as well as nohoanga (temporary settlement) sites"., "the Pounamu Trails need special recognition in a new way where they track through National Parks and other Public Conservation areas").
- A submission regarding the specific conservation area noted that historic sites are not recorded as being present, or are present only at small discrete parts of the land parcel, stating a preference for national park classification.
- Submissions regarding the whole area recommended as Tarahanga e Toru were critical of the lack of clearly defined purpose for the reserve or clear identification of the "place, object, and natural feature or other thing that is to be preserved and protected", suggesting that it is unclear how other conservation values would be protected.
- Submitters noted that the identified historical resources are largely experiential or "cultural and non-physical in nature, making management of these values, over and above secondary objectives and values (e.g. recreation and ecological), highly subjective and open to interpretation".
- Some submitters suggested that their current opposition may be reviewed if the purpose is clarified. It was stated that this lack made it difficult for submitters to comment on the recommendation (e.g. "the proper identification of the primary purpose of the historic reserve is a prerequisite for proper consultation. This is because the primary purpose of the reserve takes priority over the protection of scenic, archaeological, geological, biological, or other scientific features, and indigenous flora or fauna on the reserve (...) We simply do not know what we are commenting on").
- Submitters opposed the recommendation on the grounds that the classification is not intended for large landscapes, but "for small-scale, discrete and recognised archaeological and historical sites and buildings" and the "preservation of structures and objects". They suggested that historic reserve is inappropriate for the proportionally small extent of tangible heritage within the large area (e.g. "The proposed 82,000 hectare Historic Reserve with no physical historical structures to conserve is contrary to DOC's own guidance that a site should not be classified as Historic Reserve unless there is obvious physical evidence of its history remaining on site", "The proposed Historic Reserve covers a vast area of great cultural, ecological and recreational importance within which historical structures and objects are almost entirely post colonisation (old benched tracks etc) and cover a vanishingly small percentage of the area", "the area proposed for historic reserve status appears far more extensive than required to provide for the protection of historic sites and cultural values", "While Amuri Pass and the Tass-Nancy Saddle may have been historic travelling routes for Māori, there is virtually no built historic heritage in this vast wild area").
- Submitters commonly advocated for classification as national park over the whole area to protect both historic and ecological values, while ensuring access. It was argued that the preservation of the land is critical in preserving the stories and legends inherent in old trails and landscape features, and therefore protection of the outstanding ecological, scenic, and recreational values is critical in further enhancing protection of historical values present.
- Submitters noted that the National Parks Act 1980 requires that "sites and objects of archaeological and historical interest shall as far as possible be preserved". It was suggested a National Park management plan could effectively protect cultural and historic values, with submitters referencing the Paparoa National Park management plan as a successful example of this.
- Some submitters who advocated for national park classification supported the proposed historic reserve for the pounamu trails themselves and the Taramakau River or suggested that these should be acknowledged or protected separately (e.g. the Taramakau river mouth should be excluded and vested to mana whenua "due to its proven historical value", "we would be supportive of a classification of Historic Reserve for the sections of the Taramakau River covered by Schedule 56 of the Ngāi Tahu Claims Settlement Act (...) subject to the right of public access at no cost being guaranteed in the reclassification process and relevant management plans").

I recommend that these comments are not accepted. My assessment is that the proposed classification appropriately reflects the historic resources present within the area (e.g. nohoanga, ara tawhito, mahinga kai and pounamu) and the nature of the historical and cultural interests and significance of the area to Ngāi Tahu.

Treaty Considerations (Allowed)

- Submitters acknowledged the significance of the area to Ngāi Tahu, but suggested that given the long list of wider conservation values present, the extent of the proposed reserve should be revisited, or that other classifications would be more suitable (e.g. "we acknowledge that there is an immense significance and rich history within this area of Pounamu trails, settlements and Pā, mahinga kai gathering, and its general importance to Poutini Ngāi Tahu. We feel that this only adds to the reasons for which it should be more strongly protected, and we believe that its ecological value should be prioritized above all else").
- Submitters suggested that the proposed classification does "not adequately encompass both nature protection and mana whenua aspirations".
- Submitters advocated for a national park classification "where proper recognition of Ngāi Tahu's presence past and present, can be achieved alongside appropriate protection for natural and recreational values".
- Submitters referenced various examples where Ngāi Tahu have a "major role" in management and planning of National Parks (e.g. "National parks do not preclude additional mechanisms for protecting cultural values, such as the topuni which recognises the tapu associated with Aoraki", "the Treaty principle of partnership can be upheld through shared governance and management practices as is the case for Paparoa National Park", "any outstanding cultural issues can be managed through some form of shared governance and management (...) Kaitiakitanga of this hugely valued and much used area should rest with the nation as a whole albeit with acknowledgment of, and provision for, the ability for Ngāi Tahu whānui to reconnect to their ancestral lands, provide for the mana and rangatiratanga of Ngāi Tahu and to exercise kaitiakitanga and mahinga kai. Such arrangements would be provided for through an enlightened National Park Management Plan").
- Ecological area was also suggested as an option which could simultaneously protect mana whenua interests "if historical values were established as principles in the gazetting of the classification and/or relevant management plans".

I recommend that these comments are not accepted . It is my conclusion that the proposed classification appropriately protects the natural and historic resources present within the area, and reflects the nature of the historical and cultural interests and significance of the area to Ngāi Tahu, providing appropriate protection for the identified Treaty partner interests.

General (Allowed)

- Submissions expressed general opposition to the proposed classification without providing further justification (e.g. "values more suited to Conservation Park", "request that the area be given national park status").
- Submitters raised concerns that "historic reserve status can be altered and allow for other purposes".
- Submitters expressed support for the name Tarahanga e Toru for the land grouping, though advocated for various other classifications (e.g. "We think the name Tarahanga e Toru would be fitting for a higher status classification").

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)

- Submitters queried the extent of land proposed for historic reserve classification, suggesting that the large-scale historic reserve recommendations by the Panels "suggests a failure to search out and find the correct reserve classification for each one" or "a lack of detailed investigation by the Panels".
- A submitter highlighted that as well as clarification of purpose, as details of management are unknown, a further public consultation process will be required.
- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land, limitations of the consultation, and potential conflicts of interest, particularly regarding the proposed Griffin Creek hydro scheme or potential mining.

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

Other (Not Allowed)

- Submitters raised concern about potential vesting of the proposed reserve, suggesting that this may impact on public access (e.g. "if this were to take place there are no guarantees that public access is preserved, nor regarding the preservation of the landscape").
- A submitter suggested that "if the vesting of this area does occur, proper funding and investment into clear governance practices and management plans should be provided for to enable proper management of these highly significant areas".
- Submitters who opposed the classification suggested that they might come to support the proposed reserve if public access and participation in future management planning processes could be ensured, or if there is a mechanism to ensure DOC has ongoing input into decision-making (e.g. "I support mana whenua stewardship but want assurances about public voice in river conservation", "There is a high level of public interest in this very large area and the ongoing involvement of DOC provides greater certainty that this public interest can be reflected in management").
- A submitter advocated that due to the scale of the proposed reserve, it "should be included as a separate Place in the CMS so the public can have input into how it is managed".
- One submission opposed all reclassification of stewardship land to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

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)

- Submitters expressed concern that historic reserve does not adequately recognise and protect ecological and biodiversity values (e.g. "provides no strong protection for native wildlife and plants or landscape".
- Submitters suggested the proposed Tarahanga e Toru Historic Reserve is an unusual use of the designation in terms of size and scale (e.g. "I am uncomfortable with the massive extension of the concept of a Historic Reserve covering such a vast landscape").

I recommend that these comments are not accepted. Although I agree that there are ecological values present (e.g. largely unmodified, with high natural diversity and pattern, encompassing a number of freshwater environments and highly diverse vegetation associated with intact altitudinal sequences), my assessment is that on balance the natural resources present are appropriately protected under the proposed classification when considering the historic resources present and the cultural interest and significance of the area to Ngāi Tahu. Under a historic reserve classification, "where scenic, archaeological, geological, biological, or other scientific features, or indigenous flora or fauna, or wildlife are present on the reserve, those features or that flora or fauna or wildlife shall be managed and protected to the extent compatible with the principal or primary purpose of the reserve" (Reserves Act 1977, s. 18(2)(c)).

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 which supports reconsideration of the notified classification.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter stated that the proposed classification does not provide strong protection for natural values as it "will allow for commercial activities and leases that national park or scenic reserve status would not allow".
- A submitter suggested that the justification for the recommendation implies the "mountains and rivers might provide economically", advocating for separation between decision makers and permission applicants.

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

HOK_19 – Mathias Pass Road – 2806159

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Mathias Pass Road	HOK_19_2806159n	Conservation Park (Kowhitirangi)	Neutral	7	17

DOC Conservation Values Report Description

A 3.808-ha area of primarily pasture with some scattered trees. This area is near the Hokitika River, is adjacent to a portion of the Wanganui/Otira Catchments conservation area, and has a section of the 4WD Whitcombe Valley access road running through it. Many places within the Wanganui/Otira area are intrinsic to Ngāi Tahu Pounamu legends. People enjoy walking, tramping, extreme kayaking, commercial rafting and hunting in this vicinity. Permissions and concessions may be in place over this area.

Panel Recommendations

National Panel: Conservation park (Kowhitirangi), to reflect the mosaic of values present, protecting natural and historic resources while facilitating public recreation and enjoyment of the area.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of conservation park.

Summary of accepted submissions: Those submissions 'accepted' as holding merit supported the notified classification as protecting ecological values and allowing for recreational use.

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 "Poutini Ngāi Tahu ancestors and their stories are literally embedded in this landscape", "immense historical, spiritual and cultural significance", "the mountains are criss-crossed by pounamu trails", "lifelines for Poutini Ngāi Tahu as trading routed for pounamu and kai", "mahinga kai resources in this area supported pā and kāinga nohoanga".

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

Rationale: My conclusion is that the natural resources present are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Conservation Park (Kowhitirangi) - HOK_19_2806159n

Support

Access and Recreation (Allowed)

- A submission supported the classification as providing "an improved level of protection", but expressed concern that unspecified recreational values in the Mikonui River Valley and Totara River Valley had not been recognised.

I recommend that these comments are accepted. I agree that any recreational values present are appropriately protected by the notified classification. The proposed conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Ecology and Landscape (Allowed)

- A submission supported conservation park status noting the values present are high but "not distinct enough to amount to a national park classification".

I recommend that these comments are accepted. I agree that the natural resources present are appropriately protected under the proposed classification. The primary purpose of a conservation park includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, or agreed it reflected the "information in the technical reports".
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions expressed "trust that Conservation Park status will provide full protection from any future mining applications in these areas" or noted that without protection the land "will remain exposed to future potential hydro-electricity scheme and mining". A submitter noted that the classification would result in "adequate assessment" of commercial activities.
- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide "more than adequate legal protection".
- A submission in support of conservation park advocated for greater protection from "intrusive development" such as mining and hydro schemes, stating that "most of the Southern Alps deserves protection equivalent to that of National Park status".

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

Other (Not Allowed)

- A submission suggested that the implementation of the proposed classification "needs to be followed up with sufficient funding for pest eradication".

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

Oppose

Access and Recreation (Allowed)

- Submitters opposed the submissions as not recognising the high recreational values present including backcountry trails and whitewater rafting, recommending national park status as more appropriate (e.g. "my expectation is that this place be considered as an addition Tai Poutini national park due to extraordinary nature of the wild rivers in this area").
- Submissions were concerned with the importance of ensuring and enabling public access while protecting the ecological and ecosystem values present through national park status (e.g. "I have spent many days, over many years, navigating gorges on the West Coast, walking and camping in our national parks and I hope that we can retain these opportunities in perpetuity for our children and theirs").

I recommend that these comments are not accepted. My assessment is that the public recreational access to the area is appropriately protected by the proposed classification. The proposed conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Ecology and Landscape (Allowed)

- Submitters noted that the proposed conservation parks are in close proximity to one another and "it appears to be an inefficient way of managing land for conservation". It was recommended to combine the proposed parks where the values are similar as this "provides greater opportunity for large landscape scale management".

- Submissions highlighted the ecological and scenic values present across the wider Wanganui/Otira catchments including a high degree of naturalness, a wide range of ecosystems, and at-risk/threatened species (e.g. " This area contains many different ecosystems most in a high state of naturalness. Every possible non-coastal ecosystem in NZ is likely to be here", "altitudinal sequence from alpine peaks to lowlands", the wilderness east of Hokitika _HOK_19 and HOK_43 is as pristine, precious, and as unique as any other national park in Aotearoa") A higher level of protection as national park or addition to Westland Tai Poutini National Park was recommended. Reference was also made to the high conservation values being recognised by the Minister of the Environment in their decision to decline the Westpower hydro-electricity scheme in the Waitaha Valley.
- Submissions advocated for protection of the river systems highlighting the "extensive area of alluvial flats, a rare environment type", and suggested a classification which would protect ecological values.
- A submitter noted this site specifically has "depleted ecosystems in relatively good condition" and that the land is adjacent to land that has a higher protected status even though the ecological values appear similar. Classification as a national park was recommended.
- A submitter noted the area may have "the last remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened" and warrants a higher level of protection than that proposed, suggesting national park, wildlife management, scenic reserve, nature reserve or scientific reserve as more appropriate.

I recommend that these comments are <u>not accepted</u>. My assessment is that the natural resources present are appropriately protected under the proposed classification. The points raised do not warrant overturning the notified intent. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Historic and Cultural Values (Allowed)

- Submissions opposed the proposed classification, advocating for national park status to protect the high historic and cultural values.

I recommend that these comments are <u>not accepted</u>. There are no identified archaeological sites within the assessment area, however if any values are discovered the primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Treaty Considerations (Allowed)

- A submission expressed the view that "mahinga kai and mana whenua involvement in planning are well provided for within the National Park Act" and that national park status would allow for co-management with Ngāi Tahu.

I recommend that these comments are <u>not accepted</u>. My assessment is that the natural values identified in the CVR (primarily pasture with some scattered trees) are appropriately protected under the proposed classification. The points raised do not warrant overturning the notified intention. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification, or expressed concern that the classification would not provide any greater protection than the current status.

I recommend that these comments are <u>not accepted</u>. 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 who expressed general concern about the low-level protection offered by conservation park, noted support for that classification for land "potentially containing crown minerals". The support was contingent on the land being registered as a specially protected area if significant conservation values were present.
- A submitter opposed the classification due to a lack of clarity on the activities allowed for under the conservation park status and was concerned the status would not protect the high conservation values identified recommending national park as more appropriate.

- A submission recommended that existing grazing licences should not be renewed and was concerned about the extent of permissions in place.
- One submission sought greater clarity on the possible economic activities that may occur as referred to in the recommendation report.

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

Process and Consultation (Not Allowed)

- A submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values".
- A submitter stated that if a national park classification is "politically unpalatable, then political judgement calls must be made by accountable politicians, not by the Panel".
- 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 to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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)

- 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 which supports reconsideration of the notified classification.

Permissions, Economic Factors and Land Use (Not Allowed)

- One submission was concerned that the change in status would affect existing permissions including a number of grazing and easement concessions and mining access arrangements.

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

Other (Not Allowed)

- A submitter advocated for new conservation parks to "come with additional Government funding for better biodiversity work and more pest control".

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

HOK_19 – Hokitika River - Bluff Creek – 2806272

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Hokitika River - Bluff Creek	HOK_19_2806272o	Conservation Park (Hokitika)	Neutral	8	18

DOC Conservation Values Report Description

A 19.2485-ha area of primarily forest. This area is in between the Hokitika River and the Wanganui/Otira Catchments conservation area. It has a section of the 4WD Whitcombe Valley access road running next to it. Many places within the Wanganui/Otira area are intrinsic to Ngāi Tahu Pounamu legends. People enjoy walking, tramping, extreme kayaking, commercial rafting and hunting in this vicinity. Permissions and concessions may be in place over this area.

Panel Recommendations

National Panel: Conservation park (Hokitika), to reflect the mosaic of values present, protecting natural and historic resources while facilitating public recreation and enjoyment of the area.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of conservation park.

Summary of accepted submissions: Those submissions 'accepted' as holding merit supported the notified classification as protecting ecological values and allowing for recreational use.

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

The Mana Whenua Panel have signalled specific interests associated with the stewardship area, particularly that "Poutini Ngāi Tahu ancestors and their stories are literally embedded in this landscape", "immense historical, spiritual and cultural significance", "the mountains are criss-crossed by pounamu trails", "lifelines for Poutini Ngāi Tahu as trading routed for pounamu and kai", "mahinga kai resources in this area supported pā and kāinga nohoanga".

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

Rationale: My conclusion is that the natural resources present (e.g. native forest) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Conservation Park (Hokitika) - HOK_19_2806272o

Support

Access and Recreation (Allowed)

- A submission indicated that jetboating had been referred to as a historic activity in the recommendation, but should continue for hunting and recreational access.
- A submission supported the classification as providing "an improved level of protection", but expressed concern that unspecified recreational values in the Mikonui River Valley and Totara River Valley had not been recognised.

I recommend that these comments are accepted to the extent that I agree that the recreational values present are appropriately reflected by the notified classification. The proposed conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Ecology and Landscape (Allowed)

- A submission supported conservation park status, noting the values present are high but "not distinct enough to amount to a national park classification".

I recommend that these comments are accepted. I agree that the natural resources present (e.g. native forest) are appropriately protected under the proposed classification. The primary purpose of a conservation park includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, or agreed it reflected the "information in the technical reports".
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions expressed "trust that Conservation Park status will provide full protection from any future mining applications in these areas" or noted that without protections the land "will remain exposed to future potential hydro-electricity scheme and mining". A submitter noted that the classification would result in "adequate assessment" of commercial activities.
- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide "more than adequate legal protection".
- A submission in support of conservation park advocated for greater protection from "intrusive development" such as mining and hydro schemes, stating that "most of the Southern Alps deserves protection equivalent to that of National Park status".

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

Other (Not Allowed)

- A submission suggested that the implementation of the proposed classification "needs to be followed up with sufficient funding for pest eradication".

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

Oppose

Access and Recreation (Allowed)

- Submitters recognised the high recreational values present including backcountry trails and whitewater rafting, recommending national park status (e.g. "my expectation is that this place be considered as an addition Tai Poutini national park due to extraordinary nature of the wild rivers in this area", ").
- A submission was concerned with the importance of ensuring public access while protecting the ecological and ecosystem values present through national park status.

I recommend that these comments are not accepted. My assessment is that the recreational values present will be appropriately protected by the proposed classification and the points raised do not warrant overturning the notified intention. The proposed conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Ecology and Landscape (Allowed)

- Submissions highlighted the ecological and scenic values present across the wider Wanganui/Otira catchments including a high degree of naturalness, a wide range of ecosystems and at-risk/threatened species (e.g. "altitudinal

sequence from alpine peaks to lowlands", "All of Wanganui/Otira Catchments Conservation Area is forested with alpine areas above treeline and some high natural character braided river valleys").

- Submitters recommended a higher level of protection as national park, addition to Westland Tai Poutini National Park or another classification which protects the ecological values, stating the values are significant enough to warrant a higher level of protection across the catchment (e.g. "extremely high biodiversity, scenic landscape and recreation values are present across this very large area, extending to the great divide, containing multiple backcountry trails and adjacent to the Adams Wilderness Area. Far greater values are present than signified by a Conservation Park"). Reference was made to the high conservation values being recognised by the Minister of the Environment in their decision to decline the Westpower hydro-electricity scheme in the Waitaha Valley.
- Submissions advocated for protection of the river systems highlighting the "extensive area of alluvial flats, a rare environment type" and suggested a classification which would protect ecological values.
- A submitter noted this site specifically has "depleted ecosystems in relatively good condition" and that the land is adjacent to land that has a higher protected status even though the ecological values appear similar. Classification as a national park was recommended.
- A submitter noted the area may have "the last remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened" and warrants a higher level of protection than that proposed, suggesting national park, wildlife management, scenic reserve, nature reserve or scientific reserve as more appropriate.

I recommend that these comments are <u>not accepted</u>. My assessment is that the natural values present (e.g. native forest) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

- Submitters noted that the proposed conservation parks are in close proximity to one another and "it appears to be an inefficient way of managing land for conservation". It was recommended to combine the proposed parks where the values are similar as this "provides greater opportunity for large landscape scale management".

I recommend that these comments are <u>not accepted</u>. There are no specifications in the Conservation Act 1987 or Conservation General Policy regarding the size or proximity of distinct conservation parks.

Treaty Considerations (Allowed)

- A submission expressed the view that national park status would allow for co-management with Ngāi Tahu.

I recommend that these comments are <u>not accepted</u>. My assessment is that the natural values present (e.g. native forest) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification, or expressed concern that the classification would not provide any greater protection than the current status. One submitter recommended adding the area to Arthurs Park National Pass.

I recommend that these comments are <u>not accepted</u>. 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 who expressed general concern about the low-level protection offered by conservation park, noted support for that classification for land "potentially containing crown minerals". The support was contingent on the land being registered as a specially protected area if significant conservation values were present.
- A submitter opposed the classification due to a lack of clarity on the activities allowed for under the conservation park status and was concerned the status would not protect the high conservation values identified, recommending national park as more appropriate.
- One submission sought greater clarity on the possible economic activities that may occur, as signalled in the recommendation report.

- A submission recommended that existing grazing licences should not be renewed and was concerned about the extent of permissions in place.

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 submitter stated that if a national park classification is "politically unpalatable, then political judgement calls must be made by accountable politicians, not by the Panel".
- A submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values".

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 to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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.

Ecology and Landscape (Allowed)

- A submitter requested that "rivers are maintained in a free-flowing unmodified state", and that the "classification does not allow for dams or flow diversions".

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.

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 which supports reconsideration of the notified classification.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitted advocated that helicopter "landing permissions continue to be available" through the current DOC concession system.
- One submission was concerned that the change in status would affect existing permissions including a number of grazing and easement concessions and mining access arrangements.

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

Other (Not Allowed)

- A submitter advocated for new conservation parks to "come with additional Government funding for better biodiversity work and more pest control".

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

HOK_20 – Aickens Base – 2806317

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Aickens Base	HOK_20_2806317p	Recreation Reserve	Recreation Reserve	13	6

DOC Conservation Values Report Description

A 0.1198-ha section of land now used as a carpark and important component of the recreational facilities in the Taramakau as it is used by trampers accessing the start of Harpers Pass track. The area is largely grass and gravel with a few planted trees used to screen the carpark from SH 73. (The name "Aickens Base" comes from a hut that was previously here but has since been re-located).

Panel Recommendations

National Panel: Recreation reserve, to provide for the existing recreation use, allowing the public freedom of entry and access.

Mana Whenua Panel: The Mana Whenua Panel supports the recommendation of the Western South Island National Panel.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of recreation reserve.

Summary of accepted submissions: Those submissions 'accepted' as holding merit supported the notified classification as ensuring ongoing public recreational access and offering sufficient protection in the context of climate change.

Section 4 and Treaty principles: The Mana Whenua Panel have supported the notified classification, supported by submissions by Treaty partner organisations.

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 natural resources present are appropriately protected by the proposed classification, while also reflecting the public access and recreational features present.

Recreation Reserve - HOK_20_2806317p

Support

Access and Recreation (Allowed)

- Submissions supported the reclassification recommendation noting the area is the only place to park cars to access walks in the valleys starting at the confluence of the Otira and Taramakau rivers.

I recommend that these comments are accepted. I agree that the proposed recreation reserve will support ongoing public recreational access to the area. 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. Recreation reserves are held "for the purpose of providing areas for the recreation and sporting activities and the physical welfare and enjoyment of the public, and for the protection of the natural environment and beauty of the countryside" (s. 17(1) Reserves Act 1977).

Climate Change and Natural Hazards (Allowed)

- A submitter supported the proposed classification as offering a high level of protection "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 recreation reserve will support this outcome, to the extent compatible with the identified primary purpose. 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).

Treaty Considerations (Allowed)

- The recommendation of the Mana Whenua Panel was supported on the basis that it reflects "the values, interests, and perspectives of the Papatipu Rūnanga in whose Takiwā the relevant land is located", and that adopting the recommendations of the Mana Whenua Panel would give effect to the principles of the Treaty.

I recommend that these comments are accepted. I agree that natural resources present are appropriately protected by the proposed classification. I note that the Mana Whenua Panel have supported the proposed recreation reserve.

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, agreeing they reflected the "information in the technical reports", or expressed support for the recommendations of the Mana Whenua Panel.
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Oppose

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed 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.

Other (Not Allowed)

- A submission opposed all reclassification of stewardship land to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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.

HOK_21 – Kokatahi/Hokitika Riverbed – 2805690

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Kokatahi/Hokitika Riverbed (Pasture)	HOK_21_2805690l	Conservation Park (Hokitika Awa)		17	26
Kokatahi/Hokitika Riverbed (Pasture)	HOK_21_2805690m		Disposal	9	36
Kokatahi/Hokitika Riverbed (Riverbed)	HOK_21_2805690n	Conservation Park (Hokitika Awa)	Neutral	17	25

DOC Conservation Values Report Description

A 2219.3962-ha area that follows a length of riverine habitat of Hokitika River. The area is primarily braided riverbed with some wetlands, riparian forest shrubland and cleared areas used for grazing. The highly diverse and dynamic series of different habitats provides opportunities to support an abundance of flora and fauna. The area is important to Ngāi Tahu for historical reasons and as a Pounamu Management Area. There is goldmining history around the role of the port at Hokitika. Many diverse permissions are in place over this area. The river is used by kayakers, whitebaiters, fishers and occasional jetboaters. The area contains some tramping tracks, including the Hokitika Gorge, that are used by backcountry adventurers, including trampers, hunters and kayakers.

Kokatahi/Hokitika Riverbed (Pasture)

Panel Recommendations

National Panel: Conservation park (Hokitika Awa), to reflect the mosaic of values present, protecting natural and historic resources while facilitating public recreation and enjoyment of the area.

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

S.49(2)(d) Recommendation

- Proceed with the notified proposal of conservation park for the 'pasture' section of this stewardship area.

Summary of accepted submissions: The submissions 'accepted' as holding merit supported the notified classification as preserving access and protecting ecological values.

Section 4 and Treaty principles: The Mana Whenua Panel opposed the proposed conservation park for the pastoral components of this area, supported by submissions from Treaty partner organisations, based on the rationale that they "are highly modified and should not form part of public conservation land".

The Mana Whenua Panel have signalled Ngāi Tahu interests associated with this stewardship area, particularly that "throughout the Kokatahi/Hokitika Riverbed, there are well-worn trails, these being highways of old Poutini Ngāi Tahu", "the Kokatahi Riverbed has a place in Poutini Ngāi Tahu history, being alongside the Pukehika Pā site at the confluence of the Hokitika River".

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 warrant proceeding with the notified proposal.

Rationale: My conclusion is that the natural resources present are appropriately protected under the proposed classification. Although portions of the area may be modified (e.g. cleared pasture), there are multiple connections with adjoining public conservation land, including the Camelback Scenic Reserve and Back Creek Swamp Wildlife Management Reserve. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Conservation Park (Hokitika Awa) - HOK_21_2805690l

Support

Access and Recreation (Allowed)

- Submissions supported the proposed classification on the basis of preserving public access, should climbing potential be discovered in the future.
- A submitter highlighted the accessibility of the river and value for kayakers, trampers and climbers (e.g. "The Whitcombe and Hokitika Rivers are both deep flowing rivers with magnificent turquoise pools flanked by rata trees. Coming from the south there are no rivers in the southern region quite as accessible nor as spectacular for rata forest").

I recommend that these comments are accepted. I agree that the proposed classification will support recreational use, and the activities referred to by submitters are allowed for under a conservation park classification. The conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Ecology and Landscape (Allowed)

- Submissions supported conservation park status, but questioned creating multiple conservation parks, stating it missed the opportunity for a "holistic" approach to management. A submitter recommended combining the area with the proposed Kokatahi Awa Conservation Park.
- A submission noted the need to protect rivers for the threatened and at-risk species present and restoration opportunities (e.g. "Rivers must be allowed to move and retain the potential for restoration and rewilding. Threatened and at risk species such as longfin eels, penguins, and gulls need to be protected").

I recommend that these comments are accepted to the extent that I agree that the natural resources present are appropriately protected under the proposed classification. The primary purpose of a conservation park includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)). I note that there are no specifications in the Conservation Act 1987 or Conservation General Policy regarding the size or proximity of distinct conservation parks.

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, agreed it reflected the "information in the technical reports", or supported the recommendation of the Mana Whenua Panel.
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions expressed "trust that Conservation Park status will provide full protection from any future mining applications in these areas" or noted that without protections the land "will remain exposed to future potential hydro-electricity scheme and mining".
- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide "more than adequate legal protection".
- A submission in support of conservation park advocated for greater protection from "intrusive development" such as mining and hydro schemes, stating that "most of the Southern Alps deserves protection equivalent to that of National Park status".

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

Other (Not Allowed)

- A submission suggested that the implementation of the proposed classification "needs to be followed up with sufficient funding for pest eradication".

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

Oppose

Access and Recreation (Allowed)

- Submissions described the high recreational values present on the Kokatahi and surrounding rivers, including whitewater kayaking, canyoning, tramping, off-track exploration and hunting, noting their significance to users (e.g. "recreationally, these areas are well recognised and of high value in the kayaking, rafting, tramping and hunting communities", "the true beauty of these areas can be hard to describe in words"). Classification as a national park or ecological area was recommended.
- A submitter raised concerns that the DOC technical reports and panel recommendations lacked full consideration of the recreation values present.
- A submitter noted that jetboating needs to be allowed to continue for access, and is not just a historical activity.

I recommend that these comments are not accepted. My assessment is that the recreational values present as identified by the submitter and described in the CVR (e.g. kayaking, fishing and tramping), will be appropriately protected by the proposed classification and the points raised do not warrant overturning the notified intention. The proposed conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Climate Change and Natural Hazards (Allowed)

- Submitters opposed the classification highlighting the flood protection role of the area and the carbon sequestration and ecosystem restoration opportunities (e.g. "opportunities for ecosystem restoration in response to flood events or coastal erosion, opportunities for carbon sequestration"). Classification as a government purpose (river floodplain) reserve was recommended.

I recommend that these comments are not accepted. My assessment is the proposed classification will support the protection of the natural resources present, and as a result support the areas climate mitigation potential. The points raised do not justify overturning the notified intention. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Ecology and Landscape (Allowed)

- Several submissions advocated for national park status or ecological area due to the high ecological and scenic values present, including threatened and at-risk taonga species (e.g. "there are important ecosystems present", "this extensive area of alluvial flats, a rare environment type, and also important for recreation, should not be disposed of").
- Submitters were concerned that any lower classification would not adequately protect the values present.
- Submissions highlighted the "important" ecosystems present advocating for protection of freshwater and river system values and noting the importance of braided rivers and the "threatened taonga" the river supports (e.g. "these areas support a recovering population of Whio, who rely on the un modified riverbeds to survive"). Classification as wildlife management area, ecological area or other appropriate classification was recommended with the view that conservation park is "too weak" to recognise the "freshwater values and connectivity".
- A submitter noted the area may have "the last remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened" and warrants a higher level of protection than that proposed, suggesting national park, wildlife management, scenic reserve, nature reserve or scientific reserve as more appropriate.

I recommend that these comments are not accepted. My assessment is that natural values present are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

- A submitter noted that there are many proposed conservation parks in close proximity to one another and recommended revisiting this decision.

I recommend that these comments are not accepted. There are no specifications in the Conservation Act 1987 or Conservation General Policy regarding the size or proximity of distinct conservation parks

Treaty Considerations (Allowed)

- Submissions supported the recommendations of the Mana Whenua Panel on the basis that these recommendations reflect the rights and interests of mana whenua, recognise Ngāi Tahu's connection to their ancestral lands, and fulfil obligations under the Treaty of Waitangi.

I recommend that these comments are not accepted. 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 warrant proceeding with the notified proposal.

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification, or expressed concern that the classification would not provide any greater protection than the current status. Ecological area and local purpose reserve were suggested, along with a recommendation that river beds are given the same classification as adjacent land parcels.

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 opposed the classification due to a lack of clarity on the activities allowed for under the conservation park status or were concerned the status would not protect the high conservation values identified from activities such as "mining, hydro power schemes or other developments".
- A submitter who expressed general concern about the low-level protection offered by conservation park, noted support for that classification for land "potentially containing crown minerals". The support was contingent on the land being registered as a specially protected area if significant conservation values were present.
- Submitters were concerned about the effects of grazing activities in the riverbed recommending classification as an ecological area and that existing grazing licences should not be renewed. A submitter noted their concern about the extent of permissions in place.
- One submission was focussed on a grazing lease within the assessment area and the lack of significant natural areas within it, recommending that the land doesn't become locked up, and highlighting the income DOC receives and control work carried out by the permit holder. The submission also advocated for encouraging gravel extraction due to flood risk.
- One submission was concerned that the change in status would affect existing permissions including grazing, easements and mining access arrangements.

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 submitter stated that if a national park classification is "politically unpalatable, then political judgement calls must be made by accountable politicians, not by the Panel".
- A submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values".

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 to specially protected areas unless it was purchased by the Nature Heritage Fund for the purpose of adding it to a national park.
- A submission proposed long term leases or disposal of all grassed areas which are currently grazed.
- A submission sought vesting of the portion of land which encompasses the Kowhitirangi Flood Wall with the West Coast Regional Council.

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

No Opinion/Position Stated

Access and Recreation (Allowed)

- Submissions queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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.

- A submitter noted that access should be maintained or improved.

I recommend that these comments are accepted. My assessment is that the proposed classification will support recreational use. The conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Ecology and Landscape (Allowed)

- A submitter stated they want the rivers free flowing, unmodified and that the "conservation classification does not allow for dams or flow diversions".

I recommend that these comments are not accepted. Authorisation of any 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.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter advocated that the current DOC concession system continues to be the only system used.
- A submitter recommended that grazing areas, leases, disposals and conservation need to all be looked at together to allow for economic and conservation benefits.
- A submitter noted that because many of the rivers are accessed by helicopters, landing permissions should remain available.

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

Process and Consultation (Not Allowed)

- A submission expressed concern about the limited information provided for such a large area.

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

Disposal - HOK_21_2805690m

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 agreed that the land did not hold any conservation values, or was highly modified, and was therefore suitable for disposal.

I recommend that these comments are not accepted. Although modified (e.g. cleared pasture) throughout the area, there are multiple connections with adjoining public conservation land. The area will also be connected to the braided river proposed for conservation park and its size and location make it suitable for restoration. My assessment is that when considered in the context of its position, the area contains sufficiently high conservation values to justify the notified classification of conservation park.

Treaty Considerations (Allowed)

- Submissions supported the recommendations of the Mana Whenua Panel on the basis that these recommendations reflect the rights and interests of mana whenua, recognise Ngāi Tahu's connection to their ancestral lands, and fulfil obligations under the Treaty of Waitangi (e.g. "by adopting the recommendations of the Mana Whenua Panel the Minister will give effect to the principles of the Treaty of Waitangi").

I recommend that these comments are not accepted. 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 warrant proceeding with the notified proposal.

General (Allowed)

- A submission expressed general support for the recommendation by the Mana Whenua Panel.

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 objected to disposal on the grounds that this represents a loss of public access and ability for future generations to enjoy these areas, expressed opposition to any disposal which means a loss of recreation opportunities such as climbing, angling or hunting, or requested "appropriate mechanisms are used to ensure existing and future public use is maintained or improved" (e.g. "Even where large riparian margins are left for public access and to allow for movement of the river, these are often inadequate, and the result is fragments of public access amongst farmland").
- A submitter recommended classification as a national park.
- Submitters highlighted the recreational values present for kayakers, trampers and climbers and expressed concern that these values did not appear to have been considered by the national panel (e.g. "The Kokatahi, Styx, Toaroha, Hokitika River Beds are areas that we know well, and spend a lot of time at. We feel that the national panel has failed to consider the ecological and recreational values of these areas"). Classification as an ecological area was recommended.
- A submitter noted that jetboating needs to be allowed to continue for access, and is not just a historical activity.

I recommend that these comments are accepted. Though I note recreational activity is currently unlikely to occur in the modified pastoral areas, the proposed conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Climate Change and Natural Hazards (Allowed)

- Submissions opposed disposal on the grounds that it forgoes future opportunities such as carbon sequestration, ecosystem restoration and climate mitigation, and the land should be protected for future generations (e.g. "The opportunities for carbon sequestration through indigenous vegetation are rapidly diminishing and every hectare of the conservation estate is of value", "opportunities for ecosystem restoration in response to flood events or coastal erosion").
- Classification as a government purpose (river floodplain) reserve was recommended by one submitter.
- Submissions argued that disposing of public conservation land compromises future sustainability and climate mitigation options, noting that climate change is heightening pressure on ecosystems.
- A submission opposed disposal of pasture as causing "unnecessary fragmentation", recommending classification as a conservation park so integrated management can occur to improve habitat and climate resilience.

- A submitter stated that no land should be disposed of if there is potential for restoration and that riverbeds and adjacent land should be retained for flood retention, with no grazing permitted.

I recommend that these comments are accepted to the extent that they support retention of the area and provision of an appropriate classification. I agree that the protection of the existing natural resources present is of increasing importance when considering the need for climate mitigation, and classification as a conservation park will support this outcome. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Ecology and Landscape (Allowed)

- Submissions opposed disposal where there is poor ecological representation in existing protected areas, recommending that lowland river terraces remain in public conservation land as so little remains and there is the potential for restoration and regeneration. A "precautionary policy" was recommended to hold conservation future options open.
- Submissions highlighted the ecological values present, including rare ecosystems and taonga species, and opposed disposal advocating for a classification that would protect the values (e.g. "This extensive area of alluvial flats, a rare environment type, and also important for recreation, should not be disposed of. It should be subject to a classification that protects its ecological values", "these areas support a recovering population of Whio, who rely on the unmodified riverbeds to survive"). Classification as a conservation park or ecological area was suggested.
- Submissions highlighted the importance of retaining the land to allow natural river processes and restoration to occur, noting the "unintended consequences" of disposal such as erosion or infrastructure damage (e.g. "Support reclassification as Conservation Park. Rivers must be allowed to move and retain the potential for restoration and rewilding", "In almost all cases these areas have historically been part of the riverbed, and the rivers need this buffer to be able to move around without causing damage to infrastructure and farming assets").
- A submission recommended that only modified landlocked sites without restoration potential should be disposed of.
- A submission opposed disposal, stating that stewardship land represents "a broad cross section of indigenous ecosystems, in various states of regeneration".

I recommend that these comments are accepted to the extent that they support retention of the area and provision of an appropriate classification for the natural values present. My assessment is that the natural values present are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Treaty Considerations (Allowed)

- One submission stated no stewardship land should be disposed of, except to tangata whenua, "and only then with the need to maintain the block's cultural, conservation & mahika-kai values".
- One submission expressed a desire for maximum protection to allow nature to thrive, in keeping with the approach of the indigenous people of Aotearoa.

I recommend that these comments are accepted to the extent that they support retention of the area and provision of an appropriate classification for the natural values present. 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 warrant proceeding with the notified proposal.

General (Allowed)

- Submissions expressed opposition to disposal of any stewardship land in general terms, expressed a desire for maximum environmental protection, such as national park classification, or proposed classification as a conservation park, local purpose reserve or ecological area.

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)

- A submission expressed opposition to disposal of any stewardship land and sought protection from development, mining, or other extractive activities.
- A submission recommended that current grazing licences are not renewed and expressed concern at the "extensive permissions in place for this sensitive freshwater site".
- One submission was concerned that the change in status would affect existing permissions including grazing, easements and gravel extraction licences.
- A submission suggested "a land exchange with the adjacent land owner 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.

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, including the timeframe for response, when compared to the scale of information notified.

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

Other (Not Allowed)

- One submission suggested 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.

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 which supports reconsideration of the notified classification.

Other (Not Allowed)

- One submission noted that disposal of land will be subject to Heritage New Zealand Pouhere Taonga Notification Process for Disposal of Crown-owned Land.
- One submission suggested any funds from land sold should go to the Nature Heritage Fund.
- A submitter recommended vesting part of the area with the West Coast Regional Council due to the presence of the flood wall.

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

Kokatahi/Hokitika Riverbed (Riverbed)

Panel Recommendations

National Panel: Conservation park (Hokitika Awa), to reflect the mosaic of values present, protecting natural and historic resources while facilitating public recreation and enjoyment of the area.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of conservation park for the 'riverbed' section of this stewardship area.

Summary of accepted submissions: The submissions 'accepted' as holding merit supported the notified classification as preserving access and protecting ecological values.

Section 4 and Treaty principles: The Mana Whenua Panel have not opposed the notified classification.

The Mana Whenua Panel have signalled specific Ngāi Tahu interests associated with this stewardship area, particularly that "throughout the Kokatahi/Hokitika Riverbed, there are well-worn trails, these being highways of old Poutini Ngāi Tahu", "the Kokatahi Riverbed has a place in Poutini Ngāi Tahu history, being alongside the Pukehika Pā site at the confluence of the Hokitika River".

Given the Mana Whenua Panel have not opposed the notified classification for this component of the stewardship area, I consider the classification is not inconsistent with the identified interests.

Rationale: My conclusion is that the natural resources present (e.g. braided riverbed, wetlands, forests, regenerating secondary shrublands) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Conservation Park (Hokitika Awa) - HOK_21_2805690n

Support

Access and Recreation (Allowed)

- A submission supported the classification as providing "an improved level of protection", but expressed concern that unspecified recreational values had not been recognised.
- A submitter highlighted the accessibility of the river and value for "kayakers, trampers and climbers".

I recommend that these comments are accepted. I agree that the proposed classification will support recreational use and the activities referred to by submitters are allowed for under a conservation park classification. The conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Ecology and Landscape (Allowed)

- A submission supported conservation park status, but questioned creating multiple conservation parks, missing the opportunity for a "holistic" approach to management.
- A submission suggested the area is combined with the Kokatahu Awa (Hokitika/Kokotahi Awa) to enable integrated management.
- A submission noted the need to protect rivers for the threatened and at-risk species present and restoration opportunities.

I recommend that these comments are accepted to the extent that I agree that the natural resources present are appropriately protected under the proposed classification. The primary purpose of a conservation park includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)). I note that there are no specifications in the Conservation Act 1987 or Conservation General Policy regarding the size or proximity of distinct conservation parks.

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, or agreed it reflected the "information in the technical reports".
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions expressed "trust that Conservation Park status will provide full protection from any future mining applications in these areas" or noted that without protections the land "will remain exposed to future potential hydro-electricity scheme and mining". A submitter noted that the classification would result in "adequate assessment" of commercial activities.
- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide "more than adequate legal protection".
- A submission in support of conservation park advocated for greater protection from "intrusive development" such as mining and hydro schemes, stating that "most of the Southern Alps deserves protection equivalent to that of National Park status".

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

Other (Not Allowed)

- A submission suggested that the implementation of the proposed classification "needs to be followed up with sufficient funding for pest eradication".

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

Oppose

Access and Recreation (Allowed)

- Submissions described the high recreational values present on the Kokatahi and surrounding rivers, including whitewater kayaking, canyoning, tramping, off-track exploration and hunting, noting their significance to users (e.g. "recreationally, these areas are well recognised and of high value in the kayaking, rafting, tramping and hunting communities", "the true beauty of these areas can be hard to describe in words"). Classification as a national park or ecological area was recommended.
- A submitter raised concerns that the DOC technical reports and panel recommendations lacked full consideration of the recreation values present (e.g. "we feel that the national panel has failed to consider the ecological and recreational values of these areas").
- A submitter noted that jetboating needs to be allowed to continue for access, and is not just a historical activity.

I recommend that these comments are not accepted. My assessment is that the recreational values present as identified by the submitter and described in the CVR (e.g. kayaking, fishing and tramping), will be appropriately protected by the proposed classification and the points raised do not warrant overturning the notified intention. The proposed conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Climate Change and Natural Hazards (Allowed)

- A submitter recommended government purpose (river floodplain) reserve to recognise carbon sequestration and ecosystem restoration opportunities.

I recommend that these comments are not accepted. My assessment is the proposed classification will support the protection of the natural resources present, and as a result support the areas climate mitigation potential. The points raised

do not justify overturning the notified intention. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Ecology and Landscape (Allowed)

- Submissions noted adjacent land parcels have a higher protection status than the conservation park classification proposed, with particular concern expressed for conservation park recommendations for areas bordering national parks when these areas "represent some of the most pristine landscapes in New Zealand and likely the world and as such warrant inclusion to those National Parks".
- Several submissions advocated for national park status, or addition to Westland Tai Poutini National Park, due to the high ecological and scenic values present, including threatened and at-risk taonga species (e.g. "all of these riverbeds are home to a number of threatened taonga", "this area has some of the most unique landscapes around").
- Submitters were concerned that any lower classification would not adequately protect the values present.
- Submissions highlighted the important ecosystems present and advocated for protection of freshwater and river system values, noting the importance of braided rivers, the alluvial flats ("a rare environment type"), and the "threatened taonga" the river supports (e.g. "these areas support a recovering population of Whio, who rely on the un modified riverbeds to survive"). Classification as a national park, wildlife management area or ecological area was recommended.
- A submitter noted the area may have "the last remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened" and warrants a higher level of protection than that proposed, suggesting national park, wildlife management, scenic reserve, nature reserve or scientific reserve as more appropriate.

I recommend that these comments are <u>not accepted</u>. My assessment is that the natural values present (e.g. braided riverbed, wetlands, forests, regenerating secondary shrublands) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

- A submitter noted that there are many proposed conservation parks in close proximity to one another and recommended revisiting this decision.

I recommend that these comments are <u>not accepted</u>. There are no specifications in the Conservation Act 1987 or Conservation General Policy regarding the size or proximity of distinct conservation parks.

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification, or expressed concern that the classification would not provide any greater protection than the current status. National park, ecological area and local purpose reserve were suggested, along with a recommendation that river beds are given the same classification as adjacent land parcels.

I recommend that these comments are <u>not accepted</u>. 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 who expressed general concern about the low-level protection offered by conservation park, noted support for that classification for land "potentially containing crown minerals". The support was contingent on the land being registered as a specially protected area if significant conservation values were present.
- Submitters opposed the classification due to a lack of clarity on the activities allowed for under the conservation park status or were concerned the status would not protect the high conservation values identified from activities such as "mining, hydro power schemes or other developments".
- A submitter advocated for ecological area and expressed concern about the "pastoral development in the river bed", the poor fencing resulting in stock access to the riverbed and the "neglected" feel of the area.
- One submission was concerned that the change in status would affect existing permissions including grazing, easements and mining access arrangements.

- A submission recommended that existing grazing licences should not be renewed and was concerned about the extent of permissions in place.
- One submission was focussed on a grazing lease within the assessment area and the lack of significant natural areas within it, recommending that the land doesn't become locked up, and highlighting the income DOC receives and control work carried out by the permit holder. The submission also advocated for encouraging gravel extraction due to flood risk.

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

Process and Consultation (Not Allowed)

- A submitter stated that if a national park classification is "politically unpalatable, then political judgement calls must be made by accountable politicians, not by the Panel".
- A submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values".
- 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 to specially protected areas unless it was purchased by the Nature Heritage Fund for the purpose of adding it to a national park.
- A submission proposed long term leases or disposal of all grassed areas which are currently grazed.
- A submission sought vesting of the portion of land which encompasses the Kowhitirangi Flood Wall with the West Coast Regional Council.

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

No Opinion/Position Stated

Access and Recreation (Allowed)

- Submissions queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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.

- A submitter noted that jetboating was incorrectly identified as a historical activity but needs to continue for "hunting and recreation" access.
- A submitter noted that access should be maintained or improved.

I recommend that these comments are accepted. My assessment is that the proposed classification will support recreational use. The conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Ecology and Landscape (Allowed)

- A submitter stated they want the rivers free flowing, unmodified and that the "conservation classification does not allow for dams or flow diversions".

I recommend that these comments are not accepted. Authorisation of any 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 which supports reconsideration of the notified classification.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter advocated that the current DOC concession system continues to be the only system used.
- A submitter noted that access should be maintained or improved, and because many of the rivers are accessed by helicopters, landing permissions should remain available.

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

Other (Not Allowed)

- A submitter advocated for new conservation parks to "come with additional Government funding for better biodiversity work and more pest control.

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

HOK_21 – Styx River (Pasture) – 2805710

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Styx River (Pasture)	HOK_21_2805710v	Conservation Park (Kokatahi Awa)		16	15
Styx River (Pasture)	HOK_21_2805710w		Disposal	4	29
Styx River (Riverbed)	HOK_21_2805710x	Conservation Park (Kokatahi Awa)	Neutral	16	15

DOC Conservation Values Report Description

A 46.412-ha area that follows a length of riverine habitat of the Styx River. These areas are primarily a mix of braided riverbed and cleared areas used for grazing. The highly diverse and dynamic series of different habitats provides opportunities to support an abundance of flora and fauna. The area is important to Ngāi Tahu for historical reasons and as a Pounamu Management Area. There is a grazing license for dairy and beef cattle over this area. The river is used by kayakers, whitebaiters, fishers and occasional jetboaters. There is a track that starts near one end of this area used by backcountry adventurers, including trampers, hunters and kayakers.

Styx River (Pasture)

Panel Recommendations

National Panel: Conservation park (Kokatahi Awa), to reflect the mosaic of values present, protecting natural and historic resources while facilitating public recreation and enjoyment of the area.

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

S.49(2)(d) Recommendation

- Proceed with the notified proposal of conservation park for the 'pasture' section of this stewardship area.

Summary of accepted submissions: Those submissions 'accepted' as holding merit supported the notified classification as preserving access and protecting ecological values.

Section 4 and Treaty principles: The Mana Whenua Panel opposed the proposed conservation park for the pastoral components of this area, supported by submissions from Treaty partner organisations, noting that the pastoral components "are highly modified and should not form part of public conservation land".

The Mana Whenua Panel have signalled Ngāi Tahu interests associated with this stewardship area, particularly that "throughout the Kokatahi/Hokitika Riverbed, there are well-worn trails, these being highways of old Poutini Ngāi Tahu" and "the Toaroha catchment is a Pounamu Management Area".

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 warrant proceeding with the notified proposal.

Rationale: My conclusion is that although portions of the area may be modified (e.g. cleared pasture) the natural resources present are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Conservation Park (Kokatahi Awa) - HOK_21_2805710v

Support

Access and Recreation (Allowed)

- Submissions supported the proposed classification on the basis of preserving public access, should climbing potential be discovered in the future.
- A submitter highlighted the accessibility of the river and value for "kayakers, trampers and climbers".

I recommend that these comments are accepted. I agree that the proposed classification will support recreational use and the activities referred to by submitters are allowed for under a conservation park classification. The conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Ecology and Landscape (Allowed)

- A submission supported conservation park status, but questioned creating multiple conservation parks, stating it missed the opportunity for a "holistic" approach to management to improve freshwater habitat and resilience.
- A submission noted the need to protect rivers for the threatened and at-risk species present and restoration opportunities.

I recommend that these comments are accepted to the extent that I agree that the natural resources present are appropriately protected under the proposed classification. The primary purpose of a conservation park includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)). I note that there are no specifications in the Conservation Act 1987 or Conservation General Policy regarding the size or proximity of distinct conservation parks.

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, or agreed it reflected the "information in the technical reports".
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter expressed "trust that Conservation Park status will provide full protection from any future mining applications in these areas".
- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide "more than adequate legal protection".
- A submission in support of conservation park advocated for greater protection from "intrusive development" such as mining and hydro schemes, stating that "most of the Southern Alps deserves protection equivalent to that of National Park status".

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

Other (Not Allowed)

- A submission suggested that the implementation of the proposed classification "needs to be followed up with sufficient funding for pest eradication".

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

Oppose

Access and Recreation (Allowed)

- A submission described the high recreational values present on the Styx and surrounding rivers, noting their significance to users (e.g. "recreationally, these areas are well recognised and of high value in the kayaking, rafting, tramping and hunting communities", "the true beauty of these areas can be hard to describe in words"). Classification as an ecological area was recommended.
- A submitter raised concerns that the DOC technical reports and panel recommendations lacked full consideration of the recreation values present (e.g. "we feel that the national panel has failed to consider the ecological and recreational values of these areas").

I recommend that these comments are not accepted. My assessment is that the recreational values present as identified by the submitter and described in the CVR (e.g. kayaking, hunting and tramping) will be appropriately protected by the proposed classification and the points raised do not warrant overturning the notified intention. The proposed conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Climate Change and Natural Hazards (Allowed)

- A submitter recommended government purpose (river floodplain) reserve to recognise carbon sequestration and ecosystem restoration opportunities.

I recommend that these comments are not accepted. My assessment is the proposed classification will support the protection of the natural resources present, and as a result support the areas climate mitigation potential. The points raised do not warrant overturning the notified intention. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Ecology and Landscape (Allowed)

- Submissions advocated for protection of the ecological values present, highlighting the importance of braided rivers, the alluvial flats ("a rare environment type"), and the "threatened taonga" the river supports (e.g. "these areas support a recovering population of whio, who rely on the un modified riverbeds to survive"). Classification as an ecological area or alternative status which will protect the ecological values was recommended.
- A submitter noted the area may have "the last remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened" and warrants a higher level of protection than that proposed, suggesting national park, wildlife management, scenic reserve, nature reserve or scientific reserve as more appropriate.

I recommend that these comments are not accepted. My assessment is that natural values present (e.g. modified pasture, riparian margins) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

- A submitter noted that there are many proposed conservation parks in close proximity to one another and recommended revisiting this decision.

I recommend that these comments are not accepted. There are no specifications in the Conservation Act 1987 or Conservation General Policy regarding the size or proximity of distinct conservation parks.

Treaty Considerations (Allowed)

- Submissions supported the recommendations of the Mana Whenua Panel on the basis that these recommendations reflect the rights and interests of mana whenua, recognise Ngāi Tahu's connection to their ancestral lands, and fulfil obligations under the Treaty of Waitangi.

I recommend that these comments are not accepted. 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 warrant proceeding with the notified proposal.

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification, or expressed concern that the classification would not provide any greater protection than the current status. Local purpose reserve was recommended as an alternative.

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 submitter who expressed general concern about the low-level protection offered by conservation park, noted support for that classification for land "potentially containing crown minerals". The support was contingent on the land being registered as a specially protected area if significant conservation values were present.

- A submitter opposed the classification due to a lack of clarity on the activities allowed for under the conservation park status and was concerned the status would not protect the high conservation values identified.
- A submission recommended that existing grazing licences should not be renewed and was concerned about the extent of permissions in place.

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

Process and Consultation (Not Allowed)

- A submitter stated that if a national park classification is "politically unpalatable, then political judgement calls must be made by accountable politicians, not by the Panel".
- A submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values".
- 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 to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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)

- 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 which supports reconsideration of the notified classification.

Other (Not Allowed)

- A submitter advocated for new conservation parks to "come with additional Government funding for better biodiversity work and more pest control".

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

Disposal - HOK_21_2805710w

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 agreed that the land did not hold any conservation values and was therefore suitable for disposal.

I recommend that these comments are not accepted. Although modified (e.g. cleared pasture) the area shares a partial boundary with the Lake Kaniere Scenic Reserve and will be connected to the braided river proposed for conservation park. Its size (a significant portion of the 46ha) and location make it suitable for restoration. When considered in the context of its position, the area contains sufficiently high conservation values to justify the notified classification of conservation park.

Treaty Considerations (Allowed)

- Submissions supported the recommendations of the Mana Whenua Panel on the basis that these recommendations reflect the rights and interests of mana whenua, recognise Ngāi Tahu's connection to their ancestral lands, and fulfil obligations under the Treaty of Waitangi (e.g. "by adopting the recommendations of the Mana Whenua Panel the Minister will give effect to the principles of the Treaty of Waitangi").

I recommend that these comments are not accepted. 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 warrant proceeding with the notified proposal.

General (Allowed)

- A submission expressed general support for the recommendation by the Mana Whenua Panel.

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 objected to disposal on the grounds that this represents a loss of public access and ability for future generations to enjoy these areas, expressed opposition to any disposal which means a loss of recreation opportunities such as climbing, angling or hunting, or requested "appropriate mechanisms are used to ensure existing and future public use is maintained or improved".
- Submitters highlighted the recreational values present for kayakers, trampers and climbers and expressed concern that these values did not appear to have been considered by the national panel (e.g. "The Kokatahi, Styx, Toaroha, Hokitika River Beds are areas that we know well, and spend a lot of time at. We feel that the national panel has failed to consider the ecological and recreational values of these areas"). Classification as an ecological area or conservation park was recommended.

I recommend that these comments are accepted. Though I note recreational activity is currently unlikely to occur in the modified pastoral areas, the proposed conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Climate Change and Natural Hazards (Allowed)

- Submissions opposed disposal on the grounds that it forgoes future opportunities such as carbon sequestration and climate mitigation, and the land should be protected for future generations (e.g. "The opportunities for carbon sequestration through indigenous vegetation are rapidly diminishing and every hectare of the conservation estate is of value").
- A submitter recommended government purpose (river floodplain) reserve to recognise the carbon sequestration and ecosystem restoration opportunities.

- Submissions argued that disposing of public conservation land compromises future sustainability and climate mitigation options, noting that climate change is heightening pressure on ecosystems.
- Submitters recommended classification as a scenic reserve or ecological area to allow for restoration, revegetation and natural river processes.
- A submission opposed disposal of pasture as causing "unnecessary fragmentation", recommending classification as a conservation park to allow for integrated management to improve habitat and climate resilience.
- A submitter stated that no land should be disposed of if there is potential for restoration and that riverbeds and adjacent land should be retained for flood retention, with no grazing permitted.

I recommend that these comments are accepted to the extent that they support retention of the area and provision of an appropriate classification. I agree that the protection of the existing natural resources present is of increasing importance when considering the need for climate mitigation, and classification as a conservation park will support this outcome. Although modified (e.g. cleared pasture) the area shares a partial boundary with the Lake Kaniere Scenic Reserve and will be connected to the braided river proposed for conservation park. Its size (a significant portion of the 46ha) and location make is suitable for restoration. When considered in the context of its position, the area contains sufficiently high conservation values to justify the notified classification of conservation park.

Ecology and Landscape (Allowed)

- Submissions opposed disposal where there is poor ecological representation in existing protected areas, recommending that lowland river terraces remain in public conservation land as so little remains and there is the potential for restoration and regeneration.
- Submissions highlighted the importance of retaining the land to allow for natural river processes and restoration, noting the "unintended consequences" of disposal such as erosion or infrastructure damage (e.g. "Support reclassification as Conservation Park. Rivers must be allowed to move and retain the potential for restoration and rewilding", "In almost all cases these areas have historically been part of the riverbed, and the rivers need this buffer to be able to move around without causing damage to infrastructure and farming assets").
- Submissions highlighted the high ecological values of this "rare environment type", including taonga species, and opposed disposal, advocating for a classification that would protect the values (e.g. "This extensive area of alluvial flats, a rare environment type, and also important for recreation, should not be disposed of. It should be subject to a classification that protects its ecological values", "these areas support a recovering population of Whio, who rely on the unmodified riverbeds to survive"). Classification as a conservation park was suggested by one submitter and ecological area by another.
- Submitters recommended that only modified landlocked sites without restoration potential should be disposed of, stating that stewardship land represents "a broad cross section of indigenous ecosystems, in various states of regeneration".
- A submitter questioned creating multiple conservation parks and recommended revisiting the decision.

