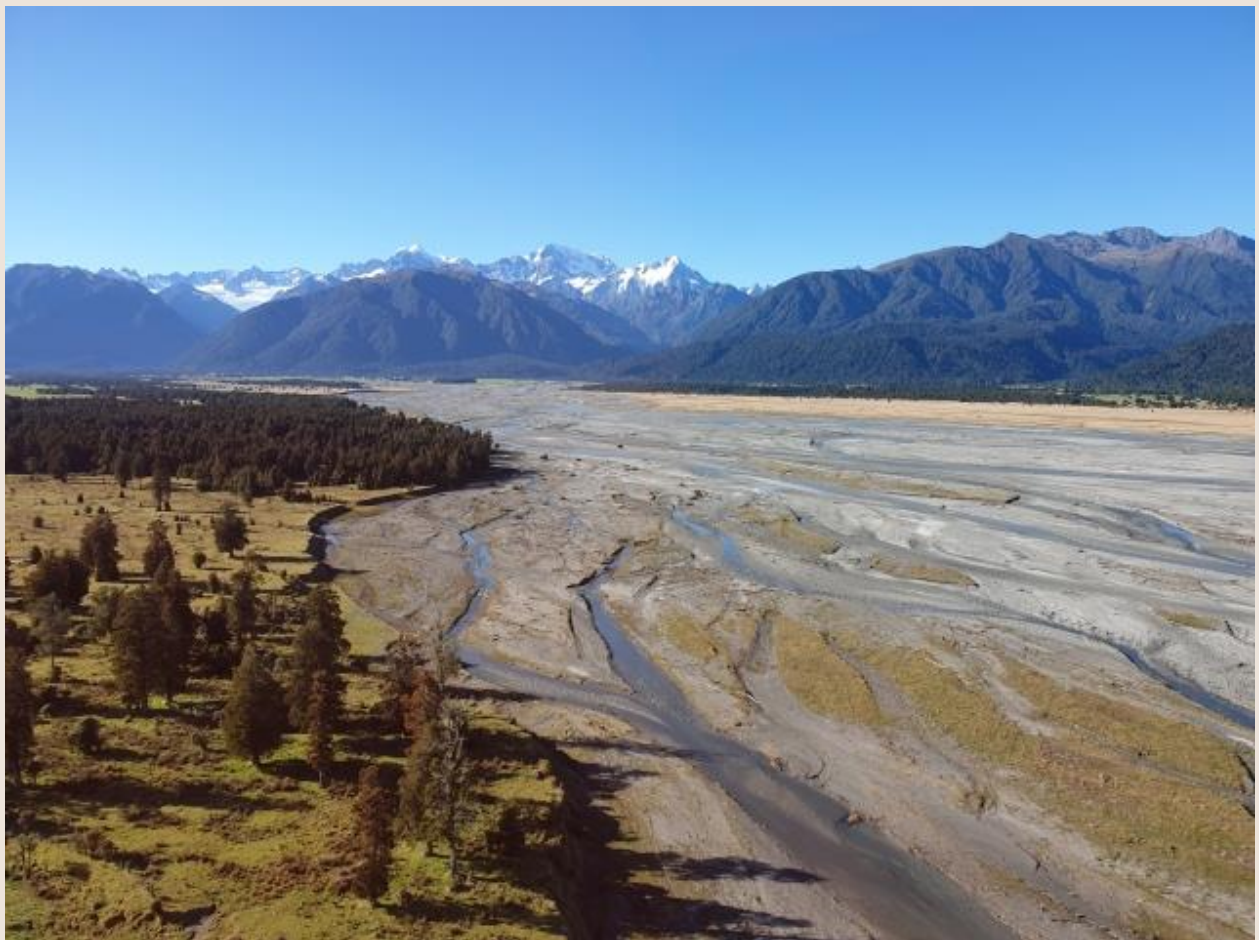


Stewardship Land Reclassification

Summary of Submissions Report

Appendix 7: Te Wāhi Pounamu



Department of
Conservation
Te Papa Atawhai

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TWP_01 – Kākāpotahi – 2805519

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Kākāpotahi	TWP_01_2805519p	Scenic Reserve (a)	Neutral	11	6

DOC Conservation Values Report (CVR) Description

A 2.56-ha area of intact indigenous forest on a hillside adjacent to and continuous with the Waitaha Scenic Reserve and with SH6 going past its southern end. There have been proposals for a cycleway to pass through this section of forest and use part of the old road formation. The area is currently used by hunters.

Panel Recommendations

National Panel: Scenic reserve (a), to preserve the high landscape and ecological values, and protect any identified historic or archaeological features, while providing for recreational use. Complementary conservation values with the adjacent Waitaha Scenic Reserve.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of scenic reserve.

Summary of accepted submissions: Those submissions ‘accepted’ as holding merit supported the notified classification as providing for potential recreation development (cycleway), 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 resources present (e.g. indigenous forest) and reflects the context of the adjacent scenic reserve.

Scenic Reserve (a) - TWP_01_2805519p

Support

Access and Recreation (Allowed)

- A submitter noted the presence of a “potential cycle trail, which would also have to go through Pukekura Scenic reserve”.

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

Climate Change and Natural Hazards (Allowed)

- 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 noted the area as “part of the rather unique Waitaha terminal moraine” and to contain “tall, first-growth forest”. The natural values are noted to be shared “with the Adjacent Pukekura Scenic Reserve”.

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

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

Ecology and Landscape (Allowed)

- A submitter advocated for “managing the entire Waitaha Catchment from the alps to the sea, holistically as a National Park”.
- A submitter advocated for a national park classification, noting the area to be “part of nationally rare braided river ecosystems” and to contain “patches of remnant tall kahikatea and totara groves”.

I recommend that these comments are not accepted. My view is that the natural resources identified in the CVR are appropriately protected and preserved by the proposed classification, and the material raised is of insufficient merit to warrant reconsideration of the notified intention.

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 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. 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 for further consideration. 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. No 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.

TWP_02 – Duffers Creek – 2809701

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Duffers Creek (Western Unit)	TWP_02_2809701k	Scenic Reserve (a)		9	8
Duffers Creek (Western Unit)	TWP_02_2809701l		Disposal	6	20
Duffers Creek (Eastern Unit)	TWP_02_2809701m	Scenic Reserve (a)	Neutral	10	6

DOC Conservation Values Report Description

A 0.2807-ha area of regenerating lowland forest on one side of the state highway. Appears to include a private access way to a dwelling. Part of a larger Species Management Unit for brown mudfish. The area acts as a buffer between the adjacent private land and Pukekura Scenic Reserve and provides important scenic value from the road. The area may be used by hunters.

Duffers Creek (Western Unit)

Panel Recommendations

National Panel: Scenic reserve (a), to preserve the identified high ecological and high landscape values, and protect any identified historic (gold mining) or archaeological features, while providing for recreational use (hunting) of the area. It is representative of the Harihari Ecological District and supports a diversity of common forest avifauna.

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

S.49(2)(d) Recommendation

- Proceed with the notified proposal of scenic reserve for the 'Western Unit' of this stewardship area.

Summary of accepted submissions: Those submissions 'accepted' as holding merit supported the notified classification as fostering ecological restoration with minimal intervention, and offering sufficient protection in the context of climate change.

Section 4 and Treaty principles: The Mana Whenua Panel have opposed the proposed classification, advocating for the area to be disposed of on the grounds it has no or low conservation values. This position was 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 appropriately promote the conservation of the natural and historic resources present (e.g. moderate naturalness values; regenerating podocarp/broadleaf forest) and reflects the context of the adjacent scenic reserve.

Scenic Reserve (a) - TWP_02_2809701k

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 of '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

Ecology and Landscape (Allowed)

- A submitter advocated for "managing the entire Waitaha Catchment from the alps to the sea, holistically as a National Park".
- A submitter advocated for a national park classification, noting the area to be "part of nationally rare braided river ecosystems" and to contain "patches of remnant tall kahikatea and totara groves".

I recommend that these comments are not accepted. My view is that the natural resources identified in the CVR are appropriately protected and preserved by the proposed classification, and the material raised is of insufficient merit to warrant reconsideration of the notified intention.

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 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. moderate naturalness values, regenerating podocarp/broadleaf forest, adjacent to Pukekura Scenic Reserve) warrant proceeding with the notified proposal.

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 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)

- A submitter advocated for disposal "to landowner to provide safe access off SH6".
- 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.

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 for further consideration. 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. No 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.

Disposal - TWP_02_28097011

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 stated they support all recommended disposal of stewardship land where there are no conservation values or natural values remaining.
- One submission agreed that the area holds “little value”.

I recommend that these comments are not accepted. Although the assessment area contains modified elements (an access road passing through the western area), my assessment is that the natural resources described in the CVR (e.g. moderate naturalness values, regenerating podocarp/broadleaf forest) and the landscape context of the area (adjacent to Pukekura Scenic Reserve) represent sufficiently high conservation values to justify the notified classification of scenic reserve. I note this area is unlikely to pass the Conservation General Policy 6(c) test for disposal of holding “no, or very low, conservation values”.

Treaty Considerations (Allowed)

- Submissions supported the recommendations of the Mana Whenua Panel on the basis that they 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 e.g. moderate naturalness values, regenerating podocarp/broadleaf forest, adjacent to Pukekura Scenic Reserve) warrant proceeding with the notified proposal.

General (Allowed)

- Submissions stated their agreement with the recommendation 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 submitter suggested “dispose of to landowner to provide safe access off SH6”.

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

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 to conservation land, and expressed opposition to any disposal which means a loss of recreation opportunities such as angling or hunting.
- Submissions suggested that land be retained or that appropriate mechanisms are used to ensure public access is maintained. Alternative suggested classifications to protect public access included recreation reserve or local purpose reserve.

I recommend that these comments are accepted to the extent that there may be potential recreation and access values in this assessment area (the CVR notes the area may be used for hunting) which merit consideration. The notified scenic reserve classification provides for the public to have freedom of entry and access to the reserve, subject to conditions necessary for the protection and well-being of the reserve and the public themselves, as per Section 19(2)(b) of the Reserves Act 1977.

Climate Change and Natural Hazards (Allowed)

- Submissions 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.
- Submissions argued that disposing of public conservation land compromises future sustainability and climate mitigation options, noting that climate change is heightening pressure on ecosystems. It was noted that disposal “will not assist with a reduction in emissions from agriculture”.

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. Though these areas are small, they comprise regenerating forest and contribute to the integrity of the surrounding forested area. Classification as scenic reserve will support this outcome.

- Submissions emphasised the importance of retaining land that protects other areas from flooding, slips, erosions, and damage from sea surges and rising sea levels, or that allows room for natural river processes. They suggested reclassification as scenic reserve or ecological reserve to support restoration and allow room for natural river processes.

I recommend that these comments are not accepted. 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, stating that “widespread vegetation clearance, vulnerable ecosystems and Aotearoa’s seriously declining biodiversity make retaining all conservation land essential”. They stated that stewardship land represents “a broad cross section of indigenous ecosystems, in various states of regeneration”.
- Submissions opposed disposal of lowland river terraces on the grounds that little remains in public conservation land, and that there is potential for restoration with minimal intervention through the natural gorse to native succession process.

I recommend that these comments are accepted as they promote the protection of the natural resources present (e.g. moderate naturalness values, regenerating podocarp/broadleaf forest, buffering for the adjacent Pukekura Scenic Reserve). Classification as a scenic reserve will support this outcome.

- Submissions suggested the area, as part of the wider Waitaha catchment, should be reclassified as a national park (“holistically as a National Park either as a stand-alone park or being added to Westland Tai Poutini National Park”) to allow integrated management and regeneration throughout the catchment and enhance ecological connectivity “from the alps to the sea”. They suggested this could in future link across the Main Divide to the Rangitata/Rakaia Headwaters Conservation Area. Another submission stated, “These river beds, flood plain and land parcels can be linked by either LINZ held riverbeds and lands or PUBLIC CONSERVATION LAND 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...”

I recommend that these comments are not accepted. The natural values present are more closely aligned with those in the adjacent scenic reserve than a potential national park classification (e.g. moderate naturalness values, regenerating podocarp/broadleaf forest, adjacent to Pukekura Scenic Reserve). The points raised do not justify overturning the notified intention.

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 this comment is accepted to the extent that I agree that this stewardship area holds sufficient conservation values to warrant retention as public conservation land. 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. moderate naturalness values, regenerating podocarp/broadleaf forest, adjacent to Pukekura Scenic Reserve) warrant proceeding with the notified proposal.

General (Allowed)

- Submissions expressed opposition to disposal of any stewardship land in general terms, argued that public conservation land is best retained for future generations or future conservation purposes, expressed a desire for maximum environmental protection (and protection from development, mining, or other extractive activities) across all stewardship land, or supported “a cautionary approach” and preference to retain land in Crown ownership.
- One submission stated they would “support scenic reserve”.

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)

- It was noted that “disposal could present an added cost in some situations where the recommendation to dispose refers to part of a land parcel causing subdivision costs to be incurred”.
- Submissions also recommended consideration of 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)

- It was suggested that there should be less focus on present values and more weight given to potential conservation value (as per the Conservation General Policy 6(c) and the Conservation Act requirement to safeguard options for future generations). It was recommended that the reclassification framework should include a “future conservation use” designation to hold land for future conservation requirements.

- It was 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.
- A submitter stated, “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 wanted to ensure that any potential right of first refusal or conflicts of interest was carefully managed.
- A submitter stated that recommendations should be based on “conservation values alone” and that “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)

- A submitter recommended investigating opportunities for a land exchange.

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

No Opinion/Position Stated

Climate Change and Natural Hazards (Allowed)

- One submission that selected no opinion stated that no land should be disposed of if there is potential for restoration or carbon sequestration, and that riverbeds and adjacent land should be retained for flood retention, with no grazing permitted.

I recommend that this comment is 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. Though these areas are small, they comprise regenerating forest and contribute to the integrity of the surrounding forested area. Classification as scenic reserve will support this outcome.

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 for further consideration. 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. No 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)

- It was noted that land is subject to Heritage New Zealand Pouhere Taonga Notification Process, and they may recommend heritage protection measures as part of this disposal process.
- 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.

Duffers Creek (Eastern Unit)

Panel Recommendations

National Panel: Scenic reserve (a), to preserve the identified high ecological and high landscape values, and protect any identified historic (gold mining) or archaeological features, while providing for recreational use (hunting) of the area. It is representative of the Harihari Ecological District and supports a diversity of common forest avifauna while being contiguous with the Pukekura Scenic Reserve and sharing complementary conservation values.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of scenic reserve for the 'Eastern Unit' of this stewardship.

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

Section 4 and Treaty principles: The Mana Whenua Panel 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 resources present (e.g. moderate naturalness values; regenerating podocarp/broadleaf forest) and reflects the context of the adjacent scenic reserve.

Scenic Reserve (a) - TWP_02_2809701m

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).

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

Ecology and Landscape (Allowed)

- A submitter advocated for a national park classification, noting the area to be “part of nationally rare braided river ecosystems” and to contain “patches of remnant tall kahikatea and totara groves”.
- A submitter advocated for “managing the entire Waitaha Catchment from the alps to the sea, holistically as a National Park”.

I recommend that these comments are not accepted. My view is that the natural resources identified in the CVR are appropriately protected and preserved by the proposed classification, and the material raised is of insufficient merit to warrant reconsideration of the notified intention.

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 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)

- A submitter advocated for disposal “to landowner to provide safe access off SH6”.
- 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.

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 for further consideration. 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. No 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.

TWP_03 – Waitaha River Mouth – 2805515

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Waitaha River Mouth	TWP_03_2805515q	Scenic Reserve (a)	Neutral	11	12

DOC Conservation Values Report Description

A 2.5965-ha area that has important coastal lagoon, marsh and pākihi wetlands, glacial moraine surfaces and cliffs. Historical sites encompass the pre-European period and into the early twentieth century, including flaxmilling. Recreation use occurs along the beach and by hunters. Locals use the unofficial "Greens Beach Road", which DOC does not encourage.

Panel Recommendations

National Panel: Scenic reserve (a), to preserve the identified high ecological and landscape values, protect any identified historic or archaeological features (Māori and European occupation, flax milling and gold mining), whilst **providing for recreational use** (baches, beach use, seal viewing and 4WD access) of the area. A recorded īnanga spawning site is present.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of scenic reserve.

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 (e.g. variety of old growth and regenerating podocarp and broadleaved forests; highly natural; many threatened species; historical sites which encompass the pre-European period).

Scenic Reserve (a) - TWP_03_2805515q

Support

Access and Recreation (Allowed)

- A submitter outlined the diverse recreational use of the area, including kayaking and biking/walking beach access.

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

Climate Change and Natural Hazards (Allowed)

- A 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 a scenic reserve classification “because of its extremely high scenic values, its high biodiversity values, and the rarity of strong protection along the coast”.

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present which warrant consideration. My view is that the natural resources identified in these comments are consistent with those described in the CVR (e.g. variety of old growth and regenerating podocarp and broadleaved forests; highly natural, and many threatened species), and they are appropriately protected and preserved by the proposed classification.

General (Allowed)

- Submissions expressed general support for the proposed classification, referencing the “information in the technical reports” or 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 submitter advocated that “any change should not affect the existing permissions”.

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

Oppose

Access and Recreation (Allowed)

- A submitter raised concern about the description of jetboating as a historical activity, noting a “need to continue on this river for hunting and recreation”.

I recommend that these comments are not accepted. The points raised do not justify overturning the proposed classification. The notified scenic reserve classification provides for the public to have freedom of entry and access to the reserve, subject to conditions necessary for the protection and well-being of the reserve and the public themselves, as per Section 19(2)(b) of the Reserves Act 1977.

Ecology and Landscape (Allowed)

- Several submitters advocated for a national park classification, noting the area to be “part of nationally rare braided river ecosystems” and to contain “patches of remnant tall kahikatea and totara groves” (e.g. “managing the entire Waitaha Catchment from the alps to the sea, holistically as a National Park”, “would also like to see this area be combined with the Conservation Area, Wanganui-Otira catchments to protect the entire catchment as one”).
- A submitter advocated that the area “deserves much higher classification as it has inherent ecological value”.
- Submitters advocated for a wildlife management area, noting that the “land deserves higher conservational recognition” (e.g. “ecological values that appear similar to those on other nearby land with a higher protected status”).

I recommend that these comments are not accepted. My view is that the natural resources identified in the CVR are appropriately protected and preserved by the proposed classification, and the material raised is of insufficient merit to warrant reconsideration of the notified intention. I note that this conservation area borders marginal strip, and no wildlife management area is in the immediate vicinity.

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”.

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 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. 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 for further consideration. 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. No 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.

TWP_03 – Ounatai Lagoon – 2805516

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Ounatai Lagoon	TWP_03_2805516r	Scenic Reserve (a)	Neutral	12	7

DOC Conservation Values Report Description

A 47.6745-ha area that has a 20 km sand and gravel shoreline, three river mouths, intertidal and shallow rocky reef, important coastal lagoon, marsh and pākihi wetlands, glacial moraine surfaces and cliffs. Historical sites encompass the pre-European period and into the early twentieth century, including flaxmilling. Recreation use occurs along the beach and by hunters. Locals use the unofficial "Greens Beach Road", which DOC does not encourage.

Panel Recommendations

National Panel: Scenic reserve (a), to preserve the identified high ecological and landscape values, protect any identified historic or archaeological features (Māori and European occupation, flax milling and gold mining), whilst **providing for recreational use** (baches, beach use, seal viewing and 4WD access) of the area. A recorded Inanga spawning site is present.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of scenic reserve.

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 (e.g. variety of old growth and regenerating podocarp and broadleaved forests; highly natural; many threatened species).

Scenic Reserve (a) - TWP_03_2805516r

Support

Access and Recreation (Allowed)

- A submitter outlined the diverse recreational use of the area, including kayaking and biking/walking beach access.

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

Ecology and Landscape (Allowed)

- A submitter supported a scenic reserve classification "because of its extremely high scenic values, its high biodiversity values, and the rarity of strong protection along the coast".
- A submitter noted that the area was "not known for penguin nesting but likely that they will be present".

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present which warrant consideration. My view is that the natural resources identified in these comments are consistent with those described in the CVR (e.g. variety of old growth and regenerating podocarp and broadleaved forests; highly natural, and many threatened species), and they are appropriately protected and preserved by the proposed classification.

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).

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

Ecology and Landscape (Allowed)

- A submitter advocated for a national park classification, noting the area to be "part of nationally rare braided river ecosystems" and to contain "patches of remnant tall kahikatea and totara groves".
- A submitter advocated for "managing the entire Waitaha Catchment from the alps to the sea, holistically as a National Park".
- A submitter advocated for classification as a wildlife management area, noting high wildlife values, "naturally uncommon ecosystems" and "at risk and/or threatened species".

I recommend that these comments are not accepted. My view is that the natural resources identified in the CVR are appropriately protected and preserved by the proposed classification, and the material raised is of insufficient merit to warrant reconsideration of the notified intention.

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 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. 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 for further consideration. 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. No 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.

TWP_03 – Ianthe Forest – 2805636

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Ianthe Forest	TWP_03_2805636s	Scenic Reserve (a)	Neutral	11	4

DOC Conservation Values Report Description

A 1404.1032-ha area that has a 20 km sand and gravel shoreline, three river mouths, intertidal and shallow rocky reef, important coastal lagoon, marsh and pākihi wetlands, glacial moraine surfaces and cliffs. Historical sites encompass the pre-European period and into the early twentieth century, including flaxmilling. Recreation use occurs along the beach and by hunters. Locals use the unofficial "Greens Beach Road", which DOC does not encourage.

Panel Recommendations

National Panel: Scenic reserve (a), to preserve the identified high ecological and landscape values, protect any identified historic or archaeological features (Māori and European occupation, flax milling and gold mining), whilst providing for recreational use (baches, beach use, seal viewing and 4WD access) of the area. A recorded inanga spawning site is present.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of scenic reserve.

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 and no opposition was received from Treaty partner organisations regarding the notified classification. 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. coastal lagoon; marsh and pākihi wetlands). The contiguous nature of the adjoining scenic reserve further supports your notified intention.

Scenic Reserve (a) - TWP_03_2805636s

Support

Access and Recreation (Allowed)

- A submitter outlined the diverse recreational use of the area, including kayaking and biking/walking beach access.

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

Climate Change and Natural Hazards (Allowed)

- A 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 a scenic reserve classification “because of its extremely high scenic values, its high biodiversity values, and the rarity of strong protection along the coast”.

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present which warrant consideration. My view is that the natural resources identified in these comments are consistent with those described in the CVR (e.g. variety of old growth and regenerating podocarp and broadleaved forests; highly natural, and many threatened species), and they are appropriately protected and preserved by the proposed classification. The contiguous nature of the adjoining scenic reserve further supports your notified intention.

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 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. 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 for further consideration. 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. No 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.

TWP_o4 – Duffers Creek – 2809717

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Duffers Creek	TWP_o4_2809717t	Scenic Reserve (a)	Scenic Reserve (a)	13	6

DOC Conservation Values Report Description

A 287.4254-ha area of indigenous podocarp forest that backs onto Pukekura Scenic Reserve – unlogged examples of tall podocarp forest like this are uncommon in the ecological district. Within a larger species management unit for brown mudfish. There is goldmining history and associated sites, and the area is predominantly used by hunters.

Panel Recommendations

National Panel: Scenic reserve (a), to preserve the identified high ecological and landscape values, protect any identified historic (e.g. historic gold mining) or archaeological features, whilst providing for recreational use (hunting and 4WD use) of the area.

Mana Whenua Panel: The Mana Whenua Panel supports the recommendation of the Western South Island National Panel for this conservation area.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of scenic reserve.

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.

The Mana Whenua Panel have signalled Ngāi Tahu interests associated with this stewardship area, particularly that “this conservation area is adjacent to Ngāi Tahu Forestry, an indication of Ngāi Tahu presence, interest and use of the land in this vicinity”, “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, 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. The contiguous nature of the adjoining scenic reserve further supports the notified intention.

Scenic Reserve (a) - TWP_o4_2809717t

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 a scenic reserve “because of the high biodiversity and scenic values, and the rarity of this relatively unmodified lowland podocarp forest”.

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present which warrant consideration. My view is that the natural resources identified in these comments are consistent with those described in the CVR (e.g. variety of old growth and regenerating podocarp and broadleaved forests; highly natural, and many threatened species), and they are appropriately protected and preserved by the proposed classification. The contiguous nature of the adjoining scenic reserve further supports your notified intention.

Treaty Considerations (Allowed)

- The proposed classification was supported “on the basis that those recommendations reflect the values, interests, and perspectives of the Papatipu Rūnanga in whose Takiwā the relevant land is located” (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. The Mana Whenua Panel have noted a Ngāi Tahu interest in this area related to the presence of Ngāi Tahu forestry on adjacent land. I note that the Mana Whenua Panel have supported the proposed classification, and therefore consider this is not inconsistent with the identified interests.

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

Ecology and Landscape (Allowed)

- A submitter advocated for “managing the entire Waitaha Catchment from the alps to the sea, holistically as a National Park”.
- A submitter advocated for a national park classification, noting the area to be “part of nationally rare braided river ecosystems” and to contain “patches of remnant tall kahikatea and totara groves”.

I recommend that these comments are not accepted. My view is that the natural resources identified in the CVR are appropriately protected and preserved by the proposed classification, and the material raised is of insufficient merit to warrant reconsideration of the notified intention.

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 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. 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 for further consideration. 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. No 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.

TWP_05 – Wahapo – 2805301

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Wahapo	TWP_05_2805301u	Conservation Park (Wahapako)	Neutral	10	33

DOC Conservation Values Report Description

A 113.981-ha area of forested land adjacent to SH6 and connecting to Westland/Tai Poutini National Park. Multiple concessions exist for a range of activities across the entire TWP_05.

Panel Recommendations

National Panel: Conservation park, 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 the natural resources present (e.g. indigenous forest; common threatened and at-risk flora and fauna) 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 - TWP_05_2805301u

Support

Ecology and Landscape (Allowed)

- A submitter who supported the proposed classification noted the area to "contain high ecological values very similar to the existing National Parks".

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 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”.
- 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

Ecology and Landscape (Allowed)

- Submitters advocated for an addition to the “Westland Tai Poutini National Park, as they are essentially part of the same area” and that this would “encapsulate an alpine to lowland sequence worthy of high of protection” noting that the area is “part of Te Wāhipounamu South West New Zealand World Heritage Area” (e.g. “land parcel lies adjacent to land that has a higher protected status than that proposed”, “a podocarp/hardwood forest and has similar values to the adjacent National Park”, “substantially unique and should be given the appropriate land protection”).
- Submitters noted the high ecological value of the area, including “remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened” and that it warrants a higher level of protection than that proposed.
- Submitters expressed concern around conservation park recommendations for areas bordering national parks, noting 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” (e.g. “National Park would provide for mountains to sea integrity and protection”).

I recommend that these comments are not accepted. My assessment is that the natural resources present 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)).

- 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 they 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 (e.g. “add to Adams Wilderness Area”, “add to Westland 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 suggested that “changes will affect the economic value of this land”, describing a “well used area with many permissions and concessions”.
- A submitter advocated that “extractive concessions should be terminated 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”.

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)

- A submitter noted “considerable public investment in pest control to protect native species in this area” advocating for classification as national park.
- 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.

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 for further consideration. 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. No 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 “expansion of extractive and pastoral activities should not be permitted, and potentially they should phase out”.

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.

TWP_05 – Okarito Forks – 2805302

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Okarito Forks	TWP_05_2805302v	Conservation Park (Wahapako)	Neutral	9	39

DOC Conservation Values Report Description

An 87.9992-ha area, primarily forest intersected by a road and with a watercourse running through it. Multiple concessions exist for a range of activities across the entire TWP_05.

Panel Recommendations

National Panel: Conservation park, 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 the natural resources present (e.g. indigenous forest; active riverbed) 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 - TWP_05_2805302v

Support

Ecology and Landscape (Allowed)

- A submitter who supported the proposed classification noted the area to "contain high ecological values very similar to the existing National Parks".

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 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 submitter suggested that “changes will affect the economic value of this land”, describing a “well used area with many permissions and concessions”.
- 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

Ecology and Landscape (Allowed)

- A submitter described “an incredible area, surrounded on almost every side by National Park” which “clearly has National Park values”, recommending classification as scenic reserve or national reserve “given the understandable aversion to additions to National Parks from Ngāi Tahu”.
- Submitters advocated for an addition to the “Westland Tai Poutini National Park, as they are essentially part of the same area” and that this would “encapsulate an alpine to lowland sequence worthy of high of protection” noting that the area is “part of Te Wāhipounamu South West New Zealand World Heritage Area” (e.g. “a podocarp/hardwood forest and has similar values to the adjacent National Park”, “substantially unique and should be given the appropriate land protection”).
- Submitters noted the high ecological value of the area, including “remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened” and that it warrants a national park or scenic reserve classification (e.g. “because of the rarity and high ecological values of these remaining kahikatea forests”, “naturally uncommon ecosystems”, “land parcel lies adjacent to land that has a higher protected status than that proposed”).
- Submitters expressed concern around conservation park recommendations for areas bordering national parks, noting 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” (e.g. “National Park would provide for mountains to sea integrity and protection”).

I recommend that these comments are not accepted. My assessment is that the natural resources present 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)).

- 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 they 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 (e.g. “add to Westland Tai Poutini Park”, “add to Adams Wilderness Area if possible”).

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 advocated that “extractive concessions should be terminated 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”.

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)

- A submitter noted “considerable public investment in pest control to protect native species in this area” advocating for classification as national park.
- 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.

General (Not 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 for further consideration. 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. No 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.

TWP_05 – Waitangi Forest (West) – 2805303

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Waitangi Forest (West)	TWP_05_2805303w	Conservation Park (Mapouriki)	Neutral	11	51

DOC Conservation Values Report Description

A 3491.9664-ha area, primarily forest adjacent to Waitangi Conservation Area (East) and Westland/Tai Poutini National Park. Multiple concessions exist for a range of activities across the entire TWP_05.

Panel Recommendations

National Panel: Conservation park, 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 the natural resources present (e.g. indigenous forest; common threatened and at-risk flora and fauna) 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 - TWP_05_2805303w

Support

Ecology and Landscape (Allowed)

- A submitter who supported the proposed classification noted the area to "contain high ecological values very similar to the existing National Parks".

I recommend that these comments are accepted to the extent that I agree that the natural resources present (e.g. highly natural with only minor areas modified by human impact) 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 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”.
- 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)

- A submitter noted that the “Perth and Whataroa rivers provide excellent whitewater for intermediate and advanced paddlers at low to moderate flows”, advocating for classification as an ecological area (“Packrafters are exploring these impassable canyons”).

I recommend that these comments are not accepted. The concerns raised are addressed 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 advocated for an addition to the “Westland Tai Poutini National Park, as they are essentially part of the same area” and that this would “encapsulate an alpine to lowland sequence worthy of high of protection”. It was noted that the area is “part of Te Wāhipounamu South West New Zealand World Heritage Area” and that “conservation park status does not afford enough protection to either the natural values or any historic values” (e.g. “The area is rapidly becoming a biodiversity gem and the panels recommended classification of conservation park is inconceivable”, “substantially unique and should be given the appropriate land protection”).
- Submitters noted the high ecological value of the area, including “remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened” and that it warrants a higher level of protection than that proposed (e.g. “Add to Westland Tai Poutini Park (...) forest, braided river habitat, sub-alpine and alpine habitat with kea, tūke, kārearea and whio plus long tailed bat”, “land parcel has ecological values that appear similar to those on other nearby land with a higher protected status”).
- A submitter described “an incredible area, surrounded on almost every side by National Park” which “clearly has National Park values”, recommending classification as scenic reserve or national reserve “given the understandable aversion to additions to National Parks from Ngāi Tahu”.
- Submitters expressed concern around conservation park recommendations for areas bordering national parks, noting 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” (e.g. “National Park would provide for mountains to sea integrity and protection”).

I recommend that these comments are not accepted. My assessment is that the natural resources present (e.g. highly natural with only minor areas modified by human impact) 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)).

- 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 they 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 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 not accepted. Potential changes to management or legislative frameworks are not the subject of the public notice.

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification (e.g. “better protection needed, add to Adams Wilderness Area”, “should be 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 suggested that “changes will affect the economic value of this land”, describing a “well used area with many permissions and concessions”.
- A submitter advocated that “extractive concessions should be terminated 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”.

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)

- A submitter noted “considerable public investment in pest control to protect native species in this area” advocating for classification as national park.
- 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.

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 for further consideration. 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. No 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 “expansion of extractive and pastoral activities should not be permitted, and potentially they should phase out”.

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.

TWP_05 – Ferguson Creek – 2805654

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Ferguson Creek	TWP_05_2805654x	Conservation Park (Pouerua)	Neutral	6	34

DOC Conservation Values Report Description

A 62.9798-ha area, primarily forest adjacent to Waitangi Conservation Area (East) and Pouerua River Scenic Reserve. Multiple concessions exist for a range of activities across the entire TWP_05.

Panel Recommendations

National Panel: Conservation park, 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 the natural resources present (e.g. indigenous forest; common threatened and at-risk flora and fauna) 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 - TWP_05_2805654x

Support

Ecology and Landscape (Allowed)

- A submitter who supported the proposed classification noted the area to "contain high ecological values very similar to the existing National Parks".

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 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”.
- 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

Ecology and Landscape (Allowed)

- Submitters advocated for an addition to the “Wilberg Range Scenic Reserve” to “provide landscape scale mountain to sea protection” (e.g. “add to the integrity of the scenic reserves in this area”).
- A submitter advocated for classification as a scenic reserve as the area contains “at risk and/or threatened species” and “has ecological values that appear similar to those on other nearby land with a higher protected status”.
- Submitters noted the high ecological value of the area, including “remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened” and that it warrants a national park classification (e.g. “because of the rarity and high ecological values of these remaining kahikatea forests”, “substantially unique and should be given the appropriate land protection”).
- A submitter described “an incredible area, surrounded on almost every side by National Park” which “clearly has National Park values”, recommending classification as scenic reserve or national reserve “given the understandable aversion to additions to National Parks from Ngāi Tahu”.
- Submitters expressed concern around conservation park recommendations for areas bordering national parks, noting 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” (e.g. “National Park would provide for mountains to sea integrity and protection”).

I recommend that these comments are not accepted. My assessment is that the natural resources present 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)).

- 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 they 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 (e.g. “addition to Wilberg Range Scenic Reserve”, “should be 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 suggested that “changes will affect the economic value of this land”, describing a “well used area with many permissions and concessions”.
- A submitter advocated that “extractive concessions should be terminated 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”.

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)

- A submitter noted “considerable public investment in pest control to protect native species in this area” advocating for classification as national park.
- 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.

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 for further consideration. 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. No 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 “expansion of extractive and pastoral activities should not be permitted, and potentially they should phase out”.

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.

TWP_05 – Waitangitahuna River (West) – 2809661

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Waitangitahuna River (West)	TWP_05_2809661y	Conservation Park (Wahapako)	Neutral	7	35

DOC Conservation Values Report Description

A 19.053-ha area of forested land adjacent to SH6 and connected to Waitangitahuna Scenic Reserve at its southern end. Multiple concessions exist for a range of activities across the entire TWP_05.

Panel Recommendations

National Panel: Conservation park, 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 the natural resources present (e.g. indigenous forest, common threatened and at-risk flora and fauna) 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 - TWP_05_2809661y

Support

Ecology and Landscape (Allowed)

- A submitter who supported the proposed classification noted the area to "contain high ecological values very similar to the existing National Parks".

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 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 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”.
- 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

Ecology and Landscape (Allowed)

- Submitters noted that the area should be classified as a scenic reserve, noting that it is an “integral part of the landform and ecosystems within” the adjoining scenic reserve, and that classifying the area consistently would “provide landscape scale mountain to sea protection” (e.g. “land parcel has ecological values that appear similar to those on other nearby land with a higher protected status”, “substantially unique and should be given the appropriate land protection”).
- Submitters noted the high ecological value of the area, including “remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened” and that it warrants a national park classification (e.g. “because of the rarity and high ecological values of these remaining kahikatea forests”).
- A submitter described “an incredible area, surrounded on almost every side by National Park” which “clearly has National Park values”, recommending classification as scenic reserve or national reserve “given the understandable aversion to additions to National Parks from Ngāi Tahu”.
- Submitters expressed concern around conservation park recommendations for areas bordering national parks, noting 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” (e.g. “National Park would provide for mountains to sea integrity and protection”).

I recommend that these comments are not accepted. My assessment is that the natural resources present 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)).

- 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 they 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 (e.g. “add to Rohutu SR”, “should be 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 suggested that “changes will affect the economic value of this land”, describing a “well used area with many permissions and concessions”.
- A submitter advocated that “extractive concessions should be terminated 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”.

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. 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 for further consideration. 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. No 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 “expansion of extractive and pastoral activities should not be permitted, and potentially they should phase out”.

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.

TWP_05 – Waitangitahuna River (East) – 2809662

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Waitangitahuna River (East)	TWP_05_2809662a	Conservation Park (Rohutu)	Neutral	7	36

DOC Conservation Values Report Description

A 19.053-ha area, primarily forested land with small areas of grazing adjacent to SH6 and connected to Rohutu Scenic Reserve at its southern end. Multiple concessions exist for a range of activities across the entire TWP_05.

Panel Recommendations

National Panel: Conservation park, 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 the natural resources present (e.g. indigenous 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 - TWP_05_2809662a

Support

Ecology and Landscape (Allowed)

- A submitter who supported the proposed classification noted the area to "contain high ecological values very similar to the existing National Parks".

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 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”.
- 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

Ecology and Landscape (Allowed)

- Submitters noted that the area should be classified as a scenic reserve, noting that it is an “integral part of the landform and ecosystems within” the adjoining scenic reserve, **and that classifying the area consistently would “provide landscape scale mountain to sea protection” (e.g. “land parcel has ecological values that appear similar to those on other nearby land with a higher protected status”).**
- Submitters advocated for classification as a scenic reserve as the area contains “at risk and/or threatened species” and “has ecological values that appear similar to those on other nearby land with a higher protected status” (e.g. “should be part of Rohutu Scenic Reserve as they adjoin this scenic reserve and so would help complete that”).
- Submitters noted the high ecological value of the area, including “remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened” **and that it warrants a national park classification (e.g. “because of the rarity and high ecological values of these remaining kahikatea forests”, “substantially unique and should be given the appropriate land protection”).**
- A submitter described “an incredible area, surrounded on almost every side by National Park” which “clearly has National Park values”, recommending classification as scenic reserve or national reserve “given the understandable aversion to additions to National Parks from Ngāi Tahu”.
- Submitters expressed concern around conservation park recommendations for areas bordering national parks, noting 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” (e.g. “National Park would provide for mountains to sea integrity and protection”).

I recommend that these comments are not accepted. My assessment is that the natural resources present 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)).

- 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 they 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)

- A submitter advocated for either national park, or an addition to Adams Wilderness Area.

- Submissions advocated for a higher level of protection than that proposed without providing further justification. (e.g. “add to Rohutu SR”, “should be 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 suggested that “changes will affect the economic value of this land”, describing a “well used area with many permissions and concessions”.
- A submitter advocated that “extractive concessions should be **terminated 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”.

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. 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 for further consideration. 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. No 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 “expansion of extractive and pastoral activities should not be permitted, and potentially they should phase out”.

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.

TWP_05 – Waitangi Forest (East) – 2809665

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Waitangi Forest (East)	TWP_05_2809665b	Conservation Park (Te Taho)	Neutral	15	113

DOC Conservation Values Report Description

A 53834-ha area that includes almost the entire upper catchment of the Whataroa and Perth Rivers up to the crest of the Southern Alps, and some glaciers. The Department maintains tramping tracks and huts and it is highly valued by backcountry adventurers and remote seekers for tramping, climbing, transalpine traverses, hunting, rafting and kayaking and scenic glacier flights. A reasonable portion of the site is part of the Te Wahipounamu South West New Zealand World Heritage Area. Multiple concessions exist for a range of activities across the entire TWP_05.

Panel Recommendations

National Panel: Conservation park, to reflect the mosaic of values present, protecting natural and historic resources while facilitating public recreation and enjoyment of the area. The area includes extensive and diverse indigenous forest, semi-braided riverbeds, wetlands, subalpine and high alpine vegetation.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Do not proceed with the notified proposal of conservation park, 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 natural resources present. The following quote is illustrative of the sentiment at large: “the area is rapidly becoming a biodiversity gem and the panels recommended classification of conservation park is inconceivable”.

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 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. 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. The CVR describes Waitangi Forest as highly natural with only minor areas modified by human impact, where natural ecological functioning is maintained throughout the area. It shares the majority of its border with national park and wilderness area, and supports several naturally uncommon ecosystems and a range of rare and endangered species. The area does not contain sufficient historic resources to justify the more holistic classification of conservation park over this extensive area.

Conservation Park - TWP_05_2809665b

Support

Access and Recreation (Allowed)

- Submitters noted that the “Perth and Whataroa rivers provide excellent whitewater for intermediate and advanced paddlers at low to moderate flows” and that the area would be the “jewel in the crown of a wild rivers reserve” (e.g. “highly valued as best in class whitewater kayaking rivers”).

- Submitters advocated for access to the area to be “preserved for future generations in as pristine a state as possible” (e.g. “relatively undisturbed watersheds and deserve protection for future generations to enjoy”, “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 recommend that these comments are not accepted. Although I agree that the proposed classification will support ongoing public access to the area, my assessment is that the natural resources present warrant a classification which more appropriately reflects their value than that which was notified

Ecology and Landscape (Allowed)

- A submitter who supported the proposed classification noted the area to “contain high ecological values very similar to the existing National Parks”.

I recommend that these comments are not accepted. I agree that there are high ecological values present, as described in the CVR. However, based on submissions received, my assessment is that these values 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 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 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”.

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 noted that the “Perth and Whataroa rivers provide excellent whitewater for intermediate and advanced paddlers at low to moderate flows”, advocating for classification as an ecological area or national park to “protect the outstanding recreational, landscape and ecological values for current and future generations” (e.g. “an excellent recreational resource in a spectacular setting”, “Whataroa offers great potential for packrafting”, “Perth and the Whataroa are two of the most enjoyable and popular Heli trips in NZ”, “Packrafters are exploring these impassable canyons”).
- Submitters advocating for classification as an ecological area or national park, noted that the rivers in the area were described to be of “very high significance to paddlers in New Zealand” (e.g. “of national and international significance to our community, collectively achieving more than a 1000 paddler days per annum”).

- Submissions that advocated for national park or wilderness area noted that the area “has a rich history of tramping and climbing, and is the equal of anything within Westland National Park” describing it as “the proving grounds for many of New Zealand’s mountaineers and so hold an incredibly high recreational value” (e.g. “Ice Lake, located in the head of the Whataroa, is one of the most iconic glacial-carved lakes in the Southern Alps and a destination for trampers”, “enjoyed and respected recreationally by trampers, hunters, kayakers, and rafters”).

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 hold merit regarding overturning the notified intention which is managed “to facilitate public recreation and enjoyment” (Conservation Act 1987, s. 19(1)(b)). Rather, my assessment is that the natural resources present warrant a classification which more appropriately reflects their value than that which was notified.

Ecology and Landscape (Allowed)

- Submissions noted that “parts of this land fit criteria for gazettal as wilderness area” advocating for national park classification for the remainder. Sections of Scenic reserve or sanctuary area were also proposed (e.g. “the Perth catchment being considered as an ideal extension of the Adams Wilderness Area”).
- Submitters stressed the scenic value of the rivers within the area, advocating for classification as an ecological area or national park (e.g. “The Perth is a river of exceptional beauty”, “The lower Whataroa gorges are quite possibly the most stunning place I’ve been in the world”, “the glacial nature and huge mountains create an incredible landscape”, “outstanding bedrock gorges and untouched bush”).
- A submitter suggested the area is “larger than the whole of Paparoa National Park” and “contains dramatic mountainous terrain including peaks that are part of the Southern Alps, and more than 20 glaciers” advocating for a national park addition (e.g. “The area is rapidly becoming a biodiversity gem and the panels recommended classification of conservation park is inconceivable”, “substantially unique and should be given the appropriate land protection”, “as our gift to future generations of our children and to the people of the world”).
- Submitters advocated for an addition to the “Westland Tai Poutini National Park, as they are essentially part of the same area” and that this would “encapsulate an alpine to lowland sequence worthy of high of protection”. It was noted that the area is “part of Te Wāhipounamu South West New Zealand World Heritage Area and that “conservation park status does not afford enough protection to either the natural values or any historic values”.
- Submitters noted that a national park addition would “better protect the outstanding natural landscapes, the UNESCO world heritage status” (e.g. “at risk and/or threatened species; scenery and/or ecosystems, the preservation of which is in the national interest”).
- Submitters noted the high ecological value of the area as warranting national park status, including “remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened” and that it warrants a national park classification (e.g. “because of the rarity and high ecological values of these remaining kahikatea forests”, “habitat for many threatened bird species”).
- A submitter described “an incredible area, surrounded on almost every side by National Park” which “clearly has National Park values”, recommending classification as scenic reserve or national reserve “given the understandable aversion to additions to National Parks from Ngāi Tahu”.
- Submitters expressed concern around conservation park recommendations for areas bordering national parks, noting 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” (e.g. “link the isolated section of the National Park on the south side of Okarito lagoon to the rest of the Westland Tai Poutini National Park”, “National Park would provide for mountains to sea integrity and protection”).

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.

- 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 they 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 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 not accepted. Potential changes to management or legislative frameworks are not the subject of the public notice.

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification (e.g. “add to Aoraki National Park for better protection”, “add to Rohutu Scenic Reserve”, “Prefer ecological area”).

I recommend that these comments are accepted to the extent that the values present warrant a classification which more appropriately reflects their value than that which was notified. 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 advocated for national park status, noting that a classification that allows for mining is inconsistent with “assigning the appropriate protective conservation status for areas with high conservation values”.
- A submitter suggested that “changes will affect the economic value of this land”, describing a “well used area with many permissions and concessions”.
- Submitters noted grazing and “extraction related” concessions in the area to be “harmful to the river ecosystem health” suggesting these should be terminated (e.g. “extractive concessions should be terminated 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”.

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)

- A submitter noted that the area is subject to “significant pest elimination work (possums, rats and mustelids) undertaken in the Perth Valley by ZIP” and that the “scale, investment and outcome that this work will deliver” justifies classification as either ecological area or national park.
- 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. Although the proposed classification will support ongoing public access to the area, my assessment is that the natural resources present warrant a classification which more appropriately reflects their high value than that which was notified.

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. No 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 “expansion of extractive and pastoral activities should not be permitted, and potentially they should phase out”.

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.

TWP_o6 – Wanganui Riverbed – 2805637

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Wanganui Riverbed	TWP_o6_2805637c	Conservation Park (Whakanui Awa)	Neutral	10	12

DOC Conservation Values Report Description

A 1675.0928-ha area covering the riverbed downstream of the Wanganui River Bridge on SH6. Active riverbed and adjoining alluvial flats, braided river and localised patches of forest. Used by jetboaters, whitebaiters and includes a small part of the Harihari Coastal Walk, which includes a historic packtrack between Wanganui and Poerua rivers. There are multiple grazing concessions in this assessment area.

Panel Recommendations

National Panel: Conservation park, 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 the natural resources present (e.g. almost entirely alluvial flats with much being active riverbed; includes localised forest patches and some mixed shrub/grassland, which are currently or have previously been used for grazing) 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 - TWP_o6_2805637c

Support

Ecology and Landscape (Allowed)

- A submitter who supported the proposed classification noted the area to "contain high ecological values very similar to the existing National Parks".

I recommend that these comments are accepted to the extent that I agree that the natural resources present (e.g. almost entirely alluvial flats with much being active riverbed; includes localised forest patches and some mixed shrub/grassland, which are currently or have previously been used for grazing) 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 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 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 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".

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 submitter noted that the area is a "highly modified and active riverbed" raising concern that under the proposed classification "any further restrictions on the management of the flood hazard will increase the risk of avulsion and potential loss of life".

I recommend that these comments are not accepted. The points raised do not justify overturning the notified intention. The current review has already included climate change considerations, as per paragraph 16(g) of the National Panels' Terms of Reference, "the panels are required to actively consider the Climate Change Commission report when making recommendations on the future land status of stewardship land". My assessment is that the natural resources present (e.g. almost entirely alluvial flats with much being active riverbed; includes localised forest patches and some mixed shrub/grassland, which are currently or have previously been used for grazing) 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)

- Submitters advocated for classification as wildlife management area as "braided rivers are naturally rare ecosystems and landforms which are also vulnerable to loss to farming" noting that a similar area "TWP_09 Poerua River Mouth" has received this classification (e.g. "naturally uncommon ecosystems", "land parcel has ecological values that appear similar to those on other nearby land with a higher protected status").
- A submitter advocated for a scenic reserve classification due to the presence of lowland forest, and to "provide suitable protection & enhancement of rare dynamic braided riverbed".
- Submitters noted the high ecological value of the area, including "remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened" and that it warrants a higher level of protection than that proposed.

- Submitters expressed concern around conservation park recommendations for areas bordering national parks, noting 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” (e.g. “National Park would provide for mountains to sea integrity and protection”).

I recommend that these comments are not accepted. My assessment is that the natural resources present (e.g. almost entirely alluvial flats with much being active riverbed; includes localised forest patches and some mixed shrub/grassland, which are currently or have previously been used for grazing) 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 they 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 (e.g. “Wildlife Management Area should be considered”).

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 suggested that “changes will affect the economic value of this land”, describing a “well used area with many permissions and concessions”.
- 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”.

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. 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. No 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 requested that “rivers are maintained in a free-flowing unmodified state” and that the “classification does not allow for dams or flow diversions”.
- A submitter 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.

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.

TWP_07 – La Fontaine – 2805638

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
La Fontaine	TWP_07_2805638d	Scenic Reserve (a)	Neutral	9	5

DOC Conservation Values Report Description

An 88.9401-ha area which includes three small blocks of flat land on the south side of the lower Wanganui River adjacent to the Oneone Wildlife Management Area to the west, and the Wanganui Forest Conservation Area to the south. Largely podocarp swamp forest and pākihi with little recreational use. It plays a significant role as a buffer between the farmland and the Oneone Wildlife Refuge.

Panel Recommendations

National Panel: Scenic reserve (a), to preserve the identified ecological and landscape values, and protect any identified historic or archaeological features, while providing for the potential recreational use of the area. This conservation area is of high landscape and ecological value, containing podocarp swamp forest and pākihi, some of which has been impacted by previous vegetation clearance for grazing.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of scenic reserve.

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. largely podocarp swamp forest and pākihi).

Scenic Reserve (a) - TWP_07_2805638d

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 this comment is 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 “because of the high landscape, natural and scenic values present” noting a “combination of wetland and lateral moraine forest systems”.

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present which warrant consideration. My view is that the natural resources identified in these comments are consistent with those described in the CVR (e.g. largely podocarp swamp forest and pākihi), and they are appropriately protected and preserved by the proposed classification.

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 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. 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 for further consideration. 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. No 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.

Process and Consultation (Not Allowed)

- A submitter advocated for further consultation to be undertaken with the “River authority to ascertain the value of this land for flood mitigation and climate change adaptation”.

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

TWP_o8 – La Fontaine Stream – 2805587

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
La Fontaine Stream	TWP_o8_2805587e	Scenic Reserve (a)	Neutral	10	4

DOC Conservation Values Report Description

A 10.3879-ha area adjacent to the Poerua River and the Wanganui Forest conservation area.

Panel Recommendations

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

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of scenic reserve.

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. highly natural indigenous forest and coastal swamp).

Scenic Reserve (a) - TWP_o8_2805587e

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 “because of the high landscape, natural and scenic values present” noting a “lateral moraine forest systems”.

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present which warrant consideration. My view is that the natural resources identified in these comments are consistent with those described in the CVR (e.g. terrace faces support more mature vegetation dominated by rimu, kāmahī and quintinia), and they are appropriately protected and preserved by the proposed classification.

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 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. 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 for further consideration. 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. No 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.

Process and Consultation (Not Allowed)

- A submitter advocated for further consultation to be undertaken with “users of the baches and whitebaiters” and the “River authority to ascertain the value of this land for flood mitigation and climate change adaptation”.

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

TWP_o8 – Petersen Road – 2805593

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Petersen Road	TWP_o8_2805593f	Scenic Reserve (a)	Neutral	10	4

DOC Conservation Values Report Description

A 47.6581-ha area of primarily forest, next to private land and the Wanganui Forest conservation area.

Panel Recommendations

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

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of scenic reserve.

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) - TWP_o8_2805593f

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 this comment is 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 “because of the high landscape, natural and scenic values present” noting a “lateral moraine forest systems”.

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present which warrant consideration. My view is that the natural resources identified in these comments are consistent with those described in the CVR (e.g. terrace faces support more mature vegetation dominated by rimu, kāmahī and quintinia), and they are appropriately protected and preserved by the proposed classification.

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 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. 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 for further consideration. 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. No 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.

Process and Consultation (Not Allowed)

- A submitter advocated for further consultation to be undertaken with “users of the baches and whitebaiters” and the “River authority to ascertain the value of this land for flood mitigation and climate change adaptation”.

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

TWP_o8 – Wanganui Forest – 2805639

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Wanganui Forest (East)	TWP_o8_2805639c	Scenic Reserve (a)	Neutral	12	4
Wanganui Forest (West)	TWP_o8_2805639d	Wildlife Management Area	Neutral	12	5

DOC Conservation Values Report Description

A 648.8931-ha forested conservation area which covers the moraine faces and outwash surface between the Wanganui and Poerua Rivers, including a section adjacent to the coast and Poerua River. These include a large coastal swamp on the true left of the Wanganui River mouth and part of the Harihari Coastal Walk, some of which was originally a pack track which helped travellers to negotiate headlands on the Westland beach highway.

Wanganui Forest (East)

Panel Recommendations

National Panel: Scenic reserve (a), to preserve the identified ecological values and protect any identified historic or archaeological features, while providing for the potential recreational use of the area. This area is highly natural and representative of the Harihari Ecological District containing low altitude forested terrace scarp and tread, including areas of swamp wetland and pākihi.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of scenic reserve for the 'East' section of this stewardship area.

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. low altitude forested terrace, areas of swamp wetland and pākihi). The contiguous nature of the adjoining Minehan Scenic Reserve further supports your notified intention.

Scenic Reserve (a) - TWP_o8_2805639c

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 "because of the high landscape, natural and scenic values present" noting a "lateral moraine forest systems".

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present which warrant consideration. My view is that the natural resources identified in these comments are consistent with those described in the CVR (e.g. terrace faces support more mature vegetation dominated by rimu, kāmahī and quintinia), and they are appropriately protected and preserved by the proposed classification. The contiguous nature of the adjoining Minehan Scenic Reserve further supports your notified intention to classify this area as a scenic reserve.