I recommend that these comments are accepted to the extent that they support retention of the area and provision of an appropriate classification for the natural values present. My assessment is that natural values present (e.g. modified pasture, riparian margins) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Treaty Considerations (Allowed)

- One submission stated no stewardship land should be disposed of, except to tangata whenua, "and only then with the need to maintain the block's cultural, conservation & mahika-kai values".
- One submission expressed a desire for maximum protection to allow nature to thrive, in keeping with the approach of the indigenous people of Aotearoa.

I recommend that these comments are accepted to the extent that they support retention of the area and provision of an appropriate classification for the natural values present. 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 warrant proceeding with the notified proposal.

General (Allowed)

- Submissions expressed opposition to disposal of any stewardship land in general terms, expressed a desire for maximum environmental protection, such as national park classification, local purpose reserve or conservation park, or supported "a precautionary approach".

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 expressed opposition to disposal of any stewardship land and sought protection from development, farming, mining, or other extractive activities.
- A submission recommended consideration of potential productivity and whether the land could be used to support future food security.
- A submission opposed disposal based on concerns it would affect existing permissions and river activities.
- A submission recommended that current grazing licences are not renewed and expressed concern at the "extensive permissions in place for this sensitive freshwater site".
- A submission suggested "a land exchange with the adjacent land owner 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.

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, including the timeframe for response, when compared to the scale of information notified.

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

Other (Not Allowed)

- One submission suggested 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.

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 which supports reconsideration of the notified classification.

Other (Not Allowed)

- One submission noted that disposal of land will be subject to Heritage New Zealand Pouhere Taonga Notification Process for Disposal of Crown-owned Land.

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

Styx River (Riverbed)

Panel Recommendations

National Panel: Conservation park (Kokatahi Awa), to reflect the mosaic of values present, protecting natural and historic resources while facilitating public recreation and enjoyment of the area.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of conservation park for the 'riverbed' section of this stewardship area.

Summary of accepted submissions: Those submissions 'accepted' as holding merit supported the notified classification as preserving access and protecting ecological values.

Section 4 and Treaty principles: The Mana Whenua Panel have not opposed the notified classification.

The Mana Whenua Panel have signalled Ngāi Tahu interests associated with this stewardship area, particularly that "throughout the Kokatahi/Hokitika Riverbed, there are well-worn trails, these being highways of old Poutini Ngāi Tahu" and "the Toaroha catchment is a Pounamu Management Area".

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

Rationale: My conclusion is that the natural resources present (e.g. braided riverbed with some wetlands and riparian forest shrublands) are appropriately protected under the proposed classification. I also note the recreational use of the area (e.g. kayaking, hunting and tramping). The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Conservation Park (Kokatahi Awa) - HOK_21_2805710x

Support

Access and Recreation (Allowed)

- A submitter in support highlighted the accessibility of the river and value for "kayakers, trampers and climbers".

I recommend that these comments are accepted. I agree that the proposed classification will support recreational use and the activities referred to by submitters are allowed for under a conservation park classification. The conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Ecology and Landscape (Allowed)

- A submission supported conservation park status, but questioned creating multiple conservation parks.
- A submission noted the need to protect rivers for the threatened and at-risk species present and restoration opportunities.

I recommend that these comments are accepted to the extent that I agree that the natural resources present are appropriately protected under the proposed classification. The primary purpose of a conservation park includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)). I note that there are no specifications in the Conservation Act 1987 or Conservation General Policy regarding the size or proximity of distinct conservation parks.

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, or agreed it reflected the "information in the technical reports".
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions expressed "trust that Conservation Park status will provide full protection from any future mining applications in these areas" or noted that without protections the land "will remain exposed to future potential hydro-electricity scheme and mining". A submitter noted that the classification would result in "adequate assessment" of commercial activities.
- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide "more than adequate legal protection".
- A submission in support of conservation park advocated for greater protection from "intrusive development" such as mining and hydro schemes, stating that "most of the Southern Alps deserves protection equivalent to that of National Park status".

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

Other (Not Allowed)

- A submission suggested that the implementation of the proposed classification "needs to be followed up with sufficient funding for pest eradication".

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

Oppose

Access and Recreation (Allowed)

- A submission described the high recreational values present on the Styx and surrounding rivers, noting their significance to users (e.g. "recreationally, these areas are well recognised and of high value in the kayaking, rafting, tramping and hunting communities", "the true beauty of these areas can be hard to describe in words"). Classification as an ecological area was recommended.
- A submitter raised concerns that the DOC technical reports and panel recommendations lacked full consideration of the recreation values present (e.g. "we feel that the national panel has failed to consider the ecological and recreational values of these areas").

I recommend that these comments are not accepted. My assessment is that the recreational values present as identified by the submitter and described in the CVR (e.g. kayaking, hunting and tramping) will be appropriately protected by the proposed classification and the points raised do not warrant overturning the notified intention. The proposed conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Climate Change and Natural Hazards (Allowed)

- A submitter recommended government purpose (river floodplain) reserve to recognise carbon sequestration and ecosystem restoration opportunities.

I recommend that these comments are not accepted. My assessment is the proposed classification will support the protection of the natural resources present, and as a result support the areas climate mitigation potential. The points raised do not justify overturning the notified intention. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Ecology and Landscape (Allowed)

- Submissions advocated for protection of the ecological values present, highlighting the importance of braided rivers, the alluvial flats ("a rare environment type"), and the "threatened taonga" the river supports (e.g. "these areas support a recovering population of whio, who rely on the un modified riverbeds to survive"). Classification as an ecological area or alternative status which will protect the ecological values was recommended.

- A submitter noted the area may have "the last remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened" and warrants a higher level of protection than that proposed, suggesting national park, wildlife management, scenic reserve, nature reserve or scientific reserve as more appropriate.

I recommend that these comments are not accepted. My assessment is that the natural values present are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

- A submitter noted that there are many proposed conservation parks in close proximity to one another and recommended revisiting this decision.

I recommend that these comments are not accepted. There are no specifications in the Conservation Act 1987 or Conservation General Policy regarding the size or proximity of distinct conservation parks.

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification, or expressed concern that the classification would not provide any greater protection than the current status. National park and local purpose reserve were recommended as alternative classifications.

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 submitter who expressed general concern about the low-level protection offered by conservation park, noted support for that classification for land "potentially containing crown minerals". The support was contingent on the land being registered as a specially protected area if significant conservation values were present.
- A submitter opposed the classification due to a lack of clarity on the activities allowed for under the conservation park status and was concerned the status would not protect the high conservation values identified.
- A submission recommended that existing grazing licences should not be renewed and was concerned about the extent of permissions in place.

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

Process and Consultation (Not Allowed)

- A submitter stated that if a national park classification is "politically unpalatable, then political judgement calls must be made by accountable politicians, not by the Panel".
- A submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values".
- 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 to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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)

- 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 which supports reconsideration of the notified classification.

Other (Not Allowed)

- A submitter advocated for new conservation parks to "come with additional Government funding for better biodiversity work and more pest control".

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

HOK_21 – Toaroha Riverbed (Pasture) – 2805711

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Toaroha Riverbed (Pasture)	HOK_21_2805711y	Conservation Park (Kokatahi Awa)		14	15
Toaroha Riverbed (Pasture)	HOK_21_2805711a		Disposal	4	28
Toaroha Riverbed (Riverbed)	HOK_21_2805711b	Conservation Park (Kokatahi Awa)	Neutral	15	15

DOC Conservation Values Report Description

A 149.1473-ha area following a length of the Toaroha and Kokatahi Rivers, mostly braided riverbed and cleared areas used for grazing, with some wetlands and riparian forest shrubland. The highly diverse and dynamic series of different habitats provides opportunities to support an abundance of flora and fauna. The area is important to Ngāi Tahu for historical reasons and as a Pounamu Management Area. Many diverse permissions are in place over this area. The area is used by kayakers, whitebaiters, fishers and occasional jetboaters. The area contains a portion of walking track used by backcountry adventurers, including trampers, hunters and kayakers.

Toaroha Riverbed (Pasture)

Panel Recommendations

National Panel: Conservation park (Kokatahi Awa), to reflect the mosaic of values present, protecting natural and historic resources while facilitating public recreation and enjoyment of the area.

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

S.49(2)(d) Recommendation

- Proceed with the notified proposal of conservation park for the 'pasture' section of this stewardship area.

Summary of accepted submissions: The submissions 'accepted' as holding merit supported the notified classification as preserving access and protecting ecological values.

Section 4 and Treaty principles: The Mana Whenua Panel have opposed the proposed conservation park for the pastoral components of this area, supported by submissions from Treaty partner organisations, noting that the pastoral components are "highly modified and should not form part of public conservation land".

The Mana Whenua Panel have signalled Ngāi Tahu interests associated with this stewardship area, particularly that "throughout the Kokatahi/Hokitika Riverbed, there are well-worn trails, these being highways of old Poutini Ngāi Tahu" and "the Toaroha catchment is a Pounamu Management Area".

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 warrant proceeding with the notified proposal.

Rationale: My conclusion is that although portions of the area may be modified (e.g. cleared pasture), the natural resources present are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Conservation Park (Kokatahi Awa) - HOK_21_2805711y

Support

Access and Recreation (Allowed)

- Submissions supported the proposed classification on the basis of preserving public access, should climbing potential be discovered in the future.

- A submitter highlighted the accessibility of the river and value for "kayakers, trampers and climbers".

I recommend that these comments are accepted. I agree that the proposed classification will support recreational use and the activities referred to by submitters are allowed for under a conservation park classification. The conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Ecology and Landscape (Allowed)

- A submission supported conservation park status, but questioned creating multiple conservation parks, stating it missed the opportunity for a "holistic" approach to management to improve freshwater habitat and resilience.
- A submission noted the need to protect rivers for the threatened and at-risk species present and restoration opportunities.

I recommend that these comments are accepted to the extent that I agree that the natural resources present are appropriately protected under the proposed classification. The primary purpose of a conservation park includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)). I note that there are no specifications in the Conservation Act 1987 or Conservation General Policy regarding the size or proximity of distinct conservation parks.

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, or agreed it reflected the "information in the technical reports".
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter expressed "trust that Conservation Park status will provide full protection from any future mining applications in these areas".
- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide "more than adequate legal protection".
- A submission in support of conservation park advocated for greater protection from "intrusive development" such as mining and hydro schemes, stating that "most of the Southern Alps deserves protection equivalent to that of National Park status".

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

Other (Not Allowed)

- A submission suggested that the implementation of the proposed classification "needs to be followed up with sufficient funding for pest eradication".

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

Oppose

Access and Recreation (Allowed)

- A submission described the high recreational values present on the Toaroha and surrounding rivers, noting their significance to users (e.g. "recreationally, these areas are well recognised and of high value in the kayaking, rafting, tramping and hunting communities", "the Toaroha, a tributary of the Kokatahi River, is one of the staple classic runs on the Coast. Its fantastically beautiful and on every descent you'll get that wow feeling"). Classification as an ecological area was recommended.

- A submitter raised concerns that the DOC technical reports and panel recommendations lacked full consideration of the recreation values present (e.g. "we feel that the national panel has failed to consider the ecological and recreational values of these areas").

I recommend that these comments are not accepted. My assessment is that the recreational values present as identified by the submitter and described in the CVR (e.g. kayaking, whitebaiting and tramping) will be appropriately protected by the proposed classification and the points raised do not warrant overturning the notified intention. The proposed conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Climate Change and Natural Hazards (Allowed)

- A submitter recommended government purpose (river floodplain) reserve to recognise carbon sequestration and ecosystem restoration opportunities.

I recommend that these comments are not accepted. My assessment is the proposed classification will support the protection of the natural resources present, and as a result support the areas climate mitigation potential. The points raised do not justify overturning the notified intention. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Ecology and Landscape (Allowed)

- Submissions advocated for protection of the ecological values present, highlighting the importance of braided rivers, the alluvial flats ("a rare environment type"), and the "threatened taonga" the river supports (e.g. "these areas support a recovering population of whio, who rely on the un modified riverbeds to survive"). Classification as an ecological area or alternative status which will protect the ecological values was recommended.
- A submitter noted that there are multiple proposed conservation parks in close proximity to one another and recommended revisiting this decision.
- A submitter noted the area may have "the last remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened" and warrants a higher level of protection than that proposed, suggesting national park, wildlife management, scenic reserve, nature reserve or scientific reserve as more appropriate.

I recommend that these comments are not accepted. My assessment is that the natural values present (e.g. modified pasture, riparian margins) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

- A submitter noted that there are many proposed conservation parks in close proximity to one another and recommended revisiting this decision.

I recommend that these comments are not accepted. There are no specifications in the Conservation Act 1987 or Conservation General Policy regarding the size or proximity of distinct conservation parks.

Treaty Considerations (Allowed)

- Submissions supported the recommendations of the Mana Whenua Panel on the basis that these recommendations reflect the rights and interests of mana whenua, and reflect the "values, interests and perspectives" of the Papatipu Rūnanga in whose takiwā the land is located.

I recommend that these comments are not accepted 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 warrant proceeding with the notified proposal.

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification, or expressed concern that the classification would not provide any greater protection than the current status. Classification as a local purpose reserve was recommended.

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 submitter who expressed general concern about the low-level protection offered by conservation park, noted support for that classification for land "potentially containing crown minerals". The support was contingent on the land being registered as a specially protected area if significant conservation values were present.
- A submitter opposed the classification due to a lack of clarity on the activities allowed for under the conservation park status and was concerned the status would not protect the high conservation values identified.
- One submission was concerned that the change in status would affect existing permissions including grazing, easements and mining access arrangements.
- A submission recommended that existing grazing licences should not be renewed and was concerned about the extent of permissions in place.

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

Process and Consultation (Not Allowed)

- A submitter stated that if a national park classification is "politically unpalatable, then political judgement calls must be made by accountable politicians, not by the Panel".
- A submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values".
- 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 to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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.

Ecology and Landscape (Allowed)

- A submission noted the opportunity for restoration of aquatic ecosystems in this area and the importance of considering the surrounding hydro parcels.

I recommend that these comments are accepted to the extent that they support retaining the land under an appropriate classification. My assessment is the area contains sufficiently high conservation values to justify the notified classification of conservation park. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

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 which supports reconsideration of the notified classification.

Other (Not Allowed)

- A submitter advocated for new conservation parks to "come with additional Government funding for better biodiversity work and more pest control".

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

Disposal - HOK_21_2805711a

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 agreed that the land did not hold any conservation values and was therefore suitable for disposal.

I recommend that these comments are not accepted. Although modified (e.g. cleared pasture), the natural values present (e.g. 'acutely threatened' braided river environment) when considered in the context of the land's position adjacent to the river, scale of the area (over 149 ha) and the risk of further fragmentation, represent sufficiently high conservation values to justify the notified classification of conservation park.

Treaty Considerations (Allowed)

- Submissions supported the recommendations of the Mana Whenua Panel on the basis that these recommendations reflect the rights and interests of mana whenua, recognise Ngāi Tahu's connection to their ancestral lands, and fulfil obligations under the Treaty of Waitangi (e.g. "by adopting the recommendations of the Mana Whenua Panel the Minister will give effect to the principles of the Treaty of Waitangi").

I recommend that these comments are not accepted. 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 warrant proceeding with the notified proposal.

General (Allowed)

- A submission expressed general support for the recommendation by the Mana Whenua Panel.

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 objected to disposal on the grounds that this represents a loss of public access and ability for future generations to enjoy these areas, expressed opposition to any disposal which means a loss of recreation opportunities such as climbing, angling or hunting, or requested "appropriate mechanisms are used to ensure existing and future public use is maintained or improved" (e.g. Even where large riparian margins are left for public access and to allow for movement of the river, these are often inadequate, and the result is fragments of public access amongst farmland").
- Submitters highlighted the recreational values present for kayakers, trampers and climbers and expressed concern that these values did not appear to have been considered by the national panel (e.g. "The Kokatahi, Styx, Toaroha, Hokitika River Beds are areas that we know well, and spend a lot of time at. We feel that the national panel has failed to consider the ecological and recreational values of these areas"). Classification as an ecological area or conservation park was recommended.

I recommend that these comments are accepted. Though I note recreational activity is currently unlikely to occur in the modified pastoral areas, the proposed conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Climate Change and Natural Hazards (Allowed)

- Submissions opposed disposal on the grounds that it forgoes future opportunities such as carbon sequestration, ecosystem restoration and climate mitigation, and the land should be protected for future generations (e.g. "The opportunities for carbon sequestration through indigenous vegetation are rapidly diminishing and every hectare of the conservation estate is of value", "opportunities for ecosystem restoration in response to flood events or coastal erosion").
- Classification as a government purpose (river floodplain) reserve was recommended by one submitter.
- Submissions argued that disposing of public conservation land compromises future sustainability and climate mitigation options, noting that climate change is heightening pressure on ecosystems.
- A submitter recommended classification as a scenic reserve or ecological area to allow for restoration, revegetation and natural river processes noting "these areas are so important for communities that they need to be kept by DOC for climate mitigation, not disposed of".
- A submission opposed disposal of pasture as causing "unnecessary fragmentation", recommending classification as a conservation park so integrated management can occur to improve habitat and climate resilience.
- A submitter stated that no land should be disposed of if there is potential for restoration and that riverbeds and adjacent land should be retained for flood retention, with no grazing permitted.

I recommend that these comments are accepted to the extent that they support retention of the area and provision of an appropriate classification. I agree that the protection of the existing natural resources present is of increasing importance when considering the need for climate mitigation, and classification as a conservation park will support this outcome

Ecology and Landscape (Allowed)

- Submissions opposed disposal where there is poor ecological representation in existing protected areas, recommending that lowland river terraces remain in public conservation land as so little remains and there is the potential for restoration and regeneration.
- One submission emphasised the importance of protecting natural values. A "precautionary policy" was recommended to hold conservation future options open.
- Submissions highlighted the ecological values present, including taonga species, and opposed disposal advocating for a classification that would protect the values (e.g. "This extensive area of alluvial flats, a rare environment type, and also important for recreation, should not be disposed of. It should be subject to a classification that protects its ecological values", "these areas support a recovering population of Whio, who rely on the unmodified riverbeds to survive"). Classification as a conservation park was suggested by one submitter and ecological area by another.
- Submissions highlighted the importance of retaining the land to allow natural river processes and restoration to occur, noting the "unintended consequences" of disposal such as erosion or infrastructure damage (e.g. "Support reclassification as Conservation Park. Rivers must be allowed to move and retain the potential for restoration and rewilding", "In almost all cases these areas have historically been part of the riverbed, and the rivers need this buffer to be able to move around without causing damage to infrastructure and farming assets").
- A submission noted the opportunity for restoration of aquatic ecosystems in this area and the importance of considering the surrounding hydro parcels.
- Submissions recommended that only modified landlocked sites without restoration potential should be disposed of, stating that stewardship land represents "a broad cross section of indigenous ecosystems, in various states of regeneration".

I recommend that these comments are accepted to the extent that they support retention of the stewardship area and provision of an appropriate classification for the natural values present. My assessment is that natural values present (e.g. modified pasture, riparian margins) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Treaty Considerations (Allowed)

- One submission stated no stewardship land should be disposed of, except to tangata whenua, "and only then with the need to maintain the block's cultural, conservation & mahika-kai values".
- One submission expressed a desire for maximum protection to allow nature to thrive, in keeping with the approach of the indigenous people of Aotearoa.

I recommend that these comments are accepted to the extent that they support retention of the stewardship area and provision of an appropriate classification for the natural values present. 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 warrant proceeding with the notified proposal.

General (Allowed)

- Submissions expressed opposition to disposal of any stewardship land in general terms, expressed a desire for maximum environmental protection, such as national park classification, or proposed classification as a conservation park, local purpose reserve or ecological area.

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)

- A submission expressed opposition to disposal of any stewardship land and sought protection from development, mining, or other extractive activities.
- A submission recommended that current grazing licences are not renewed and expressed concern at the "extensive permissions in place for this sensitive freshwater site".
- A submission recommended consideration of potential productivity and whether the land could be used to support future food security.
- One submission was concerned that the change in status would affect existing permissions including grazing, easements and gravel extraction licences.
- A submission suggested "a land exchange with the adjacent land owner 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.

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, including the timeframe for response, when compared to the scale of information notified.

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

Other (Not Allowed)

- One submission suggested 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.

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 which supports reconsideration of the notified classification.

Other (Not Allowed)

- One submission noted that disposal of land will be subject to Heritage New Zealand Pouhere Taonga Notification Process for Disposal of Crown-owned Land.

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

Toaroha Riverbed (Riverbed)

Panel Recommendations

National Panel: Conservation park (Kokatahi Awa), to reflect the mosaic of values present, protecting natural and historic resources while facilitating public recreation and enjoyment of the area.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of conservation park for the 'riverbed' section of this stewardship area.

Summary of accepted submissions: Those submissions 'accepted' as holding merit supported the notified classification as preserving access and protecting ecological values.

Section 4 and Treaty principles: The Mana Whenua Panel have signalled Ngāi Tahu interests associated with this stewardship area, particularly that "throughout the Kokatahi/Hokitika Riverbed, there are well-worn trails, these being highways of old Poutini Ngāi Tahu" and "the Toaroha catchment is a Pounamu Management Area".

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

Rationale: My conclusion is that the natural resources present (e.g. braided riverbed with some wetlands and riparian forest shrublands) are appropriately protected under the proposed classification. I also note the recreational use of the area (e.g. kayaking, hunting and tramping). The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Conservation Park (Kokatahi Awa) - HOK_21_2805711b

Support

Access and Recreation (Allowed)

- A submitter highlighted the accessibility of the river and value for "kayakers, trampers and climbers".

I recommend that these comments are accepted. I agree that the proposed classification will support recreational use and the activities referred to by submitters are allowed for under a conservation park classification. The conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Ecology and Landscape (Allowed)

- A submission supported conservation park status, but questioned creating multiple conservation parks.
- A submission noted the need to protect rivers for the threatened and at-risk species present and restoration opportunities.

I recommend that these comments are accepted to the extent that I agree that the natural resources present are appropriately protected under the proposed classification. The primary purpose of a conservation park includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)). I note that there are no specifications in the Conservation Act 1987 or Conservation General Policy regarding the size or proximity of distinct conservation parks.

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, or agreed it reflected the "information in the technical reports".
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions expressed "trust that Conservation Park status will provide full protection from any future mining applications in these areas" or noted that without protections the land "will remain exposed to future potential hydro-electricity scheme and mining". A submitter noted that the classification would result in "adequate assessment" of commercial activities.
- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide "more than adequate legal protection".
- A submission in support of conservation park advocated for greater protection from "intrusive development" such as mining and hydro schemes, stating that "most of the Southern Alps deserves protection equivalent to that of National Park status".

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

Other (Not Allowed)

- A submission suggested that the implementation of the proposed classification "needs to be followed up with sufficient funding for pest eradication".

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

Oppose

Access and Recreation (Allowed)

- A submission described the high recreational values present on the Toaroha and surrounding rivers, noting their significance to users (e.g. "recreationally, these areas are well recognised and of high value in the kayaking, rafting, tramping and hunting communities", "the Toaroha, a tributary of the Kokatahi River, is one of the staple classic runs on the Coast. Its fantastically beautiful and on every descent you'll get that wow feeling"). Classification as an ecological area was recommended.
- A submitter raised concerns that the DOC technical reports and panel recommendations lacked full consideration of the recreation values present (e.g. "we feel that the national panel has failed to consider the ecological and recreational values of these areas").

I recommend that these comments are not accepted. My assessment is that the recreational values present as identified by the submitter and described in the CVR (e.g. kayaking, hunting and tramping) will be appropriately protected by the proposed classification and the points raised do not warrant overturning the notified intention. The proposed conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Climate Change and Natural Hazards (Allowed)

- A submitter recommended government purpose (river floodplain) reserve to recognise carbon sequestration and ecosystem restoration opportunities.

I recommend that these comments are not accepted. My assessment is the proposed classification will support the protection of the natural resources present, and as a result support the areas climate mitigation potential. The points raised do not justify overturning the notified intention. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Ecology and Landscape (Allowed)

- Submissions advocated for protection of the ecological values present, highlighting the importance of braided rivers, the alluvial flats ("a rare environment type"), and the "threatened taonga" the river supports (e.g. "these areas support a recovering population of whio, who rely on the un modified riverbeds to survive"). Classification as an ecological area or alternative status which will protect the ecological values was recommended.

- A submitter noted the area may have "the last remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened" and warrants a higher level of protection than that proposed, suggesting national park, wildlife management, scenic reserve, nature reserve or scientific reserve as more appropriate.

I recommend that these comments are not accepted. My assessment is that the natural values present are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

- A submitter noted that there are many proposed conservation parks in close proximity to one another and recommended revisiting this decision.

I recommend that these comments are not accepted. That there are no specifications in the Conservation Act 1987 or Conservation General Policy regarding the size or proximity of distinct conservation parks

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification, or expressed concern that the classification would not provide any greater protection than the current status. Classification as a national park or local purpose reserve was recommended.

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 submitter who expressed general concern about the low-level protection offered by conservation park, noted support for that classification for land "potentially containing crown minerals". The support was contingent on the land being registered as a specially protected area if significant conservation values were present.
- A submitter opposed the classification due to a lack of clarity on the activities allowed for under the conservation park status and was concerned the status would not protect the high conservation values identified.
- One submission was concerned that the change in status would affect existing permissions including grazing, easements and mining access arrangements.
- A submission recommended that existing grazing licences should not be renewed and was concerned about the extent of permissions in place.

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

Process and Consultation (Not Allowed)

- A submitter stated that if a national park classification is "politically unpalatable, then political judgement calls must be made by accountable politicians, not by the Panel".
- A submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values".
- 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 to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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.

Ecology and Landscape (Allowed)

- A submission noted the opportunity for restoration of aquatic ecosystems in this area and the importance of considering the surrounding hydro parcels.

I recommend that these comments are accepted to the extent that they support retaining the land under an appropriate classification. My assessment is the area contains sufficiently high conservation values to justify the notified classification of conservation park. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

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 which supports reconsideration of the notified classification.

Other (Not Allowed)

- A submitter advocated for new conservation parks to "come with additional Government funding for better biodiversity work and more pest control".

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

HOK_21 – Kokatahi River – 2805720

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Kokatahi River (Pasture)	HOK_21_2805720e	Conservation Park (Kokatahi Awa)		16	14
Kokatahi River (Pasture)	HOK_21_2805720f		Disposal	4	27
Kokatahi River (Riverbed)	HOK_21_2805720g	Conservation Park (Kokatahi Awa)	Neutral	15	14

DOC Conservation Values Report Description

A 3.0097-ha area following a portion of the Kokatahi River, primarily braided riverbed and cleared areas used for grazing. The highly diverse and dynamic series of different habitats provides opportunities to support an abundance of flora and fauna. The area is important to Ngāi Tahu for historical reasons and as a Pounamu Management Area. Many diverse permissions are in place over this area. The river is used by kayakers, whitebaiters, fishers and occasional jetboaters.

Kokatahi River (Pasture)

Panel Recommendations

National Panel: Conservation park (Kokatahi Awa), to reflect the mosaic of values present, protecting natural and historic resources while facilitating public recreation and enjoyment of the area.

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

S.49(2)(d) Recommendation

- Proceed with the notified proposal of conservation park for the 'pasture' section of this stewardship area.

Summary of accepted submissions: Those submissions 'accepted' as holding merit supported the notified classification as preserving access and protecting ecological values.

Section 4 and Treaty principles: The Mana Whenua Panel have opposed the proposed conservation park for the pastoral components of this area, supported by submissions from Treaty partner organisations, noting that the pastoral components are "highly modified and should not form part of public conservation land".

The Mana Whenua Panel have signalled Ngāi Tahu interests associated with this stewardship area, particularly that "throughout the Kokatahi/Hokitika Riverbed, there are well-worn trails, these being highways of old Poutini Ngāi Tahu" and "the Kokatahi Riverbed has a place in Poutini Ngāi Tahu history, being alongside the Pukehika Pā site at the confluence of the Hokitika River".

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 warrant proceeding with the notified proposal.

Rationale: My conclusion is that although portions of the area may be modified (e.g. cleared pasture), the natural resources present are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Conservation Park (Kokatahi Awa) - HOK_21_2805720e

Support

Access and Recreation (Allowed)

- A submission supported the proposed classification on the basis of preserving public access, should climbing potential be discovered in the future.
- A submitter highlighted the accessibility of the river and value for "kayakers, trampers and climbers".

- A submitter supported the classification but expressed concern at a lack of acknowledgement of the white water values noting the pastoral part of the area enables public access to the nearby road.

I recommend that these comments are accepted. I agree that the proposed classification will support recreational use, however, I note that due to the modified nature of the land not all the activities referred to are likely to occur within the assessment area. The conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Ecology and Landscape (Allowed)

- A submission supported conservation park status, but questioned creating multiple conservation parks.
- A submission noted the need to protect rivers for the threatened and at-risk species present and restoration opportunities.

I recommend that these comments are accepted to the extent that I agree that the natural resources present are appropriately protected under the proposed classification. The primary purpose of a conservation park includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)). I note that there are no specifications in the Conservation Act 1987 or Conservation General Policy regarding the size or proximity of distinct conservation parks.

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, or agreed it reflected the "information in the technical reports".
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter expressed "trust that Conservation Park status will provide full protection from any future mining applications in these areas".
- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide "more than adequate legal protection".
- A submission in support of conservation park advocated for greater protection from "intrusive development" such as mining and hydro schemes, stating that "most of the Southern Alps deserves protection equivalent to that of National Park status".

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

Other (Not Allowed)

- A submission suggested that the implementation of the proposed classification "needs to be followed up with sufficient funding for pest eradication".

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

Oppose

Access and Recreation (Allowed)

- A submission described the high recreational values present on the Kokatahi and surrounding rivers, noting their significance to users (e.g. "recreationally, these areas are well recognised and of high value in the kayaking, rafting, tramping and hunting communities", "the Toaroha, a tributary of the Kokatahi River, is one of the staple classic runs on the Coast. Its fantastically beautiful and on every descent you'll get that wow feeling"). Classification as an ecological area was recommended.

- A submitter raised concerns that the DOC technical reports and panel recommendations lacked full consideration of the recreation values present (e.g. "we feel that the national panel has failed to consider the ecological and recreational values of these areas").

I recommend that these comments are not accepted. My assessment is that the recreational values present as identified by the submitter will be appropriately protected by the proposed classification and the points raised do not warrant overturning the notified intention. The proposed conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Climate Change and Natural Hazards (Allowed)

- A submitter recommended government purpose (river floodplain) reserve to recognise carbon sequestration and ecosystem restoration opportunities.

I recommend that these comments are not accepted. My assessment is the proposed classification will support the protection of the natural resources present, and as a result support the areas climate mitigation potential. The points raised do not justify overturning the notified intention. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Ecology and Landscape (Allowed)

- A submitter noted the area may have "the last remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened" and warrants a higher level of protection than that proposed, suggesting national park, wildlife management, scenic reserve, nature reserve or scientific reserve as more appropriate.
- Submissions advocated for protection of the ecological values present, highlighting the importance of braided rivers, the alluvial flats ("a rare environment type"), and the "threatened taonga" the river supports (e.g. "these areas support a recovering population of whio, who rely on the un modified riverbeds to survive"). Classification as an ecological area or alternative status which will protect the ecological values was recommended.

I recommend that these comments are not accepted. My assessment is that natural values present (e.g. modified pasture, braided riverbed margins) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

- A submitter noted that there are many proposed conservation parks in close proximity to one another and recommended revisiting this decision.

I recommend that these comments are not accepted. There are no specifications in the Conservation Act 1987 or Conservation General Policy regarding the size or proximity of distinct conservation parks.

Treaty Considerations (Allowed)

- Submissions supported the recommendations of the Mana Whenua Panel on the basis that these recommendations reflect the rights and interests of mana whenua, and reflect the "values, interests and perspectives" of the Papatipu Rūnanga in whose takiwā the land is located.

I recommend that these comments are not accepted. 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 warrant proceeding with the notified proposal.

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification, or expressed concern that the classification would not provide any greater protection than the current status. Classification as a national park or local purpose reserve was recommended.

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 submitter who expressed general concern about the low-level protection offered by conservation park, noted support for that classification for land "potentially containing crown minerals". The support was contingent on the land being registered as a specially protected area if significant conservation values were present.
- A submitter opposed the classification due to a lack of clarity on the activities allowed for under the conservation park status and was concerned the status would not protect the high conservation values identified.
- One submission was concerned that the change in status would affect existing permissions including grazing, easements and mining access arrangements.
- A submission recommended that existing grazing licences should not be renewed and was concerned about the extent of permissions in place.

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

Process and Consultation (Not Allowed)

- A submitter stated that if a national park classification is "politically unpalatable, then political judgement calls must be made by accountable politicians, not by the Panel".
- A submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values".
- 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 to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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)

- 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 which supports reconsideration of the notified classification.

Other (Not Allowed)

- A submitter advocated for new conservation parks to "come with additional Government funding for better biodiversity work and more pest control".

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

Disposal - HOK_21_2805720f

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 agreed that the land did not hold any conservation values and was therefore suitable for disposal.

I recommend that these comments are not accepted. Although modified (e.g. cleared pasture), the natural values present (e.g. 'acutely threatened' braided river environment) when considered in the context of the land's position adjacent to the river, provision of access to the river and the risk of further fragmentation, represent sufficiently high conservation values to justify the notified classification of conservation park.

Treaty Considerations (Allowed)

- Submissions supported the recommendations of the Mana Whenua Panel on the basis that these recommendations reflect the rights and interests of mana whenua, recognise Ngāi Tahu's connection to their ancestral lands, and fulfil obligations under the Treaty of Waitangi (e.g. "by adopting the recommendations of the Mana Whenua Panel the Minister will give effect to the principles of the Treaty of Waitangi").

I recommend that these comments are not accepted. 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 warrant proceeding with the notified proposal.

General (Allowed)

- A submission expressed general support for the recommendation by the Mana Whenua Panel.

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 objected to disposal on the grounds that this represents a loss of public access and ability for future generations to enjoy these areas, expressed opposition to any disposal which means a loss of recreation opportunities such as climbing, angling or hunting, or requested "appropriate mechanisms are used to ensure existing and future public use is maintained or improved". The importance of the access from the river to a nearby road were noted (e.g. Even where large riparian margins are left for public access and to allow for movement of the river, these are often inadequate, and the result is fragments of public access amongst farmland").
- Submitters highlighted the recreational values present for kayakers, trampers and climbers and expressed concern that these values did not appear to have been considered by the national panel (e.g. "The Kokatahi, Styx, Toaroha, Hokitika River Beds are areas that we know well, and spend a lot of time at. We feel that the national panel has failed to consider the ecological and recreational values of these areas"). Classification as an ecological area or conservation park was recommended.

I recommend that these comments are accepted. I note the support for recreational access which the area provides in linking to the access road. The proposed conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Climate Change and Natural Hazards (Allowed)

- Submissions opposed disposal on the grounds that it forgoes future opportunities such as carbon sequestration, ecosystem restoration and climate mitigation, and the land should be protected for future generations (e.g. "The opportunities for carbon sequestration through indigenous vegetation are rapidly diminishing and every hectare of the conservation estate is of value", "opportunities for ecosystem restoration in response to flood events or coastal erosion").

- Classification as a government purpose (river floodplain) reserve was recommended by one submitter.
- Submissions argued that disposing of public conservation land compromises future sustainability and climate mitigation options, noting that climate change is heightening pressure on ecosystems.
- A submitter recommended classification as a scenic reserve or ecological area to allow for restoration, revegetation and natural river processes noting "these areas are so important for communities that they need to be kept by DOC for climate mitigation, not disposed of.
- A submission opposed disposal of pasture as causing "unnecessary fragmentation", recommending classification as a conservation park so integrated management can occur to improve habitat and climate resilience.
- A submitter stated that no land should be disposed of if there is potential for restoration and that riverbeds and adjacent land should be retained for flood retention, with no grazing permitted.

I recommend that these comments are accepted to the extent that they support retention of the area and provision of an appropriate classification. I agree that the protection of the existing natural resources present is of increasing importance when considering the need for climate mitigation, and classification as a conservation park will support this outcome. My assessment is that natural values present (e.g. modified pasture, riparian margins) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Ecology and Landscape (Allowed)

- Submissions opposed disposal where there is poor ecological representation in existing protected areas, recommending that lowland river terraces remain in public conservation land as so little remains and there is the potential for restoration and regeneration. One submission recommended that only modified landlocked sites without restoration potential should be disposed of.
- Submissions highlighted the ecological values present, including taonga species, and opposed disposal advocating for a classification that would protect the values (e.g. "This extensive area of alluvial flats, a rare environment type, and also important for recreation, should not be disposed of. It should be subject to a classification that protects its ecological values", "these areas support a recovering population of Whio, who rely on the unmodified riverbeds to survive"). Classification as a conservation park was suggested by one submitter and ecological area by another.
- Submissions highlighted the importance of retaining the land to allow natural river processes and restoration to occur, noting the "unintended consequences" of disposal such as erosion or infrastructure damage (e.g. "Support reclassification as Conservation Park. Rivers must be allowed to move and retain the potential for restoration and rewilding", "In almost all cases these areas have historically been part of the riverbed, and the rivers need this buffer to be able to move around without causing damage to infrastructure and farming assets").
- Submissions opposed disposal, emphasising the importance of protecting natural values, stating that stewardship land represents "a broad cross section of indigenous ecosystems, in various states of regeneration". A "precautionary policy" was recommended to hold conservation future options open.
- A submission questioned creating multiple conservation parks and recommended revisiting the decision.

I recommend that these comments are accepted to the extent that they support retention of the stewardship area and provision of an appropriate classification for the natural values present. My assessment is that natural values present (e.g. modified pasture, riparian margins) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Treaty Considerations (Allowed)

- One submission stated no stewardship land should be disposed of, except to tangata whenua, "and only then with the need to maintain the block's cultural, conservation & mahika-kai values".
- One submission expressed a desire for maximum protection to allow nature to thrive, in keeping with the approach of the indigenous people of Aotearoa.

I recommend that these comments are accepted to the extent that they support retention of the stewardship area and provision of an appropriate classification for the natural values present. 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 warrant proceeding with the notified proposal.

General (Allowed)

- Submissions expressed opposition to disposal of any stewardship land in general terms, expressed a desire for maximum environmental protection, such as national park classification, or proposed classification as a conservation park, local purpose reserve or ecological area.

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)

- A submission expressed opposition to disposal of any stewardship land and sought protection from development, mining, or other extractive activities.
- A submission recommended that current grazing licences are not renewed and expressed concern at the "extensive permissions in place for this sensitive freshwater site".
- A submission recommended consideration of potential productivity and whether the land could be used to support future food security.
- One submission was concerned that the change in status would affect existing permissions including grazing, easements and gravel extraction licences.
- A submission suggested "a land exchange with the adjacent land owner 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.

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, including the timeframe for response, when compared to the scale of information notified.

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

Other (Not Allowed)

- One submission suggested 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.

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 which supports reconsideration of the notified classification.

Other (Not Allowed)

- One submission noted that disposal of land will be subject to Heritage New Zealand Pouhere Taonga Notification Process for Disposal of Crown-owned Land.

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

Kokatahi River (Riverbed)

Panel Recommendations

National Panel: Conservation park (Kokatahi Awa), to reflect the mosaic of values present, protecting natural and historic resources while facilitating public recreation and enjoyment of the area.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of conservation park for the 'riverbed' section of this stewardship area.

Summary of accepted submissions: Those submissions 'accepted' as holding merit supported the notified classification as preserving access and protecting ecological values.

Section 4 and Treaty principles: The Mana Whenua Panel have signalled Ngāi Tahu interests associated with this stewardship area, particularly that "throughout the Kokatahi/Hokitika Riverbed, there are well-worn trails, these being highways of old Poutini Ngāi Tahu", "the Kokatahi Riverbed has a place in Poutini Ngāi Tahu history, being alongside the Pukehika Pā site at the confluence of the Hokitika River" and "the Toaroha catchment is a Pounamu Management Area".

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

Rationale: My conclusion is that the natural resources present (e.g. braided riverbed and margins) are appropriately protected under the proposed classification. I also note the recreational access the area supports. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Conservation Park (Kokatahi Awa) - HOK_21_2805720g

Support

Access and Recreation (Allowed)

- A submitter highlighted the accessibility of the river and value for "kayakers, trampers and climbers".
- A submission supported the classification as providing "an improved level of protection", but expressed concern that recreational values had not been recognised with whitewater use particularly highlighted.

I recommend that these comments are accepted. I agree that the proposed classification will support recreational use. The conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Ecology and Landscape (Allowed)

- A submission supported conservation park status, but questioned creating multiple conservation parks.
- A submission noted the need to protect rivers for the threatened and at-risk species present and restoration opportunities.

I recommend that these comments are accepted to the extent that I agree that the natural resources present are appropriately protected under the proposed classification. The primary purpose of a conservation park includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)). I note that there are no specifications in the Conservation Act 1987 or Conservation General Policy regarding the size or proximity of distinct conservation parks.

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, or agreed it reflected the "information in the technical reports".

- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions expressed "trust that Conservation Park status will provide full protection from any future mining applications in these areas" or noted that without protections the land "will remain exposed to future potential hydro-electricity scheme and mining". A submitter noted that the classification would result in "adequate assessment" of commercial activities.
- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide "more than adequate legal protection".
- A submission in support of conservation park advocated for greater protection from "intrusive development" such as mining and hydro schemes, stating that "most of the Southern Alps deserves protection equivalent to that of National Park status".

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

Other (Not Allowed)

- A submission suggested that the implementation of the proposed classification "needs to be followed up with sufficient funding for pest eradication".

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

Oppose

Access and Recreation (Allowed)

- A submission described the high recreational values present on the Kokatahi and surrounding rivers, noting their significance to users (e.g. "recreationally, these areas are well recognised and of high value in the kayaking, rafting, tramping and hunting communities", "the Toaroha, a tributary of the Kokatahi River, is one of the staple classic runs on the Coast. Its fantastically beautiful and on every descent you'll get that wow feeling"). Classification as an ecological area was recommended.
- A submitter raised concerns that the DOC technical reports and panel recommendations lacked full consideration of the recreation values present (e.g. "we feel that the national panel has failed to consider the ecological and recreational values of these areas").

I recommend that these comments are not accepted. My assessment is that the recreational values present will be appropriately protected by the proposed classification and the points raised do not warrant overturning the notified intention. The proposed conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Climate Change and Natural Hazards (Allowed)

- A submitter recommended government purpose (river floodplain) reserve to recognise carbon sequestration and ecosystem restoration opportunities.

I recommend that these comments are not accepted. My assessment is the proposed classification will support the protection of the natural resources present, and as a result support the areas climate mitigation potential. The points raised do not justify overturning the notified intention. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Ecology and Landscape (Allowed)

- A submitter noted the area may have "the last remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened" and warrants a higher level of protection than that proposed,

suggesting national park, wildlife management, scenic reserve, nature reserve or scientific reserve as more appropriate.

- Submissions advocated for protection of the ecological values present, highlighting the importance of braided rivers, the alluvial flats ("a rare environment type"), and the "threatened taonga" the river supports (e.g. "these areas support a recovering population of whio, who rely on the un modified riverbeds to survive"). Classification as an ecological area or alternative status which will protect the ecological values was recommended.
- A submitter noted that there are multiple proposed conservation parks in close proximity to one another and recommended revisiting this decision.

I recommend that these comments are not accepted. My assessment is that natural values present (e.g. braided riverbed and margins) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

- A submitter noted that there are many proposed conservation parks in close proximity to one another and recommended revisiting this decision.

I recommend that these comments are not accepted. There are no specifications in the Conservation Act 1987 or Conservation General Policy regarding the size or proximity of distinct conservation parks.

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification, or expressed concern that the classification would not provide any greater protection than the current status. Classification as a national park or local purpose reserve was recommended.

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 submitter who expressed general concern about the low-level protection offered by conservation park, noted support for that classification for land "potentially containing crown minerals". The support was contingent on the land being registered as a specially protected area if significant conservation values were present.
- A submitter opposed the classification due to a lack of clarity on the activities allowed for under the conservation park status and was concerned the status would not protect the high conservation values identified.
- One submission was concerned that the change in status would affect existing permissions including grazing, easements and mining access arrangements.
- A submission recommended that existing grazing licences should not be renewed and was concerned about the extent of permissions in place.

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

Process and Consultation (Not Allowed)

- A submitter stated that if a national park classification is "politically unpalatable, then political judgement calls must be made by accountable politicians, not by the Panel".
- A submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values".
- 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 to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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)

- 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 which supports reconsideration of the notified classification.

Other (Not Allowed)

- A submitter advocated for new conservation parks to "come with additional Government funding for better biodiversity work and more pest control".

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

HOK_22 – Kaniere Farm – 2805693

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Kaniere Farm	HOK_22_2805693q	Conservation Park (Kaniere)	Neutral	14	15

DOC Conservation Values Report Description

A 52.1005-ha area that was formerly part of the Kaniere Farm settlement, consisting of flat, low-lying and generally swampy land. This is the largest area of wetlands associated with Hokitika River alluvial flats that is unconverted to farmland. It has notable high diversity and unusual mix of freshwater fish species. Four easements are in place over HOK_22.

Panel Recommendations

National Panel: Conservation park (Kaniere), to reflect the mosaic of values present, protecting natural and historic resources while facilitating public recreation and enjoyment of the area.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of conservation park.

Summary of accepted submissions: Those submissions 'accepted' as holding merit supported the notified status as appropriately representing the natural and historic resources present, or noted the recreational values across the wider area.

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 on balance the natural resources present (e.g. Swamp and bog wetlands on former Hokitika River alluvial flats and cutover podocarp/hardwood forest) are appropriately protected under the proposed classification, when also considering the historic resources present (e.g. gold was discovered in Bluebottle Creek in 1866 and there are associated archaeological sites). The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Conservation Park (Kaniere) - HOK_22_2805693q

Support

Access and Recreation (Allowed)

- A submitter expressed support for the classification as "although only a small area" the land will contribute to the mountain to sea experience when visiting Lake Kaniere.
- Submissions supported the classification, noting the area contained "popular local" walks and a range of recreational activities including kayaking, packrafting and biking.
- Submitters highlighted that a section of the West Coast Wilderness Trail is present and "additional sections of the Wilderness Trail may be constructed in this area".

I recommend that these comments are accepted. I agree that the notified status will appropriately provide for recreational use of the area. The proposed conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Ecology and Landscape (Allowed)

- A submission supported the classification noting the area contains "a diverse range of ecosystems, including examples of lowland forest and wetlands".

I recommend that these comments are accepted. I agree that the natural resources present (e.g. Swamp and bog wetlands on former Hokitika River alluvial flats and cutover podocarp/hardwood forest) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Historic and Cultural Values (Allowed)

- A submission supported the classification and acknowledged the "heritage values associated with 19th-century goldmining" present.

I recommend that these comments are accepted. I agree that the proposed classification of conservation park appropriately protects the historic values present as described by the CVR (e.g. gold was discovered in Bluebottle Creek in 1866 and there are associated archaeological sites). The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, or agreed it reflected the "information in the technical reports".
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter expressed "trust that Conservation Park status will provide full protection from any future mining applications in these areas".
- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide "more than adequate legal protection".
- A submission in support of conservation park advocated for greater protection from "intrusive development" such as mining and hydro schemes, stating that "most of the Southern Alps deserves protection equivalent to that of National Park status".

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

Other (Not Allowed)

- A submission suggested that the implementation of the proposed classification "needs to be followed up with sufficient funding for pest eradication".

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

Oppose

Ecology and Landscape (Allowed)

- A submitter noted the area may have "the last remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened" and warrants a higher level of protection than that proposed, suggesting national park, wildlife management, scenic reserve, nature reserve or scientific reserve as more appropriate.
- Submissions sought a greater degree of protection highlighting the significance of the area ("the largest area of wetland associated with Hokitika River alluvial flats that is unconverted to farmland", "naturally uncommon ecosystems") and values present including at risk/threatened species (e.g. "high diversity and unusual mix of

freshwater fish species"). Classification as an ecological area or addition to Lake Kaniere Scenic Reserve was recommended.

I recommend that these comments are not accepted. My assessment is that the natural resources present (e.g. Swamp and bog wetlands on former Hokitika River alluvial flats and cutover podocarp/hardwood forest) are appropriately protected under the proposed classification, when also considering the historic resources present. The points raised do not warrant overturning the notified intent. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

- Submitters noted that the proposed conservation parks are in close proximity to one another and "it appears to be an inefficient way of managing land for conservation". It was recommended to combine the proposed parks where the values are similar as this "provides greater opportunity for large landscape scale management".

I recommend that these comments are not accepted. There are no specifications in the Conservation Act 1987 or Conservation General Policy regarding the size or proximity of distinct conservation parks.

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification, or expressed concern that the classification would not provide any greater protection than the current 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)

- A submitter who expressed general concern about the low-level protection offered by conservation park, noted support for that classification for land "potentially containing crown minerals". The support was contingent on the land being registered as a specially protected area if significant conservation values were present.
- A submitter opposed the classification due to a lack of clarity on the activities allowed for under the conservation park status and was concerned the status would not protect the high conservation values identified.
- One submission was concerned that the change in status would affect existing permissions.
- One submission sought greater clarity on the possible economic activities that may occur, as signalled in the recommendation report.

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

Process and Consultation (Not Allowed)

- A submitter stated that if a national park classification is "politically unpalatable, then political judgement calls must be made by accountable politicians, not by the Panel".
- A submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values".
- 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 to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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)

- 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 which supports reconsideration of the notified classification.

Other (Not Allowed)

- A submitter advocated for new conservation parks to "come with additional Government funding for better biodiversity work and more pest control".

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

HOK_22 – Kaniere Farm – 2805694

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Kaniere Farm	HOK_22_2805694r	Conservation Park (Kaniere)	Neutral	13	16

DOC Conservation Values Report Description

A 1377.1207-ha area that was formerly part of the Kaniere Farm settlement, consisting of moraine terraces of cutover podocarp/hardwood forest. This is the largest area of wetlands associated with Hokitika River alluvial flats that is unconverted to farmland. It has notable high diversity and unusual mix of freshwater fish species. The lamprey observation (2003) is exciting – not much is known about kanakana, but this record indicates spawning habitat for this vulnerable species within Raft Creek. Gold was discovered in Bluebottle Creek in 1866 and there are associated archaeological sites. While there are no DOC-managed tracks or facilities, a section of the West Coast Wilderness Trail (cycling) is in this area, managed by a trust on behalf of local district councils. Four easements are in place over HOK_22.

Panel Recommendations

National Panel: Conservation park (Kaniere), to reflect the mosaic of values present, protecting natural and historic resources while facilitating public recreation and enjoyment of the area.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of conservation park.

Summary of accepted submissions: Those submissions 'accepted' as holding merit supported the notified status as appropriately representing the natural and historic resources present, or noted the recreational values across the wider area.

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 on balance the natural resources present (e.g. Swamp and bog wetlands on former Hokitika River alluvial flats and cutover podocarp/hardwood forest) are appropriately protected under the proposed classification, when also considering the historic resources present (e.g. gold was discovered in Bluebottle Creek in 1866 and there are associated archaeological sites). The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Conservation Park (Kaniere) - HOK_22_2805694r

Support

Access and Recreation (Allowed)

- Submissions supported the classification, noting the area contained "popular local" walks and a range of recreational activities including kayaking, packrafting and biking.
- Submitters highlighted that a section of the West Coast Wilderness Trail is present and "additional sections of the Wilderness Trail may be constructed in this area".
- A submitter expressed support for the classification as the land will contribute to the mountain to sea experience when visiting Lake Kaniere but questioned why the area had not been added to Lake Kaniere Scenic Reserve.

I recommend that these comments are accepted. I agree that the notified status will appropriately provide for recreational use of the area (e.g. the area contains a section of the West Coast Wilderness Trail). The proposed conservation park will be

managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Ecology and Landscape (Allowed)

- A submission supported the classification noting the area contains "a diverse range of ecosystems, including examples of lowland forest and wetlands".

I recommend that these comments are accepted. I agree that the natural resources present (e.g. Swamp and bog wetlands on former Hokitika River alluvial flats and cutover podocarp/hardwood forest) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Historic and Cultural Values (Allowed)

- A submission supported the classification and acknowledged the "heritage values associated with 19th-century goldmining" present.

I recommend that these comments are accepted. I agree that the proposed classification of conservation park appropriately protects the historic values present as described by the CVR (e.g. gold was discovered in Bluebottle Creek in 1866 and there are associated archaeological sites). The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, or agreed it reflected the "information in the technical reports".
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter expressed "trust that Conservation Park status will provide full protection from any future mining applications in these areas".
- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide "more than adequate legal protection".
- A submission in support of conservation park advocated for greater protection from "intrusive development" such as mining and hydro schemes, stating that "most of the Southern Alps deserves protection equivalent to that of National Park status".

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

Other (Not Allowed)

- A submission suggested that the implementation of the proposed classification "needs to be followed up with sufficient funding for pest eradication".

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

Oppose

Ecology and Landscape (Allowed)

- A submitter noted the area may have "the last remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened" and warrants a higher level of protection than that proposed, suggesting national park, wildlife management, scenic reserve, nature reserve or scientific reserve as more appropriate.

- Submissions sought a greater degree of protection highlighting the ecological and landscape significance of the land ("the largest area of wetland associated with Hokitika River alluvial flats that is unconverted to farmland", "contiguous with large blocks of public conservation land with a high level of freshwater naturalness and very high diversity") and values present including at risk/threatened species (e.g. "high diversity and unusual mix of freshwater fish species"). Classification as an ecological area, scenic reserve or addition to Lake Kaniere Scenic Reserve was recommended.

I recommend that these comments are not accepted. My assessment is that the natural resources present (e.g. Swamp and bog wetlands on former Hokitika River alluvial flats and cutover podocarp/hardwood forest) are appropriately protected under the proposed classification, when also considering the historic resources present. The points raised do not warrant overturning the notified intent. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

- Submitters noted that the proposed conservation parks are in close proximity to one another and "it appears to be an inefficient way of managing land for conservation". It was recommended to combine the proposed parks where the values are similar as this "provides greater opportunity for large landscape scale management".

I recommend that these comments are not accepted. There are no specifications in the Conservation Act 1987 or Conservation General Policy regarding the size or proximity of distinct conservation parks.

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification, or expressed concern that the classification would not provide any greater protection than the current status. Addition to the Lake Kaniere Scenic Reserve was suggested.

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 submitter who expressed general concern about the low-level protection offered by conservation park, noted support for that classification for land "potentially containing crown minerals". The support was contingent on the land being registered as a specially protected area if significant conservation values were present.
- A submitter opposed the classification due to a lack of clarity on the activities allowed for under the conservation park status and was concerned the status would not protect the high conservation values identified.
- One submission was concerned that the change in status would affect existing permissions.
- One submission sought greater clarity on the possible economic activities that may occur, as signalled in the recommendation report.

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

Process and Consultation (Not Allowed)

- A submitter stated that if a national park classification is "politically unpalatable, then political judgement calls must be made by accountable politicians, not by the Panel".
- A submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values".
- 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 to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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)

- 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 which supports reconsideration of the notified classification.

Other (Not Allowed)

- A submitter advocated for new conservation parks to "come with additional Government funding for better biodiversity work and more pest control".

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

HOK_23 – Hans Bay - Lake Kaniere – 2805718

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Hans Bay - Lake Kaniere	HOK_23_2805718s	Scenic Reserve (a)	Neutral	11	5

DOC Conservation Values Report Description

A 0.1059-ha sliver of roadside land otherwise surrounded by Lake Kaniere Scenic Reserve, and forming part of the Hans Bay camping area, which includes access roads and amenity facilities. It is not ecologically different from the surrounding protected lands into which it appears integrated, and also forms a backdrop to a well-patronised carparking area along the lake front. The small size of this assessment area limits the possibility of it supporting a high diversity of species, communities and ecosystems, or a range of gradients and sequences.

Panel Recommendations

National Panel: Scenic reserve (a) will provide continuity of landscape with the Lake Kaniere Scenic Reserve and facilitate public recreation and enjoyment 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 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.

Scenic Reserve (a) - HOK_23_2805718s

Support

Access and Recreation (Allowed)

- A submitter supported the proposed classification as the area "is used for recreation as part of the existing reserve".

I recommend that these comments are accepted. I agree the proposed scenic reserve will provide 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. 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)

- A submitter supported the proposed classification as offering a high level of protection "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)

- A submitter supported the proposed classification as "it adjoins the larger Lake Kaniere Scenic Reserve", and suggested the area is added to the Lake Kaniere scenic reserve it is mostly bounded by.

I recommend that these comments are accepted. I agree that the natural resources identified are appropriately protected and preserved by the proposed 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)).

General (Allowed)

- Submissions expressed general support for the proposed classification, referencing the "information in the technical reports" or without providing further justification.
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Oppose

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions 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 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)

- A submission opposed all reclassification of stewardship land to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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)

- 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 which supports reconsideration of the notified classification.

HOK_24 – Wainihinihi Creek – 2805714

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Wainihinihi Creek	HOK_24_2805714t	Tarahanga e Toru Historic Reserve	Tarahanga e Toru Historic Reserve	11	32

DOC Conservation Values Report Description

A 13.4347-ha area of the active braided bed and associated terraces of lower Wainihinihi Creek, a tributary of Arahura River. It only loosely aligns with riverbed thereby incorporating low alluvial terraces and floodplain either side of the active bed. It is bordered on the east by the Waitaiki Historic Reserve. The site is part of a wider whio management security site. A small section of the access road to Kawhaka Saddle crosses this area. Local hunting occurs. This area is significant to Poutini Ngāi Tahu for a number of reasons, including ara tawhito (traditional travel routes).

Panel Recommendations

National Panel: Historic reserve (Tarahanga e Toru), to reflect the historic value of the area to Ngāi Tahu, while preserving the indigenous flora and fauna present and providing for the existing recreational use of the area.

Mana Whenua Panel: Historic reserve (Tarahanga e Toru) appropriately acknowledges the mana of Ngāi Tahu and the immense cultural significance of the entire Arahura catchment to Poutini Ngāi Tahu.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of historic reserve (Tarahanga e Toru).

Summary of accepted submissions: Those submissions 'accepted' as holding merit supported the proposed classification of historic reserve as appropriately reflecting the perspectives and cultural significance of the area to Ngāi Tahu.

Section 4 and Treaty principles: The Mana Whenua Panel have supported the proposed historic reserve, supported by submissions from Treaty partner organisations, and have signalled Ngāi Tahu interests associated with this stewardship area, where the Wainihinihi River forms part of an ara tawhito associated with pounamu trade, linking the Arahura and Taramakau catchments via Kawhaka Pass. The Arahura is central to the Poutini-Waitaiki tradition associated with pounamu. The river catchment has been a valued source of pounamu for centuries, and the associated trails and trade routes form part of its cultural significance to Poutini Ngāi Tahu.

The Mana Whenua Panel indicated that this central region of the West Coast is the heart of Poutini Ngāi Tahu legends, customs and traditions centred around pounamu and this stewardship area is part of a network of ara tawhito; "the Arahura river catchment is a place of immense spiritual and cultural significance for Ngāi Tahu".

Under Section 4 of the Act, reasonable steps must be taken to actively protect relevant Treaty partner values and interests. This obligation is not absolute and unqualified, however. Active protection requires you to properly understand the nature of the interests claimed and to reconcile that material with any wider or competing rights or interests, and to make informed decisions that are reasonable in the circumstances. My assessment, considering those submissions accepted, is that the proposed classification provides appropriate protection for the scale and nature of the identified Ngāi Tahu interests, including the identified historic resources and places, objects and natural features, and such things thereon or therein contained that are of cultural interest (e.g. nohoanga, ara tawhito, mahinga kai and pounamu). I note that the Mana Whenua Panel have supported the notified classification, and I am not otherwise aware of any inconsistency between the proposed classification and the identified Ngāi Tahu interests.

Rationale: Historic reserves are held for the purpose of "protecting and preserving in perpetuity such places, objects, and natural features, and such things thereon or therein contained as are of historic, archaeological, cultural, educational, and other special interest" (Reserves Act 1977, s.18(1)). The notified proposal was underpinned by the cultural interest of the places, natural features, and historic resources, as described by the Mana Whenua Panel (e.g. "immense cultural

significance") and can be described as an example of a substantive outcome for Ngāi Tahu consistent with Section 4 of the Act and Treaty principles.

I acknowledge the large number of submissions opposing the notified proposal as not adequately reflecting the natural resources present, which are significant and wide ranging, and hold great value for recreational users. However, I do not accept that these concerns warrant overturning the notified proposal, particularly given that in this instance the places themselves and the natural features present that are of historic, archaeological, cultural, educational, or other special interest, are protected under the primary reserve purpose. Further, the scenic, archaeological, geological, biological, and other scientific features, indigenous flora and fauna, and wildlife are all required to be protected "to the extent compatible with the principal or primary purpose of the reserve" (Section 18(2)(c)) of the Reserves Act 1977). The Reserves Act also provides that "the public shall have freedom of entry and access to the reserve" subject to restrictions which are not unique to the proposed classification, i.e. those "necessary for the protection and general well-being of the reserve and for the protection and control of the public using it" (Section 18(2(b)) Reserves Act 1977).

My conclusion is that on balance the natural resources are appropriately protected, and public recreational access adequately provided for, under the proposed classification when considering the historic resources present and the nature of the historical and cultural interests and significance of the area to Ngāi Tahu.

Tarahanga e Toru Historic Reserve - HOK_24_2805714t

Support

Ecology and Landscape (Allowed)

- A submitter expressed general support for the Tarahanga e Toru historic reserve, though characterising it as covering too large an area and advocating that a mixture of other classifications should also be used to recognise areas of high ecological value.

I recommend that these comments are accepted to the extent that I agree there are ecological values present, as described in the CVR. My assessment is that on balance the natural resources present are appropriately protected under the proposed classification when considering the historic resources present and the cultural significance of the area to Ngāi Tahu. Under a historic reserve classification, "where scenic, archaeological, geological, biological, or other scientific features, or indigenous flora or fauna, or wildlife are present on the reserve, those features or that flora or fauna or wildlife shall be managed and protected to the extent compatible with the principal or primary purpose of the reserve" (Reserves Act 1977, s. 18(2)(c

Historic and Cultural Values (Allowed)

- Submitters expressed support for the recommendation as reflecting the cultural significance of the area. Support for the proposed name was also noted.
- A submitter noted that the area is "Part of the pounamu traditions regarding trails & passes (particularly Rakimaurikura, Te Tarahanga o Kaniere & Amuri Pass) there were trading routes for pounamu & kai in times of war & peace, connecting Te Poutini with the east coast".

I recommend that these comments are accepted. I agree that the area contains significant historic and cultural values for Ngāi Tahu (e.g. forms part of an ara tawhito associated with pounamu trade, linking the Arahura and Taramakau catchments via Kawhaka Pass) which are appropriately protected under the proposed classification.

Treaty Considerations (Allowed)

- Submissions stated they support the position of the Mana Whenua Panel on the basis that these recommendations reflect the rights and interests of mana whenua and recognise Ngāi Tahu's connection to their ancestral lands (e.g. "by adopting the recommendations of the Mana Whenua Panel the Minister will give effect to the principles of the Treaty of Waitangi").
- Submitters noted that the proposed historic reserves recognise "sites of significance to Ngāi Tahu and ensure Ngāi Tahu values, alongside conservation values, are at the forefront of the classification". They noted the values and interests present, e.g. "pounamu traditions, the trails and passes (particularly Rakimaurikura, Te Tarahanga o Kaniere and Amuri Pass) that were trading routes for pounamu and kai in times of war and peace, connecting Tai

Poutini with the east coast". It was advocated that "the proposed reserves must acknowledge the mana and rangatiratanga of Ngāi Tahu, and provide for Ngāi Tahu wellbeing, kaitiakitanga and mahinga kai".

I recommend that these comments are accepted. I acknowledge that that the Tarahanga e Toru Historic Reserve area is of historical and cultural significance to Ngāi Tahu identity. My assessment is that the proposed classification appropriately reflects the significance of the historic resources, and the historical and cultural interests present within the area, and provides appropriate protection for the identified Ngāi Tahu interests.

General (Allowed)

- Submissions expressed support for the proposed classification or the recommendations of the Mana Whenua Panel, without providing further justification.
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level based on its "high cultural conservation value".
- A submitter stated support for the recommendations of the National Panel as reflecting the use of the land and adequately protecting against its degradation.

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.

Oppose

Access and Recreation (Allowed)

- Submitters objected to historic reserve for the whole Tarahanga e Toru area on the grounds that the recommended classification does not appropriately reflect the extremely high recreational values of the area, which submitters criticised as inadequately described in the technical reports (e.g. "I am disappointed at the lack of recreation research done to aid the process of reclassification", "The DOC-supplied identified recreational values for the proposed historic reserve are disappointingly weak. For this vast area of 180,000 ha the department should have been able to do much better").
- Submitters were concerned that public access by foot or helicopter could be limited as historic reserve does not guarantee free public access, and the possibility of vesting means that access could be restricted or charged for.
- Submitters emphasised that "guaranteed free public access should be a bottom line in any classification" (e.g. "public access, the hut, bridge and track systems, and other recreational facilities are not recognised or guaranteed under this category", "historical reserves do not guarantee freedom of access, and impose restrictions on camping", "historic reserves may be leased by an administrating body potentially privatising the area", "experience with management of the Waitaiki Historic Reserve is that access is denied for spurious reasons", "fees may be charged for access and use").
- A substantial number of submitters who commented on the whole area recommended as Tarahanga e Toru offered personal recollections of their recreational experiences and highlighted the extensive opportunities for tramping, camping, mountaineering, hunting, kayaking, and packrafting. The high recreational values present were framed in both in terms of established recreational infrastructure and wild areas for trampers and hunters.
- Submissions in opposition cited canyoning opportunities in the broader area (e.g. Big Wainihinihi River v4a4IV) and were concerned that access to these areas and the canyons themselves would not be protected under this classification.
- Submitters were also concerned that recreation would be affected if the natural values of the area are not given adequate protection. It was noted that historic reserve classification would only protect recreation values to the extent compatible with the historic values identified, and that the classification may allow various commercial activities to take place (e.g. "The appeal of these huts for many visitors is the isolated location and untouched areas. The suggested classification to historic reserve would potentially lower the recreation value of these areas by allowing easier access to mining and the development of land").
- To ensure access, submitters advocated variously for ecological area, scenic reserve, conservation park or national park, recreation reserve, joint historic/recreation reserve, ecological area with s18 recreational significance, a combination of different classifications, or that access be explicitly guaranteed under the Reserves Act (e.g. "either the classification be under the Conservation Act, or mechanisms to ensure practical enduring access and

conservation of other natural values are expressly provided for in any classification under the Reserves Act", "the widespread use of s58(c) to charge for admission should be ruled out", "a classification under the National Parks Act or alternatively, Part 4 of Conservation Act would provide more balanced and appropriate management of ecological, recreational and mana whenua values (...) requiring public consultation for any concessions, works or changes to access arrangements or future reclassifications").

I recommend that these comments are not accepted. While I agree the area recommended as the Tarahanga e Toru Historic Reserve holds high value for recreation use, my assessment is that on balance public recreational access is adequately provided for, when considering the historic resources present and the cultural interest and significance of the area to Ngāi Tahu. The public "shall have freedom of entry and access to the reserve", subject to restrictions "necessary for the protection and general well-being of the reserve and for the protection and control of the public using it" (Section 18(2(b)) Reserves Act 1977). Regarding specific concerns about canyoning, I note that while there may be canyons in the wider area (e.g. Big Wainihinihi), this conservation area is centred on the lower reaches of Wainihinihi Creek, which is braided riverbed and adjoining alluvial terraces, and there are no canyons of significance in this area. The CVR notes that this area does not contain any DOC-managed tracks and facilities, though it is used by local hunters.
I acknowledge submitters concerns a historic reserve classification can limit access, however I do not accept that this concern warrants overturning the notified proposal. Such potential access restrictions are not unique to the proposed classification and exist elsewhere within the legislation, for example under the Reserves Act 1977 and s.4(2)(e) of the National Parks Act 1980

Climate Change and Natural Hazards (Allowed)

- government purpose (river floodplain) reserve was recommended based on "opportunities for ecosystem restoration in response to flood events or coastal erosion".
- Submitters noted that the area recommended as Tarahanga e Toru contains "large enough areas necessary for carbon sinks to help New Zealand meet international agreements on climate change" (e.g. "a significant part of our potential carbon sinks, biodiversity bases, and natural fresh water sources"), advocating for a classification with a higher emphasis on environmental protection.

I recommend that these comments are not accepted. While I agree that the larger area recommended as Tarahanga e Toru contains unmodified areas, the protection of which may support climate mitigation, my assessment is that on balance the natural resources present are appropriately protected under the proposed classification when considering the historic resources present and the cultural significance of the area to Ngāi Tahu.

Ecology and Landscape (Allowed)

- Submitters opposed historic reserve classification for the area recommended as Tarahanga e Toru on the grounds that it does not offer adequate protection for the natural resources present, or only protects ecological values to the extent compatible with the primary purpose of the reserve (e.g. "this classification appears to provide relatively weak protection to both conservation and public access", "historic reserve classification could allow for management and development that is inconsistent with the recreational and biodiversity values present", "the highly valuable qualities of these areas are their wild, scenic, rugged, unmodified nature and free access (...) These qualities are not protected at all by the recommendation of a historic reserve, in fact this level of protection doesn't come close to covering it").
- Submitters advocated variously for ecological area, scenic reserve, conservation park, national park, scientific reserve for parts, or a combination of these classifications, suggesting these would provide a higher level of protection for the natural values of the area.
- A national park classification was frequently proposed, with submitters noting that the area recommended for Tarahanga e Toru Historic Reserve shares many of the same natural values as the Arthur's Pass National Park. They highlighted that the area is largely remote and intact, with notable freshwater values and wildlife.
- Several submitters advocated for the entire Tarahanga e Toru grouping to form a new national park to reflect the "cultural, ecological, landscape and recreational values" (e.g. "a new Tarahanga e Toru/3 Passes National Park"). It was recommended that this "grouping be extended south to include the entire Waitaha catchment".
- Submitters often suggested that historic reserve is inappropriate for such an extensive area (e.g. "The area is very large and some parts of it may be better suited to scenic reserve, national park, ecological area or scientific reserve

classification", "Along with many other sections of legislation that are inappropriate for such a large pristine bit of land…", "The recommendation that vast landscapes, such as the proposed Tarahanga e Toru Historic Reserve area, may be acceptable only if it offers robust protection to the extraordinary ecological, geological, palaeontological, cultural, landscape, recreational and spiritual values of that area"). The Tarahanga e Toru grouping was identified as more than four times the size of Paparoa National Park and two and a half times the size of Aoraki-Mt Cook National Park.

- Submitters suggested that some parts of this area would meet the criteria for wilderness area (e.g. "majority of Tarahanga e Toru is further away from civilization and more remote than that of the Paparoa or Arthurs Park National Park", "Parts of the area even have values on par with the small number of wilderness areas on the West Coast").

I recommend that these comments are <u>not accepted.</u> Although I agree there are ecological values present (e.g. described in the CVR as supporting braided riverbed, having a moderate diversity of ecosystems, alluvial terraces largely covered in exotic grassland), my assessment is that on balance the natural resources present are appropriately protected under the proposed classification when considering the historic resources present and the cultural interest and significance of the area to Ngāi Tahu. Under a historic reserve classification, "where scenic, archaeological, geological, biological, or other scientific features, or indigenous flora or fauna, or wildlife are present on the reserve, those features or that flora or fauna or wildlife shall be managed and protected to the extent compatible with the principal or primary purpose of the reserve" (Reserves Act 1977, s. 18(2)(c)).

Historic and Cultural Values (Allowed)

- Some submitters who advocated for national park classification supported the proposed historic reserve for the pounamu trails themselves and the Taramakau River or suggested that these should be acknowledged or protected separately (e.g. the Taramakau river mouth should be excluded and vested to mana whenua "due to its proven historical value", "we would be supportive of a classification of Historic Reserve for the sections of the Taramakau River covered by Schedule 56 of the Ngāi Tahu Claims Settlement Act (…) subject to the right of public access at no cost being guaranteed in the reclassification process and relevant management plans").
- Submitters were critical of the lack of clearly defined purpose for the reserve or clear identification of the "place, object, and natural feature or other thing that is to be preserved and protected", suggesting that it is unclear how other conservation values would be protected.
- Submitters noted that the identified historical resources are largely experiential or "cultural and non-physical in nature, making management of these values, over and above secondary objectives and values (e.g. recreation and ecological), highly subjective and open to interpretation".
- Some submitters suggested that their current opposition may be reviewed if the purpose is clarified. It was stated that this lack made it difficult for submitters to comment on the recommendation (e.g. "the proper identification of the primary purpose of the historic reserve is a prerequisite for proper consultation. This is because the primary purpose of the reserve takes priority over the protection of scenic, archaeological, geological, biological, or other scientific features, and indigenous flora or fauna on the reserve (…) We simply do not know what we are commenting on").
- Submitters opposed the recommendation on the grounds that the classification is not intended for large landscapes, but "for small-scale, discrete and recognised archaeological and historical sites and buildings" and the "preservation of structures and objects". They suggested that historic reserve is inappropriate for the proportionally small extent of tangible heritage within the large area (e.g. "The proposed 82,000 hectare Historic Reserve with no physical historical structures to conserve is contrary to DOC's own guidance that a site should not be classified as Historic Reserve unless there is obvious physical evidence of its history remaining on site", "The proposed Historic Reserve covers a vast area of great cultural, ecological and recreational importance within which historical structures and objects are almost entirely post colonisation (old benched tracks etc) and cover a vanishingly small percentage of the area", "the area proposed for historic reserve status appears far more extensive than required to provide for the protection of historic sites and cultural values", "While Amuri Pass and the Tass-Nancy Saddle may have been historic travelling routes for Māori, there is virtually no built historic heritage in this vast wild area").
- Submitters commonly advocated for classification as national park over the whole area to protect both historic and ecological values, while ensuring access. It was argued that the preservation of the land is critical in preserving the

stories and legends inherent in old trails and landscape features, and therefore protection of the outstanding ecological, scenic, and recreational values is critical in further enhancing protection of historical values present.

- Submitters noted that the National Parks Act 1980 requires that "sites and objects of archaeological and historical interest shall as far as possible be preserved". It was suggested a National Park management plan could effectively protect cultural and historic values, with submitters referencing the Paparoa National Park management plan as a successful example of this.

I recommend that these comments are not accepted. My assessment is that on balance the proposed classification appropriately reflects the historic resources present within the area (e.g. ara tawhito, mahinga kai and pounamu) and the nature of the historical and cultural interests and significance of the area to Ngāi Tahu.

Treaty Considerations (Allowed)

- Submitters acknowledged the significance of the area to Ngāi Tahu, but suggested that given the long list of wider conservation values present, the extent of the proposed reserve should be revisited, or that other classifications would be more suitable (e.g. "we acknowledge that there is an immense significance and rich history within this area of Pounamu trails, settlements and Pā, mahinga kai gathering, and its general importance to Poutini Ngāi Tahu. We feel that this only adds to the reasons for which it should be more strongly protected, and we believe that its ecological value should be prioritized above all else").
- Submitters suggested that the proposed classification does "not adequately encompass both nature protection and mana whenua aspirations".
- Submitters advocated for a national park classification "where proper recognition of Ngāi Tahu's presence past and present, can be achieved alongside appropriate protection for natural and recreational values".
- Submitters referenced various examples where Ngāi Tahu have a "major role" in management and planning of National Parks (e.g. "National parks do not preclude additional mechanisms for protecting cultural values, such as the topuni which recognises the tapu associated with Aoraki", "the Treaty principle of partnership can be upheld through shared governance and management practices as is the case for Paparoa National Park", "any outstanding cultural issues can be managed through some form of shared governance and management (...) Kaitiakitanga of this hugely valued and much used area should rest with the nation as a whole albeit with acknowledgment of, and provision for, the ability for Ngāi Tahu whānui to reconnect to their ancestral lands, provide for the mana and rangatiratanga of Ngāi Tahu and to exercise kaitiakitanga and mahinga kai. Such arrangements would be provided for through an enlightened National Park Management Plan").
- Ecological area was also suggested as an option which could simultaneously protect mana whenua interests "if historical values were established as principles in the gazetting of the classification and/or relevant management plans".

I recommend that these comments are not accepted . It is my conclusion that the proposed classification appropriately protects the natural and historic resources present within the area, and reflects the nature of the historical and cultural interests and significance of the area to Ngāi Tahu (e.g. ara tawhito, mahinga kai and pounamu), providing appropriate protection for the identified Treaty partner interests.

General (Allowed)

- Submissions expressed general opposition to the proposed classification without providing further justification (e.g. "values more suited to Conservation Park", "request that the area be given national park status").
- Submitters raised concerns that "historic reserve status can be altered and allow for other purposes".
- Submitters expressed support for the name Tarahanga e Toru for the land grouping, though advocated for various other classifications (e.g. "We think the name Tarahanga e Toru would be fitting for a higher status classification").

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 opposed the classification on the grounds that historic reserve may not prevent mining, hydro schemes or other development in the area, and that the public may not be able to have a say in any proposed activities (particularly if the reserve is vested).

- Submitters stated that both mining and potential hydro-electric development are inappropriate "from recreation and conservation perspectives" (e.g. "there are four significant gold sources and the potential for rare earth minerals identified in the proposed historic reserve. All are in areas that recreationalists would consider far too precious to mine", "Another area of concern (…) is potential for hydro-electric development in this area of pristine unmodified rivers important for recreation and biodiversity", "if there are already 3,284 damns on New Zealand rivers alone, then why are the leaders of today pushing for more unnecessary ruin to the land?"). National park or ecological area classification were suggested as preferable alternatives.
- A submitter who advocated for national park status commented, "For us to sustain our thriving eco-tourism and adventure-tourism sectors here in NZ and our skilled workers that represent us overseas, we need well-trained and well-practised professionals. This area is one of the best places in our country to gain and sustain these skills. As a backyard for students [of] the well recognised Tai Poutini Polytechnic, the next generation of such professionals, this area is our main training ground".
- Conversely, other submitters opposed the classification as being too restrictive for mining and associated economic opportunities. It was suggested that historic reserve classification would add "a great deal of cost in both time and money relative to any extra protection given", and that a conservation park classification or retaining the land in stewardship would provide "more than adequate legal protection", and allow for commercial uses such as mining to be considered on a case-by-case basis.
- A submitter noted various applications in progress and suggested retaining the relevant areas as stewardship, or reclassification as a conservation park.

As I have recommended these comments are not allowed, I recommend they are <u>not accepted</u>.

Process and Consultation (Not Allowed)

- Submitters queried the extent of land proposed for historic reserve classification, suggesting that the large-scale historic reserve recommendations by the Panels "suggests a failure to search out and find the correct reserve classification for each one" or "a lack of detailed investigation by the Panels".
- A submitter highlighted that as well as clarification of purpose, as details of management are unknown, a further public consultation process will be required.
- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land, limitations of the consultation, and potential conflicts of interest, particularly regarding the proposed Griffin Creek hydro scheme or potential mining.

As I have recommended these comments are not allowed, I recommend they are <u>not accepted</u>.

Other (Not Allowed)

- Submitters raised concern about potential vesting of the proposed reserve, suggesting that this may impact on public access (e.g. "if this were to take place there are no guarantees that public access is preserved, nor regarding the preservation of the landscape").
- A submitter suggested that "if the vesting of this area does occur, proper funding and investment into clear governance practices and management plans should be provided for to enable proper management of these highly significant areas".
- Submitters who opposed the classification suggested that they might come to support the proposed reserve if public access and participation in future management planning processes could be ensured, or if there is a mechanism to ensure DOC has ongoing input into decision-making (e.g. "I support mana whenua stewardship but want assurances about public voice in river conservation", "There is a high level of public interest in this very large area and the ongoing involvement of DOC provides greater certainty that this public interest can be reflected in management").
- A submitter advocated that due to the scale of the proposed reserve, it "should be included as a separate Place in the CMS so the public can have input into how it is managed".
- One submission opposed all reclassification of stewardship land to specially protected areas 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 <u>not accepted</u>.

No Opinion/Position Stated

Access and Recreation (Allowed)

- Submissions queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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.

Ecology and Landscape (Allowed)

- Submitters expressed concern that historic reserve does not adequately recognise and protect ecological and biodiversity values (e.g. "provides no strong protection for native wildlife and plants or landscape".
- Submitters suggested the proposed Tarahanga e Toru Historic Reserve is an unusual use of the designation in terms of size and scale (e.g. "I am uncomfortable with the massive extension of the concept of a Historic Reserve covering such a vast landscape").

I recommend that these comments are not accepted. Although I agree there are ecological values present (e.g. described in the CVR as supporting braided riverbed, having a moderate diversity of ecosystems, alluvial terraces largely covered in exotic grassland), my assessment is that on balance the natural resources present are appropriately protected under the proposed classification when considering the historic resources present and the cultural interest and significance of the area to Ngāi Tahu. Under a historic reserve classification, "where scenic, archaeological, geological, biological, or other scientific features, or indigenous flora or fauna, or wildlife are present on the reserve, those features or that flora or fauna or wildlife shall be managed and protected to the extent compatible with the principal or primary purpose of the reserve" (Reserves Act 1977, s. 18(2)(c)).

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 which supports reconsideration of the notified classification.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter stated that the proposed classification does not provide strong protection for natural values as it "will allow for commercial activities and leases that national park or scenic reserve status would not allow".
- A submitter suggested that the justification for the recommendation implies the "mountains and rivers might provide economically", advocating for separation between decision makers and permission applicants.

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

HOK_25 – Ōtira River Conservation Area – 2806321

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Ōtira River Conservation Area	HOK_25_2806321u	National Park (Arthur's Pass)		6007*	14
Ōtira River Conservation Area	HOK_25_2806321v		Stewardship	9	24

DOC Conservation Values Report Description

A 0.3413-ha area of lowland forest beside SH 73 near Otira settlement surrounded on one side by Arthur's Pass National Park. The area is likely to get low levels of recreation use, with the occasional local hunter.

Panel Recommendations

National Panel: National park rationalises the boundary with the surrounding Arthur's Pass National Park and its congruent landscape values supports continuity of landscape across the wider area.

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 and similar in nature to the adjoining 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 (Arthur's Pass) - HOK_25_2806321u

Support

Access and Recreation (Allowed)

- A submitter highlighted the importance of national parks for their importance to support access and allow for recreation (e.g. "They are treasured and support the intergenerational growth of participation of all groups, people and communities in conservation and culture")
- A submitter supported a national park classification noting the significance of the Otira River to climbers (e.g. "Otira is river with significance to climbers as it is fed by Mt Rolleston, the highest peak in Arthur's Pass and the Otira face is the most challenging of its faces to climb").

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. Under a national park classification "the public shall have freedom of entry and access" subject to restrictions "necessary for the preservation of the native plants and animals or for the welfare in general of the parks" (Section 4(2)(e) National Parks Act 1980).

Climate Change and Natural Hazards (Allowed)

- Submitters noted the role that national parks can play in achieving climate outcomes and stated their support for the highest level of protection available (e.g. "in a warming world we will rely on these lands even more than we do now").

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 highlighted the connectivity and integration that will occur with the proposed classification (e.g. "Including this small area in the National Park will complete the Goat Creek connecting landforms, from the lower slopes to the very steep mountain toe slopes maintaining the integrity of the whole landscape, geological and ecological system").
- Submitters supported a national park classification as providing a "high level" of protection for the identified natural values including "significant rata/kamahi forest" and "stating that incorporating it into the national park will allow "consistent management into the future".
- A submitter supported the addition to the adjacent national park as "this is one of the truly wild and spectacular areas on the West Coast deserving NP status".
- Submissions supported the proposed recommendations noting that the values are similar to adjoining areas and recommended that any area bordering a national park should become national park (e.g. "Stewardship land adjacent to a National Park, and ecologically contiguous with it, should be incorporated into that National Park", "Adding this 26 ha of conservation land to the Arthur's Pass National Park is a no-brainer as its values are identical to those of the adjoining National Park").
- Submitters supported the classification describing the current land classification delineations as "historic and arbitrary" and "not informed by ecological and landscape principles".

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 good example of podocarp/hardwood forest with rātā and kāmahi). The contiguous boundary with Arthur's Pass 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. Takiwā

Treaty Considerations (Allowed)

- Submissions in support of national park noted a desire to "see the concerns of mana whenua addressed". However, they viewed maximum protection of the natural values as paramount and suggested that changes to management or legislative frameworks should occur to reflect 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 supported additions to adjacent national parks where mana whenua 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)

- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level based on its "high cultural conservation value".
- Submissions expressed general support for all additions to national parks, or for maximum protection across all stewardship land (e.g. "want to see these areas given the highest level of protection").

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 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.
- A submitter supported the addition to the national park due to the protection the classification will offer, protecting the land "against environmentally degrading activities such as mining and clearing the land for further agriculture".

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

Process and Consultation (Not Allowed)

- A submission expressed concern about "major inconsistencies and contradictions", questioning the integrity of the reclassification process and noting that many parcels of high value conservation land has not been recommended for reclassification as national park (e.g. "much of the land under review is on par with the values of existing National Parks, if not higher").
- A submitter queried the lack of "terms of reference for Mana Whenua and its method of decision-making", raising concern "that commercial concerns could take precedence over protecting the natural values".

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

Other (Not Allowed)

- A submission suggested that the implementation of the proposed classification "needs to be followed up with sufficient funding for pest eradication".

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

Oppose

Access and Recreation (Allowed)

- Submissions stated opposition to any reclassification unless it provides explicitly for access, including helicopter landings, sports fishing and gamebird hunting, or stated opposition as National Park status "excludes hunting for native species which are classified as gamebirds under the Wildlife Act, and which are managed as gamebirds (such as Pukeko and Paradise Shelduck)".

I recommend that these comments are not accepted. The methods of appreciation and recreational enjoyment proposed (e.g. 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" (Section 4(2)(e) National Parks Act 1980).

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".

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 general opposition to national park classification, expressed support for leaving the land in stewardship, or supported the recommendations 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 expressed opposition to the proposed national park classification as being "too restrictive" (e.g. "tying even more land up in restrictive legislation") without recommending an alternative status.
- A submitter was concerned that the change in status would "affect existing permissions and river activities".

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)

- A submitter opposed all reclassification of stewardship land to specially protected areas unless it was purchased by the Nature Heritage Fund for the purpose of adding it to a national park.

- Submissions expressed the view that national park classification does not equate to effective protection from introduced pests or predators (e.g. "national parks are badly run and full of cats, rats, stoats, possums, goats and deer so no protection there").

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

No Opinion/Position Stated

Access and Recreation (Allowed)

- Submissions queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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.

Ecology and Landscape

- A submitter requested that "rivers are maintained in a free-flowing unmodified state", and that the "classification does not allow for dams or flow diversions".

I recommend that these comments are not accepted. Authorisation of any 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)

- A 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 which supports reconsideration of the notified classification.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitted advocated that helicopter "landing permissions continue to be available" through the current DOC concession system.

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

Retain in Stewardship - HOK_25_2806321v

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

Treaty Considerations (Allowed)

- Submissions supported the position of the Mana Whenua Panel that further additions to national parks should not occur on the basis that their recommendations reflect the rights and interests of mana whenua and recognise Ngāi Tahu's connection to their ancestral lands (e.g. "by adopting the recommendations of the Mana Whenua Panel the Minister will give effect to the principles of the Treaty of Waitangi").
- Submissions suggested that areas "must remain as stewardship land pending 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 support for the proposed classification, or agreement with the Mana Whenua Panel, without providing further justification.
- A submission advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide adequate legal protection.

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 supported the recommendation due to concerns that a change in status "will affect existing permissions and river activities" noting the permissions currently in place.
- A submission support retention in stewardship as they believed that a change to national park status would prohibit alternative uses "without any positive impact on conservation". The submitter further 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.

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

Oppose

Access and Recreation (Allowed)

- A submission advocated for national park classification noting the significance of the Otira for climbers.

Ecology and Landscape (Allowed)

- Submitters advocated for national park reclassification "based upon ecological and scenic values that are similar to adjoining national parks" and describing the "delineation between this parcel and the values in the adjoining park as "historic and entirely arbitrary".

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. Under a national park classification "the public shall have freedom of entry and access" subject to restrictions "necessary for the preservation of the native plants and animals or for the welfare in general of the parks" (Section 4(2)(e) National Parks Act 1980).

Treaty Considerations (Allowed)

- Submissions expressed a preference for national park reclassification, 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".
- One submission argued against retaining land as stewardship where the area had not been identified as holding site-specific values 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 opposed retaining land in stewardship in general terms, expressed support for the National Panel proposal of national park or expressed a preference for "the highest possible classification" due to the land's "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.

- Submission expressed concern that classification as stewardship land provides inadequate protection describing it as a "meaningless recommendation".

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 national parks support a nature economy, and that this is in line with the Te Whanaketanga Tai Poutini West Coast Economic Strategy 2050.
- Submitters advocated for a higher level of protection to ensure "adequate environmental protection" and prevent the "creation of mines that will devastate the local areas".

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

Process and Consultation (Not Allowed)

- Submissions expressed concern about "major inconsistencies and contradictions" in the reclassification process, noting that some high value conservation land has not been recommended for reclassification as national park.
- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation, including the timeframe for response, when compared to the scale of information notified.
- A submission queried the extent of land in South Westland not included in the reclassification process.

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

No Opinion/Position Stated

Access and Recreation (Allowed)

- Submissions queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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)

- A 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 which supports reconsideration of the notified classification.

HOK_25 – Otira Conservation Area – 2806322

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Otira Conservation Area	HOK_25_2806322w	Local Purpose (Water Supply) Reserve	Neutral	5	10

DOC Conservation Values Report Description

A 26.139-ha area of lowland forest on the lower slopes and alluvial fan of Goat Creek, near Otira settlement. It is surrounded on two sides by Arthur's Pass National Park. As part of the Otira Ecological Management Unit, this area has been treated aerially for possums to protect the rātā/kāmahi forest. Water intake and associated infrastructure for the Otira township is here. The area is likely to get low levels of recreation use, with the occasional local hunter. There is some heritage value, and one current water permission.

Panel Recommendations

National Panel: Local purpose (water supply) reserve will rationalise the current use and support community need.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of local purpose (water supply) 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 local purpose (water supply) 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 accommodate this existing land use relating to water supply for the Otira township. Conservation values will be protected to the extent compatible with the primary purpose of the reserve.

Local Purpose (Water Supply) Reserve - HOK_25_2806322w

Support

General (Allowed)

- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level based on its "high cultural conservation value".
- Submissions expressed general support for the proposed classification.

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.

Oppose

Access and Recreation (Allowed)

- A submission opposed the classification due to the site's future potential as a camping area, recommending classification as a recreation reserve to protect the recreational values.

I recommend that these comments are not accepted. The CVR states that there are no tracks or facilities managed by the Department and recreation use is likely to be low other than occasional hunting, so the points raised regarding potential recreation do not justify overturning the notified intention regarding the area's primary use as water supply for the Otira township.

Ecology and Landscape (Allowed)

- A submission noted that the land is surrounded by land which has a higher status than that proposed and appears to have similar ecological values. Classification as a national park was recommended.
- A submission opposed the recommendation on the basis that there was no certainty it would protect ecological values (e.g. "The concern is around the failure to provide any details about the primary purpose of the local purpose reserve so submitters can be assured that the local purpose reserve will protect the land's ecological values").

I recommend that these comments are not accepted. Though the stewardship area abuts Arthur's Pass National Park and there are ecological values present, the points raised do not justify overturning the notified intention regarding the area's primary use as water supply for the Otira township. Under Section 23(2)(a) of the Reserves Act 1977, "where scenic, historic, archaeological, biological, or natural features are present on the reserve, those features shall be managed and protected to the extent compatible with the principal or primary purpose of the reserve".

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter opposed the classification based on concerns that a change in status would affect existing permissions and river activities.

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

Process and Consultation (Not Allowed)

- A submitter opposed the classification due to a lack of clarity of purpose for the proposed reserve querying whether the proposed classification will protect the lands ecological and other values. The submitter recommended that a primary purpose is identified before the status is implemented.
- 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 local/regional councils.

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 explicitly for access, sports fishing and gamebird hunting.

I recommend that these comments are not accepted. The CVR states that there are no tracks or facilities managed by the Department and recreation use is likely to be low other than occasional hunting, so the points raised regarding potential recreation do not justify overturning the notified intention regarding the area's primary use as water supply for the Otira township.

General (Allowed)

- A submitter stated they were unable to support local purpose reserves without greater clarity of 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 and historical resources present.

HOK_26 – Takutai – 2805689

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Takutai	HOK_26_2805689x	Recreation Reserve	Neutral	12	8

DOC Conservation Values Report Description

A 3.7336-ha area straddling a narrow coastal sand plain between the coast and Mahināpua River and its associated wetlands. Half of it is licenced for farming, while the remainder includes a narrow coastal dune and a flaxland swamp that is part of a larger protected freshwater wetland complex. The swamp portion contributes to a highly functional wetland that acts as a continuous native buffer to the entire Mahināpua River. With expected sea level rise, this protected area would provide the dunes the room they need to migrate inland in response to the rising seas, thereby buffering inland impacts. Locals use the unformed road to access the beach and south side of Hokitika River. A grazing license is in place.

Panel Recommendations

National Panel: Recreation reserve will provide continuity of landscape with the Southside Recreation Reserve and will allow the public freedom of access, subject to such conditions as are necessary for the protection and wellbeing of the reserve.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of recreation reserve.

Summary of accepted submissions: Those submissions 'accepted' as holding merit supported the notified classification as ensuring ongoing public recreational access and offering 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 natural resources present are appropriately protected by the proposed classification, while also reflecting the public access and recreational features present.

Recreation Reserve - HOK_26_2805689x

Support

Access and Recreation (Allowed)

- Submissions supported the proposed classification noting it will "preserve public access to the coast" by extending "public access to the beach and the south side of the Hokitika River".

I recommend that these comments are accepted. I agree that the proposed recreation reserve will support ongoing public recreational access to the area. 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. Recreation reserves are held "for the purpose of providing areas for the recreation and sporting activities and the physical welfare and enjoyment of the public, and for the protection of the natural environment and beauty of the countryside" (s. 17(1) Reserves Act 1977).

Climate Change and Natural Hazards (Allowed)

- A submitter supported the proposed classification as offering a high level of protection "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 recreation reserve will support this outcome, to the extent compatible with the identified primary purpose. 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).

General (Allowed)

- Submissions expressed general support for the proposed classification, referencing the "information in the technical reports" or without providing further justification.
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Oppose

Climate Change and Natural Hazards (Allowed)

- A submitter opposed the recommendation and advocated for it to be classified as a government purpose (restoration) reserve based on the "opportunities for ecosystem restoration in response to flood events or coastal erosion" and the "opportunities for carbon sequestration".

I recommend that these comments are not accepted. The proposed classification will support the protection of the natural resources present to the extent compatible with the principal or primary purpose of the reserve, and as a result support the area's climate mitigation potential. The points raised do not justify overturning the notified intention. Under the proposed classification "where scenic, historic, archaeological, biological, geological, or other scientific features or indigenous flora or fauna or wildlife are present on the reserve, those features or that flora or fauna or wildlife shall be managed and protected to the extent compatible with the principal or primary purpose of the reserve" (Reserves Act 1977, s. 17(2)(b)).

Ecology and Landscape (Allowed)

- A submitter noted the area contained naturally uncommon ecosystems "including dunes and wetlands", advocating for classification as a government purpose (restoration) reserve "for restoration of depleted indigenous ecosystems".

I recommend that these comments are not accepted. My view is that the natural resources present are appropriately protected by the proposed classification, while also reflecting the public access and recreational features present (e.g. unformed road for beach access). The points raised do not warrant overturning the notified classification. Under the proposed classification "where scenic, historic, archaeological, biological, geological, or other scientific features or indigenous flora or fauna or wildlife are present on the reserve, those features or that flora or fauna or wildlife shall be managed and protected to the extent compatible with the principal or primary purpose of the reserve" (Reserves Act 1977, s. 17(2)(b)).

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions opposed the recommendation stating concerns that a change in status "will affect existing permissions and river activities" noting the grazing licence currently in place.

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 the limitations of the consultation.

- A submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values", also stating that if a national park classification is "politically unpalatable, then political judgement calls must be made by accountable politicians, not by the Panel".

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

Other (Not Allowed)

- A submission opposed all reclassification of stewardship land to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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.

HOK_27 – Pine Creek – 2805692

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Pine Creek	HOK_27_2805692y	Scenic Reserve (a)	Neutral	10	5

DOC Conservation Values Report Description

A 4.9391-ha area fully covered in woody native vegetation, with no waterways or wetlands. Mānuka scrub is dense and provides a nurse canopy for many regenerating species. It straddles a flat, high river terrace in the northern part of the extensive post-glacial alluvial deposits of moderate-fertility gravels, sands and silts associated with the nearby Hokitika River.

Panel Recommendations

National Panel: Scenic reserve (a) supports landscape continuity and protects the identified values. This area's northern boundary adjoins Hokitika Southside Scenic Reserve, and the connection to and buffering from the reserve significantly improves the prospects of long-term viability 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 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.

Scenic Reserve (a) - HOK_27_2805692y

Support

Climate Change and Natural Hazards (Allowed)

- A submitter supported the proposed classification as offering a high level of protection "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)

- A submitter supported the proposed classification as it will help to protect the adjacent scenic reserve and be "a buffer against the modification that is occurring on private land nearby" because of the "exotic forestry and a large-scale gold mine".

I recommend that these comments are accepted. I agree that the natural resources identified are appropriately protected and preserved by the proposed 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)).

General (Allowed)

- Submissions expressed general support for the proposed classification, referencing the "information in the technical reports" or without providing further justification.
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Oppose

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions 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 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)

- A submission opposed all reclassification of stewardship land to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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)

- 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 which supports reconsideration of the notified classification.

HOK_28 – Mahināpua Creek/Tūwharewhare – 2806156

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Mahināpua Creek/Tūwharewhare	HOK_28_2806156a	Scenic Reserve (a)	Scenic Reserve (a)	13	7

DOC Conservation Values Report Description

A 133.3125-ha area of native vegetation cover, despite previous indigenous logging and fire. At an average of 1.5 km from the coast, it supports one of the most extensive and best quality coastal wetlands in the district. The area is bordered in the south by Lake Mahināpua Scenic Reserve, which is a Statutory Adviser site. Its generous size and compact shape are key for securing the long term viability of this site. The area has very low relief with no part being above 30 m above sea level. Survey records show the presence of all migratory galaxias species, making this an extremely important site for whitebait diversity.

This area is managed as a frontcountry site and includes the Mananui Tram/Mahināpua Walkway, which forms part of the West Coast Wilderness Trail and may be biked as part of a loop from the historic Mahināpua Rail Bridge. There is heritage value for the early 75 years of saw milling that occurred here. There are no active permissions.

Panel Recommendations

National Panel: Scenic reserve (a) will help protect the identified values while still facilitating the enjoyment and use by the public, as well as providing landscape continuity with the adjoining Lake Mahinapua Scenic Reserve.

Mana Whenua Panel: The Mana Whenua Panel supports the recommendation of the Western South Island National Panel.

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 and offering sufficient protection in the context of climate change. 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 classification, supported by submissions from Treaty partner organisations.

The Mana Whenua Panel have signalled specific Ngāi Tahu interests associated with this stewardship area, particularly that the area is "adjacent to Ngāi Tahu forestry", "Ngāi Tahu may have future aspirations for this land (such as forestry)" and it is "bordered in the south by Lake Māhinapua Scenic Reserve, which is a Statutory Adviser site".

Given the Mana Whenua Panel have supported the notified classification, supported by submissions from Treaty partner organisations, 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, on balance the natural and historic resources present are appropriately protected under the proposed classification.

Scenic Reserve (a) - HOK_28_2806156a

Support

Access and Recreation (Allowed)

- A submitter supported the proposed classification on recreational grounds referencing multiple walks and noted the "superb example of coastal flora sequence, of huge value for recreation and education".

I recommend that these comments are accepted. I agree the proposed scenic reserve will provide 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. 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)

- A submitter supported the proposed classification as offering a high level of protection "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).

Treaty Considerations (Allowed)

- The recommendation of the Mana Whenua Panel was supported on the basis that it reflects "the values, interests, and perspectives of the Papatipu Rūnanga in whose Takiwā the relevant land is located", and that adopting the recommendations of the Mana Whenua Panel would give effect to the principles of the Treaty.

I recommend that these comments are accepted. My conclusion is that, while recognising the significance of the area to Ngāi Tahu, on balance the natural and historic resources present are appropriately protected under the proposed classification. I note that the Mana Whenua Panel have supported the proposed scenic reserve.

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, agreeing they reflected the "information in the technical reports", or expressed support for the recommendations of the Mana Whenua Panel.
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Oppose

Ecology and Landscape (Allowed)

- A submitter advocated for classification as an ecological reserve stating that the area deserves a higher level of protection as there may be bittern present.

I recommend that these comments are not accepted. My view is that the natural resources identified are appropriately protected and preserved by the proposed classification, and the points raised do not warrant 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)).

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions 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 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)

- A submission opposed all reclassification of stewardship land to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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)

- 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 which supports reconsideration of the notified classification.

HOK_29 – Mahinapua Store – 2805695

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Mahinapua Store	HOK_29_2805695b	Disposal	Disposal	11	17

DOC Conservation Values Report Description

A small 0.4011-ha block of mostly cut-over exotic forest and scrub on the extensive, undulating moraine outwash landforms between Hokitika and Ross, which was once the site of a DOC storage shed. It adjoins the Woodstock-Rimu Road, is surrounded by exotic forestry, and is remote from other protected natural areas. The area is connected to the network of native riparian forests of the Sandstone catchment.

Panel Recommendations

National Panel: Disposal, as there are no known values that warrant ongoing management by the Department.

Mana Whenua Panel: Disposal, as the area is highly modified and therefore disposal is appropriate.

S.49(2)(d) Recommendation

- Proceed with the notified proposal, referring this area to the Department to investigate the suitability of disposal.

Summary of accepted submissions: The submissions 'accepted' as holding merit supported the proposed disposal investigation where there are no conservation values remaining. Also accepted were comments noting that this was 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, on the grounds that the area is highly modified.

The Mana Whenua Panel have signalled specific Ngāi Tahu interests associated with this stewardship area, particularly that the conservation area is adjacent to Ngāi Tahu forestry, and that Ngāi Tahu may have future aspirations for this land (such as forestry).

Given the Mana Whenua Panel have supported the proposed disposal investigation, I consider this is not inconsistent with the identified interests.

Rationale: My assessment is that the stewardship area is of low conservation value, and warrants further investigation as to the suitability of disposal.

Disposal - HOK_29_2805695b

Support

Access and Recreation (Allowed)

- Submissions agreed that the land did not hold any recreational values and was therefore suitable for disposal.

I recommend that these comments are accepted. This modified and isolated area does not hold any reported recreational value, supporting a disposal investigation.

Ecology and Landscape (Allowed)

- Submissions stated they support disposal of stewardship land where there are no conservation values or natural remaining.

I recommend that these comments are accepted. The land consists primarily of exotic treeland and scrub and holds low conservation values, supporting a disposal investigation. 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 on the basis that these recommendations reflect the rights and interests of mana whenua, recognise Ngāi Tahu's connection to their ancestral lands, and fulfil obligations under the Treaty of Waitangi (e.g. "by adopting the recommendations of the Mana Whenua Panel the Minister will give effect to the principles of the Treaty of Waitangi").

I recommend that these comments are accepted. I note that the Mana Whenua Panel have supported the proposed disposal investigation. The modified nature of the pastoral components of this stewardship area (e.g. primarily exotic treeland and scrub) justifies referring this area to the Department to investigate the suitability of disposal.

- A submission proposed gifting the land to local iwi.

I recommend this comment is not accepted. The proposed disposal investigation was supported by the Mana Whenua Panel, and any potential disposal of relevant land arising from the Departmental investigation will be subject to the first right of refusal process as set out in the Ngāi Tahu Claims Settlement Act 1998.

General (Allowed)

- A submission expressed general support for the recommendation by the Mana Whenua Panel.

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.

Oppose

Access and Recreation (Allowed)

- Submissions objected to disposal on the grounds that this represents a loss of public access and ability for future generations to enjoy these areas, expressed opposition to any disposal which means a loss of recreation opportunities such as angling or hunting, or requested "appropriate mechanisms are used to ensure existing and future public use is maintained or improved".

I recommend that these comments are not accepted. The area, which is small, modified and isolated from other conservation land, holds no reported recreational uses which would warrant retaining the area as public conservation land.

Climate Change and Natural Hazards (Allowed)

- Submissions opposed disposal on the grounds that it forgoes future opportunities such as carbon sequestration and climate mitigation, and the land should be protected for future generations (e.g. "The opportunities for carbon sequestration through indigenous vegetation are rapidly diminishing and every hectare of the conservation estate is of value", "These areas are so important for communities that they need to be kept by DOC for climate mitigation, not disposed of"). Classification as a scenic reserve or ecological area was suggested.
- Submissions argued that disposing of public conservation land compromises future sustainability and climate mitigation options, noting that climate change is heightening pressure on ecosystems.
- A submitter stated that no land should be disposed of if there is potential for restoration and that riverbeds and adjacent land should be retained for flood retention, with no grazing permitted.

I recommend that these comments are not accepted. The small size of the area, its highly modified nature, and landscape context (isolated from other protected natural areas) limit the effectiveness of restoration for carbon sequestration. The conservation area is not adjacent to any waterbodies where it plays a role in flood or erosion buffering, so these comments do not raise relevant matters to consider.

Ecology and Landscape (Allowed)

- Submissions opposed disposal where there is poor ecological representation in existing protected areas, recommending that lowland river terraces remain in public conservation land as so little remains and there is the potential for restoration and regeneration.
- One submission recommended that only modified landlocked sites without restoration potential should be disposed of.

- One submission opposed disposal, emphasising the importance of protecting natural values. A "precautionary policy" was recommended to hold conservation future options open.
- A submission opposed disposal, stating that stewardship land represents "a broad cross section of indigenous ecosystems, in various states of regeneration".

I recommend that these comments are not accepted. The area's small size, its highly modified nature, and landscape context (isolated from other protected natural areas) limit the effectiveness of retaining the area for restoration. The highly modified nature of the area (primarily exotic treeland and scrub) justifies referring this area to the Department to investigate the suitability of disposal.

Treaty Considerations (Allowed)

- One submission stated no stewardship land should be disposed of, except to tangata whenua, "and only then with the need to maintain the block's cultural, conservation & mahika-kai values".

I recommend that these comments are not accepted. The proposed disposal investigation was supported by the Mana Whenua Panel, and any potential disposal of relevant land arising from the Departmental investigation will be subject to the first right of refusal process as set out in the Ngāi Tahu Claims Settlement Act 1998. The highly modified area is unlikely to hold substantive "conservation & mahika-kai values".

- One submission expressed a desire for maximum protection to allow nature to thrive, in keeping with the approach of the indigenous people of Aotearoa.

I recommend that these comments are not accepted. The highly modified and isolated area holds low conservation values which warrant referring the area to the Department to investigate the suitability of disposal.

General (Allowed)

- Submissions expressed opposition to disposal of any stewardship land in general terms, expressed a desire for maximum environmental protection, such as national park classification, or supported "a cautionary approach".

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 expressed opposition to disposal of any stewardship land and sought protection from development, mining, or other extractive activities.
- Submissions also recommended consideration of potential productivity and whether the land could be used to support future food security.

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, including the timeframe for response, when compared to the scale of information notified.
- Submitters advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values" (e.g. "revised recommendations must be consistent with genuine technical assessments of the conservation values").
- A submitter noted that "there is no requirement" that land with low conservation values is disposed of, expressing opposition to any disposal of riverbed or pastoral land in public ownership. Concerns regarding the limits of the notification were further highlighted as the "proposed disposals do not give even a general indication where disposal boundaries might be" making it difficult for submitters to comment. The submitter further stated that "The National Panel is recommending 65 hectares for disposal, but has recommended up to an additional 1000 hectares of land may be disposed of where there is pastoral land alongside river conservation areas (subject to survey). This is not explained or justified".

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

Other (Not Allowed)

- One submission suggested 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.

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. 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)

- One submission noted that disposal of land will be subject to Heritage New Zealand Pouhere Taonga Notification Process for Disposal of Crown-owned Land.

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

HOK_30 – Mananui Bush – 2805696

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Mananui Bush	HOK_30_2805696c	Scenic Reserve (a)	Scenic Reserve (a)	17	6

DOC Conservation Values Report Description

A 9.4037-ha area of coastal forest vegetation on dunes that represents one of only two examples of this type of landscape remaining in the Hokitika Ecological District. It is a small piece of largely intact coastal forest between the highway and the coast, accessed by the DOC-managed Mananui Bush Track, a 20-minute walk that passes through the coastal forest to the beach. The ancient velvet worm (peripatus/ngāokeoke) has been recorded here. The area is nearby the Lake Mahināpua Scenic Reserve, a Statutory Adviser site.

Panel Recommendations

National Panel: Scenic reserve (a) will provide landscape continuity across the area with Lake Mahinapua Scenic Reserve on its eastern boundary while still allowing for the use and enjoyment of the public.

Mana Whenua Panel: The Mana Whenua Panel supports the recommendation of the Western South Island National Panel.

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 and offering sufficient protection in the context of climate change. 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 classification, supported by submissions from Treaty partner organisations.

The Mana Whenua Panel have signalled specific 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)", "in the vicinity of the Lake Māhinapua Scenic Reserve, which is a Statutory Adviser site".

Given the Mana Whenua Panel have supported the notified classification, 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, on balance the natural and historic resources present are appropriately protected under the proposed classification.

Scenic Reserve (a) - HOK_30_2805696c

Support

Access and Recreation (Allowed)

- Submissions supported the proposed classification noting it will "preserve public access to the coast" by providing public access to the beach via the Mananui Bush Walk.
- A submitter supported the proposed classification referencing multiple walks and noted the "superb example of coastal flora sequence, of huge value for recreation and education".

I recommend that these comments are accepted. I agree the proposed scenic reserve will provide 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. 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)

- A submitter supported the proposed classification as it offers a high level of protection "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)

- A submitter expressed support for the proposed classification as it contains a "locally uncommon example of coastal sand dune forest".

I recommend that these comments are accepted. I agree that the natural resources identified are appropriately protected and preserved by the proposed 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)).

Treaty Considerations (Allowed)

- The recommendation of the Mana Whenua Panel was supported on the basis that it reflects "the values, interests, and perspectives of the Papatipu Rūnanga in whose Takiwā the relevant land is located", and that adopting the recommendations of the Mana Whenua Panel would give effect to the principles of the Treaty.

I recommend that these comments are accepted. My conclusion is that, while recognising the significance of the area to Ngāi Tahu, on balance the natural and historic resources present are appropriately protected under the proposed classification. I note that the Mana Whenua Panel have supported the proposed scenic reserve.

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, agreeing they reflected the "information in the technical reports", or expressed support for the recommendations of the Mana Whenua Panel.
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Oppose

Ecology and Landscape (Allowed)

- A submitter advocated for a different classification of ecological area, citing the technical report that considers it "to be nationally rare" and a habitat for "at risk- declining species", and that the area should be "especially protected as a gene pool that could assist in the restoration of similar duneland".

I recommend that these comments are not accepted. My view is that the natural resources identified are appropriately protected and preserved by the proposed classification, and the points raised do not warrant 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)).

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions 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 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)

- A submission opposed all reclassification of stewardship land to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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)

- 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 which supports reconsideration of the notified classification.

HOK_31 – Seddon Terrace – 2805699

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Seddon Terrace	HOK_31_2805699d	Wildlife Management Area	Neutral	10	5

DOC Conservation Values Report Description

A 35.0519-ha area of lowland forest that covers the slope leading from the forest to the wetlands of Back Creek Swamp Wildlife Management Reserve. It is largely a wetland but has limited freshwater values. No terrestrial threatened species are known here. There is likely to be low levels of recreation use, apart from the occasional hunter. There may be unrecorded evidence associated with gold mining within the area.

Panel Recommendations

National Panel: Wildlife management area will rationalise the boundary with the Back Creek Swamp Wildlife Management Reserve and provide continuity of landscape.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of wildlife management area.

Summary of accepted submissions: The submissions 'accepted' as holding merit supported the proposed classification as appropriately protecting the natural resources present and reflecting the landscape context.

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 promote the conservation of the natural and historic resources present while providing for their appreciation and recreational enjoyment by the public, being managed so that "its indigenous natural resources and its historic resources are protected" (Conservation Act 1987, s. 23B(1)).

Wildlife Management Area - HOK_31_2805699d

Support

Ecology and Landscape (Allowed)

- A submitter supported the proposed classification stating it would protect against degradation of the land.
- A submitter supported the recommendation on the grounds it would "protect freshwater habitats".
- A submitter supported the proposed classification noting it would rationalise the boundary of this area with "the adjoining Black Creek Swamp reserve".

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present which warrant consideration. I agree that the natural resources present are appropriately protected and preserved by the proposed classification. Wildlife management areas are managed so that "wildlife and wildlife habitat values (including the capacity for the movement of wildlife, genetic material of indigenous plants, and genetic material of wildlife) are protected" (Conservation Act 1987, s. 23B(1)).

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification or agreeing they reflected the "information in the technical reports.
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Oppose

Process and Consultation (Not Allowed)

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

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

Other (Not Allowed)

- A submission opposed all reclassification of stewardship land to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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.

HOK_32 – Frosty Creek – 2805697

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Frosty Creek	HOK_32_2805697e	Scenic Reserve (a)	Scenic Reserve (a)	18	5

DOC Conservation Values Report Description

A 23.5393-ha area made up of two sections which supports old-growth rimu forest and regenerating native scrub, it straddles Woodstock-Rimu Road and adjoins Lake Mahinapua Scenic Reserve, a Statutory Adviser site. It is a small part of a large, lowland and coastal wetland complex of exceptional quality, centred on Mahinapua lake and river. The area on the eastern side of the road is adjacent to Ngāi Tahu Forestry. There is strong heritage here around saw milling and the timber industry, with two associated sites. As a result, Mahinapua was the site of one of the earliest moves to halt the wave of indigenous species extinction in the 1890s, and the scenic reserve was one of the first pieces of land set aside on the mainland (1907) for the express purpose of preserving flora and fauna. The area includes the eastern end of the DOC-managed Mananui Tramline/Mahinapua Walkway, popular for walking and Grade 2 mountain biking. This also forms part of the West Coast Wilderness Trail, which is managed by a trust on behalf of the Grey and Westland district councils.

Panel Recommendations

National Panel: Scenic reserve (a) will rationalise this boundary and provide continuity of landscape with the surrounding Lake Mahinapua Scenic Reserve, while retaining access for public benefit and enjoyment. It currently performs an important buffering function to the scenic reserve by minimising edge-effects.

Mana Whenua Panel: The Mana Whenua Panel supports the recommendation of the Western South Island National Panel.

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 and offering sufficient protection in the context of climate change. 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 classification, supported by submissions from Treaty partner organisations.

The Mana Whenua Panel have signalled specific Ngāi Tahu interests associated with this stewardship area, particularly that "adjacent to Ngāi Tahu forestry", "Ngāi Tahu may have future aspirations for this land (such as forestry)", "bordered in the south by Lake Māhinapua Scenic Reserve, which is a Statutory Adviser site".

Given the Mana Whenua Panel have supported the notified classification, 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, on balance the natural and historic resources present are appropriately protected under the proposed classification.

Scenic Reserve (a) - HOK_32_2805697e

Support

Access and Recreation (Allowed)

- Submitters supported the proposed classification, noting the areas recreational opportunities such as "the Mananui Tram/Mahinapua Walkway, which forms part of the West Coast Wilderness Trail".

I recommend that these comments are accepted. I agree the proposed scenic reserve will provide 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. 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)

- A submitter supported the proposed classification as offering a high level of protection "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 proposed classification for the areas high values including the flora and types of land it contains e.g. "old growth rimu forest and wetland,) and noting the area "provides for a useful buffer to ensure the good water quality that exists".

I recommend that these comments are accepted. I agree that the natural resources identified are appropriately protected and preserved by the proposed 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)).

Treaty Considerations (Allowed)

- The recommendation of the Mana Whenua Panel was supported on the basis that it reflects "the values, interests, and perspectives of the Papatipu Rūnanga in whose Takiwā the relevant land is located", and that adopting the recommendations of the Mana Whenua Panel would give effect to the principles of the Treaty.

I recommend that these comments are accepted. My conclusion is that, while recognising the significance of the area to Ngāi Tahu, on balance the natural and historic resources present are appropriately protected under the proposed classification. I note that the Mana Whenua Panel have supported the proposed scenic reserve.

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, agreeing they reflected the "information in the technical reports", or expressed support for the recommendations of the Mana Whenua Panel.
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Oppose

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions 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 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)

- A submission opposed all reclassification of stewardship land to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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)

- 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 which supports reconsideration of the notified classification.