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 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. 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 for further consideration. 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. No 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.

Process and Consultation (Not Allowed)

- A submitter advocated for further consultation to be undertaken with “users of the baches and whitebaiters” and the “River authority to ascertain the value of this land for flood mitigation and climate change adaptation”.

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

Wanganui Forest (West)

Panel Recommendations

National Panel: Wildlife management area, to reflect the identified values while ensuring that wildlife and wildlife habitat values are protected. The identified conservation values are of a complementary nature to the adjacent Oneone Wildlife Management Area.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of wildlife management area for the 'West' section of this stewardship area.

Summary of accepted submissions: Those submissions 'accepted' as holding merit supported the notified classification as 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. The contiguous nature of the adjoining Oneone Wildlife Management Area further supports your notified intention.

Wildlife Management Area - TWP_o8_2805639d

Support

Ecology and Landscape (Allowed)

- The area was noted to include kororā nest sites and to be adjacent to Mt Oneone, a study site for sooty shearwaters.
- A submitter described the area as in a "highly natural state and habitat for a broad range of avifauna".
- A submitter supported the proposed classification "to protect freshwater habitats, mostly at lakes, wetlands and estuaries".

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present which warrant consideration. My view is that the natural resources identified in these comments are consistent with those described in the CVR (e.g. highly natural and representative of the ecological district; the coastal face and terraces support dense kiekie and dense but short stature swamp vegetation dominated by harakeke), and they are appropriately protected and preserved by the proposed classification. The contiguous nature of the adjoining Oneone Wildlife Management Area further supports your notified intention.

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.

Permissions, Economic Factors and Land Use (Not Allowed)

- The proposed classification was noted to "reflect the use of the land and adequately protect against degradation of the land".

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

Oppose

General (Allowed)

- A submitter advocated for an addition to the "Saltwater Ecological 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.

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. 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.

Process and Consultation (Not Allowed)

- A submitter advocated for further consultation to be undertaken with "users of the baches and whitebaiters" and the "River authority to ascertain the value of this land for flood mitigation and climate change adaptation".

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

TWP_09 – Poerua River Mouth – 2805644

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Poerua River Mouth	TWP_09_2805644g	Wildlife Management Area	Neutral	11	5

DOC Conservation Values Report Description

A 531.0365-ha area which is around half active riverbed and half wetland forest and swamp. It contains a strip of coastal forest and wetland south of Poerua River and an 8 km stretch of the adjacent Poerua Riverbed. Around 50% is in the Saltwater Forest Ecological Management Unit. The kahikatea forest within this area is one of the best examples left in the region. There are concessions for whitebait baches. A historic occupation site is in the vicinity of the coastal and river mouth area, and there is goldmining history.

Panel Recommendations

National Panel: Wildlife management area, to reflect the identified values while ensuring that wildlife and wildlife habitat values are protected. The area is described as one of the best examples of kahikatea forest in the region.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal wildlife management area.

Summary of accepted submissions: Those submissions ‘accepted’ as holding merit supported the notified classification as reflecting the notable natural resources present.

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

The Mana Whenua Panel have signalled Ngāi Tahu interests associated with this stewardship area, particularly that “a historic occupation site is in the vicinity of the coastal and river mouth 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, 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. The proximal nature of the Oneone Wildlife Management Area further supports your notified intention.

Wildlife Management Area - TWP_09_2805644g

Support

Ecology and Landscape (Allowed)

- The area was noted to include kororā nest sites and to be adjacent to Mt Oneone, a study site for sooty shearwaters.
- A submitter described the area as in a “highly natural state and habitat for a broad range of avifauna”.
- A submitter supported the proposed classification “to protect freshwater habitats, mostly at lakes, wetlands and estuaries”.

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present which warrant consideration. My view is that the natural resources identified in these comments are consistent with those described in the CVR (e.g. highly representative and natural; supports a sequence of vegetation in response to the saturated nature of the soils), and they are appropriately protected and preserved by the proposed classification. The proximal nature of the Oneone Wildlife Management Area further supports your notified intention.

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.

Permissions, Economic Factors and Land Use (Not Allowed)

- The proposed classification was noted to "reflect the use of the land and adequately protect against degradation of the land".

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

Oppose

General (Allowed)

- A submitter advocated for an addition to the "Saltwater Ecological 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.

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. 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.

Process and Consultation (Not Allowed)

- A submitter advocated for further consultation to be undertaken with "users of the baches and whitebaiters" and the "River authority to ascertain the value of this land for flood mitigation and climate change adaptation".

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

TWP_10 – Duart Farm (East) – 2805648

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Duart Farm (East)	TWP_10_2805648h	Scenic Reserve (a)	Neutral	10	4

DOC Conservation Values Report Description

A 223.0304-ha area made up of seven lowland, forest and wetland areas surrounded by farmland, originally part of the Duart Farm settlement block. The largest section contains important remnants of large historic wetlands classified as "swamp" that covered the plain before it was cleared for farming. Parts of the area are next to the Poerua River.

Panel Recommendations

National Panel: Scenic reserve (a), to preserve the identified ecological and landscape values, and protect any identified historic or archaeological features, while providing for potential recreational use of the area.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of scenic reserve.

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. largely covered in indigenous vegetation dominated by mature kahikatea; contains wetland and shrubland dominated by sedge species and harakeke). The proximal nature of the adjoining scenic reserves further supports your notified intention.

Scenic Reserve (a) - TWP_10_2805648h

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 "because of the high landscape, natural and scenic values present" noting the rarity of "remaining forest on alluvial flat".

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present which warrant consideration. My view is that the natural resources identified in these comments are consistent with those described in the CVR (e.g. largely covered in indigenous vegetation dominated by mature kahikatea; contain wetland and shrubland dominated by sedge species and harakeke), and they are appropriately protected and preserved by the proposed classification. The proximal nature of the adjoining scenic reserves further supports your notified intention.

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 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. 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 for further consideration. 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. No 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.

TWP_11 – SH6 - Harihari – 2805657

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
SH6 - Harihari	TWP_11_2805657i	Scenic Reserve (a)	Neutral	10	4

DOC Conservation Values Report Description

A 1.2745-ha area adjacent to SH6, a large house inside Harihari township, and the Wilberg Range Scenic Reserve which it shares complementary values with. The topographic map suggests there could be a small waterway but there is no other evidence to suggest this.

Panel Recommendations

National Panel: Scenic reserve (a), to preserve the identified high ecological and landscape values, and protect any identified historic or archaeological features, while providing for potential recreational use of the area.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of scenic reserve.

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. small, forested section; likely to support a mixed podocarp/broadleaved forest). The proximal nature of the adjoining scenic reserve further supports your notified intention.

Scenic Reserve (a) - TWP_11_2805657i

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 “because of the high landscape, natural and scenic values present” noting the area “adjoins SH6 and Wilberg Range Scenic reserve”.

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present which warrant consideration. My view is that the natural resources identified in these comments are consistent with those described in the CVR (e.g. small, forested section; likely to support a mixed podocarp/broadleaved forest) , and they are appropriately protected and preserved by the proposed classification. The proximal nature of the adjoining scenic reserve further supports your notified intention.

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 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. 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 for further consideration. 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. No 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.

TWP_12 – Duart Farm (West) – 2805647

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Duart Farm (West)	TWP_12_2805647j	Scenic Reserve (a)	Neutral	9	5

DOC Conservation Values Report Description

A 128.9181-ha area on outwash flats and moraine adjacent to Westland Tai Poutini National Park and Mt Hercules Scenic Reserve. Given this location, it likely supports a range of native forest birds, lizards and invertebrate fauna.

Panel Recommendations

National Panel: Scenic reserve (a), to preserve the identified high ecological and landscape values and protect any identified historic or archaeological features, while providing for potential recreational use of the area.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of scenic reserve.

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. lowland forest on outwash flats and moraine; likely supports a range of native fauna). The proximal nature of the adjoining scenic reserve further supports your notified intention.

Scenic Reserve (a) - TWP_12_2805647j

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 “because of the high landscape, natural and scenic values present” noting a “lateral moraine forest systems”.

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present which warrant consideration. My view is that the natural resources identified in these comments are consistent with those described in the CVR (e.g. lowland forest on outwash flats and moraine; likely supports a range of native fauna) , and they are appropriately protected and preserved by the proposed classification. The contiguous nature of the adjoining Mt Hercules Scenic Reserve further supports your notified intention.

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

Ecology and Landscape (Allowed)

- A submitter advocated for classification as national park, noting “naturally uncommon ecosystems” and “at risk and/or threatened species” and that the area “lies adjacent to land that has a higher protected status than that proposed”.

I recommend that these comments are not accepted. My view is that the natural resources identified in the CVR are appropriately protected and preserved by the proposed classification, and the material raised is of insufficient merit to warrant reconsideration of the notified intention.

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 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. 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 for further consideration. 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. No 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.

TWP_13 – Poerua Riverbed – 2805649

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Poerua Riverbed	TWP_13_2805649k	Local Purpose (River Conservation) Reserve	Neutral	8	13

DOC Conservation Values Report Description

A 37.1068-ha area along Poerua River which contains a naturally rare braided river ecosystem. There is limited evidence of freshwater rarity and distinctiveness, although the area may be able to support rare species.

Panel Recommendations

National Panel: Local purpose (river conservation) reserve, to appropriately reflect the identified values of the conservation area.

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 - TWP_13_2805649k

Support

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, agreed they reflected the “information in the technical reports”, 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 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)

- Submitters suggested that the proposed classification “provides no confidence that freshwater values or river margins and corridors will be protected from inappropriate use and development”.

I recommend that these comments are accepted. I agree that the purpose of the notified classification provides insufficient detail to comment on whether it appropriately promotes the conservation of the natural resources present.

- Submissions suggested that the proposed classification does not give consideration “to the very high and nationally important natural conservation values of the rivers” (e.g. “braided river systems, an internationally endangered and naturally uncommon ecosystem”, “of national importance for biodiversity”).
- Submitters suggested that ecological area, wildlife management area, or scenic reserve may be appropriate alternatives. One submitter advocated for a government purpose (climate mitigation) reserve.
- Submitters argued that the proposed classification is “out of step with taking a strategic, landscape level approach considering classifications of nearby land parcels”. They advocated for river areas to be given the same status as adjoining public conservation land, while another submitter advocated for government purpose reserve (Te Mana o te Wai) where no adjoining classifications exist.

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.

Climate Change and Natural Hazards (Allowed)

- A submitter advocated for government purpose (river floodplain) reserve to provide “opportunities for ecosystem restoration in response to flood events or coastal erosion”.
- Submissions noted that the area “will be subject to flooding from climate change effects” and should be classified to promote re-vegetation and “become part of our emission reduction programme”. Local purpose reserve classifications were opposed as “they can have their status 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)

- A submitter advocated that a change in classification “should not affect the existing permissions”.

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

Process and Consultation (Not Allowed)

- A submitter expressed concern that “it is not clear who this would be vested in, or that this involves protecting for any conservation purpose”. A wildlife management area or national park addition was preferred.
- 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.
- 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. No justification is provided regarding recreation values of the specific stewardship area, and no new material is raised which supports reconsideration of the notified classification. The purpose of the notified classification provides insufficient detail to comment on whether it appropriately provides for the public recreational access described.

TWP_13 – Ferguson Creek – 2805655

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Ferguson Creek (Pasture)	TWP_13_2805655j	Disposal	Disposal	6	25
Ferguson Creek (Riverbed)	TWP_13_2805655k	Local Purpose (River Conservation) Reserve	Neutral	10	14

DOC Conservation Values Report Description

A 25.1318-ha area of land along Ferguson Creek which contains a naturally rare braided river ecosystem and parts that have been developed into farmland and grazing. There is limited evidence of freshwater rarity and distinctiveness, although the area may be able to support rare species.

Ferguson Creek (Pasture)

Panel Recommendations

National Panel: Disposal of stable areas of developed pasture within this conservation area, which contain both rough and developed pasture.

Mana Whenua Panel: The Mana Whenua Panel considers that the pastoral components of this conservation area are highly modified and should not form part of public conservation land. Therefore, the pastoral components of this assessment area should be disposed of.

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 based on the low conservation values present, noting that the land has been converted to pasture. 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 pastoral components are highly modified.

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

Disposal - TWP_13_2805655j

Support

Ecology and Landscape (Allowed)

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

I recommend that these comments are accepted. The modified nature of the pastoral components of this stewardship area (e.g. some parts have been developed into farmland and grazing, and gravel extraction concessions are in place) justify referring this area to the Department to investigate the suitability of disposal. I note that any parts of the area identified to have substantive natural values are unlikely to pass the Conservation General Policy and legislative disposal tests.

Treaty Considerations (Allowed)

- Submissions supported the recommendations of the Mana Whenua Panel on the basis that they 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 accepted. The modified nature of the pastoral components of this stewardship area (e.g. some parts have been developed into farmland and grazing, and gravel extraction concessions are in place) justify 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)

- Submissions stated their agreement with the recommendation 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.

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 to rivers and other conservation land, and expressed opposition to any disposal which means a loss of recreation opportunities such as angling or hunting.
- Submissions noted that riparian access via marginal strips is not guaranteed, particularly if the river changes. One submitter cited various past examples where river erosion has resulted in access being limited to private land, and noted that "the increased flood risk with climate impacts means even currently stable areas may not stay this way".
- Submissions suggested that land be retained or that appropriate mechanisms are used to ensure public access is maintained. Alternative suggested classifications included recreation reserve or local purpose reserve.

I recommend that these comments are not accepted. 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 to Poerua Valley Road.

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). Government purpose reserve (river floodplain) was suggested as an alternative classification.
- Another submitter recommended specific consideration of "the active and dynamic nature of rivers and adjacent flood plains and required connectivity between riverbed and floodplains, and the required space for rivers to have sufficient room to move. Such an approach would be in line with international flood management and climate change risk assessment".
- Submissions argued that disposing of public conservation land compromises future sustainability and climate mitigation options, noting that climate change is heightening pressure on ecosystems.
- It was noted that disposal "will not assist with a reduction in emissions from agriculture".

I recommend that these comments are not accepted. The modified nature of the pastoral components of this stewardship area (e.g. some parts have been developed into farmland and grazing, and gravel extraction concessions are in place), and the landscape context (adjacent to modified pasture), limit the appropriateness of retaining it for ecosystem restoration and

carbon sequestration. I note that any potential disposal arising from the Departmental investigation will trigger the formation of marginal strips for qualifying waterbodies, which will be retained and protected as public conservation land.

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”.
- Submissions opposed disposal of lowland river terraces on the grounds that little remains in public conservation land.
- Submissions particularly emphasised the importance of “internationally endangered” braided river systems as being of high biodiversity and landscape value. They recommended a “landscape approach” and consideration of the “spatially and temporally dynamic nature of braided rivers”.
- 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 species, juncus, carex etc”).
- Submitters advocated for riparian margins to be expanded and grazing to be excluded to support restoration.
- Local purpose (river conservation) reserve was suggested “for ecological reasons” and to provide riparian protection, as well as providing buffering for suggested additions to the Westland Tai Poutini National Park.

I recommend that these comments are not accepted. The modified nature of the pastoral components of this stewardship area (e.g. some parts have been developed into farmland and grazing, and gravel extraction concessions are in place), and the landscape context (adjacent to modified pasture), justify 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.

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 rights of first refusal process as set out in the Ngāi Tahu Claims Settlement Act 1998. I note that any parts of the area identified to have substantive “conservation & mahika-kai values” are unlikely to pass the Conservation General Policy and legislative disposal tests.

General (Allowed)

- Submissions expressed opposition to disposal of any stewardship land in general terms, argued that public conservation land is best retained for future generations or future conservation purposes, expressed a desire for maximum environmental protection (and protection from development, mining, or other extractive activities) across all stewardship land, or supported “a cautionary approach” and preference to retain land in Crown ownership.

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 in opposition stated, “any change should not affect the existing permissions”.
- It was noted that “disposal could present an added cost in some situations where the recommendation to dispose refers to part of a land parcel causing subdivision 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.

- A submitter wanted to ensure that any potential right of first refusal or conflicts of interest was carefully managed.
- It was suggested that there should be less focus on present values and more weight given to potential conservation value (as per the Conservation General Policy 6(c) and the Conservation Act requirement to safeguard options for future generations). It was recommended that the reclassification framework should include a “future conservation use” designation to hold land for future conservation requirements.
- It was 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.
- A submitter stated, “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)

- A submitter suggested “land swaps should be considered ahead of disposal, to improve public access and biodiversity outcomes in the area”.

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

No Opinion/Position Stated

Climate Change and Natural Hazards (Allowed)

- One submission that selected no opinion stated that no land should be disposed of if there is potential for restoration or carbon sequestration, 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 modified nature of the pastoral components of this stewardship area (e.g. some parts have been developed into farmland and grazing, and gravel extraction concessions are in place) limit the appropriateness of retaining it for ecosystem restoration and carbon sequestration. I note that any potential disposal arising from the Departmental investigation will trigger the formation of marginal strips for qualifying waterbodies, which will be retained and protected as public conservation land.

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 for further consideration. 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. No 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)

- It was noted that land is subject to Heritage New Zealand Pouhere Taonga Notification Process, and they may recommend heritage protection measures as part of this disposal process.
- 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.

Ferguson Creek (Riverbed)

Panel Recommendations

National Panel: Local purpose (river conservation) reserve, to appropriately reflect the identified values of the riverbed related parts of the conservation area. This area provides habitat for braided river avifauna and a diversity of freshwater fish, while providing connectivity for avifauna across the river valley between other public conservation lands.

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 and no opposition was received from Treaty partner organisations regarding the notified classification. 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 - TWP_13_2805655k

Support

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, agreed they reflected the "information in the technical reports", 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 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

Climate Change and Natural Hazards (Allowed)

- Submissions noted that the area "will be subject to flooding from climate change effects" and should be classified to promote re-vegetation and "become part of our emission reduction programme". Local purpose reserve classifications were opposed as "they can have their status 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.

Ecology and Landscape (Allowed)

- Submitters suggested that the proposed classification "provides no confidence that freshwater values or river margins and corridors will be protected from inappropriate use and development".

I recommend that these comments are accepted. I agree that the purpose of the notified classification provides insufficient detail to comment on whether it appropriately promotes the conservation of the natural resources present.

- Submissions suggested that the proposed classification does not give consideration “to the very high and nationally important natural conservation values of the rivers” (e.g. “braided river systems, an internationally endangered and naturally uncommon ecosystem”, “of national importance for biodiversity”).
- Submitters suggested that ecological area, wildlife management area, or scenic reserve may be appropriate alternatives. One submitter advocated for a government purpose (climate mitigation) reserve.
- Submitters argued that the proposed classification is “out of step with taking a strategic, landscape level approach considering classifications of nearby land parcels”. They advocated for river areas to be given the same status as adjoining public conservation land, while another submitter advocated for government purpose reserve (Te Mana o te Wai) where no adjoining classifications exist.

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)

- A submitter advocated that a change in classification “should not affect the existing permissions”.

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

Process and Consultation (Not Allowed)

- A submitter expressed concern that “it is not clear who this would be vested in, or that this involves protecting for any conservation purpose”. A wildlife management area or national park addition was preferred.
- 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.
- 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. No justification is provided regarding recreation values of the specific stewardship area, and no new material is raised which supports reconsideration of the notified classification. The purpose of the notified classification provides insufficient detail to comment on whether it appropriately provides for the public recreational access described.

TWP_13 – Dry Creek – 2805656

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Dry Creek	TWP_13_2805656l	Conservation Park (Pouerua)	Neutral	8	15

DOC Conservation Values Report Description

A 66.375-ha area of land along Dry creek which contains a naturally rare braided river ecosystem. There is limited evidence of freshwater rarity and distinctiveness, although the area may be able to support rare species.

Panel Recommendations

National Panel: Conservation park (Pouerua), to reflect the mosaic of values present, protecting natural and historic resources while facilitating public recreation and enjoyment of the area. It contains areas of a complementary nature to the adjacent Waitangi Forest Conservation Area, similarly recommended as conservation park.

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 support to the notified classification on the basis that it will secure actual or potential public access as the river moves.

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. could be described as a marginal strip; modified landscapes on river terraces) 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 - TWP_13_2805656l

Support

Access and Recreation (Allowed)

- A submitter supported the proposed classification to protect “actual or potential public access as the river moves”.

I recommend that these comments are accepted. I agree that the proposed classification 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)).

Ecology and Landscape (Allowed)

- A submitter who supported the proposed classification noted the area to “contain high ecological values very similar to the existing National Parks”.

I recommend that these comments are accepted to the extent that I agree that the natural resources present (e.g. could be described as a marginal strip; modified landscapes on river terraces) 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 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 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".

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 advocated for classification as wildlife management area as "Braided riverbeds have value as a rare ecosystem and landform" noting that a similar area "TWP - 09 Poerua River Mouth" has received this classification.
- Submitters advocated for local purpose reserve (river conservation for ecological reasons), suggesting that the area "should be allowed to revert to being part of the natural area, and provides riparian protection".
- Submitters noted the high ecological value of the area, including "remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened" and that it warrants a higher level of protection than that proposed.
- A submitter advocated for government purpose reserve floodplain due to the presence of naturally uncommon ecosystems and the area provides "good opportunities for restoration of depleted indigenous ecosystems".
- Submitters expressed concern around conservation park recommendations for areas bordering national parks, noting 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" (e.g. "National Park would provide for mountains to sea integrity and protection").

I recommend that these comments are not accepted. My assessment is that the natural resources present (e.g. could be described as a marginal strip; modified landscapes on river terraces) 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)).

- 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" (e.g. "I also do not support Dry Creek becoming a separate conservation park. It should be made part of the same named area as Waitangi Forest").

I recommend they 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 (e.g. LPR (River Conservation for ecological reason) “because requires better 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 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”.
- A submitter advocated that any change of status should “not affect the existing permissions”.

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

Process and Consultation (Not Allowed)

- 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. 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 for further consideration. 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. No 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.

TWP_14 – Abut Head – 2805255

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Abut Head	TWP_14_2805255m	Scenic Reserve (a)	Neutral	13	5

DOC Conservation Values Report Description

A 62.8357-ha area of forest on moraine and alluvial flats at Abut Head including sections of beach and the Whataroa River and estuary. The area is only accessible by jetboat and is used by whitebaiters, walkers and hunters. The area is largely intact coastal and lowland forest, and also contains sandy and rocky coastal environments and swamp. The area is part of Te Wāhipounamu South West New Zealand World Heritage Area.

Panel Recommendations

National Panel: Scenic reserve (a), to preserve the identified high ecological and landscape values, and protect any identified historic or archaeological features, while providing for the recreational use of the area. This area is listed as a Marine Mammal and Bird site under the Regional Coastal Plan. The area is part of the Te Wāhipounamu – South West New Zealand World Heritage Area.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of scenic reserve.

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 and no opposition was received from Treaty partner organisations regarding the notified classification. 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. largely intact coastal and lowland forest; a representative suite of native avifauna and invertebrate fauna likely to be present). The proximal nature of the Abut Head Scenic Reserve further supports your notified intention.

Scenic Reserve (a) - TWP_14_2805255m

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 noted the area as “a significant land mark and feature” expressing support for scenic reserve or national park classification.
- A submitter supported the proposed classification “because of the high landscape, natural and scenic values present” noting “lateral moraine forest systems” and “high coastal values and habitat for marine mammals”.

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present which warrant consideration. My view is that the natural resources identified in these comments are consistent with those described in the CVR (e.g. largely intact coastal and lowland forest; a representative suite of native avifauna and invertebrate fauna is highly likely to be present), and they are appropriately protected and preserved by the proposed classification. The proximal nature of the Abut Head Scenic Reserve further supports your notified intention.

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 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)

- A submitter advocated that further discussions “with back users should occur prior to recommendation and consideration of the area for climate adaption and mitigation”.
- 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. 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 for further consideration. 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. No 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.

TWP_15 – Waitangitāhuna River Mouth – 2805256

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Waitangitāhuna River Mouth	TWP_15_2805256n	Local Purpose (Waitangitāhuna Ngāi Tahu) Reserve	Local Purpose (Waitangitāhuna Ngāi Tahu) Reserve	20	10

DOC Conservation Values Report Description

A 277.2646-ha area of swampland, forest, and open flats along the Waitangitāhuna Valley. The Waitangitāhuna river mouth is separated from the Waitangiroto Nature Reserve by the river. The assessment area includes grazing licences, baches and accommodation, accessible by jetboat or tracks through adjacent farmland. The area is within Ōkarito North Ecological Management Unit and part of Te Wāhipounamu – South West New Zealand World Heritage Area. A historic Pā site, occupation site and mahinga kai site are in the vicinity of the Waitangitāhuna River Mouth. This area is surrounded by Māori Reserve land. DOC has been approached by neighbouring properties for exchanges of land – these discussions have not yet been resolved or progressed.

Panel Recommendations

National Panel: Local purpose (Waitangitāhuna Ngāi Tahu) Reserve, under Section 23 of the Reserves Act to appropriately reflect the identified ecological, landscape and recreation values while recognising the historical significance and the significance of this area to Ngāi Tahu.

Mana Whenua Panel: Local purpose (Waitangitāhuna 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 (Waitangitāhuna 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 has supported the notified recommendation, supported by submissions from Treaty partner organisations.

The Mana Whenua Panel have a strong connection with this stewardship area, particularly that “a historic Pā site and occupation site are located in the vicinity of the Waitangitāhuna River Mouth conservation area, as well as a site for mahinga kai”, “surrounded by Māori Reserve land in recognition of the historic occupation within this area”.

I recognise and acknowledge the historic and cultural significance of the area to Ngāi Tahu. While such a local purpose reserve could provide for the primary purpose of management and protection of Ngāi Tahu values alongside the conservation values that are present, and might be described as an example of a substantive outcome for Ngāi Tahu consistent with Treaty principles, my assessment is that more work is required to clarify and describe the purpose of the proposed reserve.

Rationale: 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 (Waitangitāhuna Ngāi Tahu) Reserve - TWP_15_2805256n

Support

Access and Recreation (Allowed)

- A submitter advocated for ensuring “ongoing access across proposed reserve land for those with existing relationships with the place for whitebaiting and recreational purposes”.

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

Ecology and Landscape (Allowed)

- A submitter who supported the proposed classification noted the area to “contain high ecological values very similar to the existing National Parks”.

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.

Historic and Cultural Values (Allowed)

- A submitter noted it as “appropriate given the cultural history of the site that this become a Ngāi Tahu local purpose reserve”.

I recommend that these comments are not accepted. I have concluded based on comments in opposition that the purpose of the notified classification provides insufficient detail to comment on whether it appropriately protects the natural resources described, or if another classification may be more appropriate.

Treaty Considerations (Allowed)

- Submitters supported local purpose reserve proposals “where cultural and historical values have been identified” (e.g. “area contains a historic pā, is an occupation site & mahinga kai area. It is also adjacent to Māori reserve land”).
- Submissions supported the position of the Mana Whenua Panel on the basis that their recommendations reflect the rights and interests of Ngāi Tahu, 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 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, 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 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)

- A submitter sought “greater clarification on the purpose of the reserve”.

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

Other (Not Allowed)

- Submitter advocated for an exchange of land (e.g. “adjoining freehold land that is probably of more conservation value than the stewardship land”).

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

Oppose

Ecology and Landscape (Allowed)

- Concern was raised that the proposed classification fails 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 lands ecological values”.

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.

- Submitters noted that the proposed classification “does not give adequate protection to this important ecological and cultural area”.
- Submitters advocated for a national park classification as more appropriately reflecting a mosaic of values (e.g. “to give the area recognition of high natural values and diversity of forests, wetlands, scrub”, “important for a wide range of wetland birds, with several threatened and at-risk species recorded”). A conservation park was also supported.
- A submitter advocated for classification as WMA or SR due to the ecological values present, noting naturally uncommon ecosystems and that “land parcel lies adjacent to land that has a higher protected status than that proposed”.

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.

Historic and Cultural Values (Allowed)

- A submitter noted that “historic sites are not recorded as being present, or are present only at small discrete parts of the land parcel”.

I recommend that these comments are not accepted. I have concluded based on comments in opposition that the purpose of the notified classification provides insufficient detail to comment on whether it appropriately protects the natural and historic resources described, or if another classification may be more appropriate.

Treaty Considerations (Allowed)

- A submitter acknowledged the Ngāi Tahu cultural values present, while advocating for an addition to the adjacent nature reserve “given the high level of cultural, historic, recreation and ecological values” suggesting that this “would not preclude Ngāi Tahu management”.
- Submitters advocated that conservation park or national park classification as preferable, noting that “both would allow mana whenua to be engaged in the management of the areas”.

I recommend that these comments are accepted to the extent that I recognise and acknowledge the historic and cultural significance of the area to Ngāi Tahu. However, I have concluded based on comments in opposition that the purpose of the notified classification provides insufficient detail to comment on whether it both actively protects the identified Ngāi Tahu values and interests, and promotes the conservation of the identified natural and historic resources present.

Process and Consultation (Not Allowed)

- A submitter noted “failure to provide any details about the primary purpose of the local purpose reserve” querying whether the proposed classification “will protect the lands ecological values”.

- 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.

No Opinion/Position Stated

Access and Recreation (Allowed)

- Submissions queried whether the proposed classification allows hunting, fishing and “provision for public access”.
- A submitter noted that public access to the area is via private property at the owners discretion.

I recommend that these comments are not accepted. I have concluded based on comments in opposition that the purpose of the notified classification provides insufficient detail to comment on whether it provides for the recreational access as described. Any limits on public access, or the appropriateness of an alternative classification, will be determined as part of the future policy work

Ecology and Landscape (Allowed)

- A submitter noted “ecological and recreational values as well as significant cultural values” suggesting that “any classification must protect threatened and at risk species for their intrinsic values”.

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.

Other (Not Allowed)

- A submitter advocated for the opportunity to “purchase/exchange or continue to lease this area of land”.

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

TWP_15 – Roto Road – 2805651

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Roto Road	TWP_15_2805651o	Wildlife Management Area	Neutral	11	6

DOC Conservation Values Report Description

A 386.9481-ha area of swampland, forest, and open flats along the Waitangitāhuna Valley and lies adjacent to the east of Waitangiroto Nature Reserve, and protected for kōtuku/white heron. The area includes grazing licences, baches and accommodation, accessible by jetboat or tracks through adjacent farmland. The area is within Ōkarito North Ecological Management Unit and part of Te Wāhipounamu – South West New Zealand World Heritage Area. This area is surrounded by Māori Reserve land and DOC has been approached by neighbouring properties for exchanges of land – these discussions have not yet been resolved or progressed.

Panel Recommendations

National Panel: Wildlife management area, to reflect the identified ecological, landscape and recreational values while ensuring that wildlife and wildlife habitat values are protected. It is in a relatively natural state despite localised forest clearance and supports a wide range of wetland birds, with several threatened and at-risk species recorded.

Mana Whenua Panel: Neutral.

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 notified classification as 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. swampland; forest; threatened and at-risk wetland birds) while providing for ongoing recreational access to the area.

Wildlife Management Area - TWP_15_2805651o

Support

Ecology and Landscape (Allowed)

- A submitter described the area as in a “highly natural state and habitat for a broad range of avifauna”.
- A submitter supported the proposed classification “to protect freshwater habitats, mostly at lakes, wetlands and estuaries”.

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present which warrant consideration. My view is that the natural resources identified in these comments are consistent with those described in the CVR (e.g. dominated by indigenous vegetation, with localised forest clearance, but still in a relatively natural state), and they are appropriately protected and preserved by the proposed classification.

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.

Permissions, Economic Factors and Land Use (Not Allowed)

- The proposed classification was noted to "reflect the use of the land and adequately protect against degradation of the land".

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

Oppose

Ecology and Landscape (Allowed)

- A submitter advocated for an addition to the adjoining nature reserve or national park, which "maintains the integrity of the reserve and ensures the effective management of its wildlife" referencing the Conservation Management Strategy (CMS) outcome for the "Waitangioto Nature Reserve Protection".

I recommend that these comments are not accepted. My view is that the natural resources identified in the CVR are appropriately protected and preserved by the proposed classification, and the material raised is of insufficient merit to warrant reconsideration of the notified intention.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submission noted the "any change should not affect the existing permissions" noting grazing concessions and an accommodation licence.

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 noted an inconsistency between the "National Panel recommendation above and recommendation report".

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. 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.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter whose property borders the area supported “any options available to secure this land for grazing purposes”.

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

TWP_16 – Waitangitāhuna River (Riverbed) – 2805257

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Waitangitāhuna River (Riverbed)	TWP_16_2805257g	Local Purpose (River Conservation) Reserve	Neutral	13	14
Waitangitāhuna River (Pasture)	TWP_16_2805257h	Disposal	Disposal	10	24

DOC Conservation Values Report Description

A 38.6862-ha area containing riverbed, lowland alluvial areas, and some farmland and grazing within 1 km of Waitangiroto Nature Reserve. There is one grazing concession. It seems to have been surveyed along an older river channel of Waitangitāhuna River, so the boundaries no longer intersect. The corridor links several high value wetland habitats in the lower Whataroa River flats that have been put under pressure from dairying expansion. White Heron Tours previously jetboated to the white heron colony, but now use a 4WD track.

Waitangitāhuna River (Riverbed)

Panel Recommendations

National Panel: Local purpose (river conservation) reserve, to appropriately reflect the identified values of the riverbed related parts of the conservation area which contain the historic bed of Waitangitāhuna River, including active riverbed. The Panel acknowledges Waitangitāhuna River as an old mahinga kai site.

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.

The Mana Whenua Panel have signalled Ngāi Tahu interests associated with this stewardship area, particularly that “the Waitangitāhuna River is an old mahinga kai site”.

My assessment is that the purpose of the notified classification provides insufficient detail to comment on whether it appropriately protects the natural resources alongside the identified Ngāi Tahu interests, or if another classification may be more appropriate. I note that any further work to determine an appropriate classification for this area will be undertaken in a manner consistent with Treaty principles.

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 - TWP_16_2805257g

Support

Ecology and Landscape (Allowed)

- A submitter who supported the proposed classification noted the area to “contain high ecological values very similar to the existing National Parks”.

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 expressed general support for the proposed classification without providing further justification, agreed they reflected the "information in the technical reports", 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 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)

- A submitter who leases the area requested to be contacted if the area is disposed of, noting that "the access to our farm is through Stewardship Land".

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

Oppose

Climate Change and Natural Hazards (Allowed)

- A submitter advocated for government purpose (river floodplain) reserve to provide "opportunities for ecosystem restoration in response to flood events or coastal erosion".
- Submissions noted that the area "will be subject to flooding from climate change effects" and should be classified to promote re-vegetation and "become part of our emission reduction programme". Local purpose reserve classifications were opposed as "they can have their status 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.

Ecology and Landscape (Allowed)

- Submitters suggested that the proposed classification "provides no confidence that freshwater values or river margins and corridors will be protected from inappropriate use and development".

I recommend that these comments are accepted. I agree that the purpose of the notified classification provides insufficient detail to comment on whether it appropriately promotes the conservation of the natural resources present.

- Submissions suggested that the proposed classification does not give consideration "to the very high and nationally important natural conservation values of the rivers" (e.g. "braided river systems, an internationally endangered and naturally uncommon ecosystem", "of national importance for biodiversity").
- Submitters suggested that ecological area, wildlife management area, or scenic reserve may be appropriate alternatives. One submitter advocated for a government purpose (climate mitigation) reserve.
- Submitters argued that the proposed classification is "out of step with taking a strategic, landscape level approach considering classifications of nearby land parcels". They advocated for river areas to be given the same status as adjoining public conservation land, while one submitter advocated for government purpose reserve (Te Mana o te Wai) where no adjoining classifications exist (e.g. "it is physically joined to existing protected areas, including the National Park").
- A submitter advocated that the area "needs to be considered alongside Waitangitāhuna River Mouth 2805256 and Roto Road 2805651".

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 advocated for a higher level of protection than that proposed without providing further justification (e.g. “I would support Wildlife Management 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 advocated that a change in classification “should not affect the existing permissions” noting a grazing concession.

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

Process and Consultation (Not Allowed)

- 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.
- 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. No justification is provided regarding recreation values of the specific stewardship area, and no new material is raised which supports reconsideration of the notified classification. The purpose of the notified classification provides insufficient detail to comment on whether it appropriately provides for the public recreational access described.

Ecology and Landscape (Allowed)

- A submitter 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 not accepted. 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.

Waitangitāhuna River (Pasture)

Panel Recommendations

National Panel: Disposal of stable areas of developed pasture within this conservation area.

Mana Whenua Panel: The Mana Whenua Panel considers that the pastoral components of this conservation area are highly modified and should not form part of public conservation land. Therefore, the pastoral components of this assessment area should be disposed of.

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 have supported the proposed disposal investigation, supported by submissions from Treaty partners, on the grounds that the pastoral components are highly modified.

The Mana Whenua Panel have signalled Ngāi Tahu interests associated with this stewardship area, particularly that "the Waitangitāhuna River is an old mahinga kai site".

Given the Mana Whenua Panel have supported the proposed disposal investigation, I consider this is not inconsistent with the identified interests.

Rationale: Although parts of the wider stewardship area are unlikely to meet the Conservation General Policy (6d) and Conservation Act (s. 26) tests for disposal, the pastoral components of this stewardship area hold little conservation value and warrant further consideration as to the suitability of disposal (e.g. contains both rough and developed pastures used by the neighbouring farm).

Disposal - TWP_16_2805257h

Support

Ecology and Landscape (Allowed)

- Submissions stated they support disposal of stewardship land where there are no conservation values or natural values remaining.

I recommend that these comments are accepted. The modified nature of the pastoral components of this stewardship area (e.g. contains both rough and developed pastures used by the neighbouring farm) justify referring this area to the Department to investigate the suitability of disposal. I note that any parts of the area identified to have substantive natural values are unlikely to pass the Conservation General Policy and legislative disposal tests.

Treaty Considerations (Allowed)

- Submissions supported the recommendations of the Mana Whenua Panel on the basis that they 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 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. contains both rough and developed pastures used by the neighbouring farm) justifies referring this area to the Department to investigate the suitability of disposal.

General (Allowed)

- Submissions stated their agreement with the recommendation 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 from the farmer who holds a grazing license on the area highlighted its relevance to their operation and farm access. They expressed interest in being “contacted after Ngāi Tahu”. They also noted their intention to continue allowing access through to the white heron colony if their own access is secured.
- A submitter stated that they have an access agreement with the current adjoining landholder to take tour buses through the area to Waitangiroto Nature Reserve (to see the white heron colony), and that they would like this to continue. They noted their support for the adjoining landowner to purchase the area, and stated that they would like to be kept informed as a party of interest.

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

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 to rivers and other conservation land, and expressed opposition to any disposal which means a loss of recreation opportunities such as angling or hunting.
- Submissions noted that riparian access via marginal strips is not guaranteed, particularly if the river changes. One submitter cited various past examples where river erosion has resulted in access being limited to private land, and noted that “the increased flood risk with climate impacts means even currently stable areas may not stay this way”.
- Submissions suggested that land be retained or that appropriate mechanisms are used to ensure public access is maintained.
- Alternative suggested classifications included recreation reserve, local purpose reserve, or wildlife management area.

I recommend that these comments are not accepted. Any potential disposal arising from the Departmental investigation will trigger the formation of marginal strips which will secure ongoing public access along the riparian corridor to Waitangitona Road.

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).
- Government purpose reserve (river floodplain), scenic reserve or ecological reserve were all suggested as alternative classifications to support climate mitigation and protect areas from flooding and erosion. Another submitter recommended specific consideration of “the active and dynamic nature of rivers and adjacent flood plains and required connectivity between riverbed and floodplains, and the required space for rivers to have sufficient room to move. Such an approach would be in line with international flood management and climate change risk assessment”.
- Submissions argued that disposing of public conservation land compromises future sustainability and climate mitigation options, noting that climate change is heightening pressure on ecosystems.
- It was noted that disposal “will not assist with a reduction in emissions from agriculture”.

I recommend that these comments are not accepted. The small size, modified nature of the pastoral components of this stewardship area (e.g. contains both rough and developed pastures used by the neighbouring farm), and landscape context

(bounded by legal road and otherwise surrounded by private farmland) limit the appropriateness of retaining it for ecosystem restoration and carbon sequestration. The riverbed parts of the assessment area are not within the area recommended for 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.

Ecology and Landscape (Allowed)

- Submissions opposed disposal of lowland river terraces on the grounds that little remains in public conservation land.
- Submissions particularly emphasised the importance of “internationally endangered” braided river systems as **being of high biodiversity and landscape value**. They recommended a “landscape approach” and consideration of the “spatially and temporally dynamic nature of braided rivers”.
- A submitter suggested the site “needs to be considered alongside Waitangitāhuna River Mouth 2805256 and Roto Road 2805651” suggesting it “needs some boundary adjustments so that it is **physically joined to existing protected areas, including the National Park, and managed holistically with those areas**”.
- Local purpose reserve was recommended, with submitters noting “the river meanders through the whole area and [it’s] an important linkage between adjoining conservation areas. It can be left to regenerate if the river moves away from it permanently”.
- Submissions opposed disposal, stating that “widespread vegetation clearance, vulnerable ecosystems and Aotearoa’s seriously declining biodiversity make retaining all conservation land essential”.
- Submissions expressed opposition to any disposal of stewardship land on the grounds that even modified land is likely to retain some natural values or opportunities for ecosystem restoration and that there is potential for restoration with minimal intervention through the natural gorse to native succession process (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 species, juncus, carex etc”).
- Submissions advocated for riparian margins to be expanded and for grazing to be excluded to allow restoration along waterways and wetlands.

I recommend that these comments are not accepted. The modified nature of the pastoral components of this stewardship area (e.g. contains both rough and developed pastures used by the neighbouring farm), as well as its landscape context (bounded by legal road and surrounded by private farmland, not connected to other public conservation land) limit the appropriateness and effectiveness of restoration and justify 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.

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 rights of first refusal process as set out in the Ngāi Tahu Claims Settlement Act 1998. I note that any parts of the area identified to have substantive “conservation & mahika-kai values” are unlikely to pass the Conservation General Policy and legislative disposal tests.

General (Allowed)

- Submissions expressed opposition to disposal of any stewardship land in general terms, argued that public conservation land is best retained for future generations or future conservation purposes, expressed a desire for maximum environmental protection (and protection from development, mining, or other extractive activities) across all stewardship land, or supported “a cautionary approach” and preference to retain land in Crown ownership.

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 concern that disposal will affect the existing uses, noting there is “one grazing concession held for grazing beef and dairy cattle over approximately 10 ha”.

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

Process and Consultation (Not Allowed)

- Submitters noted that it was unclear exactly which part of the area is recommended for disposal.
- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.
- It was suggested that the reclassification framework should include a “future conservation use” designation to hold land for future conservation requirements, and that there should be more focus on potential conservation value (as per the Conservation General Policy 6(c) and the Conservation Act requirement to safeguard options for future generations).
- 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)

- A submitter recommended “the investigation of a land swap for the grazing component”.

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

No Opinion/Position Stated

Climate Change and Natural Hazards (Allowed)

- One submission that selected no opinion stated that no land should be disposed of if there is potential for restoration or carbon sequestration, 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, modified nature of the pastoral components of this stewardship area (e.g. contains both rough and developed pastures used by the neighbouring farm), and landscape context (bounded by legal road and otherwise surrounded by private farmland) limit the appropriateness of retaining it for ecosystem restoration and carbon sequestration. I note that any potential disposal arising from the Departmental investigation will trigger the formation of marginal strips for qualifying waterbodies, which will be retained and protected as public conservation land.

Ecology and Landscape (Allowed)

- One submitter 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 not accepted. A disposal investigation is recommended for the pastoral components of the stewardship area, not the riverbed components. The riverbed will be retained and protected as public conservation land. Further, I note that any potential disposal arising from the Departmental investigation will trigger the formation of marginal strips for qualifying waterbodies, which will be retained and protected as public conservation land.

General (Allowed)

- Submissions 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 for further consideration. 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. No 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)

- It was noted that land is subject to Heritage New Zealand Pouhere Taonga Notification Process, and they may recommend heritage protection measures as part of this disposal process.
- 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.

TWP_17 – Saltwater Forest – 2805646

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Saltwater Forest	TWP_17_2805646p	National Park (Tai Poutini)		6004*	27
Saltwater Forest	TWP_17_2805646q		Stewardship	17	18

DOC Conservation Values Report Description

A 27.56-ha narrow area of forested land adjacent to Westland Tai Poutini National Park to the east and south of Saltwater Ecological Area. The area is entirely forested and is reasonably natural - it likely supports a full suite of forest birds and invertebrate fauna. It is commonly used by hunters but has no heritage values or permissions in place. It is accessible by an overgrown 4WD track, once a logging road.

Panel Recommendations

National Panel: National park (Tai Poutini), to appropriately reflect the identified ecological, landscape and historical values, rationalise the boundary of the Westland Tai Poutini National Park, and improve landscape continuity.

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

S.49(2)(d) Recommendation

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

Summary of accepted submissions: The submissions ‘accepted’ as holding merit supported the proposed national park investigation to protect the area’s natural values and improve climate change mitigation. Submitters referenced specific natural resources which were noted to be of high value 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”. The Mana Whenua Panel have also signalled Ngāi Tahu interests associated with this stewardship area, particularly that “Ngāi Tahu may have future aspirations for this land (such as from an economic wellbeing and development perspective)”.

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

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

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

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

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

National Park (Tai Poutini) - TWP_17_2805646p

Support

Climate Change and Natural Hazards (Allowed)

- Submissions suggested that suitable stewardship land should be incorporated into adjacent areas to support climate change mitigation, and that the protection of the area was especially important in the context of climate change (e.g. “for ecosystem services, for climate stability”, “given the biodiversity and climate crisis we are facing”).

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

Ecology and Landscape (Allowed)

- Submissions supported the proposed recommendations as being “based on ecological and scenic values that are similar to adjoining national parks” and to “provide additional habitat for rare and threatened species to move **through the landscape**”. The current land classification delineations were described as “historic and arbitrary” and “not informed by ecological and landscape principles”.
- Submitters supported a national park classification to protect the identified natural values, which are “recognised in the UNESCO Te Wāhipounamu South West New Zealand World Heritage Area” (e.g. “to protect intrinsic values of our Gondwana heritage”, “rarity and high ecological values of these remaining kahikatea forests”).

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present which warrant consideration. My view is that the natural resources identified in these comments are consistent with those described in the CVR (e.g. entirely forested and is reasonably natural), and they are appropriately protected and preserved by the proposed classification. The contiguous nature of the adjoining national park further supports your notified intention to refer this area to the NZCA for its recommendation as to the suitability of a national park addition.

Treaty Considerations (Allowed)

- A submitter suggested that “National Park status does not as it stands, prevent customary relationship of an iwi with the whenua which the current review of GP reflects”.
- 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 the Mana Whenua Panel had not identified site-specific cultural values for the land.

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

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

General (Allowed)

- 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, 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 raised, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions noted that national parks support a nature economy, and that this is in line with the Te Whanaketanga Tai Poutini West Coast Economic Strategy 2050.

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 (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)

- A submitter disputed the description of access to the area in the CVR, describing the area as "accessible to 24WD or 4WD with clearance provided by any SUV".
- A submitter expressed concern regarding increased public access, particularly if hunting permits were granted and the risk this poses for people using the surrounding private land.
- 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. Under a national park classification "the public shall have freedom of entry and access" subject to restrictions necessary to preserve the natural and historic resources present (National Parks Act 1980, s. 4(2)(e)).

Ecology and Landscape (Allowed)

- Submissions noted that the area “is of native bush and scrub” and is “untouched and fenced from stock”. It was advocated to retain the area in stewardship “which will enable the farm owners to work in partnership with the native flora and fauna and allow the hillside to prosper, while protecting the banks and therefore protecting the farm”.

I recommend that these comments are not accepted. Although areas of modification may be present, my assessment is that the natural resources described in the CVR (e.g. entirely forested and is reasonably natural) justify referring this area to the NZCA for its recommendation as to the suitability of a national park addition. This is further supported by the contiguous nature of the adjoining national park.

Historic and Cultural Values (Allowed)

- A submitter noted the area to be of “major historical value to our family and all family members and the current generation work tirelessly to maintain and improve this”.

I recommend that these comments are not accepted. My view is that the identified natural and historic resources present warrant referring this area to the NZCA for its recommendation as to the suitability of a national park addition, and the points raised do not justify overturning the notified intention. Under a national park classification “sites and objects of archaeological and historical interest shall as far as possible be preserved” (Section 4(2)(c) National Parks Act 1980).

Treaty Considerations (Allowed)

- A submitter advocated for classification as a scenic reserve, citing concerns raised by the Mana Whenua Panel “regarding the alienation of Ngāi Tahu from their ancestral lands”.
- 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, stated support for leaving the land in stewardship, or expressed support for 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)

- Submitters noted opposition to a national park classification, advocating for the land to remain in stewardship due to concerns regarding access to the freehold farmland being restricted and gated off, and to enable to continue farming activities and maintenance of the land.
- Submissions expressed opposition to the proposed national park classification as being “too restrictive” (e.g. “tying even more land up in restrictive legislation”).

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 noted that the adjacent landholders “have put in culverts under this legal road, to ensure there is an uninterrupted flow of water from one side of the stewardship land to the other, that is not muddied by stock trucks and feed trucks entering and leaving the farmland”.
- 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.

Retain in Stewardship - TWP_17_2805646q

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 Ngāi Tahu, 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.

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 advocated for “the owners of the farm adjacent to it work in partnership with the DoC to continue to promote biodiversity in the Stewardship land and on their farm”. (e.g. “that the surrounding and freehold landowners maintain the land”, “it promotes a huge biodiversity aspect to the farm, while enabling structure and eliminating erosion risks to the hillside”).
- Submitter noted the importance of the area to the adjoining farm operation (e.g. “without this block of land the farm would not be profitable”, “provides access to the freehold farm”, “concern is retaining access to the farm in order to bring in hay and truck stock out”).

- Submitters stated that reclassifying land as national park, or other classifications which fall under Schedule 4, could have economic consequences by excluding mineral extraction and other activities on that land. The potential loss of opportunities resulting from these restrictions was seen as damaging, particularly in terms of mineral extraction and site rehabilitation.
- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these classifications provide “more than adequate legal protection”.

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

Oppose

Ecology and Landscape (Allowed)

- Submitters advocated for national park reclassification “based upon ecological and scenic values that are similar to adjoining national parks” (e.g. “has nationally significant ecological systems and natural areas”).

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present which warrant consideration. My view is that the natural resources identified in these comments are consistent with those described in the CVR (e.g. entirely forested and is reasonably natural), and they are appropriately protected and preserved by the proposed classification. The contiguous nature of the adjoining 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.

- A submitter advocated for classification as scenic reserve, noting that this aligns with the classification of similar nearby “areas of lateral moraine hill slopes with tall forest”.

I recommend that these comments are not accepted. Although areas of modification may be present, my assessment is that the natural resources described in the CVR (e.g. entirely forested and is reasonably natural) justify referring this area to the NZCA for its recommendation as to the suitability of a national park addition. This is further supported by the contiguous nature of the adjoining national park.

Treaty Considerations (Allowed)

- A submission argued that “an area with high conservation values should be reclassified to reflect that value” and that the Mana Whenua Panel recommendation “goes beyond the obligation to give effect to the Treaty of Waitangi”.
- One submission argued against retaining land as stewardship where the area had not been identified as holding site-specific values to Ngāi Tahu.
- 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”.

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

General (Allowed)

- Submissions expressed preference for reclassification as a national park and for “maximum protection across all stewardship land” without providing further justification, or due to the land’s “high cultural conservation value”.
- Submissions opposed retaining land in stewardship, describing it as a “meaningless recommendation”.
- One submission suggested reclassification as either scenic reserve or conservation park is preferable to retaining the land in stewardship.

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

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions noted 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 advocated for a national park classification to prevent the “creation of mines that will devastate the local areas”.
- 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”). It was suggested to the land instead be “disposed of or become incorporated into one of the park categories”.

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. A submitter suggested that reclassification should focus on the “protection of the conservation value of the land and the guarantee of public access”.
- 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. 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.

TWP_18 – Whataroa River – 2805645

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Whataroa River (Riverbed)	TWP_18_2805645h	Local Purpose (River Conservation) Reserve	Neutral	13	25
Whataroa River (Pasture)	TWP_18_2805645i	Disposal	Disposal	16	31

DOC Conservation Values Report Description

A 148.4074ha area along Whataroa River with different vegetation, river gravels, small sections of forest, willow, and grazed or cultivated paddocks. Retains some indigenous shrubland and wetlands. Access is relatively limited as the areas are adjacent to riverbed and surrounded by farmland. Grazing and gravel extraction permissions are in place.

Whataroa River (Riverbed)

Panel Recommendations

National Panel: Local purpose (river conservation) reserve, to appropriately reflect the identified values of the riverbed related parts of the conservation area which is lying in the bed of Whataroa River.

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 - TWP_18_2805645h

Support

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, agreed they reflected the "information in the technical reports", 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 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 the “any change should not affect the existing permissions” noting grazing concessions and a permit for gravel extraction.

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

Other (Not Allowed)

- A submitter advocated that “this land with higher quality soils should be offered to the adjacent landowners as freehold title” and that “the flood prone riverbed/gorse areas should be offers as a new grazing licence to the present licence holder”.

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

Oppose

Access and Recreation (Allowed)

- A submitter noted the high recreation value of the wider area, advocating for national park classification to “retain these opportunities in perpetuity for our children and theirs” (e.g. “the combination of wilderness, remoteness of the experiences available, and the relative ease of access to the edge cannot be easily compared”).

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 recreation or public access will be determined as part of any future policy work.

Climate Change and Natural Hazards (Allowed)

- A submitter advocated for government purpose reserve (river floodplain) to provide “opportunities for ecosystem restoration in response to flood events or coastal erosion”.
- Submissions noted that the area “will be subject to flooding from climate change effects” and should be classified to promote re-vegetation and “become part of our emission reduction programme”. Local purpose reserve classifications were opposed as “they can have their status 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.

Ecology and Landscape (Allowed)

- Submitters suggested that the proposed classification “provides no confidence that freshwater values or river margins and corridors will be protected from inappropriate use and development”.

I recommend that these comments are accepted. I agree that the purpose of the notified classification provides insufficient detail to comment on whether it appropriately promotes the conservation of the natural resources present.

- Submissions suggested that the proposed classification does not give consideration “to the very high and nationally important natural conservation values of the rivers” (e.g. “braided river systems, an internationally endangered and naturally uncommon ecosystem”, “of national importance for biodiversity”).
- Several submitters suggested that ecological area, wildlife management area, or scenic reserve may be appropriate alternatives.
- One submitter advocated for a government purpose (climate mitigation) reserve.
- Submitters argued that the proposed classification is “out of step with taking a strategic, landscape level approach considering classifications of nearby land parcels”. They advocated for river areas to be given the same status as adjoining public conservation land, while another submitter advocated for government purpose reserve (Te Mana o te Wai) where no adjoining classifications exist (e.g. “add to Whataroa Scenic Reserve”, “added to the adjoining Saltwater Ecological Area”, “addition to Mumu Creek Wildlife Management 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)

- Submitters advocated for a higher level of protection than that proposed without providing further justification (e.g. “I would support Wildlife Management Area”, “I support the Whataroa et al becoming Conservation Park”).

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

Permissions, Economic Factors and Land Use (Not Allowed)

- Submitters noted that the longstanding relationship the current concessionaire has had with the area and that it “plays an important part of their farming operation” (e.g. “entire block of Riverbed stewardship land is an important part of my family’s farming operation and is key to the ongoing viability of the farm”).
- Submitters advocated for disposal of the area.
- Several submitters noted the environmental manner by which the concessionaire manages the area (e.g. “a huge interest in the environment as they are aware the farm is in a very special place”).

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

Process and Consultation (Not Allowed)

- A submitter raised concern that “there is no explanation in the recommendations as what the primary purpose of the proposed reserve is to be”, noting that “that Local Purpose Reserves can have their purpose changed e.g. for drainage or flood control, which would adversely affect their freshwater values”.
- 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.
- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.

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

Other (Not Allowed)

- Submitters advocated for disposal of the land to the existing lease holders, suggesting that this is “critical for communities such as Whataroa to be self-sustaining” and that “the current leaseholders are best placed to care for the entire block going forward” (e.g. “the land should be offered to the adjoining landowner in the first instance”).

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 justification is provided regarding recreation values of the specific stewardship area, and no new material is raised which supports reconsideration of the notified classification. The purpose of the notified classification provides insufficient detail to comment on whether it appropriately provides for the public recreational access described.

Ecology and Landscape (Allowed)

- A submitter 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 not accepted. 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.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter advocated that helicopter “landing permissions continue to be available” through the current DOC concession system.
- 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”.
- A submitter suggested that this land should be offered to the Nolan brothers in the first instance if it is disposed of.
- Submitters advocated for classification so that the ongoing lease is maintained (e.g. for “the area to continue to be available for grazing”).

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

Whataroa River (Pasture)

Panel Recommendations

National Panel: Disposal of stable areas of developed pasture within this conservation area.

Mana Whenua Panel: The Mana Whenua Panel considers that the pastoral components of this conservation area are highly modified and should not form part of public conservation land. Therefore, the pastoral components of this assessment area should be disposed of.

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 have supported the proposed disposal investigation, supported by submissions from Treaty partners, on the grounds that the pastoral components are highly modified.

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

Disposal - TWP_18_2805645i

Support

Ecology and Landscape (Allowed)

- The area was noted to be "stable pasture land" that had been farmed.
- Submissions stated they support disposal of stewardship land where there are no conservation values or natural values remaining.

I recommend that these comments are accepted. The modified nature of the pastoral components of this stewardship area (e.g. includes willow and grazed or cultivated paddocks) justifies referring this area to the Department to investigate the suitability of disposal. I note that any parts of the area identified to have substantive natural values are unlikely to pass the Conservation General Policy and legislative disposal tests.

Treaty Considerations (Allowed)

- Submissions supported the recommendation on the basis that the recommendations of the Mana Whenua Panel 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.

Although no specific Ngāi Tahu interests have been identified with regard to this stewardship area, I recommend that these comments should be accepted. The modified nature of the pastoral components of this stewardship area (e.g. includes willow and grazed or cultivated paddocks) justifies referring this area to the Department to investigate the suitability of disposal.

General (Allowed)

- Submissions stated their agreement with the recommendation 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)

- Several submissions were made advocating for the current leaseholders to be able to continue using the land by being able to purchase it. They noted that “the ongoing viability of our multi-generational family farm depends on continued use of the entire block of stewardship land” and that this would mean “a local family can continue to live and work in Whataroa”. Concern was expressed regarding the possibility of losing the leased land through disposal and consequently making the farm uneconomic. The broader importance of farming to the West Coast economy was also noted.
- Submissions highlighted that the area has “has been farmed through the generations”, suggesting that the way in which it is farmed does not have detrimental impacts on the broader environment, and that there have been restoration initiatives over the history of the lease that have had a positive impact on biodiversity. A submitter stated, “each generation has followed traditional low intensity pastoral practices with a low environmental impact. The younger generation of the family cares passionately about this land and have put in place further plans for the environment to be protected and respected”.
- Submissions also noted that “considerable time and effort has gone into programmes and management strategies to have the farm operating as it should, and operating with the environment it is part of”.
- It was suggested that if the leaseholders did not receive first right of refusal or if disposal was not the final recommendation, the land should be classified to allow them to continue grazing.

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

Process and Consultation (Not Allowed)

- A submitter suggested that “discussions with existing concession holders should be had prior to disposal”.

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

Other (Not Allowed)

- Several submitters advocated strongly for the current leaseholders to be offered first right of refusal.
- 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)

- A submitter emphasised the importance of West Coast rivers and “wild areas” for tramping, kayaking and packrafting, noting that the “combination of wilderness, remoteness of the experiences available, and the relative ease of access to the edge cannot be easily compared” and wanting to ensure that these areas are protected “as our gift to future generations of our children and to the people of the world”.
- Submissions objected to disposal on the grounds that this represents a loss of public access to rivers and other conservation land, and expressed opposition to any disposal which means a loss of recreation opportunities such as angling or hunting.
- Submissions noted that riparian access via marginal strips is not guaranteed, particularly if the river changes. Various examples were cited where river erosion has led to access being limited to private land, and a submitter noted that “the increased flood risk with climate impacts means even currently stable areas may not stay this way”.
- Submissions suggested that land be retained or that appropriate mechanisms are used to ensure public access is maintained.
- Alternative suggested classifications to protect public access included recreation reserve, local purpose reserve, wildlife management area, or adding the Whataroa River to the adjoining Saltwater Ecological Area.

I recommend that these comments are not accepted. The area recommended for disposal is recorded in the CVR as holding low recreation values (e.g. no tracks, facilities or recreational use, access is relatively limited as the areas are adjacent to riverbed and surrounded by farmland). It is my view that, given the conservation area is highly modified grazed pasture, is situated within private farmland, and does not provide practical access to the Whataroa River, it is unlikely to hold

recreational values which warrant overturning the notified classification. Further, I note that any potential disposal arising from the Departmental investigation will trigger the formation of marginal strips which will secure ongoing public access along the riparian corridor.

Climate Change and Natural Hazards (Allowed)

- Submissions opposed disposal on the grounds that all public conservation land, even if modified/pasture, offers potential for climate change mitigation (i.e. opportunities for restoration and carbon sequestration, as well as for flood/erosion buffering, or allowing room for natural river processes).
- One submitter stated their opposition noting that the area “is clearly in the flood plain”. Another raised concerns that “the freeholding of land adjacent to riverbeds often results in additional rock protection work which constrains the river, and the natural processes at play. This often results in unintended consequences (often erosion at other sites)”.
- It was suggested that this area (and other riverside areas proposed for disposal) be categorised as scenic reserve or ecological area to enable restoration and allow “riverbeds to flow along wider braids than being continually constrained and leading to increased flooding” emphasising the value of “front country areas that protect other significant areas from climate disruption; flooding, slips, erosion, and damage from sea surges and rising sea level”.
- Government purpose reserve (river floodplain) was suggested as an alternative classification.
- Submissions argued that disposing of public conservation land compromises future sustainability and climate mitigation options, noting that climate change is heightening pressure on ecosystems.
- It was noted that disposal “will not assist with a reduction in emissions from agriculture”.

I recommend that these comments are not accepted. The modified nature of the pastoral components of this stewardship area (e.g. includes willow and grazed or cultivated paddocks) and its landscape context (largely surrounded by private farmland excepting a short boundary at one end with the Saltwater Ecological Area) limit the appropriateness of retaining it for ecosystem restoration and carbon sequestration. I note that any potential disposal arising from the Departmental investigation will trigger the formation of marginal strips for qualifying waterbodies, which will be retained and protected as public conservation land.

Ecology and Landscape (Allowed)

- Submitters noted the assessment area as containing wetlands which are poorly represented on public conservation land, suggesting that these areas should not be disposed of. One stated the area is “an important linkage between a wetland and braided river” noting that it was proposed for partial disposal “despite offering the opportunity for a significant ecological sequence to be restored”.
- Submissions noted the landscape context of the area and its proximity to other conservation land. It was suggested that it be “retained as it is next door to Saltwater Ecological Area and thus would provide a buffering area” and stating they “prefer Westland Tai Poutini National Park”.
- A submission opposed disposal on the grounds that the area “can’t be securely fenced” and “has potential for natural regeneration and restoration”, stating there are “regenerating shrubs and remnant stands of totara and kahikatea scattered amidst the rough pasture”. They sought addition to Mumu Creek Wildlife Management Reserve.
- 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, noting that there is potential for restoration with minimal intervention through the natural gorse to native succession process, particularly given the high rainfall on the West Coast and the proximity of nearby forests and seed sources.
- 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”. The importance of braided river ecosystems on a national level was emphasised.
- Submissions expressed opposition to any disposal of stewardship land on the grounds that there are likely to be natural values remaining, that even pasture areas 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 opposed any disposal of conservation land, stating that “widespread vegetation clearance, vulnerable ecosystems and Aotearoa’s seriously declining biodiversity make retaining all conservation land essential”.

I recommend that these comments are not accepted. The modified nature of the pastoral components of this stewardship area (e.g. includes willow and grazed or cultivated paddocks) and its landscape context (largely surrounded by private farmland excepting a short boundary at one end with the Saltwater Ecological Area) limit the appropriateness of restoration and justify 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.

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 rights of first refusal process as set out in the Ngāi Tahu Claims Settlement Act 1998. I note that any parts of the area identified to have substantive “conservation & mahika-kai values” are unlikely to pass the Conservation General Policy and legislative disposal tests.

General (Allowed)

- Submissions expressed opposition to disposal of any stewardship land in general terms, argued that public conservation land is best retained for future generations or future conservation purposes, expressed a desire for maximum environmental protection (and protection from development, mining, or other extractive activities) across all stewardship land, or supported “a cautionary approach” and preference to retain land in Crown ownership.
- Submissions suggested adding Whataroa River to Whataroa Scenic Reserve, or “Whataroa et al becoming conservation park” without providing further justification.

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

Process and Consultation (Not Allowed)

- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.
- It was suggested that there should be less focus on present values and more weight given to potential conservation value (as per the Conservation General Policy 6(c) and the Conservation Act requirement to safeguard options for future generations). It was recommended that the reclassification framework should include a “future conservation use” designation to hold land for future conservation requirements.
- It was 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.
- A submitter stated, “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”.
- It was noted that “proposed disposals do not give even a general indication where disposal boundaries might be”, making it difficult for submitters to comment.
- 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)

- Submitters suggested investigating a land swap.
- One submitter who selected “oppose” stated that “the land should be offered to the adjoining landowner in the first instance”.

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

No Opinion/Position Stated

Access and Recreation (Allowed)

- One submission highlighted the importance of the Whataroa River for whitewater paddling (e.g. “these pristine and untouched sections of paddling”) and advocated for the river to be “permanently protected so my children and theirs after that, can have equally life changing experiences in these gorges”.
- One submitter wanted to ensure that access to the river is maintained or improved.

I recommend that these comments are not accepted. The area recommended for disposal is recorded in the CVR as holding low recreation values (e.g. no tracks, facilities or recreational use, access is relatively limited as the areas are adjacent to riverbed and surrounded by farmland). It is my view that as the conservation area is highly modified grazed pasture, is situated within private farmland, and does not provide practical access to the Whataroa River, it is unlikely to hold recreational values which warrant overturning the notified classification. Further, I note that any potential disposal arising from the Departmental investigation will trigger the formation of marginal strips which will secure ongoing public access along the riparian corridor.

Climate Change and Natural Hazards (Allowed)

- One submission that selected no opinion stated that no land should be disposed of if there is potential for restoration or carbon sequestration, 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 modified nature of the pastoral components of this stewardship area (e.g. includes willow and grazed or cultivated paddocks) and its landscape context (largely surrounded by private farmland excepting a short boundary at one end with the Saltwater Ecological Area) limit the appropriateness of retaining it for ecosystem restoration and carbon sequestration. I note that any potential disposal arising from the Departmental investigation will trigger the formation of marginal strips for qualifying waterbodies, which will be retained and protected as public conservation land.

Ecology and Landscape (Allowed)

- It was stated that “any disposal should ensure no stock access to waterway”.
- One submission wanted to ensure that 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. The modified nature of the pastoral components of this stewardship area (e.g. includes willow and grazed or cultivated paddocks) 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.

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 for further consideration. 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. No 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)

Submitters wanted to ensure that the "current DOC concession system continues to be the only system used for permissions".

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

Other (Not Allowed)

- It was noted that land is subject to Heritage New Zealand Pouhere Taonga Notification Process, and they may recommend heritage protection measures as part of this disposal process.
- 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.

TWP_18 – Saltwater Forest – 2805650

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Saltwater Forest	TWP_18_2805650r	Local Purpose (River Conservation) Reserve	Neutral	5	14

DOC Conservation Values Report Description

A 177-ha area along Whataroa River with different vegetation, river gravels, small sections of forest, and willow. Retains some indigenous shrubland and wetlands. Access is relatively limited as the areas are adjacent to riverbed and surrounded by farmland. Grazing and gravel extraction permissions are in place.

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 - TWP_18_2805650r

Support

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, agreed they reflected the “information in the technical reports”, 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 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 the “any change should not affect the existing permissions” noting grazing concessions and a permit for gravel extraction.

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

Oppose

Climate Change and Natural Hazards (Allowed)

- A submitter advocated for government purpose reserve (river floodplain) to provide “opportunities for ecosystem restoration in response to flood events or coastal erosion”.
- Submissions noted that the area “will be subject to flooding from climate change effects” and should be classified to promote re-vegetation and “become part of our emission reduction programme”. Local purpose reserve classifications were opposed as “they can have their status 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.

Ecology and Landscape (Allowed)

- Submitters suggested that the proposed classification “provides no confidence that freshwater values or river margins and corridors will be protected from inappropriate use and development”.

I recommend that these comments are accepted. I agree that the purpose of the notified classification provides insufficient detail to comment on whether it appropriately promotes the conservation of the natural resources present.

- Submissions suggested that the proposed classification does not give consideration “to the very high and nationally important natural conservation values of the rivers” (e.g. “braided river systems, an internationally endangered and naturally uncommon ecosystem”, “of national importance for biodiversity”).
- Submitters suggested that ecological area, wildlife management area, or scenic reserve may be appropriate alternatives. One submitter advocated for a government purpose (climate mitigation) reserve.
- Submitters argued that the proposed classification is “out of step with taking a strategic, landscape level approach considering classifications of nearby land parcels”. They advocated for river areas to be given the same status as adjoining public conservation land, while another submitter advocated for government purpose reserve (Te Mana o te Wai) where no adjoining classifications exist (e.g. “add to Whataroa Scenic Reserve”, “added to the adjoining Saltwater Ecological Area”, “addition to Rotokino Wildlife Management 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 advocated for a higher level of protection than that proposed without providing further justification (e.g. “I would support Wildlife Management 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.

Process and Consultation (Not Allowed)

- A submitter raised concern that “there is no explanation in the recommendations as what the primary purpose of the proposed reserve is to be”, noting that “that Local Purpose Reserves can have their purpose changed e.g. for drainage or flood control, which would adversely affect their freshwater values”.
- 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.
- 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)

- A submitter noted the high whitewater recreation value of the Whataroa river (e.g. “pristine and untouched sections of paddling”).
- Submissions queried whether the proposed classification allows hunting, fishing and “provision for public access”.

I recommend that these comments are not accepted. No justification is provided regarding recreation values of the specific stewardship area, and no new material is raised which supports reconsideration of the notified classification. The purpose of the notified classification provides insufficient detail to comment on whether it appropriately provides for the public recreational access described.

Ecology and Landscape (Allowed)

- A submitter 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 not accepted. 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.

TWP_18 – Whataroa River – 2805653

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Whataroa River	TWP_18_2805653s	Local Purpose (River Conservation) Reserve	Neutral	8	16

DOC Conservation Values Report Description

A 72.2126-ha area along Whataroa River with different vegetation, river gravels, small sections of forest, and willow. Retains some indigenous shrubland and wetlands. Access is relatively limited as the areas are adjacent to riverbed and surrounded by farmland. Grazing and gravel extraction permissions are in place.

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 - TWP_18_2805653s

Support

Access and Recreation (Allowed)

- A submitter noted that “these rivers and their surrounding tracks and gorges create indescribable beauty, unforgettable moments, unique adventures and world class kayaking rapids”. Concern was raised that if the land remains in stewardship that this may lead “to hydro or a loss in recreational activities”.

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.

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, agreed they reflected the “information in the technical reports”, 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 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 the “any change should not affect the existing permissions”, noting grazing concessions and a permit for gravel extraction.

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

Oppose

Access and Recreation (Allowed)

- A submitter noted the high recreation value of the wider area, advocating for national park classification to “retain these opportunities in perpetuity for our children and theirs” (e.g. “The combination of wilderness, remoteness of the experiences available, and the relative ease of access to the edge cannot be easily compared”).
- A submitter advocated for a national park addition “due to conservation and recreation properties”.

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, or the appropriateness of an alternative classification, will be determined as part of the future policy work.

Climate Change and Natural Hazards (Allowed)

- A submitter advocated for government purpose (river floodplain) reserve to provide “opportunities for ecosystem restoration in response to flood events or coastal erosion”.
- Submissions noted that the area “will be subject to flooding from climate change effects” and should be classified to promote re-vegetation and “become part of our emission reduction programme”. Local purpose reserve classifications were opposed as “they can have their status 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.

Ecology and Landscape (Allowed)

- Submitters suggested that the proposed classification “provides no confidence that freshwater values or river margins and corridors will be protected from inappropriate use and development”.

I recommend that these comments are accepted. I agree that the purpose of the notified classification provides insufficient detail to comment on whether it appropriately promotes the conservation of the natural resources present.

- Submissions suggested that the proposed classification does not give consideration “to the very high and nationally important natural conservation values of the rivers” (e.g. “braided river systems, an internationally endangered and naturally uncommon ecosystem”, “of national importance for biodiversity”).
- Submitters suggested that ecological area, wildlife management area, or scenic reserve may be appropriate alternatives.
- One submitter advocated for a government purpose (climate mitigation) reserve.
- Submitters argued that the proposed classification is “out of step with taking a strategic, landscape level approach considering classifications of nearby land parcels”. They advocated for river areas to be given the same status as adjoining public conservation land, while another submitter advocated for government purpose reserve (Te Mana o te Wai) where no adjoining classifications exist (e.g. “add to Whataroa Scenic Reserve”, “added to the adjoining Saltwater Ecological Area”).

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.

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification (e.g. “I would support Wildlife Management Area”, “I support the Whataroa et al becoming Conservation Park”).

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

Process and Consultation (Not Allowed)

- A submitter raised concern that “there is no explanation in the recommendations as what the primary purpose of the proposed reserve is to be”, noting that “that Local Purpose Reserves can have their purpose changed e.g. for drainage or flood control, which would adversely affect their freshwater values”.
- 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.
- 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)

- A submitter noted the high whitewater recreation value of the Whataroa river (e.g. “pristine and untouched sections of paddling”).
- Submissions queried whether the proposed classification allows hunting, fishing and “provision for public access”.

I recommend that these comments are not accepted. No justification is provided regarding recreation values of the specific stewardship area, and no new material is raised which supports reconsideration of the notified classification. The purpose of the notified classification provides insufficient detail to comment on whether it appropriately provides for the public recreational access described.

Ecology and Landscape (Allowed)

- A submitter 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 not accepted. 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.

Permissions, Economic Factors and Land Use (Not 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”.
- A submitter 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.

TWP_18 – Whataroa River – 2805658

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Whataroa River	TWP_18_2805658t	Local Purpose (River Conservation) Reserve	Neutral	8	17

DOC Conservation Values Report Description

A 79.9161-ha area along Whataroa River with different vegetation, river gravels, small sections of forest, and willow. Retains some indigenous shrubland and wetlands. Access is relatively limited as the areas are adjacent to riverbed and surrounded by farmland. Grazing and gravel extraction permissions are in place.

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 - TWP_18_2805658t

Support

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, agreed they reflected the “information in the technical reports”, 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 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 noted that the proposed reserve will support a grazing licence to be continued with the adjacent landowner.
- A submission noted the “any change should not affect the existing permissions” noting grazing concessions and a permit for gravel extraction.

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

Oppose

Access and Recreation (Allowed)

- A submitter noted the high recreation value of the wider area, advocating for national park classification to “retain these opportunities in perpetuity for our children and theirs” (e.g. “The combination of wilderness, remoteness of the experiences available, and the relative ease of access to the edge cannot be easily compared”).
- A submitter advocated for a national park addition “due to conservation and recreation properties”.

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 recreation or public access will be determined as part of any future policy work.

Ecology and Landscape (Allowed)

- Submitters suggested that the proposed classification “provides no confidence that freshwater values or river margins and corridors will be protected from inappropriate use and development”.

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.

- Submitters expressed concern at the lack of recognition in the technical report of the predominant kahikatea and totara regeneration on the flood plain (e.g. “comprises significant stand of regenerating totara and kahikatea”). A scenic reserve was suggested.
- Submissions suggested that the proposed classification does not give consideration “to the very high and nationally important natural conservation values of the rivers” (e.g. “braided river systems, an internationally endangered and naturally uncommon ecosystem”, “of national importance for biodiversity”).
- Submitters suggested that ecological area, wildlife management area, or scenic reserve may be appropriate alternatives. One submitter advocated for a government purpose (climate mitigation) reserve.
- Submitters argued that the proposed classification is “out of step with taking a strategic, landscape level approach considering classifications of nearby land parcels”. They advocated for river areas to be given the same status as adjoining public conservation land, while another submitter advocated for government purpose reserve (Te Mana o te Wai) where no adjoining classifications exist (e.g. “add to Whataroa Scenic Reserve”, “added to the adjoining Saltwater Ecological Area”).

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.

Climate Change and Natural Hazards (Allowed)

- A submitter advocated for government purpose (river floodplain) reserve to provide “opportunities for ecosystem restoration in response to flood events or coastal erosion”.
- Submissions noted that the area “will be subject to flooding from climate change effects” and should be classified to promote re-vegetation and “become part of our emission reduction programme”. Local purpose reserve classifications were opposed as “they can have their status 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.

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification (e.g. “I would support Wildlife Management Area”, “I support the Whataroa et al becoming Conservation Park”).

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

Process and Consultation (Not Allowed)

- A submitter raised concern that “there is no explanation in the recommendations as what the primary purpose of the proposed reserve is to be”, noting that “that Local Purpose Reserves can have their purpose changed e.g. for drainage or flood control, which would adversely affect their freshwater values”.
- 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.
- 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)

- A submitter noted the high whitewater recreation value of the Whataroa river (e.g. “pristine and untouched sections of paddling”).
- Submissions queried whether the proposed classification allows hunting, fishing and “provision for public access”.

I recommend that these comments are not accepted. No justification is provided regarding recreation values of the specific stewardship area, and no new material is raised which supports reconsideration of the notified classification. The purpose of the notified classification provides insufficient detail to comment on whether it appropriately provides for the public recreational access described.

Ecology and Landscape (Allowed)

- A submitter 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 not accepted. 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.

Permissions, Economic Factors and Land Use (Not 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”.
- A submitter 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.

TWP_18 – Whataroa River – 2809664

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Whataroa River	TWP_18_2809664u	Local Purpose (River Conservation) Reserve	Neutral	7	19

DOC Conservation Values Report Description

A 27.1781-ha area along Whataroa River with different vegetation, river gravels, small sections of forest, and willow. Retains some indigenous shrubland and wetlands. Access is relatively limited as the areas are adjacent to riverbed and surrounded by farmland. Grazing and gravel extraction permissions are in place.

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 - TWP_18_2809664u

Support

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, agreed they reflected the “information in the technical reports”, 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 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 advocated that the “very low stocking rate and excellent environmental management by the present grazing licensee justifies continuing with the present grazing arrangement” (e.g. “the area has been grazed for the last 100 plus and has maintained its high quality water and its high level of biodiversity through an extensive grazing system”).
- A submission noted the “any change should not affect the existing permissions” noting grazing concessions and a permit for gravel extraction.

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

Oppose

Access and Recreation (Allowed)

- A submitter noted the high recreation value of the wider area, advocating for national park classification to “retain these opportunities in perpetuity for our children and theirs” (e.g. “The combination of wilderness, remoteness of the experiences available, and the relative ease of access to the edge cannot be easily compared”).
- A submitter advocated for a national park addition “due to conservation and recreation properties”.

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 recreation or public access will be determined as part of any future policy work.

Ecology and Landscape (Allowed)

- Submitters suggested that the proposed classification “provides no confidence that freshwater values or river margins and corridors will be protected from inappropriate use and development”.

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 noted the area “comprises an arc of tall totara and kahikatea” advocating for classification as scenic reserve.
- Submissions suggested that the proposed classification does not give consideration “to the very high and nationally important natural conservation values of the rivers” (e.g. “braided river systems, an internationally endangered and naturally uncommon ecosystem”, “of national importance for biodiversity”).
- Submitters suggested that ecological area, wildlife management area, or scenic reserve may be appropriate alternatives. One submitter advocated for a government purpose (climate mitigation) reserve.
- Submitters argued that the proposed classification is “out of step with taking a strategic, landscape level approach considering classifications of nearby land parcels”. They advocated for river areas to be given the same status as adjoining public conservation land, while another submitter advocated for government purpose reserve (Te Mana o te Wai) where no adjoining classifications exist (e.g. “add to Whataroa Scenic Reserve”, “added to the adjoining Saltwater Ecological Area”).

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.

Climate Change and Natural Hazards (Allowed)

- A submitter advocated for government purpose reserve (river floodplain) to provide “opportunities for ecosystem restoration in response to flood events or coastal erosion”.
- Submissions noted that the area “will be subject to flooding from climate change effects” and should be classified to promote re-vegetation and “become part of our emission reduction programme”. Local purpose reserve classifications were opposed as “they can have their status 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.

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification (e.g. “I would support Wildlife Management Area”, “I support the Whataroa et al becoming Conservation Park”).

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

Process and Consultation (Not Allowed)

- A submitter raised concern that “there is no explanation in the recommendations as what the primary purpose of the proposed reserve is to be”, noting that “that Local Purpose Reserves can have their purpose changed e.g. for drainage or flood control, which would adversely affect their freshwater values”.
- 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.
- 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)

- A submitter noted the high whitewater recreation value of the Whataroa river (e.g. “pristine and untouched sections of paddling”).
- Submissions queried whether the proposed classification allows hunting, fishing and “provision for public access”.

I recommend that these comments are not accepted. No justification is provided regarding recreation values of the specific stewardship area, and no new material is raised which supports reconsideration of the notified classification. The purpose of the notified classification provides insufficient detail to comment on whether it appropriately provides for the public recreational access described.

Ecology and Landscape (Allowed)

- A submitter 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 not accepted. 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.

Permissions, Economic Factors and Land Use (Not 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”.
- A submitter 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.

TWP_19 – McCulloughs Creek – 2809671

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
McCulloughs Creek	TWP_19_2809671v	Disposal	Neutral	5	22

DOC Conservation Values Report Description

A 0.138-ha conservation area consisting of two areas of land that are adjacent to and separated by McCullough Creek. Each area integrates with the adjacent McCullough Creek marginal strip. The area is adjacent to the boundary of the Whataroa River SMU (SMU no. 409360). The threatened long-tailed bat potentially uses the habitat, but otherwise this area is very small with limited ecological diversity or pattern. A concession easement for telecommunications is held over the area, including an easement for fibre optic cables. There is a farm track but no other facilities or recreation.

Panel Recommendations

National Panel: Disposal, as the area is of very low conservation value. 'McCulloughs Creek' contains predominantly developed pasture and farm tracks, with a small area of indigenous vegetation. The area is noted to be very small with limited ecological diversity or pattern. It appears to be used by the adjoining farm without a concession.

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 opposed the proposed disposal investigation based on the area's role in maintaining riparian access along McCulloughs Creek to Whataroa River.

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: The conservation area provides riparian access along McCulloughs Creek and could be used to access Whataroa River from SH6. The Conservation General Policy 6(d)vii states that land disposal should not be undertaken where the land in question secures practical walking access to public conservation lands and waters, rivers, lakes or the coast. Therefore, my conclusion is that retention as public conservation land is justified, and a disposal investigation is not suitable.

Disposal - TWP_19_2809671v

Support

Ecology and Landscape (Allowed)

- Submissions stated they support disposal of stewardship land where there are no conservation values or natural values remaining.
- One agreed that disposal is "ecologically appropriate" as there is low or no conservation value, but wanted to ensure that the "conservation values of other parts of the land parcel are not compromised" (i.e. adjacent vegetation and habitat, and protection of associated waterways). They suggested a site assessment should occur and that setbacks, planting or fencing should be used to ensure any associated natural values are protected.

I recommend that these comments are not accepted. Though the area is modified, its proximity to McCulloughs Creek and integration with the marginal strip means that it is likely to hold conservation values which make it unsuitable for disposal.

General (Allowed)

- Submissions stated their agreement with the recommendation without providing further justification.

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

Other (Not Allowed)

- It was noted that disposals only form 0.01% of the stewardship land in the West Coast reclassification process.
- It was suggested that where possible, “land should be exchanged for areas of nearby land that support areas of unprotected indigenous vegetation”.

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

Oppose

Access and Recreation (Allowed)

- A submitter opposed disposal on the grounds that this area “provides a marginal strip and legal public access from the Whataroa River bed to SH6” while another stated that “these two parcels are required to maintain riparian access”.
- Submissions objected to disposal on the grounds that this represents a loss of public access to rivers and other conservation land, and expressed opposition to any disposal which means a loss of recreation opportunities such as angling or hunting.
- Submissions noted that riparian access via marginal strips is not guaranteed, particularly if the river changes.
- Submissions suggested that land be retained or that appropriate mechanisms are used to ensure public access is maintained.
- Alternative suggested classifications to protect public access included recreation reserve or local purpose reserve.

I recommend that these comments are accepted. This very small conservation area is situated alongside McCulloughs Creek and is integrated with the existing marginal strip. I agree with submitters’ comments that the conservation area provides riparian access along McCulloughs Creek and could be used to access Whataroa River from SH6. The Conservation General Policy 6(d)vii states that land disposal should not be undertaken where the land in question secures practical walking access to public conservation lands and waters, rivers, lakes or the coast. Therefore, my assessment is that retention as public conservation land is justified, and a disposal investigation is not suitable.

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. Reclassification as scenic reserve or ecological reserve was suggested to support restoration and allow room for natural river processes.
- 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. Retaining the area as conservation land may facilitate restoration and provide flood/erosion buffering along the riparian margin.

Ecology and Landscape (Allowed)

- A submission in opposition to disposal noted that “This particular area is adjacent to the Whataroa River with potential for it to be additional habitat for long tailed bat”.
- Submissions expressed opposition to any disposal of stewardship land on the grounds that there are likely to be natural values remaining, that even pasture areas 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 (noting that there is potential for restoration with minimal intervention through the natural gorse to native succession process, particularly given the high rainfall on the West Coast and the proximity of nearby forests and seed sources).
- 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".
- Submissions opposed any disposal of public conservation land, stating that "widespread vegetation clearance, vulnerable ecosystems and Aotearoa's seriously declining biodiversity make retaining all conservation land essential".

I recommend that these comments are accepted. Though the area is modified, its proximity to McCulloughs Creek and integration with the marginal strip means that it is likely to hold conservation values which make it unsuitable for disposal. Retaining it as public conservation land may facilitate restoration and provide flood/erosion buffering along the riparian margin.

Treaty Considerations (Allowed)

- One submission opposed any disposal of stewardship land, except to tangata whenua, "and only then with the need to maintain the block's cultural, conservation & mahika-kai values".

I recommend that this comment is accepted to the extent that I agree that this stewardship area holds sufficient conservation values (e.g. integration with the McCulloughs Creek marginal strip) to warrant retention as public conservation land.

- Another suggested "transfer ownership to local iwi".

I recommend that these comments are not accepted. The area holds recreational (access) values which warrant retention as public conservation land. No specific Ngāi Tahu interests have been identified for further consideration.

General (Allowed)

- Submissions expressed opposition to disposal of any stewardship land in general terms, stated agreement without providing further justification, argued that public conservation land is best retained for future generations or future conservation purposes, expressed a desire for maximum environmental protection (and protection from development, mining, or other extractive activities) across all stewardship land, or supported "a cautionary approach" and preference to retain land in Crown ownership.

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 noted that "this area contains developed pasture and farm tracks and appears to be used by the adjoining farm without a concession. This particular area is adjacent to the Whataroa River with potential for it to be additional habitat for long tailed bat. It would be entirely unacceptable in such a situation that illegal use of PUBLIC CONSERVATION LAND could potentially be rewarded".
- A submitter stated, "any change should not affect existing permissions".
- 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.
- It was suggested that there should be less focus on present values and more weight given to potential conservation value (as per the Conservation General Policy 6(c) and the Conservation Act requirement to safeguard options for future generations). It was recommended that the reclassification framework should include a “future conservation use” designation to hold land for future conservation requirements.
- It was 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.
- A submitter 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”.
- It was noted that “proposed disposals do not give even a general indication where disposal boundaries might be”, making it difficult for submitters to comment.
- 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)

- It was suggested that, if disposal occurred, waterways should be protected by a setback, fencing and planting, while another suggested “fencing of grazed land and protected by covenant”. One submission recommended a land swap be offered to the land occupier, with a condition of the swap being that any of their private land alongside the river be protected by a setback.
- Submitters’ stated preference was for land swaps over disposal.

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

No Opinion/Position Stated

Climate Change and Natural Hazards (Allowed)

- One submission that selected no opinion stated that no land should be disposed of if there is potential for restoration or carbon sequestration, and that riverbeds and adjacent land should be retained for flood retention, with no grazing permitted.

I recommend that these comments are accepted. Retaining the area as conservation land may facilitate restoration and provide flood/erosion buffering along the riparian margin.

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 for further consideration. 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. No 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)

- It was noted that land is subject to Heritage New Zealand Pouhere Taonga Notification Process, and they may recommend heritage protection measures as part of this disposal process.
- 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.

TWP_20 – Purcell Road – 2805652

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Purcell Road	TWP_20_2805652w	Local Purpose (River Conservation) Reserve	Neutral	7	13

DOC Conservation Values Report Description

A 22.2105-ha area of land held along Waitangitahuna River, immediately adjacent to Westland Tai Poutini National Park and part of the Okarito North Ecological Management Unit (EMU no. 300001). The area is riverbed and alluvial with some grassland/pasture, shrubland and forest. Parts of the area appear to be grazed although no concessions are recorded.

Panel Recommendations

National Panel: Local purpose (river conservation) reserve, to reflect the identified values. Some common forest birds may utilise the vegetated portions of this conservation area and both longfin and shortfin eel are likely to be present.

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 - TWP_20_2805652w

Support

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, agreed they reflected the “information in the technical reports”, 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 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)

- A submitter advocated that “discussions should be had with grazing occupiers and permissions granted”.

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

Oppose

Ecology and Landscape (Allowed)

- Submitters suggested that the proposed classification “provides no confidence that freshwater values or river margins and corridors will be protected from inappropriate use and development”.

I recommend that these comments are accepted. I agree that the purpose of the notified classification provides insufficient detail to comment on whether it appropriately promotes the conservation of the natural resources present.

- Submissions suggested that the proposed classification does not give consideration “to the very high and nationally important natural conservation values of the rivers” (e.g. “braided river systems, an internationally endangered and naturally uncommon ecosystem”, “of national importance for biodiversity”).
- Submitters suggested that ecological area, wildlife management area, or scenic reserve may be appropriate alternatives. One submitter advocated for a government purpose (climate mitigation) reserve.
- Submitters argued that the proposed classification is “out of step with taking a strategic, landscape level approach considering classifications of nearby land parcels”. They advocated for river areas to be given the same status as adjoining public conservation land, while another submitter advocated for government purpose reserve (Te Mana o te Wai) where no adjoining classifications exist (e.g. “give these areas the same status and be vested in the same ownership as the rest of the watercourse in this section of the river”).

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.

Climate Change and Natural Hazards (Allowed)

- A submitter advocated for government purpose (river floodplain) reserve to provide “opportunities for ecosystem restoration in response to flood events or coastal erosion”.
- Submissions noted that the area “will be subject to flooding from climate change effects” and should be classified to promote re-vegetation and “become part of our emission reduction programme”. Local purpose reserve classifications were opposed as “they can have their status 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.

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification (e.g. “prefer Wildlife management 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.

Process and Consultation (Not Allowed)

- 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.
- 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. No justification is provided regarding recreation values of the specific stewardship area, and no new material is raised which supports reconsideration of the notified classification. The purpose of the notified classification provides insufficient detail to comment on whether it appropriately provides for the public recreational access described.

TWP_21 – Loan Block Road – 2809660

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Loan Block Road	TWP_21_2809660x	Local Purpose (River Conservation) Reserve	Neutral	6	14

DOC Conservation Values Report Description

A 91.4491-ha area consisting of entirely alluvial flats, including active riverbed along the upper reaches of Waitangitahuna River, adjoining Westland National Park, east of Lake Wahapo. The area contains areas of naturally rare braided riverbed ecosystem and a dynamic landform, and may support some threatened and at-risk braided river birds.

Panel Recommendations

National Panel: Local purpose (river conservation) reserve, to reflect the identified values. The area contains a dynamic landform with a range of successional stages, supporting a diversity of braided river avifauna. Parts of the area appear to be grazed although no concessions are recorded.

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 - TWP_21_2809660x

Support

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, agreed they reflected the “information in the technical reports”, 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 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)

- Submitters suggested that the proposed classification “provides no confidence that freshwater values or river margins and corridors will be protected from inappropriate use and development”.

I recommend that these comments are accepted. I agree that the purpose of the notified classification provides insufficient detail to comment on whether it appropriately promotes the conservation of the natural resources present.

- Submissions suggested that the proposed classification does not give consideration “to the very high and nationally important natural conservation values of the rivers” (e.g. “braided river systems, an internationally endangered and naturally uncommon ecosystem”, “of national importance for biodiversity”).
- Submitters suggested that ecological area, wildlife management area, or scenic reserve may be appropriate alternatives. One submitter advocated for a government purpose (climate mitigation) reserve.
- Submitters argued that the proposed classification is “out of step with taking a strategic, landscape level approach considering classifications of nearby land parcels”. They advocated for river areas to be given the same status as adjoining public conservation land, while another submitter advocated for government purpose reserve (Te Mana o te Wai) where no adjoining classifications exist (e.g. classify as NP as “land parcel has ecological values that appear similar to those on other nearby land with a higher protected status”).

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.

Climate Change and Natural Hazards (Allowed)

- Submissions noted that the area “will be subject to flooding from climate change effects” and should be classified to promote re-vegetation and “become part of our emission reduction programme”. Local purpose reserve classifications were opposed as “they can have their status 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.

Process and Consultation (Not Allowed)

- 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.
- 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. No justification is provided regarding recreation values of the specific stewardship area, and no new material is raised which supports reconsideration of the notified classification. The purpose of the notified classification provides insufficient detail to comment on whether it appropriately provides for the public recreational access described.

TWP_22 – Waitangitāhuna River – 2809663

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Waitangitāhuna River (Riverbed)	TWP_22_2809663i	Local Purpose (River Conservation) Reserve	Neutral	10	13
Waitangitāhuna River (Pasture)	TWP_22_2809663j	Disposal	Disposal	7	25

DOC Conservation Values Report Description

A 123.3091-ha area of naturally rare braided riverbed ecosystem including grazed or cultivated paddocks along Waitangitāhuna River, which adjoins the Waitangi Conservation Area to the southwest, and is part of Te Wāhipounamu. Threatened long-tailed bats have been recorded throughout this conservation area (in 2021) and it may support some threatened and at-risk braided river birds. A farm road passes through the area and a grazing concession for beef cattle is held over approximately 72-ha of the valley. The area is possibly used by hunters.

Waitangitāhuna 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.

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 geothermal energy)”.

My assessment is that the purpose of the notified classification provides insufficient detail to comment on whether it appropriately protects the natural resources alongside the identified Treaty interest, or if another classification may be more appropriate. I note that any further work to determine an appropriate classification for this area will be undertaken in a manner consistent with Treaty principles.

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 - TWP_22_2809663i

Support

Ecology and Landscape (Allowed)

- A submitter noted that “at risk braided river birds and bats present” suggesting an ecological area as appropriate.

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 expressed general support for the proposed classification without providing further justification, agreed they reflected the "information in the technical reports", 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 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)

- A submitter advocated that "discussions should be had with grazing occupiers regarding purchase".

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

Oppose

Ecology and Landscape (Allowed)

- Submitters suggested that the proposed classification "provides no confidence that freshwater values or river margins and corridors will be protected from inappropriate use and development".

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 advocated for national park/scenic reserve due to proximity to Waitangi Forest and the presence of long tailed bats.
- Submissions suggested that the proposed classification does not give consideration "to the very high and nationally important natural conservation values of the rivers" (e.g. "braided river systems, an internationally endangered and naturally uncommon ecosystem", "of national importance for biodiversity").
- Submitters suggested that ecological area, wildlife management area, or scenic reserve may be appropriate alternatives. A submitter advocated for a government purpose (climate mitigation) reserve.
- Submitters argued that the proposed classification is "out of step with taking a strategic, landscape level approach considering classifications of nearby land parcels". They advocated for river areas to be given the same status as adjoining public conservation land, while another submitter advocated for government purpose reserve (Te Mana o te Wai) where no adjoining classifications exist.

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.

Climate Change and Natural Hazards (Allowed)

- A submitter advocated for government purpose reserve (river floodplain) to provide "opportunities for ecosystem restoration in response to flood events or coastal erosion".
- Submissions noted that the area "will be subject to flooding from climate change effects" and should be classified to promote re-vegetation and "become part of our emission reduction programme". Local purpose reserve classifications were opposed as "they can have their status 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.

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification (e.g. "I would support Wildlife Management 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.

Process and Consultation (Not Allowed)

- 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.
- 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. No justification is provided regarding recreation values of the specific stewardship area, and no new material is raised which supports reconsideration of the notified classification. The purpose of the notified classification provides insufficient detail to comment on whether it appropriately provides for the public recreational access described.

Waitangitāhuna River (Pasture)

Panel Recommendations

National Panel: Disposal of stable areas of developed pasture within this conservation area. These parts of the area have been developed into farmland and are actively grazed with a concession.

Mana Whenua Panel: The Mana Whenua Panel considers that the pastoral components of this conservation area are highly modified and should not form part of public conservation land. Therefore, the pastoral components of this assessment area should be disposed of.

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 have supported the proposed disposal investigation, supported by submissions from Treaty partners, on the grounds that the pastoral components are highly modified.

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 geothermal energy)".

Given the Mana Whenua Panel have supported the proposed disposal investigation, I consider this is not inconsistent with the identified interests.

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

Disposal - TWP_22_2809663j

Support

Ecology and Landscape (Allowed)

- Submissions stated they support disposal of stewardship land where there are no conservation values or natural values remaining.

I recommend that these comments are accepted. The modified nature of the pastoral components of this stewardship area (e.g. much of it is farmland and has limited diversity and patterning) justify referring this area to the Department to investigate the suitability of disposal. I note that any parts of the area identified to have substantive natural values are unlikely to pass the Conservation General Policy and legislative disposal tests.

Treaty Considerations (Allowed)

- Submissions supported the recommendations of the Mana Whenua Panel on the basis that they 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 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. much of it is farmland and has limited diversity and patterning) justify referring this area to the Department to investigate the suitability of disposal.

General (Allowed)

- Submissions stated their agreement with the recommendation 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)

- It was noted that a grazing concession is held for grazing beef cattle over approximately 72-ha of the Waitangitāhuna river valley.

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

Process and Consultation (Not Allowed)

- A submitter suggested that “discussions should be held with grazing occupiers regarding purchase”.

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

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 to rivers and other conservation land, and expressed opposition to any disposal which means a loss of recreation opportunities such as angling or hunting.
- Submissions noted that riparian access via marginal strips is not guaranteed, particularly if the river changes.
- Submissions suggested that land be retained or that appropriate mechanisms are used to ensure public access is maintained.
- Alternative suggested classifications to protect public access included recreation reserve or local purpose reserve, or wildlife management area.

I recommend that these comments are not accepted. Any potential disposal arising from the Departmental investigation will trigger the formation of marginal strips which will secure ongoing public access along the riparian corridor.

Climate Change and Natural Hazards (Allowed)

- Submissions opposed disposal on the grounds that all public conservation land, even if modified/pasture, offers potential for climate change mitigation (i.e. opportunities for restoration and carbon sequestration, as well as for flood/erosion buffering, or allowing room for natural river processes).
- Submissions emphasised the importance of retaining land that protects other areas from flooding, slips, erosions, and damage from sea surges and rising sea levels. Reclassification as scenic reserve or ecological reserve was suggested to support restoration and allow room for natural river processes. Government purpose reserve (river floodplain) was also suggested as an alternative classification.
- Submissions argued that disposing of public conservation land compromises future sustainability and climate mitigation options, noting that climate change is heightening pressure on ecosystems.
- It was noted that disposal “will not assist with a reduction in emissions from agriculture”.

I recommend that these comments are not accepted. The modified nature of the pastoral components of this stewardship area (e.g. much of it is farmland and has limited diversity and patterning) and its landscape context (largely bordered by private land and road, excepting a short boundary with public conservation land) limit the appropriateness of retaining it for ecosystem restoration and carbon sequestration. I note that any potential disposal arising from the Departmental investigation will trigger the formation of marginal strips for qualifying waterbodies, which will be retained and protected as public conservation land.

Ecology and Landscape (Allowed)

- Submissions advocated for higher protection, recommending reclassification as a scenic reserve or national park based on the area's location bordering a scenic reserve and Waitangi Forest (suggesting that Waitangi Forest should also be reclassified as a national park). It was also noted that the area includes active riverbed, and that the "Technical Report records long tailed bats were recently found in the area".
- Submissions advocating for national park classification suggested that the area "is an important linkage and needs to be retained. The pasture area can be a source of regenerating forest, once the stock are removed, and provides an important buffering area for the park".
- A submission raised concern about grazing "in an area so close to the SW World Heritage Area" suggesting that, "if so, strong protection should be in place to exclude animals from areas that the braided river birds use as nesting sites".
- Submissions expressed opposition to any disposal of stewardship land on the grounds that there are likely to be natural values remaining, that even pasture areas 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 (noting that there is potential for restoration with minimal intervention through the natural gorse to native succession process, particularly given the high rainfall on the West Coast and the proximity of nearby forests and seed sources).
- 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". Braided rivers were emphasised as being nationally important for biodiversity.
- It was recommended that all disposals of land bordering rivers be reviewed, and that where threatened wildlife are present the area should be reclassified as a wildlife management area, or if there is an adjoining scenic reserve or ecological area the land should be given the same classification.

I recommend that these comments are not accepted. The modified nature of the pastoral components of this stewardship area (e.g. much of it is farmland and has limited diversity and patterning) justify referring this area to the Department to investigate the suitability of disposal. Though the pastoral area recommended for disposal does share a boundary with the Rohutu Scenic Reserve and Waitangi Forest Conservation Area, this boundary is short, and the pastoral area is predominantly bordered by private land and legal road, limiting the effectiveness of restoration. I note that any potential disposal arising from the Departmental investigation will trigger the formation of marginal strips for qualifying waterbodies, which will be retained and protected as public conservation land.

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 rights of first refusal process as set out in the Ngāi Tahu Claims Settlement Act 1998. I note that any parts of the area identified to have substantive "conservation & mahika-kai values" are unlikely to pass the Conservation General Policy and legislative disposal tests.

General (Allowed)

- Submissions expressed opposition to disposal of any stewardship land in general terms, argued that public conservation land is best retained for future generations or future conservation purposes, expressed a desire for maximum environmental protection (and protection from development, mining, or other extractive activities) across all stewardship land, or supported "a cautionary approach" and preference to retain land in Crown ownership.

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 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.
- A submitter wanted to ensure that any potential right of first refusal or conflicts of interest was carefully managed.
- It was suggested that there should be less focus on present values and more weight given to potential conservation value (as per the Conservation General Policy 6(c) and the Conservation Act requirement to safeguard options for future generations). It was recommended that the reclassification framework should include a “future conservation use” designation to hold land for future conservation requirements.
- It was 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.
- A submitter stated, “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”.
- It was noted that “proposed disposals do not give even a general indication where disposal boundaries might be”, making it difficult for submitters to comment.
- 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)

- It was suggested that a land swap would be preferable to disposal.

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

No Opinion/Position Stated

Climate Change and Natural Hazards (Allowed)

- One submission that selected no opinion stated that no land should be disposed of if there is potential for restoration or carbon sequestration, 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 modified nature of the pastoral components of this stewardship area (e.g. much of it is farmland and has limited diversity and patterning) limit the appropriateness of retaining it for ecosystem restoration and carbon sequestration. I note that any potential disposal arising from the Departmental investigation will trigger the formation of marginal strips for qualifying waterbodies, which will be retained and protected as public conservation land.

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 for further consideration. 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. No 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)

- It was noted that land is subject to Heritage New Zealand Pouhere Taonga Notification Process, and they may recommend heritage protection measures as part of this disposal process.
- 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.

TWP_24 – Ōkārito – 2805258

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Ōkārito	TWP_24_2805258y	Kōhuamaru Historic Reserve	Kōhuamaru Historic Reserve	20	23

DOC Conservation Values Report Description

A 10.8368-ha area to the southwest of Ōkārito township with some parts adjoining the Westland Tai Poutini National Park. The area retains high native vegetation, cover including estuary, wetland, shrubland and forest. A historic Pā site and a nohoanga site are in the vicinity. DOC manages three popular tracks here which have heritage value as safe passage up and down the rugged coast of South Westland. The hill slope forest in adjoining Tai Poutini National Park hosts the threatened rowi (Ōkārito brown kiwi), and these conservation areas may host the threatened Ōkārito/broad-cheeked gecko. Some parts of the conservation area include portions of houses.

Panel Recommendations

National Panel: Historic reserve, to protect and illustrate the significance of the identified historic and archaeological features, while preserving the indigenous flora and fauna present and providing for the existing recreational use of the area.

Mana Whenua Panel: The proposed reserve classification for this conservation area is required to give effect to the principles of the Treaty of Waitangi (as required by Section 4 of the Act). It will enable Ngāi Tahu whānui to reconnect with their ancestral lands and provide for the mana and rangatiratanga of Ngāi Tahu as well as reserve purposes.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of Historic Reserve.

Summary of accepted submissions: Those submissions ‘accepted’ as holding merit supported the notified classification while noting the area to be of historic and archaeological value, and to contain comparable natural resources to the adjoining national park. Also accepted were comments noting that this area is of historic significance to mana whenua, and that the proposed reserve 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 signalled Ngāi Tahu interests associated with this stewardship area, particularly that “this area has immense cultural significance for Ngāi Tahu”, “Ōkārito was one of the largest mana whenua kāika/settlements in South Westland”, “the lagoon, coastal and lowland region were a rich mahinga kai source”, “Ōkārito was also the site of a well-renowned traditional centre of learning”, “Ōkārito is well known as the only kōtuku (white heron) breeding colony in the country, and Poutini Ngāi Tahu are the kaitiaki. Kōtuku are a taonga species for Ngāi Tahu”, “Ngāi Tahu maintains a connection with Ōkārito with a nohoanga and a mātaimai covering the entire lagoon”.

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 identified Ngāi Tahu interests alongside the natural and historic resources present. Given the Mana Whenua Panel have supported the notified classification, I consider the classification is not inconsistent with the identified 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 place, natural features, and historic resources, as described by the Mana Whenua Panel. My conclusion is that on balance the natural and historic resources present are appropriately protected, and public recreational access adequately provided for under the proposed classification when considering the identified Ngāi Tahu interests

Historic Reserve - TWP_24_2805258y

Support

Ecology and Landscape (Allowed)

- A submitter in support of the proposed classification noted the area to “contain high ecological values very similar to the existing National Park”.
- A submitter supported the proposed classification “only if historic reserve status provides for strong legal protection for conservation values and for the recreational values of the area”.

I recommend that these comments are accepted. I agree that the area contains comparable natural resources to the adjoining national park, and that these are appropriately protected under the proposed classification when also considering the historic resources present (e.g. Three Mile Pack Track) and the cultural significance of the area to Ngāi Tahu. Under a historic reserve the natural resources present “shall be managed and protected to the extent compatible with the principal or primary purpose of the reserve” (s. 18(2)(c) Reserves Act 1977).

Historic and Cultural Values (Allowed)

- Submitters noted that the area is of “historic and archaeological value, and is of high historical significance to mana whenua” (e.g. “immense significance as a Kika, pā, burial grounds, battle sites, place of mahinga kai, & a centre of learning”).

I recommend that these comments are accepted. I agree that the proposed reserve recognises the cultural significance of the area while reflecting the historic resources and archaeological features present. The CVR records the presence of an archaeological site and an actively conserved heritage place (e.g. Three Mile Pack Track), while noting that other archaeological remains may also be present.

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”).
- The classification was supported as recognising the “immense significance of entire Ōkārito area - kāika, pā, burial grounds, battle sites, mahinga kai, centre of learning.”

I recommend that these comments should be accepted. I agree that, while recognising the significance of the area to Ngāi Tahu, the natural and historic resources present (e.g. Three Mile Pack Track) are appropriately protected under the proposed classification

- 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”. 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 to the extent that I agree the proposed classification will promote the conservation of the historic resources present. Although I agree that the proposed historic reserve recognises Ngāi Tahu’s interests, the purpose of the proposed reserve is set and established as per s.18(1) Reserves Act 1977. Potential changes to management or legislative frameworks are not the subject of the public notice.

General (Allowed)

- Submissions expressed support for the proposed classification, or with the recommendations of the Mana Whenua Panel, without providing further justification.
- A submitter expressed support for a historic reserve “if National Park status is deemed unsuitable for this 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)

- The proposed classification was suggested to “reflect the use of the land and adequately protect against degradation of the land”.

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

Process and Consultation (Not Allowed)

- A submitter noted that it is entirely appropriate that cultural values are considered, while noting that natural values “have not been given sufficient (or perhaps any) weight”.
- A submitter requested “greater clarification on how natural values will be protected”.

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

Other (Not Allowed)

- A submitter recommended “further archaeological assessment and field survey to update archaeological records”.
- It was advocated that the “reserve purposes must also provide a role for Ngāi Tahu in management and decision-making, and the option of vesting”.