HOK_33 – Butlers – 2805698

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Butlers (between Butlers Road and Woodstock-Rimu Road)	HOK_33_2805698o	Conservation Park (Mahinapua - Hokitika)		14	22
Butlers (between Butlers Road and Woodstock-Rimu Road)	HOK_33_2805698p		Stewardship	5	24
Butlers (south of Woodstock-Rimu Road)	HOK_33_2805698q	Conservation Park (Mahinapua - Hokitika)	Neutral	15	20

DOC Conservation Values Report Description

A 2030.4615-ha area dominated by extensive wetlands including swamps and lagoons. The area has been modified by fire, logging and deer browse in the past. Remnant podocarp forest and fire-induced wetland vegetation are present. The area connects with Lake Mahināpua Scenic Reserve to the northwest and Kokatahi Hokitika Riverbed Conservation Area to the southeast. Pine plantation and farmland dominate the surrounding landscape. There has been a suggestion to extend the West Coast Wilderness Trail around Lake Mahināpua, and should this occur, it would pass through parts of this area. The area is currently likely to get low levels of recreation use.

Butlers (between Butlers Road and Woodstock-Rimu Road)

Panel Recommendations

National Panel: Conservation park (Mahinapua - Hokitika), to reflect the mosaic of values present, protecting natural and historic resources while facilitating public recreation and enjoyment of the area. The Panel acknowledges the interest of Ngāi Tahu in the conservation area 'Butlers' (NaPALIS #2805698) relating to the provision of access to Lake Mahinapua, and notes that this recommendation will not preclude the negotiation of an access arrangement with the Department.

Mana Whenua Panel: Retain in stewardship land as this parcel provides access to Lake Mahinapua, a wāhi tapu and highly significant place for Ngāi Tahu. The bed of the lake is vested in Ngāi Tahu in recognition of the lake's cultural, historical and spiritual significance. Further assessment of the values and opportunities of this land for Ngāi Tahu is required.

S.49(2)(d) Recommendation

- Do not proceed with the notified proposal of conservation park for the 'between Butlers Road and Woodstock-Rimu Road' section of this stewardship area.

Summary of accepted submissions: Those submissions 'accepted' as holding merit opposed the proposed conservation park, while supporting the position of the Mana Whenua Panel to "enable further discussions with the Department of Conservation about specific kaupapa" regarding "land adjacent to Lake Māhinapua where Poutini Ngāi Tahu are seeking access to the lake".

Section 4 and Treaty principles: The Mana Whenua Panel expressed opposition to the proposed conservation park, supported by submissions from Treaty partner organisations. They noted that "this land parcel provides access to Lake Māhinapua, a wāhi tapu and highly significant place for Ngāi Tahu", and recommended that this portion of the area "should be held as stewardship land" as "further assessment of the values and opportunities of this land for Ngāi Tahu is required". The Mana Whenua Panel have signalled Ngāi Tahu interests associated with this stewardship area, particularly that the area borders Lake Māhinapua which "has a rich history and is significant to not only Poutini Ngāi Tahu, but also the wider iwi and community", "the bed of Lake Māhinapua is vested in Te Runanga o Ngāi Tahu", "Ngāi Tahu has future aspirations for this land to allow mana whenua access to the lake and lakebed".

Under Section 4 of the Act, reasonable steps must be taken to actively protect relevant Treaty partner values and interests. This obligation is not absolute and unqualified, however. Active protection requires you to properly understand the nature of the interests claimed and to reconcile that material with any wider or competing rights or interests, and to make informed decisions that are reasonable in the circumstances.

My assessment, considering those submissions accepted and acknowledging the cultural significance of Lake Māhinapua to Ngāi Tahu, is that it is reasonable in the circumstances to retain this portion of the area in stewardship to further explore Ngāi Tahu interests and aspirations, including what Treaty principles may require. I note that any further work will be undertaken in a manner consistent with Treaty principles.

Rationale: Although the natural and historic resources present may be appropriately protected under the proposed conservation park, I have concluded based on those submissions accepted, and considering the identified Ngāi Tahu interests, that it is appropriate to retain this portion of the area in stewardship at this time. I note that as stewardship land the area will remain protected until an appropriate classification is determined.

Conservation Park (Mahinapua - Hokitika) - HOK_33_28056980

Support

Ecology and Landscape (Allowed)

- Submissions supported the proposed classification but queried the need for multiple conservation parks, suggesting a better option would be to take a holistic "mountains to sea approach" to management and restoration of the river and swamps and to combine with HOK 21.
- Submissions highlighted the "outstanding" ecological values present including threatened and at risk species (e.g. "contains a range of wetland types extensive swamp, bog, lakes, and streams", "home to two uncommon plants, Coprosma filifolia and Olearia virgata var. laxiflora") and supported the classification as allowing natural river functions and potential restoration.
- Classification as ecological area or national park was recommended.

I recommend that these comments are not accepted. Although I agree that the area holds ecological value, my assessment, considering submissions accepted, is that it is reasonable in the circumstances to retain this portion of the area in stewardship to further explore Ngāi Tahu interests and aspirations, including what Treaty principles may require. I note that as stewardship land the area will remain protected until an appropriate classification is determined.

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, or agreed it reflected the "information in the technical reports".
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level based on its "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.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter expressed "trust that Conservation Park status will provide full protection from any future mining applications in these areas".
- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide "more than adequate legal protection".
- A submission in support of conservation park advocated for greater protection from "intrusive development" such as mining and hydro schemes, stating that "most of the Southern Alps deserves protection equivalent to that of National Park status".

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

Other (Not Allowed)

- A submission suggested that the implementation of the proposed classification "needs to be followed up with sufficient funding for pest eradication".

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

Oppose

Ecology and Landscape (Allowed)

- A submitter noted the area may have "the last remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened" and warrants a higher level of protection than that proposed, suggesting national park, wildlife management, scenic reserve, nature reserve or scientific reserve as more appropriate.
- Submissions sought a greater degree of protection highlighting the significance of the freshwater values present, including at risk/threatened species, and "extraordinary" geographic features. The importance of the size of the wetlands and linkages between the Hokitika River and Lake Mahinapua were emphasised (e.g. "the unique connection between the Hokitika River and Lake Mahinapua that Grove Swamp provides", "the moraines in this assessment area appear to be intact, and show excellent legibility", "extensive wetlands and freshwater ecosystems"). Classification as a national park, ecological area, scientific reserve, scenic reserve or wildlife management area were recommended, with addition to the Lake Mahinapua Scenic Reserve suggested.

I recommend that these comments are not accepted. My assessment is that although the natural and historic resources present may be appropriately protected under the notified proposal, I have concluded based on those submissions accepted, and considering the identified Ngāi Tahu interests, that it is appropriate to retain the area in stewardship at this time. I note that as stewardship land the area will remain protected until an appropriate classification is determined

- Submitters noted that the proposed conservation parks are in close proximity to one another and "it appears to be an inefficient way of managing land for conservation". It was recommended to combine the proposed parks where the values are similar as this "provides greater opportunity for large landscape scale management".

I recommend that these comments are not accepted. There are no specifications in the Conservation Act 1987 or Conservation General Policy regarding the size or proximity of distinct conservation parks.

Treaty Considerations (Allowed)

- Submitters expressed preference for the recommendation of the Mana Whenua Panel to "enable further discussions with the Department of Conservation about specific kaupapa" regarding "land adjacent to Lake Māhinapua where Poutini Ngāi Tahu are seeking access to the lake".

I recommend that these comments are accepted. My assessment, considering submissions accepted, is that it is reasonable in the circumstances to retain this portion of the area in stewardship to further explore Ngāi Tahu interests and aspirations, including what Treaty principles may require.

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification, or expressed concern that the classification would not provide any greater protection than the current status. Suggestions included addition to Mahinapua Reserve, Tai Poutini National 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)

- A submitter who expressed general concern about the low-level protection offered by conservation park, noted support for that classification for land "potentially containing crown minerals". The support was contingent on the land being registered as a specially protected area if significant conservation values were present.
- A submitter opposed the classification due to a lack of clarity on the activities allowed for under the conservation park status and was concerned the status would not protect the high conservation values identified.

- One submission was concerned that the change in status would affect existing permissions.

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

Process and Consultation (Not Allowed)

- A submitter stated that if a national park classification is "politically unpalatable, then political judgement calls must be made by accountable politicians, not by the Panel".
- A submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values".
- 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 to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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)

- 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 which supports reconsideration of the notified classification.

Other (Not Allowed)

- A submitter advocated for new conservation parks to "come with additional Government funding for better biodiversity work and more pest control".

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

Retain in Stewardship - HOK_33_2805698p

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

Treaty Considerations (Allowed)

- Submissions supported the position of the Mana Whenua Panel on the basis that their recommendations reflect the rights and interests of mana whenua and recognise Ngāi Tahu's connection to their ancestral lands (e.g. "by

adopting the recommendations of the Mana Whenua Panel the Minister will give effect to the principles of the Treaty of Waitangi").

- A submission supported retaining the land in stewardship to Panel to "enable further discussions with the Department of Conservation about specific kaupapa" regarding "land adjacent to Lake Māhinapua where Poutini Ngāi Tahu are seeking access to the lake".

I recommend that these comments are accepted. My assessment, considering submissions accepted, is that it is reasonable in the circumstances to retain this portion of the area in stewardship to further explore Ngāi Tahu interests and aspirations, including what Treaty principles may require.

General (Allowed)

- Submissions stated support for the proposed classification, or agreement with the Mana Whenua Panel, 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 raised, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submission advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide adequate legal protection.
- A submission supported the classification expressing concern that any change in status would affect existing permissions.

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

Oppose

Ecology and Landscape (Allowed)

- Submissions opposed the proposed classification due to the presence of at-risk/threatened species and "outstanding" freshwater ecological values, including a range of intact and well connected wetland types. The importance of the size of the wetlands and linkages between the Hokitika River and Lake Mahinapua were emphasised (e.g. "This extraordinary geographic feature, a large wetland confined by a terminal moraine from the last glaciation and sometimes the path of the Hokitika River", "Groves Swamp, home to two uncommon plants, Coprosma filifolia and Olearia virgata var. laxiflora, possibly more, as well as a population of two threatened species of fish, Galaxias argenteus and G. fasciatus, and a threatened species of bird, Australasian Bittern, Botaurus poiciloptilus").
- Classification as an ecological area, national park, scenic reserve or scientific reserve was suggested, or conservation area for the forested/swamp areas.
- Submitters advocated for classification as conservation park to recognise the ecological values present, with one submitter questioning the need for multiple parks and recommending that HOK33 and HOK21 were managed in a "holistic, mountains to sea approach in conjunction with the large tracts of native forest in their headwaters". The opportunity for restoration of the river margins and Groves Swamp were also highlighted.
- Submissions recommended either adding the entire area or the remaining indigenous parts to the Mahinapua Scenic Reserve to protect the wetlands and freshwater ecosystems.
- Submissions noted that the area lies adjacent to a land that has a higher protected status than that proposed and "is easily of equal value to the above proposed historic reserve".
- A submitter recognised the high landscape values and recommended inclusion in Te Poutini National Park.

I recommend that these comments are not accepted. My assessment is that although the natural and historic resources present may be appropriately protected under the notified proposal, I have concluded based on those submissions accepted, and considering the identified Ngāi Tahu interests, that it is appropriate to retain the area in stewardship at this time. I note that as stewardship land the area will remain protected until an appropriate classification is determined.

General (Allowed)

- Submissions stated opposition to the proposed classification, preference for the national panel recommendation of conservation park or preference for "the highest possible classification" due to the land's "high cultural conservation value".
- A submission opposed retaining land in stewardship, describing it as a "meaningless recommendation".

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 expressed concern that retaining the area as stewardship land exposes it to risk of activities such as mining or being swapped out of the conservation estate (e.g. "without rigorous protection from the environmental impacts of those industries"). Suggestions included classification as an ecological area, national park of conversely for it to be "disposed of".

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, including the timeframe for response, when compared to the scale of information notified.
- A submission recommended revisiting all recommendations to retain land in stewardship to ensure classifications give adequate protection "based on the conservation value of the land and the likely potential incursion by commercial or industrial groups".

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

Other (Not Allowed)

- A submission recommended disposal of the pasture area.

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

No Opinion/Position Stated

Access and Recreation (Allowed)

- Submissions queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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)

- A 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 which supports reconsideration of the notified classification.

Butlers (south of Woodstock-Rimu Road)

Panel Recommendations

National Panel: Conservation park (Mahinapua - Hokitika), to reflect the mosaic of values present, protecting natural and historic resources while facilitating public recreation and enjoyment of the area. The Panel acknowledges the interest of Ngāi Tahu in the conservation area 'Butlers' (NaPALIS #2805698) relating to the provision of access to Lake Mahinapua, and notes that this recommendation will not preclude the negotiation of an access arrangement with the Department.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of conservation park for the 'south of Woodstock-Rimu Road' section of this stewardship area.

Summary of accepted submissions: Those submissions 'accepted' as holding merit supported the notified status as appropriately representing the natural resources present, or noted the recreational values across the wider area.

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

The Mana Whenua Panel signalled specific Ngāi Tahu interests associated with this stewardship area, particularly that the area is nearby to Lake Māhinapua which "has a rich history and is significant to not only Poutini Ngāi Tahu, but also the wider iwi and community".

Given the Mana Whenua Panel support for the notified classification, 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, on balance the natural resources present (e.g. large wetland complex modified by fire, logging and deer browse, remnant podocarp species and fire-induced short wetland vegetation) are appropriately protected under the proposed classification, when also considering the historic resources present (e.g. historic values associated with gold mining). The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Conservation Park (Mahinapua - Hokitika) - HOK_33_2805698q

Support

Access and Recreation (Allowed)

- A submission supported the recommendation noting it would provide improved levels of protection but expressed concern that unspecified recreation values had not been recognised and visitor data had not been used to inform recommendations.

I recommend that these comments are accepted to the extent that I agree that the notified status will appropriately provide for recreational use of the area (e.g. A potential extension of West Coast Wilderness Trail though the area). The proposed conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Ecology and Landscape (Allowed)

- Submissions highlighted the "outstanding" ecological values present including threatened and at risk species. They emphasised the range of intact and well connected wetland types and highlighted the linkages between the Hokitika River and Lake Mahinapua (e.g. "This area contains a range of wetland types extensive swamp, bog, lakes, and streams, and form a highly functioning mosaic of habitat for wetland and freshwater species between the Hokitika River and Lake Mahināpua", "home to two uncommon plants, Coprosma filifolia and Olearia virgata var. laxiflora") and supported the classification as allowing natural river functions and potential restoration.
- A submitter recommended classification as a conservation area for forested/swamp areas.

I recommend that these comments are accepted. I agree that the natural resources present (e.g. large wetland complex modified by fire, logging and deer browse, remnant podocarp species and fire-induced short wetland vegetation) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

- Submitters supported the classification but queried the need for multiple parks instead recommending that HOK33 and HOK21 were managed in a "holistic, mountains to sea approach in conjunction with the large tracts of native forest in their headwaters". The opportunity for restoration of the river margins and Groves Swamp was also highlighted.

I recommend that these comments are accepted to the extent that I agree the natural resources present are appropriately protected under the proposed classification. There are no specifications in the Conservation Act 1987 or Conservation General Policy regarding the size or proximity of distinct conservation parks.

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, or agreed it reflected the "information in the technical reports".
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level based on its "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.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter expressed "trust that Conservation Park status will provide full protection from any future mining applications in these areas".
- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide "more than adequate legal protection".
- Submissions in support of conservation park advocated for greater protection from "intrusive development" such as mining and hydro schemes, stating that "most of the Southern Alps deserves protection equivalent to that of National Park status".
- A submission opposed the status due to concerns that any change in status would affect existing permissions.

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

Other (Not Allowed)

- A submission suggested that the implementation of the proposed classification "needs to be followed up with sufficient funding for pest eradication".
- A submission recommended disposal of the pasture area.

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

Oppose

Ecology and Landscape (Allowed)

- Submissions sought a greater degree of protection based on the "outstanding" landscape and freshwater values, including at risk/threatened species. Several submitters emphasised the value of the extensive wetlands and swamps (noting Groves Swamp in particular) and highlighted their size, intactness and connection to the Hokitika River and Lake Mahinapua (e.g. "extensive wetlands and freshwater ecosystems", "naturally uncommon ecosystems including dunes and wetlands", "The majority of this assessment deserves better protection that Conservation Park, especially given the very high freshwater values, and the unique connection between the Hokitika River and Lake Mahinapua that Grove Swamp provides").
- Submissions noted the "extraordinary" geographic features and that "most of the terminal the moraines in this assessment area appear to be intact, and show excellent legibility" in contrast to the surrounding development.

- To protect the values present submitters proposed a range of classifications including national park (or addition to Tai Poutini National Park), ecological area, scientific reserve, scenic reserve (or addition to Lake Mahinapua Scenic Reserve) and wildlife management area.
- A submission noted an adjacent land parcel has a higher protection status than the conservation park classification proposed.

I recommend that these comments are not accepted. My assessment is that the natural resources present (e.g. large wetland complex modified by fire, logging and deer browse, remnant podocarp species and fire-induced short wetland vegetation) are appropriately protected under the proposed classification. The points raised do not warrant overturning the notified intent. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

- Submitters noted that the proposed conservation parks are in close proximity to one another and "it appears to be an inefficient way of managing land for conservation". It was recommended to combine the proposed parks where the values are similar as this "provides greater opportunity for large landscape scale management".

I recommend that these comments are not accepted. There are no specifications in the Conservation Act 1987 or Conservation General Policy regarding the size or proximity of distinct conservation parks.

Treaty Considerations (Allowed)

- Submitters opposed the classification and supported retention as stewardship land to allow for assessment of Ngāi Tahu interests.

I recommend that these comments are not accepted. My assessment is that the natural resources present (e.g. large wetland complex modified by fire, logging and deer browse, remnant podocarp species and fire-induced short wetland vegetation) are appropriately protected under the proposed classification. I note that the Mana Whenua Panel have not opposed the proposed classification for this section of the stewardship area, and therefore consider that the it is not inconsistent with the identified interests.

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification, or expressed concern that the classification would not provide any greater protection than the current status. Suggestions included ecological area.

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 were concerned about the low-level of protection offered by conservation park status, and expressed the view that "this amazing area" will not be protected from "mining, hydro power schemes or other developments". Ecological areas and national park were recommended as alternatives. A submission noted support for conservation park status for land "potentially containing crown minerals" contingent on the land being registered as a specially protected area if significant conservation values were present.
- A submitter opposed the classification due to a lack of clarity on the activities allowed for under the conservation park status and was concerned the status would not protect the high conservation values identified.
- One submission was concerned that the change in status would affect existing permissions.

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

Process and Consultation (Not Allowed)

- A submitter stated that if a national park classification is "politically unpalatable, then political judgement calls must be made by accountable politicians, not by the Panel".
- A submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values".
- 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 to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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)

- 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 which supports reconsideration of the notified classification.

Other (Not Allowed)

- A submitter advocated for new conservation parks to "come with additional Government funding for better biodiversity work and more pest control".

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

HOK_34 – Camp Creek – 2805700

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Camp Creek	HOK_34_2805700f	Wildlife Management Area	Neutral	9	7

DOC Conservation Values Report Description

A 141.2988-ha area which includes remnant and regenerating indigenous forest, scrubland, wetlands, forested gullies and streams. The habitat is distinctively adult giant kōkopu territory. Tōtara River Scenic Reserve is nearby on the other side of the West Coast Wilderness Trail which runs along the coastal side of the area and provides access. Occasional hunting may occur. There is an active mining permit for alluvial mining at Butlers. There may be archaeological evidence associated with gold mining.

The four areas that comprise HOK_34 need to be viewed together, as functionally they are very connected by the hydrology and existing habitat corridors of the Totara Lagoon wetland, scheduled as significant in the Regional Plan.

Panel Recommendations

National Panel: Wildlife management area, as the area is largely contiguous with Totara Lagoon Wildlife Management Reserve and classifying this conservation area similarly will provide continuity of landscape and appropriate protection for the endangered wetlands and their at-risk inhabitants.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of wildlife management area.

Summary of accepted submissions: The submissions 'accepted' as holding merit supported the proposed classification as appropriately reflecting the natural resources present and reflecting the landscape context.

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 promote the conservation of the natural and historic resources present while providing for their appreciation and recreational enjoyment by the public, being managed so that "its indigenous natural resources and its historic resources are protected" (Conservation Act 1987, s. 23B(1)).

Wildlife Management Area - HOK_34_2805700f

Support

Ecology and Landscape (Allowed)

- A submitter supported the proposed classification as it would protect against degradation of the land.
- A submitter supported the recommended classification noting it would be sensible to add it to the Upper Totara Wildlife Management Reserve and that the "high natural values present including a Nationally Significant wetland", justify the classification.

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present which warrant consideration. I agree that the natural resources present are appropriately protected and preserved by the proposed classification. Wildlife management areas are managed so that "wildlife and wildlife habitat values (including the capacity for the movement of wildlife, genetic material of indigenous plants, and genetic material of wildlife) are protected" (Conservation Act 1987, s. 23B(1)).

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification or agreed they reflected the "information in the technical reports".
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Oppose

Climate Change and Natural Hazards (Allowed)

- A submitter opposed the recommendation stating the area holds "opportunities for carbon sequestration", and advocated for an alternative classification as an ecological area.

I recommend that these comments are not accepted. The proposed classification will support the protection of the natural resources present, and as a result the area's climate mitigation potential. The points raised do not justify overturning the notified intention. Wildlife management areas are managed to protect wildlife and wildlife habitat values, including so "that its indigenous natural resources and its historic resources are protected" (Conservation Act 1987, s. 23B(1)).

Ecology and Landscape (Allowed)

- A submitter noted the area to contain depleted ecosystems "in relatively good condition" and advocated for classification as an ecological area "for restoration of depleted indigenous ecosystems".

I recommend that these comments are not accepted. It is my assessment that the natural resources present are appropriately protected and preserved by the proposed classification. Wildlife management areas are managed so that "wildlife and wildlife habitat values (including the capacity for the movement of wildlife, genetic material of indigenous plants, and genetic material of wildlife) are protected" (Conservation Act 1987, s. 23B(1)).

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions opposed the recommendation based on concerns that a change in status will affect the existing permissions (a mining access arrangement for alluvial mining at Butlers).

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)

- A submission opposed all reclassification of stewardship land to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

As I have recommended these comments are not allowed, I recommend they are not accepted. No 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.

HOK_34 – Woolhouse Creek – 2805701

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Woolhouse Creek	HOK_34_2805701g	Wildlife Management Area	Neutral	9	8

DOC Conservation Values Report Description

An 84.9127-ha area which includes remnant and regenerating indigenous forest, scrubland, wetlands, forested gullies and streams. The habitat is distinctively adult giant kōkopu territory. Tōtara River Scenic Reserve is nearby on the other side of the West Coast Wilderness Trail which runs along the coastal side of the area and provides access. Occasional hunting may occur. There is an active mining permit for alluvial mining at Butlers. There may be archaeological evidence associated with gold mining.

The four areas that comprise HOK_34 need to be viewed together, as functionally they are very connected by the hydrology and existing habitat corridors of the Totara Lagoon wetland, scheduled as significant in the Regional Plan.

Panel Recommendations

National Panel: Wildlife management area, as the area is largely contiguous with Totara Lagoon Wildlife Management Reserve and classifying this conservation area similarly will provide continuity of landscape and appropriate protection for the endangered wetlands and their at-risk inhabitants.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of wildlife management area.

Summary of accepted submissions: The submissions 'accepted' as holding merit supported the proposed classification as appropriately reflecting the natural resources present and reflecting the landscape context.

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."

My s. 49(2)(d) recommendation is to implement the notified intention.

Rationale: My conclusion is that the proposed classification will promote the conservation of the natural and historic resources present while providing for their appreciation and recreational enjoyment by the public, being managed so that "its indigenous natural resources and its historic resources are protected" (Conservation Act 1987, s. 23B(1)).

Wildlife Management Area - HOK_34_2805701g

Support

Ecology and Landscape (Allowed)

- A submitter supported the proposed classification as it would protect against degradation of the land.
- A submitter supported the recommended classification noting it would be sensible to add it to the Upper Totara Wildlife Management Reserve and that the "high natural values present including a Nationally Significant wetland", justify the classification.

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present which warrant consideration. I agree that the natural resources present are appropriately protected and preserved by the proposed classification. Wildlife management areas are managed so that "wildlife and wildlife habitat values (including the capacity for the movement of wildlife, genetic material of indigenous plants, and genetic material of wildlife) are protected" (Conservation Act 1987, s. 23B(1)).

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification or agreed they reflected the "information in the technical reports".
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Oppose

Climate Change and Natural Hazards (Allowed)

- A submitter opposed the recommendation stating the area holds "opportunities for carbon sequestration", and advocated for an alternative classification as an ecological area.

I recommend that these comments are not accepted. The proposed classification will support the protection of the natural resources present, and as a result the area's climate mitigation potential. The points raised do not justify overturning the notified intention. Wildlife management areas are managed to protect wildlife and wildlife habitat values, including so "that its indigenous natural resources and its historic resources are protected" (Conservation Act 1987, s. 23B(1)).

Ecology and Landscape (Allowed)

- A submitter noted the area to contain depleted ecosystems "in relatively good condition" and advocated for classification as an ecological area "for restoration of depleted indigenous ecosystems".

I recommend that these comments are not accepted. It is my assessment that the natural resources present are appropriately protected and preserved by the proposed classification. Wildlife management areas are managed so that "wildlife and wildlife habitat values (including the capacity for the movement of wildlife, genetic material of indigenous plants, and genetic material of wildlife) are protected" (Conservation Act 1987, s. 23B(1)).

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions opposed reclassification, noting that it would have a "negative impact on the potential economic benefit", that there are too many restrictions already and with concerns that a change in status will affect the existing permissions (a mining access arrangement for alluvial mining at Butlers).

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)

- A submission opposed all reclassification of stewardship land to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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.

HOK_34 – Bennett Creek – 3267740

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Bennett Creek	HOK_34_3267740h	Wildlife Management Area	Neutral	9	6

DOC Conservation Values Report Description

A 47.3947 ha area which includes remnant and regenerating indigenous forest, scrubland, wetlands, forested gullies and streams. The habitat is distinctively adult giant kōkopu territory. Tōtara River Scenic Reserve is nearby on the other side of the West Coast Wilderness Trail which runs along the coastal side of the area and provides access. Occasional hunting may occur. There is an active mining permit for alluvial mining at Butlers. There may be archaeological evidence associated with gold mining.

The four areas that comprise HOK_34 need to be viewed together, as functionally they are very connected by the hydrology and existing habitat corridors of the Totara Lagoon wetland, scheduled as significant in the Regional Plan.

Panel Recommendations

National Panel: Wildlife management area, as the area is largely contiguous with Totara Lagoon Wildlife Management Reserve and classifying this conservation area similarly will provide continuity of landscape and appropriate protection for the endangered wetlands and their at-risk inhabitants.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of wildlife management area.

Summary of accepted submissions: The submissions 'accepted' as holding merit supported the proposed classification as appropriately reflecting the natural resources present and reflecting the landscape context.

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 promote the conservation of the natural and historic resources present while providing for their appreciation and recreational enjoyment by the public, being managed so that "its indigenous natural resources and its historic resources are protected" (Conservation Act 1987, s. 23B(1)).

Wildlife Management Area - HOK_34_3267740h

Support

Ecology and Landscape (Allowed)

- A submitter supported the proposed classification as it would protect against degradation of the land.
- A submitter supported the recommended classification noting it would be sensible to add it to the Upper Totara Wildlife Management Reserve and that the "high natural values present including a Nationally Significant wetland", justify the classification.

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present which warrant consideration. I agree that the natural resources present are appropriately protected and preserved by the proposed classification. Wildlife management areas are managed so that "wildlife and wildlife habitat values (including the capacity for the movement of wildlife, genetic material of indigenous plants, and genetic material of wildlife) are protected" (Conservation Act 1987, s. 23B(1)).

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification or agreed they reflected the "information in the technical reports".
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Oppose

Climate Change and Natural Hazards (Allowed)

- A submitter opposed the recommendation stating the area holds "opportunities for carbon sequestration", and advocated for an alternative classification as an ecological area.

I recommend that these comments are not accepted. The proposed classification will support the protection of the natural resources present, and as a result the area's climate mitigation potential. The points raised do not justify overturning the notified intention. Wildlife management areas are managed to protect wildlife and wildlife habitat values, including so "that its indigenous natural resources and its historic resources are protected" (Conservation Act 1987, s. 23B(1)).

Ecology and Landscape (Allowed)

- A submitter noted the area to contain depleted ecosystems "in relatively good condition" and advocated for classification as an ecological area "for restoration of depleted indigenous ecosystems".

I recommend that these comments are not accepted. It is my assessment that the natural resources present are appropriately protected and preserved by the proposed classification. Wildlife management areas are managed so that "wildlife and wildlife habitat values (including the capacity for the movement of wildlife, genetic material of indigenous plants, and genetic material of wildlife) are protected" (Conservation Act 1987, s. 23B(1)).

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions opposed the recommendation based on concerns that a change in status will affect the existing permissions (a mining access arrangement for alluvial mining at Butlers).

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)

- A submission opposed all reclassification of stewardship land to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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.

HOK_35 – Woolhouse Creek – 2805702

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Woolhouse Creek	HOK_35_2805702i	Conservation Park (Tōtara)	Neutral	11	12

DOC Conservation Values Report Description

A 251.5476-ha forested area which includes the toe slopes of Constitution Hill and the terrace with Woolhouse Creek. It is surrounded by highly modified landscape including farmland and pine. There is historic wetland data for pākihi wetlands here. The area sits adjacent to HOK_43 on Constitution Hill, which has large areas of old-growth podocarp forest. The area is likely to get low levels of recreation use other than occasional hunting. There may be historical value in the association with sawmilling in the mid-20th century.

Panel Recommendations

National Panel: Conservation park (Tōtara), to reflect the mosaic of values present, protecting natural and historic resources while facilitating public recreation and enjoyment of the area.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of conservation park.

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 classification.

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 on balance the natural resources present (e.g. regenerating native shrubland, majority of the assessment area is lowland forest ecosystem) are appropriately protected under the proposed classification, when also considering the historic resources present (e.g. Aassociated with mid-twentieth century sawmilling). The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Conservation Park (Tōtara) - HOK_35_2805702i

Support

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, or agreed it reflected the "information in the technical reports". A submitter supported the proposal but suggested adding the area to the Mikonui Conservation Park.
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter expressed "trust that Conservation Park status will provide full protection from any future mining applications in these areas".

- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide "more than adequate legal protection".
- A submission in support of conservation park advocated for greater protection from "intrusive development" such as mining and hydro schemes, stating that "most of the Southern Alps deserves protection equivalent to that of National Park status".

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

Other (Not Allowed)

- A submission suggested that the implementation of the proposed classification "needs to be followed up with sufficient funding for pest eradication".

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

Oppose

Access and Recreation (Allowed)

- A submission opposed the classification noting that there are likely "unexplored Nationally Significant canyons" present. Classification as an ecological area was recommended due to the ecological and recreational values.

I recommend that these comments are not accepted. My assessment is that the public recreational access to the area is appropriately protected by the proposed classification. The proposed conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Ecology and Landscape (Allowed)

- A submitter advocated for classification as an ecological area noting the area contains naturally uncommon ecosystems and depleted ecosystems "including dunes and wetlands" in relatively good condition.
- Submitters provided details of the wider ecological context of the area, referring to values in the adjacent Mikonui Totara Forest Conservation Area, including high landscape, freshwater and recreational values, the presence of and the glacial geomorphology, recommending ecological area as more appropriate.
- A submitter noted the area may have "the last remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened" and warrants a higher level of protection than that proposed, suggesting national park, wildlife management, scenic reserve, nature reserve or scientific reserve as more appropriate.

I recommend that these comments are not accepted. My assessment is that the natural resources present (e.g. regenerating native shrubland, majority of the assessment area is lowland forest ecosystem) are appropriately protected under the proposed classification, when also considering the historic resources present. The points raised do not warrant overturning the notified intent. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

- Submitters noted that the proposed conservation parks are in close proximity to one another and "it appears to be an inefficient way of managing land for conservation". It was recommended to combine the proposed parks where the values are similar as this "provides greater opportunity for large landscape scale management".

I recommend that these comments are not accepted. There are no specifications in the Conservation Act 1987 or Conservation General Policy regarding the size or proximity of distinct conservation parks.

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification, or expressed concern that the classification would not provide any greater protection than the current 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)

- A submitter who expressed general concern about the low-level protection offered by conservation park, noted support for that classification for land "potentially containing crown minerals". The support was contingent on the land being registered as a specially protected area if significant conservation values were present.
- A submitter opposed the classification due to a lack of clarity on the activities allowed for under the conservation park status stating concern the status would not protect the high conservation values identified.
- One submission sought greater clarity on the possible economic activities that may occur, as signalled in the recommendation report.
- One submitter opposed the classification due to its "negative impact on the potential economic benefit" derived from the area.

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 submitter stated that if a national park classification is "politically unpalatable, then political judgement calls must be made by accountable politicians, not by the Panel".
- A submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values".

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 to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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)

- 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 which supports reconsideration of the notified classification.

Other (Not Allowed)

- A submitter advocated for new conservation parks to "come with additional Government funding for better biodiversity work and more pest control".

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

HOK_35 – Tarleton Falls – 2806245

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Tarleton Falls	HOK_35_2806245j	Conservation Park (Kowhitirangi)	Neutral	10	33

DOC Conservation Values Report Description

An 82.9445-ha forested area surrounded by highly modified landscape, including farmland and pine. There is historic wetland data for pākihi wetlands here. The area sits adjacent to Hok_ 21 Kokatahi/Hokitika Riverbed conservation area. The area is likely to get low levels of recreation use other than occasional hunting. There may be historical value in the association with sawmilling in the mid-twentieth century.

Panel Recommendations

National Panel: Conservation park (Kowhitirangi), to reflect the mosaic of values present, protecting natural and historic resources while facilitating public recreation and enjoyment of the area.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of conservation park.

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 classification.

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 on balance the natural resources present (e.g. regenerating native shrubland, majority of the assessment area is lowland forest ecosystem) are appropriately protected under the proposed classification, when also considering the historic resources present (e.g. associated with mid-twentieth century sawmilling). The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Conservation Park (Kowhitirangi) - HOK_35_2806245j

Support

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, or agreed it reflected the "information in the technical reports".
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter expressed "trust that Conservation Park status will provide full protection from any future mining applications in these areas".
- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide "more than adequate legal protection".

- A submission in support of conservation park advocated for greater protection from "intrusive development" such as mining and hydro schemes, stating that "most of the Southern Alps deserves protection equivalent to that of National Park status".

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

Other (Not Allowed)

- A submission suggested that the implementation of the proposed classification "needs to be followed up with sufficient funding for pest eradication".

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

Oppose

Access and Recreation (Allowed)

- Submissions provided details of the wider recreational context noting the high values in the adjacent Mikonui and Totara catchments and popularity of activities including kayaking, canyoning, packrafting, hunting and tramping. Several rivers were referred to, but none within this assessment area.
- Submitters recommended ecological area across the wider catchment due to the high recreational values.

I recommend that these comments are not accepted. My assessment is that the public recreational access to the area is appropriately protected by the proposed classification. The proposed conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Ecology and Landscape (Allowed)

- A submitter noted the area may have "the last remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened" and warrants a higher level of protection than that proposed, suggesting national park, wildlife management, scenic reserve, nature reserve or scientific reserve as more appropriate.
- Submissions recommended ecological area or national park as more appropriate in recognition of the high freshwater, landscape and conservation values of the wider area (e.g. "it would provide better protection and allow for the restoration of the ecological integrity of the combined area").

I recommend that these comments are not accepted. My assessment is that the natural resources present (e.g. regenerating native shrubland, majority of the assessment area is lowland forest ecosystem) are appropriately protected under the proposed classification, when also considering the historic resources present. The points raised do not warrant overturning the notified intent. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

- Submitters noted that the proposed conservation parks are in close proximity to one another and "it appears to be an inefficient way of managing land for conservation". It was recommended to combine the proposed parks where the values are similar as this "provides greater opportunity for large landscape scale management".

I recommend that these comments are not accepted. There are no specifications in the Conservation Act 1987 or Conservation General Policy regarding the size or proximity of distinct conservation parks.

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification, or expressed concern that the classification would not provide any greater protection than the current status. Classification as a national park was recommended.

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 submitter who expressed general concern about the low-level protection offered by conservation park, noted support for that classification for land "potentially containing crown minerals". The support was contingent on the land being registered as a specially protected area if significant conservation values were present.
- A submitter opposed the classification due to a lack of clarity on the activities allowed for under the conservation park status and was concerned the status would not protect the high conservation values identified.
- One submission sought greater clarity on the possible economic activities that may occur, as signalled in the recommendation report.
- A submitter opposed the classification due to its "negative impact on the potential economic benefit" derived from the area.

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

Process and Consultation (Not Allowed)

- A submitter stated that if a national park classification is "politically unpalatable, then political judgement calls must be made by accountable politicians, not by the Panel".
- A submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values".
- 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 to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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)

- 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 which supports reconsideration of the notified classification.

Other (Not Allowed)

- A submitter advocated for new conservation parks to "come with additional Government funding for better biodiversity work and more pest control".

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

HOK_36 – Camelback – 2805721

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Camelback	HOK_36_2805721k	Scenic Reserve (a)	Neutral	11	7

DOC Conservation Values Report Description

An 89.181-ha area on the eastern slope of Mt Camelback (569 m above sea level), cloaked in indigenous forest. It plays an important role in extending forested habitat for bird, lizard and invertebrate species that may be present at Mt Camelback. It is surrounded by a highly modified landscape, predominantly farmed. There is a small limestone quarry at the base. There is access but no DOC-managed tracks or facilities. The area likely gets low levels of recreation use other than locals climbing Mt Camelback.

Panel Recommendations

National Panel: Scenic reserve (a), as part of the adjacent Mt Camelback Scenic Reserve.

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 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. indigenous forest).

Scenic Reserve (a) - HOK_36_2805721k

Support

Climate Change and Natural Hazards (Allowed)

- A submitter supported the proposed classification as offering a high level of protection "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)

- A submitter supported the proposed reclassification and addition to Mt Camelback Scenic Reserve as it will provide more habitat for indigenous fauna species "including lizards and some invertebrate".
- A submitter supported the proposed classification noting specific values "of a limestone ecosystem are present", and noting the presence of native trees such as rimu, kamahi and kahikatea.

I recommend that these comments are accepted. I agree that the natural resources identified are appropriately protected and preserved by the proposed 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)).

General (Allowed)

- Submissions expressed general support for the proposed classification, referencing the "information in the technical reports" or without providing further justification.
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Oppose

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions opposed reclassification with concerns that a change in land status will affect access to the current quarry.
- Submissions opposed reclassification as scenic reserve, noting that though it does not prohibit mining it adds extra restrictions, would have negative economic benefits, and there are too many restrictions already. Some suggested that retaining the land in stewardship or reclassifying it as a conservation park provides adequate legal protection, while allowing commercial activities 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)

- A submission opposed all reclassification of stewardship land to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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)

- 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 which supports reconsideration of the notified classification.

Other (Not Allowed)

- Submissions noted they were concerned about health and safety in the area and proposed to put a buffer around the mining area and to remove the walking track between the two quarries to mitigate risk.

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

HOK_37 – Lake Arthur – 2805708

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Lake Arthur	HOK_37_2805708l	Scenic Reserve (a)	Neutral	9	5

DOC Conservation Values Report Description

A 42.9561-ha area of primarily forest that contains a distinctive and unusual mosaic of small lakes, wetlands, and stream reaches adjacent to two sections of Lake Arthur Scenic Reserve. Straddles the Hokitika and Whitcombe ecological districts. It provides a diverse range of habitats for different life stages of many fish. Little recreational use apart from the occasional local hunter.

Panel Recommendations

National Panel: Scenic reserve (a) will provide appropriate protection for the identified values as well as continuity of landscape with the adjoining Lake Arthur Scenic Reserve and across the wider region.

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 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. mosaic of small lakes, wetlands, and stream reaches).

Scenic Reserve (a) - HOK_37_2805708l

Support

Climate Change and Natural Hazards (Allowed)

- A submitter supported the proposed classification as offering a high level of protection "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)

- A submitter supported the proposed classification noting "It adjoins the Lake Arthur Scenic Reserve and will provide for the protection of important habitat".

I recommend that these comments are accepted. I agree that the natural resources identified are appropriately protected and preserved by the proposed 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)).

General (Allowed)

- Submissions expressed general support for the proposed classification, referencing the "information in the technical reports" or without providing further justification.
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Oppose

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions 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 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)

- A submission opposed all reclassification of stewardship land to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access" and suggested that game bird hunting is recognised and enabled in this recommendation.

I recommend that these comments are not accepted. No 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.

Ecology and Landscape (Allowed)

- A submission noted the kahikatea regeneration hard pressed against developed pasture within this stewardship land.

I recommend that these comments are not accepted. My assessment is that the natural resources present are appropriately protected and preserved by the proposed classification. The points raised do not warrant overturning the notified intent. 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 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 which supports reconsideration of the notified classification.

HOK_37 – Lake Arthur – 2805709

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Lake Arthur	HOK_37_2805709m	Scenic Reserve (a)	Neutral	9	5

DOC Conservation Values Report Description

A 42.9561-ha area of primarily forest adjacent to the Lake Arthur Scenic Reserve. Straddles the Hokitika and Whitcombe ecological districts. Along with the other areas in HOK_37, it contains a distinctive and unusual mosaic of small lakes, wetlands, and stream reaches that provide a diverse range of habitats for different life stages of many fish. Little recreational use apart from the occasional local hunter.

Panel Recommendations

National Panel: Scenic reserve (a) will provide appropriate protection for the identified values as well as continuity of landscape with the adjoining Lake Arthur Scenic Reserve and across the wider region.

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 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. mosaic of small lakes, wetlands, and stream reaches).

Scenic Reserve (a) - HOK_37_2805709m

Support

Climate Change and Natural Hazards (Allowed)

- A submitter supported the proposed classification as offering a high level of protection "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)

- A submitter supported the proposed classification as it is next to the Lake Arthur Scenic Reserve and "will provide for the protection of important habitat".

I recommend that these comments are accepted. I agree that the natural resources identified are appropriately protected and preserved by the proposed 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)).

General (Allowed)

- Submissions expressed general support for the proposed classification, referencing the "information in the technical reports" or without providing further justification.
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Oppose

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions 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 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)

- A submission opposed all reclassification of stewardship land to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access" and suggested that game bird hunting is recognised and enabled in this recommendation.

I recommend that these comments are not accepted. No 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)

- 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 which supports reconsideration of the notified classification.

HOK_38 – Tōtara River – 2805703

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Tōtara River (Pasture)	HOK_38_2805703r	Disposal	Disposal	7	26
Tōtara River (Riverbed)	HOK_38_2805703s	Local Purpose (River Conservation) Reserve	Neutral	10	14

DOC Conservation Values Report Description

A 6.4038-ha area covering parts of Tōtara River north of the town of Ross and south of Hokitika township. Survey records from within and just beyond these areas represent a diverse fish fauna with multiple threatened species. All whitebait species will use this reach of Tōtara River to access habitat upstream. The areas may also act as habitat corridors or islands to enable the movement of species, even if just small distances, within a highly modified landscape. Whitebaiters use the area below the historic Tōtara River Rail Bridge during the season, occasional fishing happens on the river and locals have put kayaks below the rail bridge to paddle Tōtara Lagoon. There is gold mining history.

Tōtara River (Pasture)

Panel Recommendations

National Panel: Disposal is considered for this pastoral area.

Mana Whenua Panel: Disposal, as the area is 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 this stewardship 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 where there are no conservation values remaining. Also accepted were comments noting that this was 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 classification, supported by submissions from Treaty partner organisations, on the grounds that the area is 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 hold little conservation value and warrant further consideration as to the suitability of disposal.

Disposal - HOK_38_2805703r

Support

Access and Recreation (Allowed)

- A submission agreed that the land did not hold any recreational values and was therefore suitable for disposal.

I recommend that these comments are accepted. The pastoral area recommended for disposal does not hold any reported recreational value or provide public access to the river, supporting a disposal investigation.

Ecology and Landscape (Allowed)

I recommend that these comments are accepted. The pastoral area recommended for disposal consists of exotic grassland and holds low conservation values, supporting a disposal investigation. 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 on the basis that these recommendations reflect the rights and interests of mana whenua, recognise Ngāi Tahu's connection to their ancestral lands, and

fulfil obligations under the Treaty of Waitangi (e.g. "by adopting the recommendations of the Mana Whenua Panel the Minister will give effect to the principles of the Treaty of Waitangi").

I recommend that these comments are accepted. I agree that the pastoral components hold little conservation value and warrant further consideration as to the suitability of disposal. I note that the Mana Whenua Panel have supported the proposed disposal investigation.

General (Allowed)

- A submission expressed general support for the recommendation by the Mana Whenua Panel.

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.

Oppose

Access and Recreation (Allowed)

- Submissions objected to disposal on the grounds that this represents a loss of public access and ability for future generations to enjoy these areas, expressed opposition to any disposal which means a loss of recreation opportunities such as angling or hunting, or requested "appropriate mechanisms are used to ensure existing and future public use is maintained or improved" (e.g. "Many grazed river valleys provide the only public access to the backcountry. Access should not denied through sale and privatisation", "Even where large riparian margins are left for public access and to allow for movement of the river, these are often inadequate, and the result is fragments of public access amongst farmland).
- A submission highlighted that there is public access along the length of the river and sale of this area could preclude this access.

I recommend that these comments are not accepted. The pastoral area does not provide practical access to the river from road or public conservation land, and there are no reported current recreation uses which warrant overturning the notified intention. The pastoral area recommended for disposal consists of exotic grassland and holds low conservation values, supporting a disposal investigation. Any potential disposal arising from the Departmental investigation will trigger the formation of marginal strips for qualifying waterbodies which will secure ongoing public access along the riparian corridor.

Climate Change and Natural Hazards (Allowed)

- Submissions opposed disposal on the grounds that it forgoes future opportunities such as carbon sequestration and climate mitigation, and the land should be protected for future generations. Particular emphasis was placed on retaining land by rivers (e.g. "The opportunities for carbon sequestration through indigenous vegetation are rapidly diminishing and every hectare of the conservation estate is of value", "they would be perfect for restoration and revegetation to allow for example, riverbeds to flow along wider braids than being continually constrained and leading to increased flooding", "more weight should be given to preparation for climate change adaption areas that could become flood prone or used to allow rivers more room"). Classification as a scenic reserve or ecological reserve was recommended by one submitter.
- A submitter opposed the classification, noting the opportunity for "ecosystem restoration in response to flood events or coastal erosion", and seeking classification as a government purpose reserve (river floodplain) or scenic reserve.
- Submissions argued that disposing of public conservation land compromises future sustainability and climate mitigation options, noting that climate change is heightening pressure on ecosystems.
- A submitter stated that no land should be disposed of if there is potential for restoration and that riverbeds and adjacent land should be retained for flood retention, with no grazing permitted.

I recommend that these comments are not accepted. The pastoral area's highly modified nature (exotic grassland) and landscape context (bordered by private farmland) limit the effectiveness of restoration for 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 highlighted the importance of retaining land in Crown ownership to allow natural river processes and restoration to occur, noting the "unintended consequences" of disposal such as erosion or infrastructure damage (e.g. "In almost all cases these areas have historically been part of the riverbed, and the rivers need this buffer to be able to move around without causing damage to infrastructure and farming assets").
- Submissions opposed disposal where there is poor ecological representation in existing protected areas, recommending that lowland river terraces remain in public conservation land as so little remains and there is the potential for restoration and regeneration.
- Submissions expressed opposition to any disposal of stewardship land on the grounds that there are likely to be natural values remaining, are likely to contain some indigenous species ("juncus, carex etc"), or that even highly modified land holds opportunities for ecosystem restoration. A submission stated that the land represents "a broad cross section of indigenous ecosystems, in various states of regeneration".
- Submissions highlighted the freshwater and riparian values, noting the presence of "acutely threatened habitat" and importance a "corridor" of land may provide for species, recommending retention by DOC. Classification as a scenic reserve or Local Purpose River Conservation were suggested.
- One submission recommended that only modified landlocked sites without restoration potential should be disposed of.

I recommend that these comments are <u>not accepted</u>. The pastoral components of the area are highly modified, and its size and landscape context (bordered by private farmland) limit the effectiveness of retaining the area for restoration. The low conservation values of the pastoral area justify referral 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. Further, 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.

Treaty Considerations (Allowed)

- One submission stated no stewardship land should be disposed of, except to tangata whenua, "and only then with the need to maintain the block's cultural, conservation & mahika-kai values".
- One submission expressed a desire for maximum protection to allow nature to thrive, in keeping with the approach of the indigenous people of Aotearoa.

I recommend that these comments are <u>not accepted</u>. The proposed disposal investigation was supported by the Mana Whenua Panel, and any potential disposal of relevant land arising from the Departmental investigation will be subject to the first right of refusal process as set out in the Ngāi Tahu Claims Settlement Act 1998. The highly modified area is unlikely to hold substantive "conservation & mahika-kai values". The low conservation values of the pastoral area justify referral to the Department to investigate the suitability of disposal

General (Allowed)

- Submissions expressed opposition to disposal of any stewardship land in general terms, expressed a desire for maximum environmental protection, such as national park classification, or supported "a cautionary approach".

I recommend that these comments are <u>not accepted</u>. 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 expressed opposition to disposal of any stewardship land and sought protection from development, mining, or other extractive activities.
- Submissions expressed concern about the impacts of grazing and gravel extraction activities by waterways recommending the area be protected rather than disposed of.
- Submission recommending investigating land swaps with adjacent land owners to "bring conservation benefit" and more of the river into public ownership.
- A submission opposed disposal due to concern it will affect existing permissions and river activities.

- A submission recommended consideration of potential productivity and whether the land could be used to support future food security.
- A submission noted that there will be "little or no added management burden to retain these lands" and disposal may cause additional costs to be incurred, stating the view that the only "advantage" to the disposal is to those grazing the land.

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, including the timeframe for response, when compared to the scale of information notified.
- A submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values" (e.g. "revised recommendations must be consistent with genuine technical assessments of the conservation values").

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

Other (Not Allowed)

- One submission suggested any funds from land sold should go to the Nature Heritage Fund.
- A submission stated disposal should only occur if covenants requiring riparian planting and cessation of grazing are put in place.

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. 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)

- One submission noted that disposal of land will be subject to Heritage New Zealand Pouhere Taonga Notification Process for Disposal of Crown-owned Land.

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

Tōtara River (Riverbed)

Panel Recommendations

National Panel: Local purpose (river conservation) reserve, to appropriately reflect the identified values.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Do not proceed with the notified proposal of local purpose (river conservation) reserve for the 'riverbed' section of the stewardship area.

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 - HOK_38_2805703s

Support

Ecology and Landscape (Allowed)

- One submission supported the recommendation for "ecological reasons" noting that riverbeds move over time.
- A submitter supported protecting the area as it "may provide corridors for birds and fish".

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)

- One submission in support noted that cattle grazing is inconsistent with improved water quality, while another noted their assumption that no grazing concessions would be 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 opposed the classification on the basis it does not consider climate change impacts and mitigation opportunities including carbon sequestration, floodplain buffering and ecosystem restoration suggesting other classifications would be more appropriate (e.g. "these recommendations do not give consideration (active or not)

nor effect to the very high and nationally important natural conservation values of the rivers, which include the rivers themselves, and the unfolding of nationally outstanding natural ecological processes and dynamics under climate change, nor nationally important conservation outcomes that could be achieved in the future".

- Submissions proposed government purpose (climate mitigation) reserve or government purpose reserve (river floodplain) as possible classifications. As possible classifications.
- Submissions recommended an ecosystem or catchment based approach to the classification of riverbeds to build resilience for habitats and climate mitigation (e.g. "These values and outcomes are realised principally in allowing the land to move and evolve without obstruction or modification, and in allowing natural vegetation regeneration, and also better realised if rivers and coasts are administered as whole systems").

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 there was no certainty it would protect freshwater values, natural values and the natural processes of the river.
- 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 (e.g. "Forest & Bird opposes the reclassification of land parcels that include riverbeds or river margins held as stewardship land to Local Purpose (River Conservation) Reserves unless the purpose can clearly set out how the freshwater values will be protected. It is entirely unclear if such a reserve would properly protect the natural values").
- 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.
- Submissions opposed the classification as not representing river conservation values including natural river processes and ecological values including "diverse fish fauna and multiple threatened species".

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.

- 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 a status consistent with adjacent or nearby public conservation land, 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 reserve.

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.

General (Allowed)

- Submissions opposed the recommendation as "inappropriate", stating that it gives no greater protection than current stewardship status or expressed concern that the status can be changed without notification.

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.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions recommended ending all grazing licences within river margins.
- A submission opposed the classification due to concern it would affect existing permissions and river activities.

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.
- 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 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.

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

Other (Not Allowed)

- Concerns were raised that the area may be vested to an authority which 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.
- Submissions suggested that government agencies are not adequately managing and protecting riverbeds and their margins, and that this process "creates an opportunity for more responsible management".

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.

HOK_38 – Tōtara River – 2805704

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Tōtara River	HOK_38_2805704n	Local Purpose (River Conservation) Reserve	Neutral	5	14

DOC Conservation Values Report Description

A 5.067-ha area which covers a portion of the Totara River, north of the town of Ross and south of Hokitika township. Survey records from within and just beyond these areas represent a diverse fish fauna with multiple threatened species. All whitebait species will use this reach of Tōtara River to access habitat upstream. The areas may also act as habitat corridors or islands to enable the movement of species, even if just small distances, within a highly modified landscape. Occasional fishing happens on the river. There is gold mining history.

Panel Recommendations

National Panel: Local purpose (river conservation) reserve, to appropriately reflect the identified values.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Do not proceed with the notified proposal of local purpose (river conservation) reserve.

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 - HOK_38_2805704n

Support

Ecology and Landscape (Allowed)

- One submission supported the recommendation for "ecological reasons" noting that riverbeds move over time.

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)

- One submission in support noted that cattle grazing is inconsistent with improved water quality, while another noted their assumption that no grazing concessions would be 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 opposed the classification on the basis it does not consider climate change impacts and mitigation opportunities including carbon sequestration, floodplain buffering and ecosystem restoration in response to flood events, suggesting other classifications would be more appropriate (e.g. "these recommendations do not give consideration (active or not) nor effect to the very high and nationally important natural conservation values of the rivers, which include the rivers themselves, and the unfolding of nationally outstanding natural ecological processes and dynamics under climate change, nor nationally important conservation outcomes that could be achieved in the future".
- Submissions proposed government purpose (climate mitigation) reserve or government purpose reserve (river floodplain) as possible classifications. As possible classifications.
- Submissions recommended an ecosystem or catchment based approach to the classification of riverbeds to build resilience for habitats and climate mitigation (e.g. "These values and outcomes are realised principally in allowing the land to move and evolve without obstruction or modification, and in allowing natural vegetation regeneration, and also better realised if rivers and coasts are administered as whole systems").

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 there was no certainty it would protect freshwater values, natural values and the natural processes of the river.
- 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 (e.g. "Forest & Bird opposes the reclassification of land parcels that include riverbeds or river margins held as stewardship land to Local Purpose (River Conservation) Reserves unless the purpose can clearly set out how the freshwater values will be protected. It is entirely unclear if such a reserve would properly protect the natural values").
- 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.
- Submissions opposed the classification as not representing river conservation values including natural river processes and ecological values including "diverse fish fauna and multiple threatened species".

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.

- 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 a status consistent with adjacent or nearby public conservation land, 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 reserve.

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.

General (Allowed)

- Submissions opposed the recommendation as "inappropriate", stating that it gives no greater protection than current stewardship status or expressed concern that the status can be changed without notification.

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.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions recommended ending all grazing licences within river margins.
- A submission expressed concern about grazing and gravel extraction beside waterways and the impacts of the activities on water quality and freshwater species. The submission advocated for well considered gravel extraction and protection of the waterway rather than any form of disposal.
- A submission opposed the classification due to concern it would affect existing permissions and river activities.

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.
- 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 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.

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

Other (Not Allowed)

- Concerns were raised that the area may be vested to an authority which 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.
- Submissions suggested that government agencies are not adequately managing and protecting riverbeds and their margins, and that this process "creates an opportunity for more responsible management".

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.

HOK_38 – Donnelly Creek – 2805705

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Donnelly Creek (Pasture)	HOK_38_2805705t	Disposal	Disposal	7	23
Donnelly Creek (Riverbed)	HOK_38_2805705u	Local Purpose (River Conservation) Reserve	Neutral	8	14

DOC Conservation Values Report Description

A 1.0767-ha area containing parts of Donnelly Creek and the land next to it, north of the town of Ross and south of Hokitika township. Survey records from within and just beyond these areas represent a diverse fish fauna with multiple threatened species. The area may also act as habitat corridors or islands to enable the movement of species, even if just small distances, within a highly modified landscape. Occasional fishing happens on the river. There is gold mining history. Two permissions are in place for grazing and gravel extraction from the creek bed.

Donnelly Creek (Pasture)

Panel Recommendations

National Panel: Disposal is considered for this pastoral area.

Mana Whenua Panel: Disposal, as the area is 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 this stewardship area, referring the area to the Department to investigate the suitability of disposal.

Summary of accepted submissions: The submissions 'accepted' as holding merit supported the proposed disposal investigation where there are no conservation values remaining. Also accepted were comments noting that this was 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 classification, supported by submissions from Treaty partner organisations, on the grounds that the area is 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 hold little conservation value and warrant further consideration as to the suitability of disposal.

Disposal - HOK_38_2805705t

Support

Access and Recreation (Allowed)

- A submission agreed that the land did not hold any recreational values and was therefore suitable for disposal.

I recommend that these comments are accepted. The pastoral area recommended for disposal does not hold any reported recreational value or provide practical public access to the river, supporting a disposal investigation.

Ecology and Landscape (Allowed)

- Submissions stated they support disposal of stewardship land where there are no conservation values or natural remaining.

I recommend that these comments are accepted. The pastoral area recommended for disposal consists of exotic grassland and holds low conservation values, supporting a disposal investigation. 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 on the basis that these recommendations reflect the rights and interests of mana whenua, recognise Ngāi Tahu's connection to their ancestral lands, and fulfil obligations under the Treaty of Waitangi (e.g. "by adopting the recommendations of the Mana Whenua Panel the Minister will give effect to the principles of the Treaty of Waitangi").

I recommend that these comments are accepted. I agree that the pastoral components hold little conservation value and warrant further consideration as to the suitability of disposal. I note that the Mana Whenua Panel have supported the proposed disposal investigation.

General (Allowed)

- A submission expressed general support for the recommendation by the Mana Whenua Panel.

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.

Oppose

Access and Recreation (Allowed)

- Submissions objected to disposal on the grounds that this represents a loss of public access and ability for future generations to enjoy these areas, expressed opposition to any disposal which means a loss of recreation opportunities such as angling or hunting, or requested "appropriate mechanisms are used to ensure existing and future public use is maintained or improved" (e.g. "Many grazed river valleys provide the only public access to the backcountry. Access should not denied through sale and privatisation", "Even where large riparian margins are left for public access and to allow for movement of the river, these are often inadequate, and the result is fragments of public access amongst farmland").
- A submission advocated for the area to be retained and reclassified as recreation reserve to be used for camping.

I recommend that these comments are not accepted. The area does not provide practical access to the river from road or public conservation land, and there are no reported current recreation uses which warrant overturning the notified intention. The parts of the stewardship area recommended for disposal consist of exotic grassland and hold low conservation values, supporting a disposal investigation. Any potential disposal arising from the Departmental investigation will trigger the formation of marginal strips for qualifying waterbodies which will secure ongoing public access along the riparian corridor.

Climate Change and Natural Hazards (Allowed)

- Submissions opposed disposal on the grounds that it forgoes future opportunities such as carbon sequestration and climate mitigation, and the land should be protected for future generations. Particular emphasis was placed on retaining land by rivers (e.g. "The opportunities for carbon sequestration through indigenous vegetation are rapidly diminishing and every hectare of the conservation estate is of value", "they would be perfect for restoration and revegetation to allow for example, riverbeds to flow along wider braids than being continually constrained and leading to increased flooding", "A more suitable alternative would be revegetation to native forest/wetland. Unmodified, these areas were natural carbon sinks and could again become so"). Classification as a scenic reserve or ecological reserve was recommended.
- A submitter opposed disposal seeking classification as a government purpose reserve (river floodplain) or scenic reserve noting the opportunity for "ecosystem restoration in response to flood events or coastal erosion" and restoration of "depleted ecosystems".
- Submissions argued that disposing of public conservation land compromises future sustainability and climate mitigation options, noting that climate change is heightening pressure on ecosystems.
- A submitter stated that no land should be disposed of if there is potential for restoration and that riverbeds and adjacent land should be retained for flood retention, with no grazing permitted.

I recommend that these comments are not accepted. The small size of the pastoral area, its highly modified nature, and landscape context (bordered by private farmland) limit the effectiveness of restoration for 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 highlighted the importance of retaining land in Crown ownership to allow natural river processes and restoration to occur, noting the "unintended consequences" of disposal such as erosion or infrastructure damage (e.g. "In almost all cases these areas have historically been part of the riverbed, and the rivers need this buffer to be able to move around without causing damage to infrastructure and farming assets").
- Submissions opposed disposal where there is poor ecological representation in existing protected areas, recommending that lowland river terraces remain in public conservation land as so little remains and there is the potential for restoration and regeneration.
- Submissions expressed opposition to any disposal of stewardship land on the grounds that there are likely to be natural values remaining, are likely to contain some indigenous species ("juncus, carex etc"), or that even highly modified land holds opportunities for ecosystem restoration. A submission stated that the land represents "a broad cross section of indigenous ecosystems, in various states of regeneration".
- Submissions also opposed disposal on the grounds that waterways and freshwater biodiversity would be better protected if adjacent land was retained, grazing excluded, and restoration/natural succession allowed to occur. The "dynamic" nature of the river and the freshwater and riparian values were highlighted, including "acutely threatened habitat". Classification as a scenic reserve or Local Purpose River Conservation was recommended.
- One submission recommended that only modified landlocked sites without restoration potential should be disposed of.

I recommend that these comments are <u>not accepted</u>. The pastoral components of the area are highly modified, and its size and landscape context (bordered by private farmland) limit the effectiveness of retaining the area for restoration. The low conservation values of the pastoral area justify referral 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. Further, 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.

Treaty Considerations (Allowed)

- One submission stated no stewardship land should be disposed of, except to tangata whenua, "and only then with the need to maintain the block's cultural, conservation & mahika-kai values".
- One submission expressed a desire for maximum protection to allow nature to thrive, in keeping with the approach of the indigenous people of Aotearoa.

I recommend that these comments are <u>not accepted</u>. The proposed disposal investigation was supported by the Mana Whenua Panel, and any potential disposal of relevant land arising from the Departmental investigation will be subject to the first right of refusal process as set out in the Ngāi Tahu Claims Settlement Act 1998. The highly modified area is unlikely to hold substantive "conservation & mahika-kai values". The low conservation values of the pastoral area justify referral to the Department to investigate the suitability of disposal.

General (Allowed)

- Submissions expressed opposition to disposal of any stewardship land in general terms, expressed a desire for maximum environmental protection, such as national park classification, or supported "a cautionary approach".

I recommend that these comments are <u>not accepted</u>. 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 expressed opposition to disposal of any stewardship land and sought protection from grazing, development, mining, or other extractive activities.
- Submissions recommended investigating land swaps with adjacent land owners to "bring conservation benefit" and more of the river into public ownership.
- A submission opposed disposal due to concern it will affect existing permissions and river activities.

- A submission recommended consideration of potential productivity and whether the land could be used to support future food security.

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, including the timeframe for response, when compared to the scale of information notified.
- A submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values" (e.g. "revised recommendations must be consistent with genuine technical assessments of the conservation values").

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

Other (Not Allowed)

- A submission stated disposal should only occur if covenants requiring riparian planting and cessation of grazing are put in place.
- One submission suggested 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.

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. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area and no new material is raised.

Other (Not Allowed)

- One submission noted that disposal of land will be subject to Heritage New Zealand Pouhere Taonga Notification Process for Disposal of Crown-owned Land.

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

Donnelly Creek (Riverbed)

Panel Recommendations

National Panel: Local purpose (river conservation) reserve, to appropriately reflect the identified values.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Do not proceed with the notified proposal of local purpose (river conservation) reserve for the 'riverbed' section of the stewardship area.

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 - HOK_38_2805705u

Support

Ecology and Landscape (Allowed)

- One submission supported the recommendation for "ecological reasons" noting that riverbeds move over time.

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)

- One submission in support noted that cattle grazing is inconsistent with improved water quality, while another noted their assumption that no grazing concessions would be 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 opposed the classification on the basis it does not consider climate change impacts and mitigation opportunities including carbon sequestration, floodplain buffering and ecosystem restoration in response to flood events, suggesting other classifications would be more appropriate (e.g. "these recommendations do not give

consideration (active or not) nor effect to the very high and nationally important natural conservation values of the rivers, which include the rivers themselves, and the unfolding of nationally outstanding natural ecological processes and dynamics under climate change, nor nationally important conservation outcomes that could be achieved in the future".

- Submissions proposed government purpose (climate mitigation) reserve or government purpose reserve (river floodplain) as possible classifications. As possible classifications.
- Submissions recommended an ecosystem or catchment based approach to the classification of riverbeds to build resilience for habitats and climate mitigation (e.g. "These values and outcomes are realised principally in allowing the land to move and evolve without obstruction or modification, and in allowing natural vegetation regeneration, and also better realised if rivers and coasts are administered as whole systems").

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 there was no certainty it would protect freshwater values, natural values and the natural processes of the river.
- 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 (e.g. "Forest & Bird opposes the reclassification of land parcels that include riverbeds or river margins held as stewardship land to Local Purpose (River Conservation) Reserves unless the purpose can clearly set out how the freshwater values will be protected. It is entirely unclear if such a reserve would properly protect the natural values").
- 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.
- Submissions opposed the classification as not representing river conservation values including natural river processes and ecological values including "diverse fish fauna and multiple threatened species" and "near whitebait spawning habitat" (e.g. "The area includes a nationally important braided river ecosystem vulnerable to a number of threats including gravel extraction").

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.

- 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 a status consistent with adjacent or nearby public conservation land, 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 reserve.

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.

General (Allowed)

- Submissions opposed the recommendation as "inappropriate", stating that it gives no greater protection than current stewardship status or expressed concern that the status can be changed without notification.

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.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions recommended ending all grazing licences within river margins.
- A submission opposed the classification due to concern it would affect existing permissions and river activities.

- A submission expressed concern at the existing gravel extraction concession and the threat to the river posed by this activity.

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.
- 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 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.

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

Other (Not Allowed)

- Concerns were raised that the area may be vested to an authority which 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.
- Submissions suggested that government agencies are not adequately managing and protecting riverbeds and their margins, and that this process "creates an opportunity for more responsible management".

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.

HOK_38 – Donnelly Creek – 2805706

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Donnelly Creek	HOK_38_2805706o	Local Purpose (River Conservation) Reserve	Neutral	5	14

DOC Conservation Values Report Description

A 6.7304-ha area which covers a portion of Donnelly Creek, north of the town of Ross and south of Hokitika township. Survey records from within and just beyond these areas represent a diverse fish fauna with multiple threatened species. The areas may also act as habitat corridors or islands to enable the movement of species, even if just small distances, within a highly modified landscape. Occasional fishing happens. There is gold mining history. Two permissions are in place for grazing, and gravel extraction from the creek bed.

Panel Recommendations

National Panel: Local purpose (river conservation) reserve, to appropriately reflect the identified values.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Do not proceed with the notified proposal of local purpose (river conservation) reserve.

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 - HOK_38_2805706o

Support

Ecology and Landscape (Allowed)

- One submission supported the recommendation for "ecological reasons" noting that riverbeds move over time.

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)

- One submission in support noted that cattle grazing is inconsistent with improved water quality, while another noted their assumption that no grazing concessions would be 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 opposed the classification on the basis it does not consider climate change impacts and mitigation opportunities including carbon sequestration, floodplain buffering and ecosystem restoration in response to flood events, suggesting other classifications would be more appropriate (e.g. "these recommendations do not give consideration (active or not) nor effect to the very high and nationally important natural conservation values of the rivers, which include the rivers themselves, and the unfolding of nationally outstanding natural ecological processes and dynamics under climate change, nor nationally important conservation outcomes that could be achieved in the future".
- Submissions proposed government purpose (climate mitigation) reserve or government purpose reserve (river floodplain) as possible classifications.
- Submissions recommended an ecosystem or catchment based approach to the classification of riverbeds to build resilience for habitats and climate mitigation (e.g. "These values and outcomes are realised principally in allowing the land to move and evolve without obstruction or modification, and in allowing natural vegetation regeneration, and also better realised if rivers and coasts are administered as whole systems").

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 there was no certainty it would protect freshwater values, natural values and the natural processes of the river.
- 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 (e.g. "Forest & Bird opposes the reclassification of land parcels that include riverbeds or river margins held as stewardship land to Local Purpose (River Conservation) Reserves unless the purpose can clearly set out how the freshwater values will be protected. It is entirely unclear if such a reserve would properly protect the natural values").
- 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.
- Submissions opposed the classification as not representing river conservation values including natural river processes and ecological values including "diverse fish fauna and multiple threatened species".

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.

- 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 a status consistent with adjacent or nearby public conservation land, 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 reserve.

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.

General (Allowed)

- Submissions opposed the recommendation as "inappropriate", stating that it gives no greater protection than current stewardship status or expressed concern that the status can be changed without notification.

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.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions recommended ending all grazing licences within river margins.
- A submission opposed the classification due to concern it would affect existing permissions and river activities.

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.
- 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 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.

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

Other (Not Allowed)

- Concerns were raised that the area may be vested to an authority which 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.
- Submissions suggested that government agencies are not adequately managing and protecting riverbeds and their margins, and that this process "creates an opportunity for more responsible management".

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.

HOK_39 – Bond Street - Ross – 2805717

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Bond Street - Ross	HOK_39_2805717p	Local Purpose (Community Use) Reserve	Local Purpose (Community Use) Reserve	13	6

DOC Conservation Values Report Description

A 0.0506-ha area in the historic goldmining Ross township containing a building at the front of the section and a small patch of indigenous trees at the rear. The building is used by Ross Community Society. This is a residential section with no freshwater values, tracks or facilities, or recreational use. This land parcel appears as Fire Brigade Reserve on the 1908 Plan of the Town of Ross. There is a permission in place to do with Ross Goldfields Historic Reserve.

Panel Recommendations

National Panel: Local purpose (community use) reserve reflects and rationalises the current use.

Mana Whenua Panel: Supports the Western South Island National Panel's recommendation.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of local purpose (community use) reserve.

Summary of accepted submissions: The submissions 'accepted' as holding merit noted that this was 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 classification, supported by submissions from Treaty partner organisations.

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 facilitate the existing community uses of the area, while reflecting the modified nature of the natural resources present (e.g. residential section with a small patch of indigenous trees, no freshwater values).

Local Purpose (Community Use) Reserve - HOK_39_2805717p

Support

Treaty Considerations (Allowed)

- Submissions supported the position of the Mana Whenua Panel on the basis that their recommendations reflect the rights and interests of mana whenua and recognise Ngāi Tahu's connection to their ancestral lands (e.g. "by adopting the recommendations of the Mana Whenua Panel the Minister will give effect to the principles of the Treaty of Waitangi").
- It was noted that the proposed reserve "must acknowledge the mana and rangatiratanga of Ngāi Tahu, and provide for Ngāi Tahu wellbeing, kaitiakitanga and mahinga kai". A submitter recognised "the importance to Ngāi Tahu of this area.

I recommend that these comments are accepted. The proposed classification will facilitate the ongoing community use of the area, and reflects the modified nature of the natural resources present. I note that the Mana Whenua Panel have supported the proposed local purpose reserve.

General (Allowed)

- Submissions expressed general support for the proposed classification, support for the Mana Whenua Panel recommendation or noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Process and Consultation (Not Allowed)

- A submitter sought clarification on how the local purpose reserve will be vested.

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

Oppose

Ecology and Landscape (Allowed)

- Submissions opposed the recommendation on the basis that there was no certainty it would protect ecological values present.

I recommend that these comments are not accepted. The stewardship area is modified (e.g. residential section with a small patch of indigenous trees, no freshwater values), and therefore my assessment is that the points raised in comments do not warrant overturning the notified intention of local purpose (community use) reserve. The proposed classification will appropriately facilitate the existing community uses of the area, and any natural values will be protected to the extent compatible with the primary purpose of the reserve.

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 submitter opposed the classification due to a lack of clarity of purpose for the proposed reserve querying whether the proposed classification will protect the lands ecological and other values. The submitter recommended that a primary purpose is identified before the status is implemented.

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 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.

General (Allowed)

- A submitter stated they were unable to support local purpose reserves without greater clarity of 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 and historical resources present.

HOK_40 – Park Terrace - Ross – 2805716

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Park Terrace - Ross	HOK_40_2805716q	Historic Reserve	Historic Reserve	12	9

DOC Conservation Values Report Description

A 0.2572-ha area in the historic gold mining town of Ross. This is a small residential-sized conservation area with no freshwater values, surrounded on three sides by historic reserves. Scattered indigenous trees and shrubland are present. It is contiguous with HOK_43, a large tract of indigenous forest. The DOC-managed Ross Water Race walkway cuts through the centre – this is a short walk used by locals, domestic and a small number of international visitors. There is an active mining permit on the area.

Panel Recommendations

National Panel: Historic reserve, as this area is surrounded on three sides by historic reserves, classifying it similarly will provide continuity of landscape while still allowing the public freedom of entry and access.

Mana Whenua Panel: Supports the Western South Island National Panel recommendation.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of historic reserve.

Summary of accepted submissions: The submissions 'accepted' as holding merit noted that this was 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 classification, supported by submissions from Treaty partner organisations.

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 protect the historic resources present (Ross Water Race walkway) and protect the natural resources to the extent compatible with the primary purpose of the reserve.

Historic Reserve - HOK_40_2805716q

Support

Treaty Considerations (Allowed)

- Submissions stated they support the position of the Mana Whenua Panel on the basis that these recommendations reflect the rights and interests of mana whenua and recognise Ngāi Tahu's connection to their ancestral lands (e.g. "by adopting the recommendations of the Mana Whenua Panel the Minister will give effect to the principles of the Treaty of Waitangi", "Support retention as historic reserve and renaming to reflect the cultural significance of the area").
- Submitters noted that the proposed historic reserves recognise "sites of significance to Ngāi Tahu and ensure Ngāi Tahu values and interests are at the forefront of the classification alongside conservation values".

I recommend that these comments are accepted. I agree that the proposed classification will appropriately protect the historic resources present (Ross Water Race walkway) and protect the natural resources to the extent compatible with the primary purpose of the reserve. I note that the Mana Whenua Panel have supported the proposed historic reserve.

General (Allowed)

- Submissions expressed overall support for the recommendation 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".
- The recommendation was supported as reflecting the use of the land and adequately protecting against degradation of the land.

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.

Oppose

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter opposed the classification as being too restrictive for mining and associated economic opportunities. It was suggested that historic reserve classification would add "a great deal of cost in both time and money relative to any extra protection given", and that a conservation park classification or retaining the land in stewardship would provide "more than adequate legal protection", and allow for commercial uses 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 to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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.

Ecology and Landscape (Allowed)

- Submitters expressed concern that historic reserve does not adequately recognise and protect ecological and biodiversity values (e.g. "provides no strong protection for native wildlife and plants or landscape").

I recommend that these comments are not accepted. The CVR notes that the area is likely to be modified because of its proximity to the town and the history of goldmining, so my assessment is that the points raised do not warrant overturning the notified intention. The proposed classification will appropriately protect the historic values of the area (the historic water race), and any natural values will be protected to the extent compatible with the primary purpose of the reserve.

General (Allowed)

- Submitters 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 which supports reconsideration of the notified classification.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter stated that the proposed classification does not provide strong protection for natural values as it "will allow for commercial activities and leases that national park or scenic reserve status would not allow".

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

HOK_41 – Mount Greenland Road – 2805719

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Mount Greenland Road	HOK_41_2805719r	Local Purpose (Community Use) Reserve	Local Purpose (Community Use) Reserve	13	8

DOC Conservation Values Report Description

A 1.1879-ha area located at a disused opencast mine site in the back of Ross township. Most of the area is a large artificial pond, which is now beneath the waters of Ross Lake, created as part of the restoration of the Ross mine site. Ross's historical significance relates to its mining history. The area has an active mining permit. The small lake is used by locals for occasionally swimming or boating. There is a commercial golf operation.

Panel Recommendations

National Panel: Local purpose (community use) reserve reflects the community's values and aspirations.

Mana Whenua Panel: Supports the Western South Island National Panel recommendation.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of local purpose (community use) reserve.

Summary of accepted submissions: Those submissions 'accepted' as holding merit noted that this outcome was 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 classification, supported by submissions from Treaty partner organisations.

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 facilitate the existing community uses of the area, while reflecting the modified nature of the natural resources present (highly modified artificial pond, surrounded by a disused opencast mine).

Local Purpose (Community Use) Reserve - HOK_41_2805719r

Support

Treaty Considerations (Allowed)

- Submissions supported the position of the Mana Whenua Panel on the basis that their recommendations reflect the rights and interests of mana whenua and recognise Ngāi Tahu's connection to their ancestral lands (e.g. "by adopting the recommendations of the Mana Whenua Panel the Minister will give effect to the principles of the Treaty of Waitangi").
- It was noted that the proposed reserve "must acknowledge the mana and rangatiratanga of Ngāi Tahu, and provide for Ngāi Tahu wellbeing, kaitiakitanga and mahinga kai". A submitter recognised "the importance to Ngāi Tahu of this area.

I recommend that these comments are accepted. I agree that the proposed classification will facilitate the ongoing community use of the area, and reflects the modified nature of the natural resources present. I note that the Mana Whenua Panel have supported the proposed local purpose reserve.

General (Allowed)

- Submissions expressed general support for the proposed classification, support for the Mana Whenua Panel recommendation or noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submission supported the classification but expressed concern that any change in status would affect existing permissions.

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

Process and Consultation (Not Allowed)

- Submitters sought clarification on how the local purpose reserve will be vested.

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

Oppose

Ecology and Landscape (Allowed)

- Submissions opposed the classification expressing concern that it would provide inadequate protection of the freshwater values and noting perceived deficiencies in the Conservation Values Report (e.g. "The CVRs for these two parcels fail to mention that Jones Creek has now been diverted entirely into the lake. One CVR also contains contradictory statements about the potential freshwater values in this area"). Classification as a wildlife management area was suggested.
- Submissions opposed the recommendation on the basis that there was no certainty it would protect ecological values present.

I recommend that these comments are not accepted. The CVR notes that the area lies over the historical natural channel of Jones Creek, but that the course of this creek was permanently diverted when mining occurred and the area no longer follows Jones Creek. While there is an artificial pond (the CVR notes predicted high water quality), there is low diversity due to the high habitat modification that occurred to create the artificial pond. My assessment is that overall, the natural resources are highly modified and therefore the points raised in comments do not warrant overturning the notified intention of local purpose (community use) reserve. The proposed classification will appropriately facilitate the existing community uses of the area, and any natural values will be protected to the extent compatible with the primary purpose of the reserve.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter opposed the classification as it would have "a negative impact on the potential economic benefit derived from mineral resource extraction".

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 submitter opposed the classification due to a lack of clarity of purpose for the proposed reserve querying whether the proposed classification will protect the lands ecological and other values. The submitter recommended that a primary purpose is identified before the status is implemented.
- Submitters sought clarification on how the local purpose reserve will be vested.

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 explicitly for access, sports fishing and gamebird hunting.

I recommend that these comments are not accepted. No 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.

HOK_42 – Donnelly Creek – 2805707

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Donnelly Creek	HOK_42_2805707s	Local Purpose (Community Use) Reserve	Local Purpose (Community Use) Reserve	14	7

DOC Conservation Values Report Description

A 4.4271-ha area to the southeast of historic mining town, Ross, which encompasses part of the sports playing field and a 4WD track (circuit) that cuts through indigenous forest, shrublands, and open exotic grassland. A small section of Donnelly Creek is included in this area, which may have freshwater values of importance. Historic data indicates that this area was once wetland. The area is on the edge of a much larger forested ecosystem. An active mining permit and active access arrangement are present. The area is beside Ross Recreation Reserve, and has community planting, a former grazing licence (horse paddock) and the Ross Refuse Station. It is used by Ross locals.

Panel Recommendations

National Panel: Local purpose (community use) reserve reflects the aspirations of the community.

Mana Whenua Panel: Supports the Western South Island National Panel's recommendation.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of local purpose (community use) reserve.

Summary of accepted submissions: The submissions 'accepted' as holding merit supported the proposed classification as facilitating use by the community (recreation and volunteer restoration efforts) and noted the heritage values. 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 have supported the notified classification, supported by submissions from Treaty partner organisations.

The Mana Whenua Panel have signalled site-specific Ngāi Tahu interests associated with this stewardship area, particularly that Ngāi Tahu may have future aspirations for this land (such as from an economic development and wellbeing perspective).

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

Rationale: My conclusion is that the proposed classification will support ongoing community use, including community restoration efforts, while appropriately reflecting the largely modified nature of the natural resources present (little indigenous vegetation remaining, highly fragmented).

Local Purpose (Community Use) Reserve - HOK_42_2805707s

Support

Access and Recreation (Allowed)

- A submission supported the notified classification, noting the establishment of vegetation that is occurring and the volunteering and recreational use also taking place. The value of the site as a "fun safe place to cycle close [to] the township and for people to have easy access to a bush walk" and the extent of volunteering was highlighted.

I recommend that these comments are accepted. The proposed classification will facilitate the existing community uses of the area, while reflecting the modified nature of the natural resources present.

Historic and Cultural Values (Allowed)

- A submitter supported the classification noting the presence of historic features (e.g. the historic Jones Creek water race) and heritage and enhancement community projects occurring on site.

I recommend that these comments are accepted. Under a local purpose reserve classification, heritage features shall be managed and protected to the extent compatible with the principal or primary purpose of the reserve.

Treaty Considerations (Allowed)

- Submissions supported the position of the Mana Whenua Panel on the basis that their recommendations reflect the rights and interests of mana whenua and recognise Ngāi Tahu's connection to their ancestral lands (e.g. "by adopting the recommendations of the Mana Whenua Panel the Minister will give effect to the principles of the Treaty of Waitangi").
- It was noted that the proposed reserve "must acknowledge the mana and rangatiratanga of Ngāi Tahu, and provide for Ngāi Tahu wellbeing, kaitiakitanga and mahinga kai".

I recommend that these comments are accepted.. The proposed classification will facilitate the ongoing community use of the area, and reflects the modified nature of the natural resources present. I note that the Mana Whenua Panel have supported the proposed local purpose (community use) reserve, and therefore consider that this classification is not inconsistent with the identified interests

General (Allowed)

- Submissions expressed general support for the proposed classification, support for the Mana Whenua Panel recommendation or noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submission supported the classification but expressed concern that any change in status would affect existing permissions.

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

Oppose

Ecology and Landscape (Allowed)

- A submission opposed the classification expressing concern that it would provide inadequate protection of freshwater values and noting perceived deficiencies in the Conservation Values Report (e.g. "The CVRs for these two parcels fail to mention that Jones Creek has now been diverted entirely into the lake. One CVR also contains contradictory statements about the potential freshwater values in this area"). Classification as a wildlife management area was suggested.
- A submission opposed the recommendation on the basis that there was no certainty it would protect ecological values present.

I recommend that these comments are not accepted. Comments regarding freshwater values are unlikely to be relevant to this parcel, as the CVR states there are no freshwater values and notes that the area is no closer than 50m from the true left bank of Donnelly Creek. The stewardship area is modified (e.g. partly encompasses a sports ground, though there are small fragments of indigenous forest remaining, much of the area is exotic grasslands). Therefore, my assessment is that the points raised in comments do not warrant overturning the notified intention of local purpose (community use) reserve. The proposed classification will appropriately facilitate the existing community uses of the area, and any natural values will be protected to the extent compatible with the primary purpose of the reserve.

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 submitter opposed the classification due to a lack of clarity of purpose for the proposed reserve querying whether the proposed classification will protect the lands ecological and other values. The submitter recommended that a primary purpose is identified before the status is implemented.

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 explicitly for access, sports fishing and gamebird hunting.

I recommend that these comments are not accepted. No 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.

HOK_43 – Mcleods Road – 2805513

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Mcleods Road	HOK_43_2805513t	Conservation Park (Mikonui)	Neutral	9	42

DOC Conservation Values Report Description

A 5.7834-ha area made up of two sections of native forest in between McLeods road and Mikonui River. A portion of Squatters Creek runs through the area.

Panel Recommendations

National Panel: Conservation park (Mikonui), to reflect the mosaic of values present, protecting natural and historic resources while facilitating public recreation and enjoyment of the area.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of conservation park.

Summary of accepted submissions: Those submissions 'accepted' as holding merit expressed general support for the proposed classification, noting the recreational values 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 natural resources present (e.g. native forest, high level of naturalness and water quality) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Conservation Park (Mikonui) - HOK_43_2805513t

Support

Access and Recreation (Allowed)

- A submission supported conservation park status as providing "an improved level of protection", but expressed concern that the recommendations failed to recognise all the recreational values in the Totara and Mikonui valleys without providing further details. The submitter was also concerned that visitor data had not been used to inform recommendations.

I recommend that these comments are accepted. I agree that the recreational values present will be appropriately protected by the proposed classification. The proposed conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, or agreed it reflected the "information in the technical reports".
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions in support expressed "trust that Conservation Park status will provide full protection from any future mining applications in these areas" or noted that without protections the land "will remain exposed to future potential hydro-electricity scheme and mining". A submitter in support noted that the classification would result in "adequate assessment" of commercial activities.
- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide "more than adequate legal protection".

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

Other (Not Allowed)

- A submission suggested that the implementation of the proposed classification "needs to be followed up with sufficient funding for pest eradication".

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

Oppose

Access and Recreation (Allowed)

- Submitters advocated for a higher level of protection, highlighting the recreational values in the wider Mikonui and Totara catchment, and frequently recommending classification as an ecological area. Activities including kayaking, canyoning, packrafting, hunting and tramping were identified as occurring (e.g. "as well as the very high canyoning values in the catchment, It is important from the perspective of other recreationists, and importantly, its landscape and conservation values are indistinguishable from the Upper Totara Ecological Area it adjoins").
- Submitters also highlighted ongoing recreational access as a key reason for requiring higher levels of protection (e.g. "I have not yet been to this catchment but having future options to explore is another reason why we need to ensure these areas are looked after and access is preserved", "These are more canyons that I would like to explore in the future, so keeping them accessible would be so important for future adventures").
- Submitters were concerned that the DOC Technical Report underplayed the significance of the Mikonui-Totara area for recreational users, and sought higher protection through classification as an ecological area (e.g. "The technical reports underplay the recreational importance of the area. Private and commercial groups use the Mikonui River as a relatively easy river run, which is often done in kayaks, packrafts, or full-size rafts. It is one of very few rivers in South Westland where there is road access above a river gorge").

I recommend that these comments are not accepted. While I agree there are high recreational values present, it is my assessment that the recreational activities as described in the CVR (e.g. A network of tramping routes) and expanded on by submitters (e.g. important for canyoning) will be appropriately allowed for and protected by the proposed classification and the points raised do not warrant overturning the notified intention. The proposed conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Ecology and Landscape (Allowed)

- Submitters sought a higher level of protection due to the high ecological values present recommending classification as ecological area (or addition to the Upper Totata Ecological Area), wildlife management area or national park. The high freshwater values and presence of threatened species were highlighted as being of particular significance (e.g. "This is a large area that contains an intact altitudinal sequence from the alpine zone to the lowlands. It includes rare ecosystems such as braided rivers and cushion bogs", "Extremely high biodiversity values - includes priority site in Conservation Management Strategy, old growth trees/forest and very high freshwater values").
- Submissions were concerned about the inadequate protection offered by conservation park status, recommending ecological area as more appropriate and highlighting that the area has similar ecological values to neighbouring areas (e.g. "its landscape and conservation values are indistinguishable from the Upper Totara Ecological Area it adjoins").

- A submitter highlighted missing ecological information and a lack of recognition for the glacial geomorphology in the CVR (e.g. "the technical report omits mention of *Powelliphanta rossiana*, which is present within the Mikonui Totara Forest at least on Mt Rangitoto, Dickie Spur and the upper Tuke", "The technical report also fails to mention the glacial geomorphology in the area") noting that these values as among other reasons why the area warrants a higher level of protection.
- A submitter noted the area may have "the last remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened" and warrants a higher level of protection than that proposed, suggesting national park, wildlife management, scenic reserve, nature reserve or scientific reserve as more appropriate.

I recommend that these comments are not accepted. My assessment is that the natural resources present (e.g. native forest) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification, or expressed concern that the classification would not provide any greater protection than the current status. Classification as a national park or ecological area was recommended.

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 submitter who expressed general concern about the low-level protection offered by conservation park, noted support for that classification for land "potentially containing crown minerals". The support was contingent on the land being registered as a specially protected area if significant conservation values were present.
- A submitter opposed the classification due to a lack of clarity on the activities allowed for under the conservation park status and was concerned the status would not protect the high conservation values identified.
- A submitter opposed the classification as it would have "a negative impact on the potential economic benefit derived from mineral resource extraction".
- A submitter opposed the classification due to concern that the change in status would affect existing permissions, listing the permissions in place.

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 submitter stated that if a national park classification is "politically unpalatable, then political judgement calls must be made by accountable politicians, not by the Panel".
- A submitter was concerned with the Panels justifications for conservation park status calling the argument that it should be classified as conservation park because some surrounding areas have been proposed as conservation park "facile". Classification as ecological area or wildlife management area was recommended, with the potential for the Wanganui-Otira Catchments, Waitaha Forest, Totara-Mikonui Forest, and Waitangi Forest to "make a rather magnificent National Reserve" identified.
- A submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values".

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 to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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)

- 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 which supports reconsideration of the notified classification.

Other (Not Allowed)

- A submitter advocated for new conservation parks to "come with additional Government funding for better biodiversity work and more pest control".

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

HOK_43 – Totara - Mikonui Forests – 2806269

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Totara - Mikonui Forests	HOK_43_2806269u	Conservation Park (Mikonui)	Neutral	12	68

DOC Conservation Values Report Description

A 27787.7114-ha block of native forested land containing numerous streams and rivers, it covers most of the pristine Mikonui and Tōtara river catchments. This area spans from lowland forest to mountain top. The Department and volunteers manage a network of tramping routes in the Mikonui catchment that provide access to multiple huts. A 4WD road provides access to Mt Greenland. Kayaking, rafting and hunting also occur. Helicopter companies provide air charter services and can carry out irregular landings in the area to position trampers and hunters. There are multiple historic sites associated with mining and the area has one of the few recorded silver mine operations. Fifteen concessions are recorded for activities including mining, grazing, hydro-electric power, gravel extraction and limestone quarrying.

Panel Recommendations

National Panel: Conservation park (Mikonui), to reflect the mosaic of values present, protecting natural and historic resources while facilitating public recreation and enjoyment of the area.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of conservation park.

Summary of accepted submissions: Those submissions 'accepted' as holding merit expressed general support for the proposed classification, noting the recreational values 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 on balance the natural resources present (e.g. large block of native forest spanning from lowland to the alpine zone, numerous streams and rivers, high level of naturalness and water quality) are appropriately protected under the proposed classification, when also considering the historic resources present (e.g. 32 recorded archaeological sites associated, examples of a wide range of mining techniques and methods, including some from the earliest rushes, one of the few recorded silver mine operations). The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Conservation Park (Mikonui) - HOK_43_2806269u

Support

Access and Recreation (Allowed)

- Submissions supported conservation park status highlighting the "extremely high" recreational values of the Mikonui and Totara rivers for packrafting, kayaking, tramping and climbing (e.g. "many outdoor types, alpinists, trampers, kayakers and hunters would regard the area in which the parcels are located as the backcountry adventure capital of New Zealand").
- Submissions supported the proposed status as improving protection but were concerned at inadequate representation of river based activities and unspecific recreational values in the Totara and Mikonui valleys. A submitter was also concerned that visitor data had not been used to inform recommendations.

I recommend that these comments are accepted. The values described are consistent with those identified in the CVR (e.g. tramping, kayaking and hunting) and I agree that they will be appropriately protected by the proposed classification. The proposed conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Ecology and Landscape (Allowed)

- Submitters supported conservation park status but recommended combining the three parks into a single unified conservation park for ease of management (e.g. "from an ecological, as well as a recreational perspective, these areas form a contiguous whole, and should be managed as such").

I recommend that these comments are accepted to the extent that I agree the natural values described in the CVR (e.g. large block of native forest spanning from lowland to the alpine zone, numerous streams and rivers, high level of naturalness and water quality) are protected by the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)). I note that there are no specifications in the Conservation Act 1987 or Conservation General Policy regarding the size or proximity of distinct conservation parks.

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, or agreed it reflected the "information in the technical reports".
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions expressed "trust that Conservation Park status will provide full protection from any future mining applications in these areas" or noted that without protections the land "will remain exposed to future potential hydro-electricity scheme and mining". A submitter noted that the classification would result in "adequate assessment" of commercial activities.
- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide "more than adequate legal protection".
- A submission in support of conservation park advocated for greater protection from "intrusive development" such as mining and hydro schemes, stating that "most of the Southern Alps deserves protection equivalent to that of National Park status".

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

Other (Not Allowed)

- A submission suggested that the implementation of the proposed classification "needs to be followed up with sufficient funding for pest eradication".
- A submission was concerned that should the Mana Whenua Panel recommendation for disposal for the pastoral component of Totara Mikonui Forest proceed "formally gazetted access to the carpark and along to Mikonui Hut is required".

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

Oppose

Access and Recreation (Allowed)

- Submitters advocated for higher levels of protection for the area, highlighting the recreational values present and detailing the popularity of activities including kayaking, canyoning, packrafting, hunting and tramping. The accessibility of this "remote" wilderness was noted. (e.g. "This area is described as Hokitikas version of Wanakas

Matukituki valley. Accessible via Totara valley road giving unusual access to remote West Coast wilderness. From a recreational standpoint, this is premier country which includes 6 tracks to high points, 5 back country huts, 4 rivers, 3 canyons", "With multiple huts, tracks and endless opportunities for backcountry travel, the Mikonui forest is a great place for diploma students and other hunters and trampers to enjoy the natural wilderness close to home", "It is an important place for whitewater kayaking, canyoning, tramping and hunting"). Classification as an ecological area (or addition to the Upper Totara Ecological Area) or national park were often recommended.

- Several submitters raised concern that both the DOC technical reports and the Panels' recommendation reports lacked full consideration of the recreation values present, in particular the importance of the area for the range of paddle sports and canyoning, frequently seeking higher protection as an ecological area.
- Submitters also described the value they place on the rivers and detailed the various rivers they use (e.g. "the reports for this area have missed multiple rivers, some of which would be considered the most regularly kayaked rivers on the west coast").
- Submitters emphasised the significance of the "pristine" rivers for recreational users and the importance of canyons in the area, advocating for a higher level of protection due to the recreational values present (e.g. "The pristine rivers also provide quality kayaking and pack rafting trips for beginners through to advanced paddlers", "To interact with raw, wild and pristine nature at that level really is a privilege worth preserving", "the Mikonui catchment contains a number of nationally and internationally significant canyons").
- Several submitters referenced the "Nationally Significant" Red Granite Creek as particularly important for canyoners seeking a classification which will protect the high recreational values present (e.g. "the Mikonui River catchment contains impressive mountainous terrain and canyons, including the three-star Nationally Significant Red Granite Creek canyon as well as a large network of 28 backcountry huts and tracks").

I recommend that these comments are <u>not accepted</u>. While I agree there are high recreational values present, it is my assessment that the recreational activities as described in the CVR (e.g. A network of tramping routes, some 4WD use, kayaking and rafting use) and expanded on by submitters (e.g. important for canyoning) will be appropriately allowed for and protected by the proposed classification and the points raised do not warrant overturning the notified intention. The proposed conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Climate Change and Natural Hazards (Allowed)

- A submission recommended adding the land to the Upper Totata Ecological Area in recognition of the freshwater values and West Coast Conservation Management Strategy, stating this will "help restore ecological integrity and provide better protection of natural processes as part of a nature-based response to climate change".

I recommend that these comments are <u>not accepted</u>. The proposed classification will support the protection of the natural resources present, and as a result support the areas climate mitigation potential.

Ecology and Landscape (Allowed)

- Submissions advocated for higher protection based on the "extremely high" ecological values present highlighting that the area represents a "true mountains to the sea sequence". They noted that the area is large, "pristine" and remains "unmodified" containing intact ecosystems and multiple threatened species (e.g. "These areas are extremely important for threatened taonga and saving our biodiversity", "The ancient podocarp forest is rich in the area, including at risk species such as the greenhood orchid", "as pristine, precious, and as unique as any other national park in Aotearoa. It is this area that makes Hokitika an outstanding place to call home", "almost unmatched in the degree of value it has for our native _fluvial_ freshwater biodiversity, and offers extensive and undisturbed habitat for multiple threatened species"). Reference was also made to the high value the West Coast Tai Poutini CMS places on the area, noting it is listed as a priority site.
- Submitters placed particular emphasis on the freshwater values present and the importance of ensuring their protection (e.g. "there are rare ecosystems of cushionbog and habitat for many freshwater species with high diversity", "The Mikonui Forest contains many pristine streams and rivers which flow from the numerous peaks in the Tiritiri o Te Moana range. The Tuke, Mikonui and Totara are great examples of these", " naturally uncommon ecosystems _including dunes and wetlands").

- Submitters were concerned about protection for species which had not been recognised in the technical reports including "widespread but sparse" *Powelliphanta rossiana* and a long-tailed bat population, and also noted the technical reports failed to recognise the glacial geomorphology.
- Submitters recommend higher protection be given as an ecological area or wildlife management area.
- Submissions highlighted that several adjacent areas with similar values are classified as ecological areas or scenic reserve, noting the opportunity for integration and connection across the landscape (e.g. "This area is contiguous with two Ecological areas, Upper Totara and Doctor Hill, it shares similar ecological values", "could be added to Upper Totara Ecological Area, to have a larger contiguous protected area").
- Submitters advocated variously for national park, ecological area, addition to the Upper Totara Ecological Area, wildlife management area, scenic reserve, scientific area and "National Reserve" or suggested a combination of these classifications.

I recommend that these comments are <u>not accepted</u>. My assessment is that on balance the natural resources present (e.g. large block of native forest spanning from lowland to the alpine zone, numerous streams and rivers, high level of naturalness and water quality) are appropriately protected under the proposed classification, when also considering the historic resources present (e.g. 32 recorded archaeological sites associated, examples of a wide range of mining techniques and methods, including some from the earliest rushes, one of the few recorded silver mine operations). The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

- Submitters noted that the proposed conservation parks are in close proximity to one another and recommended combining the proposed parks to allow for "ease of management".

I recommend that these comments are <u>not accepted</u>. There are no specifications in the Conservation Act 1987 or Conservation General Policy regarding the size or proximity of distinct conservation parks.

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification, or expressed concern that the classification would not provide any greater protection than the current status. Classification recommendations include ecological area, national park or addition to the Wanganui-Otira Southern Part Conservation Area to create a new Waitaha Conservation Park.

I recommend that these comments are <u>not accepted</u>. 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 advocated for ecological area to better protect the land against "extractive industry such as mining" and noted their concern at the number of mining permissions already active (e.g. "Multiple mining companies have interest in the Mikonui area for extracting gold. We feel that this kind of development is not appropriate for this area"). A submitter recommended mining and grazing activities be discontinued "as soon as possible".
- A submitter who expressed general concern about the low-level protection offered by conservation park, noted support for that classification for land "potentially containing crown minerals". The support was contingent on the land being registered as a specially protected area if significant conservation values were present.
- A submitter opposed the classification due to a lack of clarity on the activities allowed for under the conservation park status and was concerned the status would not protect the high conservation values identified.
- A submitter opposed the classification as it would have "a negative impact on the potential economic benefit derived from mineral resource extraction".
- A submitter was concerned that the status would affect the numerous permissions already in place.

As I have recommended these comments are not allowed, I recommend they are <u>not accepted</u>.

Process and Consultation (Not Allowed)

- A submitter stated that if a national park classification is "politically unpalatable, then political judgement calls must be made by accountable politicians, not by the Panel".

- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.
- A submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values".

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 to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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)

- 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 which supports reconsideration of the notified classification.

Other (Not Allowed)

- A submitter advocated for new conservation parks to "come with additional Government funding for better biodiversity work and more pest control".

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

HOK_43 – Mine Creek – 2809720

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Mine Creek	HOK_43_2809720v	Conservation Park (Mikonui)	Neutral	9	40

DOC Conservation Values Report Description

A 0.3697-ha area of native forest in the Mine Creek catchment. This is a small portion of the HOK_43 assessment area which is surrounded by non-public conservation land which is itself surrounded by another section of HOK_43, the Totara - Mikonui Forests conservation area.

Panel Recommendations

National Panel: Conservation park (Mikonui), to reflect the mosaic of values present, protecting natural and historic resources while facilitating public recreation and enjoyment of the area.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of conservation park.

Summary of accepted submissions: Those submissions 'accepted' as holding merit expressed general support for the proposed classification, noting the recreational values 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 on balance the natural resources present (native forest) are appropriately protected under the proposed classification, when also considering the historic resources present (recorded silver mine site). The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Conservation Park (Mikonui) - HOK_43_2809720v

Support

Access and Recreation (Allowed)

- A submission supported the proposed status as improving protection but was concerned at inadequate representation of river-based activities and unspecific recreational values in the Totara and Mikonui valleys, and that visitor data had not been used to inform recommendations.

I recommend that these comments are accepted. I agree that the recreational values present will be appropriately protected by the notified classification. The proposed conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b).

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, or agreed it reflected the "information in the technical reports".
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submitters supported the status expressing "trust that Conservation Park status will provide full protection from any future mining applications in these areas" or that "the threshold for commercial concessions would be harder to meet and result in adequate assessment of activity to occur on public conservation land".
- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide "more than adequate legal protection".
- A submission in support of conservation park advocated for greater protection from "intrusive development" such as mining and hydro schemes, stating that "most of the Southern Alps deserves protection equivalent to that of National Park status".

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

Other (Not Allowed)

- A submission suggested that the implementation of the proposed classification "needs to be followed up with sufficient funding for pest eradication".

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

Oppose

Access and Recreation (Allowed)

- Submitters advocated for a higher level of protection due to the recreational values present in the wider Mikonui and Totara catchment, frequently recommending classification as an ecological area. Activities including kayaking, canyoning, packrafting, hunting and tramping were identified as occurring throughout the catchment (e.g. "The area includes many tramping tracks and backcountry huts, giving access to the steep mountainous terrain and a number of canyons, including the important Red Granite Creek canyon").

I recommend that these comments are not accepted. It is my assessment that the recreational activities as described in the CVR (e.g. A network of tramping routes) will be appropriately allowed for and protected by the proposed classification and the points raised do not warrant overturning the notified intention. The proposed conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Ecology and Landscape (Allowed)

- Submissions advocated for higher protection across the entire area proposed for the conservation park based on the "extremely high" ecological values present, highlighting that the area represents a "true mountains to the sea sequence". They noted that the area is "pristine" and remains "unmodified" containing intact ecosystems and multiple threatened species (e.g. "high ecological and recreational values… contains impressive mountainous terrain and canyons", "The is a true mountains to the sea sequence, and is only lightly modified by people"). Reference was also made to the high value the West Coast Tai Poutini CMS places on the area, noting it is listed as a priority site (e.g. "includes priority site in Conservation Management Strategy, old growth trees/forest and very high freshwater values").
- Submitters placed particular emphasis on the freshwater values present and the importance of ensuring their protection (e.g. "The Mikonui catchment is listed as a priority site for biodiversity in the West Coast Conservation Management Strategy and is listed as having very high freshwater values", "This area is almost unmatched in the degree of value it has for our native _fluvial_ freshwater biodiversity, and offers extensive and undisturbed habitat for multiple threatened species").
- Classification as an ecological area was frequently recommended, including addition to the Upper Totara Ecological Area, with some suggestions of national park status or wildlife management area (e.g. "This area is contiguous with two Ecological areas, Upper Totara and Doctor Hill, it shares similar ecological values. A

designation of Ecological area is more appropriate than Conservation Park", "Given its landscape and conservation values are the same as the adjacent Upper Totara Ecological Area, it should be added to this").

- A submitter noted the area may have "the last remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened" and warrants a higher level of protection than that proposed, suggesting national park, wildlife management, scenic reserve, nature reserve or scientific reserve as more appropriate.

I recommend that these comments are not accepted. My assessment is that on balance the natural resources present (e.g. native forest) are appropriately protected under the proposed classification, when also considering the historic resources present (e.g. recorded silver mine site). The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification, or expressed concern that the classification would not provide any greater protection than the current status.
- Submitters recommended classification as a national park or ecological area.

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 submitter who expressed general concern about the low-level protection offered by conservation park, noted support for that classification for land "potentially containing crown minerals". The support was contingent on the land being registered as a specially protected area if significant conservation values were present.
- A submitter opposed the classification due to a lack of clarity on the activities allowed for under the conservation park status and was concerned the status would not protect the high conservation values identified.
- A submitter expressed concern about the affect the change in status will have on existing permissions.

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

Process and Consultation (Not Allowed)

- A submitter stated that if a national park classification is "politically unpalatable, then political judgement calls must be made by accountable politicians, not by the Panel".
- A submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values".
- 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 to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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)

- 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 which supports reconsideration of the notified classification.

Other (Not Allowed)

- A submitter advocated for new conservation parks to "come with additional Government funding for better biodiversity work and more pest control".

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

HOK_44 – Mikonui River - SH 6 – 2805524

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Mikonui River - SH 6	HOK_44_2805524w	Local Purpose (Mikonui Nohoanga Ngāi Tahu) Reserve	Local Purpose (Mikonui Nohoanga Ngāi Tahu) Reserve	18	6

DOC Conservation Values Report Description

A 0.4807-ha lowland area of alluvial flat that is largely pasture. This area contains a nohoanga site, managed in accordance with the Ngāi Tahu Claims Settlement Act 1998.

Panel Recommendations

National Panel: Local purpose (Mikonui Nohoanga Ngāi Tahu) reserve, to reflect the identified values. The area contains a nohoanga site, managed in accordance with the Ngāi Tahu Claims Settlement Act 1998. The right of Ngāi Tahu to occupy this nohoanga is supported by the above recommendation.

Mana Whenua Panel: Local purpose (Mikonui 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 of local purpose (Mikonui Nohoanga Ngāi Tahu) reserve.

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 that this Conservation Area contains a nohoanga site. This site is managed in accordance with the Ngāi Tahu Claims Settlement Act 1998, ensuring the protection of significant Ngāi Tahu values. The West Coast Te Tai o Poutini Conservation Management Strategy notes the nohoanga site.

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: 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 (Mikonui Nohoanga Ngāi Tahu) Reserve - HOK_44_2805524w

Support

Historic and Cultural Values (Allowed)

- Submissions supported classification as a local purpose reserve reclassification where specific "cultural and historic values have been identified".
- A submission supported the classification noting that the area is a nohoanga site.

I recommend that these comments are not accepted. Although I agree that the area holds cultural and historic values, 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 and cultural values described, alongside the conservation of natural resources and identified Ngāi Tahu values and interests.

Treaty Considerations (Allowed)

- Submissions viewed the recommendation as recognising the significance of the site to Ngāi Tahu, ensuring "Ngāi Tahu values, alongside conservation values, are at the forefront of the classification" and Ngāi Tahu have a role "in management and decision-making" (e.g. "agree with the Mana Whenua Panel that the decision on the reclassification of sites is important to acknowledge the mana and rangatiratanga of Ngāi Tahu"). They noted the area to be a nohoanga 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.

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 expressed general support for the proposed classification, or support for the recommendation of the Mana Whenua Panel, without providing further justification.
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level based on its "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

Ecology and Landscape (Allowed)

- One submission opposed the recommendation on the basis that the purpose of the reserve is not clearly defined, leaving it uncertain if ecological and other values will be protected if 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.

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 submitter opposed the classification due to a lack of clarity of purpose for the proposed reserve querying whether the proposed classification will protect the lands ecological and other values. The submitter recommended that a primary purpose is identified before the status is implemented.

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 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 present, or if another classification may be more appropriate. Any limits on public access will be determined as part of any future policy work.

HOK_45 – Mikonui River Mouth – 2805509

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Mikonui River Mouth (Pasture)	HOK_45_2805509m	Wildlife Management Area		15	10
Mikonui River Mouth (Pasture)	HOK_45_2805509n		Disposal	6	23
Mikonui River Mouth (Foreshore)	HOK_45_2805509o	Wildlife Management Area	Wildlife Management Area	18	7

DOC Conservation Values Report Description

A 30.855-ha area consisting of strips of land adjoining the coast, largely beach, dunes and pasture, with some stream/river, wetland, and estuary areas. The protection of lagoons and estuary areas with their associated stream and outlet to the sea is of ecological importance. All whitebait species will use this reach of Mikonui River on their upstream migration. Some of the area is grazed with permission, and the coastal strip and river mouth are used by locals – walking, fishing and occasional kayaking. The Mikonui River Mouth area contains a nohoanga site, managed in accordance with the Ngāi Tahu Claims Settlement Act 1998. No heritage sites are recorded, although the area has high archaeological potential.

Mikonui River Mouth (Pasture)

Panel Recommendations

National Panel: Wildlife management area will provide the necessary degree of protection of the identified values, as well as providing continuity of landscape with the adjoining HOK_46 Waikoriri Creek Conservation Area, which has been similarly recommended to be classified as a wildlife management area. Management of this area will also contribute to the protection of the adjacent Bold Head Road.

Mana Whenua Panel: Disposal, as the area is modified and should not form part of public conservation land.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of wildlife management area for the 'pasture' section of this stewardship area.

Summary of accepted submissions: Those submissions 'accepted' as holding merit supported the notified classification as appropriately reflecting the natural values of the area, enabling ongoing public recreational access and offering sufficient protection in the context of climate change.

Section 4 and Treaty principles: The Mana Whenua Panel have opposed the proposed classification for the pastoral components of this area, supported by submissions from Treaty partner organisations, on the grounds that the pastoral components are modified and should not form part of public conservation land.

The Mana Whenua Panel have signalled Ngāi Tahu interests associated with this stewardship area, particularly that the conservation area contains a nohoanga site which is managed in accordance with the Ngāi Tahu Claims Settlement Act 1998, ensuring the protection of significant Ngāi Tahu values.

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 warrant proceeding with the notified proposal.

Rationale: My conclusion is that the proposed classification will promote the conservation of the natural and historic resources present (e.g. dynamic coastal environment with a range of dune landforms, stream/river mouth, wetland and estuarine areas) while providing for their appreciation and recreational enjoyment by the public, being managed so that "its indigenous natural resources and its historic resources are protected" (Conservation Act 1987, s. 23B(1)).

Wildlife Management Area - HOK_45_2805509m

Support

Access and Recreation (Allowed)

- A submission supported the recommendation with the provision that the classification maintains access otherwise the submitter recommended a different classification is used.
- A submission supported the recommendation on recreational grounds, wanting it kept in the "conservation estate" to "preserve public access if climbing potential is discovered in the future".

I recommend that these comments are accepted. I agree that access and recreation values are appropriately protected by the proposed classification, which supports the public appreciation of wildlife where consistent with other management objectives.

Climate Change and Natural Hazards (Allowed)

- Submitters supported the classification while noting that the sand dunes are vital for flooding events and that the pasture areas "will be a useful buffer for Bold Head Road", as sea levels rise.

I recommend that these comments are accepted. I agree that the proposed classification will support the protection of the natural resources present, and as a result the area's climate mitigation potential.

Ecology and Landscape (Allowed)

- A submitter supported the proposed recommendation stating it reflects the use of the land and it would protect against "degradation of the land".
- Submissions supported the classification noting the area contains wildlife and their habitats e.g. ("Possible nesting site for Kororā, White-fronted terns which are known to nest here, threatened whitebait, and kotuku").
- A submission supported the recommendation based on the high natural values that have increased over the recent decades, noting that the coastal lagoon is "hydrologically connected to Shearer Swamp", and is part of a mountains to sea link.

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present which warrant consideration. I agree that the natural resources present are appropriately protected and preserved by the proposed classification. Wildlife management areas are managed so that "wildlife and wildlife habitat values (including the capacity for the movement of wildlife, genetic material of indigenous plants, and genetic material of wildlife) are protected" (Conservation Act 1987, s. 23B(1)).

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification or agreed they reflected the "information in the technical reports".
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Other (Not Allowed)

- A submitter supported the recommendation while supporting suggestions to investigate a land swap for this area "which freeholds grazing licence land", while allowing for public access and protection of natural areas.

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

Oppose

Climate Change and Natural Hazards (Allowed)

- A submitter opposed the recommendation based on the opportunities for "ecosystem restoration in response to flood events or coastal erosion", "carbon sequestration", and "restoration of depleted indigenous ecosystems".

I recommend that these comments are not accepted. The proposed classification will support the protection of the natural resources present, and as a result the area's climate mitigation potential. The points raised do not justify overturning the notified intention. Wildlife management areas are managed to protect wildlife and wildlife habitat values, including so "that its indigenous natural resources and its historic resources are protected" (Conservation Act 1987, s. 23B(1)).

Ecology and Landscape (Allowed)

- A submitter advocated for classification as an ecological area, noting the area contains naturally uncommon ecosystems "including dunes and wetlands", and "at risk and/or threatened species", while being "adjacent to land that has a higher protected status than that proposed".
- A submitter opposed the recommendation and proposed a national park classification, noting it is "part of nationally rare, braided river ecosystems", while describing some of the flora, (patches of remnant tall kahikatea, totara groves) and stating that it should be managed with the nearby national park.

I recommend that these comments are not accepted. Although I agree that the area contains a range of ecosystems and species associated with the dunes, foreshore, estuary and river mouth, it is my assessment that the natural resources present are appropriately protected and preserved by the proposed classification. Wildlife management areas are managed so that "wildlife and wildlife habitat values (including the capacity for the movement of wildlife, genetic material of indigenous plants, and genetic material of wildlife) are protected" (Conservation Act 1987, s. 23B(1)). I note that the area contains modified pastoral components and is not connected to any national park areas, so the natural values and landscape context do not support a national park investigation.

Historic and Cultural Values (Allowed)

- A submitter opposed the recommendation and noted that a "Nohoanga site currently within this area", was not recognised.

I recommend that these comments are not accepted. While I agree that there is a nohoanga site within the area, it is my assessment that the proposed classification appropriately reflects the identified natural and historic resources identified in the stewardship area. The proposed wildlife management reserves will be managed so that "its indigenous natural resources and its historic resources are protected" (Conservation Act 1987, s. 23B(1)).

Treaty Considerations (Allowed)

- Submissions opposed the recommendation of the National Panel supporting the Mana Whenua Panel recommendation of disposal instead on the basis that it reflects "the values, interests, and perspectives of the Papatipu Rūnanga in whose Takiwā the relevant land is located".

I recommend that these comments are not accepted. 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 (e.g. dynamic coastal environment with a range of dune landforms, stream/river mouth, wetland and estuarine areas) warrant proceeding with the notified proposal.

General (Allowed)

- A submitter advocated for a higher level of protection than that proposed, recommending a historic reserve.

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 reclassification, stating it would affect the existing permissions (e.g. grazing, mineral permit) it would have a "negative impact on the potential economic benefits", and there are too many restrictions already.

- A submitter opposed the recommendation noting much of the area has been under a grazing concession for 40 years but agreeing that the land not covered by a grazing concession should be classified as a wildlife management area.

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)

- A submission opposed all reclassification of stewardship land to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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.

- A submitter noted that access to rivers should be maintained or improved.

I recommend that these comments are not accepted. My assessment is that access and recreation values are appropriately protected by the proposed classification, which supports the public appreciation of wildlife where consistent with other management objectives.

Ecology and Landscape (Allowed)

- A submitter advocated for all coastal sites to be to be retained and restored and specifically for grazed areas to be "retained as buffers to allow dunes to migrate inland with climate change".

I recommend that these comments are accepted. The proposed classification will support the protection of the natural resources present, and as a result the area's climate mitigation potential.

- A submitter stated they want the rivers free flowing, unmodified and that the "conservation classification does not allow for dams or flow diversions".

I recommend that these comments are not accepted. Authorisation of any 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.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter advocated that the current DOC concession system continues to be the only system used and that current helicopter landing permissions should remain available.

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

Disposal - HOK_45_2805509n

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 agreed that the land did not hold any conservation values and was therefore suitable for disposal.

I recommend that these comments are not accepted. Although areas of modification may be present (grazed pasture), on balance the natural resources described in the CVR (e.g. A dynmaic coastal environment with a range of coastal and dune landforms, stream/river mouths, low lying wetland and estuarine areas) warrant retaining the area as public conservation land.

Treaty Considerations (Allowed)

- Submissions supported the recommendations of the Mana Whenua Panel on the basis that these recommendations reflect the rights and interests of mana whenua, recognise Ngāi Tahu's connection to their ancestral lands, and fulfil obligations under the Treaty of Waitangi (e.g. "by adopting the recommendations of the Mana Whenua Panel the Minister will give effect to the principles of the Treaty of Waitangi").

I recommend that these comments are not accepted. 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 (e.g. dynamic coastal environment with a range of dune landforms, stream/river mouth, wetland and estuarine areas) warrant proceeding with the notified proposal.