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

Oppose

Access and Recreation (Allowed)

- Submissions raised concern that the proposed classification “appears to provide relatively weak protection to both conservation and public access”.

I recommend that these comments are not accepted. My assessment is that the public recreational access to the area is appropriately provided for under the proposed classification when also considering the historic resources present (e.g. Three Mile Pack Track) and the cultural significance of the area to Ngāi Tahu. Under a historic reserve “the public shall have freedom of entry and access to the reserve, subject to (...) conditions and restrictions as the administering body considers to be necessary for the protection and general well-being of the reserve and for the protection and control of the public using it” (s. 18(2)(b) Reserves Act 1977).

Climate Change and Natural Hazards (Allowed)

- A submitter noted the area to contain “significant and strategic sites that are also at risk from sea level rise”, advocating for a national park classification to buffer the adjacent wetland.

I recommend that these comments are not accepted. My assessment is that the natural resources present are appropriately protected under the proposed classification, when also considering the historic resources present (e.g. Three Mile Pack Track) and the cultural significance of the area to Ngāi Tahu. Under a historic reserve the natural resources present “shall be managed and protected to the extent compatible with the principal or primary purpose of the reserve” (s. 18(2)(c) Reserves Act 1977).

Ecology and Landscape (Allowed)

- Submitters advocated for a national park classification due to the area's proximity to, and shared values with, an existing national park (e.g. "ecologically integrated and visually indistinguishable from surrounding National Park land", "surrounded by national park and stunning coastal and lagoon landscapes").
- The area was noted to include "at risk and/or threatened species; scenery and/or ecosystems, the preservation of which is in the national interest" advocating for a national park (e.g. "high natural values and outstanding ecological systems", "adjacent beach area is a nesting site for banded dotterels").
- A submitter raised concern that under a historic reserve classification "the ecological and biodiversity values" are not "adequately recognised, protected and managed".

I recommend that these comments are not accepted. My assessment is that the natural resources present are appropriately protected under the proposed classification, when also considering the historic resources present (e.g. Three Mile Pack Track) and the cultural significance of the area to Ngāi Tahu. Under a historic reserve the natural resources present "shall be managed and protected to the extent compatible with the principal or primary purpose of the reserve" (s. 18(2)(c) Reserves Act 1977).

Historic and Cultural Values (Allowed)

- A submitter, who advocated for classification as a national park, noted that the "Three Mile Pack Track is an actively conserved heritage place and a recorded archeological site".
- A submitter noted the archeological sites "present only at small discrete parts of the land parcel" (e.g. "it appears that the main historic and archaeological sites mentioned in the Technical Report are not within this area").

I recommend that these comments are not accepted. My assessment is that the proposed reserve appropriately reflects the historic resources and archaeological features present while recognising the cultural significance of the area to Ngāi Tahu. The CVR records the presence of an archeological site and an actively conserved heritage place (e.g. Three Mile Pack Track), while noting that other archaeological remains may also be present.

Treaty Considerations (Allowed)

- Submitters suggested that a historic reserve does "not adequately encompass both nature protection and mana whenua aspirations". It was advocated that a national park classification can achieve "proper recognition of Ngāi Tahus presence past and present" alongside "appropriate protection for natural and recreational values" (e.g. "satisfies both of these criteria, granting them both the highest protection, and allows mana whenua to be involved in the management of them").
- Submitters noted that they "acknowledge and appreciate the significance of the area to Ngāi Tahu" while suggesting that "National Park status would protect all values, giving cultural and intrinsic values equal priority".

I recommend they are not accepted. The Mana Whenua Panel have noted the Ōkārito area to be of cultural significance of to Ngāi Tahu, evidenced by a historic Pā site, and contemporary nohoanga and mataitai reserve in the vicinity, while also reflected in a Statutory Acknowledgement under the Ngāi Tahu Claims Settlement Act 1998. My assessment is that the natural resources present are appropriately protected, and public recreational access is appropriately provided for, under the proposed classification when also considering the historic resources present (e.g. Three Mile Pack Track) and the cultural significance of the area to Ngāi Tahu.

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".
- A submitter noted that it is "entirely appropriate" that cultural values are considered.
- Submissions stated general support for the proposed 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)

- Submissions raised concern that a historic reserve classification “allows for economic activities such as hydro and mining and are not appropriate for the management and protection of ecological and recreation values” (e.g. “to extractive, invasive and intrusive industries such as mining, grazing, exotic forestry and hydro-generation”).
- Submissions specified their preference for land to either be retained in stewardship or be reclassified as a conservation park, stating that this gives the land “more than adequate legal protection”.

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

Process and Consultation (Not Allowed)

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

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

Other (Not Allowed)

- Submitters noted that “locals wanted these areas to be National Park”, citing a 2022 Hokitika Guardian article.
- 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)

- A submitter noted the presence of the “Okarito Walking Track/Three Mile Pack Track” requesting that “free and enduring public access is retained”.
- Submissions queried whether the proposed classification allows hunting, fishing and “provision for public access”.

I recommend they are not accepted. My assessment is that public recreational access to the area is appropriately provided for under the proposed classification when also considering the historic resources present (e.g. Three Mile Pack Track) and the cultural significance of the area to Ngāi Tahu. Under a historic reserve “the public shall have freedom of entry and access to the reserve, subject to (...) conditions and restrictions as the administering body considers to be necessary for the protection and general well-being of the reserve and for the protection and control of the public using it” (s. 18(2)(b) Reserves Act 1977).

General (Allowed)

- Submissions expressed general support for all additions to national parks and for maximum protection across all stewardship land.

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 noted that the proposed classification “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.

TWP_24 – Ōkārito Township – 2805297

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Ōkārito Township	TWP_24_2805297a	Scenic Reserve (a)	Neutral	9	13

DOC Conservation Values Report Description

A 10.6194-ha area made up of vacant sections in Ōkārito township with some parts adjoining the Westland Tai Poutini National Park. Some parts of the conservation area include parts of a carpark. The area retains high native vegetation cover, including estuary, wetland, shrubland and forest. The Ōkārito Community Association has been keen to have areas of wetland added to national park. The area acts as a buffer between the village and the lagoon, including when high water levels occur. A historic Pā site and a nohoanga site are in the vicinity. DOC manages three popular tracks here which have heritage value as safe passage up and down the rugged coast of South Westland. Ōkārito Wetland Walk passes through two of the areas and provides access to the Ōkārito Trig Walk and Three Mile Pack Track in the adjoining Westland Tai Poutini National Park. The area is on the edge of Ōkārito Kiwi Sanctuary, and there have been kiwi in here, especially at the southern end. The hill slope forest in adjoining Tai Poutini National Park hosts the threatened rowi (Ōkārito brown kiwi), and these conservation areas may host the threatened Ōkārito/broad-cheeked gecko. Two concession easements are in place for the town water supply and infrastructure.

Panel Recommendations

National Panel: Scenic reserve, to preserve the identified ecological values and protect any identified historic or archaeological features, while providing for the existing recreational use of the area. The area is noted to provide a diverse habitat composition and structure, supporting a wide range of common indigenous fauna in addition to several threatened and at-risk species.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of scenic reserve.

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

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

The Mana Whenua Panel have signalled specific Ngāi Tahu interests associated with this stewardship area, particularly that “this area has immense cultural significance for Ngāi Tahu”, “Ōkārito was one of the largest mana whenua kāika/settlements in South Westland”, “the lagoon, coastal and lowland region were a rich mahinga kai source”, “Ōkārito was also the site of a well-renowned traditional centre of learning”, “Ōkārito is well known as the only kōtuku (white heron) breeding colony in the country, and Poutini Ngāi Tahu are the kaitiaki. Kōtuku are a taonga species for Ngāi Tahu”, “Ngāi Tahu maintains a connection with Ōkārito with a nohoanga and a mātaimai covering the entire lagoon”.

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, while recognising the significance of the area to Ngāi Tahu, the natural and historic resources present are appropriately protected under the proposed classification.

Scenic Reserve (a) - TWP_24_2805297a

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 noted the area has "high ecological values very similar to the existing National Parks".

I recommend that these comments are not accepted. My view is that the natural resources identified in the CVR are appropriately protected and preserved by the proposed classification (e.g. retains high native vegetation cover; includes parts of carpark and portions of houses), and the material raised is of insufficient merit to warrant reconsideration of the notified intention.

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

Ecology and Landscape (Allowed)

- Several submitters advocated for classification as national park, noting "scenery and/or ecosystems, the preservation of which is in the national interest", "naturally uncommon ecosystems", "at risk and/or threatened species", and that the area "has ecological values that appear similar to those on other nearby land with a higher protected status" (e.g. "Surrounded by national park and stunning coastal and lagoon landscapes", "buffer the wetland and should be added to the National Park").
- A submitter advocated for the area "to be designated as part of the adjoining Westland Tai Poutini National Park". If a national park status is "deemed unsuitable" classification as "Ecological Area or Wildlife Management Area, or with an overlay of Wildlife Refuge" was requested, "given the very high biodiversity values present in this area and frequent presence of threatened and at-risk species such as Inanga, Rowi, Mokopirirakau, Matata, Kotuku and Matuku".
- A submitter advocated for addition "to the Wildlife Management Area 2,805,261" for consistency with adjoining classifications.

I recommend that these comments are not accepted. My view is that the natural resources identified in the CVR are appropriately protected and preserved by the proposed classification (e.g. retains high native vegetation cover; includes parts of carpark and portions of houses), and the material raised is of insufficient merit to warrant reconsideration of the notified intention.

Treaty Considerations (Allowed)

- Submitters expressed support for “an extension of the Mātaitai into this wetland area, if mana whenua felt this was an appropriate approach to protecting the natural values of the land”.
- Submitters noted the area to have “high ecological and historic values” advocating for a national park classification as “granting them both the highest protection, and allows mana whenua to be involved in the management of them”.

I recommend that these comments are not accepted. My view is that the natural resources identified in the CVR are appropriately protected and preserved by the proposed classification (e.g. retains high native vegetation cover; includes parts of carpark and portions of houses), and the material raised is of insufficient merit to warrant reconsideration of the notified intention. A Mātaitai reserve is not a land classification available under conservation legislation.

General (Allowed)

- A submitter advocated generally for a national park 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)

- 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 such as mining to be considered on a case-by-case basis.
- A submission noted that any change in classification “should not affect the existing permissions” noting concessions for “two concession easements held for structures”.

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)

- Submitters noted that “locals wanted these areas to be National Park”, citing a 2022 Hokitika Guardian article.
- 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)

- A submitter noted that “sections that are adjacent to the Park boundary could be considered for National Park additions”.

I recommend that these comments are not accepted. My view is that the natural resources identified in the CVR are appropriately protected and preserved by the proposed classification (e.g. retains high native vegetation cover; includes parts of carpark and portions of houses), and the material raised is of insufficient merit to warrant reconsideration of the notified intention.

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 for further consideration. 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. No 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.

TWP_25 – Docherty Creek – 2805277

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Docherty Creek	TWP_25_2805277b	Conservation Park (Waiau)	Neutral	11	18

DOC Conservation Values Report Description

An 87.8751-ha of riverbed and associated marginal strips along a tributary of the Waiho River, nearby to Westland Tai Poutini National Park within Waiho River Ecological Management Unit (EMU No. 300012). The area is part of Te Wahi pounamu. The endemic Waiho moth and pimelea bug (*Pimeleocoris roseus*) (both Nationally Critical) depend on the native daphne Pimelea. There is also an important population of native broom. Concessions are in place including for gravel extraction, beef, dairy, and horse grazing, and wild animal control for some of the conservation areas included in TWP_25. There is some recreational use from rafting, quad bike tours, horse riding, hunting and whitebaiting.

Panel Recommendations

National Panel: Conservation park, 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 the natural resources present (e.g. of varied naturalness; a mixture of active riverbed, shrubland, forest and grazed 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 - TWP_25_2805277b

Support

Ecology and Landscape (Allowed)

- A submitter who supported the proposed classification noted the area to "contain high ecological values very similar to the existing National Parks".

I recommend that these comments are accepted to the extent that I agree that the natural resources present (e.g. of varied naturalness; a mixture of active riverbed, shrubland, forest and grazed 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 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 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".
- 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)

- A submitter who advocated for national park suggested that "horse riding and quad bikes are damaging activities in this sensitive environment, and should not be used to justify classifying the area as Conservation Park".

I recommend that these comments are not accepted. The concerns raised are addressed 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)).

Climate Change and Natural Hazards (Allowed)

- A submitter suggested that the "possible role of positive management to reduce emissions, mitigate emissions, adapt to climate change and sequester carbon" has not been adequately considered, advocating for national park classification.

I recommend that these comments are not accepted. The points raised do not justify overturning the notified intention. The current review has already included climate change considerations, as per paragraph 16(g) of the National Panels' Terms of Reference, "the panels are required to actively consider the Climate Change Commission report when making recommendations on the future land status of stewardship land". My assessment is that the natural resources present (e.g. of varied naturalness; a mixture of active riverbed, shrubland, forest and grazed 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)).

Ecology and Landscape (Allowed)

- Submissions advocated for classification as wildlife management area to protect the "naturally rare braided river ecosystem" noting that the area is within the "Te Wahi Pounamu World Heritage Area" (e.g. "dynamic landform

with a range of successional stages land environment units”, supporting “7 species which are Nationally Vulnerable, At Risk, or At Risk; Declining”).

- A submitter suggested that a national park classification would align with “Westland Tai Poutini NPMPs identification of the kahikatea forest adjoining the Waiho River flats as areas of high conservation value” and realise the intent of Section 6(j) of the General Policy for National Parks.
- A submitter advocated for government purpose reserve floodplain due to the presence of naturally uncommon ecosystems and the area provides “opportunities for ecosystem restoration in response to flood events or coastal erosion”.
- Submitters noted the high ecological value of the area, including “remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened” and that it warrants a higher level of protection than that proposed.
- Submitters expressed concern around conservation park recommendations for areas bordering national parks, noting 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” (e.g. “National Park would provide for mountains to sea integrity and protection”). The area was described as including “highly threatened species making this a nationally significant ecosystem”.

I recommend that these comments are not accepted. My assessment is that the natural resources present (e.g. of varied naturalness; a mixture of active riverbed, shrubland, forest and grazed pasture) 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)).

- 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 they 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.

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 opposition to grazing and quad bike use of the area, noting it to be “damaging to the natural values and water quality” and “disruptive to other users” advocating for national park classification.
- A submitter advocated that any change of status should “not affect the existing permissions” referencing “gravel extraction, animal control and grazing”.
- 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”.

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. 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 for further consideration. 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. No 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.

TWP_25 – Upper Docherty Creek – 2805278

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Upper Docherty Creek	TWP_25_2805278c	Conservation Park (Waiau)	Neutral	11	19

DOC Conservation Values Report Description

A 72.6313-ha area of riverbed and associated marginal strips along a tributary of the Waiho River, partially adjacent to Westland Tai Poutini National Park at its northern end. It is within Waiho River Ecological Management Unit (EMU No. 300012). The area is part of Te Wahipounamu South West New Zealand World Heritage Area. The endemic Waiho moth and pimelea bug (*Pimeleocoris roseus*) (both Nationally Critical) depend on the native daphne Pimelea. There is also an important population of native broom. Concessions are in place including for gravel extraction, beef, dairy and horse grazing, and wild animal control for some of the conservation areas included in TWP_25. There is some recreational use from rafting, quad bike tours, horse riding, hunting and whitebaiting.

Panel Recommendations

National Panel: Conservation park, 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 the natural resources present (e.g. of varied naturalness; a mixture of active riverbed, shrubland, forest and grazed 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 - TWP_25_2805278c

Support

Ecology and Landscape (Allowed)

- A submitter who supported the proposed classification noted the area to "contain high ecological values very similar to the existing National Parks".

I recommend that these comments are accepted to the extent that I agree that the natural resources present (e.g. of varied naturalness; a mixture of active riverbed, shrubland, forest and grazed 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 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 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 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".

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 who advocated for national park suggested that "horse riding and quad bikes are damaging activities in this sensitive environment, and should not be used to justify classifying the area as Conservation Park".

I recommend that these comments are not accepted. The concerns raised are addressed 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)).

Climate Change and Natural Hazards (Allowed)

- A submitter suggested that the "possible role of positive management to reduce emissions, mitigate emissions, adapt to climate change and sequester carbon" has not been adequately considered, advocating for national park classification.

I recommend that these comments are not accepted. The points raised do not justify overturning the notified intention. The current review has already included climate change considerations, as per paragraph 16(g) of the National Panels' Terms of Reference, "the panels are required to actively consider the Climate Change Commission report when making recommendations on the future land status of stewardship land". My assessment is that the natural resources present (e.g. of varied naturalness; a mixture of active riverbed, shrubland, forest and grazed 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)).

Ecology and Landscape (Allowed)

- Submissions advocated for classification as wildlife management area to protect the "naturally rare braided river ecosystem" noting that the area is within the "Te Wahi Pounamu World Heritage Area" (e.g. "dynamic landform

with a range of successional stages land environment units”, supporting “7 species which are Nationally Vulnerable, At Risk, or At Risk; Declining”).

- A submitter suggested that a national park classification would align with “Westland Tai Poutini NPMPs identification of the kahikatea forest adjoining the Waiho River flats as areas of high conservation value” and realise the intent of Section 6(j) of the General Policy for National Parks.
- A submitter advocated for government purpose reserve (floodplain) due to the presence of naturally uncommon ecosystems and the area provides “good opportunities for restoration of depleted indigenous ecosystems”.
- Submitters noted the high ecological value of the area, including “remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened” and that it warrants a higher level of protection than that proposed.
- Submitters expressed concern around conservation park recommendations for areas bordering national parks, noting 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” (e.g. “National Park would provide for mountains to sea integrity and protection”). The area was described as including “highly threatened species making this a nationally significant ecosystem”.

I recommend that these comments are not accepted. My assessment is that the natural resources present (e.g. of varied naturalness; a mixture of active riverbed, shrubland, forest and grazed pasture) 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)).

- 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 they 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.

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 opposition to grazing and quad bike use of the area, noting it to be “damaging to the natural values and water quality” and “disruptive to other users” advocating for national park classification.
- A submitter advocated that any change of status should “not affect the existing permissions” referencing “gravel extraction, animal control and grazing”.
- 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”.

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. 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 for further consideration. 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. No 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.

TWP_25 – Waiho River – 2805279

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Waiho River	TWP_25_2805279d	Conservation Park (Waiau)	Neutral	10	16

DOC Conservation Values Report Description

A 1.1263-ha area of riverbed and associated marginal strips along a tributary of the Waiho River, adjacent to Conservation Area Waiho River (Nap_ID, 2805304). It is within Waiho River Ecological Management Unit (EMU No. 300012). The area is part of Te Wahipounamu. The endemic Waiho moth and pimelea bug (*Pimeleocoris roseus*) (both Nationally Critical) depend on the native daphne Pimelea. There is also an important population of native broom. Concessions are in place including for gravel extraction, beef, dairy, and horse grazing, and wild animal control for some of the conservation areas included in TWP_25. There is some recreational use from rafting, quad bike tours, horse riding, hunting and whitebaiting.

Panel Recommendations

National Panel: Conservation park, 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 the natural resources present (e.g. of varied naturalness; a mixture of active riverbed, shrubland, forest and grazed 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 - TWP_25_2805279d

Support

Ecology and Landscape (Allowed)

- A submitter who supported the proposed classification noted the area to "contain high ecological values very similar to the existing National Parks".

I recommend that these comments are accepted to the extent that I agree that the natural resources present (e.g. of varied naturalness; a mixture of active riverbed, shrubland, forest and grazed 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 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 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 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”.

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 advocated for classification as wildlife management area to protect the “naturally rare braided river ecosystem” noting that the area is within the “Te Wahi Pounamu World Heritage Area” (e.g. “dynamic landform with a range of successional stages and environment units”, supporting “7 species which are Nationally Vulnerable, At Risk, or At Risk; Declining”).
- A submitter suggested that a national park classification would align with “Westland Tai Poutini NPMPs identification of the kahikatea forest adjoining the Waiho River flats as areas of high conservation value” and realise the intent of Section 6(j) of the General Policy for National Parks.
- A submitter advocated for government purpose reserve floodplain due to the presence of naturally uncommon ecosystems and the area provides “opportunities for ecosystem restoration in response to flood events or coastal erosion”.
- Submitters noted the high ecological value of the area, including “remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened” and that it warrants a higher level of protection than that proposed.
- Submitters expressed concern around conservation park recommendations for areas bordering national parks, noting 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” (e.g. “National Park would provide for mountains to sea integrity and protection”).

I recommend that these comments are not accepted. My assessment is that the natural resources present (e.g. of varied naturalness; a mixture of active riverbed, shrubland, forest and grazed pasture) 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)).

- 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 they 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.

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 advocated that any change of status should “not affect the existing permissions” referencing “gravel extraction, animal control and grazing” (e.g. “concerned that the changes in land status will change the ability for the Department to grant access over land with each of those new classifications, for uses other than conservation”).
- A submitter noted the value of stopbanks in the area, requesting that “river and stopbank areas of land should be disposed of”.
- 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”.

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”.
- A submitter expressed concern that the national panel recommendations “fail to have proper regard to the conservation, economic, social and hazardscape context within which stewardship land is administered”.
- 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. 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 for further consideration. 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. No 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 requested that “rivers are maintained in a free-flowing unmodified state” and that the “classification does not allow for dams or flow diversions”.
 - A submitter 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.

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.

TWP_25 – Waiho River – 2805304

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Waiho River	TWP_25_2805304e	Conservation Park (Waiau Awa)	Neutral	10	18

DOC Conservation Values Report Description

An 804.3227-ha area of riverbed and associated marginal strips along Waiho River, adjoining Westland Tai Poutini National Park and within Waiho River Ecological Management Unit (EMU No. 300012). The area is part of Te Wahipounamu. The endemic Waiho moth and pimelea bug (*Pimeleocoris roseus*) (both Nationally Critical) both depend on the native daphne Pimelea. There is also an important population of native broom. Concessions are in place including for gravel extraction, beef, dairy, and horse grazing, and wild animal control for some of the conservation areas included in TWP_25. There is some recreational use from rafting, quad bike tours, horse riding, hunting and whitebaiting.

Panel Recommendations

National Panel: Conservation park (Waiau 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: 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 the natural resources present (e.g. of varied naturalness; a mixture of active riverbed, shrubland, forest and grazed 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 - TWP_25_2805304e

Support

Ecology and Landscape (Allowed)

- A submitter who supported the proposed classification noted the area to "contain high ecological values very similar to the existing National Parks".

I recommend that these comments are accepted to the extent that I agree that the natural resources present (e.g. of varied naturalness; a mixture of active riverbed, shrubland, forest and grazed 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 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 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 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”.

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 submitter suggested that the “possible role of positive management to reduce emissions, **mitigate emissions**, adapt to climate change and sequester carbon” has not been adequately considered, advocating for national park classification.

I recommend that these comments are not accepted. The points raised to not justify overturning the notified intention. The current review has already included climate change considerations, as per paragraph 16(g) of the National Panels’ Terms of Reference, “the panels are required to actively consider the Climate Change Commission report when making recommendations on the future land status of stewardship land”. My assessment is that the natural resources present (e.g. of varied naturalness; a mixture of active riverbed, shrubland, forest and grazed 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)).

Ecology and Landscape (Allowed)

- Submissions advocated for classification as wildlife management area to protect the “naturally rare braided river ecosystem” noting that the area is within the “Te Wahi Pounamu World Heritage Area” (e.g. “dynamic landform with a range of successional stages land environment units”, supporting “7 species which are Nationally Vulnerable, At Risk, or At Risk; Declining”).
- A submitter suggested that a national park classification would align with “Westland Tai Poutini NPMPs identification of the kahikatea forest adjoining the Waiho River flats as areas of high conservation value” and realise the intent of Section 6(j) of the General Policy for National Parks.
- A submitter suggested the area contains “Rare river **birds habitat**” advocating for classification “to Westland Tai Poutini National Park where feasible”.
- A submitter advocated for government purpose reserve floodplain due to the presence of naturally uncommon ecosystems and the area provides “good opportunities for restoration of depleted indigenous ecosystems”.
- Submitters noted the high ecological value of the area, including “remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened” and that it warrants a higher level of protection than that proposed.

- Submitters expressed concern around conservation park recommendations for areas bordering national parks, noting 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” (e.g. “National Park would provide for mountains to sea integrity and protection”).

I recommend that these comments are not accepted. My assessment is that the natural resources present (e.g. of varied naturalness; a mixture of active riverbed, shrubland, forest and grazed pasture) 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)).

- 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 they 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.

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 opposition to grazing and quad bike use of the area, noting it to be “damaging to the natural values and water quality” and “disruptive to other users” **advocating for national park classification**.
- A submitter advocated that any change of status should “not affect the existing permissions” referencing “gravel extraction, animal control and grazing”.
- 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”.

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. 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 for further consideration. 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. No 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 requested that “rivers are maintained in a free-flowing unmodified state” and that the “classification does not allow for dams or flow diversions”.
- A submitter 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.

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.

TWP_25 – Waiho River Mouth – 2805306

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Waiho River Mouth	TWP_25_2805306f	Conservation Park (Waiau)	Neutral	10	18

DOC Conservation Values Report Description

A 9.0696-ha area of forest near the mouth of the Waiho River, adjacent to Conservation Area Waiho River (Nap_ID, 2805304) and within Waiho River Ecological Management Unit (EMU No. 300012). The area is part of Te Wahipounamu. The endemic Waiho moth and pimelea bug (*Pimeleocoris roseus*) (both Nationally Critical) both depend on the native daphne Pimelea. There is also an important population of native broom. Concessions are in place including for gravel extraction, beef, dairy, and horse grazing, and wild animal control for some of the conservation areas included in TWP_25. There is some recreational use from rafting, quad bike tours, horse riding, hunting and whitebaiting. The conservation area was formerly gazetted as a ferry reserve and early survey plans show a hut and gardens just to the south of this reserve and gold workings on the beach.

Panel Recommendations

National Panel: Conservation park (Waiau), 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 the natural resources present (e.g. of varied naturalness; a mixture of active riverbed, shrubland, forest and grazed 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 - TWP_25_2805306f

Support

Ecology and Landscape (Allowed)

- A submitter who supported the proposed classification noted the area to "contain high ecological values very similar to the existing National Parks".

I recommend that these comments are accepted to the extent that I agree that the natural resources present (e.g. of varied naturalness; a mixture of active riverbed, shrubland, forest and grazed 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 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 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 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".

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 advocated for classification as wildlife management area to protect the "naturally rare braided river ecosystem" noting that the area is within the "Te Wahi Pounamu World Heritage Area" (e.g. "dynamic landform with a range of successional stages and environment units", supporting "7 species which are Nationally Vulnerable, At Risk, or At Risk; Declining").
- A submitter suggested that a national park classification would align with "Westland Tai Poutini NPMPs identification of the kahikatea forest adjoining the Waiho River flats as areas of high conservation value" and realise the intent of Section 6(j) of the General Policy for National Parks.
- Submitters advocated for a national park addition to "protect river birds" referencing that the area contains "at risk and/or threatened species" and "has ecological values that appear similar to those on other nearby land with a higher protected status".
- Submitters noted the high ecological value of the area, including "remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened" and that it warrants a higher level of protection than that proposed.
- Submitters expressed concern around conservation park recommendations for areas bordering national parks, noting 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" (e.g. "National Park would provide for mountains to sea integrity and protection").

I recommend that these comments are not accepted. My assessment is that the natural resources present (e.g. of varied naturalness; a mixture of active riverbed, shrubland, forest and grazed pasture) 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)).

- 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 they 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.

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 advocated that any change of status should “not affect the existing permissions” referencing “gravel extraction, animal control and grazing”.
- 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”.

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. 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 for further consideration. 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. No 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 requested that “rivers are maintained in a free-flowing unmodified state” and that the “classification does not allow for dams or flow diversions”.
 - A submitter 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.

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.

TWP_25 – Waiho River – 2805311

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Waiho River	TWP_25_2805311g	Conservation Park (Waiau Awa)	Neutral	10	19

DOC Conservation Values Report Description

A 192.9419-ha area of riverbed and associated marginal strips along Waiho River nearby to Westland Tai Poutini National Park and within Waiho River Ecological Management Unit (EMU No. 300012). The area is part of Te Wahipounamu. The endemic Waiho moth and pimelea bug (*Pimeleocoris roseus*) (both Nationally Critical) both depend on the native daphne Pimelea. There is also an important population of native broom. Concessions are in place including for gravel extraction, beef, dairy, and horse grazing, and wild animal control for some of the conservation areas included in TWP_25. There is some recreational use from rafting, quad bike tours, horse riding, hunting and whitebaiting.

Panel Recommendations

National Panel: Conservation park, 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 the natural resources present (e.g. of varied naturalness; a mixture of active riverbed, shrubland, forest and grazed 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 - TWP_25_2805311g

Support

Ecology and Landscape (Allowed)

- A submitter who supported the proposed classification noted the area to "contain high ecological values very similar to the existing National Parks".

I recommend that these comments are accepted to the extent that I agree that the natural resources present (e.g. of varied naturalness; a mixture of active riverbed, shrubland, forest and grazed 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 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 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 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”.

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 submitter suggested that the “possible role of positive management to reduce emissions, mitigate emissions, adapt to climate change and sequester carbon” has not been adequately considered, advocating for national park classification.

I recommend that these comments are not accepted. The points raised to not justify overturning the notified intention. The current review has already included climate change considerations, as per paragraph 16(g) of the National Panels’ Terms of Reference, “the panels are required to actively consider the Climate Change Commission report when making recommendations on the future land status of stewardship land”. My assessment is that the natural resources present (e.g. of varied naturalness; a mixture of active riverbed, shrubland, forest and grazed 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)).

Ecology and Landscape (Allowed)

- Submissions advocated for classification as wildlife management area to protect the “naturally rare braided river ecosystem” noting that the area is within the “Te Wahi Pounamu World Heritage Area” (e.g. “dynamic landform with a range of successional stages and environment units”, supporting “7 species which are Nationally Vulnerable, At Risk, or At-Risk; Declining”).
- A submitter suggested that a national park classification would align with “Westland Tai Poutini NPMPs identification of the kahikatea forest adjoining the Waiho River flats as areas of high conservation value” and realise the intent of Section 6(j) of the General Policy for National Parks. A submitter advocated for a national park addition to “protect river birds”.
- A submitter advocated for government purpose reserve floodplain due to the presence of naturally uncommon ecosystems and the area provides “good opportunities for restoration of depleted indigenous ecosystems”.
- Submitters noted the high ecological value of the area, including “remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened” and that it warrants a higher level of protection than that proposed.

- Submitters expressed concern around conservation park recommendations for areas bordering national parks, noting 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” (e.g. “National Park would provide for mountains to sea integrity and protection”).

I recommend that these comments are not accepted. My assessment is that the natural resources present (e.g. of varied naturalness; a mixture of active riverbed, shrubland, forest and grazed pasture) 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)).

- 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 they 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)

- A submitter advocated that “this land should be disposed of”.
- 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.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions expressed opposition to grazing and quad bike use of the area, noting it to be “damaging to the natural values and water quality” and “disruptive to other users” advocating for national park classification.
- A submitter advocated that any change of status should “not affect the existing permissions” referencing “gravel extraction, animal control and grazing”.
- 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”.

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. 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 for further consideration. 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. No 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 requested that “rivers are maintained in a free-flowing unmodified state” and that the “classification does not allow for dams or flow diversions”.
 - A submitter 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.

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.

TWP_25 – Tatare Stream – 2805313

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Tatare Stream	TWP_25_2805313h	Conservation Park (Tatare)	Neutral	10	16

DOC Conservation Values Report Description

A 19.9401-ha area of riverbed and associated marginal strips along a tributary of the Waiho River nearby to Westland Tai Poutini National Park and within Waiho River Ecological Management Unit (EMU No. 300012). The area is part of Te Wahipounamu. The endemic Waiho moth and pimelea bug (*Pimeleocoris roseus*) (both Nationally Critical) both depend on the native daphne Pimelea. There is also an important population of native broom. Concessions are in place including for gravel extraction, beef, dairy, and horse grazing, and wild animal control for some of the conservation areas included in TWP_25. There is some recreational use from rafting, quad bike tours, horse riding, hunting and whitebaiting.

Panel Recommendations

National Panel: Conservation park, 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 the natural resources present (e.g. of varied naturalness; a mixture of active riverbed, shrubland, forest and grazed 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 - TWP_25_2805313h

Support

Ecology and Landscape (Allowed)

- A submitter who supported the proposed classification noted the area to "contain high ecological values very similar to the existing National Parks".

I recommend that these comments are accepted to the extent that I agree the natural values described are appropriately protected by 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 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 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”.

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 advocated for classification as wildlife management area to protect the “naturally rare braided river ecosystem” noting that the area is within the “Te Wahi Pounamu World Heritage Area” (e.g. “dynamic landform with a range of successional stages and environment units”, supporting “7 species which are Nationally Vulnerable, At Risk, or At Risk; Declining”).
- A submitter suggested that a national park classification would align with “Westland Tai Poutini NPMPs identification of the kahikatea forest adjoining the Waiho River flats as areas of high conservation value” and realise the intent of Section 6(j) of the General Policy for National Parks.
- A submitter advocated for government purpose reserve (floodplain) to provide “opportunities for restoration of depleted indigenous ecosystems”, and the area contains “opportunities for carbon sequestration”.
- Submitters noted the high ecological value of the area, including “remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened” and that it warrants a higher level of protection than that proposed.
- Submitters expressed concern around conservation park recommendations for areas bordering national parks, noting 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” (e.g. “National Park would provide for mountains to sea integrity and protection”).

I recommend that these comments are not accepted. My assessment is that the natural resources present (e.g. of varied naturalness; a mixture of active riverbed, shrubland, forest and grazed pasture) 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)).

- 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 they 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.

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 advocated that any change of status should “not affect the existing permissions” referencing “gravel extraction, animal control and grazing”.
- 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”.

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. 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 for further consideration. 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. No 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.

TWP_26 – Waiho River – 2805305

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Waiho River	TWP_26_2805305i	National Park (Tai Poutini)		6008*	18
Waiho River	TWP_26_2805305j		Stewardship	13	19

DOC Conservation Values Report Description

A 137.0463-ha area of lowland-montane forest adjoining Lake Pratt. Forms part of the backdrop of forested hill country north of Franz Josef. The area is within the Okarito South Ecological Management Unit (EMU No. 300002). The assessment area includes part of the Waiho Loop terminal moraine. It is currently one of two secure sites for rowi. Occasional use for hunting.

Panel Recommendations

National Panel: National park (Tai Poutini), to appropriately reflect the identified values, rationalise the boundary of the Westland Tai Poutini National Park, and improve landscape continuity. The area is a good example of moraine loop in terminal moraine and is classified as an extremely well-defined landform of significance. This area is contiguous with the Westland Tai Poutini National Park and shares complementary and high conservation values.

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 s.4 of the Conservation Act 1987.

Summary of accepted submissions: The submissions 'accepted' as holding merit supported the proposed national park investigation to protect the area's natural values and improve climate change mitigation. Submitters referenced specific natural resources which were noted to be of high value 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". The Mana Whenua Panel have also signalled Ngāi Tahu interests associated with this stewardship area, particularly that "Ngāi Tahu may have future aspirations for this land (such as from an economic wellbeing and development perspective)".

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

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

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

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

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

National Park (Tai Poutini) - TWP_26_2805305i

Support

Climate Change and Natural Hazards (Allowed)

- Submissions suggested that suitable stewardship land should be incorporated into adjacent areas to support climate change mitigation, and that the protection of the area was especially important in the context of climate change (e.g. “for ecosystem services, for climate stability”, “given the biodiversity and climate crisis we are facing”).

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

Ecology and Landscape (Allowed)

- Submitters in support of national park noted that the ecological value of the area and that the “lowland/ montane forest is an important habitat for native birds, Brown kiwi/rowi, kea, NZ falcon, ducks and other threatened bird species” (e.g. “contains rowi breeding pairs and much else besides”).
- Submissions supported the proposed recommendations as being “based on ecological and scenic values that are similar to adjoining national parks” and to “provide additional habitat for rare and threatened species to move through the landscape”. The current land classification delineations were described as “historic and arbitrary” and “not informed by ecological and landscape principles”.
- Submitters supported a national park classification to protect the identified natural values, which are “recognised in the UNESCO Te Wāhipounamu South West New Zealand World Heritage Area” (e.g. “to protect intrinsic values of our Gondwana heritage”, “rarity and high ecological values of these remaining kahikatea forests”).

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present which warrant consideration. My view is that the natural resources identified in these comments are consistent with those described in the CVR (e.g. relatively intact forest and wetland area on moraine), and they are appropriately protected and preserved by the proposed classification. The contiguous nature of the adjoining national park further supports your notified intention to refer this area to the NZCA for its recommendation as to the suitability of a national park addition.

Treaty Considerations (Allowed)

- Submissions 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 the Mana Whenua Panel had not identified site-specific cultural values for the land.

I recommend that these comments are accepted to the extent that they agree the natural and historic resources present warrant referral to the NZCA for their consideration. However, while the possibility of future changes to management or legislative frameworks is identified by submitters as a potential means of reconciling that purpose with Treaty partner

interests, such changes are not being considered within this reclassification exercise. The notified proposal includes referral of the area to the NZCA for its consideration on the suitability of a national park classification, which provides a further opportunity to explore specific Ngāi Tahu interests and aspirations, including the NZCA's consideration as to what giving effect to Treaty principles may require.

General (Allowed)

- 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, 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 raised, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions noted that national parks support a nature economy, and that this is in line with the Te Whanaketanga Tai Poutini West Coast Economic Strategy 2050.

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 (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. Under a national park classification “the public shall have freedom of entry and access” subject to restrictions necessary to preserve the natural and historic resources present (National Parks Act 1980, s. 4(2)(e)).

Ecology and Landscape (Allowed)

- A submitter noted that “Moraines are a naturally uncommon ecosystem type and are classified Threatened-Vulnerable”, advocating for classification as a scenic reserve.

I recommend that these comments are not accepted. Although areas of modification may be present, my assessment is that the natural resources described in the CVR (e.g. relatively intact forest and wetland area on moraine) justify referring this area to the NZCA for its recommendation as to the suitability of a national park addition. This is further supported by the contiguous nature of the adjoining national park.

Treaty Considerations (Allowed)

- A submitter advocated for classification as a scenic reserve, citing concerns raised by the Mana Whenua Panel “regarding the alienation of Ngāi Tahu from their ancestral lands”.
- 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, stated support for leaving the land in stewardship, or expressed support for 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”).

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.

Retain in Stewardship - TWP_26_2805305j

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 Ngāi Tahu, 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.

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

Permissions, Economic Factors and Land Use (Not Allowed)

- Submitters stated that reclassifying land as national park, or other classifications which fall under Schedule 4, could have economic consequences by excluding mineral extraction and other activities on that land. The potential loss of opportunities resulting from these restrictions was seen as damaging, particularly in terms of mineral extraction and site rehabilitation.
- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these classifications provide "more than adequate legal protection".

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

Oppose

Ecology and Landscape (Allowed)

- A submission advocated for national park reclassification "based upon ecological and scenic values that are similar to adjoining national parks".

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present which warrant consideration. My view is that the natural resources identified in these comments are consistent with those described in the CVR (e.g. relatively intact forest and wetland area on moraine), and they are appropriately protected and preserved by the proposed classification. The contiguous nature of the adjoining national park further supports your notified intention to refer this area to the NZCA for its recommendation as to the suitability of a national park addition.

Treaty Considerations (Allowed)

- A submitter noted that "the proposed classification will not limit or derogate from the rangatiratanga of Ngāi Tahu over its takiwā".
- Submitters argued against retaining land as stewardship where the area had not been identified as holding site-specific values to Ngāi Tahu (e.g. "in this case no such site-specific mana whenua cultural values have been

identified”, “there are no specific reasons given”). It was suggested that “issue of Mana Whenua kaitiaki rights and responsibilities needs to be addressed separately during the impending conservation law reform, at a higher level”.

- A submission argued that “an area with high conservation values should be reclassified to reflect that value” and that the Mana Whenua Panel recommendation “goes beyond the obligation to give effect to the Treaty of Waitangi”.
- Submissions expressed a preference for national park classification, 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”.

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

General (Allowed)

- Submissions expressed preference for reclassification as a national park and for “maximum protection across all stewardship land” without providing further justification, or due to the land’s “high cultural conservation value”.
- Submissions opposed retaining land in stewardship, describing it as a “meaningless recommendation”.
- One submission suggested reclassification as either scenic reserve or conservation park is preferable to retaining the land in stewardship.

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

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions noted 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 advocated for a national park classification to prevent the “creation of mines that will devastate the local areas”.
- 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”). It was suggested to the land instead be “disposed of or become incorporated into one of the park categories”.

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. A submitter suggested that reclassification should focus on the “protection of the conservation value of the land and the guarantee of public access”.
- 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. 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.

TWP_27 – Waiho Gorge – 2805314

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Waiho Gorge	TWP_27_2805314k	Scenic Reserve (a)	Neutral	12	5

DOC Conservation Values Report Description

A 58.9088-ha area surrounding the Franz Josef township of relatively intact lowland alluvial forest within the Glacier Ecological District. The conservation area includes walking trails - DOC manages one trail, and the local community another. Concessions exist for water take, boulder extraction, structures and an easement. Local recreational use includes walking, biking and dog walking.

Panel Recommendations

National Panel: Scenic reserve (a), to preserve the identified high ecological and landscape values, and protect any identified historic or archaeological features, while providing for the existing recreational use of the area. Several threatened and at-risk species are present, such as the NZ falcon/kārearea (Nationally Endangered). Recreation values are noted associated with the Tatere Tunnels track and a local community track in the northern section. The identified conservation values are of a complementary nature to the adjacent Greham Scenic Reserve.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of scenic reserve.

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. lowland alluvial forest). The proximal nature of the adjoining scenic reserve further supports your notified intention.

Scenic Reserve (a) - TWP_27_2805314k

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 “because of the high landscape, natural and scenic values present” containing “lateral moraine forest systems”.

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present which warrant consideration. My view is that the natural resources identified are consistent with those described in the CVR (e.g. relatively intact lowland alluvial forest; supports a typical suite of forest birds and invertebrate fauna), and they are appropriately protected and preserved by the proposed classification. The contiguous nature of the adjoining scenic reserve further supports your notified intention.

- A submitter noted the area has “high ecological values very similar to the existing National Parks”.
- A scenic reserve was supported while advocating that “the south eastern portion adjoins the National Park and should be considered for addition to it with the buildings being decoupled and classified as Local Purpose Government Reserve”.

I recommend that these comments are not accepted. My view is that the natural resources identified in the CVR are appropriately protected and preserved by the proposed classification, and the material raised is of insufficient merit to warrant reconsideration of the notified intention.

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

Ecology and Landscape (Allowed)

- The area was noted as having “ecological values that appear similar to those on other nearby land with a higher protected status” including at risk and/or threatened species and “scenery and/or ecosystems, the preservation of which is in the national interest” advocating for a national park.

I recommend that these comments are not accepted. My view is that the natural resources identified in the CVR are appropriately protected and preserved by the proposed classification, and the material raised is of insufficient merit to warrant reconsideration of the notified intention.

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 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. 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 for further consideration. 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. No 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 that any change in classification “should not affect the existing permissions” noting concessions for “boulder extraction, water take, structures and helipads”.

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

TWP_27 – Waiho Gorge (Buildings) – 2805315

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Waiho Gorge (Buildings)	TWP_27_2805315l	Government Purpose (Government Buildings) Reserve	Neutral	8	5

DOC Conservation Values Report Description

A 2.2447-ha area next to the Franz Josef township of relatively intact lowland alluvial forest with some buildings in the town within the Glacier Ecological District. The conservation area includes a workshop, houses and walking trails with concessions for these and water take, boulder extraction, and an easement. Local recreational use includes walking, biking and dog walking.

Panel Recommendations

National Panel: Government purpose (government buildings) reserve, to ensure the continued availability of this site for use by the Department.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of government purpose (government buildings) reserve.

Summary of accepted submissions: Excepting those expressing general support for the proposal, no submissions were 'accepted' as holding substantial merit with regard to your notified proposal to classify the area as a government purpose (government buildings) reserve.

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

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

Rationale: My conclusion is that the proposed classification will support the ongoing use of the DOC Franz Josef workshop, while appropriately reflecting the modified nature of the natural resources present (e.g. relatively intact lowland alluvial forest; includes a workshop and houses).

Government Purpose (Government Buildings) Reserve -

TWP_27_2805315l

Support

Ecology and Landscape (Allowed)

- A submitter noted the area to contain "high ecological values very similar to the existing National Parks".

I recommend that these comments are not accepted. My view is that the natural resources identified in the CVR are appropriately protected and preserved by the proposed classification (e.g. relatively intact lowland alluvial forest; includes a workshop and houses), and the material raised is of insufficient merit to warrant reconsideration of the notified intention.

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, referencing the "information in the technical reports" or without providing further justification.
- Submitters advocated for national park in the remainder of the conservation area, while expressing support for the "buildings being decoupled and classified as Local Purpose Government Reserve" (e.g. "GPR for buildings; remainder NP").

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 noted that "no map has been provided to show which part of the larger parcels this is".

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

Oppose

Process and Consultation (Not Allowed)

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

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

Other (Not Allowed)

- One submission opposed all reclassification of stewardship land 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.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter noted that "any change should not affect the existing permissions" noting "concessions held for boulder extraction, water take, structures and helipads".

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

TWP_28 – Docherty Creek – 2805310

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Docherty Creek	TWP_28_2805310m	National Park (Tai Poutini)		6006*	17
Docherty Creek	TWP_28_2805310n		Stewardship	13	17

DOC Conservation Values Report Description

A 17.8504-ha area mainly forested and partly within the Franz Josef Ecological Management Unit (EMU No. 300019). The area is primarily lowland forest. A concession easement is held for structures associated with a hydro-electric power scheme on Gibbs Creek. There is access, but little recreation other than hunting.

Panel Recommendations

National Panel: National park (Tai Poutini), to appropriately reflect the identified values, rationalise the boundary of the Westland Tai Poutini National Park, and improve landscape continuity. This area is contiguous with the Westland Tai Poutini National Park and shares complementary and high conservation values.

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 s.4 of the Conservation Act 1987.

Summary of accepted submissions: The submissions ‘accepted’ as holding merit supported the proposed national park investigation to protect the area’s natural values and improve climate change mitigation. Submitters referenced specific natural resources which were noted to be of high value 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”. The Mana Whenua Panel have also signalled Ngāi Tahu interests associated with this stewardship area, particularly that “Ngāi Tahu may have future aspirations for this land (such as from an economic wellbeing and development perspective)”.

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

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

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

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

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

National Park (Tai Poutini) - TWP_28_2805310m

Support

Climate Change and Natural Hazards (Allowed)

- Submissions suggested that suitable stewardship land should be incorporated into adjacent areas to support climate change mitigation, and that the protection of the area was especially important in the context of climate change (e.g. “for ecosystem services, for climate stability”, “given the biodiversity and climate crisis we are facing”).

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

Ecology and Landscape (Allowed)

- Submissions supported the proposed recommendations as being “based on ecological and scenic values that are similar to adjoining national parks” and to “provide additional habitat for rare and threatened species to move **through the landscape**”. The current land classification delineations were described as “historic and arbitrary” and “not informed by ecological and landscape principles”.
- Submitters supported a national park classification to protect the identified natural values, which are “recognised in the UNESCO Te Wāhipounamu South West New Zealand World Heritage Area” (e.g. “to protect intrinsic values of our Gondwana heritage”, “rarity and high ecological values of these remaining kahikatea forests”).

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present which warrant consideration. My view is that the natural resources identified in these comments are consistent with those described in the CVR (e.g. primarily lowland forest), and they are appropriately protected and preserved by the proposed classification. The contiguous nature of the adjoining national park further supports your notified intention to refer this area to the NZCA for its recommendation as to the suitability of a national park addition.

Treaty Considerations (Allowed)

- Submissions 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 the Mana Whenua Panel had not identified site-specific cultural values for the land.

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

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

General (Allowed)

- 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, 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 raised, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions noted that national parks support a nature economy, and that this is in line with the Te Whanaketanga Tai Poutini West Coast Economic Strategy 2050.

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 (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. Under a national park classification “the public shall have freedom of entry and access” subject to restrictions necessary to preserve the natural and historic resources present (National Parks Act 1980, s. 4(2)(e)).

Ecology and Landscape (Allowed)

- A submitter noted that the “area contains remnant forest on alluvial flats which is rare on the West Coast”, advocating for classification as a scenic reserve.

I recommend that these comments are not accepted. My assessment is that the natural resources described in the CVR (e.g. primarily lowland forest) justify referring this area to the NZCA for its recommendation as to the suitability of a national park addition. This is further supported by the contiguous nature of the adjoining national park.

Treaty Considerations (Allowed)

- A submitter advocated for classification as a scenic reserve, citing concerns raised by the Mana Whenua Panel “regarding the alienation of Ngāi Tahu from their ancestral lands”.
- 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, stated support for leaving the land in stewardship, or expressed support for 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)

- A submission noted that any change in classification “should not affect the existing permissions” noting concession for “structures, a hydro-electric power scheme on Gibbs Creek”.
- Submissions expressed opposition to the proposed national park classification as being “too restrictive” (e.g. “tying even more land up in restrictive legislation”).

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.

Retain in Stewardship - TWP_28_2805310n

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 Ngāi Tahu, 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.

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 advocated that "any change should not affect the existing permissions" noting a concession easement held for structures.
- Submitters stated that reclassifying land as national park, or other classifications which fall under Schedule 4, could have economic consequences by excluding mineral extraction and other activities on that land. The potential loss of opportunities resulting from these restrictions was seen as damaging, particularly in terms of mineral extraction and site rehabilitation.
- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these classifications provide "more than adequate legal protection".

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

Oppose

Ecology and Landscape (Allowed)

- A submission advocated for national park reclassification "based upon ecological and scenic values that are similar to adjoining national parks" (e.g. "to ensure the protection of the natural values particularly in the flood plains and riverbeds").

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present which warrant consideration. My view is that the natural resources identified in these comments are consistent with those described in the CVR (e.g. primarily lowland forest), and they are appropriately protected and preserved by the proposed classification. The contiguous nature of the adjoining national park further supports your notified intention to refer this area to the NZCA for its recommendation as to the suitability of a national park addition.

Treaty Considerations (Allowed)

- A submission argued that “an area with high conservation values should be reclassified to reflect that value” and that the Mana Whenua Panel recommendation “goes beyond the obligation to give effect to the Treaty of Waitangi”.
- One submission argued against retaining land as stewardship where the area had not been identified as holding site-specific values to Ngāi Tahu.
- 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”.

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

General (Allowed)

- Submissions expressed preference for reclassification as a national park and for “maximum protection across all stewardship land” without providing further justification, or due to the land’s “high cultural conservation value”.
- Submissions opposed retaining land in stewardship, describing it as a “meaningless recommendation”.
- One submission suggested reclassification as either scenic reserve or conservation park is preferable to retaining the land in stewardship.

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

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions noted 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 advocated for a national park classification to prevent the “creation of mines that will devastate the local areas”.
- 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”). It was suggested to the land instead be “disposed of or become incorporated into one of the park categories”.

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. A submitter suggested that reclassification should focus on the “protection of the conservation value of the land and the guarantee of public access”.
- 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. 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.

Other (Not Allowed)

- A submitter noted that “DOC and NZTA have an MOU regarding state highway realignment if necessary”.

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

TWP_28 – Waiho Flat – 2805312

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Waiho Flat	TWP_28_2805312o	National Park (Tai Poutini)		6007*	17
Waiho Flat	TWP_28_2805312p		Stewardship	13	18

DOC Conservation Values Report Description

An 111.9249-ha area mainly forested, but also contains part of the Waiho River bed in the north-eastern section of Waiho Flat Conservation Area and partly within the Franz Josef Ecological Management Unit (EMU No. 300019). The area is primarily lowland forest. A concession easement is held for structures associated with a hydro-electric power scheme on Gibbs Creek. There is access, but little recreation other than hunting. These areas may become important for the realignment of SH6 should the highway be relocated due to Waiho River shifting to the south.

Panel Recommendations

National Panel: National park (Tai Poutini), to appropriately reflect the identified values, rationalise the boundary of the Westland Tai Poutini National Park, and improve landscape continuity.

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

S.49(2)(d) Recommendation

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

Summary of accepted submissions: The submissions ‘accepted’ as holding merit supported the proposed national park investigation to protect the area’s natural values and improve climate change mitigation. Submitters referenced specific natural resources which were noted to be of high value 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”. The Mana Whenua Panel have also signalled Ngāi Tahu interests associated with this stewardship area, particularly that “Ngāi Tahu may have future aspirations for this land (such as from an economic wellbeing and development perspective)”.

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

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

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

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

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

National Park (Tai Poutini) - TWP_28_2805312o

Support

Climate Change and Natural Hazards (Allowed)

- Submissions suggested that suitable stewardship land should be incorporated into adjacent areas to support climate change mitigation, and that the protection of the area was especially important in the context of climate change (e.g. “for ecosystem services, for climate stability”, “given the biodiversity and climate crisis we are facing”).

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)

- A submitter noted the area as “a link between existing parts of the National Park” adding “continuity and integrity to lowland forest habitats”.
- Submissions supported the proposed recommendations as being “based on ecological and scenic values that are similar to adjoining national parks” and to “provide additional habitat for rare and threatened species to move through the landscape”. The current land classification delineations were described as “historic and arbitrary” and “not informed by ecological and landscape principles”.
- Submitters supported a national park classification to protect the identified natural values, which are “recognised in the UNESCO Te Wāhipounamu South West New Zealand World Heritage Area” (e.g. “to protect intrinsic values of our Gondwana heritage”, “rarity and high ecological values of these remaining kahikatea forests”).

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present which warrant consideration. My view is that the natural resources identified in these comments are consistent with those described in the CVR (e.g. primarily lowland forest), and they are appropriately protected and preserved by the proposed classification. The contiguous nature of the adjoining national park further supports your notified intention to refer this area to the NZCA for its recommendation as to the suitability of a national park addition.

Treaty Considerations (Allowed)

- Submissions 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 the Mana Whenua Panel had not identified site-specific cultural values for the land.

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

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

General (Allowed)

- 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, 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 raised, these submission points do not raise any matters for further consideration.

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions noted that national parks support a nature economy, and that this is in line with the Te Whanaketanga Tai Poutini West Coast Economic Strategy 2050.

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 (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. Under a national park classification "the public shall have freedom of entry and access" subject to restrictions necessary to preserve the natural and historic resources present (National Parks Act 1980, s. 4(2)(e)).

Ecology and Landscape (Allowed)

- A submitter noted that the "area contains remnant forest on alluvial flats which is rare on the West Coast", advocating for classification as a scenic reserve.