General (Allowed)

- A submission expressed general support for the recommendation by the Mana Whenua Panel.

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 supported disposal on the proviso the land was first offered to the adjoining landowners.

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

Oppose

Access and Recreation (Allowed)

- Submissions objected to disposal on the grounds that this represents a loss of public access and ability for future generations to enjoy these areas, expressed opposition to any disposal which means a loss of recreation opportunities such as climbing, angling or hunting, or requested "appropriate mechanisms are used to ensure existing and future public use is maintained or improved" (e.g. "Oppose any disposal of former or current riverbed, estuary, lagoon or other coastal area that provides or protects actual or potential public access as the river or river mouth moves or coastal area erodes").
- Submitters recommended reclassification as wildlife management area, with one submitter noting that if this status impacts access an alternative classification "under section 7 of the conservation act" is recommended.

I recommend that these comments are accepted. I agree that disposal may affect access and recreation values (e.g. Access to the beach and river mouth). My view is that access and recreation values of the stewardship area are appropriately protected by the notified classification of wildlife management area, which supports the public appreciation of wildlife where consistent with other management objectives.

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.
- Submissions emphasised the importance of retaining land that protects other areas from flooding, slips, erosions, and damage from sea surges and rising sea levels. Retention to support restoration and allow room for natural river processes was recommended.
- 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 accepted. I agree that the protection of the existing natural resources present is of increasing importance when considering the need for climate mitigation, supported by the future-focused elements within the definition of conservation. Classification as wildlife management area will support protection of existing natural values and enable restoration. I also agree that this area, which the CVR notes is part of a dynamic coastal environment and contributes to the protection of the adjacent Bold Head Road, may contribute to flood/erosion buffering. Classification as wildlife management area will support this outcome.

Ecology and Landscape (Allowed)

- Submissions highlighted the significance of the lagoon and estuary for wildlife, noting the species present (e.g. "possible nesting site for blue penguins, threatened whitebait habitat, habitat for kotuku") and advocating for retention as a wildlife management area and restoration.
- A submission noted that adjacent areas have a higher level of protection, highlighting the "naturally uncommon ecosystems" present "including dunes and wetlands". Classification as an ecological area was proposed to retain the opportunity for restoration.
- Submissions expressed opposition to any disposal of stewardship land on the grounds that there are likely to be natural values remaining, are likely to contain some indigenous species ("juncus, carex etc"), or that even highly modified land holds opportunities for ecosystem restoration and that areas near forests could easily revert to a natural state. They stated that the land represents "a broad cross section of indigenous ecosystems, in various states of regeneration".
- Submissions also opposed disposal on the grounds that waterways and freshwater biodiversity would be better protected if adjacent land was retained, grazing excluded, and restoration/natural succession allowed to occur. Several submissions specifically noted the importance of protecting land by rivers because "so little remains – most of these areas have been highly modified for grazing" and "disposal will lose the opportunity for regeneration and restoration".
- One submission recommended that only modified landlocked sites without restoration potential should be disposed of.
- One submission opposed disposal, emphasising the importance of protecting natural values. A "precautionary policy" was recommended to hold conservation future options open.

I recommend that these comments are accepted. I agree that though there are areas of modified pasture, overall, the natural resources present (dynamic coastal environment with a range of dune landforms, stream/river mouth, wetland and estuarine areas) warrant retention as public conservation land. The natural values will be appropriately protected by the notified classification, being managed so that "wildlife and wildlife habitat values (including the capacity for the movement of wildlife, genetic material of indigenous plants, and genetic material of wildlife) are protected" (Conservation Act 1987, s. 23B(1)).

Treaty Considerations (Allowed)

- One submission stated no stewardship land should be disposed of, except to tangata whenua, "and only then with the need to maintain the block's cultural, conservation & mahika-kai values".
- One submission expressed a desire for maximum protection to allow nature to thrive, in keeping with the approach of the indigenous people of Aotearoa.

I recommend that these comments are accepted to the extent that that they support retaining the land under an appropriate classification. 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 (e.g. dynamic coastal environment with a range of dune landforms, stream/river mouth, wetland and estuarine areas) warrant proceeding with the notified proposal.

General (Allowed)

- Submissions expressed opposition to disposal of any stewardship land in general terms, expressed a desire for maximum environmental protection, such as wildlife management area or national park classification, or supported "a cautionary approach".

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)

- A submission expressed opposition to disposal of any stewardship land and sought protection from development, mining, or other extractive activities.
- A submission opposed disposal based on concerns it would affect existing permissions.
- A submission recommended consideration of potential productivity and whether the land could be used to support future food security.
- A submission advocated for no disposals and stated that there is "little or no added management burden to retain these lands" and disposal may cause costs to be incurred. Further concern that the "only possible advantage in the recommendation for land disposal is to the landowner who currently has a grazing license (or those who are farming regardless of whether they have a grazing license or not)" was expressed.

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, including the timeframe for response, when compared to the scale of information notified.

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

Other (Not Allowed)

- One submission suggested 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.

No Opinion/Position Stated

Ecology and Landscape (Allowed)

- A submitter requested that "rivers are maintained in a free-flowing unmodified state", and that the "classification does not allow for dams or flow diversions".

I recommend that these comments are not accepted. Authorisation of any 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 which supports reconsideration of the notified classification.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitted advocated that helicopter "landing permissions continue to be available" through the current DOC concession system.
- A submission supported investigation of a land swap proposal with the grazing licence holder.

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

Other (Not Allowed)

- One submission noted that disposal of land will be subject to Heritage New Zealand Pouhere Taonga Notification Process for Disposal of Crown-owned Land.

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

Mikonui River Mouth (Foreshore)

Panel Recommendations

National Panel: Wildlife management area will provide the necessary degree of protection of the identified values, as well as providing continuity of landscape with the adjoining HOK_46 Waikoriri Creek Conservation Area, which has been similarly recommended to be classified as a Wildlife management area. Management of this area will also contribute to the protection of the adjacent Bold Head Road.

Mana Whenua Panel: Supports the Western South Island National Panel recommendation.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of wildlife management area for the 'foreshore' section of this stewardship area.

Summary of accepted submissions: Those submissions 'accepted' as holding merit supported the notified classification as appropriately reflecting the natural values of the area, enabling ongoing public recreational access and offering sufficient protection in the context of climate change. 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 classification, supported by submissions from Treaty partner organisations.

The Mana Whenua Panel have signalled specific Ngāi Tahu interests associated with this stewardship area, particularly that the conservation area contains a nohoanga site which is managed in accordance with the Ngāi Tahu Claims Settlement Act 1998, ensuring the protection of significant Ngāi Tahu values.

Given the Mana Whenua Panel support for the notified classification, I consider the classification is not inconsistent with the identified interests.

Rationale: My conclusion is that the proposed classification will promote the conservation of the natural and historic resources present while providing for their appreciation and recreational enjoyment by the public, being managed so that "its indigenous natural resources and its historic resources are protected" (Conservation Act 1987, s. 23B(1)).

Wildlife Management Area - HOK_45_28055090

Support

Access and Recreation (Allowed)

- A submission supported the recommendation on the provision that access was maintained otherwise a different classification should be used.

I recommend that these comments are accepted. Classification as a wildlife management area supports access and the public appreciation of wildlife where consistent with other management objectives.

Climate Change and Natural Hazards (Allowed)

- Submitters supported the classification while noting that the sand dunes are vital for flooding events.

I recommend that these comments are accepted. I agree that the proposed classification will support the protection of the natural resources present, and as a result the area's climate mitigation potential.

Ecology and Landscape (Allowed)

- A submitter supported the proposed recommendation, stating it reflects the use of the land and it would protect against "degradation of the land".
- Submissions supported the classification and noting the wildlife and their habitats the area contains (e.g. "Possible nesting site for Kororā, White-fronted terns which are known to nest here, threatened whitebait, and kotuku").

- A submission supported the recommendation based on the high natural values that have increased over the recent decades, noting the coastal lagoon is "hydrologically connected to Shearer Swamp", and part of a mountains to sea link.

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present which warrant consideration. I agree that the natural resources present are appropriately protected and preserved by the proposed classification. Wildlife management areas are managed so that "wildlife and wildlife habitat values (including the capacity for the movement of wildlife, genetic material of indigenous plants, and genetic material of wildlife) are protected" (Conservation Act 1987, s. 23B(1)).

Treaty Considerations (Allowed)

- The recommendation of the Mana Whenua Panel was supported on the basis that it reflects "the values, interests, and perspectives of the Papatipu Rūnanga in whose Takiwā the relevant land is located", and that adopting the recommendations of the Mana Whenua Panel would give effect to the principles of the Treaty.

I recommend that these comments are accepted. I agree that the proposed classification will support the protection of the natural and historic resources present. I note that the Mana Whenua Panel have supported the notified classification, and therefore I consider it is not inconsistent with the identified interests.

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification or agreed they reflected the "information in the technical reports.
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Other (Not Allowed)

- A submitter supported the recommendation but also stated they support suggestions to investigate a land swap for this area "which freeholds grazing licence land", while allowing for public access and protection of natural areas.

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

Oppose

Climate Change and Natural Hazards (Allowed)

- A submitter opposed the recommendation based on the "opportunities for ecosystem restoration in response to flood events or coastal erosion", the "opportunities for carbon sequestration", and the "retention of good opportunities for restoration of depleted indigenous ecosystems".

I recommend that these comments are not accepted. The proposed classification will support the protection of the natural resources present, and as a result the area's climate mitigation potential. Wildlife management areas are managed to protect wildlife and wildlife habitat values, including so "that its indigenous natural resources and its historic resources are protected" (Conservation Act 1987, s. 23B(1)).

Ecology and Landscape (Allowed)

- A submitter noted the area to contain naturally uncommon ecosystems "including dunes and wetlands", and "at risk and/or threatened species", advocating for classification as an ecological area as it is "adjacent to land that has a higher protected status than that proposed".

I recommend that these comments are not accepted. Although I agree that the area contains a range of ecosystems and species associated with the dunes, foreshore, estuary and river mouth, it is my assessment that the natural resources present are appropriately protected and preserved by the proposed classification. Wildlife management areas are managed so that

"wildlife and wildlife habitat values (including the capacity for the movement of wildlife, genetic material of indigenous plants, and genetic material of wildlife) are protected" (Conservation Act 1987, s. 23B(1)).

General (Allowed)

- A submitter advocated for a higher level of protection than that proposed, recommending a historic reserve.

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 reclassification, with concerns that it could affect the existing grazing 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)

- A submission opposed all reclassification of stewardship land to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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.

- A submitter noted that access to rivers should be maintained or improved.

I recommend that these comments are not accepted. My assessment is that access and recreation values are appropriately protected by the proposed classification, which supports the public appreciation of wildlife where consistent with other management objectives.

Ecology and Landscape (Allowed)

- A submitter advocated for all coastal sites to be to be retained and restored and specifically for grazed areas to be "retained as buffers to allow dunes to migrate inland with climate change".

I recommend that these comments are accepted. The proposed classification will support the protection of the natural resources present, and as a result the area's climate mitigation potential.

- A submitter stated they want the rivers free flowing, unmodified and that the "conservation classification does not allow for dams or flow diversions".

I recommend that these comments are not accepted. Authorisation of any 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.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter advocated that the current DOC concession system continues to be the only system used and that current helicopter landing permissions should remain available.

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

Other (Not Allowed)

- A submitter stated that there is an opportunity for the correct governing body to "work with the adjoining landowner where at least 1 hectare of freehold land is active riverbed and indistinguishable from the Mikonui River Mouth and Foreshore and is used by the general public as riverbed access".

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

HOK_45 – Waitaha – 2805514

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Waitaha (Pasture)	HOK_45_2805514s	Wildlife Management Area		17	14
Waitaha (Pasture)	HOK_45_2805514t		Disposal	5	29
Waitaha (Foreshore)	HOK_45_2805514u	Wildlife Management Area	Wildlife Management Area	18	13

DOC Conservation Values Report Description

An 8.4195-ha area consisting of strips of land adjoining the coast, largely beach, dunes and pasture, with some stream/river, wetland, and estuary areas. The protection of lagoons and estuary areas with their associated stream and outlet to the sea is of ecological importance. Some of the area is grazed with permission, and the coastal strip and river mouth are used by locals – walking, fishing and occasional kayaking. No heritage sites are recorded, although the area has high archaeological potential.

Waitaha (Pasture)

Panel Recommendations

National Panel: Wildlife management area will provide the necessary degree of protection of the identified values, as well as providing continuity of landscape with the adjoining HOK_46 Waikoriri Creek Conservation Area, which has been similarly recommended to be classified as a wildlife management area. Management of this area will also contribute to the protection of the adjacent Bold Head Road.

Mana Whenua Panel: Disposal, as the area is modified and should not form part of public conservation land.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of wildlife management area for the 'pasture' section of this stewardship area.

Summary of accepted submissions: Those submissions 'accepted' as holding merit supported the notified classification as appropriately reflecting the natural values of the area, enabling ongoing public recreational access and offering sufficient protection in the context of climate change.

Section 4 and Treaty principles: The Mana Whenua Panel have opposed the proposed classification on the grounds that the pastoral components are highly modified and should not form part of public conservation land, supported by submissions from Treaty partner organisations.

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 warrant proceeding with the notified proposal.

Rationale: My conclusion is that the proposed classification will promote the conservation of the natural and historic resources present (dynamic coastal environment with a range of dune landforms, stream/river mouth, wetland and estuarine areas) while providing for their appreciation and recreational enjoyment by the public, being managed so that "its indigenous natural resources and its historic resources are protected" (Conservation Act 1987, s. 23B(1)).

Wildlife Management Area - HOK_45_2805514s

Support

Access and Recreation (Allowed)

- A submission supported the recommendation on the provision that access was maintained otherwise a different classification should be used.

- A submission supported the recommendation on recreational grounds, wanting it kept in the "conservation estate" to "preserve public access if climbing potential is discovered in the future".

I recommend that these comments are accepted. I agree that access and recreation values are appropriately protected by the proposed classification, which supports the public appreciation of wildlife where consistent with other management objectives.

Climate Change and Natural Hazards (Allowed)

- Submitters supported the classification while noting that the sand dunes are vital for flooding events.

I recommend that these comments are accepted. I agree that the proposed classification will support the protection of the natural resources present, and as a result the area's climate mitigation potential.

Ecology and Landscape (Allowed)

- A submission supported the recommendation and noted that the coastal lagoon is "integrally linked with Shearer Swamp", and is part of a mountains to sea link.
- A submitter supported the proposed classification as it would protect against degradation of the land.
- A submitter supports the classification based on the area containing wildlife such as Kororā and White-fronted terns (At Risk – Declining) "which are known to nest here".

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present which warrant consideration. I agree that the natural resources present are appropriately protected and preserved by the proposed classification. Wildlife management areas are managed so that "wildlife and wildlife habitat values (including the capacity for the movement of wildlife, genetic material of indigenous plants, and genetic material of wildlife) are protected" (Conservation Act 1987, s. 23B(1)).

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification or agreed they reflected the "information in the technical reports".
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Other (Not Allowed)

- A submitter supported the recommendation but also stated they support suggestions to investigate a land swap for this area "which freeholds grazing licence land", while allowing for public access and protection of natural areas.

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

Oppose

Climate Change and Natural Hazards (Allowed)

- A submitter opposed the recommendation and advocated for it to be classified as an ecological area based on the opportunities for "ecosystem restoration in response to flood events or coastal erosion", "carbon sequestration", and "restoration of depleted indigenous ecosystem".
- A submitter opposed the classification stating that the area will regenerate and that keeping them for conservation will "better meet the recommendations of the Climate Change Commission Report".

I recommend that these comments are not accepted. The proposed classification will support the protection of the natural resources present, and as a result the area's climate mitigation potential. The points raised do not justify overturning the notified intention. Wildlife management areas are managed to protect wildlife and wildlife habitat values, including so "that its indigenous natural resources and its historic resources are protected" (Conservation Act 1987, s. 23B(1)).

Ecology and Landscape (Allowed)

- Submitters advocated for classification as an ecological area, noting the area contains naturally uncommon ecosystems "including dunes and wetlands", and "at risk and/or threatened species", while being "adjacent to land that has a higher protected status than that proposed".
- Submitters opposed the recommendation, stating the area should be managed along with "the entire Waitaha Catchment from the alps to the sea, holistically as a National Park". They also noted it was part of "nationally rare, braided river ecosystems".
- A submission provided an assessment of the collective values across a number of pieces of stewardship land which would create a Waitaha National Park or should be added to the Wetland Tai Poutini National Park, noting the opportunity to link in time to the Rangitata/Rakia Headwaters in Canterbury. Justification was focussed on the significance and range of values present (e.g. "the extent of this dramatic near pristine area backing onto the Adams Wilderness with its range of ecological, scientific, scenic, and natural features is so distinctive and beautiful that it warrants National Park classification.....The Waitaha River and flood plains are an integral part of this landscape unit and while encompassing areas of highly modified and rough pasture they are capable of restoration and natural regeneration, thereby enhancing biodiversity, building climate resilience, and providing opportunities for mitigating emissions and sequestering carbon").

I recommend that these comments are <u>not accepted</u>. Although I agree that the area contains a range of ecosystems and species associated with the dunes, foreshore, estuary and river mouth, it is my assessment that the natural resources present are appropriately protected and preserved by the proposed classification. Wildlife management areas are managed so that "wildlife and wildlife habitat values (including the capacity for the movement of wildlife, genetic material of indigenous plants, and genetic material of wildlife) are protected" (Conservation Act 1987, s. 23B(1)). I note that the area contains modified pastoral components and is not connected to any national park areas, so the natural values and landscape context do not support a national park investigation.

Historic and Cultural Values (Allowed)

- A submitter noted the area has high cultural value to the Waitaha, where it gets its name and stated they would prefer classification as a national park or ecological area.

I recommend that these comments are <u>not accepted</u>. While the area may hold cultural significance, my assessment is that the proposed classification appropriately reflects the identified natural and historic resources identified in the stewardship area. The proposed wildlife management reserves will be managed so that "its indigenous natural resources and its historic resources are protected" (Conservation Act 1987, s. 23B(1)). I note that the area contains modified pastoral components and is not connected to any national park areas, so the natural values and landscape context do not support a national park investigation.

Treaty Considerations (Allowed)

- Submissions opposed the recommendation of the National Panel, supporting the Mana Whenua Panel's recommendation instead on the basis that it reflects "the values, interests, and perspectives of the Papatipu Rūnanga in whose Takiwā the relevant land is located".

I recommend that these comments are <u>not accepted</u>. 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 (dynamic coastal environment with a range of dune landforms, stream/river mouth, wetland and estuarine areas) warrant proceeding with the notified proposal.

General (Allowed)

- Submissions opposed the proposed classification without providing further justification.
- A submitter advocated for a higher level of protection than that proposed, recommending a historic reserve.

I recommend that these comments are <u>not accepted</u>. 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 proposed this area should be reclassified as a national park to protect the Waitaha River from "hydro development".
- Submissions opposed reclassification, with concerns that it could affect the existing grazing 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)

- A submission opposed all reclassification of stewardship land to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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.

Ecology and Landscape (Allowed)

- A submitter advocated for all coastal sites to be to be retained and restored and specifically for grazed areas to be "retained as buffers to allow dunes to migrate inland with climate change".

I recommend that these comments are accepted. The proposed classification will support the protection of the natural resources present, and as a result the area's climate mitigation potential.

Disposal - HOK_45_2805514t

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 agreed that the land did not hold any conservation values and was therefore suitable for disposal.

I recommend that these comments are not accepted. Although areas of modification may be present (grazed pasture), on balance the natural resources described in the CVR (e.g. A dynamic coastal environment with a range of coastal and dune landforms, stream/river mouths, low lying wetland and estuarine areas) warrant retaining the area as public conservation land.

Treaty Considerations (Allowed)

- Submissions supported the recommendations of the Mana Whenua Panel on the basis that these recommendations reflect the rights and interests of mana whenua, recognise Ngāi Tahu's connection to their ancestral lands, and fulfil obligations under the Treaty of Waitangi (e.g. "by adopting the recommendations of the Mana Whenua Panel the Minister will give effect to the principles of the Treaty of Waitangi").

I recommend that these comments are not accepted. 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 (dynamic coastal environment with a range of dune landforms, stream/river mouth, wetland and estuarine areas) warrant proceeding with the notified proposal.

General (Allowed)

- A submission expressed general support for the recommendation by the Mana Whenua Panel.

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 objected to disposal on the grounds that this represents a loss of public access and ability for future generations to enjoy these areas, expressed opposition to any disposal which means a loss of recreation opportunities such as climbing, angling or hunting, or requested "appropriate mechanisms are used to ensure existing and future public use is maintained or improved".
- Submitters recommended reclassification as a wildlife management area, with one submitter noting that if this status impacts access an alternative classification "under section 7 of the conservation act" should be used.

I recommend that these comments are accepted. I agree that disposal may affect access and recreation values (e.g. Access to the beach). My view is that access and recreation values of the stewardship area are appropriately protected by the notified classification of wildlife management area, which supports the public appreciation of wildlife where consistent with other management objectives.

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.
- Submissions emphasised the importance of retaining land that protects other areas from flooding, slips, erosions, and damage from sea surges and rising sea levels. Retention to support restoration and allow room for natural river processes was recommended.
- 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 accepted. I agree that the protection of the existing natural resources present is of increasing importance when considering the need for climate mitigation, supported by the future-focused elements within the definition of conservation. Classification as wildlife management area will support protection of existing natural values and enable restoration. I also agree that this area, which the CVR notes is part of a dynamic coastal environment, may contribute to flood/erosion buffering. Classification as wildlife management area will support this outcome.

Ecology and Landscape (Allowed)

- Submissions also opposed disposal on the grounds that waterways and freshwater biodiversity would be better protected if adjacent land was retained, grazing excluded, and restoration/natural succession allowed to occur. Several submissions specifically noted the importance of protecting land by rivers because "so little remains" and "disposal will lose the opportunity for regeneration and restoration".
- Submissions recommended a catchment-based approach to management of the Waitaha through classification as either a standalone national park or part of Westland Tai Poutini National Park (e.g. "should be managed as an integrated whole catchment as National Park. They are part of nationally rare braided river ecosystems"). A submission specified the additional lands which should be included i.e. Waitangi Conservation Area, TWP 05 Waitangi Forest #2809665 stating that in time "the Park could be linked across the main divide to the Rangitata/Rakaia Headwaters Conservation Area in Canterbury which is also likely to have National Park values".

- Submissions opposed disposal of areas where there is poor ecological representation, highlighting the "naturally uncommon ecosystems" present "including dunes and wetlands" and recommending classification as an ecological area to retain the opportunity for restoration.
- Submissions expressed opposition to any disposal of stewardship land, stating the land represents "a broad cross section of indigenous ecosystems, in various states of regeneration", or highlighted specific ecological values present (e.g. "These sites are parts of dune ecosystems with lagoon and estuarine areas significant for wildlife") recommending retention as conservation land to allow restoration. A "precautionary policy" was recommended to hold conservation future options open.
- One submission recommended that only modified landlocked sites without restoration potential should be disposed of.

I recommend that these comments are accepted. I agree that though there are areas of modified pasture, overall, the natural resources present (dynamic coastal environment with a range of dune landforms, stream/river mouth, wetland and estuarine areas) warrant retention as public conservation land. The natural values will be appropriately protected by the notified classification, being managed so that "wildlife and wildlife habitat values (including the capacity for the movement of wildlife, genetic material of indigenous plants, and genetic material of wildlife) are protected" (Conservation Act 1987, s. 23B(1)).

Treaty Considerations (Allowed)

- One submission stated no stewardship land should be disposed of, except to tangata whenua, "and only then with the need to maintain the block's cultural, conservation & mahika-kai values".
- One submission expressed a desire for maximum protection to allow nature to thrive, "in keeping with the approach of the indigenous people of Aotearoa".
- A submitter noted the area held "high cultural value to Waitaha whose name it bears. It is an iconic white water canoe river" and sought to "Preserve the Waitaha River as an unmodified braided river from the mountains to the sea". It was suggested the area should either be given national park status or a classification which recognises its ecological importance.
- A submitter, who advocated for national park status, acknowledged the "past injustices and inequities around lack of access to traditional resources including Mahinga Kai for Tangata Whenua", suggesting that "these issues are better addressed throughout the conservation law reform, than by leaving massive swathes of land poorly protected through this reclassification process".

I recommend that these comments are accepted to the extent that that they support retaining the land under an appropriate classification. 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 (dynamic coastal environment with a range of dune landforms, stream/river mouth, wetland and estuarine areas) warrant proceeding with the notified proposal.

General (Allowed)

- Submissions expressed opposition to disposal of any stewardship land in general terms, expressed a desire for maximum environmental protection, such as wildlife management area or national park classification, or supported "a cautionary approach".

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)

- A submission expressed opposition to disposal of any stewardship land and sought protection from development, mining, or other extractive activities.
- A submission opposed disposal based on concerns it would affect existing permissions.
- A submission recommended consideration of potential productivity and whether the land could be used to support future food security.

- A submission suggested "a land exchange with the adjacent land owner 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.

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, including the timeframe for response, when compared to the scale of information notified.

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

Other (Not Allowed)

- One submission suggested 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.

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 which supports reconsideration of the notified classification.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submission supported investigation of a land swap proposal with the grazing licence holder.

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

Other (Not Allowed)

- One submission noted that disposal of land will be subject to Heritage New Zealand Pouhere Taonga Notification Process for Disposal of Crown-owned Land.

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

Waitaha (Foreshore)

Panel Recommendations

National Panel: Wildlife management area will provide the necessary degree of protection of the identified values, as well as providing continuity of landscape with the adjoining HOK_46 Waikoriri Creek Conservation Area, which has been similarly recommended to be classified as a wildlife management area. Management of this area will also contribute to the protection of the adjacent Bold Head Road.

Mana Whenua Panel: Supports the Western South Island National Panel recommendation.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of wildlife management area for the 'foreshore' section of this stewardship area.

Summary of accepted submissions: Those submissions 'accepted' as holding merit supported the notified classification as appropriately reflecting the natural values of the area, enabling ongoing public recreational access and offering sufficient protection in the context of climate change. 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 classification, supported by submissions from Treaty partner organisations.

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 promote the conservation of the natural and historic resources present while providing for their appreciation and recreational enjoyment by the public, being managed so that "its indigenous natural resources and its historic resources are protected" (Conservation Act 1987, s. 23B(1)).

Wildlife Management Area - HOK_45_2805514u

Support

Access and Recreation (Allowed)

- A submission supported the recommendation on the provision that access was maintained otherwise a different classification should be used.

I recommend that these comments are accepted. I agree that access and recreation values are appropriately protected by the proposed classification, which supports the public appreciation of wildlife where consistent with other management objectives.

Climate Change and Natural Hazards (Allowed)

- Submitters supported the proposed classification, stating that the area is vital for flooding events.

I recommend that these comments are accepted. I agree that the proposed classification will support the protection of the natural resources present, and as a result the area's climate mitigation potential.

Ecology and Landscape (Allowed)

- Submitters supported the proposed classification as it would protect against degradation of the land, is part of an inland mountains to sea link and is "integrally linked with Shearer Swamp".
- A submitter supported the classification based on the area containing wildlife such as Kororā and White-fronted terns (At Risk – Declining) "which are known to nest here".

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present which warrant consideration. I agree that the natural resources present are appropriately protected and preserved by the proposed classification. Wildlife management areas are managed so that "wildlife and wildlife habitat values (including the capacity for the movement of wildlife, genetic material of indigenous plants, and genetic material of wildlife) are protected" (Conservation Act 1987, s. 23B(1)).

Treaty Considerations (Allowed)

- The recommendation of the Mana Whenua Panel was supported on the basis that it reflects "the values, interests, and perspectives of the Papatipu Rūnanga in whose Takiwā the relevant land is located", and that adopting the recommendations of the Mana Whenua Panel would give effect to the principles of the Treaty.

I recommend that these comments are accepted. I agree that the proposed classification will support the protection of the natural and historic resources present. I note that the Mana Whenua Panel have supported the notified classification.

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification or agreed they reflected the "information in the technical reports.
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Other (Not Allowed)

- A submitter supported the recommendation but also stated they support suggestions to investigate a land swap for this area "which freeholds grazing licence land", while allowing for public access and protection of natural areas.

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

Oppose

Climate Change and Natural Hazards (Allowed)

- A submitter opposed the recommendation and advocated for it to be classified as an ecological area based on the opportunities for "ecosystem restoration in response to flood events or coastal erosion", "carbon sequestration", and "restoration of depleted indigenous ecosystems".
- A submitter opposed the classification stating that the area will regenerate and that keeping the areas for conservation will "better meet the recommendations of the Climate Change Commission Report".

I recommend that these comments are not accepted. The proposed classification will support the protection of the natural resources present, and as a result the area's climate mitigation potential. The points raised do not justify overturning the notified intention. Wildlife management areas are managed to protect wildlife and wildlife habitat values, including so "that its indigenous natural resources and its historic resources are protected" (Conservation Act 1987, s. 23B(1)).

Ecology and Landscape (Allowed)

- A submitter advocated for classification as an ecological area, stating the area contains naturally uncommon ecosystems "including dunes and wetlands", and "at risk and/or threatened species", while being "adjacent to land that has a higher protected status than that proposed".
- Submitters opposed the recommendation, noting this area should be managed along with "the entire Waitaha Catchment from the alps to the sea, holistically as a National Park". They also noted it was part of "nationally rare, braided river ecosystems".

I recommend that these comments are not accepted. Although I agree that the area contains a range of ecosystems and species associated with the dunes, foreshore, estuary and river mouth, it is my assessment that the natural resources present are appropriately protected and preserved by the proposed classification. Wildlife management areas are managed so that "wildlife and wildlife habitat values (including the capacity for the movement of wildlife, genetic material of indigenous

plants, and genetic material of wildlife) are protected" (Conservation Act 1987, s. 23B(1)). I note that the area contains modified pastoral components and is not connected to any national park areas or other public conservation land, so the natural values and landscape context do not support a national park investigation.

Historic and Cultural Values (Allowed)

- A submitter noted the area has high cultural value to the Waitaha, where it gets its name, and stated they would prefer classification as a national park or ecological area.

I recommend that these comments are not accepted. While the area may hold cultural significance, my assessment is that the proposed classification appropriately reflects the identified natural and historic resources identified in the stewardship area. The proposed wildlife management reserves will be managed so that "its indigenous natural resources and its historic resources are protected" (Conservation Act 1987, s. 23B(1)). I note that the area contains modified pastoral components and is not connected to any national park areas, so the natural values and landscape context do not support a national park investigation.

General (Allowed)

- A submitter advocated for a higher level of protection than that proposed and recommended a historic reserve.

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 any reclassification, with concerns that it could affect the existing grazing 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)

- A submission opposed all reclassification of stewardship land to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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.

Ecology and Landscape (Allowed)

- A submitter advocated for all coastal sites to be to be retained and restored and specifically for grazed areas to be "retained as buffers to allow dunes to migrate inland with climate change".

I recommend that these comments are accepted. The proposed classification will support the protection of the natural resources present, and as a result the area's climate mitigation potential.

HOK_46 – Shearers Swamp - Mikonui – 2805510

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Shearers Swamp - Mikonui	HOK_46_2805510x	Scenic Reserve (a)	Scenic Reserve (a)	16	5

DOC Conservation Values Report Description

A 32.6983-ha area that includes a portion of Shearers Swamp and a range of wetland ecosystems, with some forest, shrubland, open water. This area is between Mikonui and Waitaha rivers, and also between SH 6 and Bold Head Road. Shearers Swamp is recognised as a Wetland of National Importance. The area is included within the Shearers Swamp EMU (EMU no. 300378). This area is a very ecologically valuable one and is an important habitat for wetland-dwelling native fish and birds. Locals kayak in Shearers Swamp.

Panel Recommendations

National Panel: Scenic reserve (a) will provide landscape continuity with the adjoining Fearn Brook and Fergusons Bush scenic reserves.

Mana Whenua Panel: The Mana Whenua Panel supports the recommendation of the Western South Island National Panel.

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 reflecting the notable natural resources present. 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 classification, supported by submissions from Treaty partner organisations.

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. range of wetland ecosystems, indigenous forest).

Scenic Reserve (a) - HOK_46_2805510x

Support

Climate Change and Natural Hazards (Allowed)

- A submitter supported the proposed classification as offering a high level of protection "in light of the impacts of climate change" and that the areas borders need better protection for "flood 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 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)

- Submitters supported the proposed classification based on its high natural values, the part it plays in the mountains to sea sequence and noted that classifying it the same as adjacent and nearby scenic reserves would "enhance the potential for integrated management".

I recommend that these comments are accepted. I agree that the natural resources identified are appropriately protected and preserved by the proposed 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)).

Treaty Considerations (Allowed)

- The recommendation of the Mana Whenua Panel was supported on the basis that it reflects "the values, interests, and perspectives of the Papatipu Rūnanga in whose Takiwā the relevant land is located", and that adopting the recommendations of the Mana Whenua Panel would give effect to the principles of the Treaty.

I recommend that these comments are accepted. I agree that natural resources present are appropriately protected by the proposed classification. I note that the Mana Whenua Panel have supported the proposed scenic reserve.

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, agreed they reflected the "information in the technical reports", or expressed support for the recommendations of the Mana Whenua Panel.
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Oppose

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions opposed reclassification to a scenic reserve, noting that though it does not prohibit mining it adds extra restrictions, would have negative economic benefits, and there are too many restrictions already. Some suggested that retaining the land in stewardship or reclassifying it as a conservation park provides adequate legal protection, while allowing commercial activities 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)

- A submission opposed all reclassification of stewardship land to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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)

- 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 which supports reconsideration of the notified classification.

HOK_46 – Waikoriri Creek – 2805511

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Waikoriri Creek	HOK_46_2805511y	Wildlife Management Area	Wildlife Management Area	11	12

DOC Conservation Values Report Description

A 130.4797-ha area that includes a large portion of Shearers Swamp and a range of wetland ecosystems, with some forest, shrubland, open water, and Waikoriri Stream. This area is between Mikonui and Waitaha rivers, and also between SH 6 and Bold Head Road. Shearers Swamp is recognised as a Wetland of National Importance. The area is included within the Shearers Swamp EMU (EMU no. 300378). This area is a very ecologically valuable one and is an important habitat for wetland-dwelling native fish and birds. Locals kayak in Shearers Swamp.

Panel Recommendations

National Panel: Wildlife management area will provide the required degree of protection for the identified at-risk/threatened values, and will provide landscape continuity with the adjoining area HOK_45 which has also been recommended to be classified as a wildlife management area.

Mana Whenua Panel: Supports the Western South Island National Panel recommendation.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of wildlife management area.

Summary of accepted submissions: Those submissions 'accepted' as holding merit supported the proposed classification as appropriately reflecting the natural resources present. 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 classification, supported by submissions from Treaty partner organisations.

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 promote the conservation of the natural and historic resources present while providing for their appreciation and recreational enjoyment by the public, being managed so that "its indigenous natural resources and its historic resources are protected" (Conservation Act 1987, s. 23B(1)).

Wildlife Management Area - HOK_46_2805511y

Support

Ecology and Landscape (Allowed)

- A submitter supported the proposed classification as it would protect against degradation of the land.
- A submitter supported the recommendation noting it is important habitat for (e.g. "indigenous fish species", "at-risk bird and plant species"). and it would provide landscape continuity with the adjacent Wildlife Management Area.

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present which warrant consideration. I agree that the natural resources present are appropriately protected and preserved by the proposed classification. Wildlife management areas are managed so that "wildlife and wildlife habitat values (including the capacity for the movement of wildlife, genetic material of indigenous plants, and genetic material of wildlife) are protected" (Conservation Act 1987, s. 23B(1)).

Treaty Considerations (Allowed)

- The recommendation of the Mana Whenua Panel was supported on the basis that it reflects "the values, interests, and perspectives of the Papatipu Rūnanga in whose Takiwā the relevant land is located", and that adopting the recommendations of the Mana Whenua Panel would give effect to the principles of the Treaty.

I recommend that these comments are accepted. I agree that the natural and historic resources present are appropriately protected by the proposed classification. I note that the Mana Whenua Panel have supported the proposed wildlife management area.

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, agreeing they reflected the "information in the technical reports", or expressed support for the recommendations of the Mana Whenua Panel.
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Oppose

Ecology and Landscape (Allowed)

- Submissions advocated for an alternative classification of scenic reserve noting its similarities with surrounding reserves, the area's uncommon ecosystems "dunes and wetlands", and "at risk and/or threatened species", and that because it is surrounded by scenic reserves that have "a higher protected status than that proposed", it would be "more appropriate", and "enhance the integrated management of the wider Shearer Swamp" if all the parcels had the same classification.

I recommend that these comments are not accepted. Although I agree that the area contains a range of ecosystems and habitat, it is my assessment that the natural resources present are appropriately protected and preserved by the proposed classification. Wildlife management areas are managed so that "wildlife and wildlife habitat values (including the capacity for the movement of wildlife, genetic material of indigenous plants, and genetic material of wildlife) are protected" (Conservation Act 1987, s. 23B(1)).

General (Allowed)

- Submissions opposed the recommendation without providing a reason and suggested an alternative classification of scenic reserve or historical reserve.

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 reclassification, noting that it would have negative economic benefits, and that there are too many restrictions already.

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)

- A submission opposed all reclassification of stewardship land to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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.

HOK_47 – Mikonui River – 2805512

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Mikonui River (Pasture)	HOK_47_2805512p	Conservation Park (Mikonui)		14	37
Mikonui River (Pasture)	HOK_47_2805512q		Disposal	6	47
Mikonui River (Riverbed/Forest)	HOK_47_2805512r	Conservation Park (Mikonui)	Neutral	13	37

DOC Conservation Values Report Description

A 168.6266-ha area includes the river, riverbed and alluvial flats of the Mikonui Valley and steep forest hillslopes on the eastern side of Mitchell Hill. The braided riverbed along Mikonui River is a naturally rare ecosystem and will be a threatened habitat. The entire area is under an active minerals permit (gold). The river is used by an occasional rafter and kayaker. There is a grazing concession in place, and no known heritage values.

Mikonui River (Pasture)

Panel Recommendations

National Panel: Conservation park (Mikonui), to reflect the mosaic of values present, protecting natural and historic resources while facilitating public recreation and enjoyment of the area.

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

S.49(2)(d) Recommendation

- Proceed with the notified proposal of conservation park for the 'pasture' section of this stewardship area.

Summary of accepted submissions: Those submissions 'accepted' as holding merit expressed general support for the proposed classification, noting the recreational values present.

Section 4 and Treaty principles: The Mana Whenua Panel have opposed the proposed classification on the grounds that the pastoral components "are highly modified and should not form part of public conservation land", supported by submissions from Treaty partner organisations.

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 warrant proceeding with the notified proposal.

Rationale: My conclusion is that the natural resources present (e.g. riparian margins and river flats) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Conservation Park (Mikonui) - HOK_47_2805512p

Support

Access and Recreation (Allowed)

- A submission supported the recommendation but expressed concern that the value of the rivers to the river community was "not adequately represented in the documentation".
- A submission supported the classification to preserve public access should climbing potential be found in the future.

I recommend that these comments are accepted. I agree that any recreational values present will be appropriately protected by the proposed classification. The proposed conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, or agreed it reflected the "information in the technical reports".
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter expressed "trust that Conservation Park status will provide full protection from any future mining applications in these areas".
- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide "more than adequate legal protection".
- A submission in support of conservation park advocated for greater protection from "intrusive development" such as mining and hydro schemes, stating that "most of the Southern Alps deserves protection equivalent to that of National Park status".

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

Other (Not Allowed)

- A submission suggested that the implementation of the proposed classification "needs to be followed up with sufficient funding for pest eradication".

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

Oppose

Access and Recreation (Allowed)

- Submissions opposed the classification and raised concern that the DOC technical reports lacked full representation of the recreational values present, in particular the importance of the wider area for the range of paddle sports and canyoning (e.g. "the reports for this area have missed multiple rivers, some of which would be considered the most regularly kayaked rivers on the west coast").
- Submitters detailed the popularity of the entire catchment for recreational users and sought a higher classification to protect ongoing access and the recreation values present. Classification as an ecological area was frequently recommended with some proposals advocating for national park status (e.g. "The valley is also very popular for Packrafting, Whitewater Kayaking and has a network of huts and tracks for hunting and tramping", "It is essential that we continue to protect these world class adventure opportunities for current and future generations", "The recreational value is extremely high. I support ecological areas or national parks").
- Submitters emphasised the significance of canyons in the catchment, advocating for a higher level of protection for the canyons themselves and to ensure public access to them (e.g. "Given the fact that there are three canyons from the same catchment, all with very high values, it is likely that other catchments contain as-yet unexplored Nationally Significant canyons").

I recommend that these comments are not accepted. It is my assessment that the recreational activities as described in the CVR (e.g. A network of tramping routes) and expanded on by submitters (e.g. important for canyoning) will be appropriately allowed for and protected by the proposed classification and the points raised do not warrant overturning the notified intention. The proposed conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Climate Change and Natural Hazards (Allowed)

- A submitter opposed the classification noting the opportunity for "ecosystem restoration in response to flood events or coastal erosion".

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 areas climate mitigation potential. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Ecology and Landscape (Allowed)

- Submissions advocated for higher protection based on the ecological values across the catchment, with a particular emphasis on the high freshwater values, threatened species and rare ecosystems present, recommending classification as an ecological area, wildlife management area, national park, addition to the Fergusons Scenic Reserve and Fergusons Bush Scenic Reserve or addition to the Upper Totara Ecological Area (e.g. "naturally uncommon ecosystems _including dunes and wetlands", "The braided riverbed along Mikonui River is a naturally rare ecosystem and will be a threatened habitat. There is high water quality and it is a very natural catchment", "The purpose of the ecological area should be the same as the Upper Totara ecological area. Alternatively, a Wildlife Management Area would also be acceptable"). Reference was also made to the high value the West Coast Tai Poutini CMS places on the area.
- Submitters highlighted the high ecological and scenic values of the adjacent Waitaha River stating their preference for the area to remain unmodified and protected as a national park.
- Submitters were concerned about protection for species which had not been recognised in the technical reports including "widespread but sparse" *Powelliphanta rossiana* and a long-tailed bat population, and also noted the technical reports failed to recognise the glacial geomorphology.
- Submissions advocated for better protection noting that several nearby areas with similar values had higher levels of classification.
- A submitter noted the area may have "the last remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened" and warrants a higher level of protection than that proposed, suggesting national park, wildlife management, scenic reserve, nature reserve or scientific reserve as more appropriate.

I recommend that these comments are not accepted. My assessment is that the natural resources present (e.g. riparian margins and river flats) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

- Submitters sought a greater degree of protection and noted that the proposed conservation parks are in close proximity to one another which "appears to be an inefficient way of managing land for conservation". It was recommended to combine the proposed parks where the values are similar as this "provides greater opportunity for large landscape scale management".

I recommend that these comments are not accepted. There are no specifications in the Conservation Act 1987 or Conservation General Policy regarding the size or proximity of distinct conservation parks.

Treaty Considerations (Allowed)

- Submissions supported the position of the Mana Whenua Panel on the basis that their recommendations "reflect the values, interests, and perspectives of the Papatipu Rūnanga in whose Takiwā the relevant land is located.

I recommend that these comments are not accepted. 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 warrant proceeding with the notified proposal.

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification, or expressed concern that the classification would not provide any greater protection than the current status.
- Submissions recommended national park with one submitter proposing disposal for the area.

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 opposed the classification due to concerns the status would not protect the conservation values identified and would allow mining activities to continue (e.g. "The area should be classified as an Ecological Area and all extractive industries and permits withdrawn", "a conservation status that allows underground or open cast mining is completely inconsistent with the review's purpose of assigning the appropriate protective conservation status for areas with high conservation value"). Higher classification as an ecological area was recommended.
- Submissions opposed the conservation park status noting that it would have a "negative impact on the potential economic benefit" and expressing concern that a change in status will affect existing permissions.
- A submitter who expressed general concern about the low-level protection offered by conservation park, noted support for that classification for land "potentially containing crown minerals". The support was contingent on the land being registered as a specially protected area if significant conservation values were present.
- A submitter opposed the classification due to a lack of clarity on the activities allowed for under the conservation park status and was concerned the status would not protect the high conservation values identified.
- A submitter did not support conservation park status and was concerned by the lack of information about the "possible economic activities" which may occur as signalled in the recommendation reports.

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

Process and Consultation (Not Allowed)

- A submitter stated that if a national park classification is "politically unpalatable, then political judgement calls must be made by accountable politicians, not by the Panel".
- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.
- A submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values".

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 to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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.

- A submitter noted that access should be maintained or improved, and because many of the rivers are accessed by helicopters, landing permissions should remain available.

Ecology and Landscape (Allowed)

- A submitter stated they want the rivers free flowing, unmodified and that the "conservation classification does not allow for dams or flow diversions".

I recommend that these comments are not accepted. Authorisation of any 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 which supports reconsideration of the notified classification.

Other (Not Allowed)

- A submitter advocated for new conservation parks to "come with additional Government funding for better biodiversity work and more pest control".

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

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter advocated that the current DOC concession system continues to be the only system used.

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

Other (Not Allowed)

- A submitter advocated for new conservation parks to "come with additional Government funding for better biodiversity work and more pest control".

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

Disposal - HOK_47_2805512q

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 agreed that the land did not hold any conservation values and was therefore suitable for disposal.

I recommend that these comments are not accepted. Although modified (e.g. riparian margins and river flats) the area shares a contiguous boundary with the indigenous forest proposed for conservation park and is connected to surrounding public conservation land. Its size and location make it suitable for restoration. When considered in the context of its position, my assessment is that the area contains sufficiently high conservation values to justify the notified classification of conservation park.

Treaty Considerations (Allowed)

- Submissions supported the recommendations of the Mana Whenua Panel on the basis that these recommendations reflect the rights and interests of mana whenua, recognise Ngāi Tahu's connection to their ancestral lands, and fulfil obligations under the Treaty of Waitangi (e.g. "by adopting the recommendations of the Mana Whenua Panel the Minister will give effect to the principles of the Treaty of Waitangi").

I recommend that these comments are not accepted. 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 warrant proceeding with the notified proposal.

General (Allowed)

- A submission expressed general support for the recommendation by the Mana Whenua Panel.

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 objected to disposal on the grounds that this represents a loss of public access and ability for future generations to enjoy these areas, expressed opposition to any disposal which means a loss of recreation opportunities such as angling or hunting, or requested "appropriate mechanisms are used to ensure existing and future public use is maintained or improved".
- Submissions advocated for ensuring public access was retained if the disposal was to proceed (e.g. "Should disposal go ahead, formally gazetted access to the carpark and along to Mikonui Hut is required").
- Submissions raised concern that the DOC technical reports lacked full representation of the recreational values present, in particular the importance of the wider area for the range of paddle sports and canyoning (e.g. "the reports for this area have missed multiple rivers, some of which would be considered the most regularly kayaked rivers on the west coast"). Classification as an ecological area was or national park recommended.
- Submitters detailed the popularity of the entire catchment for recreational users (e.g. "The area includes many tramping tracks and backcountry huts, giving access to the steep mountainous terrain and a number of canyons, including the important Red Granite Creek canyon", "The valley is also very popular for Packrafting, Whitewater Kayaking and has a network of huts and tracks for hunting and tramping", "Given the fact that there are three canyons from the same catchment, all with very high values, it is likely that other catchments contain as-yet unexplored Nationally Significant canyons") and sought protection of access and the recreation values present. Classification as an ecological area was frequently recommended with some proposals advocating for national park.

I recommend that these comments are accepted to the extent that I agree that any recreational values present are appropriately reflected by the notified classification, though I note recreational activity is currently unlikely to occur in the modified pastoral areas. The proposed conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

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, and should be available for future generations (e.g. "All land should be retained, protected and rehabilitated to help deal with the impacts of climate change, the biodiversity crisis and protecting Aotearoa New Zealand from other future shocks", "These areas are so important for communities that they need to be kept by DOC for climate mitigation, not disposed of"). Classification as a scenic reserve or ecological area was frequently recommended.
- Submissions emphasised the importance of retaining riverbeds and land that protects other areas from flooding, slips, erosions, and damage from sea surges and rising sea levels. They suggested reclassification as scenic reserve or ecological reserve to support restoration and allow room for natural river processes.
- A submitter stated that no land should be disposed of if there is potential for restoration and that riverbeds and adjacent land should be retained for flood retention, with no grazing permitted.

I recommend that these comments are accepted to the extent that they support retaining the land under an appropriate classification. I agree that the protection of the existing natural resources present is of increasing importance when considering the need for climate mitigation, and classification as a conservation park will support this outcome. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Ecology and Landscape (Allowed)

- Submissions opposed disposal, stating that widespread vegetation clearance, vulnerable ecosystems and Aotearoa's seriously declining biodiversity make retaining all conservation land essential. A "precautionary policy" was recommended to hold conservation future options open.
- Submitters further stated that stewardship land represents "a broad cross section of indigenous ecosystems, in various states of regeneration".

- Several submissions advocated for classification as an ecological area emphasising the high freshwater values and referring to the listing of the Mikonui catchment as a priority site in the West Coast CMS. (e.g. "The braided riverbed along Mikonui River is a naturally rare ecosystem and will be a threatened habitat. It should be preserved"). " A submitter noted the area to contain naturally uncommon ecosystems "including dunes and wetlands", advocating for ecological area status.
- Submitters were concerned about protection for species which had not been recognised in the technical reports including *Powelliphanta rossiana* and a long-tailed bat population (e.g. "The CVR also fails to mention that Mt Greenland is the type locality for the endangered *Powelliphanta rossiana*. The *Powelliphanta* recovery plan lists greater protection of this habitat as a high priority future management action").
- Submitters recommend higher protection be given as an ecological area or wildlife management area.
- Submissions highlighted that adjacent land has a higher conservation status yet contains similar values advocating for a higher level of protection (e.g. "Given its landscape and conservation values are the same as the adjacent Upper Totara Ecological Area, it should be added to this").
- Submissions suggested that even modified land is likely to retain some natural values or opportunities for ecosystem restoration (e.g. most "have remnants of native forests and provide islands of habitat for native species", "what has been described as pasture is likely to retain indigenous spp., juncus, carex etc").
- Submitters advocated for riparian margins to be expanded and grazing to be excluded to support restoration.
- Submissions opposed disposal where there is poor ecological representation in existing protected areas, recommending that lowland river terraces remain in public conservation land as so little remains and there is the potential for restoration and regeneration.
- One submission recommended that only modified landlocked sites without restoration potential should be disposed of.

I recommend that these comments are accepted to the extent that they support retaining the land under an appropriate classification. Although modified (e.g. riparian margins and river flats) the area shares a contiguous boundary with the indigenous forest proposed for conservation park and is connected to surrounding public conservation land. Its size and location make it suitable for restoration. My assessment is the area contains sufficiently high conservation values to justify the notified classification of conservation park. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Treaty Considerations (Allowed)

- One submission stated no stewardship land should be disposed of, except to tangata whenua, "and only then with the need to maintain the block's cultural, conservation & mahika-kai values".
- One submission expressed a desire for maximum protection to allow nature to thrive, in keeping with the approach of the indigenous people of Aotearoa.
- A submitter noted the area held "high cultural value to Waitaha whose name it bears. It is an iconic white water canoe river" and sought to "Preserve the Waitaha River as an unmodified braided river from the mountains to the sea". It was suggested the area should either be given national park status or a classification which recognises its ecological importance.

I recommend that these comments are accepted to the extent that they support retaining the land under an appropriate classification. 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 warrant proceeding with the notified proposal.

General (Allowed)

- Submissions expressed opposition to disposal of any stewardship land in general terms, expressed a desire for maximum environmental protection or supported "a cautionary approach".
- Submissions also supported the National Panel Recommendations of conservation park, or suggested alternatives such as national park or ecological area.

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 expressed opposition to disposal of any stewardship land and sought protection from development, mining or other extractive activities, stating concern about the impacts of activities that may occur if disposal was to proceed (e.g. " I would fear that disposal (or a land swap) could result in much greater intensification of farming up the Mikonui River, ruining the amazingly clean water the river currently has").
- A submission advocated for no disposals and stated that there is "little or no added management burden to retain these lands" and disposal may cause costs to be incurred. Further concerns that the "only possible advantage in the recommendation for land disposal is to the landowner who currently has a grazing license (or those who are farming regardless of whether they have a grazing license or not)" were expressed.
- A submission recommended consideration of potential productivity and whether the land could be used to support future food security.
- A submission in opposition was concerned that disposal would 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, including the timeframe for response, when compared to the scale of information notified.
- A submitter noted that "there is no requirement" that land with low conservation values is disposed of, expressing opposition to any disposal of riverbed or pastoral land in public ownership. Concerns regarding the limits of the notification were further highlighted as the "proposed disposals do not give even a general indication where disposal boundaries might be" making it difficult for submitters to comment. The submitter further stated that "The National Panel is recommending 65 hectares for disposal, but has recommended up to an additional 1000 hectares of land may be disposed of where there is pastoral land alongside river conservation areas (subject to survey). This is not explained or justified".

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

Other (Not Allowed)

- One submission suggested 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.

No Opinion/Position Stated

Access and Recreation (Allowed)

- Submissions queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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.

Ecology and Landscape (Allowed)

- A submitter requested that "rivers are maintained in a free-flowing unmodified state", and that the "classification does not allow for dams or flow diversions".

I recommend that these comments are not accepted. Authorisation of any 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 which supports reconsideration of the notified classification.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitted advocated that helicopter "landing permissions continue to be available" through the current DOC concession system.

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

Mikonui River (Riverbed/Forest)

Panel Recommendations

National Panel: Conservation park (Mikonui), to reflect the mosaic of values present, protecting natural and historic resources while facilitating public recreation and enjoyment of the area.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal for the 'riverbed/forest' section of this stewardship area.

Summary of accepted submissions: Those submissions 'accepted' as holding merit expressed general support for the proposed classification, noting the recreational values 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 natural resources present are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Conservation Park (Mikonui) - HOK_47_2805512r

Support

Access and Recreation (Allowed)

- A submission supported the recommendation but expressed concern that the value of the rivers to the river community was "not adequately represented in the documentation".

I recommend that these comments are accepted. I agree that any recreational values present will be appropriately protected by the proposed classification. The proposed conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, or agreed it reflected the "information in the technical reports".
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter expressed "trust that Conservation Park status will provide full protection from any future mining applications in these areas".
- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide "more than adequate legal protection".
- A submission in support of conservation park advocated for greater protection from "intrusive development" such as mining and hydro schemes, stating that "most of the Southern Alps deserves protection equivalent to that of National Park status".

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

Other (Not Allowed)

- A submission suggested that the implementation of the proposed classification "needs to be followed up with sufficient funding for pest eradication".

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

Oppose

Access and Recreation (Allowed)

- Submissions opposed the classification and raised concern that the DOC technical reports lacked full representation of the recreational values present, in particular the importance of the wider area for the range of paddle sports and canyoning (e.g. "the reports for this area have missed multiple rivers, some of which would be considered the most regularly kayaked rivers on the west coast").
- Submitters detailed the importance of the wider catchment for recreational users and sought a higher classification to protect ongoing access and the recreation values present. Classification as an ecological area was frequently recommended with national park and wildlife management area also suggested (e.g. "The valley is also very popular for Packrafting, Whitewater Kayaking and has a network of huts and tracks for hunting and tramping", "It is essential that we continue to protect these world class adventure opportunities for current and future generations", "The recreational value is extremely high. I support ecological areas or national parks").
- Submitters emphasised the significance of canyons in the wider catchment, advocating for a higher level of protection for the canyons themselves and to ensure public access to them (e.g. "The area includes many tramping tracks and backcountry huts, giving access to the steep mountainous terrain and a number of canyons, including the important Red Granite Creek canyon", "Given the fact that there are three canyons from the same catchment, all with very high values, it is likely that other catchments contain as-yet unexplored Nationally Significant canyons").

I recommend that these comments are not accepted. My assessment that the recreational activities as described in the CVR (e.g. A network of tramping routes, some 4WD use, kayaking and rafting use) and expanded on by submitters (e.g. important for canyoning) will be appropriately allowed for and protected by the proposed classification and the points raised do not warrant overturning the notified intention. The proposed conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Climate Change and Natural Hazards (Allowed)

- A submitter opposed the classification, noting the opportunity for "ecosystem restoration in response to flood events or coastal erosion", and seeking classification as an ecological area.

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 areas climate mitigation potential. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Ecology and Landscape (Allowed)

- Submissions advocated for higher protection based on the ecological values across the catchment. There was particular emphasis on the freshwater values and threatened species present, with submitters recommending classification as an ecological area, wildlife management area or national park (e.g. "naturally uncommon ecosystems _including dunes and wetlands", "The braided riverbed along Mikonui River is a naturally rare ecosystem and will be a threatened habitat. There is high water quality and it is a very natural catchment", "The proposed Mikonui Conservation Park has an extraordinary array of conservation values, reaching from close to the ocean to almost the top of Ragged Peak", "The purpose of the ecological area should be the same as the Upper Totara ecological area. Alternatively, a Wildlife Management Area would also be acceptable"). Reference was also made to the high value the West Coast Tai Poutini CMS places on the area.
- Submitters were concerned about protection for species which had not been recognised in the technical reports including *Powelliphanta rossiana* and a long-tailed bat population, and also noted the technical reports failed to recognise the glacial geomorphology (e.g. "While the Upper Totara Ecological Area was protected in part for its glacial geomorphology, it only protects the most recent glacial moraines on the true-right on the Mikonui River").

- Submissions advocated for better protection noting that several nearby areas with similar values had higher levels of classification.
- A submitter noted the area may have "the last remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened" and warrants a higher level of protection than that proposed, suggesting national park, wildlife management, scenic reserve, nature reserve or scientific reserve as more appropriate.

I recommend that these comments are not accepted. My assessment is that the natural resources present (e.g. lowland forest, braided riverbed and river flats, moderate environmental diversity, predicted high water quality) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

- Submitters sought a greater degree of protection and noted that the proposed conservation parks are in close proximity to one another which "appears to be an inefficient way of managing land for conservation". It was recommended to combine the proposed parks where the values are similar as this "provides greater opportunity for large landscape scale management".

I recommend that these comments are not accepted. There are no specifications in the Conservation Act 1987 or Conservation General Policy regarding the size or proximity of distinct conservation parks.

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification, or expressed concern that the classification would not provide any greater protection than the current status.
- Submissions recommended national park status and addition to the adjoining scenic reserve.

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 opposed the classification due to concerns the status would not protect the conservation values identified and would allow mining activities to continue (e.g. "The area should be classified as an Ecological Area and all extractive industries and permits withdrawn", "a conservation status that allows underground or open cast mining is completely inconsistent with the review's purpose of assigning the appropriate protective conservation status for areas with high conservation value"). Classification as an ecological area was recommended to protect the high ecological and recreational values present from mining.
- Submissions opposed the conservation park status noting that it would have a "negative impact on the potential economic benefit" and expressing concern that a change in status will affect existing permissions noting the financial investment from the mining permit holder and "serious legal implications if reclassified".
- A submitter who expressed general concern about the low-level protection offered by conservation park, noted support for that classification for land "potentially containing crown minerals". The support was contingent on the land being registered as a specially protected area if significant conservation values were present.
- A submitter opposed the classification due to a lack of clarity on the activities allowed for under the conservation park status and was concerned the status would not protect the high conservation values identified.
- A submitter did not support conservation park status and was concerned by the lack of information about the "possible economic activities" which may occur as signalled in the recommendation reports.