I recommend that these comments are not accepted. My assessment is that the natural resources described in the CVR (e.g. primarily lowland forest) justify referring this area to the NZCA for its recommendation as to the suitability of a national park addition. This is further supported by the contiguous nature of the adjoining national park.

Treaty Considerations (Allowed)

- A submitter advocated for classification as a scenic reserve, citing concerns raised by the Mana Whenua Panel “regarding the alienation of Ngāi Tahu from their ancestral lands”.
- 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, stated support for leaving the land in stewardship, or expressed support for 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)

- A submission noted that any change in classification “should not affect the existing permissions” noting concession for “structures, a hydro-electric power scheme on Gibbs Creek”.
- Submissions expressed opposition to the proposed national park classification as being “too restrictive” (e.g. “tying even more land up in restrictive legislation”).

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.

Retain in Stewardship - TWP_28_2805312p

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 Ngāi Tahu, 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.

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 advocated that "any change should not affect the existing permissions" noting a concession easement held for structures.
- Submitters stated that reclassifying land as national park, or other classifications which fall under Schedule 4, could have economic consequences by excluding mineral extraction and other activities on that land. The potential loss of opportunities resulting from these restrictions was seen as damaging, particularly in terms of mineral extraction and site rehabilitation.
- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these classifications provide "more than adequate legal protection".

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

Oppose

Ecology and Landscape (Allowed)

- A submission advocated for national park reclassification "based upon ecological and scenic values that are similar to adjoining national parks" (e.g. "to ensure the protection of the natural values particularly in the flood plains and riverbeds").

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present which warrant consideration. My view is that the natural resources identified in these comments are consistent with those described in the CVR (e.g. primarily lowland forest), and they are appropriately protected and preserved by the proposed classification. The contiguous nature of the adjoining national park further supports your notified intention to refer this area to the NZCA for its recommendation as to the suitability of a national park addition.

Treaty Considerations (Allowed)

- A submission argued that “an area with high conservation values should be reclassified to reflect that value” and that the Mana Whenua Panel recommendation “goes beyond the obligation to give effect to the Treaty of Waitangi”.
- One submission argued against retaining land as stewardship where the area had not been identified as holding site-specific values to Ngāi Tahu.
- 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”.

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

General (Allowed)

- Submissions expressed preference for reclassification as a national park and for “maximum protection across all stewardship land” without providing further justification, or due to the land’s “high cultural conservation value”.
- Submissions opposed retaining land in stewardship, describing it as a “meaningless recommendation”.
- One submission suggested reclassification as either scenic reserve or conservation park is preferable to retaining the land in stewardship.

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

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions noted 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 advocated for a national park classification to prevent the “creation of mines that will devastate the local areas”.
- 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”). It was suggested to the land instead be “disposed of or become incorporated into one of the park categories”.

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. A submitter suggested that reclassification should focus on the “protection of the conservation value of the land and the guarantee of public access”.
- 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. 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.

TWP_29 – Ōmoeroa River – 2805307

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Ōmoeroa River	TWP_29_2805307q	Local Purpose (River Conservation) Reserve	Neutral	8	15

DOC Conservation Values Report Description

A 34.4802-ha area containing the riverbeds and valley floor forest of the lower valley of the Ōmoeroa River within the large Ōmoeroa Ecological Management Unit. The area contains limited diversity of the Waiho Ecological District. The river valley is surrounded by Westland Tai Poutini National Park, adjoining it at some points. Whilst not easily accessible, there is local use by hunters and whitebaiters. Adjacent to the Ōmoeroa River Conservation Area is a Māori Reserve in recognition of the historic occupation within this area.

Panel Recommendations

National Panel: Local purpose (river conservation) reserve, to reflect the identified values. It is noted by Mana Whenua that the Ōmoeroa River Conservation Area is bordered by a Māori Reserve in recognition of the historic occupation of this area. The CMS suggests that the Ōmoeroa River flats are of high conservation value and could be a suitable national park addition.

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.

The Mana Whenua Panel have signalled Ngāi Tahu interests associated with this stewardship area, particularly that “adjacent to the Ōmoeroa River Conservation Area is a Māori Reserve in recognition of the historic occupation within this area”.

My assessment is that the purpose of the notified classification provides insufficient detail to comment on whether it appropriately protects the natural resources alongside the identified Ngāi Tahu interest, or if another classification may be more appropriate. I note that any further work to determine an appropriate classification for this area will be undertaken in a manner consistent with Treaty principles.

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 - TWP_29_2805307q

Support

Ecology and Landscape (Allowed)

- A submitter who supported the proposed classification noted the area to “contain high ecological values very similar to the existing National Parks”.

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 expressed general support for the proposed classification without providing further justification, agreed they reflected the "information in the technical reports", 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 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

Climate Change and Natural Hazards (Allowed)

- Submissions noted that the area "will be subject to flooding from climate change effects" and should be classified to promote re-vegetation and "become part of our emission reduction programme". Local purpose reserve classifications were opposed as "they can have their status 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.

Ecology and Landscape (Allowed)

- Submitters suggested that the proposed classification "provides no confidence that freshwater values or river margins and corridors will be protected from inappropriate use and development".

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.

- Submitters advocated for classification as national park, noting "scenery and/or ecosystems, the preservation of which is in the national interest" referencing that the CMS "notes high conservation values" (e.g. "Westland Tai Poutini NPMPs identification of the North Waikukupa coastline and Ōmoeroa River flats as areas of high conservation value").
- Submissions suggested that the proposed classification does not give consideration "to the very high and nationally important natural conservation values of the rivers" (e.g. "braided river systems, an internationally endangered and naturally uncommon ecosystem", "of national importance for biodiversity").
- Submitters suggested that ecological area, wildlife management area, or scenic reserve may be appropriate alternatives. One submitter advocated for a government purpose (climate mitigation) reserve.
- Submitters argued that the proposed classification is "out of step with taking a strategic, landscape level approach considering classifications of nearby land parcels". They advocated for river areas to be given the same status as adjoining public conservation land, while another submitter advocated for government purpose reserve (Te Mana o te Wai) where no adjoining classifications exist (e.g. "almost entirely surrounded by National Park").

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

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification (e.g. "Add to Westland Nat 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.

Process and Consultation (Not Allowed)

- 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.

- 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 described, or if another classification may be more appropriate. Any limits on public access, or the appropriateness of an alternative classification, will be determined as part of the future policy work.

TWP_29 – Waikūkūpa River – 2805308

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Waikūkūpa River	TWP_29_2805308r	Local Purpose (River Conservation) Reserve	Neutral	8	15

DOC Conservation Values Report Description

A 69.9793-ha area containing the riverbeds and valley floor forest of the lower valley of the Waikukupa River within the large Ōmoeroa Ecological Management Unit. The area contains limited diversity of the Waiho Ecological District. The river valley is surrounded by Westland Tai Poutini National Park, adjoining it at some points. Whilst not easily accessible, there is local use by hunters and whitebaiters.

Panel Recommendations

National Panel: Local purpose (river conservation) reserve, to reflect the identified values. It is noted by Mana Whenua that the Ōmoeroa River Conservation Area is bordered by a Māori Reserve in recognition of the historic occupation of this area. The CMS suggests that the Ōmoeroa River flats are of high conservation value and could be a suitable national park addition.

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 - TWP_29_2805308r

Support

Ecology and Landscape (Allowed)

- A submitter who supported the proposed classification noted the area to “contain high ecological values very similar to the existing National Parks”.

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 expressed general support for the proposed classification without providing further justification, agreed they reflected the "information in the technical reports", 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 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

Climate Change and Natural Hazards (Allowed)

- Submissions noted that the area "will be subject to flooding from climate change effects" and should be classified to promote re-vegetation and "become part of our emission reduction programme". Local purpose reserve classifications were opposed as "they can have their status 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.

Ecology and Landscape (Allowed)

- Submitters suggested that the proposed classification "provides no confidence that freshwater values or river margins and corridors will be protected from inappropriate use and development".

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.

- Submitters advocated for classification as national park, noting "scenery and/or ecosystems, the preservation of which is in the national interest" referencing that the CMS "notes high conservation values" (e.g. "Westland Tai Poutini NPMPs identification of the North Waikukupa coastline and Ōmoeroa River flats as areas of high conservation value").
- Submissions suggested that the proposed classification does not give consideration "to the very high and nationally important natural conservation values of the rivers" (e.g. "braided river systems, an internationally endangered and naturally uncommon ecosystem", "of national importance for biodiversity").
- Submitters suggested that ecological area, wildlife management area, or scenic reserve may be appropriate alternatives. One submitter advocated for a government purpose (climate mitigation) reserve.
- Submitters argued that the proposed classification is "out of step with taking a strategic, landscape level approach considering classifications of nearby land parcels". They advocated for river areas to be given the same status as adjoining public conservation land, while another submitter advocated for government purpose reserve (Te Mana o te Wai) where no adjoining classifications exist (e.g. "almost entirely surrounded by National Park").

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

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification (e.g. "Add to Westland Nat 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.

Process and Consultation (Not Allowed)

- 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.

- 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 described, or if another classification may be more appropriate. Any limits on public access, or the appropriateness of an alternative classification, will be determined as part of the future policy work.

TWP_30 – Ōmoeroa River – 2805309

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Ōmoeroa River	TWP_30_2805309s	Disposal	Disposal	12	22

DOC Conservation Values Report Description

A 0.857-ha area of primarily road and grassy roadside containing a small section of the Ōmoeroa River, including a highway bridge associated with the Fox Glacier Highway. There has been some correspondence between OPUS on behalf of Waka Kotahi NZ Transport Agency and Statutory Land Management around legalisation of this section of highway between Fox Glacier and Franz Josef, as the road goes through sections of public conservation land.

Panel Recommendations

National Panel: Disposal, as the conservation area contains the Fox Glacier Highway and consists predominantly of road and grassy roadside of very low ecological value. The Panel notes the first step in the disposal process is to determine if the land is needed for any other public works.

Mana Whenua Panel: The Mana Whenua Panel supports the recommendation of the Western South Island National Panel for Conservation Area 'Ōmoeroa River' (NaPALIS #2805309).

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.

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: Although parts of the area may not meet the Conservation General Policy (6d) and Conservation Act (s. 26) tests for disposal, certain sections are indicated to hold little conservation value and warrant further consideration as to the suitability of disposal (e.g. primarily road and grassy roadside).

Disposal - TWP_30_2805309s

Support

Ecology and Landscape (Allowed)

- Submissions stated they support disposal of stewardship land where there are no conservation values or natural values remaining.

I recommend that these comments are accepted. The modified nature of the area (e.g. primarily road and grassy roadside) justifies referring this area to the Department to investigate the suitability of disposal. I note that any parts of the area identified to have substantive natural values are unlikely to pass the Conservation General Policy and legislative disposal tests.

Treaty Considerations (Allowed)

- Submissions supported the recommendations of the Mana Whenua Panel on the basis that they 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 accepted. The modified nature of the area (e.g. primarily road and grassy roadside) justify 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)

- Submissions stated their agreement with the recommendation 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.

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 to rivers and other conservation land, and expressed opposition to any disposal which means a loss of recreation opportunities such as angling or hunting.
- Submissions noted that riparian access via marginal strips is not guaranteed, particularly if the river changes.
- Submissions suggested that land be retained or that appropriate mechanisms are used to ensure public access is maintained.
- Alternative suggested classifications to protect public access included recreation reserve or local purpose reserve, or wildlife management area.

I recommend that these comments are not accepted. Any potential disposal arising from the Departmental investigation will trigger the formation of marginal strips which will secure ongoing public access along the riparian corridor.

Climate Change and Natural Hazards (Allowed)

- Submissions opposed disposal on the grounds that all public conservation land, even if modified/pasture, offers potential for climate change mitigation (i.e. opportunities for restoration and carbon sequestration, as well as for flood/erosion buffering, or allowing room for natural river processes).
- Submissions emphasised the importance of retaining land that protects other areas from flooding, slips, erosions, and damage from sea surges and rising sea levels. Reclassification as scenic reserve or ecological reserve was suggested to support restoration and allow room for natural river processes.
- Submissions argued that disposing of public conservation land compromises future sustainability and climate mitigation options, noting that climate change is heightening pressure on ecosystems.

I recommend that these comments are not accepted. The modified nature of the area (e.g. primarily road and grassy roadside) and its very small size limit the appropriateness of retaining it for ecosystem restoration and carbon sequestration. I note that any potential disposal arising from the Departmental investigation will trigger the formation of marginal strips. This will facilitate restoration and provide flood/erosion buffering along the riparian margin, which will be retained as public conservation land.

Ecology and Landscape (Allowed)

- Submissions objected to disposal as the land is “surrounded by national park” (e.g. “land parcel is an enclave within land that has a higher protected status than that proposed; disposal would create enclave within NP”). Alternative classification suggested were national park or local purpose (road).
- A submitter suggested adding the site to the national park, noting that “as part of the site is riverbed, it should not be privatised”.
- A submitter advocated for national park on the grounds that “these areas contain high ecological values very similar to the existing national parks”.
- Submissions expressed opposition to any disposal of stewardship land on the grounds that there are likely to be natural values remaining, that even pasture areas 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”.
- It was recommended that all disposals of land bordering rivers be reviewed, and that where threatened wildlife are present the area should be reclassified as a wildlife management area, or if there is an adjoining scenic reserve or ecological area the land should be given the same classification.

I recommend that these comments are not accepted. While the area is within the Westland Tai Poutini National Park, its location (associated with the Fox Glacier Highway) and the modified nature of the area (e.g. primarily road and grassy roadside) justifies referring this area to the Department to investigate the suitability of disposal. Any parts of the area identified to have substantive natural values are unlikely to pass the Conservation General Policy and legislative disposal tests. Further, I note that any potential disposal arising from the Departmental investigation will trigger the formation of marginal strips. This will facilitate restoration and provide flood/erosion buffering along the riparian margin, which will be retained 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”. Another suggested, “transfer ownership to local iwi”.

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 rights of first refusal process as set out in the Ngāi Tahu Claims Settlement Act 1998. I note that any parts of the area identified to have substantive “conservation & mahika-kai values” are unlikely to pass the Conservation General Policy and legislative disposal tests.

General (Allowed)

- Submissions expressed opposition to disposal of any stewardship land in general terms, argued that public conservation land is best retained for future generations or future conservation purposes, expressed a desire for maximum environmental protection (and protection from development, mining, or other extractive activities) across all stewardship land, or supported “a cautionary approach” and preference to retain land in Crown ownership.

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 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)

- A submitter noted that “This appears to be partway through a road taking process under the Public Works Act (...) Recommend continuing with this existing statutory process, which is likely to be being progressed by an external agency on behalf of Waka Kotahi, as this will provide the appropriate access”.
- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.
- It was suggested that there should be less focus on present values and more weight given to potential conservation value (as per the Conservation General Policy 6(c) and the Conservation Act requirement to safeguard options for future generations). It was recommended that the reclassification framework should include a “future conservation use” designation to hold land for future conservation requirements.
- It was 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.
- A submitter stated “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”.
- It was noted that “proposed disposals do not give even a general indication where disposal boundaries might be”, making it difficult for submitters to comment.
- 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)

- It was suggested that a land swap (“with the relevant agency”) would be preferable to disposal.
- It was suggested that, if disposal occurred, waterways should be protected by a setback, fencing and planting.

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

No Opinion/Position Stated

Climate Change and Natural Hazards (Allowed)

- One submission that selected no opinion stated that no land should be disposed of if there is potential for restoration or carbon sequestration, 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 modified nature of the area (e.g. primarily road and grassy roadside) limits the appropriateness of retaining it for ecosystem restoration and carbon sequestration. I note that any potential disposal arising from the Departmental investigation will trigger the formation of marginal strips for qualifying waterbodies, which will be retained and protected as public conservation land.

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 for further consideration. 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. No 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.

Process and Consultation (Not Allowed)

- A submission recommended “discussion with Waka Kotahi NZTA. Continue statutory process that will give appropriate status to state highway”.

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

Other (Not Allowed)

- It was noted that land is subject to Heritage New Zealand Pouhere Taonga Notification Process, and they may recommend heritage protection measures as part of this disposal process.
- 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.

TWP_31 – Gillespies Beach – 2805316

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Gillespies Beach	TWP_31_2805316t	Local Purpose (Waikōhai Ngāi Tahu) Reserve	Local Purpose (Waikōhai Ngāi Tahu) Reserve	17	13

DOC Conservation Values Report Description

A 112.3469-ha area containing shrubland and wetlands, set back from Gillespies Beach. The area overlaps with the large Ōmoeroa Ecological Management Unit. It captures the mouth of several small catchments that are mostly covered in native vegetation and provides a valuable buffer to the highly valued Gillespies Lagoon. It includes walking tracks and a DOC campsite, and has a history of goldmining (including dredging technology) and occupation. The area of Waikowhai is a significant site for Ngāi Tahu, including historic occupation sites and significant mahinga sites.

Panel Recommendations

National Panel: Local purpose reserve, 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: Local Purpose (Waikōhai 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 (Waikōhai 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 supported the proposed reserve, supported by Treaty partner organisation submissions.

The Mana Whenua Panel has signalled a strong connection with this stewardship area, particularly that “the area of Waikōhai is a significant site for Ngāi Tahu, including historic occupation sites, urupā and significant mahinga kai sites”, “the beach has a direct view of Aoraki, the maunga tīpuna of Ngāi Tahu and central to Ngāi Tahu creation traditions”, “this area is also adjacent to Māori Reserve land in recognition of the significant occupation within this area”.

I recognise and acknowledge the historic and cultural significance of the area to Ngāi Tahu. While such a local purpose reserve could provide for the primary purpose of management and protection of Ngāi Tahu values alongside the conservation values that are present, and might be described as an example of a substantive outcome for Ngāi Tahu consistent with Treaty principles, my assessment is that more work is required to clarify and describe the purpose of the proposed reserve.

Rationale: 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 (Waikōhai Ngāi Tahu) Reserve - TWP_31_2805316t

Support

Ecology and Landscape (Allowed)

- A submitter who supported the proposed classification noted the area to “contain high ecological values very similar to the existing National Parks”.

I recommend that these comments are not accepted. I have concluded based on comments in opposition that the purpose of the notified classification provides insufficient detail to comment on whether it appropriately protects the natural resources described, or if another classification may be more appropriate.

Treaty Considerations (Allowed)

- Submitters supported local purpose reserve proposals “where cultural and historical values have been identified” (e.g. “there are historic occupation sites, urupā, mahinga kai areas & it is adjacent to Māori Reserve land”).
- Submissions supported the position of the Mana Whenua Panel on the basis that their recommendations reflect the rights and interests of Ngāi Tahu, 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 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, 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 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)

- A submitter supported classification as historic reserve, requesting “greater clarification on how natural values will be protected”.

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

Oppose

Ecology and Landscape (Allowed)

- Concern was raised that the proposed classification fails 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 lands ecological values”.

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.

- Submitters advocated for a national park classification, noting that the “land is adjacent or close to the existing National Parks” (e.g. “similar ecological values to the National Park as well historic values, and an important coastal strip”, “highly prized by locals and visitors for coast, coastal forest and lagoon access, historic values and recreation”, “Westland Tai Poutini NPMs identification of Gillespies Point as an area of high conservation value”).
- A submitter noted naturally uncommon ecosystems and at risk and/or threatened species, advocating for classification as 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 appropriately protects the natural resources described, or if another classification may be more appropriate.

Treaty Considerations (Allowed)

- A submitter acknowledged the area as being of “high significance to Ngāi Tahu” suggesting that “National Park protects all values for humans and nature”.

I recommend that these comments are accepted to the extent that I recognise and acknowledge the historic and cultural significance of the area to Ngāi Tahu. However, I have concluded based on comments in opposition that the purpose of the notified classification provides insufficient detail to comment on whether it both actively protects the identified Ngāi Tahu values and interests, and promotes the conservation of the identified natural and historic resources present.

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification (e.g. “incorporated into the Westland 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.

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.

No Opinion/Position Stated

Access and Recreation (Allowed)

- Submissions queried whether the proposed classification allows hunting, fishing and “provision for public access”.
- A submitter advocated for classification to “ensure free and enduring public access remains for walking, camping and other recreational activities”.

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, or the appropriateness of an alternative classification, will be determined as part of the future policy work.

TWP_32 – Clearwater River – 2805317

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Clearwater River	TWP_32_2805317u	Local Purpose (River Conservation) Reserve	Neutral	7	14

DOC Conservation Values Report Description

A 37.9141-ha area covering the surveyed meandering bed of Clearwater River between Westland Tai Poutini National Park (near Lake Matheson carpark) and the Cook River Conservation Area. The lower portion of the area is within the Cook River Lower Ecological Management Unit and crosses the Cook River itself. It meanders across farmland and does not follow the exact course of Clearwater River. It is modified by stock grazing and exotic species, and any future use will require agreement with the adjoining landowner. There is potential to extend a walking and cycling track through this area. This area is used for mahinga kai.

Panel Recommendations

National Panel: Local purpose (river conservation) reserve, to reflect the identified values - riverbed and alluvial land along Clearwater River, including riparian vegetation, developed pasture and shrubland. This area supports a diversity of freshwater species including kōaro and longfin eel (both At Risk - Declining). There is a proposal to develop a lookout within this conservation area.

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.

The Mana Whenua Panel have signalled Ngāi Tahu interests associated with this stewardship area, particularly that "this area is used for mahinga kai".

My assessment is that the purpose of the notified classification provides insufficient detail to comment on whether it appropriately protects the natural resources alongside the identified Ngāi Tahu interest, or if another classification may be more appropriate. I note that any further work to determine an appropriate classification for this area will be undertaken in a manner consistent with Treaty principles.

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 - TWP_32_2805317u

Support

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, agreed they reflected the "information in the technical reports", 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 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 advocated for stock to be excluded.

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

Oppose

Ecology and Landscape (Allowed)

- Submitters suggested that the proposed classification “provides no confidence that freshwater values or river margins and corridors will be protected from inappropriate use and development”.

I recommend that these comments are accepted. I agree that the purpose of the notified classification provides insufficient detail to comment on whether it appropriately promotes the conservation of the natural resources present.

- Submissions suggested that the proposed classification does not give consideration “to the very high and nationally important natural conservation values of the rivers” (e.g. “braided river systems, an internationally endangered and naturally uncommon ecosystem”, “of national importance for biodiversity”).
- Submitters suggested that ecological area, wildlife management area, or scenic reserve may be appropriate alternatives. One submitter advocated for a government purpose (climate mitigation) reserve.
- Submitters argued that the proposed classification is “out of step with taking a strategic, landscape level approach considering classifications of nearby land parcels”. They advocated for river areas to be given the same status as adjoining public conservation land, while another submitter advocated for government purpose reserve (Te Mana o te Wai) where no adjoining classifications exist (e.g. “close to Westland Tai Poutini National Park”).

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

Climate Change and Natural Hazards (Allowed)

- A submitter advocated for government purpose reserve (river floodplain) to provide “opportunities for ecosystem restoration in response to flood events or coastal erosion”.
- Submissions noted that the area “will be subject to flooding from climate change effects” and should be classified to promote re-vegetation and “become part of our emission reduction programme”. Local purpose reserve classifications were opposed as “they can have their status 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.

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification (e.g. “I would support Wildlife Management Area”, “incorporated into the Westland 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.

Process and Consultation (Not Allowed)

- 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.
- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.
- A submitter opposed placing a conservation area over road reserve, suggesting that the recommendation is outside the scope of the stewardship land review.

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

Other (Not Allowed)

- A submitter advocated for national park classification, and that the area be “combined with marginal strips, paper roads, Clearwater River C A 2805317 and LINZ lands”.

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 described, or if another classification may be more appropriate. Any limits on public access, or the appropriateness of an alternative classification, will be determined as part of the future policy work.

TWP_33 – Pekanga Drive – 2805321

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Pekanga Drive	TWP_33_2805321v	Government Purpose (Government Buildings) Reserve	Neutral	8	5

DOC Conservation Values Report Description

A 0.062-ha residential section in Fox Glacier township, containing DOC staff accommodation. There are no native ecosystems present.

Panel Recommendations

National Panel: Government purpose (government buildings) reserve, to ensure the continued availability of this site for use by the Department.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of government purpose (government buildings) reserve.

Summary of accepted submissions: Excepting those expressing general support for the proposal, no submissions were 'accepted' as holding substantial merit with regard to your notified proposal to classify the area as a government purpose (government buildings) reserve.

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

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

Rationale: My conclusion is that the proposed classification will support the ongoing use of the buildings for DOC staff accommodation, while appropriately reflecting the modified nature of the natural resources present (e.g. small residential sections with no substantial native ecosystems present).

Government Purpose (Government Buildings) Reserve -

TWP_33_2805321v

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, referencing the "information in the technical reports" or 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.

Oppose

Process and Consultation (Not Allowed)

- A submitter expressed concern this classification does not fit within the panels criteria. It was suggested the area is “completely outside the scope of the Stewardship land review” noting that their family had previously “sold it to the Government for housing”.
- 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 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. The notified classification does not prohibit public access for the proposed activities, where consistent with the identified primary purpose (government buildings).

TWP_33 – Pekanga Drive – 2805322

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Pekanga Drive	TWP_33_2805322w	Government Purpose (Government Buildings) Reserve	Neutral	8	5

DOC Conservation Values Report Description

A 0.1013-ha residential section in Fox Glacier township, containing DOC staff accommodation. There are no native ecosystems present.

Panel Recommendations

National Panel: Government purpose (government buildings) reserve, to ensure the continued availability of this site for use by the Department.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of government purpose (government buildings) reserve.

Summary of accepted submissions: Excepting those expressing general support for the proposal, no submissions were 'accepted' as holding substantial merit with regard to your notified proposal to classify the area as a government purpose (government buildings) reserve.

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

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

Rationale: My conclusion is that the proposed classification will support the ongoing use of the buildings for DOC staff accommodation, while appropriately reflecting the modified nature of the natural resources present (e.g. small residential sections with no substantial native ecosystems present).

Government Purpose (Government Buildings) Reserve -

TWP_33_2805322w

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, referencing the "information in the technical reports" or 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.

Oppose

Process and Consultation (Not Allowed)

- A submitter expressed concern this classification does not fit within the panels criteria. It was suggested the area is “completely outside the scope of the Stewardship land review” noting that their family had previously “sold it to the Government for housing”.
- 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 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. The notified classification does not prohibit public access for the proposed activities, where consistent with the identified primary purpose (government buildings).

TWP_34 – Cook River/Weheka – 2805318

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Cook River/Weheka (Riverbed)	TWP_34_2805318i	Local Purpose (River Conservation) Reserve	Neutral	10	25
Cook River/Weheka (Pasture)	TWP_34_2805318j	Disposal	Disposal	9	32

DOC Conservation Values Report Description

A 1617.17ha area of riverbed and associated grassy flats characteristic of a West Coast braided riverbed. There is Māori Reserve land adjacent at the coastal end of this area in recognition of occupation within this area. There are areas of scattered and dense shrubland, modified by stock grazing and exotic species. Concessions are held for grazing and gravel extraction.

Cook River/Weheka (Riverbed)

Panel Recommendations

National Panel: Local purpose (river conservation) reserve, so the riverbed and riparian sections are retained in public conservation land, this is considered to reflect the identified values. This area supports a diversity of freshwater species including kōaro and longfin eel (both At Risk: Declining). The panel acknowledges that the coastal end of this area is adjacent to Māori Reserve in recognition of occupation within the area.

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.

The Mana Whenua Panel have signalled Ngāi Tahu interests associated with this stewardship area, particularly that “at the coastal end of Cook River/Weheka Conservation Area there is Māori reserve land adjacent, in recognition of occupation within this area”.

My assessment is that the purpose of the notified classification provides insufficient detail to comment on whether it appropriately protects the natural resources alongside the identified Ngāi Tahu interest, or if another classification may be more appropriate. I note that any further work to determine an appropriate classification for this area will be undertaken in a manner consistent with Treaty principles.

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 - TWP_34_2805318i

Support

Ecology and Landscape (Allowed)

- A submitter noted that there is a coldwater spring in this area which is a naturally rare ecosystem.

- A submitter who holds a concession in the area noted the progress made in weed control, “benefiting all who use the land”.

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 expressed general support for the proposed classification without providing further justification, agreed they reflected the “information in the technical reports”, 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 not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Oppose

Access and Recreation (Allowed)

- A submitter noted the high recreation value of the wider area, advocating for national park classification to “retain these opportunities in perpetuity for our children and theirs” (e.g. “The combination of wilderness, remoteness of the experiences available, and the relative ease of access to the edge cannot be easily compared”).

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 recreation or public access will be determined as part of any future policy work.

Ecology and Landscape (Allowed)

- Submitters suggested that the proposed classification “provides no confidence that freshwater values or river margins and corridors will be protected from inappropriate use and development”.

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.

- Submitters advocated for classification as national park, noting “habitat value for a variety of birds, and the freshwater values of this area are high” (e.g. “naturally uncommon ecosystems”, “at risk and/or threatened species” “significant values as major wild and dynamic river connecting glaciers to sea”, “there are undisputedly high conservation values present and the bulk of this area should be added to the National Park”).
- Submissions suggested that the proposed classification does not give consideration “to the very high and nationally important natural conservation values of the rivers” (e.g. “braided river systems, an internationally endangered and naturally uncommon ecosystem”, “of national importance for biodiversity”).
- Submitters suggested that ecological area, wildlife management area, or scenic reserve may be appropriate alternatives. One submitter advocated for a government purpose (climate mitigation) reserve.
- Submitters argued that the proposed classification is “out of step with taking a strategic, landscape level approach considering classifications of nearby land parcels”. They advocated for river areas to be given the same status as adjoining public conservation land, while another submitter advocated for government purpose reserve (Te Mana o te Wai) where no adjoining classifications exist (e.g. “adjacent to the national park and the floodplains are a major feature of the mountains and glaciers that are part of the park”).

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

Climate Change and Natural Hazards (Allowed)

- Submissions noted that the area “will be subject to flooding from climate change effects” and should be classified to promote re-vegetation and “become part of our emission reduction programme”. Local purpose reserve classifications were opposed as “they can have their status 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.

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification (e.g. “I would support Wildlife Management Area”, “incorporated into the Westland 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)

- Submitters advocated that “stock should be removed to allow regeneration of the native plants” advocating for classification as national park as the “area is part of the Te Wāhipounamu South West New Zealand World Heritage Area”.

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

Process and Consultation (Not Allowed)

- 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.
- 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 described, or if another classification may be more appropriate. Any limits on public access, or the appropriateness of an alternative classification, will be determined as part of the future policy work.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter noted the area to support four families who share the grazing of the conservation area.
- A submission noted that “any change should not affect the existing permissions” noting concessions for grazing and gravel extraction.

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

Cook River/Weheka (Pasture)

Panel Recommendations

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

Mana Whenua Panel: The Mana Whenua Panel considers that the pastoral components of this conservation area are highly modified and should not form part of public conservation land. Therefore, the pastoral components of this assessment area should be disposed of.

S.49(2)(d) Recommendation

- Proceed with the notified proposal for the 'upper reaches' of the stewardship area, referring the pastoral components of the area to the Department to investigate the suitability of disposal.
- Do not proceed with the notified proposal for the 'lower reaches' of the river plain which provide continuity between other areas of public conservation land.

Summary of accepted submissions: Regarding the section of this stewardship area that comprises the lower reaches of the river plain, those submissions accepted as holding merit opposed the proposed disposal investigation based on the area's landscape context and value in enhancing landscape connectivity between Cook River/Weheka to Haast River Conservation Area and Westland Tai Poutini National Park.

For the remainder of the stewardship area (e.g. the upper reaches of the river plain), 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 partners, on the grounds that the pastoral components are highly modified.

The Mana Whenua Panel have signalled Ngāi Tahu interests associated with this stewardship area, particularly that "at the coastal end of Cook River/Weheka Conservation Area there is Māori reserve land adjacent, in recognition of occupation within this area".

For the lower reaches of the river plain, my conclusion, considering submissions accepted, is that the stewardship area provides landscape connectivity which warrants retention as public conservation land. The Conservation General Policy (6(d)(vi)) states that land disposal should not be undertaken where the land in question improves the natural linkages between places. I note that any further work to determine an appropriate classification for this area will be undertaken in a manner consistent with Treaty principles.

For the upper reaches of the river plain, my conclusion is that the modified nature and landscape context of the stewardship area mean a disposal investigation is appropriate. Given the Mana Whenua Panel have supported the proposed disposal investigation, I consider this is not inconsistent with the identified interests.

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

Disposal - TWP_34_2805318j

Support

Ecology and Landscape (Allowed)

- Submissions stated they support disposal of stewardship land where there are no conservation values or natural values remaining.

I recommend that these comments are accepted to the extent that I agree the pastoral components in the upper reaches of the stewardship area hold low conservation values (e.g. modified by stock grazing and exotic species) that justify referring this area to the Department to investigate the suitability of disposal. I note that any parts of the area identified to have substantive natural values are unlikely to pass the Conservation General Policy and legislative disposal tests. I have concluded based on submissions made in opposition to the notified disposal investigation that the lower reaches of the stewardship area warrant retention as public conservation land due to their value in providing landscape continuity between other protected areas.

Treaty Considerations (Allowed)

- Submissions supported the recommendations of the Mana Whenua Panel on the basis that they 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 accepted to the extent that I agree the pastoral components in the upper reaches of the stewardship area hold low conservation values (e.g. modified by stock grazing and exotic species) that justify 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. I have concluded based on submissions made in opposition that the lower reaches of the stewardship area warrant retention as public conservation land due to their value in providing landscape continuity between other protected areas. Any further work to determine an appropriate classification for this area will be undertaken in a manner consistent with Treaty principles and will consider the identified Ngāi Tahu interests.

General (Allowed)

- Submissions stated their agreement with the recommendation without providing further justification.

I recommend that these comments are accepted to the extent that I agree the pastoral components in the upper reaches of the stewardship area hold low conservation values that justify referring this area to the Department to investigate the suitability of disposal. I have concluded based on submissions made in opposition that the lower reaches of the stewardship area warrant retention as public conservation land due to their value in providing landscape continuity between other protected areas.

Permissions, Economic Factors and Land Use (Not Allowed)

- It was stated that "any change should not affect the existing permissions, grazing concession and gravel extraction".

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

Process and Consultation (Not Allowed)

- A submitter recommended that "discussions should be had with concession holder prior to recommendation".

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

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)

- A submitter noted that the area is important “for sportsfish and gamebird hunting”.
- A submitter who described themselves as a “kayaker and trumper, as an instructor and a recreator” recommended the entire Cook River/Weheka catchment (as well as other areas in Te Tai Poutini) be protected as a national park “as our gift to future generations of our children and to the people of the world”.
- A submitter stated that the area is “in walking distance of Fox and easily accessible. Once the glaciers disappear, there will need to be other places to visit”.
- It was noted that there is legal access via formed road reserve from the highway.
- Submissions objected to disposal on the grounds that this represents a loss of public access to rivers and other conservation land, and expressed opposition to any disposal which means a loss of recreation opportunities such as angling or hunting.
- Submissions noted that riparian access via marginal strips is not guaranteed, particularly if the river changes.
- Submissions suggested that land be retained or that appropriate mechanisms are used to ensure public access is maintained.
- Alternative suggested classifications to protect public access included recreation reserve, local purpose reserve, or wildlife management reserve.

I recommend that these comments are accepted to the extent that I have concluded based on submissions made in opposition that the lower reaches of the stewardship area warrant retention as public conservation land due to their value in providing landscape continuity between other protected areas. I note that while there may be recreation values associated with the wider stewardship area and the river, the areas recommended for disposal consist of modified pasture and are unlikely to hold recreational values. Any potential disposal arising from the Departmental investigation will trigger the formation of marginal strips which will secure ongoing public access along the riparian corridor.

Climate Change and Natural Hazards (Allowed)

- A submitter raised concern that “if this river run was sold to outside parties the unchecked growth of vegetation would most certainly constitute a serious fire risk. Bordering the National Park as well as the Fox Glacier Township, this could prove catastrophic as occurred in the Ohau Valley area in 2020”.
- Submitters highlighted that the area is on a river plain (attaching historic photos of the river course) and stating that “Over the past 100 years the Cook River has flowed over the majority of this proposed area, its current course being to the north of this block. Prior to this, the main channel was more central and in the 1940s and 60s the channel flowed along the southern boundary. The uncontrolled and erratic nature of a large river flood plain make a valuation process an exercise in guesswork and crystal ball gazing”.
- Submissions recommended retaining the land to allow room for natural river processes. A submission opposed disposal due to the nature of the alluvial floodplain and expressed concern that movement of the river could affect access to freehold land. Another stated that the “lower flats have recently been underwater”.
- 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. A submitter stated that the recommendation “is inadequate and neglects the ongoing emissions by cattle and loss of regeneration of vegetation and restoration of wetland function which would compromise implementation of the CCC report. Disposal and LP class would limit future decision making”.
- Submissions argued that disposing of public conservation land compromises future sustainability and climate mitigation options, noting that climate change is heightening pressure on ecosystems.
- It was noted that disposal “will not assist with a reduction in emissions from agriculture”.

I recommend that these comments are accepted to the extent that I have concluded based on submissions made in opposition that the lower reaches of the stewardship area warrant retention as public conservation land due to their value in providing landscape continuity between other protected areas. For the upper reaches, it is my assessment that the modified nature of the pastoral components of this stewardship area (e.g. modified by stock grazing and exotic species) and the

landscape context (bordered by private modified land) limit the appropriateness of retaining it for ecosystem restoration and carbon sequestration. I note that any potential disposal arising from the Departmental investigation will trigger the formation of marginal strips for qualifying waterbodies, which will be retained and protected as public conservation land.

Ecology and Landscape (Allowed)

- Submissions opposed disposal and sought national park classification based on the area's connection to other conservation areas and proximity to the national park, suggesting that this would enhance landscape connectivity (e.g. area adjoins "the vast conservation area Cook River/Weheka to Haast River area, which should be National Park recognizing that this whole area is part of the Te Wahi Pounamu South Westland World Heritage Area", "adjacent to the national park and the floodplains are a major feature of the mountains and glaciers that are part of the park. It links the mountains to the sea", "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", "Adjacent to areas of national park and with significant values as major wild and dynamic river connecting glaciers to sea", "The pasture areas of TWP 34 and TWP 36 should not be disposed of, they will contribute to the long term protection of the area").
- Submissions suggested that the presence of ecological values warrants a review of the recommendation and suggested national park status. A submitter stated, "the Conservation Values Report states that despite its modification it has nationally high importance and is habitat for a wide range of threatened wildlife, vegetation types and landforms. My experience of surveying for the PNAP programme was that sites that appeared at first glance to be rather ordinary often included threatened species upon a closer look. This site would appear to be an example of that. There are undisputedly high conservation values present and the bulk of this area should be added to the National Park".
- Submissions advocating for national park status rather than disposal noted that the pasture provides a known breeding habitat for banded dotterels and habitat for other birds, that totara stands are present, and that there are various freshwater values such as the river, wetlands, and coldwater springs (e.g. "Scrub has habitat value for a variety of birds, and the freshwater values of this area are high", "As well as the main river on the north side and Bullock Creek running down the south side there are several spring fed streams that join with Bullock Creek and a range of other bogs, old stream course ponds and wetlands. Cold springs are a naturally rare ecosystem that is threatened by development").
- A submission from the group of farmers who hold concessions in the area opposed disposal and emphasised the environmental benefits of grazing, stating that "the ongoing clearance of the gorse which 20 years ago was threatening to engulf the entire area, has been both a costly and time-consuming commitment. Our hard work, in close association with DOC's spraying programme, has enabled a seemingly insurmountable wall of gorse to be nearly conquered. It is imperative we maintain this momentum we have gained. Grazing of this area has benefited the land in a number of ways. Weed control being previously mentioned as well as cattle eating the soft regrowth of gorse and ragwort being kept in check by the sheep that graze the Cook River Flats".
- 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 (noting that there is potential for restoration with minimal intervention through the natural gorse to native succession process, particularly given the high rainfall on the West Coast and the proximity of nearby forests and seed sources).
- 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". Braided rivers were emphasised as being nationally important for biodiversity. Wildlife management reserve was suggested as an alternative classification.

Regarding the lower reaches of the river plain, I recommend that these comments are accepted to the extent that I agree that parts of the stewardship area provide continuity between Cook River/Weheka to Haast River Conservation Area and Westland Tai Poutini National Park and therefore warrant retention as public conservation land. I note that Conservation General Policy 6(d)(vi) states that land disposal should not be undertaken where the land in question improves the natural linkages between places.

For the remainder of the stewardship area (e.g. the upper reaches of the river plain), I recommend that these comments are not accepted. It is my assessment that the modified nature of the pastoral components (e.g. modified by stock grazing and exotic species) and the landscape context (i.e. bordered by modified private land) limit the appropriateness of retaining the area for restoration and justify referring this area to the Department to investigate the suitability of disposal. I note that any parts of the area identified to have substantive natural values are unlikely to pass the Conservation General Policy and legislative disposal tests.

Historic and Cultural Values (Allowed)

- A submission in opposition to disposal noted that “as founding families of the Fox Glacier area, this land represents both a historic and cultural association as well as it being an integral part of our current farming operations”.

I recommend that these comments are accepted to the extent that I have concluded based on submissions made in opposition that the lower reaches of the stewardship area warrant retention as public conservation land due to their value in providing landscape continuity between other protected areas. For the upper reaches, it is my assessment that the modified nature of the pastoral components of this stewardship area justify a disposal investigation. The fact that the area has a long history of grazing reinforces the modified nature of the natural resources present (e.g. modified by stock grazing and exotic species) and suggests that ongoing management of the land for conservation purposes may not be appropriate. I note that any parts of the area identified to hold substantive natural or historic resources are unlikely to pass the Conservation General Policy and legislative disposal tests.

General (Allowed)

- Submissions expressed opposition to disposal of any stewardship land in general terms, argued that public conservation land is best retained for future generations or future conservation purposes, expressed a desire for maximum environmental protection (and protection from development, mining, or other extractive activities) across all stewardship land, or supported “a cautionary approach” and preference to retain land in Crown ownership.

I recommend that these comments are accepted to the extent that I have concluded based on submissions made in opposition that the lower reaches of the stewardship area warrant retention as public conservation land due to their value in providing landscape continuity between other protected areas. For the upper reaches, it is my assessment that the modified nature of the pastoral components of this stewardship area justify a disposal investigation.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submission from “the graziers who lease the Cook River Flats” stated their opposition to disposal on various grounds. Among these was concern about disposal affecting access to individually owned pieces of land, stating these “seem to have been omitted from the maps issued in regards to the potential disposal. Obviously access to these freehold blocks, which total approximately 300 ha, needs to be maintained at all costs as it is a landowner’s right to be able to access their property”.
- A submission stated that “selling of this land parcel heightens the risk of yet another pine plantation to be brought in to a part of the world where there is no need for it”.
- A submission queried whether “grazing is in line with World Heritage Status”.
- 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)

- A submission from the farmers who hold grazing concessions on the area requested that they, as a group, are kept informed as the process progresses.
- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.
- A submitter wanted to ensure that any potential right of first refusal or conflicts of interest was carefully managed.
- It was suggested that there should be less focus on present values and more weight given to potential conservation value (as per the Conservation General Policy 6(c) and the Conservation Act requirement to safeguard options for future generations). It was recommended that the reclassification framework should include a “future conservation use” designation to hold land for future conservation requirements.
- It was 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.
- A submitter stated, “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”.
- It was noted that “proposed disposals do not give even a general indication where disposal boundaries might be”, making it difficult for submitters to comment (e.g. “the recommendation is that the pastoral parts of these sites be disposed of, but it is not clear where the boundaries of land to be disposed of would be”).

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

Other (Not Allowed)

- It was suggested that “no stock access to the freshwater areas should be permitted either under continued DOC management or if privatised”.
- Investigation of a land swap was suggested as preferable to disposal.

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

No Opinion/Position Stated

Climate Change and Natural Hazards (Allowed)

- One submission that selected no opinion stated that no land should be disposed of if there is potential for restoration or carbon sequestration, 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 have concluded based on submissions made in opposition that the lower reaches of the stewardship area warrant retention as public conservation land due to their value in providing landscape continuity between other protected areas. For the upper reaches, it is my assessment that the modified nature of the pastoral components of this stewardship area (e.g. modified by stock grazing and exotic species) and the landscape context (bordered by private modified land) limit the appropriateness of retaining it for ecosystem restoration and carbon sequestration. I note that any potential disposal arising from the Departmental investigation will trigger the formation of marginal strips for qualifying waterbodies, which will be retained and protected as public conservation land.

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 for further consideration. 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. No 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 noted the area as supporting four families who share the grazing of the conservation area.

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

Other (Not Allowed)

- It was noted that land is subject to Heritage New Zealand Pouhere Taonga Notification Process, and they may recommend heritage protection measures as part of this disposal process.
- 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.

TWP_34 – Cook River/Weheka Flat – 2805319

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Cook River/Weheka Flat (Riverbed)	TWP_34_2805319k	Local Purpose (River Conservation) Reserve	Neutral	8	19
Cook River/Weheka Flat (Pasture)	TWP_34_2805319l	Disposal	Disposal	8	26

DOC Conservation Values Report Description

An 11.1749-ha area of riverbed and associated grassy flats characteristic of a West Coast braided riverbed. There are areas of scattered and dense shrubland, modified by stock grazing and exotic species. Concessions are held for grazing and gravel extraction.

Cook River/Weheka Flat (Riverbed)

Panel Recommendations

National Panel: Local purpose (river conservation) reserve, so the riverbed and riparian sections are retained in public conservation land, this is considered to reflect the identified values. This area supports a diversity of freshwater species including kōaro and longfin eel (both At Risk: Declining).

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 - TWP_34_2805319k

Support

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, agreed they reflected the “information in the technical reports”, 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 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)

- Submitters suggested that the proposed classification “provides no confidence that freshwater values or river margins and corridors will be protected from inappropriate use and development”.

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.

- Submitters advocated for classification as national park, noting the area is recognised as being a internationally significant wetland, including “naturally uncommon ecosystems” and “at risk and/or threatened species” (e.g. “significant values as major wild and dynamic river connecting glaciers to sea”, “there are undisputedly high conservation values present and the bulk of this area should be added to the National Park”).
- Submissions suggested that the proposed classification does not give consideration “to the very high and nationally important natural conservation values of the rivers” (e.g. “braided river systems, an internationally endangered and naturally uncommon ecosystem”, “of national importance for biodiversity”).
- Submitters suggested that ecological area, wildlife management area, or scenic reserve may be appropriate alternatives. One submitter advocated for a Government Purpose (Climate Mitigation) Reserve.
- Submitters argued that the proposed classification is “out of step with taking a strategic, landscape level approach considering classifications of nearby land parcels”. They advocated for river areas to be given the same status as adjoining public conservation land, while another submitter advocated for government purpose reserve (Te Mana o te Wai) where no adjoining classifications exist (e.g. classify as national park as “land parcel has ecological values that appear similar to those on other nearby land with a higher protected status”).

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.

Climate Change and Natural Hazards (Allowed)

- Submissions noted that the area “will be subject to flooding from climate change effects” and should be classified to promote re-vegetation and “become part of our emission reduction programme”. Local purpose reserve classifications were opposed as “they can have their status 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.

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification (e.g. “I would support Wildlife Management 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 advocated that “stock should be removed to allow regeneration of the native plants” advocating for classification as national park as the “area is part of the Te Wāhipounamu South West New Zealand World Heritage Area”.

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

Process and Consultation (Not Allowed)

- 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.

- 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”.
- A submitter noted a history of visiting the area “to harvest our inaka, mahika kai”.

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, or the appropriateness of an alternative classification, will be determined as part of the future policy work.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter noted the area to support four families who share the grazing of the conservation area.
- A submission noted that “any change should not affect the existing permissions” noting concessions for grazing and gravel extraction.

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

Cook River/Weheka Flat (Pasture)

Panel Recommendations

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

Mana Whenua Panel: The Mana Whenua Panel considers that the pastoral components of this conservation area are highly modified and should not form part of public conservation land. Therefore, the pastoral components of this assessment area should be disposed of.

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 have supported the proposed disposal investigation, supported by submissions from Treaty partners, on the grounds that the pastoral components are highly modified.

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

Disposal - TWP_34_28053191

Support

Ecology and Landscape (Allowed)

- Submitters stated they support disposal of stewardship land where there are no conservation values or natural values remaining.

I recommend that these comments are accepted. The modified nature of the pastoral components of this stewardship area (e.g. modified by stock grazing and exotic species) justify referring this area to the Department to investigate the suitability of disposal. I note that any parts of the area identified to have substantive natural values are unlikely to pass the Conservation General Policy and legislative disposal tests.

Treaty Considerations (Allowed)

- Submissions supported the recommendations of the Mana Whenua Panel on the basis that they 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 accepted. The modified nature of the pastoral components of this stewardship area (e.g. modified by stock grazing and exotic species) justify 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)

- Submissions stated agreement with the recommendation 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 submitter stated that “any change should not affect the existing permissions, grazing concession and gravel extraction”.

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

Process and Consultation (Not Allowed)

- A submitter recommended that “discussions should be had with concession holder prior to recommendation”.

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

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 to rivers and other conservation land, and expressed opposition to any disposal which means a loss of recreation opportunities such as angling or hunting.
- Submissions noted that riparian access via marginal strips is not guaranteed, particularly if the river changes.
- A submitter noted a history of visiting the area “to harvest our inaka, mahika kai” and advocated for maximum protection of the area.
- Submissions suggested that land be retained or that appropriate mechanisms are used to ensure public access is maintained.
- Alternative suggested classifications to protect public access included recreation reserve, local purpose reserve, or wildlife management area.

I recommend that these comments are not accepted. Any potential disposal arising from the Departmental investigation will trigger the formation of marginal strips which will secure ongoing public access along the riparian corridor. 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.

Climate Change and Natural Hazards (Allowed)

- A submitter raised concern that “if this river run was sold to outside parties the unchecked growth of vegetation would most certainly constitute a serious fire risk. Bordering the National Park as well as the Fox Glacier Township, this could prove catastrophic as occurred in the Ohau Valley area in 2020”.
- Submitters highlighted that the area is on a river floodplain (attaching historic photos of the river course) and stated that “Over the past 100 years the Cook River has flowed over the majority of this proposed area, its current course being to the north of this block. Prior to this, the main channel was more central and in the 1940s and 60s the channel flowed along the southern boundary. The uncontrolled and erratic nature of a large river flood plain make a valuation process an exercise in guesswork and crystal ball gazing”.
- 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). The area was described as “clearly in the flood plain”. One submitter recommended reclassification as a government purpose (river floodplain) 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.

- It was noted that disposal “will not assist with a reduction in emissions from agriculture”.

I recommend that these comments are not accepted. The modified nature of the pastoral components of this stewardship area (e.g. modified by stock grazing and exotic species) limit the appropriateness of retaining it for ecosystem restoration and carbon sequestration. I note that any potential disposal arising from the Departmental investigation will trigger the formation of marginal strips for qualifying waterbodies, which will be retained and protected as public conservation land. Any parts of the area identified to have substantive natural values are unlikely to pass the Conservation General Policy and legislative disposal tests.

Ecology and Landscape (Allowed)

- Submissions opposed disposal and sought national park classification based on the area’s connection to other conservation areas and proximity to the national park, suggesting that this would enhance landscape connectivity (e.g. “The pasture areas should not be disposed of, they will contribute to the long term protection of the area, and stock should be removed to allow regeneration of the native plants. It adjoins the vast conservation area Cook River/Weheka to Haast River area, which we think should be National Park”, “Adjacent to areas of national park and with significant values as major wild and dynamic river connecting glaciers to sea”).
- A submission from the group of farmers who hold concessions in the area opposed disposal and emphasised the environmental benefits of grazing, stating that “the ongoing clearance of the gorse which 20 years ago was threatening to engulf the entire area, has been both a costly and time-consuming commitment. Our hard work, in close association with DOC’s spraying programme, has enabled a seemingly insurmountable wall of gorse to be nearly conquered. It is imperative we maintain this momentum we have gained. Grazing of this area has benefited the land in a number of ways. Weed control being previously mentioned as well as cattle eating the soft regrowth of gorse and ragwort being kept in check by the sheep that graze the Cook River Flats”.
- Submissions suggested that the presence of ecological values warrants a review of the recommendation and suggested national park status. A submitter stated, “the Conservation Values Report states that despite its modification it has nationally high importance and is habitat for a wide range of threatened wildlife, vegetation types and landforms. My experience of surveying for the PNAP programme was that sites that appeared at first glance to be rather ordinary often included threatened species upon a closer look. This site would appear to be an example of that. There are undisputedly high conservation values present and the bulk of this area should be added to the National Park”.
- 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 (noting that there is potential for restoration with minimal intervention through the natural gorse to native succession process, particularly given the high rainfall on the West Coast and the proximity of nearby forests and seed sources).
- 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”. Braided rivers were emphasised as being nationally important for biodiversity. Wildlife management reserve was suggested as an alternative classification.

I recommend that these comments are not accepted. The modified nature of the pastoral components of this stewardship area (e.g. modified by stock grazing and exotic species) justify referring this area to the Department to investigate the suitability of disposal. I note that any parts of the area identified to have substantive natural values are unlikely to pass the Conservation General Policy and legislative disposal tests.

Historic and Cultural Values (Allowed)

- A submission in opposition to disposal noted that “as founding families of the Fox Glacier area, this land represents both a historic and cultural association as well as it being an integral part of our current farming operations”.

I recommend that these comments are not accepted. The fact that the area has a long history of grazing reinforces the modified nature of the natural resources present (e.g. modified by stock grazing and exotic species) and suggests that ongoing management of the land for conservation purposes may not be appropriate. I note that any parts of the area identified to hold substantive natural or historic resources are unlikely to pass the Conservation General Policy and legislative disposal tests.

General (Allowed)

- Submissions expressed opposition to disposal of any stewardship land in general terms, argued that public conservation land is best retained for future generations or future conservation purposes, expressed a desire for maximum environmental protection (and protection from development, mining, or other extractive activities) across all stewardship land, or supported “a cautionary approach” and preference to retain land in Crown ownership.

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 from “the graziers who lease the Cook River Flats” stated their opposition to disposal on various grounds. Among these was concern about disposal affecting access to individually owned pieces of land, stating these “seem to have been omitted from the maps issued in regard to the potential disposal. Obviously access to these freehold blocks, which total approximately 300 ha, needs to be maintained at all costs as it is a landowner’s right to be able to access their property”.