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

Process and Consultation (Not Allowed)

- A submitter stated that if a national park classification is "politically unpalatable, then political judgement calls must be made by accountable politicians, not by the Panel".
- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.
- A submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values".

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 to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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.

- Submitters noted that access should be maintained or improved and the high value of the area to the paddling community.

I recommend that these comments are accepted. It is my assessment that any recreational values present will be appropriately protected by the notified classification. The proposed conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b).

Ecology and Landscape (Allowed)

- A submitter stated they want the rivers free flowing, unmodified and that the "conservation classification does not allow for dams or flow diversions".

I recommend that these comments are not accepted. Authorisation of any 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 which supports reconsideration of the notified classification.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter advocated that the current DOC concession system continues to be the only system used.
- A submitter noted that because many of the rivers are accessed by helicopters landing permissions should continue to be available.

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

Other (Not Allowed)

- A submitter advocated for new conservation parks to "come with additional Government funding for better biodiversity work and more pest control".

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

HOK_48 – Waitaha River /Kakapotahi River – 2805517

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Waitaha River/Kakapotahi River	HOK_48_2805517a	Conservation Park (Waitaha)	Neutral	33	57

DOC Conservation Values Report Description

A 33.2109-ha area made up of several sections of land along the Waitaha Valley, including areas of river, riverbed gravel and alluvial flats. The vegetation includes a mix of mature riparian forest, treeland, shrubland/regenerating forest (some that appears to be weedy), wetlands, rough pasture, and improved pasture. The area contains a considerable section of habitat for native freshwater fish. The river is used by kayakers and the occasional fisher and a grazing concession is in place.

Panel Recommendations

National Panel: Conservation park (Waitaha), to reflect the mosaic of values present, protecting natural and historic resources while facilitating public recreation and enjoyment of the area.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of conservation park.

Summary of accepted submissions: Those submissions 'accepted' as holding merit supported the notified classification as appropriate for the natural and recreational values present, noting the importance of ongoing public access.

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 natural resources present (e.g. braided riverbed, freshwater fish habitat, mix of mature riparian forest and shrubland/regenerating forest, pasture) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Conservation Park (Waitaha) - HOK_48_2805517a

Support

Access and Recreation (Allowed)

- Submissions supported the classification as providing ongoing access for recreational users, noting the importance of the Kakapotahi River as "one of but a few road accessible rivers on the West Coast" and opposing any form of disposal. The popularity of the area for kayakers was specifically highlighted (e.g. "Road accessible recreational whitewater rivers are very limited on the West Coast and as such the Kakapotahi sees a significant amount of use as an accessible highly scenic river with excellent whitewater values", "This recommendation is important to me because these rivers contain some of the most beautiful and challenging whitewater runs in the country").
- Submitters supported the classification but sought "better" to protect the recreational values present.
- Submission supported the recommendation but expressed concern that the value of the rivers to the river community was insufficiently represented (e.g. "the assessment and recommendation reports are silent on the whitewater recreational values and usage over the last 50+ years, referring only to the occasional hunter").

I recommend that these comments are accepted to the extent that they support the proposed classification. I agree that the recreational values present will be appropriately protected under the notified classification. The conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Ecology and Landscape (Allowed)

- A submitter stated they were not opposed to conservation park status as "the land use around the river having already had some impact, meaning it is not pristine".

I recommend that these comments are accepted to the extent that I agree that the natural resources present are appropriately protected under the proposed classification. The primary purpose of a conservation park includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, or agreed it reflected the "information in the technical reports".
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter expressed "trust that Conservation Park status will provide full protection from any future mining applications in these areas".
- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide "more than adequate legal protection".
- A submission in support of conservation park advocated for greater protection from "intrusive development" such as mining and hydro schemes, stating that "most of the Southern Alps deserves protection equivalent to that of National Park status".

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

Other (Not Allowed)

- A submission suggested that the implementation of the proposed classification "needs to be followed up with sufficient funding for pest eradication".
- Submitters expressed their gratitude for the road and requested better recognition of its use and restoration of damaged areas where it has washed out and (e.g. "would like to see the recreational use and access recognised in the assessment and any subsequent management documents for the area").
- A submitter noted that the assessment report incorrectly states that the area is backcountry when it is front country and that the Happy Valley Road "sits on DOC land and as such DOC is responsible for the maintenance of this access road".

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

Oppose

Access and Recreation (Allowed)

- Submitters highlighted the recreational values present, noted the importance of the road access, and sought a higher level of protection frequently recommending ecological area. The popularity of kayaking and significance of the area for the paddling community was particularly emphasised (e.g. "Road accessible recreational whitewater rivers are rare on West Coast and as such the Kakapotahi sees a significant amount of use", "As this road serves a range of recreation opportunities, we believe an appropriate classification would rectify these issues. Preference

ecological area", "The Kakapotahi or Kakas is a classic west coast river and a staple for paddlers during both low and high water").

- Submissions also suggested national park as an appropriate classification.
- A submitter noted that jetboating was incorrectly identified as a historical activity but needs to continue for "hunting and recreation" access.

I recommend that these comments are not accepted. My assessment is that the recreational values present as identified by the submitter and described in the CVR (e.g. kayaking and occasional fishing) will be appropriately protected by the proposed classification and the points raised do not warrant overturning the notified intention. The proposed conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Climate Change and Natural Hazards (Allowed)

- A submitter opposed the classification, noting the opportunity for "ecosystem restoration in response to flood events or coastal erosion", and seeking classification as a government purpose reserve (river floodplain) or scenic reserve.
- A submitter opposed the classification and highlighted the role the area could play in climate mitigation (e.g. "These areas will regenerate and retention for conservation better meets the recommendations of the Climate Change Commission Report").

I recommend that these comments are not accepted. My assessment is the proposed classification will support the protection of the natural resources present (e.g. braided riverbed, mix of mature riparian forest and shrubland/regenerating forest, rough pasture) and as a result support the areas climate mitigation potential. The points raised do not justify overturning the notified intention. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Ecology and Landscape (Allowed)

- Submissions advocated for higher protection based on the ecological values present across the catchment, with a particular emphasis on freshwater values and at risk/threatened species, recommending classification as an ecological area, wildlife management area or national park (e.g. "It is absolutely unacceptable that a place of the Waitahas significance be given such low protection, it is imperative that this river and land be give the attention and safety it deserves"). A submission noted the values present including "naturally uncommon ecosystems _including dunes and wetlands" recommending classification as a government purpose reserve (river floodplain) or scenic reserve.
- Submitters advocated for a catchment based approach to managing the Waitaha and recommended classification as a national park (e.g. "These river beds, flood plain and land parcels can be linked by either LINZ held riverbeds and lands or PCL to the entrance of the Morgan Gorge and should be managed as an integrated whole catchment as National Park").
- Submitters also suggested adding surrounding areas to the national park (e.g. Addition to Westland Tai Poutini National Park "along with the Waitangi Conservation Area, TWP 05 Waitangi Forest #2809665. In time the Park could be linked across the main divide to the Rangitata/Rakaia Headwaters Conservation Area", "We would also like to see this area be combined with the Conservation Area- Wanganui-Otira catchments to protect the entire catchment as one").
- A submission provided a detailed assessment of the collective values across a number of pieces of stewardship land which would create a Waitaha National Park or should be added to the Wetland Tai Poutini National Park, noting the opportunity to link in time to the Rangitata/Rakia Headwaters in Canterbury. Justification was focussed on the significance and range of values present (e.g. "the extent of this dramatic near pristine area backing onto the Adams Wilderness with its range of ecological, scientific, scenic, and natural features is so distinctive and beautiful that it warrants National Park classification.....The Waitaha River and flood plains are an integral part of this landscape unit and while encompassing areas of highly modified and rough pasture they are capable of restoration and natural regeneration, thereby enhancing biodiversity, building climate resilience, and providing opportunities for mitigating emissions and sequestering carbon").

- Submissions advocated for higher levels of protection noting that several nearby areas with similar values had higher levels of classification.
- A submitter noted the area may have "the last remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened" and warrants a higher level of protection than that proposed, suggesting national park, wildlife management, scenic reserve, nature reserve or scientific reserve as more appropriate.

I recommend that these comments are not accepted. My assessment is that the natural values present (e.g. braided riverbed, freshwater fish habitat, mix of mature riparian forest and shrubland/regenerating forest, rough/improved pasture) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification, or expressed concern that the classification would not provide any greater protection than the current status, recommending national park, ecological area (with one submitter suggesting it should include "added historical status") or addition to the neighbouring scenic reserve.

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 submitter who expressed general concern about the low-level protection offered by conservation park, noted support for that classification for land "potentially containing crown minerals". The support was contingent on the land being registered as a specially protected area if significant conservation values were present.
- A submitter opposed the classification due to a lack of clarity on the activities allowed for under the conservation park status and was concerned the status would not protect the high conservation values identified.
- Submissions opposed the conservation park status expressing concern that a change in status will affect existing permissions.
- Submitters opposed the classification due to concerns the status would not protect the conservation values identified and allow the hydro scheme to continue (e.g. "The most concerning currently is the Waitaha river, as it is once again under threat of being hydro-schemed. We do not doubt that if the areas under review are not classified under the highest protection status possible, we will see more areas in danger of this happening").

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 submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values".
- A submitter stated that if a national park classification is "politically unpalatable, then political judgement calls must be made by accountable politicians, not by the Panel".

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 to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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.

Ecology and Landscape (Allowed)

- A submission advocated for protection of the Waitaha as "one of our few rare, braided rivers still unmodified, leading to its beautiful rata dressed gorge with hot spring".
- A submission noted the opportunity for restoration of aquatic ecosystems in this area and the importance of considering the surrounding hydro parcels.

I recommend that these comments are accepted to the extent that I agree that the natural resources present warrant protection. My assessment is that the natural values present in the assessment area (e.g. braided riverbed, freshwater fish habitat, mix of mature riparian forest and shrubland/regenerating forest, rough/improved pasture) are appropriately protected under the proposed classification. The primary purpose of a conservation park includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

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 which supports reconsideration of the notified classification.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submission supported the decision the Minister to protect the Waitaha River and stated the area is worthy of higher protection.

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

Other (Not Allowed)

- A submitter advocated for new conservation parks to "come with additional Government funding for better biodiversity work and more pest control".

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

HOK_49 – Little Waitaha River – 2805518

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Little Waitaha River	HOK_49_2805518b	Conservation Park (Waitaha)	Neutral	16	27

DOC Conservation Values Report Description

A 47.7749-ha area made up of four sections of land consisting of alluvial flats and adjacent hillslopes containing a mix of forest, shrubland, wetland and pasture, along the Kakapotahi Valley. Most of the forest consists of secondary growth indigenous forest. There is a small area of grazed pastoral land under a grazing concession, where all riparian vegetation has been completely cleared. There is occasional hunting. There are New Zealand Automobile Association sites in the vicinity, associated with transport.

Panel Recommendations

National Panel: Conservation park (Waitaha), to reflect the mosaic of values present, protecting natural and historic resources while facilitating public recreation and enjoyment of the area.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of conservation park.

Summary of accepted submissions: Those submissions 'accepted' as holding merit supported the notified classification as appropriate for the natural and recreational values present, noting the importance of ongoing public access.

Section 4 and Treaty principles: The Mana Whenua Panel have not opposed the notified classification.

The Mana Whenua Panel 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 consider the classification is not inconsistent with the identified interests.

Rationale: My conclusion is that the natural resources present (e.g. alluvial flats, secondary growth indigenous forest, shrubland, small pastoral area) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Conservation Park (Waitaha) - HOK_49_2805518b

Support

Access and Recreation (Allowed)

- Submitters supported the classification as protecting the recreational values present and providing ongoing public access, emphasising the importance of the area to many river users and opposing any form of disposal (e.g. "While only a small part of the actual river is in this area, it provides the true-left gorge side and access. Locals also mountain bike up this road", "The road also gives access to the happy Valley Flats, which provide a rough and untracked route up Swandri Spur", "Oppose any disposal of former or current riverbed that provides or protects actual or potential public access as the river moves").
- Submitters supported the classification but expressed concern that the value of the rivers to the river community was not adequately represented (e.g. "The technical report fails to mention that the Kakapotahi River is the most frequently used river on the West Coast by those with an intermediate set of whitewater kayaking skills", "The technical report does not outline the high recreational values which are in this area kayaking").

I recommend that these comments are accepted to the extent that they support the proposed classification. I agree that the recreational values present will be appropriately protected under the notified classification and note the identification of

activities not recorded in the CVR. The conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Ecology and Landscape (Allowed)

- A submitter supported the classification as protecting the ecological values present (e.g. "The eco system is of high quality with both water quality and natural scenery contributing to an amazing recreational experience for visitors").
- A submitter supported the classification as appropriate for the values present noting the presence of the glacial moraines (e.g. "the area also contains a large portion of the true right lateral and terminal moraines of the Waitaha Glacier, which would have filled the Waitaha Valley flats at the end of Late Otiran glacial period. This terminal moraine is rather unique in Westland, as it is clearly defined, has not been modified to any great extent by the Waitaha River").

I recommend that these comments are accepted. I agree that the natural resources present (e.g. Alluvial flats, secondary growth indigenous forest, shrubland, small pastoral area) are appropriately protected under the proposed classification. The primary purpose of a conservation park includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, or agreed it reflected the "information in the technical reports".
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter expressed "trust that Conservation Park status will provide full protection from any future mining applications in these areas".
- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide "more than adequate legal protection".
- A submission in support of conservation park advocated for greater protection from "intrusive development" such as mining and hydro schemes, stating that "most of the Southern Alps deserves protection equivalent to that of National Park status".

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

Other (Not Allowed)

- A submission suggested that the implementation of the proposed classification "needs to be followed up with sufficient funding for pest eradication".
- A submitter noted that the assessment report incorrectly states that the area is backcountry when it is front country and that the Happy Valley Road "sits on DOC land and as such DOC is responsible for the maintenance of this access road".

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

Oppose

Access and Recreation (Allowed)

- Submitters highlighted the recreational values present, noted the importance of the road access, and sought a higher level of protection frequently recommending ecological area. The popularity of kayaking and significance of the area for the paddling community was particularly emphasised (e.g. "the Kakapotahi is one of the most regularly run west coast rivers due to its road access", "This recommendation is important to me because I just drove up

there this weekend with a group of mates to go kayaking and it was scary and fun and beautiful and invigorating and it would be a travesty if this access dissolved").

- Submissions also suggested national park as an appropriate classification (e.g. "My expectation is that this place be considered as an addition Tai Poutini national park due to extraordinary nature of the wild rivers in this area").
- Submission supported the recommendation but expressed concern that the value of the rivers to the river community was insufficiently represented (e.g. "the assessment and recommendation reports are silent on the whitewater recreational values and usage over the last 50+ years, referring only to the occasional hunter").
- A submitter noted that jetboating was incorrectly identified as a historical activity but needs to continue for "hunting and recreation" access.

I recommend that these comments are not accepted. My assessment is that the recreational values identified by submitters are allowed for, and will be appropriately protected, under the proposed classification. The points raised do not warrant overturning the notified intention. The proposed conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Climate Change and Natural Hazards (Allowed)

- A submitter opposed the classification and highlighted the role the area could play in climate mitigation (e.g. "These areas will regenerate and retention for conservation better meets the recommendations of the Climate Change Commission Report").

I recommend that these comments are not accepted. My assessment is the proposed classification will support the protection of the natural resources present, and as a result support the areas climate mitigation potential. The points raised do not justify overturning the notified intention. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Ecology and Landscape (Allowed)

- Submitters advocated for a catchment based approach to managing the Waitaha and recommended classification as a national park (e.g. "These river beds, flood plain and land parcels can be linked by either LINZ held riverbeds and lands or PCL to the entrance of the Morgan Gorge and should be managed as an integrated whole catchment as National Park, "They are part of nationally rare braided river ecosystems. There are patches of remnant tall kahikatea and totara groves, some riparian vegetation, wetlands and a mix of rough and developed pasture, most of which is flood prone").
- Submitters also suggested adding surrounding areas to the national park (e.g. Addition to Westland Tai Poutini National Park "along with the Waitangi Conservation Area, TWP 05 Waitangi Forest #2809665. In time the Park could be linked across the main divide to the Rangitata/Rakaia Headwaters Conservation Area", "We would also like to see this area be combined with the Conservation Area- Wanganui-Otira catchments to protect the entire catchment as one").
- A submission provided a detailed assessment of the collective values across a number of pieces of stewardship land which would create a Waitaha National Park or should be added to the Wetland Tai Poutini National Park, noting the opportunity to link in time to the Rangitata/Rakia Headwaters in Canterbury. Justification was focussed on the significance and range of values present (e.g. "the extent of this dramatic near pristine area backing onto the Adams Wilderness with its range of ecological, scientific, scenic, and natural features is so distinctive and beautiful that it warrants National Park classification.....The Waitaha River and flood plains are an integral part of this landscape unit and while encompassing areas of highly modified and rough pasture they are capable of restoration and natural regeneration, thereby enhancing biodiversity, building climate resilience, and providing opportunities for mitigating emissions and sequestering carbon").
- Submissions advocated for higher levels of protection noting that several nearby areas with similar values had higher levels of classification.
- A submitter noted the area contained naturally uncommon ecosystems "including dunes and wetlands", advocating for classification as scenic reserve "for restoration of depleted indigenous ecosystems".
- A submitter noted the area may have "the last remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened" and warrants a higher level of protection than that proposed,

suggesting national park, wildlife management, scenic reserve, nature reserve or scientific reserve as more appropriate.

I recommend that these comments are not accepted. My assessment is that the natural values present (e.g. braided riverbed, freshwater fish habitat, mix of mature riparian forest and shrubland/regenerating forest, rough/improved pasture) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification, or expressed concern that the classification would not provide any greater protection than the current 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)

- A submitter who expressed general concern about the low-level protection offered by conservation park, noted support for that classification for land "potentially containing crown minerals". The support was contingent on the land being registered as a specially protected area if significant conservation values were present.
- A submitter opposed the classification due to a lack of clarity on the activities allowed for under the conservation park status and was concerned the status would not protect the high conservation values identified.
- Submissions opposed the conservation park status expressing concern that a change in status will 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.
- A submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values".
- A submitter stated that if a national park classification is "politically unpalatable, then political judgement calls must be made by accountable politicians, not by the Panel".

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 to specially protected areas unless it was purchased by the Nature Heritage Fund for the purpose of adding it to a national park.
- A submitter noted that the assessment report incorrectly states that the area is backcountry when it is front country and that the Happy Valley Road "sits on DOC land and as such DOC is responsible for the maintenance of this access road".

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

No Opinion/Position Stated

Access and Recreation (Allowed)

- Submissions queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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.

Ecology and Landscape (Allowed)

- A submission noted the opportunity for restoration of aquatic ecosystems in this area and the importance of considering the surrounding hydro parcels.

I recommend that these comments are accepted to the extent that they support retaining the land under an appropriate classification. My assessment is the area contains sufficiently high conservation values to justify the notified classification of conservation park. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

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 which supports reconsideration of the notified classification.

Other (Not Allowed)

- A submitter advocated for new conservation parks to "come with additional Government funding for better biodiversity work and more pest control".

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

HOK_49 – Little Waitaha River – 2805635

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Little Waitaha River (Pasture)	HOK_49_2805635y	Conservation Park (Waitaha)		19	27
Little Waitaha River (Pasture)	HOK_49_2805635a		Disposal	6	41
Little Waitaha River (Riverbed)	HOK_49_2805635b	Conservation Park (Waitaha)	Neutral	17	26

DOC Conservation Values Report Description

An 87.6765-ha area consisting of alluvial flats and adjacent hillslopes containing a mix of forest, shrubland, wetland and pasture, along the Kakapotahi Valley. Most of the forest consists of secondary growth indigenous forest. There is a small area of grazed pastoral land under a grazing concession, where all riparian vegetation has been completely cleared. There is the only the occasional hunter and New Zealand Automobile Association sites in the vicinity associated with transport.

Little Waitaha River (Pasture)

Panel Recommendations

National Panel: Conservation park (Waitaha), to reflect the mosaic of values present, protecting natural and historic resources while facilitating public recreation and enjoyment of the area.

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 of conservation park for the 'pasture' section of this stewardship area.

Summary of accepted submissions: Those submissions 'accepted' as holding merit supported the notified classification as appropriate for the ecological and recreational values present.

Section 4 and Treaty principles: The Mana Whenua Panel 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)". They recommended disposal of the "pastoral components" of the conservations areas as "they are highly modified" and "farming is important to the West Coast economy", supported by Treaty partner submissions.

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 warrant proceeding with the notified proposal.

Regarding the specific concerns identified by the Mana Whenua Panel (impact on existing farming activities), I note that conservation legislation contemplates that some activities may be acceptable and provides a mechanism for authorising such activities through the granting of concessions. The proposed classification may still allow for certain development and economic opportunities (for example) through this mechanism, which would be administered in a manner that gives effect to Treaty principles.

Rationale: My conclusion is that the natural resources present are appropriately protected under the proposed classification (e.g. (e.g. alluvial flats, small pastoral area). The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Conservation Park (Waitaha) - HOK_49_2805635y

Support

Access and Recreation (Allowed)

- Submitters supported the classification as protecting the recreational values present and providing ongoing public access, emphasising the importance of the area to many river users and opposing any form of disposal (e.g. "Road accessible recreational whitewater rivers are rare on West Coast and as such the Kakapotahi sees a significant amount of use as an accessible highly scenic river with excellent whitewater values", "While only a small part of the actual river is in this area, it provides the true-left gorge side and access. Locals also mountain bike up this road", "The road also gives access to the happy Valley Flats, which provide a rough and untracked route up Swandri Spur", "Oppose any disposal of former or current riverbed that provides or protects actual or potential public access as the river moves").
- Submitters supported the classification but expressed concern that the value of the rivers to the river community was not adequately represented (e.g. "The assessment and recommendation reports are silent on the whitewater recreational values and usage over the last 50+ years, referring only to the occasional hunter").
- A submission supported the proposed classification on the basis of preserving public access, should climbing potential be discovered in the future.

I recommend that these comments are accepted to the extent that they support the proposed classification. I agree that the recreational values present will be appropriately protected under the notified classification and note the identification of activities not recorded in the CVR. The conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Ecology and Landscape (Allowed)

- A submitter supported the classification as protecting the ecological values present (e.g. "The eco system is of high quality with both water quality and natural scenery contributing to an amazing recreational experience for visitors").
- A submitter supported the classification as appropriate to protect the values noting the presence of the glacial moraines (e.g. "the area also contains a large portion of the true right lateral and terminal moraines of the Waitaha Glacier, which would have filled the Waitaha Valley flats at the end of Late Otiran glacial period. This terminal moraine is rather unique in Westland, as it is clearly defined, has not been modified to any great extent by the Waitaha River").

I recommend that these comments are accepted. I agree that the natural resources present are appropriately protected under the proposed classification. The primary purpose of a conservation park includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, or agreed it reflected the "information in the technical reports".
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter expressed "trust that Conservation Park status will provide full protection from any future mining applications in these areas".
- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide "more than adequate legal protection".

- A submission in support of conservation park advocated for greater protection from "intrusive development" such as mining and hydro schemes, stating that "most of the Southern Alps deserves protection equivalent to that of National Park status".

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

Other (Not Allowed)

- A submission suggested that the implementation of the proposed classification "needs to be followed up with sufficient funding for pest eradication".
- A submitter noted that the assessment report incorrectly states that the area is backcountry when it is front country and that the Happy Valley Road "sits on DOC land and as such DOC is responsible for the maintenance of this access road".

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

Oppose

Access and Recreation (Allowed)

- Submitters highlighted the recreational values present, noted the importance of preserving the road access, and sought a higher level of protection frequently recommending ecological area. The popularity of kayaking and significance of the area for the paddling community was emphasised (e.g. "the Kakapotahi is one of the most regularly run west coast rivers due to its road access", "This recommendation is important to me because I just drove up there this weekend with a group of mates to go kayaking and it was scary and fun and beautiful and invigorating and it would be a travesty if this access dissolved").
- Submissions also suggested national park as an appropriate classification (e.g. "My expectation is that this place be considered as an addition Tai Poutini national park due to extraordinary nature of the wild rivers in this area").
- A submitter noted that jetboating was incorrectly identified as a historical activity but needs to continue for "hunting and recreation" access.

I recommend that these comments are not accepted. My assessment is that the recreational values present as identified by the submitter will be appropriately protected by the proposed classification and the points raised do not warrant overturning the notified intention. The proposed conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Climate Change and Natural Hazards (Allowed)

- A submitter advocated for classification as government purpose (river floodplain) reserve due to the "opportunities for ecosystem restoration in response to flood events or coastal erosion" and carbon sequestration.

I recommend that these comments are not accepted. My assessment is the proposed classification will support the protection of the natural resources present, and as a result support the areas climate mitigation potential. The points raised do not justify overturning the notified intention. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Ecology and Landscape (Allowed)

- Submitters advocated for a catchment based approach to managing the Waitaha and recommended classification as a national park to allow "integrated" management and a holistic approach (e.g. "These river beds, flood plain and land parcels can be linked by either LINZ held riverbeds and lands or PCL to the entrance of the Morgan Gorge and should be managed as an integrated whole catchment as National Park").
- Submitters also suggested adding surrounding areas to the national park (e.g. Addition to Westland Tai Poutini National Park "along with the Waitangi Conservation Area, TWP 05 Waitangi Forest #2809665. In time the Park could be linked across the main divide to the Rangitata/Rakaia Headwaters Conservation Area", "We would also like to see this area be combined with the Conservation Area- Wanganui-Otira catchments to protect the entire catchment as one").
- Submissions advocated for higher protection highlighting the ecological and landscape values present highlighting the presence of rare ecosystems and regenerating bush (e.g. "They are part of nationally rare braided

river ecosystems. There are patches of remnant tall kahikatea and totara groves, some riparian vegetation, wetlands and a mix of rough and developed pasture, most of which is flood prone", "regenerating bush on the terminal moraine is dominated by ten metre tall kamahi with occasional young rimu. There are indicators of a mild climate with the presence of kiekie and supplejack and wineberry").

- Submissions also noted that several nearby areas with similar values had higher levels of classification.
- A submitter advocated for classification as government purpose (river floodplain) reserve in recognition of the opportunities for "restoration of depleted indigenous ecosystems".
- A submitter noted the area may have "the last remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened" and warrants a higher level of protection than that proposed, suggesting national park, wildlife management, scenic reserve, nature reserve or scientific reserve as more appropriate.

I recommend that these comments are not accepted. My assessment is that the notified classification of conservation park will appropriately protect the natural values present. Although modified (e.g. cleared pasture) the area shares a contiguous boundary with the indigenous forest proposed for conservation park, and its size and location make it suitable for restoration. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Treaty Considerations (Allowed)

- Submissions supported the position of the Mana Whenua Panel on the basis that their recommendations "reflect the values, interests, and perspectives of the Papatipu Rūnanga in whose Takiwā the relevant land is located".
- A submitter noted the area held "high cultural value to Waitaha whose name it bears. It is an iconic white water canoe river" and sought to "Preserve the Waitaha River as an unmodified braided river from the mountains to the sea". It was suggested the area should either be given national park status or a classification which recognises its ecological importance.

I recommend that these comments are not accepted. 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 warrant proceeding with the notified proposal.

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification, or expressed concern that the classification would not provide any greater protection than the current status. Disposal was also suggested.

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 submitter who expressed general concern about the low-level protection offered by conservation park, noted support for that classification for land "potentially containing crown minerals". The support was contingent on the land being registered as a specially protected area if significant conservation values were present.
- A submitter opposed the classification due to a lack of clarity on the activities allowed for under the conservation park status and was concerned the status would not protect the high conservation values identified.
- A submitter opposed the classification due to concern about the potential impacts on 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.
- A submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values".

- A submitter stated that if a national park classification is "politically unpalatable, then political judgement calls must be made by accountable politicians, not by the Panel".

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 to specially protected areas unless it was purchased by the Nature Heritage Fund for the purpose of adding it to a national park.
- A submitter noted that the assessment report incorrectly states that the area is backcountry when it is front country and that the Happy Valley Road "sits on DOC land and as such DOC is responsible for the maintenance of this access road".

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

No Opinion/Position Stated

Access and Recreation (Allowed)

- Submissions queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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.

Ecology and Landscape (Allowed)

- A submission noted the opportunity for restoration of aquatic ecosystems in this area and the importance of considering the surrounding hydro parcels.

I recommend that these comments are accepted to the extent that they support retaining the land under an appropriate classification. My assessment is the area contains sufficiently high conservation values to justify the notified classification of conservation park. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

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 which supports reconsideration of the notified classification.

Other (Not Allowed)

- A submitter advocated for new conservation parks to "come with additional Government funding for better biodiversity work and more pest control".

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

Disposal - HOK_49_2805635a

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 agreed that the land did not hold any conservation values and was therefore suitable for disposal.

I recommend that these comments are not accepted. Although modified (e.g. cleared pasture) the area shares a contiguous boundary with the indigenous forest proposed for conservation park, and its size and location make it suitable for restoration. My assessment is the area contains sufficiently high conservation values to justify the notified classification of conservation park. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Treaty Considerations (Allowed)

- Submissions supported the recommendations of the Mana Whenua Panel on the basis that these recommendations reflect the rights and interests of mana whenua, recognise Ngāi Tahu's connection to their ancestral lands, and fulfil obligations under the Treaty of Waitangi (e.g. "by adopting the recommendations of the Mana Whenua Panel the Minister will give effect to the principles of the Treaty of Waitangi").

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 warrant proceeding with the notified proposal.

General (Allowed)

- A submission expressed general support for the recommendation by the Mana Whenua Panel.

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 objected to disposal on the grounds that this represents a loss of public access and ability for future generations to enjoy these areas, expressed opposition to any disposal which means a loss of recreation opportunities such as kayaking, angling or hunting, or requested "appropriate mechanisms are used to ensure existing and future public use is maintained or improved". The dynamic nature of the river was highlighted as a particular risk for access as "Riparian access via new Marginal Strips is not guaranteed".
- Submitters highlighted the recreational values present, noted the importance of preserving the road access, and sought a higher level of protection frequently recommending ecological area or conservation park. The popularity of kayaking and significance of the area for the paddling community was emphasised (e.g. "This parcel of land includes part of Happy Valley Road, used to access the river, along with some pastoral land, used by paddlers to get in and out of the rive", "Roads accessible to recreational whitewater rivers are very limited on the West Coast and as such the Kakapotahi sees a significant amount of use as an accessible highly scenic river with excellent whitewater values").
- Submissions also suggested national park as an appropriate classification (e.g. "My expectation is that this place be considered as an addition Tai Poutini national park due to extraordinary nature of the wild rivers in this area").
- Submissions advocated for ensuring public access was retained if the disposal was to proceed (e.g. "The small area of pastoral land at the foot of the assessment areas is also used as a means of foot access when exiting the river and returning back to Happy Valley Road. As such, if the pastoral portion of the land was to be disposed of as recommended by the mana whenua panel, continuation of the right of public access across the land must be provided for").

- Submission expressed concern that the value of the rivers to the river community was insufficiently represented (e.g. "the assessment and recommendation reports are silent on the whitewater recreational values and usage over the last 50+ years, referring only to the occasional hunter").
- A submitter noted that jetboating was incorrectly identified as a historical activity but needs to continue for "hunting and recreation" access.

I recommend that these comments are accepted to the extent that I agree that any recreational values present are appropriately reflected by the notified classification, though I note recreational activity is currently unlikely to occur in the modified pastoral areas. The proposed conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

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, stating the land should be protected for future generations (e.g. "The opportunities for carbon sequestration through indigenous vegetation are rapidly diminishing and every hectare of the conservation estate is of value", "These areas are so important for communities that they need to be kept by DOC for climate mitigation, not disposed of. This is so essential, I recommend that most of them be categorized as Scenic Reserve or Ecological Reserve"). One submission, which recommended managing the whole catchment as a national park, noted that most of the pasture is flood prone and suggested these areas "will regenerate and retention for conservation better meets the recommendations of the Climate Change Commission Report".
- Submissions emphasised the importance of retaining land that protects other areas from flooding, slips, erosions, and damage from sea surges and rising sea levels. They suggested reclassification as scenic reserve or ecological reserve to support restoration and allow room for natural river processes. A submitter advocated for classification as government purpose (river floodplain) reserve due to the "opportunities for ecosystem restoration in response to flood events or coastal erosion" and carbon sequestration.
- Submissions argued that disposing of public conservation land compromises future sustainability and climate mitigation options, noting that climate change is heightening pressure on ecosystems.
- A submitter stated that no land should be disposed of if there is potential for restoration and that riverbeds and adjacent land should be retained for flood retention, with no grazing permitted.

I recommend that these comments are accepted to the extent that they support retaining the land under an appropriate classification. I agree that the protection of the existing natural resources present is of increasing importance when considering the need for climate mitigation, and classification as a conservation park will support this outcome. Although the area contains modified elements (e.g. cleared pasture) it shares a contiguous boundary with the indigenous forest proposed for conservation park, and its size and location make it suitable for restoration. My assessment is the area contains sufficiently high conservation values to justify the notified classification of conservation park.

Ecology and Landscape (Allowed)

- Submissions opposed disposal where there is poor ecological representation in existing protected areas, recommending that lowland river terraces remain in public conservation land as so little remains and there is the potential for restoration and regeneration.
- Submitters advocated for a catchment based approach to managing the Waitaha and recommended classification as a national park (either standalone or added to Westland Tai Poutini National Park) to allow "integrated" management and a holistic approach (e.g. "These river beds, flood plain and land parcels can be linked by either LINZ held riverbeds and lands or PCL to the entrance of the Morgan Gorge and should be managed as an integrated whole catchment as National Park").
- Submitters also suggested adding surrounding areas to the national park (e.g. Addition to Westland Tai Poutini National Park "along with the Waitangi Conservation Area, TWP 05 Waitangi Forest #2809665. In time the Park could be linked across the main divide to the Rangitata/Rakaia Headwaters Conservation Area", "We would also like to see this area be combined with the Conservation Area- Wanganui-Otira catchments to protect the entire catchment as one").

- One submission recommended that only modified landlocked sites without restoration potential should be disposed of.
- One submission opposed disposal, emphasising the importance of protecting natural values. A "precautionary policy" was recommended to hold conservation future options open.
- Submissions opposed disposal noting the area represents "a broad cross section of indigenous ecosystems, in various states of regeneration", highlighting the opportunity for restoration of aquatic ecosystems in this area and the importance of considering the surrounding hydro parcels.

I recommend that these comments are accepted to the extent that they support retaining the land under an appropriate classification. Although modified (e.g. cleared pasture) the area shares a contiguous boundary with the indigenous forest proposed for conservation park, and its size and location make it suitable for restoration. My assessment is the area contains sufficiently high conservation values to justify the notified classification of conservation park. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Treaty Considerations (Allowed)

- A submission stated no stewardship land should be disposed of, except to tangata whenua, "and only then with the need to maintain the block's cultural, conservation & mahika-kai values".
- A submission expressed a desire for maximum protection to allow nature to thrive, in keeping with the approach of the indigenous people of Aotearoa.
- A submission noted the area held "high cultural value to Waitaha whose name it bears. It is an iconic white water canoe river" and sought to "Preserve the Waitaha River as an unmodified braided river from the mountains to the sea". It was suggested the area should either be given national park status or a classification which recognises its ecological importance.

I recommend that these comments are accepted to the extent that they support retaining the land under an appropriate classification. 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 warrant proceeding with the notified proposal.

General (Allowed)

- Submissions expressed opposition to disposal of any stewardship land in general terms, expressed a desire for maximum environmental protection, such as national park classification, or supported the National Panel recommendation for conservation 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 raised, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submission expressed opposition to disposal of any stewardship land and sought protection from development, mining, or other extractive activities.
- A submitter opposed the classification due to concern about the potential impacts on 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, including the timeframe for response, when compared to the scale of information notified.
- A submitter noted that "there is no requirement" that land with low conservation values is disposed of, expressing opposition to any disposal of riverbed or pastoral land in public ownership. Concerns regarding the limits of the notification were further highlighted as the "proposed disposals do not give even a general indication where disposal boundaries might be" making it difficult for submitters to comment. The submitter further stated that "The National Panel is recommending 65 hectares for disposal, but has recommended up to an additional 1000 hectares

of land may be disposed of where there is pastoral land alongside river conservation areas (subject to survey). This is not explained or justified".

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

Other (Not Allowed)

- One submission suggested 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.

No Opinion/Position Stated

Ecology and Landscape (Allowed)

- A submission noted the opportunity for restoration of aquatic ecosystems in this area and the importance of considering the surrounding hydro parcels.

I recommend that these comments are accepted to the extent that they support retaining the land under an appropriate classification. My assessment is the area contains sufficiently high conservation values to justify the notified classification of conservation park. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

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 which supports reconsideration of the notified classification.

Other (Not Allowed)

- One submission noted that disposal of land will be subject to Heritage New Zealand Pouhere Taonga Notification Process for Disposal of Crown-owned Land.

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

Little Waitaha River (Riverbed)

Panel Recommendations

National Panel: Conservation park (Waitaha), to reflect the mosaic of values present, protecting natural and historic resources while facilitating public recreation and enjoyment of the area.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of conservation park for the 'riverbed' section of this stewardship area.

Summary of accepted submissions: Those submissions 'accepted' as holding merit supported the notified classification as appropriate for the ecological and recreational values present.

Section 4 and Treaty principles: The Mana Whenua Panel have not opposed the notified classification.

The Mana Whenua Panel 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 consider the classification is not inconsistent with the identified interests.

Rationale: My conclusion is that the natural resources present (e.g. Secondary growth indigenous forest, riparian margin, high level of naturalness) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Conservation Park (Waitaha) - HOK_49_2805635b

Support

Access and Recreation (Allowed)

- Submitters supported the classification as protecting the recreational values present, including providing ongoing public access, and emphasised the importance of the area to many river users (e.g. "Road accessible recreational whitewater rivers are rare on West Coast and as such the Kakapotahi sees a significant amount of use as an accessible highly scenic river with excellent whitewater values", "While only a small part of the actual river is in this area, it provides the true-left gorge side and access. Locals also mountain bike up this road", "The road also gives access to the happy Valley Flats, which provide a rough and untracked route up Swandri Spur", "Oppose any disposal of former or current riverbed that provides or protects actual or potential public access as the river moves").
- Submitters supported the classification but expressed concern that the value of the rivers to the river community was inadequately represented (e.g. "The assessment and recommendation reports are silent on the whitewater recreational values and usage over the last 50+ years, referring only to the occasional hunter", "The technical report fails to mention that the Kakapotahi River is the most frequently used river on the West Coast by those with an intermediate set of whitewater kayaking skills").

I recommend that these comments are accepted to the extent that they support the proposed classification. I agree that the recreational values present will be appropriately protected under the notified classification and note the identification of activities not recorded in the CVR . The conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Ecology and Landscape (Allowed)

- A submitter supported the classification as protecting the ecological values present (e.g. "The eco system is of high quality with both water quality and natural scenery contributing to an amazing recreational experience for visitors").

- A submitter supported the classification as appropriate to protect the values noting the presence of the glacial moraines (e.g. "the area also contains a large portion of the true right lateral and terminal moraines of the Waitaha Glacier, which would have filled the Waitaha Valley flats at the end of Late Otiran glacial period. This terminal moraine is rather unique in Westland, as it is clearly defined, has not been modified to any great extent by the Waitaha River").

I recommend that these comments are accepted. I agree that the natural resources present (e.g. Secondary growth indigenous forest, riparian margin, high level of naturalness) are appropriately protected under the proposed classification. The primary purpose of a conservation park includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, or agreed it reflected the "information in the technical reports".
- A submission supported the classification but also proposed classification as a local purpose reserve.
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter expressed "trust that Conservation Park status will provide full protection from any future mining applications in these areas".
- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide "more than adequate legal protection".
- A submission in support of conservation park advocated for greater protection from "intrusive development" such as mining and hydro schemes, stating that "most of the Southern Alps deserves protection equivalent to that of National Park status".

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

Other (Not Allowed)

- A submission suggested that the implementation of the proposed classification "needs to be followed up with sufficient funding for pest eradication".
- A submitter noted that the assessment report incorrectly states that the area is backcountry when it is front country and that the Happy Valley Road "sits on DOC land and as such DOC is responsible for the maintenance of this access road".

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

Oppose

Access and Recreation (Allowed)

- Submitters highlighted the recreational values present, noted the importance of preserving the road access, and sought a higher level of protection frequently recommending ecological area. The popularity of kayaking and significance of the area for the paddling community was emphasised (e.g. "the Kakapotahi is one of the most regularly run west coast rivers due to its road access", "This recommendation is important for paddlers because the Kakapotahi river with its road access, excellent rapids, sections varying in difficulty and large flow range, it is one of the most frequented runs on the coast, by both intermediate and advanced paddlers").
- Submissions also suggested national park as an appropriate classification (e.g. "My expectation is that this place be considered as an addition Tai Poutini national park due to extraordinary nature of the wild rivers in this area").

- Submission supported the recommendation but expressed concern that the value of the rivers to the river community was insufficiently represented (e.g. "the assessment and recommendation reports are silent on the whitewater recreational values and usage over the last 50+ years, referring only to the occasional hunter").
- A submitter noted that jetboating was incorrectly identified as a historical activity but needs to continue for "hunting and recreation" access.

I recommend that these comments are not accepted. The recreational values identified by submitters are allowed for, and will be appropriately protected, under the proposed classification. The points raised do not warrant overturning the notified intention. The proposed conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Climate Change and Natural Hazards (Allowed)

- A submitter advocated for classification as government purpose (river floodplain) reserve due to the "opportunities for ecosystem restoration in response to flood events or coastal erosion" and carbon sequestration.
- A submitter noted that the area "will regenerate and retention for conservation better meets the recommendations of the Climate Change Commission Report" and sought classification as a national park.

I recommend that these comments are not accepted. My assessment is the proposed classification will support the protection of the natural resources present, and as a result support the areas climate mitigation potential. The points raised do not justify overturning the notified intention. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Ecology and Landscape (Allowed)

- Submitters advocated for a catchment based approach to managing the Waitaha and recommended classification as a national park to allow "integrated" management and a holistic approach (e.g. "These river beds, flood plain and land parcels can be linked by either LINZ held riverbeds and lands or PCL to the entrance of the Morgan Gorge and should be managed as an integrated whole catchment as National Park").
- Submitters also suggested adding surrounding areas to the national park (e.g. Addition to Westland Tai Poutini National Park "along with the Waitangi Conservation Area, TWP 05 Waitangi Forest #2809665. In time the Park could be linked across the main divide to the Rangitata/Rakaia Headwaters Conservation Area", "We would also like to see this area be combined with the Conservation Area- Wanganui-Otira catchments to protect the entire catchment as one").
- Submissions advocated for higher protection highlighting the ecological and landscape values present (e.g. "They are part of nationally rare braided river ecosystems. There are patches of remnant tall kahikatea and totara groves, some riparian vegetation, wetlands and a mix of rough and developed pasture, most of which is flood prone", "The Waitaha has snowcapped mountains at its source , alpine rivers and Lakes and a beautiful sculpted rock gorge within easy access of the highway with spectacular rata tree forest, hot springs and ever changing waters"). A submitter recommended classification as "part of a Waitaha National Park" based on the ecological values present (e.g. " regenerating bush on the terminal moraine is dominated by ten metre tall kamahi with occasional young rimu. There are indicators of a mild climate with the presence of kiekie and supplejack and wineberry").
- A submitter advocated for classification as government purpose (river floodplain) reserve in recognition of the opportunities for "restoration of depleted indigenous ecosystems".
- A submitter noted the area may have "the last remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened" and warrants a higher level of protection than that proposed, suggesting national park, wildlife management, scenic reserve, nature reserve or scientific reserve as more appropriate.

I recommend that these comments are not accepted. My assessment is that the natural values present (e.g. Secondary growth indigenous forest, riparian margin, high level of naturalness) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Treaty Considerations (Allowed)

- A submitter noted the area held "high cultural value to Waitaha whose name it bears. It is an iconic white water canoe river" and sought to "Preserve the Waitaha River as an unmodified braided river from the mountains to the sea". It was suggested the area should either be given national park status or a classification which recognises its ecological importance.

I recommend that these comments are not accepted. My assessment is that the natural values present (e.g. Secondary growth indigenous forest, riparian margin, high level of naturalness) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification, or expressed concern that the classification would not provide any greater protection than the current 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)

- A submitter who expressed general concern about the low-level protection offered by conservation park, noted support for that classification for land "potentially containing crown minerals". The support was contingent on the land being registered as a specially protected area if significant conservation values were present.
- A submitter opposed the classification due to a lack of clarity on the activities allowed for under the conservation park status and was concerned the status would not protect the high conservation values identified.
- A submitter opposed the classification due to concern about the potential impacts on 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.
- A submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values".
- A submitter stated that if a national park classification is "politically unpalatable, then political judgement calls must be made by accountable politicians, not by the Panel".

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 to specially protected areas unless it was purchased by the Nature Heritage Fund for the purpose of adding it to a national park.
- A submitter noted that the assessment report incorrectly states that the area is backcountry when it is front country and that the Happy Valley Road "sits on DOC land and as such DOC is responsible for the maintenance of this access road".

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

No Opinion/Position Stated

Access and Recreation (Allowed)

- Submissions queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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)

- 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 which supports reconsideration of the notified classification.

Other (Not Allowed)

- A submitter advocated for new conservation parks to "come with additional Government funding for better biodiversity work and more pest control".

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

HOK_50 – Waitaha Riverbed – 2805634

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Waitaha Riverbed (Pasture)	HOK_50_2805634v	Conservation Park (Waitaha)		15	27
Waitaha Riverbed (Pasture)	HOK_50_2805634w		Disposal	6	37
Waitaha Riverbed (Riverbed)	HOK_50_2805634x	Conservation Park (Waitaha)	Neutral	14	26

DOC Conservation Values Report Description

A 367.7791-ha area that contains a mixture of active and stable riverbed (including islands), and alluvial flats. The vegetation largely comprises sparsely vegetated braided riverbed, improved pasture, and rough pasture. Water quality is predicted to be high, however, the surrounding land use is intensive dairy farming – grazing concessions are active on most of the area of these conservation areas. The occasional packrafter or kayaker may paddle down the Waitaha River. The Waitaha Hydro Scheme proposal is located here.

Waitaha Riverbed (Pasture)

Panel Recommendations

National Panel: Conservation park (Waitaha), to reflect the mosaic of values present, protecting natural and historic resources while facilitating public recreation and enjoyment of the area.

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 of conservation park for the 'pasture' section of this stewardship area.

Summary of accepted submissions: Those submissions 'accepted' as holding merit supported the notified classification as appropriate for the recreational values present and securing ongoing public access.

Section 4 and Treaty principles: The Mana Whenua Panel 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)". They recommended disposal of the "pastoral components" of the conservations areas as "they are highly modified" and "farming is important to the West Coast economy", supported by Treaty partner submissions.

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 warrant proceeding with the notified proposal.

Regarding the specific concerns identified by the Mana Whenua Panel (impact on existing farming activities), I note that conservation legislation contemplates that some activities may be acceptable and provides a mechanism for authorising such activities through the granting of concessions. The proposed classification may still allow for certain development and economic opportunities (for example) through this mechanism, which would be administered in a manner that gives effect to Treaty principles.

Rationale: My conclusion is that the natural resources present (e.g. riparian margins, wetland fragments) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Conservation Park (Waitaha) - HOK_50_2805634v

Support

Access and Recreation (Allowed)

- A submitter supported the classification as protecting the recreational values present, including providing ongoing public access, and emphasised the importance of the area to anglers (e.g. "riparian access providing crucial backcountry access is often dependent upon the ever-changing position of the active riverbed. Oppose any disposal of former or current riverbed that provides or protects actual or potential public access as the river moves").
- A submission supported the proposed classification on the basis of preserving public access, should climbing potential be discovered in the future.
- A submitter supported the classification but expressed concern that the value of the rivers to the river community was not adequately represented.

I recommend that these comments are accepted. They provide site-specific details regarding public access which add to my understanding of the recreational values present as identified in the CVR. The activities referred to are allowed for under the proposed classification. The conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, or agreed it reflected the "information in the technical reports".
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level based on its "high cultural conservation value".
- A submission noted their opposition to any disposal of the land.

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)

- A submitter expressed "trust that Conservation Park status will provide full protection from any future mining applications in these areas".
- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide "more than adequate legal protection".
- A submission in support of conservation park advocated for greater protection from "intrusive development" such as mining and hydro schemes, stating that "most of the Southern Alps deserves protection equivalent to that of National Park status".

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

Other (Not Allowed)

- A submission suggested that the implementation of the proposed classification "needs to be followed up with sufficient funding for pest eradication".

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

Oppose

Access and Recreation (Allowed)

- A submitter noted that jetboating was incorrectly identified as a historical activity but access needs to continue for "hunting and recreation".
- A submit highlighted the recreational values present recommending classification as a national park.

I recommend that these comments are not accepted. My assessment is that the recreational values present as identified by the submitter and described in the CVR (e.g. occasional packrafting and kayaking) will be appropriately protected by the proposed classification and the points raised do not warrant overturning the notified intention. The proposed conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Climate Change and Natural Hazards (Allowed)

- A submitter recommended government purpose (river floodplain) reserve to recognise carbon sequestration and ecosystem restoration opportunities.
- A submitter advocated for national park status noting "these areas will regenerate and retention for conservation better meets the recommendations of the Climate Change Commission Report.
- Submitters highlighted the risk the braided river system faces from encroachment and natural disasters including earthquakes and flooding and advocated for a higher level of protection such as national park or wildlife management area.

I recommend that these comments are not accepted. My assessment is the proposed classification will support the protection of the natural resources present, and as a result support the areas climate mitigation potential. The points raised do not justify overturning the notified intention. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Ecology and Landscape (Allowed)

- Submitters advocated for a catchment based approach to managing the Waitaha, recommending classification as a national park, through addition to an existing park or creation of a Waitaha National Park, to allow a "mountains to sea" approach and integrated management (e.g. "We want to see the Waitaha river/catchment be given national park status and be added to Westland National Park", "These river beds, flood plain and land parcels can be linked by either LINZ held riverbeds and lands or PCL to the entrance of the Morgan Gorge and should be managed as an integrated whole catchment as National Park").
- Submitters also suggested adding surrounding areas to the national park to "protect the entire catchment as one" (e.g. Addition to Westland Tai Poutini National Park "along with the Waitangi Conservation Area, TWP 05 Waitangi Forest #2809665. In time the Park could be linked across the main divide to the Rangitata/Rakaia Headwaters Conservation Area", "We would also like to see this area be combined with the Conservation Area-Wanganui-Otira catchments").
- Submissions sought greater protection highlighting the ecological and landscape values present, including the "rarity" of the braided river system with classification as a wildlife management area or national park recommended (e.g. "They are part of nationally rare braided river ecosystems. There are patches of remnant tall kahikatea and totara groves, some riparian vegetation, wetlands and a mix of rough and developed pasture, most of which is flood prone").
- Submitters also noted the "variable quality" of the riparian margin and that "most reaches have very little vegetation".
- A submitter noted the area may have "the last remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened" and warrants a higher level of protection than that proposed, suggesting national park, wildlife management, scenic reserve, nature reserve or scientific reserve as more appropriate.
- A submitter noted the area contained naturally uncommon ecosystems "including dunes and wetlands", advocating for classification as a government purpose reserve (river floodplain) "for restoration of depleted indigenous ecosystems".

I recommend that these comments are not accepted. My assessment is that natural values present (e.g. riparian margins, wetland fragments) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Treaty Considerations (Allowed)

- Submissions supported the position of the Mana Whenua Panel on the basis that their recommendations "reflect the values, interests, and perspectives of the Papatipu Rūnanga in whose Takiwā the relevant land is located".

I recommend that these comments are not accepted. 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 (e.g. riparian margins, wetland fragments) warrant proceeding with the notified proposal.

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed, suggesting national park, wildlife area or similar, without providing further justification, or expressed concern that the classification would not provide any greater protection than the current status. A submitter also suggested disposal.

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 submitter who expressed general concern about the low-level protection offered by conservation park, noted support for that classification for land "potentially containing crown minerals". The support was contingent on the land being registered as a specially protected area if significant conservation values were present.
- A submitter opposed the classification due to a lack of clarity on the activities allowed for under the conservation park status and was concerned the status would not protect the high conservation values identified.
- A submitter opposed the classification due to concern about the potential impact on existing permissions.
- Submissions recommended higher protection and the phasing out of all grazing concessions.

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 submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values".
- A submitter stated that if a national park classification is "politically unpalatable, then political judgement calls must be made by accountable politicians, not by the Panel".

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 to specially protected areas unless it was purchased by the Nature Heritage Fund for the purpose of adding it to a national park.
- A submitter noted that without a buffer to the river there is a risk freehold land will be destroyed and compensation required.

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

No Opinion/Position Stated

Access and Recreation (Allowed)

- Submissions queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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)

- 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 which supports reconsideration of the notified classification.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submission noted their support for the Minister's decision "to protect the intact Waitaha River from hydro development" and stated the area is worthy of higher protection.
- A submitter sought protection for the Waitaha River "as one of our few rare, braided rivers still unmodified, leading to its beautiful rata dressed gorge with hot springs" and noted their concern of the consequence of hydropower for braided rivers.

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

Other (Not Allowed)

- A submitter advocated for new conservation parks to "come with additional Government funding for better biodiversity work and more pest control".

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

Disposal - HOK_50_2805634w

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 agreed that the land did not hold any conservation values and was therefore suitable for disposal.

I recommend that these comments are not accepted. Although modified (e.g. improved and rough pasture) the natural values present (e.g. riparian margins, wetland fragments) and size of the modified elements (a significant portion of the 367.7791 ha land parcel) when considered in the context of the areas position adjacent to the braided river represent sufficiently high conservation values to justify the notified classification of conservation park. I also note that the size and location of the modified land mean it is likely to be suitable for restoration.

Treaty Considerations (Allowed)

- Submissions supported the recommendations of the Mana Whenua Panel on the basis that these recommendations reflect the rights and interests of mana whenua, recognise Ngāi Tahu's connection to their ancestral lands, and fulfil obligations under the Treaty of Waitangi (e.g. "by adopting the recommendations of the Mana Whenua Panel the Minister will give effect to the principles of the Treaty of Waitangi").

I recommend that these comments are not accepted. 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 (e.g. riparian margins, wetland fragments) warrant proceeding with the notified proposal.

General (Allowed)

- A submission expressed general support for the recommendation by the Mana Whenua Panel.

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 objected to disposal on the grounds that this represents a loss of public access and ability for future generations to enjoy these areas, expressed opposition to any disposal which means a loss of recreation opportunities such as kayaking, angling or hunting, or requested "appropriate mechanisms are used to ensure existing and future public use is maintained or improved". The dynamic nature of the river was highlighted as a particular risk for access, with one submitter noting "Riparian access via new Marginal Strips is not guaranteed".
- A submitter noted that jetboating was incorrectly identified as a historical activity but needs to continue for "hunting and recreation" access.

I recommend that these comments are accepted to the extent that I agree that any recreational values present are appropriately reflected by the notified classification, though I note recreational activity is currently unlikely to occur in the modified pastoral areas. The proposed conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

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 (e.g. "All land should be retained, protected and rehabilitated to help deal with the impacts of climate change, the biodiversity crisis and protecting Aotearoa New Zealand from other future shocks", "In many cases this is in riverbeds, which are highly dynamic environments, and likely to become more so in the future as rainfall intensities increase with climate change"). One submission, which recommended managing the whole catchment as a national park, noted that most of the pasture is flood prone and suggested these areas "will regenerate and retention for conservation better meets the recommendations of the Climate Change Commission Report".
- Submissions emphasised the importance of retaining land that protects other areas from flooding, slips, erosions, and damage from sea surges and rising sea levels. They suggested reclassification as scenic reserve or ecological reserve to support restoration and allow room for natural river processes. A submitter advocated for classification as government purpose (river floodplain) reserve due to the "opportunities for ecosystem restoration in response to flood events or coastal erosion" and carbon sequestration.
- 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 accepted. I agree that the protection of the existing natural resources present is of increasing importance when considering the need for climate mitigation, and classification as a conservation park will support this outcome. Although modified (e.g. improved and rough pasture) the natural values present (e.g. riparian margins, wetland fragments) and size of the modified elements (a significant portion of the 367.7791 ha land parcel) when considered in the context of the areas position adjacent to the braided river represent sufficiently high conservation values to justify the notified classification of conservation park. I also note that the size and location of the modified land mean it is likely to be suitable for restoration.

Ecology and Landscape (Allowed)

- Submissions opposed disposal where there is poor ecological representation in existing protected areas, recommending that lowland river terraces remain in public conservation land as so little remains and there is the potential for restoration and regeneration.
- Submitters advocated for a catchment based approach to managing the Waitaha and recommended classification as a national park (either standalone as the Waitaha National Park or through addition to Westland Tai Poutini National Park) to allow a "mountains to sea" approach and integrated management (e.g. "These river beds, flood plain and land parcels can be linked by either LINZ held riverbeds and lands or PCL to the entrance of the Morgan Gorge and should be managed as an integrated whole catchment as National Park. They are part of nationally rare braided river ecosystems").

- Submitters also suggested adding surrounding areas to the national park (e.g. Addition to Westland Tai Poutini National Park "along with the Waitangi Conservation Area, TWP 05 Waitangi Forest #2809665. In time the Park could be linked across the main divide to the Rangitata/Rakaia Headwaters Conservation Area", "We would also like to see this area be combined with the Conservation Area- Wanganui-Otira catchments to protect the entire catchment as one").
- Submissions highlighted the freshwater values present seeking protection for the "threatened" braided river system and recommending classification as a national park.
- One submission recommended that only modified landlocked sites without restoration potential should be disposed of.
- One submission opposed disposal, emphasising the importance of protecting natural values. A "precautionary policy" was recommended to hold conservation future options open.
- A submission opposed disposal, stating that stewardship land represents "a broad cross section of indigenous ecosystems, in various states of regeneration".

I recommend that these comments are accepted to the extent that they support retention of the stewardship area and provision of an appropriate classification for the natural values present. My assessment is that natural values present (e.g. riparian margins, wetland fragments) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Treaty Considerations (Allowed)

- One submission stated no stewardship land should be disposed of, except to tangata whenua, "and only then with the need to maintain the block's cultural, conservation & mahika-kai values".
- One submission expressed a desire for maximum protection to allow nature to thrive, in keeping with the approach of the indigenous people of Aotearoa.

I recommend that these comments are accepted to the extent that they support retention of the stewardship area and provision of an appropriate classification for the natural values present. 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 (e.g. riparian margins, wetland fragments) warrant proceeding with the notified proposal.

General (Allowed)

- Submissions expressed opposition to disposal of any stewardship land in general terms, expressed a desire for maximum environmental protection, such as national park classification or wildlife area, or supported the National Panel recommendation for conservation 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 raised, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions expressed opposition to disposal of any stewardship land and sought protection from development, mining, or other extractive activities. A submission emphasised that "The public has already and only recently asked that this example of a highly threatened braided River be saved from a hydro power station being built on it" noting the risks of pollution increase with disposal due to the increased possibility of farming.
- A submission noted their support of the Ministers decision to protect the "intact Waitaha River from hydro development" stating the area is worthy of higher protection.
- A submitter opposed the classification due to concern about the potential impacts on existing permissions.
- A submission recommended consideration of potential productivity and whether the land could be used to support future food security.
- A submitter recommended that grazing concessions be "phased out in time".
- A submission suggested "a land exchange with the adjacent land owner 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.

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, including the timeframe for response, when compared to the scale of information notified.
- A submitter noted that "there is no requirement" that land with low conservation values is disposed of, expressing opposition to any disposal of riverbed or pastoral land in public ownership. Concerns regarding the limits of the notification were further highlighted as the "proposed disposals do not give even a general indication where disposal boundaries might be" making it difficult for submitters to comment. The submitter further stated that "The National Panel is recommending 65 hectares for disposal, but has recommended up to an additional 1000 hectares of land may be disposed of where there is pastoral land alongside river conservation areas (subject to survey). This is not explained or justified".

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

Other (Not Allowed)

- One submission suggested 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.

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 which supports reconsideration of the notified classification of conservation park.

Other (Not Allowed)

- One submission noted that disposal of land will be subject to Heritage New Zealand Pouhere Taonga Notification Process for Disposal of Crown-owned Land.

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

Waitaha Riverbed (Riverbed)

Panel Recommendations

National Panel: Conservation park (Waitaha), to reflect the mosaic of values present, protecting natural and historic resources while facilitating public recreation and enjoyment of the area.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of conservation park for the 'riverbed' section of this stewardship area.

Summary of accepted submissions: Those submissions 'accepted' as holding merit supported the notified classification as appropriate for the recreational values present and securing ongoing public access.

Section 4 and Treaty principles: The Mana Whenua Panel have not opposed the notified classification.

The Mana Whenua Panel signalled specific 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 consider the classification is not inconsistent with the identified interests.

Rationale: My conclusion is that the natural resources present (e.g. braided riverbed, riparian margins, wetland fragments) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Conservation Park (Waitaha) - HOK_50_2805634x

Support

Access and Recreation (Allowed)

- A submitter supported the classification as protecting the recreational values present, including providing ongoing public access, and emphasised the importance of the area to anglers (e.g. "riparian access providing crucial backcountry access is often dependent upon the ever-changing position of the active riverbed. Oppose any disposal of former or current riverbed that provides or protects actual or potential public access as the river moves").
- A submitter supported the classification but expressed concern that the value of the rivers to the river community was not adequately represented.

I recommend that these comments are accepted. They provide site-specific details regarding public access which add to my understanding of the recreational values present as identified in the CVR. The activities referred to are allowed for under the proposed classification. The conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, or agreed it reflected the "information in the technical reports". A submission noted their opposition to any disposal of the land.
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter expressed "trust that Conservation Park status will provide full protection from any future mining applications in these areas".
- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide "more than adequate legal protection".
- A submission in support of conservation park advocated for greater protection from "intrusive development" such as mining and hydro schemes, stating that "most of the Southern Alps deserves protection equivalent to that of National Park status".

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

Other (Not Allowed)

- A submission suggested that the implementation of the proposed classification "needs to be followed up with sufficient funding for pest eradication".

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

Oppose

Access and Recreation (Allowed)

- A submitter noted that jetboating was incorrectly identified as a historical activity but needs to continue for "hunting and recreation" access.
- Submitters highlighted the varied recreational values present on the West Coast recommending classification as a national park (e.g. "We share the desire of our tramping colleagues to see the Waitaha river catchment be given national park status and be added to Westland National Park").

I recommend that these comments are not accepted. My assessment is that the recreational values present as identified by the submitter and described in the CVR (e.g. occasional packrafting and kayaking) will be appropriately protected by the proposed classification and the points raised do not warrant overturning the notified intention. The proposed conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Climate Change and Natural Hazards (Allowed)

- A submitter recommended government purpose (river floodplain) reserve to recognise carbon sequestration and ecosystem restoration opportunities.
- A submitter advocated for national park status noting "these areas will regenerate and retention for conservation better meets the recommendations of the Climate Change Commission Report.
- Submitters highlighted the risk the braided river system faces from encroachment and natural disasters including earthquakes and flooding and advocated for a higher level of protection such as national park or wildlife management area.

I recommend that these comments are not accepted. My assessment is the proposed classification will support the protection of the natural resources present, and as a result support the areas climate mitigation potential. The points raised do not justify overturning the notified intention. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Ecology and Landscape (Allowed)

- Submitters advocated for a catchment based approach to managing the Waitaha and recommended classification as a national park (either standalone as the Waitaha National Park or through addition to Westland Tai Poutini National Park) to allow a "mountains to sea" approach and integrated management (e.g. "We want to see the Waitaha river/catchment be given national park status and be added to Westland National Park", "These river beds, flood plain and land parcels can be linked by either LINZ held riverbeds and lands or PCL to the entrance of the Morgan Gorge and should be managed as an integrated whole catchment as National Park").

- Submitters also suggested adding surrounding areas to the national park to "protect the entire catchment as one" (e.g. "recommend managing the entire Waitaha Catchment from the alps to the sea, holistically as a National Park either as a stand-alone park or being added to Westland Tai Poutini National Park along with the Waitangi Conservation Area, TWP 05 Waitangi Forest #2809665", "We would also like to see this area be combined with the Conservation Area- Wanganui-Otira catchments").
- Submissions sought greater protection highlighting the ecological and landscape values present, including the "rarity" of the braided river system with classification as a wildlife management area or national park recommended (e.g. "They are part of nationally rare braided river ecosystems. There are patches of remnant tall kahikatea and totara groves, some riparian vegetation, wetlands and a mix of rough and developed pasture, most of which is flood prone").
- Submitters also noted the "variable quality" of the riparian margin and that "most reaches have very little vegetation".
- A submitter noted the area may have "the last remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened" and warrants a higher level of protection than that proposed, suggesting national park, wildlife management, scenic reserve, nature reserve or scientific reserve as more appropriate.
- A submitter noted the area contained naturally uncommon ecosystems "including dunes and wetlands", advocating for classification as a government purpose reserve (river floodplain) "for restoration of depleted indigenous ecosystems".

I recommend that these comments are <u>not accepted</u>. My assessment is that natural values present (e.g. braided riverbed, riparian margins) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed, suggesting national park, wildlife area or similar, without providing further justification, or expressed concern that the classification would not provide any greater protection than the current status.

I recommend that these comments are <u>not accepted</u>. 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 who expressed general concern about the low-level protection offered by conservation park, noted support for that classification for land "potentially containing crown minerals". The support was contingent on the land being registered as a specially protected area if significant conservation values were present.
- A submitter opposed the classification due to a lack of clarity on the activities allowed for under the conservation park status and was concerned the status would not protect the high conservation values identified.
- A submitter opposed the classification due to concern about the potential impact on existing permissions.
- Submissions recommended higher protection and the phasing out of all grazing concessions.

As I have recommended these comments are not allowed, I recommend they are <u>not accepted</u>.

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 submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values".
- A submitter stated that if a national park classification is "politically unpalatable, then political judgement calls must be made by accountable politicians, not by the Panel".

As I have recommended these comments are not allowed, I recommend they are <u>not accepted</u>.

Other (Not Allowed)

- One submission opposed all reclassification of stewardship land to specially protected areas unless it was purchased by the Nature Heritage Fund for the purpose of adding it to a national park.
- A submitter noted that without a buffer to the river there is a risk freehold land will be destroyed and compensation required.

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

No Opinion/Position Stated

Access and Recreation (Allowed)

- Submissions queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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)

- 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 which supports reconsideration of the notified classification.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submission noted their support for the Minister's decision "to protect the intact Waitaha River from hydro development" and stated the area is worthy of higher protection.
- A submitter sought protection for the Waitaha River "as one of our few rare, braided rivers still unmodified, leading to its beautiful rata dressed gorge with hot springs" and noted their concern of the consequence of hydropower for braided rivers.

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

Other (Not Allowed)

- A submitter advocated for new conservation parks to "come with additional Government funding for better biodiversity work and more pest control".

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

HOK_50 – Waitaha Riverbed – 2805643

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Waitaha Riverbed (Pasture)	HOK_50_2805643e	Conservation Park (Waitaha)		13	27
Waitaha Riverbed (Pasture)	HOK_50_2805643f		Disposal	5	36
Waitaha Riverbed (Riverbed)	HOK_50_2805643g	Conservation Park (Waitaha)	Neutral	12	27

DOC Conservation Values Report Description

A 222.7101-ha area that contains a mixture of active and stable riverbed (including islands), and alluvial flats. The vegetation largely comprises sparsely vegetated braided riverbed, improved pasture, and rough pasture. Water quality is predicted to be high, however, the surrounding land use is intensive dairy farming – grazing concessions are active on most of the area of these conservation areas. The occasional packrafter or kayaker may paddle down the Waitaha River. The Waitaha Hydro Scheme proposal is located here.

Waitaha Riverbed (Pasture)

Panel Recommendations

National Panel: Conservation park (Waitaha), to reflect the mosaic of values present, protecting natural and historic resources while facilitating public recreation and enjoyment of the area.

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 of conservation park for the 'pasture' section of this stewardship area.

Summary of accepted submissions: The submissions 'accepted' as holding merit supported the proposed conservation park and noted the recreational access it would provide.

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"). The Mana Whenua Panel recommended disposal of the pastoral components as they are "highly modified" and "farming is important to the West Coast economy".

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 warrant proceeding with the notified proposal.

Regarding the specific concerns identified by the Mana Whenua Panel (impact on existing farming activities), I note that conservation legislation contemplates that some activities may be acceptable and provides a mechanism for authorising such activities through the granting of concessions. The proposed classification may still allow for certain development and economic opportunities (for example) through this mechanism, which would be administered in a manner that gives effect to Treaty principles.

Rationale: My conclusion is that the natural resources present (e.g. riparian margins, wetland fragments) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Conservation Park (Waitaha) - HOK_50_2805643e

Support

Access and Recreation (Allowed)

- A submitter supported the classification as protecting the recreational values present, including providing ongoing public access, and emphasised the importance of the area to anglers (e.g. "riparian access providing crucial backcountry access is often dependent upon the ever-changing position of the active riverbed. Oppose any disposal of former or current riverbed that provides or protects actual or potential public access as the river moves").
- A submitter supported the classification but expressed concern that the value of the rivers to the river community was not adequately represented.

I recommend that these comments are accepted. They provide site-specific details regarding public access which add to my understanding of the recreational values present (e.g. fishing access) and the activities referred to can be considered under the proposed classification. The conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, or agreed it reflected the "information in the technical reports". A submission noted their opposition to any disposal of the land.
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter expressed "trust that Conservation Park status will provide full protection from any future mining applications in these areas".
- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide "more than adequate legal protection".
- A submission in support of conservation park advocated for greater protection from "intrusive development" such as mining and hydro schemes, stating that "most of the Southern Alps deserves protection equivalent to that of National Park status".

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

Other (Not Allowed)

- A submission suggested that the implementation of the proposed classification "needs to be followed up with sufficient funding for pest eradication".

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

Oppose

Access and Recreation (Allowed)

- A submitter noted that jetboating needs to be allowed to continue for access, and is not just a historical activity.

I recommend that these comments are not accepted. My assessment is that the recreational values present as identified by the submitter and described in the CVR (e.g. occasional packrafting and kayaking) will be appropriately protected by the proposed classification and the points raised do not warrant overturning the notified intention. The proposed conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Climate Change and Natural Hazards (Allowed)

- Submitters highlighted the risk the braided river system faces from encroachment and natural disasters, including earthquakes and flooding, and advocated for a higher level of protection such as national park or wildlife management area.
- A submitter recommended government purpose (river floodplain) reserve to recognise carbon sequestration and ecosystem restoration opportunities.
- A submitter advocated for national park status noting "these areas will regenerate and retention for conservation better meets the recommendations of the Climate Change Commission Report".

I recommend that these comments are not accepted. My assessment is the proposed classification will support the protection of the natural resources present, and as a result support the areas climate mitigation potential. The points raised do not justify overturning the notified intention. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Ecology and Landscape (Allowed)

- Submissions sought greater protection highlighting the ecological and landscape values present, including the "rarity" of the braided river system, with classification as a wildlife management area or national park recommended (e.g. "They are part of nationally rare braided river ecosystems. There are patches of remnant tall kahikatea and totara groves, some riparian vegetation, wetlands and a mix of rough and developed pasture, most of which is flood prone"). Some submitters also noted the "variable quality" of the riparian margin and that "most reaches have very little vegetation".
- A submitter noted the area contained naturally uncommon ecosystems "including dunes and wetlands", advocating for classification as a government purpose reserve (river floodplain) "for restoration of depleted indigenous ecosystems".
- Submitters advocated for a catchment based approach to managing the Waitaha, recommending classification as a national park to allow "integrated" management and a holistic approach (e.g. "We want to see the Waitaha river/catchment be given national park status and be added to Westland National Park", "These river beds, flood plain and land parcels can be linked by either LINZ held riverbeds and lands or PCL to the entrance of the Morgan Gorge and should be managed as an integrated whole catchment as National Park").
- Submitters also suggested adding surrounding areas to the national park to "protect the entire catchment as one" (e.g. "recommend managing the entire Waitaha Catchment from the alps to the sea, holistically as a National Park either as a stand-alone park or being added to Westland Tai Poutini National Park along with the Waitangi Conservation Area, TWP 05 Waitangi Forest #2809665", "We would also like to see this area be combined with the Conservation Area- Wanganui-Otira catchments").
- A submitter noted the area may have "the last remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened" and warrants a higher level of protection than that proposed, suggesting national park, wildlife management, scenic reserve, nature reserve or scientific reserve as more appropriate.

I recommend that these comments are not accepted. My assessment is that natural values present (e.g. riparian margins, wetland fragments) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Treaty Considerations (Allowed)

- Submissions supported the position of the Mana Whenua Panel on the basis that their recommendations "reflect the values, interests, and perspectives of the Papatipu Rūnanga in whose Takiwā the relevant land is located".

I recommend that these comments are not accepted. 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 (e.g. riparian margins, wetland fragments) warrant proceeding with the notified proposal.

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification, or expressed concern that the classification would not provide any greater protection than the current status. Classification as a national park, local purpose reserve or wildlife area was recommended.

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 submitter who expressed general concern about the low-level protection offered by conservation park, noted support for that classification for land "potentially containing crown minerals". The support was contingent on the land being registered as a specially protected area if significant conservation values were present.
- A submitter opposed the classification due to a lack of clarity on the activities allowed for under the conservation park status and was concerned the status would not protect the high conservation values identified.
- A submitter opposed the classification due to concern about the potential impact on 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.
- A submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values".
- A submitter stated that if a national park classification is "politically unpalatable, then political judgement calls must be made by accountable politicians, not by the Panel".

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 to specially protected areas unless it was purchased by the Nature Heritage Fund for the purpose of adding it to a national park.
- A submitter noted that without a buffer to the river there is a risk freehold land will be destroyed and compensation required.

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

No Opinion/Position Stated

Access and Recreation (Allowed)

- Submissions queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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)

- 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 which supports reconsideration of the notified classification.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submission noted their support for the Minister's decision "to protect the intact Waitaha River from hydro development" and stated the area is worthy of higher protection.
- A submitter sought protection for the Waitaha River "as one of our few rare, braided rivers still unmodified, leading to its beautiful rata dressed gorge with hot springs" and noted their concern of the consequence of hydropower for braided rivers.

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

Other (Not Allowed)

- A submitter advocated for new conservation parks to "come with additional Government funding for better biodiversity work and more pest control".

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

Disposal - HOK_50_2805643f

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 agreed that the land did not hold any conservation values and was therefore suitable for disposal.

I recommend that these comments are not accepted. Although modified (e.g. improved and rough pasture) the natural values present (e.g. riparian margins, wetland fragments) and size of the modified areas, when considered in the context of the lands position adjacent to the braided river, represent sufficiently high conservation values to justify the notified classification of conservation park. I also note that the size and location of the modified land means it is likely to be suitable for restoration.

Treaty Considerations (Allowed)

- Submissions supported the recommendations of the Mana Whenua Panel on the basis that these recommendations reflect the rights and interests of mana whenua, recognise Ngāi Tahu's connection to their ancestral lands, and fulfil obligations under the Treaty of Waitangi (e.g. "by adopting the recommendations of the Mana Whenua Panel the Minister will give effect to the principles of the Treaty of Waitangi").

I recommend that these comments are not accepted. 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 (e.g. riparian margins, wetland fragments) warrant proceeding with the notified proposal.

General (Allowed)

- A submission expressed general support for the recommendation by the Mana Whenua Panel.

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 objected to disposal on the grounds that this represents a loss of public access and ability for future generations to enjoy these areas, expressed opposition to any disposal which means a loss of recreation opportunities such as kayaking, angling or hunting, or requested "appropriate mechanisms are used to ensure existing and future public use is maintained or improved". The dynamic nature of the river was highlighted as a particular risk for access, with one submitter noting "Riparian access via new Marginal Strips is not guaranteed".
- A submitter noted that jetboating was incorrectly identified as a historical activity but needs to continue for "hunting and recreation" access.

I recommend that these comments are accepted to the extent that I agree that any recreational values present are appropriately reflected by the notified classification, though I note recreational activity is currently unlikely to occur in the modified pastoral areas. The proposed conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

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 (e.g. "All land should be retained, protected and rehabilitated to help deal with the impacts of climate change, the biodiversity crisis and protecting Aotearoa New Zealand from other future shocks", "In many cases this is in riverbeds, which are highly dynamic environments, and likely to become more so in the future as rainfall intensities increase with climate change"). One submission, which recommended managing the whole catchment as a national park, noted that most of the pasture is flood prone and suggested these areas "will regenerate and retention for conservation better meets the recommendations of the Climate Change Commission Report".
- Submissions emphasised the importance of retaining land that protects other areas from flooding, slips, erosions, and damage from sea surges and rising sea levels. They suggested reclassification as scenic reserve or ecological reserve to support restoration and allow room for natural river processes. A submitter advocated for classification as government purpose (river floodplain) reserve due to the "opportunities for ecosystem restoration in response to flood events or coastal erosion" and carbon sequestration.
- 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 accepted. I agree that the protection of the existing natural resources present is of increasing importance when considering the need for climate mitigation, and classification as a conservation park will support this outcome.

Ecology and Landscape (Allowed)

- Submitters advocated for a catchment based approach to managing the Waitaha and recommended classification as a national park (either standalone or added to Westland Tai Poutini National Park) to allow "integrated" management and a holistic approach (e.g. "These river beds, flood plain and land parcels can be linked by either LINZ held riverbeds and lands or PCL to the entrance of the Morgan Gorge and should be managed as an integrated whole catchment as National Park").
- Submitters also suggested adding surrounding areas to the national park (e.g. "In time the Park could be linked across the main divide to the Rangitata/Rakaia Headwaters Conservation Area", "We would also like to see this area be combined with the Conservation Area- Wanganui-Otira catchments to protect the entire catchment as one").
- Submissions emphasised the importance of protecting natural values recommending a "precautionary policy" to hold conservation future options open.
- Submissions opposed disposal of lowland river terraces on the grounds that little remains in public conservation land.
- Submissions particularly emphasised the importance of "nationally rare braided river ecosystems" as being of high biodiversity and landscape value.
- A submitter noted the area contained naturally uncommon ecosystems "including dunes and wetlands", advocating for classification as a government purpose reserve (river floodplain) "for restoration of depleted indigenous ecosystems".
- One submission recommended that only modified landlocked sites without restoration potential should be disposed of.
- A submission opposed disposal, stating that stewardship land represents "a broad cross section of indigenous ecosystems, in various states of regeneration".

I recommend that these comments are accepted to the extent that they support retention of the stewardship area and provision of an appropriate classification for the natural values present. My assessment is that natural values present (e.g.

riparian margins, wetland fragments) are appropriately protected under the proposed classification of conservation park. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Treaty Considerations (Allowed)

- One submission stated no stewardship land should be disposed of, except to tangata whenua, "and only then with the need to maintain the block's cultural, conservation & mahika-kai values".
- One submission expressed a desire for maximum protection to allow nature to thrive, in keeping with the approach of the indigenous people of Aotearoa.

I recommend that these comments are accepted to the extent that they support retention of the stewardship area and provision of an appropriate classification for the natural values present. 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 (e.g. riparian margins, wetland fragments) warrant proceeding with the notified proposal.

General (Allowed)

- Submissions expressed opposition to disposal of any stewardship land in general terms, expressed a desire for maximum environmental protection, suggested classification as national park, local purpose reserve or wildlife area, or supported the National Panel recommendation for conservation 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 raised, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions expressed opposition to disposal of any stewardship land and sought protection from development, mining, or other extractive activities. A submission emphasised that "The public has already and only recently asked that this example of a highly threatened braided River be saved from a hydro power station being built on it" noting the risks of pollution increase with disposal due to the increased possibility of farming.
- A submission noted their support of the Ministers decision to protect the "intact Waitaha River from hydro development" stating the area is worthy of higher protection.
- A submitter opposed the classification due to concern about the potential impacts on existing permissions.
- A submission recommended consideration of potential productivity and whether the land could be used to support future food security.
- A submitter recommended that grazing concessions be "phased out in time".
- A submission suggested "a land exchange with the adjacent land owner 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.

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, including the timeframe for response, when compared to the scale of information notified.
- A submitter noted that "there is no requirement" that land with low conservation values is disposed of, expressing opposition to any disposal of riverbed or pastoral land in public ownership. Concerns regarding the limits of the notification were further highlighted as the "proposed disposals do not give even a general indication where disposal boundaries might be" making it difficult for submitters to comment. The submitter further stated that "The National Panel is recommending 65 hectares for disposal, but has recommended up to an additional 1000 hectares of land may be disposed of where there is pastoral land alongside river conservation areas (subject to survey). This is not explained or justified".

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

Other (Not Allowed)

- One submission suggested 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.

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 which supports reconsideration of the notified classification.

Other (Not Allowed)

- One submission noted that disposal of land will be subject to Heritage New Zealand Pouhere Taonga Notification Process for Disposal of Crown-owned Land.

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

Waitaha Riverbed (Riverbed)

Panel Recommendations

National Panel: Conservation park (Waitaha), to reflect the mosaic of values present, protecting natural and historic resources while facilitating public recreation and enjoyment of the area.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of conservation park for the 'riverbed' section of this stewardship area.

Summary of accepted submissions: Those submissions 'accepted' as holding merit supported the notified classification as appropriate for the recreational values present and securing ongoing public access.

Section 4 and Treaty principles: The Mana Whenua Panel have not opposed the notified classification.

The Mana Whenua Panel signalled specific 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 consider the classification is not inconsistent with the identified interests.

Rationale: My conclusion is that the natural resources present (e.g. braided riverbed, riparian margin of variable quality, wetland fragments) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Conservation Park (Waitaha) - HOK_50_2805643g

Support

Access and Recreation (Allowed)

- A submitter supported the classification as protecting the recreational values present, including providing ongoing public access, and emphasised the importance of the area to anglers (e.g. "riparian access providing crucial backcountry access is often dependent upon the ever-changing position of the active riverbed. Oppose any disposal of former or current riverbed that provides or protects actual or potential public access as the river moves").
- A submitter supported the classification but expressed concern that the value of the rivers to the river community was not adequately represented.

I recommend that these comments are accepted. They provide site-specific details regarding public access which add to my understanding of the recreational values present as identified in the CVR. The activities referred to are allowed for under the proposed classification. The conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, or agreed it reflected the "information in the technical reports". A submission noted their opposition to any disposal of the land.
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter expressed "trust that Conservation Park status will provide full protection from any future mining applications in these areas".
- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide "more than adequate legal protection".
- A submission in support of conservation park advocated for greater protection from "intrusive development" such as mining and hydro schemes, stating that "most of the Southern Alps deserves protection equivalent to that of National Park status".

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

Other (Not Allowed)

- A submission suggested that the implementation of the proposed classification "needs to be followed up with sufficient funding for pest eradication".

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

Oppose

Access and Recreation (Allowed)

- A submitter noted that jetboating needs to be allowed to continue for access, and is not just a historical activity.
- Submitters highlighted the varied recreational values present on the West Coast recommending classification as a national park (e.g. "We share the desire of our tramping colleagues to see the Waitaha river catchment be given national park status and be added to Westland National Park").

I recommend that these comments are not accepted. My assessment is that the recreational values present as identified by the submitter and described in the CVR (e.g. occasional packrafting and kayaking) will be appropriately protected by the proposed classification and the points raised do not warrant overturning the notified intention. The proposed conservation park will be managed "to facilitate public recreation and enjoyment", subject to the protection of the natural and historic resources present (Conservation Act 1987, s. 19(1)(b)).

Climate Change and Natural Hazards (Allowed)

- A submitter recommended government purpose (river floodplain) reserve to recognise carbon sequestration and ecosystem restoration opportunities.
- A submitter advocated for national park status noting "these areas will regenerate and retention for conservation better meets the recommendations of the Climate Change Commission Report".
- Submitters highlighted the risk the braided river system faces from encroachment and natural disasters, including earthquakes and flooding, and advocated for a higher level of protection such as national park or wildlife management area.

I recommend that these comments are not accepted. My assessment is the proposed classification will support the protection of the natural resources present, and as a result support the areas climate mitigation potential. The points raised do not justify overturning the notified intention. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

Ecology and Landscape (Allowed)

- Submitters advocated for a catchment-based approach to managing the Waitaha, recommending classification as a national park to allow "integrated" management and a holistic approach (e.g. "We want to see the Waitaha river/catchment be given national park status and be added to Westland National Park", "These river beds, flood plain and land parcels can be linked by either LINZ held riverbeds and lands or PCL to the entrance of the Morgan Gorge and should be managed as an integrated whole catchment as National Park").
- Submitters also suggested adding surrounding areas to the national park to "protect the entire catchment as one" (e.g. "recommend managing the entire Waitaha Catchment from the alps to the sea, holistically as a National Park either as a stand-alone park or being added to Westland Tai Poutini National Park along with the Waitangi

Conservation Area, TWP 05 Waitangi Forest #2809665", "We would also like to see this area be combined with the Conservation Area- Wanganui-Otira catchments").

- Submissions sought greater protection highlighting the ecological and landscape values present, including the "rarity" of the braided river system, with classification as a wildlife management area or national park recommended (e.g. "They are part of nationally rare braided river ecosystems. There are patches of remnant tall kahikatea and totara groves, some riparian vegetation, wetlands and a mix of rough and developed pasture, most of which is flood prone"). Some submitters also noted the "variable quality" of the riparian margin and that "most reaches have very little vegetation".
- A submitter noted the area contained naturally uncommon ecosystems "including dunes and wetlands", advocating for classification as a government purpose reserve (river floodplain) "for restoration of depleted indigenous ecosystems".
- A submitter noted the area may have "the last remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened" and warrants a higher level of protection than that proposed, suggesting national park, wildlife management, scenic reserve, nature reserve or scientific reserve as more appropriate.

I recommend that these comments are not accepted. My assessment is that natural values pre4sent (e.g. braided riverbed, riparian margins) are appropriately protected under the proposed classification. The primary purpose of conservation parks includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)).

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification, or expressed concern that the classification would not provide any greater protection than the current status. Classification as a national park, local purpose reserve or wildlife area was recommended.

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 submitter who expressed general concern about the low-level protection offered by conservation park, noted support for that classification for land "potentially containing crown minerals". The support was contingent on the land being registered as a specially protected area if significant conservation values were present.
- A submitter opposed the classification due to a lack of clarity on the activities allowed for under the conservation park status and was concerned the status would not protect the high conservation values identified.
- A submitter opposed the classification due to concern about the potential impact on existing permissions.
- Submissions recommended all grazing concessions should be phased out.

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 submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values".
- A submitter stated that if a national park classification is "politically unpalatable, then political judgement calls must be made by accountable politicians, not by the Panel".

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 to specially protected areas unless it was purchased by the Nature Heritage Fund for the purpose of adding it to a national park.
- A submitter noted that without a buffer to the river there is a risk freehold land will be destroyed and compensation required.

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

No Opinion/Position Stated

Access and Recreation (Allowed)

- Submissions queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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)

- 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 which supports reconsideration of the notified classification.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submission noted their support for the Minister's decision "to protect the intact Waitaha River from hydro development" and stated the area is worthy of higher protection.
- A submitter sought protection for the Waitaha River "as one of our few rare, braided rivers still unmodified, leading to its beautiful rata dressed gorge with hot springs" and noted their concern of the consequence of hydropower for braided rivers.

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

Other (Not Allowed)

- A submitter advocated for new conservation parks to "come with additional Government funding for better biodiversity work and more pest control".

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

HOK_51 – Pukekura – 2805640

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Pukekura	HOK_51_2805640c	Scenic Reserve (a)	Neutral	10	5

DOC Conservation Values Report Description

A 0.5189-ha area of lowland forest that adjoins a large protected forested area. It borders the Waitaha Scenic Reserve, which adjoins the Pukekura Scenic Reserve and other public conservation land, and so the site forms part of a large area of protected natural area. There is only the occasionally hunter.

Panel Recommendations

National Panel: Scenic reserve (a) will provide for landscape continuity with the bordering Waitaha Scenic Reserve and the wider 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 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. indigenous forest).

Scenic Reserve (a) - HOK_51_2805640c

Support

Climate Change and Natural Hazards (Allowed)

- A submitter supported the proposed classification as offering a high level of protection "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)

- A submitter supported the recommendation noting it would provide for landscape continuity as it "adjoins much larger protected areas".

I recommend that these comments are accepted. I agree that the natural resources identified are appropriately protected and preserved by the proposed 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)).

General (Allowed)

- Submissions expressed general support for the proposed classification, referencing the "information in the technical reports" or without providing further justification.
- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level 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 raised, these submission points do not raise any matters for further consideration.

Oppose

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions 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 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 the limitations of the consultation.

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

Other (Not Allowed)

- A submission opposed all reclassification of stewardship land to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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)

- 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 which supports reconsideration of the notified classification.

HOK_52 – Waitaha Forest – 2805641

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Waitaha Forest	HOK_52_2805641d	Conservation Park (Waitaha)		38	105
Waitaha Forest	HOK_52_2805641e		Stewardship	10	123

DOC Conservation Values Report Description

A 30814.7252-ha area that extends from the lowlands to high alpine, spanning forest sequences to treeline, and with extensive subalpine shrublands and alpine snow tussockland. This very large block contains numerous streams, and most of the Waitaha River catchment, as well as part of the headwaters of the Wanganui River. The area provides backcountry adventures for people who seek remote and wilderness experiences, and is used by trampers, hunters, kayakers, and rafters. There are historic sites recorded within the assessment area. Multiple concessions are in place. The Waitaha Hydro Scheme proposal is located within the Conservation Area.

Panel Recommendations

National Panel: Conservation park (Waitaha), to reflect the mosaic of values present, protecting natural and historic resources while facilitating public recreation and enjoyment of the area.

Mana Whenua Panel: Retain as stewardship land as the Mana Whenua Panel notes the potential opportunities for hydrogeneration in this area and its importance for community resilience on the West Coast. Therefore, reclassification should not occur at this time.

S.49(2)(d) Recommendation

- Do not proceed with the notified proposal, retaining the area in stewardship at this time.

Summary of accepted submissions: Those submissions 'accepted' as holding merit expressed opposition to the notified classification on the basis that it does not adequately reflect the high value nature of the natural resources present (e.g. "magnificent altitudinal sequences from the lowlands to the mountain tops", "a very high level of naturalness and water quality, pristine headwaters sourced in multiple ranges of Tiritiri o Te Moana", "the area is largely unmodified by humans. It is near to pristine and yet is accessible for recreation"). Submitters also emphasised the high landscape and wilderness value of the area (e.g. "forms an integral part of a huge expanse of protected land", "adjoining a vast expanse of protected land to the west, south and north, including the Adams Wilderness area").

Section 4 and Treaty principles: The Mana Whenua Panel have opposed the proposed conservation park and signalled Ngāi Tahu interests associated with this stewardship area, particularly that "Ngāi Tahu may have future aspirations for this land (such as hydro power generation)" and "the Mana Whenua Panel notes the potential opportunities for hydrogeneration in this area and its importance for community resilience on the West Coast. Therefore, reclassification should not occur at this time". This position was supported by submissions from Treaty partner organisations.

While I acknowledge the Mana Whenua Panel opposition to the notified proposal, my assessment, considering those submissions accepted, is that the natural resources present warrant a classification which more appropriately reflects their value than that which was notified.

Regarding the specific Ngāi Tahu interests identified by the Mana Whenua Panel (hydro power generation), I note that conservation legislation contemplates that some activities may be acceptable and provides a mechanism for authorising such activities through the granting of concessions. I note that any subsequent process to identify an appropriate classification would be undertaken in a manner consistent with Treaty principles.

Rationale: My conclusion, considering those submissions accepted, is that in this instance the natural resources present warrant a classification which more appropriately reflects their value than that which was notified (e.g. described in the CVR as hugely diverse, forming a complete and intact ecological sequence from the lowlands to the high alpine zone, very high levels of naturalness and water quality, several naturally rare ecosystems, a diversity of common, threatened and at-risk flora fauna and freshwater species). The area does not contain sufficient historic resources to justify the more

holistic classification of conservation park over this extensive area (e.g. the CVR indicates the presence of just three recorded archaeological sites which are associated with transportation on the West Coast).

Conservation Park (Waitaha) - HOK_52_2805641d

Support

Access and Recreation (Allowed)

- Submitters who expressed support for the classification highlighted the significant recreational values present, noting tramping and kayaking as popular uses (e.g. "Many outdoor types, alpinists, trampers, kayakers and hunters would regard the area in which the parcels are located as the backcountry adventure capital of New Zealand", "I have been tramping in NZ for 30 years and this place is a very special zone", "I was one of the first kayakers to attempt to navigate Morgan Gorge and I was still am in awe of the gorges outstanding natural beauty which I would regard as being internationally significant").
- Several submissions supported the classification to "appropriately protect the outstanding recreational, landscape and ecological values for current and future generations" noting that the values of the area are well documented (e.g. "Much has been written on the Waitaha river, the Westpower hydro concession application that has been declined, the white water value and the Outstanding Natural Landscapes that surround this area").
- Despite expressing support for conservation park status several submissions stated a preference for "better" protection, proposing classification as an ecological area or national park.
- Submissions supported the classification but were concerned at the limited recreational research which they felt had occurred and lack of representation of the whitewater community.
- A submission noted that the CVR presented to the Panels had not recognised the geological and natural hot spring values present in Morgan Gorge.

I recommend that these comments are not accepted. Although I agree that the proposed classification will support ongoing public access to the area, I have concluded based on submissions in opposition that the natural resources present warrant a classification which more appropriately reflects their value than that which was notified.

Ecology and Landscape (Allowed)

- Submissions supported the classification advocating for high protection and highlighting the significant landscape and freshwater values present (e.g. "The Waitaha should remain undeveloped and free flowing to protect its unspoiled character and its status as the Aoraki of NZ rivers", "The rugged canyons of the Waitaha are unlike any others on the west coast", "This is indeed an area of Outstanding Natural Landscape. It has diversity of native species in an almost untouched landscape which should be given the highest protection from further spoiling by man", "deserves national or international protection for its outstanding natural beauty more than its recreational status").
- Submitters supported conservation park status but questioned the creation of multiple conservation parks, noting the boundaries split the Waitaha River in two.
- Submissions instead recommended combining the parks into a single unified conservation park for "for ease of management" (e.g. "From an ecological, as well as a recreational perspective, these areas form a contiguous whole, and should be managed as such").
- A submission supported conservation park status but recommended that "the remote hinterland be added to Adams Wilderness Area".

I recommend that these comments are not accepted. Although I agree there are significant ecological values present (e.g. described in the CVR as hugely diverse, forming a complete and intact ecological sequence from the lowlands to the high alpine zone, very high levels of naturalness and water quality, several naturally rare ecosystems, a diversity of common, threatened and at-risk flora fauna and freshwater species), I have concluded based on submissions in opposition that the natural resources present warrant a classification which more appropriately reflects their value than that which was notified.

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, or agreed it reflected the "information in the technical reports".

- A submitter noted their preference for all stewardship land to be reclassified at the highest possible level based on its "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.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide "more than adequate legal protection".
- Submissions advocated for protection from "intrusive development" such as mining and future hydro schemes, with one submission stating that "most of the Southern Alps deserves protection equivalent to that of National Park status".
- Several submissions expressed concern about potential future hydro developments, with one submitter calling the earlier decision by Hon David Parker to decline the scheme a "landmark conservation decision" made due to the "rivers pristine nature and high value for wilderness recreation".
- A submitter expressed "trust that Conservation Park status will provide full protection from any future mining applications in these areas".

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

Process and Consultation (Not Allowed)

- Submitters raised concerns about potential conflicts of commercial interest in the recommendations (e.g. "the Ngāi Tahu Mana Whenua Panel's desire to see this high value wilderness remain as SL calls into question their likely conflict of interest in this particular CA parcel and their views need to be treated accordingly").

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

Other (Not Allowed)

- A submission suggested that the implementation of the proposed classification "needs to be followed up with sufficient funding for pest eradication".

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

Oppose

Access and Recreation (Allowed)

- Submitters objected to conservation park classification as not sufficiently protecting the "outstanding recreational, landscape and ecological values for current and future generations", highlighting that the area is largely unmodified yet offers various recreational opportunities such as tramping, mountaineering, hunting, kayaking and packrafting (e.g. "It is near to pristine and yet is accessible for recreation. The area is valued for its natural beauty and wilderness qualities for recreation").
- Submissions most commonly recommended ecological area, national park, or "ecological area with s18 recreational significance".
- The recreational importance of the Waitaha River and Morgan Gorge was emphasised in a substantial number of submissions calling for higher protection, both for kayakers and trampers (e.g. "Considered the Everest of NZ rivers", "The Waitaha River and Morgan Gorge are known internationally in the kayaking community for their challenging whitewater. I wish to have on record that these pristine river systems deserve the highest protection, and that hydro power proposals have no place here", "I have tramped into and alongside it and was astounded at the exceptional power and beauty of Morgan Gorge in particular", "The whitewater is spectacular and the canyon in Morgans gorge one of the most amazing natural wonders I have seen in over 15 years of travelling the world paddling in remote and exotic locations").
- Submitters also noted the presence of hot springs in the Morgan Gorge which were omitted from the technical report.
- A submitter who advocated for national park status noted a significant canyon in the area ("the Whirling Water, which according to experts who have been exploring it, is going to be one of the best canyons on the West Coast

and therefore at least 3 star - Nationally Significant status"). They stated that "it is almost certain that other nationally or internationally significant canyons will be found in this catchment".

- Submissions highlighted the value and variety of tramping opportunities in the area (e.g. "a relatively easy trip to Kiwi Flat, one of my first independent tramps as a teenager, and a place that I recently went with a family group, with the youngest child 8 years old", "special places for exploring and mountaineering and contain some of the most difficult tramping routes in the country").

I recommend that these comments are accepted to the extent that they support a classification which more appropriately reflects the natural resources present. Although I agree that the proposed conservation park is not appropriate for this area, these comments do not warrant overturning the notified intention which is managed "to facilitate public recreation and enjoyment" (Conservation Act 1987, s. 19(1)(b)). Rather, I have concluded based on submissions in opposition that the natural resources present warrant a classification which more appropriately reflects their value than that which was notified.

Climate Change and Natural Hazards (Allowed)

- A submitter recommended national park classification, suggesting consideration of "how this land can be used to restore native forest and meet the New Zealand's Climate Change Commission recommendations to Government including creating 300,000ha of new native forest between 2021 and 2035.

I recommend that these comments are accepted to the extent that they support a classification which more appropriately reflects the natural resources present. While I agree that the protection of the existing natural resources present is of increasing importance when considering the need for climate mitigation, I have concluded based on submissions in opposition that the natural resources present warrant a classification which more appropriately reflects their value than that which was notified.

Ecology and Landscape (Allowed)

- Submitters objected to conservation park classification as not sufficiently protecting the "outstanding" landscape and ecological values, recommending a higher classification such as ecological area or national park. A submitter also suggested wildlife management, scenic reserve, nature reserve or scientific reserve as appropriate. Various features were described as worthy of higher protection, such as "magnificent altitudinal sequences from the lowlands to the mountain tops", "rare ecosystems such as braided rivers and cushion bogs", "a very high level of naturalness and water quality, pristine headwaters sourced in multiple ranges of Tiritiri o Te Moana", the presence of whio, kea, long-tailed bats longfin eel, torrent fish, kōaro, and mudfish at lower altitudes, and two of New Zealand's Index Glaciers (Kea Glacier and Jasper Glacier).
- The unmodified nature of the river and Morgan Gorge was highlighted in many submissions as warranting higher protection (e.g. "I clearly remember my last trip down the river and how pristine the environment is. Morgan Gorge is a world gem and must be protected", "The protection of these completely wild and untouched areas is something that should be paramount to every one of us", "The upper Waitaha has been assessed as an Outstanding Landscape and the Morgan Gorge an Outstanding Natural Feature").
- Submitters stated that the conservation park recommendation for this and other connected areas does not adequately reflect the landscape context or provide for holistic landscape/catchment management. It was noted that the conservation area is large and connected to other protected land, particularly the Adams Wilderness Area, and that this should be reflected with a higher classification (e.g. "forms an integral part of a huge expanse of protected land extending to Tiritiri o Te Moana/Southern Alps", "This is a large (30,800 ha) remote backcountry zone adjoining a vast expanse of protected land to the west, south and north, including the Adams Wilderness area").

I recommend that these comments are accepted. I agree that the natural resources present warrant a classification which more appropriately reflects their value (e.g. described in the CVR as hugely diverse, forming a complete and intact ecological sequence from the lowlands to the high alpine zone, very high levels of naturalness and water quality, several naturally rare ecosystems, a diversity of common, threatened and at-risk flora fauna and freshwater species).

- Submitters advocated for national park classification, either addition to the Westland/Te Tai Poutini National Park or a new Waitaha National Park, with detailed arguments provided. They argued that this classification would reflect the unique and significant natural features and ensure mountain to sea protection (e.g. "as a source to sea

national park", "The Waitaha catchment meets the high bar of containing national park values", "Some of the key attributes cited for the Upper Waitaha include deeply entrenched river valley and series of gorges, braided river channels, expansive gravel beds, bluffs, numerous waterfalls flanked by pristine indigenous forests and high-altitude mountain ranges").

- Submitters were concerned that the technical report had not identified "many of the values" that make the area worthy of national park status and "failed to reference a number of threatened and distinctive species which were noted by Rhys Buckingham in 2014" including long-tailed bats, alpine snails, kea and kaka.
- Submitters suggested the Waitaha Forest be combined with other adjacent conservation areas, particularly the Wanganui-Otira catchment, and all given a higher classification such as national park, ecological area or unified into a single conservation park (e.g. "The current recommendations effectively cut the Waitaha River in half with the upper and lower portions of the catchment split between two proposed conservation parks", "recommend managing the entire Waitaha Catchment from the alps to the sea, holistically as a National Park").
- A submitter suggested an amalgamation of the Waitaha Forest, Wanganui-Otira catchment, and Totara-Mikonui could make a "rather magnificent National Reserve".
- One submitter noted that the Panel's justification for the recommendation included providing landscape continuity with other stewardship areas recommended as conservation park, characterising this as a "supremely circular argument".

I recommend that these comments are accepted to the extent that they support a classification which more appropriately reflects the natural values present. I agree that the natural values warrant a classification which more appropriately reflects their value than that which was notified.

Historic and Cultural Values (Allowed)

- It was recommended that the area be added to Waitaha Scenic Reserve as it is "culturally significant".

I recommend that these comments are not accepted. Although I agree that the proposed classification is not appropriate for this area, these comments do not warrant overturning the notified conservation park, the purpose of which includes to be managed so "that its natural and historic resources are protected" (Conservation Act 1987, s. 19(1)(a)). Rather, I have concluded based on submissions in opposition that the natural resources present warrant a classification which more appropriately reflects their value than that which was notified.

Treaty Considerations (Allowed)

- Submitters opposed the recommendation and stated support for the recommendations of the Mana Whenua Panel as reflecting the values, interests and perspectives of Ngāi Tahu.

I recommend that these comments are accepted to the extent that I agree that the proposed classification is not appropriate for this area. My conclusion in accordance with the substantial number of submissions received, is that the natural resources present (e.g. described in the CVR as hugely diverse, forming a complete and intact ecological sequence from the lowlands to the high alpine zone, very high levels of naturalness and water quality, several naturally rare ecosystems, a diversity of common, threatened and at-risk flora fauna and freshwater species) warrant a classification which more appropriately reflects their value than that which was notified. I note that any subsequent process to identify an appropriate classification would be undertaken in a manner consistent with Treaty principles.

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed, recommended ecological area or national park without providing further justification, or expressed concern that the classification would not provide any greater protection than the current status.

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)

- Submitters opposed conservation park based on concern that this would not protect the high conservation values identified and would allow various commercial activities, referring to mining but primarily concerned about the

proposed hydro scheme development (e.g. "The Waitaha catchment is particularly vulnerable due to another attempt by Westpower for its hydro proposal effectively destroying the wild river and important indigenous habitat and recreational values", "The hydro proposal would have significantly undermined the areas intrinsic values as well as its recreational values, for tramping and kayaking", "a conservation status that allows underground or open cast mining is completely inconsistent with the review's purpose of assigning the appropriate protective conservation status for areas with high conservation value").

- Submitters suggested that a higher classification would be consistent with the previous determination regarding the proposed hydro scheme and reflect the values as established during that process (e.g. "The values of the catchment area of the mighty Waitaha River were thoroughly traversed during the Waitaha hydro scheme application and made clear by the Minister for the Environment (...) in his decision to decline").
- A submitter who expressed general concern about the low-level protection offered by conservation park, noted support for that classification for land "potentially containing crown minerals". The support was contingent on the land being registered as a specially protected area if significant conservation values were present.
- Conversely, submitters opposed conservation park classification in favour of the recommendation to retain in stewardship, stating they would like "a new classification that would allow for appropriate hydrogeneration development". A submission expressed concern that reclassification would make it more difficult to maintain and upgrade existing renewable electricity generation distribution or develop new opportunities, and for the government to meet emissions targets and renewable energy goals. It was noted this may impact the "economic, social and cultural benefits of the local West Coast community".
- Another submitter noted support for retaining in stewardship based on concern that change in status would affect the existing permissions listed for the area.

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

Process and Consultation (Not Allowed)

- Submitters raised concerns about potential conflicts of commercial interest regarding the proposed hydro scheme (e.g. "Given the area's very high conservation values and the commercial interests of members of the Mana Whenua Panel as hydro project partners, this conflict of interest should be taken into account when considering this recommendation", "The Mana Whenua Panel's recommendation for the land to remain classified as stewardship (the lowest conservation value) shows this alignment and is in direct contrast to protection of the high natural and recreational values of the area. This potentially has the appearance of a conflict of interest, and should be identified as such").
- A submitter raised concern that available information on the wild river and whitewater recreation values of the Waitaha River was not used to inform the recommendations.
- A submitter stated that if a national park classification is "politically unpalatable, then political judgement calls must be made by accountable politicians, not by the Panel".
- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.
- A submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values".

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 to specially protected areas 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 queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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. I have concluded based on submissions in opposition that the natural resources present warrant a classification which more appropriately reflects their value than that which was notified. I note that 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)

- Submitter who did not comment on the proposed classification advocated generally for the area to receive the "highest level of protection", noting the spiritual and ecological value of the Waitaha river.
- 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 consideration.

Other (Not Allowed)

- A submitter advocated for new conservation parks to "come with additional Government funding for better biodiversity work and more pest control".

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

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter who did not comment on the proposed classification noted opposition to "any hydro-electric development on the Waitaha".

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

Retain in Stewardship - HOK_52_2805641e

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)

- A submission noted that recreational values are protected by a stewardship land classification.

I recommend that these comments are not accepted. Although I agree that the proposed classification of conservation park is not appropriate for this area, these comments do not hold merit regarding overturning the notified intention which is managed "to facilitate public recreation and enjoyment" (Conservation Act 1987, s. 19(1)(b)). Rather, I have concluded based on submissions in opposition that the natural resources present warrant a classification which more appropriately reflects their value than that which was notified.

Treaty Considerations (Allowed)

- Submissions supported the position of the Mana Whenua Panel on the basis that their recommendations "reflect the values, interests, and perspectives of the Papatipu Rūnanga in whose Takiwā the relevant land is located".

I recommend that these comments are accepted to the extent that I agree that the proposed classification is not appropriate for this area. My conclusion in accordance with the substantial number of submissions received, is that the natural resources present (e.g. described in the CVR as hugely diverse, forming a complete and intact ecological sequence from the lowlands to the high alpine zone, very high levels of naturalness and water quality, several naturally rare ecosystems, a diversity of common, threatened and at-risk flora fauna and freshwater species) warrant a classification which more appropriately reflects their value than that which was notified. I note that any subsequent process to identify an appropriate classification would be undertaken in a manner consistent with Treaty principles.

General (Allowed)

- Submissions stated support for the proposed classification, or agreement 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)

- A submission advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these provide adequate legal protection.
- A submission supported retention in stewardship until "a new classification that would allow for appropriate hydrogeneration development to be undertaken on the Waitaha river" is created as "this will provide resilience and security of electricity supply for the West Coast".
- Submissions supported classification as stewardship land on the basis that any change in status will affect the existing permissions.
- One submitter expressed concern that any change in land status would make it difficult to maintain and upgrade existing renewable electricity generation distribution or develop new opportunities, and for the government to meet emissions targets and renewable energy goals. It was noted this may impact the "economic, social and cultural benefits of the local West Coast community".

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

Oppose

Access and Recreation (Allowed)

- Submissions opposed the classification and advocated for higher levels of protection detailing the "outstanding" recreational values present across the catchment including kayaking, packrafting, hunting and tramping (e.g. "The Gorge is a stunning natural feature valued by trampers and highly prized by kayakers", "If you mention the Waitaha to a kayaker, it will surely send shivers up their spine", "The Waitaha River is a place like no other, its steep mountains and rugged terrain make it one of the more challenging areas on the coast to visit, but with the challenge comes great reward", "a highly valued remote and wild recreational area for trampers, mountaineers, hunters and kayakers"). The "highest forms of legislative protection" were sought with classification as an ecological area, a "higher level of protection" or national park status recommended.
- Submitters emphasised the "national significance" of the recreational value of the Waitaha River and Morgan Gorge specifically (e.g. "pristine wild river", "Morgan Gorge in the lower reaches of the Waitaha catchment is a rare geological feature and an iconic river gorge environment", "aspirational test piece for whitewater kayaking").
- Submitters noted the presence of hot springs in the Morgan Gorge which were omitted from the CVR.
- A submitter advocating for national park status noted that only one stream has been "partially explored" from a canyoning perspective and a significant canyon found (the Whirling Water) however "based on the geology, topography and knowledge of the Waitaha River from our Whitewater Kayaking colleagues, it is almost certain that other nationally or internationally significant canyons will be found in this catchment".
- The scenic and landscape values were frequently highlighted as a significant part of the recreational experience (e.g. "Both rivers are globally unique as a rafting experience, the landscape within which they sit, the beauty of their gorges and the quality of the freshwater in its purity").

I recommend that these comments are accepted to the extent that they support a classification which more appropriately reflects the natural resources present. Although I agree that the proposed conservation park is not appropriate for this area, these comments do not warrant overturning the notified intention which is managed "to facilitate public recreation and enjoyment" (Conservation Act 1987, s. 19(1)(b)). Rather, I have concluded based on submissions in opposition that the natural resources present warrant a classification which more appropriately reflects their value than that which was notified.

Climate Change and Natural Hazards (Allowed)

- A submission recommended considering the restoration potential of the land to "meet the New Zealands Climate Change Commission recommendations to Government including creating 300,000ha of new native forest between 2021 and 2035".

I recommend that these comments are accepted to the extent that they support a classification which more appropriately reflects the natural resources present. While I agree that the protection of the existing natural resources present is of increasing importance when considering the need for climate mitigation, I have concluded based on submissions in opposition that the natural resources present warrant a classification which more appropriately reflects their value than that which was notified.

Ecology and Landscape (Allowed)

- A substantial number of submitters objected to the proposed classification as not sufficiently protecting the "outstanding recreational, landscape and ecological values for current and future generations".
- The pristine freshwater values of the area were highlighted, with strong emphasis on the Waitaha River and Morgan Gorge (e.g. "the beauty of their gorges and the quality of the freshwater in its purity", "Morgan Gorge one of the most amazing natural wonders I have seen in over 15 years of travelling the world paddling in remote and exotic locations").
- Submissions recommended ecological area, national park, "ecological area with s18 recreational significance", or conservation park.
- Various features were described as worthy of higher protection, with submitters also highlighting the presence of At Risk and Threatened species (e.g. "includes rare ecosystems such as braided rivers and cushion bogs", "largely unmodified by humans", "national stronghold for Long tailed bats", "It is noted as a very important catchment for blue duck /Whio", "the Waitaha river is home to a population of at risk species, including longfin eel, torrent fish, and koaro"). Classification as a national park or ecological area status was recommended.
- Submitters emphasised the scenic values and landscape context, noting the connection to other protected areas, particularly the Adams Wilderness Area, and recommended this was reflected with a higher classification as national park or ecological area (e.g. "scenery and/or ecosystems, the preservation of which is in the national interest", "upper Waitaha has been assessed as an Outstanding Landscape and the Morgan Gorge an Outstanding Natural Feature", forms an integral part of a huge expanse of protected land extending to Tiritiri o Te Moana/Southern Alps and bordering on the important Waitangi Forest", "contains an intact altitudinal sequence from the alpine zone to the lowlands").
- Submitters advocated for the area to be combined with other adjacent conservation areas, particularly the Wanganui-Otira catchment, and classified as a national park "to protect the entire catchment as one" (e.g. "on the edge of the Wanganui/Otira catchment, this area holds many of the same ecological values, and also meets the same national park values", "recommend managing the entire Waitaha Catchment from the alps to the sea, holistically as a National Park either as a stand-alone park or being added to Westland Tai Poutini National Park along with the Waitangi Conservation Area"). A submitter suggested that any new national park created could be added to the "Rangitata/Rakaia Headwaters Conservation Area in Canterbury which is also likely to have National Park values".

I recommend that these comments are accepted to the extent that they support a classification which more appropriately reflects the value of the natural resources present (e.g. described in the CVR as hugely diverse, forming a complete and intact ecological sequence from the lowlands to the high alpine zone, very high levels of naturalness and water quality, several naturally rare ecosystems, a diversity of common, threatened and at-risk flora fauna and freshwater species).

General (Allowed)

- Submissions expressed general opposition to retaining the land in stewardship, advocating for a higher level of protection or suggesting specific classifications (e.g. "prefer classification as a national park", "prefer classification as ecological area", "reserve status either scenic or conservation park").
- A submission expressed preference for "the highest possible classification" due to the land's "high cultural conservation value".
- Submissions opposed retaining land in stewardship, describing it as a "meaningless recommendation".

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.

Historic and Cultural Values (Allowed)

- A submitter noted the area to be "culturally significant", advocating for addition to the Waitaha Scenic Reserve.

I recommend that these comments are not accepted. Although I agree that the proposed classification is not appropriate for this area, I have concluded based on submissions in opposition that the natural resources present warrant a classification which more appropriately reflects their value than that which was notified.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submitters expressed concern about the low level of protection offered by stewardship land status and sought to protect the area from "hydro generation development and all extractive industries" recommending ecological area or national park (e.g. "all river are Taonga and should not become exploited for commercial gain", "must not remain as stewardship land, but instead be protected in perpetuity from hydro generation development and all extractive industries", "conservation status that allows underground or open cast mining is completely inconsistent with the reviews purpose of assigning the appropriate protective conservation status for areas with high conservation values").
- Submissions detailed the history of the hydro scheme application for the Waitaha River, emphasising that they see the Waitaha as "again under threat" with the recently stated intention to revisit the hydro scheme proposal.
- Submitters recommended that the Waitaha "should be given the highest level of protection possible to guard it from future exploitation" recommending ecological area or national park (e.g. "The Waitaha River catchment is of national significance and as such should be protected from commercial development", "The Waitaha catchment is particularly vulnerable due any future hydro proposal effectively destroying the wild river and important indigenous habitat and recreational values").
- Submissions also referenced former Minister Parker's decision to decline the hydro scheme on the grounds that "the area is largely unmodified by humans. It is near to pristine and yet is accessible for recreation".
- Submitters recognised the "need for economic resilience and power generation for the West Coast" and to develop community resilience but considered there "are simply better options out there" noting that "once completed hydro schemes require very little maintenance and do not provide regular wages for local people".

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

Process and Consultation (Not Allowed)

- Submitters raised concerns about potential conflicts of commercial interest regarding the proposed hydro scheme (e.g. "Given the area's very high conservation values and the commercial interests of members of the Mana Whenua Panel as hydro project partners, this conflict of interest should be taken into account when considering this recommendation", "calls into question the panels independence and integrity"). A submitter raised concern that retaining the area in stewardship does not have the "best interests of this amazing natural ecosystem/landscape at heart", suggesting it to be "based purely on economic benefit to the iwi corporation".
- A submitter advocated for the proposed classification to be revisited, and "adequate protections given based on the conservation value".
- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation, including the timeframe for response, when compared to the scale of information notified.
- A submission queried the extent of land in South Westland not included in the reclassification process.
- A submitter raised concern that available information on the wild river and whitewater recreation values of the Waitaha River was not used to inform the recommendations.
- A submitter advocated for the proposed classification to be revised, stating that "conservation values alone must determine recommended classifications, and recreation and use values are not conservation values".

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

No Opinion/Position Stated

Access and Recreation (Allowed)

- Submissions queried whether the proposed classification allows hunting, fishing and "provision for public access".

I recommend that these comments are not accepted. No 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. I have concluded based on submissions in opposition that the natural resources present warrant a classification which more appropriately reflects their value than that which was notified. I note that 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)

- A 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 consideration.

- Submitter who did not comment on the proposed classification advocated generally for the area to receive the "highest level of protection", noting the spiritual and ecological value of the Waitaha river.

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)

- A submitter who did not comment on the proposed classification noted opposition to "any hydro-electric development on the Waitaha".

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