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

Process and Consultation (Not Allowed)

- A submission from the farmers who hold grazing concessions on the area requested that they, as a group, are kept informed as the process progresses.
- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.
- A submitter wanted to ensure that any potential right of first refusal or conflicts of interest was carefully managed.
- It was suggested that there should be less focus on present values and more weight given to potential conservation value (as per the Conservation General Policy 6(c) and the Conservation Act requirement to safeguard options for future generations). It was recommended that the reclassification framework should include a “future conservation use” designation to hold land for future conservation requirements.
- It was 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.
- A submitter stated, “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”.
- It was noted that “proposed disposals do not give even a general indication where disposal boundaries might be”, making it difficult for submitters to comment (e.g. “The recommendation is that the pastoral parts of these sites be disposed of but it is not clear where the boundaries of land to be disposed of would be”).

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

Other (Not Allowed)

- It was suggested that a land swap would be preferable to disposal.

- It was suggested that “no stock access to the freshwater areas should be permitted either under continued DOC management or if privatised”.

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

No Opinion/Position Stated

Climate Change and Natural Hazards (Allowed)

- One submission that selected no opinion stated that no land should be disposed of if there is potential for restoration or carbon sequestration, 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 modified nature of the pastoral components of this stewardship area (e.g. modified by stock grazing and exotic species) limit the appropriateness of retaining it for ecosystem restoration and carbon sequestration. I note that any potential disposal arising from the Departmental investigation will trigger the formation of marginal strips for qualifying waterbodies, which will be retained and protected as public conservation land.

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 for further consideration. 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. No 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)

- The area was noted as supporting four families who share the grazing of the conservation area.

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

Other (Not Allowed)

- It was noted that land is subject to Heritage New Zealand Pouhere Taonga Notification Process, and they may recommend heritage protection measures as part of this disposal process.
- 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.

TWP_35 – Fox River – 2805320

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Fox River	TWP_35_2805320x	Scenic Reserve (a)	Neutral	14	8

DOC Conservation Values Report Description

An 11.0542-ha area on the alluvial flats of the Cook River/Weheka, it includes forest, shrubland and riverbed either side of the state highway. Part of the area has been historically grazed, and has been used as a green-waste disposal site. There has been a proposal for a heliport and in the future, the DOC-managed Te Weheka Walkway/Cycleway could pass through the area.

Panel Recommendations

National Panel: Scenic reserve, to preserve the ecological values and protect any historic or archaeological features, while providing for the potential recreational use of the area. The area's use as a green waste disposal site is noted, this section could be surveyed out and considered for disposal by the Department.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of scenic reserve.

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 resources present (e.g. forest, shrubland and riverbed) and reflects the context of the adjacent scenic reserve.

Scenic Reserve (a) - TWP_35_2805320x

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 "because of the high landscape, natural and scenic values present".

I recommend that these comments are accepted. They provide site-specific details regarding the natural resources present which warrant consideration. My view is that the natural resources identified in these comments are consistent with those described in the CVR (e.g. river terraces and riverbed of Cook River; spans from forest into shrubland), and they are appropriately protected and preserved by the proposed classification.

General (Allowed)

- A submitter advocated for a national park addition, without providing further justification.
- 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

Ecology and Landscape (Allowed)

- The area was noted as having "ecological values that appear similar to those on other nearby land with a higher protected status" including at risk and/or threatened species and "scenery and/or ecosystems, the preservation of which is in the national interest" advocating for a national park.

I recommend that these comments are not accepted. My view is that the natural resources identified in the CVR (e.g. river terraces and riverbed of Cook River; spans from forest into shrubland) are appropriately protected and preserved by the proposed classification, and the material raised is of insufficient merit to warrant reconsideration of the notified intention.

General (Allowed)

- Submitters advocated for the area to be "incorporated into the Westland 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)

- 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 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)

- A submitter advocated that "further should be had with proposed users".
- 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. 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 for further consideration. 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. No 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 requested that “if the green waste dump is going to be surveyed for disposal, it would be a great opportunity to realign the road reserve on the river edges”.

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

TWP_36 – Cook River/Weheka to Haast River – 2804986

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Cook River/Weheka to Haast River	TWP_36_2804986y	Conservation Park (Kā Tiritiri o Te Moana)	Conservation Park (Kā Tiritiri o Te Moana)	24	88

DOC Conservation Values Report Description

A 141,647.8ha area between Cook River/Weheka and Westland Tai Poutini National Park in the north and Haast River in the south, it extends from the coast to the Southern Alps. It includes all or most of seven Ecological Districts (EDs), eight Ecological Management Units (EMUs), two Species Management Units, and is also part of the Te Wahipounamu South West NZ World Heritage Area. Extremely diverse in both ecosystems and species and has ecological sequences. A range of recreation activities are undertaken; tramping tracks/huts, whitebait baches and jetboating. The area contains sites and places that span almost the entire settlement history of the country, including three heritage places and 24 recorded archaeological sites. Multiple concessions are held within the area, including grazing, telecommunications, accommodations, gravel extraction, beehives, access, aircraft landings, guiding, structures and right of way easements. The assessment area surrounds or borders a number of other treaty settlement obligations including Statutory Acknowledgement, Cultural Redress and a Site-Specific Agreement for a Nohoanga site.

The area from the Manakaiaua River south to the Paringa River was excluded from the notified proposal and the public process, and is therefore not the subject of the following s.49 recommendations.

Panel Recommendations

National Panel: Conservation park, to reflect the mosaic of values present, to protect the 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 for this conservation area.

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 appropriately protecting the natural resources present. Also accepted were comments noting that the proposed classification 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 Ngāi Tahu interests associated with this stewardship area, particularly that “Poutini Ngāi Tahu here are centred on Mahitahi and Makaawhio, based from Te Tauraka Waka a Maui Marae, while the entire area - land, sea and water - has sustained 40 generations”, “kainga were mostly confined to the coastline and dotted throughout”, “pā were also located at various sites along the Makaawhio River, which has been and still is the awa tapu of Ngāti Māhaki on account of the taonga aotea found exclusively within its catchment”. Several Treaty settlement obligations are present in the wider area including statutory acknowledgement, cultural redress and nohoanga sites.

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 natural resources present (e.g. highly natural with only minor areas modified by human impact) are appropriately protected under the proposed classification when also considering the historic resources present (e.g. sites and places that span human settlement history) and the cultural significance of the area to Ngāi Tahu (e.g. historic occupation sites and contemporary nohoanga). 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 - TWP_36_2804986y

Support

Ecology and Landscape (Allowed)

- A submitter expressed support for a conservation park classification, while requesting additional ecological areas be applied to a stand of kahikatea in the Moeraki catchment, and a coastal dune sequence near Lake Matakitaki.
- A submitter who supported the proposed classification suggested that “all of the tussock tops of the Solution Range need to be added to the Wilderness Area”.
- Submitters in support described the area as containing “high ecological values very similar to the existing National Parks” and as “an outstanding area with World Heritage overlay status”.

I recommend that these comments are accepted to the extent that I agree the natural values described are appropriately protected by the proposed classification. My assessment is that the natural resources present (e.g. highly natural with only minor areas modified by human impact) are appropriately protected under the proposed classification when also considering the historic resources present (e.g. sites and places that span human settlement history) and the cultural significance of the area to Ngāi Tahu (e.g. historic occupation sites and contemporary nohoanga). 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 proposed classification was supported “on the basis that those recommendations reflect the values, interests, and perspectives of the Papatipu Rūnanga in whose Takiwā the relevant land is located” (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 is that the natural resources present (e.g. highly natural with only minor areas modified by human impact) are appropriately protected under the proposed classification when also considering the historic resources present (e.g. sites and places that span human settlement history) and the cultural significance of the area to Ngāi Tahu (e.g. historic occupation sites and contemporary nohoanga). I note that the Mana Whenua Panel have supported the proposed classification, and am therefore comfortable that the notified intention is not inconsistent with the identified Ngāi Tahu interests.

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 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 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”.

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

Process and Consultation (Not Allowed)

- A submitter requested that “extensive consultation should be undertaken prior to recommendations being finalized”.

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 classification of “valleys with DOC grazing licences” as LPR, **noting that this would ensure the “land is available for the wider community to use as it has always been- farming, fishing, hunting, tramping and jet boating”.** It was noted that the area “incorporates blocks of Freehold land with the riverbed being sole access as no legal access is formed” and that public access “through **stewardship land continues to be preserved**”.
- A submitter opposed the classification on the basis that it will restrict jetboat access, which needs “to continue on this river for hunting and recreation”.
- A submitter noted the area “contains some of the most scenic and easily accessible parts of the World Heritage Area” including “outstanding rainforest and dune lake walks” around Ship Creek. **A mixture of national park and national reserve was proposed. This was suggested to “provide legal practical public foot access into all these valleys”.**

I recommend that these comments are not accepted. The concerns raised are addressed 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 advocated for classification as ecological area, with some requesting classification for the whole area and some for specific sections, including:
 - The lagoon “located at the southern end of the coastal nature walk at Ship Creek” including “the pool and its surrounds”.
 - The “forest in the lower Moeraki catchment below the highway, including The Munro Track area” including “**Kahikatea semi-swamp forest on the southern shore of Lake Moeraki**”.
 - The “forest associations on Mosquito Hill” describing the area as “a unique record of glaciation”.
 - The “entire Moeraki catchment be designated a Conservation Park” **with much of the remaining area classified as ecological area**.
 - The “2.3 km long sequence of six alternating dune-slack features, representative of the Haast coastal plain from just south of the Waita River outlet, southwards to the mouth of the Waitatoto River” (e.g. “wetland dune systems of the Haast Plains are unique **Very high ecological and nature conservation values**”.
- Submissions proposed “addition of suitable parts of this land parcel to the Hooker/Landsborough Wilderness Area” (e.g. “the remote mountainous hinterland to the east of the Alpine Fault and east of the Mataketake Range”).
- A submitter suggested that “farmers have proven that their businesses have little to no impact on the environment through water testing and are active in conservation efforts” advocating for “disposal of the pastoral area to the current runholders”.
- Submitters opposed the blanket approach of the proposed recommendations, noting that the area “needs to be subdivided according to its diversity of attributes”:
 - Ohinetamatea Forest - Several submitters advocated for national park classification “based upon its scientific values alone and by virtue of the WHA recognition and its location adjacent to the national park”. A submitter

noted that a national park classification aligns with “the Westland Tai Poutini NPMP’s identification of the Kahikatea forests of Ohinetamatea and Hunts Beach”.

- Karangarua/Hunt Beach Forest - Submitters noted that this contains “New Zealand’s prime stand of alluvial/swamp kahikatea” and that “this forest contains values worthy of either a national park or scientific reserve”.
- Ohinemaka Forest - Submitters noted as being within the excluded section of the area, and to contain “internationally recognised scenery and high scientific value” and is the “poster forest for the WHA”. It was advocated for either a national park addition or classification as an ecological area.
- Submitters requested the area be classified as a national reserve, with a subsequent investigation to determine the appropriate underlying mosaic” of scenic, nature reserve or scientific reserve status.
- Submitters advocated that the Southern section become a National Park in its own right, noting it be “different in character to either Westland or Mount Aspiring National Parks”. The proposed “South Westland National Park” was suggested to include several other assessment areas (e.g. TWP_43, TWP_46).
- Submitters noted the high ecological value of the kahikatea forests in the area, including “remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened” that it is “part of the UNESCO Te Wahi Pounamu World Heritage Area” and warrants a national park classification (e.g. “highly valued, distinct, and diverse ecological characteristics”, Tawharekiri Lakes is noted in the CMS as an “internationally significant wetland”, “contains some of the highest value public conservation land on the Coast”, “quite clearly the ecological, recreation and wilderness values (...) justify its classification as National Park”, “at least three internationally significant mature podocarp (kahikatea) forests”).
- Submitters expressed concern around conservation park recommendations for areas bordering national parks, noting 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” (e.g. “National Park would provide for mountains to sea integrity and protection”). A submitter advocated for classification as national park “which prioritises intrinsic/ecological values and cultural values at a higher level, with recreation values as a secondary value”.

I recommend that these comments are not accepted. My assessment is that the natural resources present (e.g. highly natural with only minor areas modified by human impact) are appropriately protected under the proposed classification when also considering the historic resources present (e.g. sites and places that span human settlement history) and the cultural significance of the area to Ngāi Tahu (e.g. historic occupation sites and contemporary nohoanga). 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.

Historic and Cultural Values (Allowed)

- Submissions noted the historic nature of farming in the area, which may be impacted under the proposed classification. A LPR was proposed as a suitable alternative for “river valley flats with DOC grazing licences” (e.g. “Most of the farms are still run by descendants of the original pioneers, with usually more than one generation of each family involved”, “It is important not to dismiss the amount of heritage and history that these valley runs hold”). A submitter advocated for historic reserve as a second option.

I recommend that these comments are not accepted. My assessment is that the proposed conservation park appropriately protects the historic resources present (e.g. sites and places that span human settlement history) and the cultural significance of the area to Ngāi Tahu (e.g. historic occupation sites and contemporary nohoanga). 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 acknowledged mana whenua “may wish to exercise some extra control over their valued geological resources of pounamu and aotea” suggesting that this can be achieved under a conservation or national park status by the “legislative instrument of Tōpuni”.
- A submitter advocated that if a national park classification is not possible, then “a co-governance agreement should be reached between Poutini Ngāi Tahu and the Crown, which will preclude the building of roads, grazing of beef cattle, hydro generation facilities, mining and all manner of logging of indigenous forest”.
- A submitter who advocated for national park classification acknowledged “the cultural significance these areas have to Poutini Ngāi Tahu” noting that any conflicts that arise regarding customary practices “can be addressed and resolved through the current Conservation Law Reform process”.
- A submitter, who advocated for a national park classification, suggested that “Ngāi Tahu values can and should be, included in a future National Park Management Plan”.

I recommend that these comments are not accepted. Potential changes to management or legislative frameworks are not the subject of the public notice. My assessment is that the natural resources present (e.g. highly natural with only minor areas modified by human impact) are appropriately protected under the proposed classification when also considering the historic resources present (e.g. sites and places that span human settlement history) and the cultural significance of the area to Ngāi Tahu (e.g. historic occupation sites and contemporary nohoanga).

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification (e.g. “I recommend it be National Park”).
- A submitter advocated for addition to “Ruataniwha Conservation Park”.

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

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter advocated for “excluding a corridor inland of the coast” for the purposes of relocation of “Te Tauraka Waka a Mui marae, the State Highway, and eventually the Bruce Bay settlement”.
- Submitters raised concern about the implication of the proposed classification on concessions (e.g. “this would be disastrous to our small communities and regional economy given our operations viability relies on the use of our stewardship land”, “Without the grazing licences and leases many of the farms in South Westland would be unviable”, “Our grazing licences play an active part in our working farm and enable us to have scale and the ability to employ local members of the community”).
- Submitters advocated that “valleys with current grazing concessions and Grazing Licenses be reclassified” as LPR (e.g. “would be best suited to a Local Purpose Reserve”). It was noted that any change of use “is likely to have a detrimental effect if there is reduced pest control and weed management as some weeds will flourish” (e.g. “sustainable operations and can exist alongside the lands conservation values”, conservation park classification “would have a grave effect on the economic values, the ecological values, biodiversity and integrity of the land due to the loss of grazing use”). A submitter identified that they hold a grazing concession in the area.
- Submissions advocated that the area “should all be given the ultimate protection from mining” by classification as national park (e.g. a classification that allows for mining is inconsistent with “assigning the appropriate protective conservation status for areas with high conservation values”). It was suggested that a national park classification would “further enhance the recognition of the importance of this area and would add to the tourism and economy of the area”.
- Submitters advocated for grazing concessions in the area to be discontinued (e.g. “opposed to the concessions for beef cattle and deer grazing in these wild and scenic riverbeds”, “this process should not be used as an excuse to enlarge the current farming area”).
- 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”.

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

Process and Consultation (Not Allowed)

- 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”).
- Submitters advocated that the “process needs to consider rural communities and the economic impact of the recommendations”.
- Submitters raised concern regarding “a 47,063-ha section of the Conservation Area from the Manakiaua River south to the Paringa River is excluded from the panel recommendations for reasons unknown” (e.g. “The conservation values in general are identical and there is no reason to downgrade the conservation status of this very large area”).
- 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” (e.g. “discussion comparing the pros and cons of the area being classified National Park or Conservation Park is absent”).
- 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 advocated for national park classification on the basis that if “logging, grazing/mining where allowed” then world heritage status would be lost.
- A submitter noted the Paringa River to contain the “northern limit of Nothofagus species in south Westland” recommending “a layby be constructed on the south side of this bridge where an interpretive sign could be installed”.
- 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”.
- A submitter noted the mahinga kai values of the area.

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 for further consideration. 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. No 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.

TWP_36 – Mahitahi Riverbed – 2804993

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Mahitahi Riverbed (Riverbed)	TWP_36_2804993a	Local Purpose (River Conservation) Reserve	Neutral	17	25
Mahitahi Riverbed (Pasture)	TWP_36_2804993b	Disposal	Disposal	19	30

DOC Conservation Values Report Description

A 92.3854-ha area partially on the Mahitangi River with a section of SH6 running next to it in the northwest. This expansive area contains active riverbed, alluvial and flood plains, watercourses, wetland systems and areas of pasture.

Mahitahi Riverbed (Riverbed)

Panel Recommendations

National Panel: Local purpose (river conservation) reserve, to reflect the identified values of the conservation area.

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.

The Mana Whenua Panel have signalled Ngāi Tahu interests associated with this stewardship area, particularly that “Poutini Ngāi Tahu here are centred on Mahitahi and Makaawhio, based from Te Tauraka Waka a Maui Marae, while the entire area - land, sea and water - has sustained 40 generations”, “kainga were mostly confined to the coastline and dotted throughout”, “pā were also located at various sites along the Makaawhio River, which has been and still is the awa tapu of Ngāti Māhaki on account of the taonga aotea found exclusively within its catchment”. Several Treaty settlement obligations are present in the wider area including statutory acknowledgement, cultural redress and nohoanga sites.

My assessment is that the purpose of the notified classification provides insufficient detail to comment on whether it appropriately protects the natural resources alongside the identified Ngāi Tahu interest, or if another classification may be more appropriate. I note that any further work to determine an appropriate classification for this area will be undertaken in a manner consistent with Treaty principles.

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 - TWP_36_2804993a

Support

Access and Recreation (Allowed)

- A submitter supported the proposed classification “to ensure grazing, fishing, hunting, tramping etc all have continued access to the Mahitahi riverbed as has been in the past”.

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.

Historic and Cultural Values (Allowed)

- A submitter supported the proposed classification to “allow for continuation of the cattle and sheep grazing for which it has been used since the 1880s”.

I recommend that these comments are not accepted. I have concluded based on comments in opposition that the purpose of the notified classification provides insufficient detail to comment on whether it appropriately protects the natural and historic resources described, or if another classification may be more appropriate.

General (Allowed)

- Submissions expressed general support for the proposed classification without providing further justification, agreed they reflected the “information in the technical reports”, 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 not accepted. Insufficient justification is provided regarding the natural and historic resources of the specific stewardship area, and no new material is raised for further consideration.

Oppose

Access and Recreation (Allowed)

- A submitter advocated for classification as recreation reserve, noting that the area is adjacent to the state highway and “suitable for various recreational purposes”.

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.

Climate Change and Natural Hazards (Allowed)

- A submitter advocated for government purpose reserve (river floodplain) to provide “opportunities for ecosystem restoration in response to flood events or coastal erosion”.
- Submissions noted that the area “will be subject to flooding from climate change effects” and should be classified to promote re-vegetation and “become part of our emission reduction programme”. Local purpose reserve classifications were opposed as “they can have their status 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.

Ecology and Landscape (Allowed)

- Submitters suggested that the proposed classification “provides no confidence that freshwater values or river margins and corridors will be protected from inappropriate use and development”.

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.

- Submitters advocated for classification as national park, suggesting that “the inclusion of these areas will create a complete mountain-to-sea environment, and the national park status will provide adequate protection for its highly valued, distinct, and diverse ecological characteristics” (e.g. “because of the rarity and high ecological values of these remaining kahikatea forests”, “significant ecological, landscape and recreation values that merit national park status and recognition”).

- A submitter advocated for the area to be classified as a national reserve along with the remainder of the TWP_36 area.
- Submissions suggested that the proposed classification does not give consideration “to the very high and nationally important natural conservation values of the rivers” (e.g. “braided river systems, an internationally endangered and naturally uncommon ecosystem”, “of national importance for biodiversity”). Several submitters suggested that ecological area, wildlife management area, or scenic reserve may be appropriate alternatives. One submitter advocated for a government purpose (climate mitigation) reserve.
- Submitters argued that the proposed classification is “out of step with taking a strategic, landscape level approach considering classifications of nearby land parcels”. They advocated for river areas to be given the same status as adjoining public conservation land, while another submitter advocated for government purpose reserve (Te Mana o te Wai) where no adjoining classifications exist (e.g. “logically this land would be best managed as National Park too”).

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 advocated for a higher level of protection than that proposed without providing further justification (e.g. “recommend Wildlife Management Area”, “incorporated into the Westland Tai Poutini National Park”, “as Scenic Reserve under s19(1)(b)”).

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)

- 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.
- 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 advocated for “the investigation of a land swap for the grazing component”.

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 described, or if another classification may be more appropriate. Any limits on public access, or the appropriateness of an alternative classification, will be determined as part of the future policy work.

Process and Consultation (Not Allowed)

- Submitters noted that “an exact map of the riverbed area is required before comment can be made”.
- A submitter noted the area as important to adjacent run holders, requesting that “extensive consultation should be undertaken prior to recommendations being finalised”.

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

Mahitahi Riverbed (Pasture)

Panel Recommendations

National Panel: Disposal is recommended for the parts of the conservation area that consist of developed pasture along the Mahitahi Riverbed.

Mana Whenua Panel: The Mana Whenua Panel considers that the pastoral components of this conservation area are highly modified and should not form part of public conservation land. Therefore, the pastoral components of this assessment area should be disposed of.

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 have supported the proposed disposal investigation, supported by submissions from Treaty partners, on the grounds that the pastoral components are highly modified.

The Mana Whenua Panel have signalled Ngāi Tahu interests associated with this stewardship area, particularly that "Poutini Ngāi Tahu here are centred on Mahitahi and Makaawhio, based from Te Tauraka Waka a Maui Marae, while the entire area - land, sea and water - has sustained 40 generations", "kainga were mostly confined to the coastline and dotted throughout", "pā were also located at various sites along the Makaawhio River, which has been and still is the awa tapu of Ngāti Māhaki on account of the taonga aotea found exclusively within its catchment". Several Treaty settlement obligations are present in the wider area including statutory acknowledgement, cultural redress and nohoanga sites.

Given the Mana Whenua Panel have supported the proposed disposal investigation, I consider this is not inconsistent with the identified interests.

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

Disposal - TWP_36_2804993b

Support

Access and Recreation (Allowed)

- A submission expressed support for disposal, "subject to the proviso that permanent public access to the hinterland along the river banks must be retained".

I recommend that these comments are accepted. However, as any potential disposal arising from the Departmental investigation will trigger the formation of marginal strips which will secure ongoing public access along the riparian corridor, this submission point does not raise any matters for further consideration.

Ecology and Landscape (Allowed)

- Submissions stated they support disposal of stewardship land where there are no conservation values or natural values remaining.

I recommend that these comments are accepted. The modified nature of the pastoral components of this stewardship area (e.g. minor areas modified by human impact) justify referring this area to the Department to investigate the suitability of disposal.

Treaty Considerations (Allowed)

- Submissions supported the recommendations of the Mana Whenua Panel on the basis that they 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 accepted. I note that the Mana Whenua Panel have supported the proposed disposal investigation, and therefore consider this is not inconsistent with the identified Ngāi Tahu interests. The modified nature of the pastoral components of this stewardship area (e.g. minor areas modified by human impact) justifies referring this area to the Department to investigate the suitability of disposal.

General (Allowed)

- Submissions stated their agreement with the recommendation 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 from a concession holder stated, "rock river protection works have been put in by our family to preserve this parcel of land".
- Submissions made in support of the disposal recommendation emphasised the longstanding importance of the land to the operation of their farm and expressed concern about the potential implications of disposal (e.g. "The Condon family have been farming and grazing this parcel of land for 140 years. This land has been leased from various Crown departments since the 1880s until the present DOC grazing licence. It has been essential to the viability of the farm and will continue to be so for future generations of our farming family (...) the disposal of part of the land to possibly a third party could be detrimental and threatens the viability of our family who have been caretakers of this land for 140 years", "the risk of disposing part of this land to an outside party will have a crippling effect on my family's farm creating potential issues with accessibility, harmony and pest & weed control").
- It was noted that "these areas are important to adjacent run holders".

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

Process and Consultation (Not Allowed)

- A submitter suggested that "extensive consultation should be undertaken prior to recommendations being finalised".
- Submissions noted that it is difficult for submitters to comment as it is unclear exactly which parts of the conservation area are recommended for disposal (e.g. "Since the map does not show what area or how many hectares of the land are in fact being proposed for disposal it is difficult to properly address the recommendation").

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

Other (Not Allowed)

- It was suggested that "using the Mahitahi River area NaPALIS # 2804993 for a re-routed SH6 could also be considered".
- Several submissions stated that they support disposal "on the basis that the existing grazing licence holder gets first option to buy in consultation with the neighbouring land owner, being Mt McGloin Station Ltd".
- Submissions recommended that the area should be offered first to the Condon family who currently hold a grazing license on the area.
- 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 to rivers and other conservation land (e.g. “Do not sell parcel of land adjacent to road and river this could close access to an already difficult area to access”). One submitter described how the Mahitahi “has long been a difficult valley to access due to perceived rights of control over access by grazing licence holders. One of the results of this poor access is that the valley is underused and there is a super abundant deer population. Ease of public access to the valley needs to be maintained and improved not reduced”. They stated that the stewardship area provides the “simplest way to access the valley” with a safe area to park off the highway and an easy river crossing, concluding that “if the Mahitahi Riverbed Stewardship area was disposed of this would significantly reduce the ease of public access”.
- Submissions also noted that riparian access via Marginal Strips is not guaranteed, particularly if the river changes.
- Submissions expressed opposition to any disposal which means a loss of recreation opportunities such as angling or hunting.
- Submissions suggested that land be retained or that appropriate mechanisms are used to ensure public access is maintained.
- Alternative suggested classifications to protect public access included recreation reserve or local purpose reserve.

I recommend that these comments are not accepted. My assessment is that, as there is a marginal strip connecting the highway to the river, retention of this conservation area is not necessary to secure public access. Further, any potential disposal arising from the Departmental investigation will trigger the formation of marginal strips which will secure ongoing public access along the riparian corridor.

Climate Change and Natural Hazards (Allowed)

- Submissions opposed disposal on the grounds that all public conservation land, even if modified/pasture, offers potential for climate change mitigation, i.e. opportunities for restoration and carbon sequestration (“the rough pasture areas will regenerate and retention for conservation better meets the recommendations of the Climate Change Commission Report), as well as for flood/erosion buffering, or allowing room for natural river processes. (e.g. “riverbeds should be classified as Scenic Reserve (...) and grazed areas fenced and not disposed of to allow for future meanders”). Government purpose reserve (river floodplain) was suggested as an alternative classification.
- Submissions argued that disposing of public conservation land compromises future sustainability and climate mitigation options, noting that climate change is heightening pressure on ecosystems.
- It was noted that disposal “will not assist with a reduction in emissions from agriculture”.

I recommend that these comments are not accepted. The modified nature of the pastoral components of this stewardship area (e.g. minor areas modified by human impact) and the landscape context (predominantly surrounded by private land) limit the appropriateness of retaining it for ecosystem restoration and carbon sequestration. I note that any potential disposal arising from the Departmental investigation will trigger the formation of marginal strips for qualifying waterbodies, which will be retained and protected as public conservation land.

Ecology and Landscape (Allowed)

- Several submissions recommended national park classification based on the area’s proximity to Westland Tai Poutini and its potential to enhance landscape connectivity (e.g. the entire TWP_36 parcel be classified as a national park, as “the inclusion of these areas will create a complete mountain-to-sea environment, and the national park status will provide adequate protection for its highly valued, distinct, and diverse ecological characteristics”, “these parcels are aligned with and adjacent to already recognised National Parks and World Heritage Areas (e.g. TWP_36_ with all the values inherent in theirs”, “a vast area that adjoins the Hooker/Landsborough Wilderness Area, and Westland Tai Poutini and Mount Aspiring National Parks. Much of the area is part of the UNESCO Te Wāhipounamu - South West New Zealand World Heritage Area and extends from the mountains to the sea”).
- Submitters also sought national park reclassification based on the area containing “moving river bed and alluvial flood plains with remnant indigenous vegetation which adjoins #2804986” and that “remaining kahikatea forests

(...) should be protected under the highest status within Westland Tai Poutini National Park. **These values are already well recognised in the UNESCO Te Wāhipounamu South West New Zealand World Heritage Area**".

- **Local purpose reserve (river conservation) was also recommended** based on the area's connection to the national park and its situation within the World Heritage Area. (e.g. "the pasture areas of TWP 34 and TWP 36 should not be disposed of, they will contribute to the long term protection of the area, and stock should be removed to allow regeneration of the native plants. They adjoin the vast conservation area Cook River/Weheka to Haast River area, which should be National Park recognizing that this whole area is part of the Te Wahi Pounamu South Westland World Heritage Area").
- A submitter commented that the assessment area contains "possibly the most outstanding natural landscape in New Zealand" and that it should be considered as a national reserve, with pockets of scientific reserve within it".
- **Submissions opposed any disposal**, stating that "widespread vegetation clearance, vulnerable ecosystems and Aotearoa's seriously declining biodiversity make retaining all conservation land essential".
- **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** (noting that there is potential for restoration with minimal intervention through the natural gorse to native succession process, particularly given the high rainfall on the West Coast and the proximity of nearby forests and seed sources).
- 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".

I recommend that these comments are not accepted. The modified nature of the pastoral components of this stewardship area (e.g. minor areas modified by human impact) justifies referring the area to the Department to investigate the suitability of disposal. As the pastoral components of this conservation area are predominantly bordered by private land, I consider that this limits the appropriateness of restoration and do not agree with comments that the landscape context and proximity to other public conservation land justifies overturning the recommended classification. 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)

- A submission advocating for the entire TWP_36 parcel to be reclassified as a national park stated "the NZCA is also aware of the cultural significance these areas have to Poutini Ngāi Tahu and feels that any conflicts that arise regarding customary practices of mana whenua can be addressed and resolved through the current Conservation Law Reform process".

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

General (Allowed)

- A submitter suggested that the values identified in the CVR justify a national park classification for the assessment area.

I recommend that this comment is not accepted. I do not agree that this stewardship area warrants a national park classification, as it is highly modified, and the submitter does not provide specific material as to which values they are referring to which would justify overturning the recommended classification.

- **Submissions expressed opposition to disposal of any stewardship land in general terms, argued that public conservation land is best retained for future generations or future conservation purposes, expressed a desire for**

maximum environmental protection (and protection from development, mining, or other extractive activities) across all stewardship land, or supported “a cautionary approach” and preference to retain land in Crown ownership.

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 noted opposition to disposal as there is a risk this may preclude access and current farming practises where there is a grazing license.
- 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. The committee of the South Westland Catchment Group stated that they “oppose the recommendation by the National Panel until full consultation has been completed with the townships and residents of South Westland”.
- Submissions raised concerns about the areas left out of the reclassification process, noting “there is significant disparity” between the CVR and the Recommendation Report, with a “significant area” not addressed in the Recommendation Report. They emphasised that the Department “will need to provide clarification and further information on what the parameters are for this land parcel, to avoid confusion”.
- A submitter commented that “there is no information in the Technical Report so I cannot tell what values the Panels considered”.
- A submitter wanted to ensure that any potential right of first refusal or conflicts of interest was carefully managed.
- It was suggested that there should be less focus on present values and more weight given to potential conservation value (as per the Conservation General Policy 6(c) and the Conservation Act requirement to safeguard options for future generations). It was recommended that the reclassification framework should include a “future conservation use” designation to hold land for future conservation requirements.
- It was 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.
- A submitter stated, “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”.
- It was noted that “proposed disposals do not give even a general indication where disposal boundaries might be”, making it difficult for submitters to comment.
- 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)

- It was suggested a land swap would be preferable to disposal.

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

No Opinion/Position Stated

Access and Recreation (Allowed)

- A submitter highlighted the need to ensure that public access is maintained, stating “I’ve been up both valleys numerous times, and both the farmers are generous with access however owners change, so it is essential that public access across these parcels is maintained”.

I recommend that these comments are not accepted. Any potential disposal arising from the Departmental investigation will trigger the formation of marginal strips which will secure ongoing public access along the riparian corridor. 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.

Climate Change and Natural Hazards (Allowed)

- One submitter that selected no opinion stated that no land should be disposed of if there is potential for restoration or carbon sequestration, 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 modified nature of the pastoral components of this stewardship area (e.g. minor areas modified by human impact) and the landscape context (predominantly surrounded by private land) limit the appropriateness of retaining it for ecosystem restoration and carbon sequestration. I note that any potential disposal arising from the Departmental investigation will trigger the formation of marginal strips for qualifying waterbodies, which will be retained and protected as public conservation land.

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 for further consideration. 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. No 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)

- It was noted that land is subject to Heritage New Zealand Pouhere Taonga Notification Process, and they may recommend heritage protection measures as part of this disposal process.
- 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.

TWP_36 – Paringa Bridge – 2804994

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Paringa Bridge (Riverbed)	TWP_36_2804994c	Local Purpose (River Conservation) Reserve	Neutral	17	25
Paringa Bridge (Pasture)	TWP_36_2804994d	Disposal	Disposal	12	30

DOC Conservation Values Report Description

A 101.55-ha area partially on the Paringa River with SH6 running through it. This area contains active riverbed, alluvial and flood plains, watercourses, wetland systems and areas of pasture.

Paringa Bridge (Riverbed)

Panel Recommendations

National Panel: Local purpose (river conservation) reserve, to reflect the identified values of the conservation area.

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.

The Mana Whenua Panel have signalled Ngāi Tahu interests associated with this stewardship area, particularly that “Poutini Ngāi Tahu here are centred on Mahitahi and Makaawhio, based from Te Tauraka Waka a Maui Marae, while the entire area - land, sea and water - has sustained 40 generations”, “kainga were mostly confined to the coastline and dotted throughout”, “pā were also located at various sites along the Makaawhio River, which has been and still is the awa tapu of Ngāti Māhaki on account of the taonga aotea found exclusively within its catchment”. Several Treaty settlement obligations are present in the wider area including statutory acknowledgement, cultural redress and nohoanga sites.

My assessment is that the purpose of the notified classification provides insufficient detail to comment on whether it appropriately protects the natural resources alongside the identified Ngāi Tahu interest, or if another classification may be more appropriate. I note that any further work to determine an appropriate classification for this area will be undertaken in a manner consistent with Treaty principles.

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 - TWP_36_2804994c

Support

Access and Recreation (Allowed)

- A submitter supported the proposed LPR to “ensure accessibility and continued grazing, jet boating, hunting, and pest and weed control in the area”.
- A submitter noted hunters and jetboaters use this area for access to the riverbed.

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 future policy work.

Historic and Cultural Values (Allowed)

- Submitters noted that “grazed cattle sustainably in these river valleys for 140 years” suggesting the proposed reserve will support this to continue.

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 expressed general support for the proposed classification without providing further justification, agreed they reflected the “information in the technical reports”, or noted their preference for all stewardship land to be reclassified at the highest possible level based on its “high cultural conservation value”.
- A submitter advocated for pasture components to also be classified as a local purpose 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.

Oppose

Access and Recreation (Allowed)

- A submitter advocated for classification as recreation reserve, noting that the area is adjacent to the state highway and “suitable for various recreational purposes” (e.g. “allow for the continuation of the historic grazing by cattle”).

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 future policy work.

Climate Change and Natural Hazards (Allowed)

- A submitter advocated for government purpose reserve (river floodplain) to provide “opportunities for ecosystem restoration in response to flood events or coastal erosion”.
- Submissions noted that the area “will be subject to flooding from climate change effects” and should be classified to promote re-vegetation and “become part of our emission reduction programme”. Local purpose reserve classifications were opposed as “they can have their status 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.

Ecology and Landscape (Allowed)

- Submitters suggested that the proposed classification “provides no confidence that freshwater values or river margins and corridors will be protected from inappropriate use and development”.

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.

- Submitters advocated for classification as national park, suggesting that “the inclusion of these areas will create a complete mountain-to-sea environment, and the national park status will provide adequate protection for its highly valued, distinct, and diverse ecological characteristics” (e.g. “because of the rarity and high ecological values of

these remaining kahikatea forests”, “significant ecological, landscape and recreation values that merit national park status and recognition”).

- A submitter advocated for the area to be classified as a national reserve along with the remainder of the TWP_36 area.
- Submissions suggested that the proposed classification does not give consideration “to the very high and nationally important natural conservation values of the rivers” (e.g. “braided river systems, an internationally endangered and naturally uncommon ecosystem”, “of national importance for biodiversity”).
- Several submitters suggested that ecological area, wildlife management area, or scenic reserve may be appropriate alternatives. One submitter advocated for a government purpose (climate mitigation) reserve.
- Submitters argued that the proposed classification is “out of step with taking a strategic, landscape level approach considering classifications of nearby land parcels”. They advocated for river areas to be given the same status as adjoining public conservation land, while another submitter advocated for government purpose reserve (Te Mana o te Wai) where no adjoining classifications exist (e.g. “addition to Paringa Bridge Scenic Reserve/ National Park”).

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

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification (e.g. “incorporated into the Westland Tai Poutini National Park”, “as Scenic Reserve under s19(1)(b)”).

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)

- 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.
- 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 advocated for “the investigation of a land swap for the grazing component”.

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 described, or if another classification may be more appropriate. Any limits on public access will be determined as part of future policy work.

Process and Consultation (Not Allowed)

- A submitter noted the area as important to adjacent run holders, requesting that “extensive consultation should be undertaken prior to recommendations being finalised”.

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

Paringa Bridge (Pasture)

Panel Recommendations

National Panel: Disposal is recommended for the parts of the conservation area that consist of developed pasture along the Paringa Riverbed.

Mana Whenua Panel: The Mana Whenua Panel considers that the pastoral components of this conservation area are highly modified and should not form part of public conservation land. Therefore, the pastoral components of this assessment area should be disposed of.

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 have supported the proposed disposal investigation, supported by submissions from Treaty partners, on the grounds that the pastoral components are highly modified.

The Mana Whenua Panel have signalled Ngāi Tahu interests associated with this stewardship area, particularly that "Poutini Ngāi Tahu here are centred on Mahitahi and Makaawhio, based from Te Tauraka Waka a Maui Marae, while the entire area - land, sea and water - has sustained 40 generations", "kainga were mostly confined to the coastline and dotted throughout", "pā were also located at various sites along the Makaawhio River, which has been and still is the awa tapu of Ngāti Māhaki on account of the taonga aotea found exclusively within its catchment". Several Treaty settlement obligations are present in the wider area including statutory acknowledgement, cultural redress and nohoanga sites.

Given the Mana Whenua Panel have supported the proposed disposal investigation, I consider this is not inconsistent with the identified interests.

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

Disposal - TWP_36_2804994d

Support

Access and Recreation (Allowed)

- A submission expressed support for disposal, "subject to the proviso that permanent public access to the hinterland along the river banks must be retained".

I recommend that these comments are accepted. I note that 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.

Ecology and Landscape (Allowed)

- Submissions stated they support disposal of stewardship land where there are no conservation values or natural values remaining.

I recommend that these comments are accepted. The modified nature of the pastoral components of this stewardship area (e.g. minor areas modified by human impact) justifies referring this area to the Department to investigate the suitability of disposal.

Treaty Considerations (Allowed)

- Submissions supported the recommendations of the Mana Whenua Panel on the basis that they 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 accepted. I note that the Mana Whenua Panel have supported the proposed disposal investigation, and therefore consider this is not inconsistent with the identified Ngāi Tahu interests. The modified nature of the pastoral components of this stewardship area (e.g. minor areas modified by human impact) justifies referring this area to the Department to investigate the suitability of disposal.

General (Allowed)

- Submissions stated their agreement with the recommendation 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.

Process and Consultation (Not Allowed)

- A submitter noted that "these areas are important to adjacent run holders. Extensive consultation should be undertaken prior to recommendations being finalised".

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

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)

- Submitters in opposition to disposal noted that hunters, trampers, and jetboaters use this area for access to the riverbed (e.g. "As there are many deer and possums in the Paringa Valley and in the surrounding hills and mountains there are always deer and possum hunters that require foot access up the valley along with trampers and climbers accessing the back country and jetboaters").
- Submissions objected to disposal on the grounds that this represents a loss of public access to rivers and other conservation land.
- Submissions also noted that riparian access via Marginal Strips is not guaranteed, particularly if the river changes.
- Submissions expressed opposition to any disposal which means a loss of recreation opportunities such as angling or hunting. It was suggested that land be retained or that appropriate mechanisms are used to ensure public access is maintained. Alternative suggested classifications to protect public access included recreation reserve or local purpose reserve.

I recommend that these comments are not accepted. As there are three legal roads associated with this stewardship area (the legal road on the eastern boundary providing access to Paringa Bridge Scenic Reserve, and the western legal roads connecting the Haast Highway to the river), my assessment is that retention of this stewardship area is not necessary to secure public access. Further, any potential disposal arising from the Departmental investigation will trigger the formation of marginal strips which will secure ongoing public access along the riparian corridor.

Climate Change and Natural Hazards (Allowed)

- Submissions opposed disposal on the grounds that all public conservation land, even if modified/pasture, offers potential for climate change mitigation, i.e. opportunities for restoration and carbon sequestration ("the rough pasture areas will regenerate and retention for conservation better meets the recommendations of the Climate Change Commission Report), as well as for flood/erosion buffering, or allowing room for natural river processes.

(e.g. “riverbeds should be classified as Scenic Reserve (...) and grazed areas fenced and not disposed of to allow for future meanders”). **Government purpose reserve (river floodplain)** was suggested as an alternative classification.

- Submissions argued that disposing of public conservation land compromises future sustainability and climate mitigation options, noting that climate change is heightening pressure on ecosystems.
- It was noted that disposal “will not assist with a reduction in emissions from agriculture”.

I recommend that these comments are not accepted. The modified nature of the pastoral components of this stewardship area (e.g. minor areas modified by human impact) limits the appropriateness of retaining it for ecosystem restoration and carbon sequestration. I note that any potential disposal arising from the Departmental investigation will trigger the formation of marginal strips for qualifying waterbodies, which will be retained and protected as public conservation land.

Ecology and Landscape (Allowed)

- Several submissions recommended national park classification based on the area’s proximity to Westland Tai Poutini and its potential to enhance landscape connectivity (e.g. the entire TWP_36 parcel should be classified as a national park, as “the inclusion of these areas will create a complete mountain-to-sea environment, and the national park status will provide adequate protection for its highly valued, distinct, and diverse ecological characteristics”, “these parcels are aligned with and adjacent to already recognised National Parks and World Heritage Areas _e.g.TWP_36_ with all the values inherent in theirs”, “a vast area that adjoins the Hooker/Landsborough Wilderness Area, and Westland Tai Poutini and Mount Aspiring National Parks. Much of the area is part of the UNESCO Te Wāhipounamu - South West New Zealand World Heritage Area and extends from the mountains to the sea”).
- Submitters also sought national park reclassification based on the area containing “remaining kahikatea forests (...) should be protected under the highest status within Westland Tai Poutini National Park. These values are already well recognised in the UNESCO Te Wāhipounamu South West New Zealand World Heritage Area”.
- A submitter suggested “Addition to Paringa Bridge Scenic Reserve/National Park” for this “area of river bed and alluvial flood plains with remnant indigenous vegetation which adjoins #2804986 for which I seek National Park status”.
- Local purpose reserve (river conservation) was also recommended based on the area’s connection to the national park and its situation within the World Heritage Area, (e.g. “the pasture areas of TWP 34 and TWP 36 should not be disposed of, they will contribute to the long term protection of the area, and stock should be removed to allow regeneration of the native plants. They adjoin the vast conservation area Cook River/Weheka to Haast River area, which should be National Park recognizing that this whole area is part of the Te Wahi Pounamu South Westland World Heritage Area”).
- One submitter stated, “An island of grazed land amongst National Parks, World Heritage Area? Let it regenerate so that there is cohesive land use”.
- A submitter commented that the assessment area contains “possibly the most outstanding natural landscape in New Zealand” and that it should be considered as a national reserve, with pockets of scientific reserve within it”.
- Submissions opposed any disposal, stating that “widespread vegetation clearance, vulnerable ecosystems and Aotearoa’s seriously declining biodiversity make retaining all conservation land essential”.
- 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 (noting that there is potential for restoration with minimal intervention through the natural gorse to native succession process, particularly given the high rainfall on the West Coast and the proximity of nearby forests and seed sources).

- 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”.

I recommend that these comments are not accepted. The modified nature of the pastoral components of this stewardship area (e.g. minor areas modified by human impact) justifies referring the area to the Department to investigate the suitability of disposal. The pastoral components 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)

- A submission advocating for the entire TWP_36 parcel to be reclassified as a national park stated “the NZCA is also aware of the cultural significance these areas have to Poutini Ngāi Tahu and feels that any conflicts that arise regarding customary practices of mana whenua can be addressed and resolved through the current Conservation Law Reform process”.

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

General (Allowed)

- A submitter suggested that the values identified in the CVR justify a national park classification for the assessment area.
- Submissions expressed opposition to disposal of any stewardship land in general terms, argued that public conservation land is best retained for future generations or future conservation purposes, expressed a desire for maximum environmental protection (and protection from development, mining, or other extractive activities) across all stewardship land, or supported “a cautionary approach” and preference to retain land in Crown ownership.

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 from the family who hold a grazing concession on the land expressed concern that disposal would risk the viability of their farming operation, highlighting that they have been “grazing cattle conservatively up the Paringa Valley for 140 years” and that “if part of this land unit was disposed of to an outside party it would be detrimental to our low intensity grazing operation making it unviable”.
- Submissions from the adjacent landowners opposed the disposal recommendation as the area provides access to their freehold land (e.g. “because your map does not determine yet the actual area for disposal there is a risk that some of this disposal area could create a land block blocking the access to the parcel of freehold land adjacent to and upstream of this area of land”). It was noted that the dynamic nature of the river heightens this risk (e.g. “the Paringa River is always changing its bed and eating away at its banks. This in itself creates an impossibility of separating out any land for disposal as the river will change over time and have the high potential to cut off public and adjoining landowners’ access if part of this land unit was sold for disposal”).
- 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. The committee of the South Westland Catchment Group stated that they “oppose the recommendation by the National Panel until full consultation has been completed with the townships and residents of South Westland”.
- Submissions raised concerns about the areas left out of the reclassification process, noting “there is significant disparity” between the CVR and the Recommendation Report, with a “significant area” not addressed in the

Recommendation Report. They emphasised that the Department “will need to provide clarification and further information on what the parameters are for this land parcel, to avoid confusion”.

- A submitter commented that “there is no information in the Technical Report so I cannot tell what values the Panels considered”.
- A submitter wanted to ensure that any potential right of first refusal or conflicts of interest was carefully managed.
- It was suggested that there should be less focus on present values and more weight given to potential conservation value (as per the Conservation General Policy 6(c) and the Conservation Act requirement to safeguard options for future generations). It was recommended that the reclassification framework should include a “future conservation use” designation to hold land for future conservation requirements.
- It was 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.
- A submitter stated, “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”.
- It was noted that “proposed disposals do not give even a general indication where disposal boundaries might be”, making it difficult for submitters to comment (e.g. “This is a very important piece of missing information to us and I do not understand how a recommendation can be made without determining the area first?”).
- 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)

- It was suggested a land swap would be preferable to disposal.
- A submitter stated they would only support disposal if it were offered first to the adjacent landowner.

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

No Opinion/Position Stated

Access and Recreation (Allowed)

- A submitter highlighted the need to ensure that public access is maintained, stating “I’ve been up both valleys numerous times, and both the farmers are generous with access however owners change, so it is essential that public access across these parcels is maintained”.

I recommend that these comments are not accepted. Any potential disposal arising from the Departmental investigation will trigger the formation of marginal strips which will secure ongoing public access along the riparian corridor. 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.

Climate Change and Natural Hazards (Allowed)

- One submitter that selected no opinion stated that no land should be disposed of if there is potential for restoration or carbon sequestration, 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 modified nature of the pastoral components of this stewardship area (e.g. minor areas modified by human impact) limits the appropriateness of retaining it for ecosystem restoration and carbon sequestration. I note that any potential disposal arising from the Departmental investigation will trigger the formation of marginal strips for qualifying waterbodies, which will be retained and protected as public conservation land.

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 for further consideration. 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. No 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)

- It was noted that land is subject to Heritage New Zealand Pouhere Taonga Notification Process, and they may recommend heritage protection measures as part of this disposal process.
- 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.

TWP_36 – Abbey Rocks – 2804997

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Abbey Rocks	TWP_36_2804997a	Conservation Park (Pauareka)	Conservation Park (Pauareka)	14	43

DOC Conservation Values Report Description

A 156.9599-ha area on the coast to the south of the Paringa River mouth primarily forested with some sections of beach.

Panel Recommendations

National Panel: Conservation park, 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 for this conservation area.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of conservation park.

Summary of accepted submissions: Those submissions ‘accepted’ as holding merit noted that the proposed classification 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 Ngāi Tahu interests associated with this stewardship area, particularly that “Poutini Ngāi Tahu here are centred on Mahitahi and Makaawhio, based from Te Tauraka Waka a Maui Marae, while the entire area - land, sea and water - has sustained 40 generations”, “kainga were mostly confined to the coastline and dotted throughout”, “pā were also located at various sites along the Makaawhio River, which has been and still is the awa tapu of Ngāti Māhaki on account of the taonga aotea found exclusively within its catchment”. Several Treaty settlement obligations are present in the wider area including statutory acknowledgement, cultural redress and nohoanga sites.

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. highly natural with only minor areas modified by human impact) are appropriately protected under the proposed classification when also considering the historic resources present (e.g. sites and places that span human settlement history) and the cultural significance of the area to Ngāi Tahu (e.g. historic occupation sites and contemporary nohoanga). 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 - TWP_36_2804997a

Support

Ecology and Landscape (Allowed)

- A submitter who supported the proposed conservation park noted the area to “contain high ecological values very similar to the existing National Parks”.

I recommend that these comments are accepted to the extent that I agree the natural values described are appropriately protected by the proposed classification. My assessment is that although the lowland coastal forest present may be of high ecological value, the land context does not support classification as national park. Under the National Parks General Policy (6b), “lands recommended for new national park status should be relatively large, preferably in terms of thousands of

hectares, and preferably comprise contiguous areas or related areas; and should be natural areas". The area in question is 156.96ha and does not border any existing national parks.

Treaty Considerations (Allowed)

- The proposed classification was supported "on the basis that those recommendations reflect the values, interests, and perspectives of the Papatipu Rūnanga in whose Takiwā the relevant land is located" (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 classification, and therefore consider the notified intention is not inconsistent with the identified Ngāi Tahu interests. My assessment is that the natural resources present (e.g. highly natural with only minor areas modified by human impact) are appropriately protected under the proposed classification when also considering the historic resources present (e.g. sites and places that span human settlement history) and the cultural significance of the area to Ngāi Tahu (e.g. historic occupation sites and contemporary nohoanga).

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 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 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".

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

Process and Consultation (Not Allowed)

- A submitter requested that "extensive consultation should be undertaken prior to recommendations being finalized".

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)

- Submitters identified the area as supporting "at risk and/or threatened species" including coastal populations of kororā and Fiordland crested penguin/**tawaki**, advocating for classification as national park "which prioritises intrinsic/ecological values and cultural values at a higher level, with recreation values as a secondary value" (e.g.

“area has nationally and internationally significant ecological systems and natural areas”, “the recommended conservation park falls short of recognising the ecological and landscape significance of the broader area”).

- Submitters noted the high ecological value of the area, including “remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened” that it is “part of the UNESCO Te Wahi Pounamu World Heritage Area” and that it warrants a higher level of protection than that proposed (e.g. “highly valued, distinct, and diverse ecological characteristics”).
- Submitters expressed concern around conservation park recommendations for areas bordering national parks, noting 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” (e.g. “National Park would provide for mountains to sea integrity and protection”).

I recommend that these comments are not accepted. My assessment 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)). Further, the land context does not support classification as national park. Under the National Parks General Policy (6b), “lands recommended for new national park status should be relatively large, preferably in terms of thousands of hectares, and preferably comprise contiguous areas or related areas; and should be natural areas”. The area in question is 156.96ha and does not border any existing national parks.

- 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” (e.g. “add to adjoining Conservation Park”).

I recommend they 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)

- A submitter who advocated for national park classification acknowledged “the cultural significance these areas have to Poutini Ngāi Tahu” noting that “any conflicts that arise regarding customary practices of mana whenua can be addressed and resolved through the current Conservation Law Reform process”.

I recommend that these comments are not accepted. Potential changes to management or legislative frameworks are not the subject of the public notice.

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification (e.g. “recommend Ecological Areas for Abbey Rocks”, “It should be added to the Westland 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”.

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

Process and Consultation (Not Allowed)

- 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 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)

- Submitters who advocated for national park or ecological area, noted that this area “was purchased by Nature Heritage Fund in 1996 and permanent protection is requested for this lowland forest on limestone land”.
- 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.

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 for further consideration. 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. No 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.

TWP_37 – Jacobs River – 2804995

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Jacobs River	TWP_37_2804995b	Stewardship	Stewardship	13	8

DOC Conservation Values Report Description

A 0.1379-ha area of lowland alluvial forest surrounded by Jacobs River Scenic Reserve and SH6 with limited representativeness of Karangarua Ecological District and limited ecological diversity. Mana Whenua and the Department have previously discussed disposing this conservation area to Mana Whenua. The surrounding Jacobs River Scenic Reserve land was previously Māori Reserve land.

Panel Recommendations

National Panel: Retain as a Stewardship area to appropriately reflect the identified values while enabling future discussions relating to addition to the adjacent Māori 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, 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 Ngāi Tahu interests associated with this stewardship area, particularly that “discussions have previously occurred with the Department of Conservation and Mana Whenua regarding the disposal of the southern conservation area (NaPALIS 2804995) to Mana Whenua for future Papatipu Rūnanga purposes”.

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 - TWP_37_2804995b

Support

Treaty Considerations

- Submissions supported the position of the Mana Whenua Panel on the basis that their recommendations reflect the rights and interests of Ngāi Tahu, 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 submitter noted that the area contains “two historic Gravel Reserves adjacent to SH6”.
- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these classifications provide “more than adequate legal protection”.

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

Oppose

Access and Recreation

- A submitter suggested that reclassification should focus on the “protection of the conservation value of the land and the guarantee of public access”.

I recommend that these comments are not 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. I note that as stewardship land the area, and public access to it, will remain protected until an appropriate classification is determined.

Ecology and Landscape

- A submitter advocated for classification as scenic reserve, noting that the “land parcel is an enclave within land that has a higher protected status than that proposed”.
- Submitters advocated for national park reclassification “based upon ecological and scenic values that are similar to adjoining national parks” (e.g. “contain high ecological values very similar to the existing National Parks”).

I recommend that these comments are not 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. I note that as stewardship land the area will remain protected until an appropriate classification is determined.

Treaty Considerations

- A submission argued that “an area with high conservation values should be reclassified to reflect that value” and that the Mana Whenua Panel recommendation “goes beyond the obligation to give effect to the Treaty of Waitangi”.
- 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 not 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 expressed preference for reclassification as a national park and for “maximum protection across all stewardship land” without providing further justification, or due to the land’s “high cultural conservation value”.

- Submissions opposed retaining land in stewardship, describing it as a "meaningless recommendation".
- One submission suggested reclassification as either scenic reserve or conservation park is preferable to retaining the land in stewardship.

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

Permissions, Economic Factors and Land Use

- 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"). It was suggested to the land instead be "disposed of or become incorporated into one of the park categories".

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.

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.

TWP_37 – Jacobs River – 2804996

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Jacobs River	TWP_37_2804996c	Stewardship	Stewardship	14	7

DOC Conservation Values Report Description

A 0.2086-ha area of lowland alluvial forest with SH6 going past nearby with limited representativeness of Karangarua Ecological District and limited ecological diversity. The nearby Jacobs River Scenic Reserve land was previously Māori Reserve land.

Panel Recommendations

National Panel: Retain as a Stewardship area to appropriately reflect the identified values while enabling future discussions relating to addition to the adjacent Māori Reserve.

Mana Whenua Panel: The Mana Whenua Panel supports the recommendation of the Western South Island National Panel for this conservation area.

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 Ngāi Tahu interests associated with this stewardship area, particularly that the area is “adjacent to Māori Reserve land which recognises the historic occupation within this area” and “Ngāi Tahu may have future aspirations for this land”. They have indicated that further assessment of the values and opportunities of this stewardship 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 - TWP_37_2804996c

Support

Treaty Considerations

- Submissions supported the position of the Mana Whenua Panel on the basis that their recommendations reflect the rights and interests of Ngāi Tahu, 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 submitter noted that the area contains “two historic Gravel Reserves adjacent to SH6”.
- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these classifications provide “more than adequate legal protection”.

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

Oppose

Access and Recreation

- A submitter suggested that reclassification should focus on the “protection of the conservation value of the land and the guarantee of public access”.

I recommend that these comments are not 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. I note that as stewardship land the area, and public access to it, will remain protected until an appropriate classification is determined.

Ecology and Landscape

- Submitters advocated for national park reclassification “based upon ecological and scenic values that are similar to adjoining national parks” (e.g. “contain high ecological values very similar to the existing National Parks”).

I recommend that these comments are not 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. I note that as stewardship land the area will remain protected until an appropriate classification is determined.

Treaty Considerations

- A submission argued that “an area with high conservation values should be reclassified to reflect that value” and that the Mana Whenua Panel recommendation “goes beyond the obligation to give effect to the Treaty of Waitangi”.
- 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 not 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 expressed preference for reclassification as a national park and for “maximum protection across all stewardship land” without providing further justification, or due to the land’s “high cultural conservation value”.
- Submissions opposed retaining land in stewardship, describing it as a “meaningless recommendation”.

- One submission suggested reclassification as either scenic reserve or conservation park is preferable to retaining the land in stewardship.

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

Permissions, Economic Factors and Land Use

- 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”). It was suggested to the land instead be “disposed of or become incorporated into one of the park categories”.

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.

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”.

TWP_38 – Dicks Creek – 2804999

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Dicks Creek (Forested)	TWP_38_2804999e	Scenic Reserve (a)	Neutral	13	7
Dicks Creek (Quarry)	TWP_38_2804999f	Local Purpose (Quarry) Reserve	Local Purpose (Quarry) Reserve	17	6

DOC Conservation Values Report Description

A 74.0159-ha area of mostly native forest with a portion at its western end modified from open cast rock quarrying and associated tracking - an access arrangement is held for the quarry. The area adjoins the extensive Cook River/Weheka to Haast Conservation Area.

Dicks Creek (Forested)

Panel Recommendations

National Panel: Scenic reserve (a), to preserve the identified ecological and landscape values, and protect any identified historic or archaeological features, while providing for recreational use of the area. A mixture of both common and rare forest avifauna are likely to utilise the habitat present.

Mana Whenua Panel: Neutral.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of scenic reserve for the ‘forested’ section of this stewardship area.

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

Section 4 and Treaty principles: The Mana Whenua Panel 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 resources present (e.g. native forest with some modification) and reflects the context of the adjacent scenic reserve.

Scenic Reserve (a) - TWP_38_2804999e

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 noted the area has “high ecological values very similar to the existing National Parks”.

I recommend that these comments are not accepted. My view is that the natural resources identified in the CVR are appropriately protected and preserved by the proposed classification, and the material raised is of insufficient merit to warrant reconsideration of the notified intention.

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.

Process and Consultation (Not Allowed)

- A submitter supported the proposed classification “subject to mapping which shows the actual areas to be held for Scenic Reserve and Local Purpose Reserve”.

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

Oppose

General (Allowed)

- A submitter advocated for the area to be “incorporated into the Westland Tai Poutini National Park”.
- A submitter advocated for addition to “adjoining Conservation Park”.

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

Permissions, Economic Factors and Land Use (Not Allowed)

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

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

Process and Consultation (Not Allowed)

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

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

Other (Not Allowed)

- One submission opposed all reclassification of stewardship land 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 for further consideration. 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. No 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.

Dicks Creek (Quarry)

Panel Recommendations

National Panel: Local purpose (quarry) reserve, to allow for the existing quarrying activities and because it lacks the conservation values of the surrounding area.

Mana Whenua Panel: The Mana Whenua Panel considers that quarrying activities are important to the West Coast economy and community resilience, and their continuation should be supported through the creation of a local purpose reserve for quarrying purposes.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of local purpose (quarry) reserve for the 'quarry' section of this stewardship area.

Summary of accepted submissions: Those submissions 'accepted' as holding merit expressed supported the notified classification while 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 partners, on the grounds that quarrying activities are important to the West Coast economy and community resilience.

Rationale: My conclusion is that the proposed classification will support the ongoing use of the existing quarry operation, while appropriately reflecting the modified nature of the natural resources present (e.g. the western portion has modification from quarrying and associated tracking).

Local Purpose (Quarry) Reserve - TWP_38_2804999f

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 Ngāi Tahu, 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 supported local purpose reserve proposals "where cultural and historical values have been identified".

I recommend that these comments are accepted. I agree that the proposed classification reflects the modified nature of the natural resources described in the CVR (e.g. the western portion has modification from quarrying and associated tracking). I note that the Mana Whenua Panel have supported the proposed disposal investigation.

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

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification (e.g. “incorporated into the Westland 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.

Process and Consultation (Not Allowed)

- A submitter noted “failure to provide any details about the primary purpose of the local purpose reserve” querying whether the proposed classification “will protect the lands ecological 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.

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 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. The notified classification does not prohibit public access for the proposed activities, where consistent with the identified primary purpose (quarry).

TWP_40 – Haast Visitor Centre – 2800943

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Haast Visitor Centre	TWP_40_2800943d	Local Purpose (Awarua Ngāi Tahu) Reserve	Local Purpose (Awarua Ngāi Tahu) Reserve	20	7

DOC Conservation Values Report Description

A 2.7-ha area of land on which the DOC-managed Awarua/Haast Visitor Centre and fieldbase is located. The centre is a collaboration between Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio, Development West Coast and the Department. The area is partially modified by the centre, associated roading and carparking but also has a wetland area. Visitors stop here seeking information and stories and displays of Te Wāhipounamu – South West New Zealand World Heritage Area. The Visitor Centre will be used as part of the Pounamu Pathway project.

Panel Recommendations

National Panel: Local purpose (Awarua Ngāi Tahu) reserve, to reflect the identified values while providing for the aspirations of mana whenua, re-establishing their cultural footprint and mana over the site.

Mana Whenua Panel: Local Purpose (Awarua 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 (Awarua 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 supported the proposed local purpose reserve, supported by Treaty partner organisation submissions.

The Mana Whenua Panel has interests associated with this stewardship area, particularly that “Poutini Ngāi Tahu have indicated future aspirations for this land, a tourist hub/experience centre in the Te Ara Pounamu”, “the project is a collaboration between Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio, Development West Coast and the Department of Conservation. Hubs in Te Ara Pounamu will include digital experiences with overarching stories and interactive displays telling the stories of the West Coast and conservation”.

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 (Awarua Ngāi Tahu) Reserve - TWP_40_2800943d

Support

Treaty Considerations (Allowed)

- Submitters supported local purpose reserve proposals “where cultural and historical values have been identified”.
- Submissions supported the position of the Mana Whenua Panel on the basis that their recommendations reflect the rights and interests of Ngāi Tahu, 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”).
- The area was noted to be the site of the future Pounamu Pathway Hub.
- 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, and their aspirations”.

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, 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 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)

- A submitter noted the area to be “important as a future Pounamu Pathway hub”.

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

Oppose

Ecology and Landscape (Allowed)

- Concern was raised that the proposed classification fails 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 lands ecological values”.

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.

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification (e.g. “to be added to the Mount Aspiring 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.

Process and Consultation (Not Allowed)

- A submitter noted “failure to provide any details about the primary purpose of the local purpose reserve” querying whether the proposed classification “will protect the lands ecological 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.

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 provides for the recreational access as described. Any limits on public access, or the appropriateness of an alternative classification, will be determined as part of the future policy work.

TWP_42 – Grassy Creek – 2800944

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Grassy Creek	TWP_42_2800944e	Disposal	Disposal	15	21

DOC Conservation Values Report Description

A 0.2-ha area containing a combination of modified remnant lowland alluvial podocarp forest, regenerating forest and rough pasture which appears to be part of a larger area of forest clearance for a farm or subdivision development although no concessions are recorded. It is unfenced and has been heavily impacted by past forest clearance. The very small size and modification limit its special features and distinctiveness.

Panel Recommendations

National Panel: Disposal, as the conservation area is of very low conservation value.

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, 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 have supported the proposed disposal investigation, 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: Although parts of the area may not meet the Conservation General Policy (6d) and Conservation Act (s. 26) tests for disposal, certain sections are indicated to hold little conservation value and warrant further consideration as to the suitability of disposal (e.g. part of a larger area of forest clearance for a farm or subdivision development).

Disposal - TWP_42_2800944e

Support

Ecology and Landscape (Allowed)

- Submissions stated they support disposal of stewardship land where there are no conservation values or natural values remaining.

I recommend that these comments are accepted. The modified nature of the area (e.g. part of a larger area of forest clearance for a farm or subdivision development) justifies referring this area to the Department to investigate the suitability of disposal.

Treaty Considerations (Allowed)

- Submissions supported the recommendations of the Mana Whenua Panel on the basis that they 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 accepted. The modified nature of the area (e.g. part of a larger area of forest clearance for a farm or subdivision development) justify 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)

- Submissions stated their agreement with the recommendation 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.

Process and Consultation (Not Allowed)

- It was suggested that discussions with existing occupiers should occur prior to any disposal.

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

Other (Not Allowed)

- It was noted that disposals only form 0.01% of the stewardship land in the West Coast reclassification process.
- It was suggested that on-site assessment should occur "to ensure that remaining ecological and hydrological values are adequately buffered and linked".
- Submissions also suggested that the Department should "investigate opportunities for land exchange".

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 to rivers and other conservation land, and expressed opposition to any disposal which means a loss of recreation opportunities such as angling or hunting.
- Submissions noted that riparian access via marginal strips is not guaranteed, particularly if the river changes.
- Submissions suggested that land be retained or that appropriate mechanisms are used to ensure public access is maintained.
- Alternative suggested classifications to protect public access included recreation reserve or local purpose reserve.

I recommend that these comments are not accepted. The CVR notes that there is no easy access to the area, being surrounded by freehold land, and that it receives little or no recreational use. No new material is raised in the comments. It is my view that there are no recreational or access values which justify overturning the notified classification.

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. They suggested reclassification as scenic reserve or ecological reserve to support restoration and allow room for natural river processes.
- Submissions argued that disposing of public conservation land compromises future sustainability and climate mitigation options, noting that climate change is heightening pressure on ecosystems.

I recommend that these comments are not accepted. The modified nature of the stewardship area (e.g. part of a larger area of forest clearance for a farm or subdivision development), its landscape context (surrounded by private land and legal road), and its very small size limit the appropriateness of retaining it for ecosystem restoration and carbon sequestration. 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.

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”.
- 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”.
- A submitter described the area as containing “high ecological values very similar to the existing National Parks”.
- 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 (noting that there is potential for restoration with minimal intervention through the natural gorse to native succession process, particularly given the high rainfall on the West Coast and the proximity of nearby forests and seed sources).
- 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”.
- Submissions suggested either no disposal, or that an alternative classification such as wildlife protection area, conservation area, or scenic reserve would better reflect the actual or potential conservation values.

I recommend that these comments are not accepted. The modified nature of the stewardship area (e.g. part of a larger area of forest clearance for a farm or subdivision development), its landscape context (surrounded by private land and legal road), and its very small size limit the appropriateness of restoration and justify referring this area to the Department to investigate the suitability of disposal. I note that any parts of the area identified to have substantive natural values are unlikely to pass the Conservation General Policy and legislative disposal tests.

Treaty Considerations (Allowed)

- 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”.
- Another stated “transfer ownership to local iwi”.

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 rights of first refusal process as set out in the Ngāi Tahu Claims Settlement Act 1998. I note that any parts of the area identified to have substantive “conservation & mahika-kai values” are unlikely to pass the Conservation General Policy and legislative disposal tests.

General (Allowed)

- Submissions expressed opposition to disposal of any stewardship land in general terms, argued that public conservation land is best retained for future generations or future conservation purposes, expressed a desire for maximum environmental protection (and protection from development, mining, or other extractive activities) across all stewardship land, or supported “a cautionary approach” and preference to retain land in Crown ownership.

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 opposed disposal commented that “There appears to be an aspect of moral hazard here, where conservation land is cleared, apparently without permission, and is then disposed of to the adjacent landowner”.
- 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.
- A submission wanted to ensure that any potential right of first refusal or conflicts of interest was carefully managed.
- It was suggested that there should be less focus on present values and more weight given to potential conservation value (as per the Conservation General Policy 6(c) and the Conservation Act requirement to safeguard options for future generations). It was recommended that the reclassification framework should include a “future conservation use” designation to hold land for future conservation requirements.
- It was 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.
- A submitter stated, “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”.
- It was noted that “proposed disposals do not give even a general indication where disposal boundaries might be”, making it difficult for submitters to comment.
- 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)

- It was suggested that, if disposal occurred, waterways should be protected by a setback, fencing and planting.

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

No Opinion/Position Stated

Climate Change and Natural Hazards (Allowed)

- One submission that selected no opinion stated that no land should be disposed of if there is potential for restoration or carbon sequestration, 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 modified nature of the area (e.g. part of a larger area of forest clearance for a farm or subdivision development) its landscape context (surrounded by private land and legal road), and its very small size limit the appropriateness of retaining it for ecosystem restoration and carbon sequestration. 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.

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 for further consideration. 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. No 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)

- It was noted that land is subject to Heritage New Zealand Pouhere Taonga Notification Process, and they may recommend heritage protection measures as part of this disposal process.
- 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.

TWP_42 – Snapshot Creek – 2800945

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Snapshot Creek	TWP_42_2800945f	Disposal	Disposal	13	22

DOC Conservation Values Report Description

A 0.2026-ha area containing a combination of modified remnant lowland alluvial podocarp forest, regenerating forest and rough pasture which appears to be part of a larger area of forest clearance for a farm or subdivision development although no concessions are recorded. It is unfenced and has been heavily impacted by past forest clearance. The very small size and modification limit its special features and distinctiveness.

Panel Recommendations

National Panel: Disposal, as the conservation area is of very low conservation value.

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, 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 have supported the proposed disposal investigation, 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: Although parts of the area may not meet the Conservation General Policy (6d) and Conservation Act (s. 26) tests for disposal, certain sections are indicated to hold little conservation value and warrant further consideration as to the suitability of disposal (e.g. part of a larger area of forest clearance for a farm or subdivision development).

Disposal - TWP_42_2800945f

Support

Ecology and Landscape (Allowed)

- Submissions stated they support disposal of stewardship land where there are no conservation values or natural values remaining.

I recommend that these comments are accepted. The modified nature of the area (e.g. part of a larger area of forest clearance for a farm or subdivision development) justifies referring this area to the Department to investigate the suitability of disposal. I note that any parts of the area identified to have substantive natural values are unlikely to pass the Conservation General Policy and legislative disposal tests.

Treaty Considerations (Allowed)

- Submissions supported the recommendations of the Mana Whenua Panel on the basis that they 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 accepted. The modified nature of the area (e.g. part of a larger area of forest clearance for a farm or subdivision development) justify 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)

- Submissions stated their agreement with the recommendation 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.

Process and Consultation (Not Allowed)

- It was suggested that discussions with existing occupiers should occur prior to any disposal.

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

Other (Not Allowed)

- It was noted that disposals only form 0.01% of the stewardship land in the West Coast reclassification process.
- It was suggested that on-site assessment should occur "to ensure that remaining ecological and hydrological values are adequately buffered and linked".
- Submissions also suggested that the Department should "investigate opportunities for land exchange".

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 to rivers and other conservation land, and expressed opposition to any disposal which means a loss of recreation opportunities such as angling or hunting.
- Submissions noted that riparian access via marginal strips is not guaranteed, particularly if the river changes.
- Submissions suggested that land be retained or that appropriate mechanisms are used to ensure public access is maintained.
- Alternative suggested classifications to protect public access included recreation reserve or local purpose reserve.

I recommend that these comments are not accepted. The CVR notes that there is no easy access to the area, being surrounded by freehold land, and that it receives little or no recreational use. No new material is raised in the comments. It is my view that there are no recreational or access values which justify overturning the notified classification.

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. They suggested reclassification as scenic reserve or ecological reserve to support restoration and allow room for natural river processes.
- Submissions argued that disposing of public conservation land compromises future sustainability and climate mitigation options, noting that climate change is heightening pressure on ecosystems.

I recommend that these comments are not accepted. The modified nature of the stewardship area (e.g. part of a larger area of forest clearance for a farm or subdivision development), its landscape context (surrounded by private land and legal road), and its very small size limit the appropriateness of retaining it for ecosystem restoration and carbon sequestration. 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.

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”.
- 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”.
- A submitter described the area as containing “high ecological values very similar to the existing National Parks”.
- 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 (noting that there is potential for restoration with minimal intervention through the natural gorse to native succession process, particularly given the high rainfall on the West Coast and the proximity of nearby forests and seed sources).
- 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”.
- Submissions suggested either no disposal, or that an alternative classification such as wildlife protection area, conservation area, or scenic reserve would better reflect the actual or potential conservation values.

I recommend that these comments are not accepted. The modified nature of the stewardship area (e.g. part of a larger area of forest clearance for a farm or subdivision development), its landscape context (surrounded by private land and legal road), and its very small size limit the appropriateness of restoration and justify referring this area to the Department to investigate the suitability of disposal. I note that any parts of the area identified to have substantive natural values are unlikely to pass the Conservation General Policy and legislative disposal tests.

Treaty Considerations (Allowed)

- 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”.
- Another stated “transfer ownership to local iwi”.

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 rights of first refusal process as set out in the Ngāi Tahu Claims Settlement Act 1998. I note that any parts of the area identified to have substantive “conservation & mahika-kai values” are unlikely to pass the Conservation General Policy and legislative disposal tests.

General (Allowed)

- Submissions expressed opposition to disposal of any stewardship land in general terms, argued that public conservation land is best retained for future generations or future conservation purposes, expressed a desire for maximum environmental protection (and protection from development, mining, or other extractive activities) across all stewardship land, or supported “a cautionary approach” and preference to retain land in Crown ownership.

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 opposed disposal commented that “There appears to be an aspect of moral hazard here, where conservation land is cleared, apparently without permission, and is then disposed of to the adjacent landowner”.
- 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.
- A submission wanted to ensure that any potential right of first refusal or conflicts of interest was carefully managed.
- It was suggested that there should be less focus on present values and more weight given to potential conservation value (as per the Conservation General Policy 6(c) and the Conservation Act requirement to safeguard options for future generations). It was recommended that the reclassification framework should include a “future conservation use” designation to hold land for future conservation requirements.
- It was 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.
- A submitter stated, “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”.
- It was noted that “proposed disposals do not give even a general indication where disposal boundaries might be”, making it difficult for submitters to comment.
- 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)

- It was suggested that, if disposal occurred, waterways should be protected by a setback, fencing and planting.

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

No Opinion/Position Stated

Climate Change and Natural Hazards (Allowed)

- One submission that selected no opinion stated that no land should be disposed of if there is potential for restoration or carbon sequestration, 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 modified nature of the stewardship area (e.g. part of a larger area of forest clearance for a farm or subdivision development), its landscape context (surrounded by private land and legal road), and its very small size limit the appropriateness of retaining it for ecosystem restoration and carbon sequestration. 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.

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 for further consideration. 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. No 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)

- It was noted that land is subject to Heritage New Zealand Pouhere Taonga Notification Process, and they may recommend heritage protection measures as part of this disposal process.
- 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.

TWP_43 – Okuru-Waiatoto – 2800930

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Okuru-Waiatoto	TWP_43_2800930s	Conservation Park (Pūtaiwhenua)	Neutral	10	54
Okuru-Waiatoto (Quarry)	TWP_43_2800930r	Local Purpose (Quarry) Reserve	Local Purpose (Quarry) Reserve	22	27

DOC Conservation Values Report Description

A 17313.8609-ha area that contains most of the conservation land between Waiatoto and Haast rivers. It extends from the sea across the coastal plain to hill slopes forming the boundary of Mt Aspiring National Park and is largely continuous, with two main blocks being located on either side of the Okuru River. The area has ecological sequences from the coast inland to the summits of some of the western mountain ranges, and numerous wetlands. There is a high number of threatened and at-risk species present. The Okuru-Waiatoto area has many historic sites along the coastline that indicate occupation of Ngāi Tahu and the Okuru River nohoanga site is adjacent to this conservation area. The assessment area has various tracks within it, DOC- and community-managed, and the river mouths are popular for whitebaiting. Concessions are held for grazing beef, access, structures, open cast rock mining, and accommodation. There is goldmining history and related sites.

Okuru-Waiatoto

Panel Recommendations

National Panel: Conservation park (Pūtaiwhenua), 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 appropriately protecting the natural resources present.

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 Okuru-Waiatoto area has many historic sites along the coastline that indicate occupation of Ngāi Tahu and the Okuru river nohoanga site is adjacent to the Okuru-Waiatoto Conservation 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. portions of which are modified by fire and past logging) are appropriately protected under the proposed classification when also considering the historic resources present (e.g. gold mining infrastructure and Māori artefacts) and the cultural significance of the area to Ngāi Tahu (e.g. historic occupation sites and contemporary nohoanga). 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 - TWP_43_2800930s

Support

Ecology and Landscape (Allowed)

- A submitter supported the proposed classification while noting the area to “contain high ecological values very similar to the existing National Parks”.
- A submitter particularly supported the classification for “Okuru, Waiatoto, Turnbull frontal catchments and nearby streams”, while noting other sections of the area may warrant a higher level of protection.

I recommend that these comments are accepted. My assessment is that the natural resources present (e.g. portions of which are modified by fire and past logging) are appropriately protected under the proposed classification when also considering the historic resources present (e.g. gold mining infrastructure and Māori artefacts) and the cultural significance of the area to Ngāi Tahu (e.g. historic occupation sites and contemporary nohoanga). 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 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 submitter advocated for “flexibility for locals to be able to use small sites on the fringes of the parks as needed for their purposes, including existing quarries”.
- 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”.

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 suggested that “public recreation and enjoyment should be equal to all other values” and raised concern that the proposed classification may restrict river access (e.g. “jetboat to provide access to trout fishing, white baiting, hunting and photography”). A submitter raised concern the proposed classification will “close down access to these rivers” which would be “in effect taking away a natural treasure that we as Ngāi Tahu descendants can no longer access”.

- Submissions advocated for classification as national park, referencing “high recreational values including walks and kayaking” specifically “tramping opportunities on the western end of the Marks and Selbourne Range included within this area” (e.g. “Okuru and Waiatoto have passes that connect to Otago, and these routes are being run more often by packrafters each succeeding year”).

I recommend that these comments are not accepted. The concerns raised are addressed 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 an ecological area classification for the unique dune sequences south of Haast.
- Submitters noted the high ecological value of the area, including “remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened” and that it warrants a higher level of protection than that proposed.
- Submitters outlined the environmental benefits of grazing in the area, suggesting the “extensive grazing we do is as close as we will ever get to mimicking the grazing of 700 years ago” citing research indicating this ecosystem function was previously carried out by “Moa who roamed in great mobs”. A local purpose reserve was proposed as “there is more certainty that the grazing significance this area holds, will be considered”.
- A submitter noted that “a lot of area that does belong in conservation, but most definitely not all of it” suggesting to “put into local purpose reserve or, even better, surveyed to appropriately detail the different values within the area and then reclassified based on its values”. Another submitter suggested that “smaller land areas of little or no conservation value” should be disposed of.
- Submitters advocated for classification as national park, referencing “extremely high and unique ecological, landform, and landscape values” and that the area is “is a significant part of the Te Wahipounamu World Heritage Area” (e.g. “the greatest area of unmodified wetland remaining in mainland New Zealand”). A submitter noted the area as “geopreservation site, reference 1372” describing it as “one of the best New Zealand examples of a complete sequence of Holocene relict foredune ridges and intervening swamps”. A submitter advocated for the area to be included in a new “South Westland National Park” along with TWP_36 and TWP_46.
- A submitter advocated for classification as scenic reserve or wildlife management area “given the extremely high ecological values, and unique landforms and ecosystems” noting the area as the “heart of the Te Wahi Pounamu World Heritage Area”. Consideration of a national park classification was forgone in recognition of “Ngāi Tahu policy regarding additions to National Parks”.
- Submitters expressed concern around conservation park recommendations for areas bordering national parks, noting 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” (e.g. “National Park would provide for mountains to sea integrity and protection”).

I recommend they are not accepted. My assessment is that the natural resources present are appropriately protected under the proposed classification when also considering the historic resources present (e.g. gold mining infrastructure and Māori artefacts) and the cultural significance of the area to Ngāi Tahu (e.g. historic occupation sites and contemporary nohoanga). 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 they 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)

- Submitters noted that grazing activities in the area are “historic as it gets when it comes to the history of the west coast” (e.g. “cattle grazing has been the most constant and consistent activity that the West Coast has experienced

for the past 147 years”), raising concern that this value has not been adequately considered. A local purpose reserve was proposed as suitable, noting that a conservation park classification “means that we are at the mercy of the CMS”.

I recommend that these comments are not accepted. My assessment is that the proposed conservation park appropriately protects the historic resources present (e.g. gold mining infrastructure and Māori artefacts) and the cultural significance of the area to Ngāi Tahu (e.g. historic occupation sites and contemporary nohoanga). 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)

- Submitters 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”.
- A submitter advocated that if stewardship land is deemed to be of “National Park quality, true co-management with Tangata whenua of all National Park and DoC managed land must be a prerequisite”.
- A submitter raised concern “that the Mana Whenua Panel are not in support of this proposal”.

I recommend that these comments are not accepted. Potential changes to management or legislative frameworks are not the subject of the public notice. My assessment is that the natural resources present are appropriately protected under the proposed classification when also considering the historic resources present (e.g. gold mining infrastructure and Māori artefacts) and the cultural significance of the area to Ngāi Tahu (e.g. historic occupation sites and contemporary nohoanga). I note that the Mana Whenua Panel have not opposed the notified classification, and therefore consider that this is not inconsistent with the identified interests.

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification (e.g. “recommend that this area be added to Westland 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)

- Submitters noted the grazing value of the area and that “farming is also enabling other businesses in the community to thrive” (e.g. suggesting “the community would be broken” with “many people out of jobs”, “without the grazing licences and leases many of the farms in South Westland would be unviable”).
- A submitter suggested surveying out the Turnbull Power Scheme for a separate infrastructure classification. Concern was expressed regarding uncertainty of obtaining permissions to operate hydro power activities under conservation park.
- Submitters advocated that the area “should all be given the ultimate protection from mining” by classification as national park. It was proposed that grazing leases should be “grandfathered or replaced with carbon farming”.
- A submitter advocated for national park status, noting that a classification that allows for mining is inconsistent with “assigning the appropriate protective conservation status for areas with high conservation values”.
- 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”.

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

Process and Consultation (Not Allowed)

- A submitter expressed that “privately owned land should be exempt from reclassifications”.
- 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”).

- Submitters noted concern that “the grazing significance in these land area proposals are not mentioned or considered at all, especially when stewardship land was specifically set aside for the many different values it held, with the most common and dominant value being grazing”.
- 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 noted that the “GNS Geopreservation Inventory needs to be available when reconsidering recommendations”

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

Other (Not Allowed)

- A submitter advocated for LPR for “a small parcel beside the main road which sits beside the local cemetery” setting this area aside to be “used for the community to extend the cemetery when required”.
- 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.

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 for further consideration. 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. No 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.

Okuru-Waiatoto (Quarry)

Panel Recommendations

National Panel: local purpose (quarry) reserve, to allow for the current quarrying activity to continue.

Mana Whenua Panel: The Mana Whenua Panel considers that quarrying activities are important to the West Coast economy and community resilience, and their continuation should be supported through the creation of a local purpose reserve for quarrying purposes.

S.49(2)(d) Recommendation

- Proceed with the notified proposal of local purpose (quarry) reserve for the 'quarry' section of this stewardship area.

Summary of accepted submissions: Those submissions 'accepted' as holding merit expressed supported the notified classification while 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 classification, supported by submissions from Treaty partner organisations, on the grounds that quarrying activities are important to the West Coast economy and community resilience.

Rationale: My conclusion is that the proposed classification will support the ongoing use of the existing quarry operation, while appropriately reflecting the modified nature of the natural resources present (e.g. the area of the existing quarry operation).

Local Purpose (Quarry) Reserve - TWP_43_2800930r

Support

Ecology and Landscape (Allowed)

- A submitter who supported the proposed classification noted the area to "contain high ecological values very similar to the existing National Parks".

I recommend that these comments are accepted to the extent that I agree the natural values present are appropriately protected by the proposed classification. My assessment is that the proposed classification reflects the modified nature of the natural resources present in the quarry area, which are not of a level to warrant classification as national park.

Treaty Considerations (Allowed)

- Submissions supported the position of the Mana Whenua Panel on the basis that their recommendations reflect the rights and interests of Ngāi Tahu, 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 supported local purpose reserve proposals "where cultural and historical values have been identified".

I recommend that these comments are accepted. Although no specific Ngāi Tahu interests have been identified for further consideration, I note that the Mana Whenua Panel have supported the proposed local purpose reserve. My assessment is that the proposed classification reflects the modified nature of the natural resources present in the quarry area.

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.

Permissions, Economic Factors and Land Use (Not Allowed)

- A submitter supported the ongoing operation of the quarry (e.g. “quarry being protected for further use under local purpose reserve for quarry”).

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

Other (Not Allowed)

- A submitter noted that “the quarry has extended into the adjacent Scenic Reserve and needs to be managed to contain within agreed area”.
- A submitter, who identified as a previous lease holder, advocated that for first right of refusal if the land is disposed of. It was advocated that the land remains a reserve, noting that the submitter would support with the maintenance of the area.

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

Oppose

Access and Recreation (Allowed)

- A submitter raised concern the proposed classification will “close down access to these rivers” which would be “in effect taking away a natural treasure that we as Ngāi Tahu descendants can no longer access” (e.g. “jetboat to provide access to trout fishing, white baiting, hunting and photography”).

I recommend that these comments are not accepted. No 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. The proposed classification does not prohibit public access for the proposed activities, where consistent with the identified primary purpose (quarry).

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification (e.g. “to be added to the Mount Aspiring National Park”, “recommend Wildlife Management 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 advocated for classification as national park, to provide “the ultimate protection from mining”.
- A submitter noted that “without the grazing licences and leases many of the farms in South Westland would be unviable” advocating that grazing areas should be surveyed and classified into “a separate category”.

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

Process and Consultation (Not Allowed)

- Submitters expressed support for the Quarry operation in a defined area, requesting a map detailing the extent of the proposed reserve.
- Submitters advocated for national park classification for the remainder of the conservation area.
- A submitter noted “failure to provide any details about the primary purpose of the local purpose reserve” querying whether the proposed classification “will protect the lands ecological values”.
- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.
- A submitter advocated that “public recreation and enjoyment should be equal to all other values”.

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

Other (Not Allowed)

- A submitter noted that they have “grazing concessions in that area under negotiation with DOC for land exchange”.

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 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. The notified classification does not prohibit public access for the proposed activities, where consistent with the identified primary purpose (quarry).

Treaty Considerations (Allowed)

- A submitter advocated that if stewardship land is deemed to be of “National Park quality, true co-management with Tangata whenua of all National Park and DoC managed land must be a prerequisite”.

I recommend that these comments are not accepted. No justification is provided regarding the classification proposed for this specific stewardship area, and no new material is raised which supports reconsideration of the notified classification.

TWP_43 – Grassy Creek – 2800935

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Grassy Creek	TWP_43_2800935g	Conservation Park (Awarua)	Neutral	10	33

DOC Conservation Values Report Description

A 55.1636-ha area near SH6 and the Haast river. It is a largely forested area with some small sections of pasture.

Panel Recommendations

National Panel: Conservation park (Awarua), 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 acknowledged the modified nature of the wider area, suggesting that the remaining natural values merit the protection offered by the proposed 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 the natural resources present (which are modified by fire and past forestry activities) 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 - TWP_43_2800935g

Support

Ecology and Landscape (Allowed)

- A submitter noted that although adjacent to developed land, “its remaining natural values merit protection”.
- A submitter supported the proposed classification while noting the area to “contain high ecological values very similar to the existing National Parks”.

I recommend that these comments are accepted to the extent that I agree the natural values described are appropriately protected by the proposed classification. Although the area may be modified by fire and past logging, my assessment is that the natural resources present warrant the ongoing protection provided 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)).

Treaty Considerations (Allowed)

- A submitter advocated that if stewardship land is deemed to be of “National Park quality, true co-management with Tangata whenua of all National Park and DoC managed land must be a prerequisite”.

I recommend that these comments are not accepted. Potential changes to management or legislative frameworks are not the subject of the public notice, and national park was not the classification proposed.

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 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 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".

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 suggested that public recreation and enjoyment should be equal to all other values and raised concern that the proposed classification may restrict river access (e.g. "jetboat to provide access to trout fishing, white baiting, hunting and photography"). A submitter raised concern the proposed classification will "close down access to these rivers" which would be "in effect taking away a natural treasure that we as Ngāi Tahu descendants can no longer access".
- A submitter advocated for classification as national park, referencing "high recreational values including walks and kayaking" specifically "tramping opportunities on the western end of the Marks and Selbourne Range included within this area".

I recommend that these comments are not accepted. The concerns raised are addressed 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 advocated for classification as national park, referencing "extremely high and unique ecological, landform, and landscape values" and that the area is "is a significant part of the Te Wāhīpounamu World Heritage Area" (e.g. "the greatest area of unmodified wetland remaining in mainland New Zealand").
- A submitter noted the area as "geopreservation site, reference 1372" describing it as "a complete sequence of Holocene relict foredune ridges and intervening swamps in a pristine environment".
- A submitter advocated for classification as scenic reserve or wildlife management area "given the extremely high ecological values, and unique landforms and ecosystems" noting the area as the "heart of the Te Wāhī Pounamu World Heritage Area". Consideration of a national park classification was forgone in recognition of "Ngāi Tahu policy regarding additions to National Parks".

- Submitters advocated for classification as scenic reserve due to the presence of “scenery and/or ecosystems, the preservation of which is in the national interest” (e.g. “isolated from nearby parcels and it would make sense that it be a Scenic Reserve”).
- Submitters noted the high ecological value of the area, including “remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened” and that it warrants a higher level of protection than that proposed.
- Submitters expressed concern around conservation park recommendations for areas bordering national parks, noting 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” (e.g. “National Park would provide for mountains to sea integrity and protection”).

I recommend that these comments are not accepted. My assessment is that the natural resources present (which are modified by fire and past forestry activities) 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 they 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)

- A submitter acknowledged the “significance of this area for Poutini Ngāi Tahu, and note that this is a matter for the Crown to resolve” advocating for national park status.

I recommend that these comments are not accepted. Potential changes to management or legislative frameworks are not the subject of the public notice. My assessment is that the natural and historic resources present are appropriately protected under the proposed classification.

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification (e.g. “recommend that this area be added to Westland 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 advocated for national park status, noting that a classification that allows for mining is inconsistent with “assigning the appropriate protective conservation status for areas with high conservation values”).
- 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”.

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. A submitter noted that the “GNS Geopreservation Inventory needs to be available when reconsidering recommendations”.

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 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. The proposed classification does not prohibit public access for the proposed activities, where consistent with preservation of the conservation values present.

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 for further consideration. 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. No 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.

TWP_43 – Okuru - Turnbull River – 2800941

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Okuru - Turnbull River	TWP_43_2800941h	Conservation Park (Pūtaiwhenua)	Neutral	12	36

DOC Conservation Values Report Description

An 80.0882-ha area of primarily forest, some pasture and parts of the Turnbull Rivers active riverbed. It is bordering Okuru-Waiatoto Conservation Area to the south, has a road running between its two sections. The area has a track within it.

Panel Recommendations

National Panel: Conservation park (Pūtaiwhenua), 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 appropriately protecting the natural resources present over the majority of the 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 the natural resources present (which are modified by fire and past forestry activities) 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 - TWP_43_2800941h

Support

Ecology and Landscape (Allowed)

- A submitter particularly supported the classification for “Okuru, Waiatoto, Turnbull frontal catchments and nearby streams”, while noting other sections of the area may warrant a higher level of protection.
- A submitter supported the proposed classification while noting the area to “contain high ecological values very similar to the existing National Parks”.

I recommend that these comments are accepted to the extent that I agree the natural values described are appropriately protected by the proposed classification. Although the area may be modified by fire and past logging, my assessment is that the natural resources present warrant the ongoing protection provided 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)).

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 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 submitter advocated for “flexibility for locals to be able to use small sites on the fringes of the parks as needed for their purposes, including existing quarries”.
- 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”.

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 suggested that “public recreation and enjoyment should be equal to all other objectives not secondary”. Particular concern was raised about restrictions on jetboat use, noting that “this must be allowed to continue and this includes access across land for launching purpose” (e.g. “jetboat to provide access to trout fishing, white baiting, hunting and photography”). A submitter raised concern the proposed classification will “close down access to these rivers” which would be “in effect taking away a natural treasure that we as Ngāi Tahu descendants can no longer access”.
- A submitter advocated for a national park classification, noting the high recreational use of the area. E.g., “Okuru and Waitoto have passes that connect to Otago, and these routes are being run more often by packrafters each succeeding year”.

I recommend that these comments are not accepted. The concerns raised are addressed 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 the Hapuka estuary area is unique, with an intact ecological sequence which justifies an ecological area status (e.g. “the subtidal area and adjacent woodland- forest sequence traversed by the interpretive nature trail justifies formal protection as an Ecological Area”).
- Submitters noted the high ecological value of the area, including “remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened” and that it warrants a higher level of protection than that proposed.
- Submitters advocated for classification as national park, referencing “extremely high and unique ecological, landform, and landscape values” and that the area is “is a significant part of the Te Wahipounamu World Heritage Area” (e.g. “the greatest area of unmodified wetland remaining in mainland New Zealand”, “land parcel has ecological values that appear similar to those on other nearby land with a higher protected status”).

- A submitter noted the area as “geopreservation site, reference 1372” describing it as “a complete sequence of Holocene relict foredune ridges and intervening swamps in a pristine environment”.
- A submitter advocated for classification as scenic reserve or wildlife management area “given the extremely high ecological values, and unique landforms and ecosystems” noting the area as the “heart of the Te Wahi Pounamu World Heritage Area”. Consideration of a national park classification was forgone in recognition of “Ngāi Tahu policy regarding additions to National Parks”.
- Submitters expressed concern around conservation park recommendations for areas bordering national parks, noting 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” (e.g. “National Park would provide for mountains to sea integrity and protection”).

I recommend they are not accepted. My assessment is that the natural resources present (which are modified by fire and past forestry activities) 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 they 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)

- A submitter advocated that if stewardship land is deemed to be of “National Park quality, true co-management with Tangata whenua of all National Park and DoC managed land must be a prerequisite”.
- A submitter acknowledged the “significance of this area for Poutini Ngāi Tahu, and note that this is a matter for the Crown to resolve” advocating for national park status.

I recommend that these comments are not accepted. Potential changes to management or legislative frameworks are not the subject of the public notice. My assessment is that the natural and historic resources present are appropriately protected under the proposed classification.

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification (e.g. “recommend that this area be added to Westland 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 suggested that an ecological area classification would encourage longer guest stays in the area, supporting the Hapuka motor camp.
- A submitter advocated for national park status, noting that a classification that allows for mining is inconsistent with “assigning the appropriate protective conservation status for areas with high conservation values”.
- Submitters advocated that “valleys with current grazing concessions and Grazing Licenses be reclassified” as LPR. It was noted that “sustainable operations and can exist alongside the lands conservation values”.
- Submitters raised concern about the implication of reclassification on concessions (e.g. “this would be disastrous to our small communities and regional economy given our operations viability relies on the use of our stewardship land”).
- 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”.

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

Process and Consultation (Not Allowed)

- 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 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 noted that the “GNS Geopreservation Inventory needs to be available when reconsidering recommendations”.

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 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. The proposed classification does not prohibit public access for the proposed activities, where consistent with preservation of the conservation values present.

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 for further consideration. 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. No 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 requested that “rivers are maintained in a free-flowing unmodified state” and that the “classification does not allow for dams or flow diversions”.
- A submitter 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.

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.

TWP_43 – Nolans Creek – 2800946

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Nolans Creek	TWP_43_2800946i	Conservation Park (Pūtaiwhenua)	Neutral	10	25

DOC Conservation Values Report Description

A 0.2051-ha area of mostly pasture, a small waterway and farm tracks may be present according to satellite imagery. One side adjoins a section of the Okuru-Waiatoto conservation area.

Panel Recommendations

National Panel: Conservation park (Pūtaiwhenua), 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 the natural resources present (which are modified by fire, past forestry activities and land clearance) 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 - TWP_43_2800946i

Support

Ecology and Landscape (Allowed)

- A submitter supported the proposed classification while noting the area to "contain high ecological values very similar to the existing National Parks".

I recommend that these comments are accepted to the extent that I agree the natural values described are appropriately protected by the proposed classification. Although the area may be modified by fire and past logging, my assessment is that the natural resources present warrant the ongoing protection provided by 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 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 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".

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)

- Submitters advocated for classification as national park, referencing "extremely high and unique ecological, landform, and landscape values" and that the area is "is a significant part of the Te Wāhīpounamu World Heritage Area" (e.g. "the greatest area of unmodified wetland remaining in mainland New Zealand").
- A submitter noted the area as "geopreservation site, reference 1372" describing it as "a complete sequence of Holocene relict foredune ridges and intervening swamps in a pristine environment".
- A submitter advocated for classification as scenic reserve or wildlife management area "given the extremely high ecological values, and unique landforms and ecosystems" noting the area as the "heart of the Te Wāhī Pounamu World Heritage Area". Consideration of a national park classification was forgone in recognition of "Ngāi Tahu policy regarding additions to National Parks".
- Submitters noted the high ecological value of the area, including "remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened" and that it warrants a higher level of protection than that proposed.
- Submitters expressed concern around conservation park recommendations for areas bordering national parks, noting 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" (e.g. "National Park would provide for mountains to sea integrity and protection").

I recommend they are not accepted. My assessment is that the natural resources present (which are modified by fire, past forestry activities and land clearance) 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 they 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)

- A submitter acknowledged the “significance of this area for Poutini Ngāi Tahu, and note that this is a matter for the Crown to resolve” advocating for national park status.

I recommend that these comments are not accepted. Potential changes to management or legislative frameworks are not the subject of the public notice. My assessment is that the natural and historic resources present are appropriately protected under the proposed classification.

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification (e.g. “recommend that this area be added to Westland 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 advocated for national park status, noting that a classification that allows for mining is inconsistent with “assigning the appropriate protective conservation status for areas with high conservation values”).
- 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”.

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

Process and Consultation (Not Allowed)

- 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 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 noted that the “GNS Geopreservation Inventory needs to be available when reconsidering recommendations”.

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 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. The proposed classification does not prohibit public access for the proposed activities, where consistent with preservation of the conservation values present.

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 for further consideration. 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. No 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.

TWP_43 – Collyer Creek – 2800947

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Collyer Creek	TWP_43_2800947j	Conservation Park (Pūtaiwhenua)	Neutral	9	26

DOC Conservation Values Report Description

A 0.2011-ha area of forest with one side adjoining a section of the Okuru-Waiatoto conservation area.

Panel Recommendations

National Panel: Conservation park (Pūtaiwhenua), 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 the natural resources present (which are modified by fire and past forestry activities) 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 - TWP_43_2800947j

Support

Ecology and Landscape (Allowed)

- A submitter supported the proposed classification while noting the area to "contain high ecological values very similar to the existing National Parks".

I recommend that these comments are accepted to the extent that I agree the natural values described are appropriately protected by the proposed classification. Although the area may be modified by fire and past logging, my assessment is that the natural resources present warrant the ongoing protection provided by 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 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 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".

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)

- Submitters advocated for classification as national park, referencing "extremely high and unique ecological, landform, and landscape values" and that the area is "is a significant part of the Te Wahipounamu World Heritage Area" (e.g. "the greatest area of unmodified wetland remaining in mainland New Zealand").
- A submitter noted the area as "geopreservation site, reference 1372" describing it as "a complete sequence of Holocene relict foredune ridges and intervening swamps in a pristine environment".
- Submitters noted the high ecological value of the area, including "remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened" and that it warrants a higher level of protection than that proposed.
- A submitter advocated for classification as scenic reserve or wildlife management area "given the extremely high ecological values, and unique landforms and ecosystems" noting the area as the "heart of the Te Wahi Pounamu World Heritage Area". Consideration of a national park classification was forgone in recognition of "Ngāi Tahu policy regarding additions to National Parks".
- Submitters expressed concern around conservation park recommendations for areas bordering national parks, noting 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" (e.g. "National Park would provide for mountains to sea integrity and protection").

I recommend they are not accepted. My assessment is that the natural resources present (which are modified by fire and past forestry activities and land clearance) 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 they 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)

- A submitter acknowledged the "significance of this area for Poutini Ngāi Tahu, and note that this is a matter for the Crown to resolve" advocating for national park status.

I recommend that these comments are not accepted. Potential changes to management or legislative frameworks are not the subject of the public notice. My assessment is that the natural and historic resources present are appropriately protected under the proposed classification.

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification (e.g. “make this area part of the 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 advocated for national park status, noting that a classification that allows for mining is inconsistent with “assigning the appropriate protective conservation status for areas with high conservation values”).
- 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”.

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

Process and Consultation (Not Allowed)

- 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 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 noted that the “GNS Geopreservation Inventory needs to be available when reconsidering recommendations”.

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 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. The proposed classification does not prohibit public access for the proposed activities, where consistent with preservation of the conservation values present.

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 for further consideration. 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. No 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.

TWP_43 – Turnbull River – 2800948

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Turnbull River	TWP_43_2800948k	Conservation Park (Pūtaiwhenua)	Neutral	12	19

DOC Conservation Values Report Description

A 0.2125-ha area of forest. It is nearby a section of the Okuru-Waiatoto conservation area but slightly separated from it.

Panel Recommendations

National Panel: Conservation park (Pūtaiwhenua), 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 the natural resources present (which are modified by past forestry activities and land clearance) 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 - TWP_43_2800948k

Support

Ecology and Landscape (Allowed)

- A submitter particularly supported the classification for "Okuru, Waiatoto, Turnbull frontal catchments and nearby streams", while noting other sections of the area may warrant a higher level of protection.
- A submitter supported the proposed classification while noting the area to "contain high ecological values very similar to the existing National Parks".

I recommend that these comments are accepted to the extent that I agree the natural values described are appropriately protected by the proposed classification. Although the area may be modified by fire and past logging, my assessment is that the natural resources present warrant the ongoing protection provided 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)).

General (Not 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 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 submitter advocated for "flexibility for locals to be able to use small sites on the fringes of the parks as needed for their purposes, including existing quarries".
- 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".

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 advocated for classification as national park, referencing "high recreational values including walks and kayaking" specifically "tramping opportunities on the western end of the Marks and Selbourne Range included within this area".

I recommend that these comments are not accepted. The concerns raised are addressed 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 LPR, noting the area to sit "in the middle of freehold".
- Submitters advocated for classification as national park, referencing "extremely high and unique ecological, landform, and landscape values" and that the area is "is a significant part of the Te Wahipounamu World Heritage Area" (e.g. "the greatest area of unmodified wetland remaining in mainland New Zealand").
- A submitter noted the area as "geopreservation site, reference 1372" describing it as "a complete sequence of Holocene relict foredune ridges and intervening swamps in a pristine environment".
- A submitter advocated for classification as scenic reserve or wildlife management area "given the extremely high ecological values, and unique landforms and ecosystems" noting the area as the "heart of the Te Wahi Pounamu World Heritage Area". Consideration of a national park classification was forgone in recognition of "Ngāi Tahu policy regarding additions to National Parks".
- Submitters noted the high ecological value of the area, including "remnants of a range of insects, snails, lizards, or plant speciation that may be nationally at risk, endangered, or threatened" and that it warrants a higher level of protection than that proposed.
- Submitters expressed concern around conservation park recommendations for areas bordering national parks, noting 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" (e.g. "National Park would provide for mountains to sea integrity and protection").

I recommend they are not accepted. My assessment is that the natural resources present (which are modified by fire and past forestry activities) 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 they 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 (e.g. “recommend that this area be added to Westland 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”.

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

Process and Consultation (Not Allowed)

- 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 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 noted that the “GNS Geopreservation Inventory needs to be available when reconsidering recommendations”.

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 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. The proposed classification does not prohibit public access for the proposed activities, where consistent with preservation of the conservation values present.

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 for further consideration. 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. No 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.

TWP_44 – Okuru - Turnbull River – 2800939

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Okuru - Turnbull River	TWP_44_2800939I	Disposal	Disposal	15	30

DOC Conservation Values Report Description

A 0.8256-ha area at the mouth/estuary of the Turnbull and Okuru Rivers dominated by pasture, with a grazing concession in place and easy access. The area beside Turnbull River is used for whitebaiting during the whitebait season.

Panel Recommendations

National Panel: Disposal, as the conservation area is predominantly managed pasture and of very low conservation value.

Mana Whenua Panel: This conservation 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. Access to the river and coastal area can occur on formed tracks in road reserve near the conservation area.

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: Although parts of the area may not meet the Conservation General Policy (6d) and Conservation Act (s. 26) tests for disposal, certain sections are indicated to hold little conservation value and warrant further consideration as to the suitability of disposal (e.g. dominated by managed pasture and have low representativeness and naturalness values).

Disposal - TWP_44_2800939I

Support

Climate Change and Natural Hazards (Allowed)

- A submission made in support noted “it should be borne in mind that this land could be negatively affected by sea level rise”.
- A submitter commented that the land “is regularly flooded multiple times per year”.

I recommend that these comments are accepted to the extent that I agree a disposal investigation is suitable given the modified nature of the area (e.g. dominated by managed pasture and have low representativeness and naturalness values). It is not evident how the concerns raised, given the submission is made in support of disposal, are relevant to the notified intention.

Community (Allowed)

- A submitter stated that “the land has particular value to the Community in this area”.

I recommend that these comments are accepted to the extent that I agree a disposal investigation is suitable given the modified nature of the area (e.g. dominated by managed pasture and have low representativeness and naturalness values). It is not evident how the concerns raised, given the submission is made in support of disposal, are relevant to the notified intention.

Ecology and Landscape (Allowed)

- Submissions stated they support disposal of stewardship land where there are no conservation values or natural values remaining. A submitter stated that the land “holds no conservation values”.

I recommend that these comments are accepted. The modified nature of the area (e.g. dominated by managed pasture and have low representativeness and naturalness values) justifies referring this area to the Department to investigate the suitability of disposal.

Historic and Cultural Values (Allowed)

- A submitter in support noted that the area is “the old school site”.

I recommend that these comments are accepted to the extent that I agree a disposal investigation is suitable given the modified nature of the area (e.g. dominated by managed pasture and have low representativeness and naturalness values). However, I note that no historic resources were identified either in the DOC conservation values report, or by the Panels.

Treaty Considerations (Allowed)

- Submissions supported the recommendations of the Mana Whenua Panel on the basis that they 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 accepted. The modified nature of the area (e.g. dominated by managed pasture and have low representativeness and naturalness values) justify 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)

- Submissions stated their agreement with the recommendation 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)

- Submitters who stated they were the family of the concession holders expressed support for disposal, noting that the land was part of their farming operation and had been leased by the family for over 100 years. It was noted that it was important for the viability of the farming operation and for access to freehold land. They raised concern about the possibility of losing the land (e.g. “the parcel is currently fenced inclusive of my freehold and has been grazed and developed with my freehold as I own the freehold blocks surrounding. I would like first option to purchase this and to continue to use for farming purposes. It would be disruptive to the farming operation if this parcel was to be sold to other parties”, “if it were to be sold to another party it would be a huge inconvenience as my family’s land surrounds it”).

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

Process and Consultation (Not Allowed)

- It was suggested that discussions with existing concession holders should occur prior to any disposal.

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

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)

- It was noted that the area is a “a 0.8ha block at the mouth of the Turnball and Okuru Rivers. Several of the sites proposed for disposal appear to have recreational and camping value in NZMCA’s opinion. NZMCA submits that these sites should not be disposed of but rather re-classified as recreation reserves suitable for camping”.
- A submitter raised concern the proposed classification will “close down access to these rivers” which would be “in effect taking away a natural treasure that we as Ngāi Tahu descendants can no longer access” **noting that they** spend time in recreational activities such as using a “jetboat to provide access to trout fishing, white baiting, hunting and photography”.
- Submissions objected to disposal on the grounds that this represents a loss of public access to rivers and other conservation land, and expressed opposition to any disposal which means a loss of recreation opportunities such as angling or hunting.
- Submissions noted that riparian access via marginal strips is not guaranteed, particularly if the river changes.
- Submissions suggested that land be retained or that appropriate mechanisms are used to ensure public access is maintained.
- Alternative suggested classifications to protect public access included recreation reserve or local purpose reserve.

I recommend that these comments are not accepted. As there is alternative access to the river via formed tracks and road reserve, my assessment is that retention of this stewardship area is not necessary to secure public access. Further, any potential disposal arising from the Departmental investigation will trigger the formation of marginal strips which will secure ongoing public access along the coastal margin.

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 argued that disposing of public conservation land compromises future sustainability and climate mitigation options, noting that climate change is heightening pressure on ecosystems.

I recommend that these comments are not accepted. The modified nature of the pastoral components of this stewardship area (e.g. dominated by managed pasture and have low representativeness and naturalness values), its landscape context (surrounded by private land and legal road), and its small size, limit the appropriateness of retaining it for ecosystem restoration and carbon sequestration. I note that any potential disposal arising from the Departmental investigation will trigger the formation of marginal strips for qualifying waterbodies, which will be retained and protected as public conservation land.

Ecology and Landscape (Allowed)

- Submitters recommended “local purpose (river conservation for ecological reasons) reserve” noting that the areas in TWP 44 and TWP 45 which are pasture or are close to or in a river, so they should be retained for river conservation purposes, and any stock in the river should be excluded, in accordance with freshwater rules”.
- A submitter noted the area to “contain high ecological values very similar to the existing National Parks”.
- A submitter proposed GPR (coastal) to support restoration of depleted indigenous ecosystems.
- Submissions opposed disposal, stating that “widespread vegetation clearance, vulnerable ecosystems and Aotearoa’s seriously declining biodiversity make retaining all conservation land essential”.
- 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

(noting that there is potential for restoration with minimal intervention through the natural gorse to native succession process, particularly given the high rainfall on the West Coast and the proximity of nearby forests and seed sources).

- 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”.
- Submissions suggested either no disposal, or that an alternative classification such as wildlife protection area, conservation area, or scenic reserve would better reflect the actual or potential conservation values.

I recommend that these comments are not accepted. The modified nature of the pastoral components of this stewardship area (e.g. dominated by managed pasture and have low representativeness and naturalness values), its landscape context (surrounded by private land and legal road), and its small size, limit the appropriateness of retaining it for ecosystem restoration and justify referring the area to the Department to investigate the suitability of disposal. I note that any parts of the area identified to have substantive natural values are unlikely to pass the Conservation General Policy and legislative disposal tests.

Treaty Considerations (Allowed)

- A submitter stated, “transfer ownership to local iwi”.

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 rights of first refusal process as set out in the Ngāi Tahu Claims Settlement Act 1998. I note that any potential disposal arising from the Departmental investigation will trigger the formation of marginal strips which will secure ongoing public access along the coastal margin.

Process and Consultation (Not Allowed)

- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.
- A submission wanted to ensure that any potential right of first refusal or conflicts of interest was carefully managed.
- It was suggested that there should be less focus on present values and more weight given to potential conservation value (as per the Conservation General Policy 6(c) and the Conservation Act requirement to safeguard options for future generations). It was recommended that the reclassification framework should include a “future conservation use” designation to hold land for future conservation requirements.
- It was 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.
- A submitter stated, “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”.
- It was noted that “proposed disposals do not give even a general indication where disposal boundaries might be”, making it difficult for submitters to comment.
- A submitter stated that recommendations should be based on “conservation values alone” and that “recreation and use values are not conservation values”.
- It was noted that “these parcels of land are surrounded by the Okuru-Waiatoto conservation area, for which there are no recommendations for reclassification. Really the whole area should be classified as one. It lies between Mt Aspiring National Park and the sea and is obviously an important ecological area”.

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

Other (Not Allowed)

- It was suggested that, if disposal occurred, waterways should be protected by a setback, fencing and planting.

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

No Opinion/Position Stated

Access and Recreation (Allowed)

- Submitters wanted to ensure that access to rivers is maintained or improved, including helicopter access.

I recommend that these comments are not accepted. Any potential disposal arising from the Departmental investigation will trigger the formation of marginal strips which will secure ongoing public access along the coastal margin. 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.

Climate Change and Natural Hazards (Allowed)

- One submission that selected no opinion stated that no land should be disposed of if there is potential for restoration or carbon sequestration, 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 modified nature of the pastoral components of this stewardship area (e.g. dominated by managed pasture and have low representativeness and naturalness values), its landscape context (surrounded by private land and legal road), and its small size, limit the appropriateness of retaining it for ecosystem restoration and carbon sequestration. I note that any potential disposal arising from the Departmental investigation will trigger the formation of marginal strips for qualifying waterbodies, which will be retained and protected as public conservation land.

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 for further consideration. 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. No 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)

- Submissions were concerned with ensuring that rivers are "maintained in a free-flowing unmodified state, and in particular that the conservation classification does not allow for dams or flow diversions".
- Submitters wanted to ensure that the "current DOC concession system continues to be the only system used for permissions".

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

Other (Not Allowed)

- It was noted that land is subject to Heritage New Zealand Pouhere Taonga Notification Process, and they may recommend heritage protection measures as part of this disposal process.
- One submission suggested any funds from land sold should go to the Nature Heritage Fund.
- A submitter queried "who will it be disposed to?"

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

TWP_44 – Okuru - Turnbull River – 2800940

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Okuru - Turnbull River	TWP_44_2800940m	Recreation Reserve		16	19
Okuru - Turnbull River	TWP_44_2800940n		Disposal	12	29

DOC Conservation Values Report Description

A 2.9ha area at the mouth/estuary of the Turnbull and Okuru Rivers dominated by pasture, with a grazing concession in place and easy access. This area provides access to the adjacent lagoon, containing a boat ramp used for jetboat launching and is used recreationally for whitebaiting and general fishing.

Panel Recommendations

National Panel: Recreation reserve, to protect the identified ecological values while providing for the existing recreational uses of the area. These areas contain predominantly managed pasture in addition to patches of coastal riparian vegetation, wetlands and the naturally rare estuary ecosystem. The estuarine portion of these conservation areas support a diversity of freshwater species, some of which are noted to be threatened and at risk.

Mana Whenua Panel: This conservation 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. Access to the river and coastal area can occur on formed tracks in road reserve near the conservation area.

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, reflecting the modified natural resources present and offering sufficient protection in the context of climate change.

Section 4 and Treaty principles: The Mana Whenua Panel have opposed the proposed classification, advocating for the area to be disposed of as it is significantly modified, 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 while also reflecting the public access and recreational features present.

Rationale: My conclusion is that the natural resources present are appropriately protected by the proposed classification (e.g. dominated by managed pasture and have low representativeness and naturalness values), while also reflecting the public access and recreational features 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" (Reserves Act 1977, s. 17(1)).

Recreation Reserve - TWP_44_2800940m

Support

Access and Recreation (Allowed)

- A submitter supported the proposed classification on the basis that it "provides for existing recreational activities that happen here and for the continuation of public access along the 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 “the greatest level of protection and in light of the impacts of climate change”. It was noted that the area “is a riparian site which could be affected by rising sea levels”.

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).

Ecology and Landscape (Allowed)

- A submitter noted that the area as a fragment which “has little conservation potential” being grazed and adjoining private land.
- It was advocated for the area to be “retained for river conservation purposes”.

I recommend that these comments are accepted. My view is that the natural resources identified in these comments are consistent with those described in the CVR (e.g. dominated by managed pasture and have low representativeness and naturalness values), and they are appropriately protected and preserved by the proposed 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)).

General (Allowed)

- Submissions stated agreement 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.

Other (Not Allowed)

- A submitter advocated for ownership of the land to be transferred to local iwi.

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

Oppose

Access and Recreation (Allowed)

- A submitter advocated for the area to be “kept for future biodiversity restoration and recreation opportunities”.
- A submitter noted that the “the area has a boat ramp which is used by a lot of people all year round” while advocating for disposal as “it has no conservational value”.
- A submitter raised concern the proposed classification will “close down access to these rivers” which would be “in effect taking away a natural treasure that we as Ngāi Tahu descendants can no longer access”.
- A submitter who regularly uses the area (“jetboat to provide access to trout fishing, white baiting, hunting and photography”) raised concern that the proposed classification may restrict river access.

I recommend that these comments are not accepted. The concerns raised are addressed by the proposed classification, being held “for the purpose of providing areas for the recreation and sporting activities and the physical welfare and enjoyment of the public” (Reserves Act 1977, s. 17(1)).

Ecology and Landscape (Allowed)

- A submitter noted the area to contain naturally uncommon ecosystems “including dunes and wetlands” advocating for GPR (coastal) “for restoration of depleted indigenous ecosystems”.
- A submitter noted the area to be of “very little conservation value”.

I recommend that these comments are not accepted. My assessment is that the natural resources present are appropriately protected by the proposed classification (e.g. dominated by managed pasture and have low representativeness and naturalness values), while also reflecting the public access and recreational features present. The points raised do not warrant overturning the notified classification.

Community (Allowed)

- A submitter noted that the land “has particular value to the Community in this area”.

I recommend that these comments are not accepted. The concerns raised are addressed by the proposed classification, being held “for the purpose of providing areas for the recreation and sporting activities and the physical welfare and enjoyment of the public” (Reserves Act 1977, s. 17(1)).

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.

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 while also reflecting the public access and recreational features present.

General (Allowed)

- A submitter advocated for an addition to the Mount Aspiring 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.

Process and Consultation (Not Allowed)

- A submitter expressed 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, noting that “conservation values alone must determine recommended classifications, and recreation and use values are not conservation values”.
- A submitter advocated for discussions with “existing concession holders” prior to recommendations being made.
- Submissions opposed the recommendation based on concerns about the process used to reclassify stewardship land and limitations of the consultation.

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

Other (Not Allowed)

- Submitters, including those with a history of leasing the land, advocated for it to be offered to the current lease holder in the first instance if it is disposed of (e.g. “I would like the opportunity to be able to purchase it, as I would find it disruptive to my farming operation if were to be sold to a third party”).
- 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 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. The proposed classification does not prohibit public access for the proposed activities, where consistent with preservation of the conservation values present.

Permissions, Economic Factors and Land Use (Not 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”.
- A submitter 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.

Disposal - TWP_44_2800940n

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

Community (Allowed)

- Submissions stated that the land “has particular value to the community”.

I recommend that these comments are not accepted. The comment is not specific regarding the area’s value and so does not warrant overturning the notified intent. The concerns raised are addressed by the notified recreation reserve classification, being held “for the purpose of providing areas for the recreation and sporting activities and the physical welfare and enjoyment of the public” (Reserves Act 1977, s. 17(1)).

Ecology and Landscape (Allowed)

- Submissions stated they support disposal of stewardship land where there are no conservation values or natural values remaining. A submitter who holds a concession on the land agreed that it “has very little conservation value”.

I recommend that these comments are not accepted. My assessment is that the natural resources present are appropriately protected by the proposed recreation reserve classification (e.g. dominated by managed pasture and have low representativeness and naturalness values), while also reflecting the public access and recreational features present. The points raised do not warrant overturning the notified classification.

Treaty Considerations (Allowed)

- Submissions supported the recommendations of the Mana Whenua Panel on the basis that they 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 while also reflecting the public access and recreational features present.

General (Allowed)

- Submissions stated their agreement with the recommendation without providing further justification.

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

Permissions, Economic Factors and Land Use (Not Allowed)

- A submission from a concession holder in support of disposal noted that “My family has been grazing this piece of land for 120 years+ (...) This parcel is fenced in conjunction to my freehold land, which I farm. This land is subject to inundation 2/3 times per year. And I have been developing and maintaining it. Originally this was a gorse block. I would like the opportunity to be able to purchase it, as I would find it disruptive to my farming operation if were to be sold to a third party”.

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

Process and Consultation (Not Allowed)

- It was suggested that discussions with existing concession holders should occur prior to any disposal.

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

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)

- A submitter raised concern that disposal will “close down access to these rivers” which would be “in effect taking away a natural treasure that we as Ngāi Tahu descendants can no longer access” noting that they spend time in recreational activities such as using a “jetboat to provide access to trout fishing, white baiting, hunting and photography”.
- Submissions objected to disposal on the grounds that this represents a loss of public access to rivers and other conservation land, and expressed opposition to any disposal which means a loss of recreation opportunities such as angling or hunting.
- Submissions noted that riparian access via marginal strips is not guaranteed, particularly if the river changes.
- Submissions suggested that land be retained or that appropriate mechanisms are used to ensure public access is maintained.
- Alternative suggested classifications to protect public access included recreation reserve or local purpose reserve.

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

Climate Change and Natural Hazards (Allowed)

- Submissions 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 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. 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).

Ecology and Landscape (Allowed)

- Submitters commented that “that the areas in TWP 44 and TWP 45 which are pasture or are close to or in a river, should be retained for river conservation purposes, and any stock in the river should be excluded, in accordance with freshwater rules”.
- A submitter noted “naturally uncommon ecosystems including dunes and wetlands” and suggested GPR (coastal).
- A submitter noted the area to “contain high ecological values very similar to the existing National Parks”.
- A submitter who selected “oppose” stated, “grazed and adjoining private land, this fragment has little conservation potential”.
- Submissions opposed disposal, stating that “widespread vegetation clearance, vulnerable ecosystems and Aotearoa’s seriously declining biodiversity make retaining all conservation land essential”.
- 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 (noting that there is potential for restoration with minimal intervention through the natural gorse to native succession process, particularly given the high rainfall on the West Coast and the proximity of nearby forests and seed sources).
- 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”.
- Submissions suggested either no disposal, or that an alternative classification such as wildlife protection area, conservation area, or scenic reserve would better reflect the actual or potential conservation values.

I recommend that these comments are not accepted. My assessment is that the natural resources present are appropriately protected by the proposed recreation reserve classification (e.g. dominated by managed pasture and have low representativeness and naturalness values), while also reflecting the public access and recreational features present. The points raised do not warrant overturning the notified classification.

Treaty Considerations (Allowed)

- A submitter stated, “transfer ownership to local iwi”.

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 while also reflecting the public access and recreational features 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 submission wanted to ensure that any potential right of first refusal or conflicts of interest was carefully managed.
- It was suggested that there should be less focus on present values and more weight given to potential conservation value (as per the Conservation General Policy 6(c) and the Conservation Act requirement to safeguard options for future generations). It was recommended that the reclassification framework should include a “future conservation use” designation to hold land for future conservation requirements.
- It was 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.

- A submitter stated, “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”.
- It was noted that “proposed disposals do not give even a general indication where disposal boundaries might be”, making it difficult for submitters to comment.
- A submitter stated that recommendations should be based on “conservation values alone” and that “recreation and use values are not conservation values”.
- It was noted that “these parcels of land are surrounded by the Okuru-Waiatoto conservation area, for which there are no recommendations for reclassification. Really the whole area should be classified as one. It lies between Mt Aspiring National Park and the sea and is obviously an important ecological area”.

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

Other (Not Allowed)

- It was suggested that, if disposal occurred, waterways should be protected by a setback, fencing and planting.

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

No Opinion/Position Stated

Access and Recreation (Allowed)

- A submitter stated, “recreational jet boating must continue to be approved activity”.
- Submitters wanted to ensure that access to rivers is maintained or improved, including helicopter access.

I recommend that these comments are not accepted. The concerns raised are addressed by the proposed recreation reserve classification, being held “for the purpose of providing areas for the recreation and sporting activities and the physical welfare and enjoyment of the public” (Reserves Act 1977, s. 17(1)).

Climate Change and Natural Hazards (Allowed)

- One submission that selected no opinion stated that no land should be disposed of if there is potential for restoration or carbon sequestration, and that riverbeds and adjacent land should be retained for flood retention, with no grazing permitted.

I recommend that these comments are not accepted. My assessment is that the natural resources present are appropriately protected by the proposed recreation reserve classification (e.g. dominated by managed pasture and have low representativeness and naturalness values), while also reflecting the public access and recreational features present. The points raised do not warrant overturning the notified 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 for further consideration. 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. No 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)

- Submissions were concerned with ensuring that rivers are “maintained in a free-flowing unmodified state, and in particular that the conservation classification does not allow for dams or flow diversions”.
- Submitters wanted to ensure that the “current DOC concession system continues to be the only system used for permissions”.

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

Other (Not Allowed)

- It was noted that land is subject to Heritage New Zealand Pouhere Taonga Notification Process, and they may recommend heritage protection measures as part of this disposal process.
- 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.

TWP_45 – Turnbull River – 2800936

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Turnbull River (Riverbed)	TWP_45_2800936t	Local Purpose (River Conservation) Reserve	Neutral	16	21
Turnbull River (Pasture)	TWP_45_2800936u	Disposal	Disposal	11	31

DOC Conservation Values Report Description

A 7.953-ha area along the lower reaches of the Turnbull Valley between two sections of the river. Predominantly rough pasture, a small section of the river and very likely wetland. The northernmost area of three areas with the same name on the Turnbull River.

Turnbull River (Riverbed)

Panel Recommendations

National Panel: Local purpose (river conservation) reserve, to appropriately reflect the identified values. These areas support a diversity of freshwater species, some of which are noted as threatened. Turnbull River contains recreation values associated with whitebaiting.

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 accurately 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 - TWP_45_2800936t

Support

Ecology and Landscape (Allowed)

- A submitter who supported the proposed classification noted the area to “contain high ecological values very similar to the existing National Parks”.
- Submitters expressed preference for LPR (River Conservation for ecological reasons), noting “obviously an important ecological area”.
- A submitter supported the proposed classification to “protect remnants of native forests and provide islands of habitat for native species”.

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 expressed general support for the proposed classification without providing further justification, agreed they reflected the "information in the technical reports", 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 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)

- A submitter advocated that "discussions with existing concession holders should be had prior to making recommendation" noting that the land is of particular value to the local community.

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

Oppose

Access and Recreation (Allowed)

- A submitter raised concern the proposed classification will "close down access to these rivers" (e.g. "recreational Jet boating is a significant and long standing activity on West Coast rivers", "jetboat to provide access to trout fishing, white baiting, hunting and photography").
- A submitter suggested any restrictions on river access would be "in effect taking away a natural treasure that we as Ngāi Tahu descendants can no longer access".

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

Climate Change and Natural Hazards (Allowed)

- A submitter advocated for classification as a GPR (floodplain) to provide "opportunities for ecosystem restoration in response to flood events or coastal erosion".
- Submissions noted that the area "will be subject to flooding from climate change effects" and should be classified to promote re-vegetation and "become part of our emission reduction programme". Local purpose reserve classifications were opposed as "they can have their status 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.

Ecology and Landscape (Allowed)

- Submitters suggested that the lack of clearly defined purpose for the proposed reserve meant ecological values would not be guaranteed protection (e.g. that the purpose could allow "controlling rivers for the conservation of soil" or that it "provides no confidence that freshwater values or river margins and corridors will be protected from inappropriate use and development").

I recommend that these comments are accepted. I agree that the purpose of the notified classification provides insufficient detail to comment on whether it appropriately promotes the conservation of the natural resources present.

- Submissions suggested that the proposed classification does not give consideration "to the very high and nationally important natural conservation values of the rivers" (e.g. "braided river systems, an internationally endangered and naturally uncommon ecosystem", "of national importance for biodiversity").

- Submitters suggested that ecological area, wildlife management area, or scenic reserve may be appropriate alternatives. One submitter advocated for a government purpose (climate mitigation) reserve.
- Submitters argued that the proposed classification is “out of step with taking a strategic, landscape level approach considering classifications of nearby land parcels”. They advocated for river areas to be given the same status as adjoining public conservation land, while another submitter advocated for government purpose reserve (Te Mana o te Wai) where no adjoining classifications exist.

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.

Treaty Considerations (Allowed)

- A submitter advocated for classification as national park, noting that if stewardship land is deemed to be of “National Park quality, true co-management with Tangata whenua of all National Park and DOC managed land must be a prerequisite”.

I recommend that these comments are not accepted. No justification is provided regarding the classification proposed for this specific stewardship area, and no new material is raised which supports reconsideration of the notified classification.

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification (e.g. “to be added to the Mount Aspiring 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.

Process and Consultation (Not Allowed)

- A submission opposed the notified classification on the basis that no reclassifications should proceed without a full socioeconomic assessment undertaken by the Department in partnership with the local/regional councils.
- 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 described, or if another classification may be more appropriate. Any limits on public access will be determined as part of future policy work.

Turnbull River (Pasture)

Panel Recommendations

National Panel: Disposal of stable areas of developed pasture within this conservation area that are of very low conservation value.

Mana Whenua Panel: The Mana Whenua Panel considers that the pastoral components of this conservation area are highly modified and should not form part of public conservation land. Therefore, the pastoral components of this assessment area should be disposed of.

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 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 pastoral components are highly modified.

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

Disposal - TWP_45_2800936u

Support

Community (Allowed)

- A submitter stated that "the land has particular value to the community in this area".

I recommend that these comments are accepted to the extent that I agree a disposal investigation is suitable given the modified nature of the area (e.g. predominantly rough pasture). It is not evident how the concerns raised, given the submission is made in support of disposal, are relevant to the notified intention.

Ecology and Landscape (Allowed)

- Submissions stated they support disposal of stewardship land where there are no conservation values or natural values remaining.

I recommend that these comments are accepted. The modified nature of the pastoral components of this stewardship area (e.g. predominantly rough pasture) justifies referring this area to the Department to investigate the suitability of disposal. I note that any parts of the area identified to have substantive natural values are unlikely to pass the Conservation General Policy and legislative disposal tests.

Treaty Considerations (Allowed)

- Submissions supported the recommendations of the Mana Whenua Panel on the basis that they 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 accepted. The modified nature of the pastoral components of this stewardship area (e.g. predominantly rough pasture) 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)

- Submissions stated their agreement with the recommendation 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.

Process and Consultation (Not Allowed)

- A submitter stated, “discussions with existing concession holders should be had prior to making recommendations”.

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

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 to rivers and other conservation land, and expressed opposition to any disposal which means a loss of recreation opportunities such as angling or hunting.
- Submissions noted that riparian access via marginal strips is not guaranteed, particularly if the river changes.
- A submitter raised concern the proposed classification will “close down access to these rivers” which would be “in effect taking away a natural treasure that we as Ngāi Tahu descendants can no longer access”.
- Submissions suggested that land be retained or that appropriate mechanisms are used to ensure public access is maintained.
- A submitter raised concern the proposed classification will “close down access to these rivers” which would be “in effect taking away a natural treasure that we as Ngāi Tahu descendants can no longer access” **noting that they** spend time in recreational activities such as using a “jetboat to provide access to trout fishing, white baiting, hunting and photography”.
- Alternative suggested classifications to protect public access included recreation reserve or local purpose reserve.

I recommend that these comments are not accepted. Given that the pastoral components of the conservation area do not provide practical access to the river, it my view that there are no recreational or access values which warrant retention as public conservation land. Further, any potential disposal arising from the Departmental investigation will trigger the formation of marginal strips which will secure ongoing public access along the riparian corridor.

Climate Change and Natural Hazards (Allowed)

- Submissions opposed disposal on the grounds that all public conservation land, even if modified/pasture, offers potential for climate change mitigation (i.e. opportunities for restoration and carbon sequestration, as well as for flood/erosion buffering, or allowing room for natural river processes). Classification as government purpose reserve (river floodplain) 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.
- It was noted that disposal “will not assist with a reduction in emissions from agriculture”.

I recommend that these comments are not accepted. The modified nature of the pastoral components of this stewardship area (e.g. predominantly rough pasture) and its landscape context (surrounded by private farmland) limit the appropriateness of retaining it for ecosystem restoration and carbon sequestration. I note that any potential disposal arising from the Departmental investigation will trigger the formation of marginal strips for qualifying waterbodies, which will be retained and protected as public conservation land.

Ecology and Landscape (Allowed)

- Submissions objected to disposal, arguing that the area contains wetlands which are poorly represented on public conservation land and that these areas should not be disposed of (e.g. this area is one of “many examples of braided river beds/margins/ islands and sites that are, contain, or are adjacent to, wetlands are being slated for disposal”).
- Submitters commented that “that the areas in TWP 44 and TWP 45 which are pasture or are close to or in a river, should be retained for river conservation purposes, and any stock in the river should be excluded, in accordance with freshwater rules”. They suggested reclassification as a “local purpose (river conservation for ecological reasons) reserve”.
- A submitter noted the area to “contain high ecological values very similar to the existing National Parks”.
- A submitter commented that they supported disposal as long as riparian setbacks are covenanted and no riverbed areas are disposed of.
- Submissions opposed any disposal, stating that “widespread vegetation clearance, vulnerable ecosystems and Aotearoa’s seriously declining biodiversity make retaining all conservation land essential”.
- 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 (noting that there is potential for restoration with minimal intervention through the natural gorse to native succession process, particularly given the high rainfall on the West Coast and the proximity of nearby forests and seed sources).
- 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”.

I recommend that these comments are not accepted. The modified nature of the pastoral components of this stewardship area (e.g. predominantly rough pasture) and its landscape context (surrounded by private farmland) limit the appropriateness of restoration and justify referring the area to the Department to investigate the suitability of disposal. The riverbed is not within the area recommended for disposal. I note that any parts of the area identified to have substantive natural values are unlikely to pass the Conservation General Policy and legislative disposal tests.

Treaty Considerations (Allowed)

- 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 rights of first refusal process as set out in the Ngāi Tahu Claims Settlement Act 1998. I note that any parts of the area identified to have substantive “conservation & mahika-kai values” are unlikely to pass the Conservation General Policy and legislative disposal tests.

- A submitter advocated that if stewardship land is deemed to be of “National Park quality, true co-management with Tangata whenua of all National Park and DOC managed land must be a prerequisite”. They expressed a desire for conservation law reform to “enable Te Tiriti o Waitangi rights and kaitiakitanga to be finally more fully enabled”.

Potential changes to management or legislative frameworks are not the subject of the public notice. As such, I recommend that comments advocating for such amendments are not accepted. The modified nature of the pastoral components of this stewardship area (e.g. predominantly rough pasture) 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, argued that public conservation land is best retained for future generations or future conservation purposes, expressed a desire for maximum environmental protection (and protection from development, mining, or other extractive activities) across all stewardship land, or supported “a cautionary approach” and preference to retain land in Crown ownership.

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.
- It was suggested that there should be less focus on present values and more weight given to potential conservation value (as per the Conservation General Policy 6(c) and the Conservation Act requirement to safeguard options for future generations). It was recommended that the reclassification framework should include a “future conservation use” designation to hold land for future conservation requirements.
- It was 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.
- A submitter stated, “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”.
- It was noted that “proposed disposals do not give even a general indication where disposal boundaries might be”, making it difficult for submitters to comment.
- A submitter stated that recommendations should be based on “conservation values alone” and that “recreation and use values are not conservation values”.
- It was noted that “these parcels of land are surrounded by the Okuru-Waiatoto conservation area, for which there are no recommendations for reclassification. Really the whole area should be classified as one. It lies between Mt Aspiring National Park and the sea and is obviously an important ecological area”.

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

No Opinion/Position Stated

Access and Recreation (Allowed)

- A submitter stated that “public access including launching for boating is very important to gain access to rivers and this must be retained”.

I recommend that these comments are not accepted. This pastoral area does not provide practical access to the river. Further, any potential disposal arising from the Departmental investigation will trigger the formation of marginal strips which will secure ongoing public access along the riparian corridor.

Climate Change and Natural Hazards (Allowed)

- One submission that selected no opinion stated that no land should be disposed of if there is potential for restoration or carbon sequestration, 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 modified nature of the pastoral components of this stewardship area (e.g. predominantly rough pasture) and its landscape context (surrounded by private farmland) limit the appropriateness of retaining it for ecosystem restoration and carbon sequestration. I note that any potential disposal arising from the Departmental investigation will trigger the formation of marginal strips for qualifying waterbodies, which will be retained and protected as public conservation land.

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 for further consideration. 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. No 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)

- It was noted that land is subject to Heritage New Zealand Pouhere Taonga Notification Process, and they may recommend heritage protection measures as part of this disposal process.
- One submission suggested any funds from land sold should go to the Nature Heritage Fund.
- A submitter queried “who will it be disposed to?”

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

TWP_45 – Turnbull River – 2800937

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Turnbull River (Riverbed)	TWP_45_2800937v	Local Purpose (River Conservation) Reserve	Neutral	15	21
Turnbull River (Pasture)	TWP_45_2800937w	Disposal	Disposal	10	29

DOC Conservation Values Report Description

A 1.8355-ha area along the lower reaches of the Turnbull Valley. It contains a section of the river, rough pasture, river beach and some trees. The second northernmost area of three areas with the same name on the Turnbull River.

Turnbull River (Riverbed)

Panel Recommendations

National Panel: Local purpose (river conservation) reserve, to appropriately reflect the identified values. These areas support a diversity of freshwater species, some of which are noted as threatened. Turnbull River contains recreation values associated with whitebaiting.

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 - TWP_45_2800937v

Support

Ecology and Landscape (Allowed)

- A submitter who supported the proposed classification noted the area to "contain high ecological values very similar to the existing National Parks".
- Submitters expressed preference for LPR (River Conservation for ecological reasons), noting "obviously an important ecological area".

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 expressed general support for the proposed classification without providing further justification, agreed they reflected the "information in the technical reports", 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 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)

- A submitter advocated that "discussions with existing concession holders should be had prior to making recommendation" noting that the land is of particular value to the local community.

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

Oppose

Access and Recreation (Allowed)

- Submitters raised concern the proposed classification will "close down access to these rivers" (e.g. "public access to river margins must be maintained including launching for boating", "jetboat to provide access to trout fishing, white baiting, hunting and photography").
- A submitter noted that any restrictions on river access would be "in effect taking away a natural treasure that we as Ngāi Tahu descendants can no longer access".

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

Climate Change and Natural Hazards (Allowed)

- A submitter advocated for classification as a government purpose reserve (floodplain) to provide "opportunities for ecosystem restoration in response to flood events or coastal erosion".
- Submissions noted that the area "will be subject to flooding from climate change effects" and should be classified to promote re-vegetation and "become part of our emission reduction programme". Local purpose reserve classifications were opposed as "they can have their status 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.

Ecology and Landscape (Allowed)

- Submitters were concerned that the proposed classification "provides no confidence that freshwater values or river margins and corridors will be protected from inappropriate use and development".

I recommend that these comments are accepted. I agree that the purpose of the notified classification provides insufficient detail to comment on whether it appropriately promotes the conservation of the natural resources present.

- Submissions suggested that the proposed classification does not give consideration "to the very high and nationally important natural conservation values of the rivers" (e.g. "braided river systems, an internationally endangered and naturally uncommon ecosystem", "of national importance for biodiversity").
- Several submitters suggested that ecological area, wildlife management area, or scenic reserve may be appropriate alternatives. One submitter advocated for a government purpose (climate mitigation) reserve.
- Submitters argued that the proposed classification is "out of step with taking a strategic, landscape level approach considering classifications of nearby land parcels". They advocated for river areas to be given the same status as adjoining public conservation land, while another submitter advocated for government purpose reserve (Te Mana o te Wai) where no adjoining classifications exist.

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.

Treaty Considerations (Allowed)

- A submitter advocated that if stewardship land is deemed to be of “National Park quality, true co-management with Tangata whenua of all National Park and DOC managed land must be a prerequisite”.

I recommend that these comments are not accepted. No justification is provided regarding the classification proposed for this specific stewardship area, and no new material is raised which supports reconsideration of the notified classification.

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification (e.g. “to be added to the Mount Aspiring 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.

Process and Consultation (Not Allowed)

- A submitter expressed concern regarding the lack of clarity of purpose in the proposed reserve. Expressing that the proposed reserve is focussed “controlling rivers for the conservation of soil” as opposed to conservation.
- 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.
- 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 described, or if another classification may be more appropriate. Any limits on public access will be determined as part of future policy work.

Turnbull River (Pasture)

Panel Recommendations

National Panel: Disposal of stable areas of developed pasture within this conservation area that are of very low conservation value.

Mana Whenua Panel: The Mana Whenua Panel considers that the pastoral components of this conservation area are highly modified and should not form part of public conservation land. Therefore, the pastoral components of this assessment area should be disposed of.

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 have supported the proposed disposal investigation, supported by submissions from Treaty partner organisations, on the grounds that the pastoral components are highly modified.

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

Disposal - TWP_45_2800937w

Support

Community (Allowed)

- A submitter stated that "the land has particular value to the community in this area".

I recommend that these comments are accepted to the extent that I agree a disposal investigation is suitable given the modified nature of the area (e.g. predominantly rough pasture). It is not evident how the concerns raised, given the submission is made in support of disposal, are relevant to the notified intention.

Ecology and Landscape (Allowed)

- Submissions stated they support disposal of stewardship land where there are no conservation values or natural values remaining.

I recommend that these comments are accepted. The modified nature of the pastoral components of this stewardship area (e.g. predominantly rough pasture) justifies referring this area to the Department to investigate the suitability of disposal. I note that any parts of the area identified to have substantive natural values are unlikely to pass the Conservation General Policy and legislative disposal tests.

Treaty Considerations (Allowed)

- Submissions supported the recommendations of the Mana Whenua Panel on the basis that they 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 accepted. The modified nature of the pastoral components of this stewardship area (e.g. predominantly rough pasture) 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)

- Submissions stated their agreement with the recommendation 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.

Process and Consultation (Not Allowed)

- A submitter stated, “discussions with existing concession holders should be had prior to making recommendations”.

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 to rivers and other conservation land, and expressed opposition to any disposal which means a loss of recreation opportunities such as angling or hunting.
- Submissions noted that riparian access via marginal strips is not guaranteed, particularly if the river changes.
- A submitter raised concern the proposed classification will “close down access to these rivers” which would be “in effect taking away a natural treasure that we as Ngāi Tahu descendants can no longer access”.
- Submissions suggested that land be retained or that appropriate mechanisms are used to ensure public access is maintained.
- A submitter raised concern the proposed classification will “close down access to these rivers” which would be “in effect taking away a natural treasure that we as Ngāi Tahu descendants can no longer access” **noting that they** spend time in recreational activities such as using a “jetboat to provide access to trout fishing, white baiting, hunting and photography”.
- Another submitter stated that “public access to river margins including launching for boating must be allowed for”.
- Alternative suggested classifications to protect public access included recreation reserve or local purpose reserve.

I recommend that these comments are not accepted. The area does not provide practical access to the river which would warrant retention as public conservation land. Further, any potential disposal arising from the Departmental investigation will trigger the formation of marginal strips which will secure ongoing public access along the riparian corridor.

Climate Change and Natural Hazards (Allowed)

- Submissions opposed disposal on the grounds that all public conservation land, even if modified/pasture, offers potential for climate change mitigation (i.e. opportunities for restoration and carbon sequestration, as well as for flood/erosion buffering, or allowing room for natural river processes). Classification as government purpose reserve (river floodplain) 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.
- It was noted that disposal “will not assist with a reduction in emissions from agriculture”.

I recommend that these comments are not accepted. The modified nature of the pastoral components of this stewardship area (e.g. predominantly rough pasture), its landscape context (surrounded by private farmland and legal road) and its small size (1.83 ha) limits the appropriateness of retaining it for ecosystem restoration and carbon sequestration. I note that any potential disposal arising from the Departmental investigation will trigger the formation of marginal strips for qualifying waterbodies, which will be retained and protected as public conservation land.

Ecology and Landscape (Allowed)

- Submissions objected to disposal, arguing that the area contains wetlands which are poorly represented on public conservation land and that these areas should not be disposed of. Another submitter stated they are “liking the possibility of wetland/regeneration”.

- Submitters commented that “that the areas in TWP 44 and TWP 45 which are pasture or are close to or in a river, should be retained for river conservation purposes, and any stock in the river should be excluded, in accordance with freshwater rules”. They suggested reclassification as a “local purpose (river conservation for ecological reasons) reserve”.
- A submitter noted the area to “contain high ecological values very similar to the existing National Parks”.
- A submitter commented that they supported disposal as long as riparian setbacks are covenanted and no riverbed areas are disposed of.
- Submissions opposed any disposal, stating that “widespread vegetation clearance, vulnerable ecosystems and Aotearoa’s seriously declining biodiversity make retaining all conservation land essential”.
- 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 (noting that there is potential for restoration with minimal intervention through the natural gorse to native succession process, particularly given the high rainfall on the West Coast and the proximity of nearby forests and seed sources).
- 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”.

I recommend that these comments are not accepted. The modified nature of the pastoral components of this stewardship area (e.g. predominantly rough pasture), its landscape context (surrounded by private farmland and legal road), and its small size limits the appropriateness of restoration and justifies referring the area to the Department to investigate the suitability of disposal. I note that any parts of the area identified to have substantive natural values are unlikely to pass the Conservation General Policy and legislative disposal tests.

Treaty Considerations (Allowed)

- 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 rights of first refusal process as set out in the Ngāi Tahu Claims Settlement Act 1998. I note that any parts of the area identified to have substantive “conservation & mahika-kai values” are unlikely to pass the Conservation General Policy and legislative disposal tests.

General (Allowed)

- Submissions expressed opposition to disposal of any stewardship land in general terms, argued that public conservation land is best retained for future generations or future conservation purposes, expressed a desire for maximum environmental protection (and protection from development, mining, or other extractive activities) across all stewardship land, or supported “a cautionary approach” and preference to retain land in Crown ownership.

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.

- It was suggested that there should be less focus on present values and more weight given to potential conservation value (as per the Conservation General Policy 6(c) and the Conservation Act requirement to safeguard options for future generations). It was recommended that the reclassification framework should include a “future conservation use” designation to hold land for future conservation requirements.
- It was 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.
- A submitter stated, “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”.
- It was noted that “proposed disposals do not give even a general indication where disposal boundaries might be”, making it difficult for submitters to comment.
- A submitter stated that recommendations should be based on “conservation values alone” and that “recreation and use values are not conservation values”.
- It was noted that “these parcels of land are surrounded by the Okuru-Waiatoto conservation area, for which there are no recommendations for reclassification. Really the whole area should be classified as one. It lies between Mt Aspiring National Park and the sea and is obviously an important ecological area”.

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

No Opinion/Position Stated

Access and Recreation (Allowed)

- A submitter stated that “public access including launching for boating is very important to gain access to rivers and this must be retained”.

I recommend that these comments are not accepted. Any potential disposal arising from the Departmental investigation will trigger the formation of marginal strips which will secure ongoing public access along the riparian corridor. 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.

Climate Change and Natural Hazards (Allowed)

- One submission that selected no opinion stated that no land should be disposed of if there is potential for restoration or carbon sequestration, 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 modified nature of the pastoral components of this stewardship area (e.g. predominantly rough pasture), its landscape context (surrounded by private farmland and legal road), and its small size limits the appropriateness of retaining it for ecosystem restoration and carbon sequestration. I note that any potential disposal arising from the Departmental investigation will trigger the formation of marginal strips for qualifying waterbodies, which will be retained and protected as public conservation land.

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 for further consideration. 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. No 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)

- It was noted that land is subject to Heritage New Zealand Pouhere Taonga Notification Process, and they may recommend heritage protection measures as part of this disposal process.

- One submission suggested any funds from land sold should go to the Nature Heritage Fund.
- A submitter queried “who will it be disposed to?”

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

TWP_45 – Turnbull River – 2800938

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Turnbull River (Riverbed)	TWP_45_2800938x	Local Purpose (River Conservation) Reserve	Neutral	17	23
Turnbull River (Pasture)	TWP_45_2800938y	Disposal	Disposal	10	34

DOC Conservation Values Report Description

A 96.8901-ha area along the lower reaches of the Turnbull Valley. Predominantly rough pasture, multiple sections of the river, very likely wetland with some small areas of forest. The southern most and largest area of three areas with the same name on the Turnbull River.

Turnbull River (Riverbed)

Panel Recommendations

National Panel: Local purpose (river conservation) reserve, to appropriately reflect the identified values. These areas support a diversity of freshwater species, some of which are noted as threatened. Turnbull River contains recreation values associated with whitebaiting.

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 - TWP_45_2800938x

Support

Ecology and Landscape (Allowed)

- A submitter who supported the proposed classification noted the area to “contain high ecological values very similar to the existing National Parks”.
- Submitters expressed preference for LPR (River Conservation for ecological reasons), noting “obviously an important ecological area”.

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 expressed general support for the proposed classification without providing further justification, agreed they reflected the "information in the technical reports", 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 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)

- A submitter advocated that "discussions with existing concession holders should be had prior to making recommendation" noting that the land is of particular value to the local community.

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

Oppose

Access and Recreation (Allowed)

- Submitters raised concern the proposed classification will "close down access to these rivers" (e.g. "jetboat to provide access to trout fishing, white baiting, hunting and photography"). A submitter noted that jetboat access restrictions would be "in effect taking away a natural treasure that we as Ngāi Tahu descendants can no longer access".

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

Climate Change and Natural Hazards (Allowed)

- A submitter advocated for classification as a GPR (floodplain) to provide "opportunities for ecosystem restoration in response to flood events or coastal erosion".
- Submissions noted that the area "will be subject to flooding from climate change effects" and should be classified to promote re-vegetation and "become part of our emission reduction programme". Local purpose reserve classifications were opposed as "they can have their status 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.

Ecology and Landscape (Allowed)

- Submitters suggested that the proposed classification "provides no confidence that freshwater values or river margins and corridors will be protected from inappropriate use and development"

I recommend that these comments are accepted. I agree that the purpose of the notified classification provides insufficient detail to comment on whether it appropriately promotes the conservation of the natural resources present.

- Submissions suggested that the proposed classification does not give consideration "to the very high and nationally important natural conservation values of the rivers" (e.g. "braided river systems, an internationally endangered and naturally uncommon ecosystem", "of national importance for biodiversity").
- Submitters suggested that ecological area, wildlife management area, or scenic reserve may be appropriate alternatives. One submitter advocated for a government purpose (climate mitigation) reserve.
- Submitters argued that the proposed classification is "out of step with taking a strategic, landscape level approach considering classifications of nearby land parcels". They advocated for river areas to be given the same status as adjoining public conservation land, while another submitter advocated for government purpose reserve (Te Mana o te Wai) where no adjoining classifications exist.

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.

Treaty Considerations (Allowed)

- A submitter advocated for classification as national park, noting that if stewardship land is deemed to be of “National Park quality, true co-management with Tangata whenua of all National Park and DoC managed land must be a prerequisite”.

I recommend that these comments are not accepted. No justification is provided regarding the classification proposed for this specific stewardship area, and no new material is raised which supports reconsideration of the notified classification.

General (Allowed)

- Submissions advocated for a higher level of protection than that proposed without providing further justification (e.g. “Aspiring National park, or to the Okuru-Waitato 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 advocated for classification as a local purpose reserve for “valleys with current grazing concessions and Grazing License”. It was noted that a classification change which restricts current grazing activities would be “disastrous to our small communities and regional economy given our operations viability relies on the use of our stewardship land”.
- A submitter suggested surveying out the Turnbull Power Scheme for a separate infrastructure classification. Concern was expressed regarding uncertainty of obtaining permissions to operate hydro power activities under conservation park.
- A submitter noted the historic nature of grazing in the area, advocating for classification as a local purpose reserve (e.g. “the majority of these operations have extensively grazed these areas for some 150 years”).

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

Process and Consultation (Not Allowed)

- A submitter expressed concern regarding the lack of clarity of purpose in the proposed reserve. Expressing that the proposed reserve is focussed “controlling rivers for the conservation of soil” as opposed to conservation.
- 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.
- 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 described, or if another classification may be more appropriate. Any limits on public access will be determined as part of any future policy work.

Turnbull River (Pasture)

Panel Recommendations

National Panel: Disposal of stable areas of developed pasture within this conservation area that are of very low conservation value.

Mana Whenua Panel: The Mana Whenua Panel considers that the pastoral components of this conservation area are highly modified and should not form part of public conservation land. Therefore, the pastoral components of this assessment area should be disposed of.

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 have supported the proposed disposal investigation, supported by submissions from Treaty partner organisations, on the grounds that the pastoral components are highly modified.

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

Disposal - TWP_45_2800938y

Support

Community (Allowed)

- A submitter stated that "the land has particular value to the community in this area".

I recommend that these comments are accepted to the extent that I agree a disposal investigation is suitable given the modified nature of the area (e.g. predominantly rough pasture). It is not evident how the concerns raised, given the submission is made in support of disposal, are relevant to the notified intention.

Ecology and Landscape (Allowed)

- Submissions stated they support disposal of stewardship land where there are no conservation values or natural values remaining.

I recommend that these comments are accepted. The modified nature of the pastoral components of this stewardship area (e.g. predominantly rough pasture) justifies referring this area to the Department to investigate the suitability of disposal. I note that any parts of the area identified to have substantive natural values are unlikely to pass the Conservation General Policy and legislative disposal tests.

Treaty Considerations (Allowed)

- Submissions supported the recommendations of the Mana Whenua Panel on the basis that they 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 accepted. The modified nature of the pastoral components of this stewardship area (e.g. predominantly rough pasture) 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)

- Submissions stated their agreement with the recommendation 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.

Process and Consultation (Not Allowed)

- A submitter stated, “discussions with existing concession holders should be had prior to making recommendations”.

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 to rivers and other conservation land, and expressed opposition to any disposal which means a loss of recreation opportunities such as angling or hunting.
- Submissions noted that riparian access via marginal strips is not guaranteed, particularly if the river changes.
- Submissions suggested that land be retained or that appropriate mechanisms are used to ensure public access is maintained.
- A submitter raised concern the proposed classification will “close down access to these rivers” which would be “in effect taking away a natural treasure that we as Ngāi Tahu descendants can no longer access” **noting that they** spend time in recreational activities such as using a “jetboat to provide access to trout fishing, white baiting, hunting and photography”.
- A submitter stated that “access to river margins for recreational activities including launching for boating must not be restricted”.
- Alternative suggested classifications to protect public access included recreation reserve or local purpose reserve.

I recommend that these comments are not accepted. Any potential disposal arising from the Departmental investigation will trigger the formation of marginal strips which will secure ongoing public access along the riparian corridor. 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.

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). Classification as government purpose reserve (river floodplain) 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.
- It was noted that disposal “will not assist with a reduction in emissions from agriculture”.

I recommend that these comments are not accepted. The modified nature of the pastoral components of this stewardship area (e.g. predominantly rough pasture) and its landscape context (bordered by legal road, surrounded by private farmland) limit the appropriateness of retaining it for ecosystem restoration and carbon sequestration. I note that any potential disposal arising from the Departmental investigation will trigger the formation of marginal strips for qualifying waterbodies, which will be retained and protected as public conservation land.

Ecology and Landscape (Allowed)

- Submitters commented that “that the areas in TWP 44 and TWP 45 which are pasture or are close to or in a river, should be retained for river conservation purposes, and any stock in the river should be excluded, in accordance

with freshwater rules". They suggested reclassification as a "local purpose (river conservation for ecological reasons) reserve".

- A submitter commented that they supported disposal as long as riparian setbacks are covenanted and no riverbed areas are disposed of.
- Submissions opposed any disposal, stating that "widespread vegetation clearance, vulnerable ecosystems and Aotearoa's seriously declining biodiversity make retaining all conservation land essential".
- 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 (noting that there is potential for restoration with minimal intervention through the natural gorse to native succession process, particularly given the high rainfall on the West Coast and the proximity of nearby forests and seed sources).
- 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".

I recommend that these comments are not accepted. The modified nature of the pastoral components of this stewardship area (e.g. predominantly rough pasture) and its landscape context (bordered by legal road, surrounded by private farmland) limit the effectiveness of restoration and justify referring the area to the Department to investigate the suitability of disposal. I note that any parts of the area identified to have substantive natural values are unlikely to pass the Conservation General Policy and legislative disposal tests.

Treaty Considerations (Allowed)

- 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 rights of first refusal process as set out in the Ngāi Tahu Claims Settlement Act 1998. I note that any parts of the area identified to have substantive "conservation & mahika-kai values" are unlikely to pass the Conservation General Policy and legislative disposal tests.

- A submitter advocated that if stewardship land is deemed to be of "National Park quality, true co-management with Tangata whenua of all National Park and DOC managed land must be a prerequisite". They expressed a desire for conservation law reform to "enable Te Tiriti o Waitangi rights and kaitiakitanga to be finally more fully enabled".

Potential changes to management or legislative frameworks are not the subject of the public notice. As such, I recommend that comments advocating for such amendments are not accepted. The modified nature of the pastoral components of this stewardship area (e.g. predominantly rough pasture) 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, argued that public conservation land is best retained for future generations or future conservation purposes, expressed a desire for maximum environmental protection (and protection from development, mining, or other extractive activities) across all stewardship land, or supported "a cautionary approach" and preference to retain land in Crown ownership.
- A submitter stated, "the large pieces 2800938 should not be added to farmland".

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 suggested surveying out the Turnball Power Scheme as it traverses multiple land parcels and is a combination of legal road, riverbed, stewardship land and freehold land which is a complex historic issue, and recommended areas with potential for infrastructure are given their own classification with an easier permitting process or remain as stewardship land.
- A submission representing sheep, beef, and deer farmers of South Westland emphasised the importance of grazing concessions on stewardship land to their livelihoods, noting that these areas have been grazed for the last 150 years in an environmentally sustainable way. They recommended that “valleys with current grazing concessions and grazing licenses be reclassified as local purpose reserve. A reclassification to local purpose reserve will help us to preserve and continue our way of life and create certainty for future generations whilst also protecting the conservation values”.

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. The submission representing sheep, beef, and deer farmers of South Westland characterised the consultation process as “poor” with “little to no local representation”.
- It was suggested that there should be less focus on present values and more weight given to potential conservation value (as per the Conservation General Policy 6(c) and the Conservation Act requirement to safeguard options for future generations). It was recommended that the reclassification framework should include a “future conservation use” designation to hold land for future conservation requirements.
- It was 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.
- A submitter stated, “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”.
- It was noted that “proposed disposals do not give even a general indication where disposal boundaries might be”, making it difficult for submitters to comment.
- A submitter stated that recommendations should be based on “conservation values alone” and that “recreation and use values are not conservation values”.
- It was noted that “these parcels of land are surrounded by the Okuru-Waiatoto conservation area, for which there are no recommendations for reclassification. Really the whole area should be classified as one. It lies between Mt Aspiring National Park and the sea and is obviously an important ecological area”.

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

No Opinion/Position Stated

Access and Recreation (Allowed)

- A submitter stated that “public access including launching for boating is very important to gain access to rivers and this must be retained”.

I recommend that these comments are not accepted. Any potential disposal arising from the Departmental investigation will trigger the formation of marginal strips which will secure ongoing public access along the riparian corridor. 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.

Climate Change and Natural Hazards (Allowed)

- One submission that selected no opinion stated that no land should be disposed of if there is potential for restoration or carbon sequestration, 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 modified nature of the pastoral components of this stewardship area (e.g. predominantly rough pasture) and its landscape context (bordered by legal road, situated within private farmland) limit the appropriateness of retaining it for ecosystem restoration and carbon sequestration. I note that any potential disposal arising from the Departmental investigation will trigger the formation of marginal strips for qualifying waterbodies, which will be retained and protected as public conservation land.

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 for further consideration. 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. No 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)

- It was noted that land is subject to Heritage New Zealand Pouhere Taonga Notification Process, and they may recommend heritage protection measures as part of this disposal process.
- One submission suggested any funds from land sold should go to the Nature Heritage Fund.
- A submitter queried “who will it be disposed to?”

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

TWP_47 – Neils Beach – 2801484

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Neils Beach	TWP_47_2801484o	Stewardship	Stewardship	14	7

DOC Conservation Values Report Description

A 0.1452-ha forested section at Neils Beach settlement of lowland forest on alluvial flats. The small size limits its features and distinctiveness.

Panel Recommendations

National Panel: Retaining as stewardship area is considered to appropriately reflect the identified values while enabling future discussions with the Department relating to addition to the adjacent Māori 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, 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 Ngāi Tahu interests associated with this stewardship area, particularly that “the western conservation area (NaPALIS 2801484) is adjacent to Māori Reserve land which recognises the historic occupation within this area”, “Ngāi Tahu may have future aspirations for this land”. The Mana Whenua Panel has also signalled that further assessment of the values and opportunities of this stewardship 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 - TWP_47_2801484o

Support

Treaty Considerations

- Submissions supported the position of the Mana Whenua Panel on the basis that their recommendations reflect the rights and interests of Ngāi Tahu, 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

- Submissions advocated for retaining the area in stewardship or reclassifying it as a conservation park, suggesting these classifications provide “more than adequate legal protection”.

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

Oppose

Access and Recreation

- A submitter suggested that reclassification should focus on the “protection of the conservation value of the land and the guarantee of public access”.

I recommend that these comments are not accepted. Although I agree that recreational values are present, 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, and public access to it, will remain protected until an appropriate classification is determined.

Ecology and Landscape

- Submitters advocated for national park reclassification “based upon ecological and scenic values that are similar to adjoining national parks” (e.g. “contain high ecological values very similar to the existing National Parks”).

I recommend that these comments are not 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. I note that as stewardship land the area will remain protected until an appropriate classification is determined.

Treaty Considerations

- A submission argued that “an area with high conservation values should be reclassified to reflect that value” and that the Mana Whenua Panel recommendation “goes beyond the obligation to give effect to the Treaty of Waitangi”.
- 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 not 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 expressed preference for reclassification as a national park and for “maximum protection across all stewardship land” without providing further justification, or due to the land’s “high cultural conservation value”.
- Submissions opposed retaining land in stewardship, describing it as a “meaningless recommendation”.
- One submission suggested reclassification as either scenic reserve or conservation park is preferable to retaining the land in stewardship.

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

Permissions, Economic Factors and Land Use

- 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”). It was suggested that the land instead be “disposed of or become incorporated into one of the park categories”.

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.

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.

TWP_47 – Neils Beach – 2801487

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
Neils Beach	TWP_47_2801487p	Disposal	Disposal	13	19

DOC Conservation Values Report Description

A 0.023-ha forested section at Neils Beach settlement of lowland forest on alluvial flats. The small size limits its features and distinctiveness.

Panel Recommendations

National Panel: Disposal, as the conservation area is deemed to be of very low conservation value.

Mana Whenua Panel: The Conservation Area 'Neils Beach' (NaPALIS #2801487) 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, therefore the Mana Whenua Panel agrees with the national panel recommendation that this conservation area be disposed of.

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: The CVR indicates the area to hold little conservation value (e.g. very small size limits their features and distinctiveness), and it warrants further consideration as to the suitability of disposal.

Disposal - TWP_47_2801487p

Support

Ecology and Landscape (Allowed)

- Submissions stated they support disposal of stewardship land where there are no conservation values or natural values remaining.
- A submitter stated they agree the area has low conservation values and disposal would be "ecologically appropriate", but wanted to ensure that "conservation values of other parts of the land parcels are not compromised", suggesting areas should be surveyed and assessed prior to disposal".

I recommend that these comments are accepted. The low conservation values of the area (e.g. limited features and distinctiveness) justify referring this area to the Department to investigate the suitability of disposal.

Treaty Considerations (Allowed)

- Submissions supported the recommendations of the Mana Whenua Panel on the basis that they 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 accepted. The low conservation values of the area (e.g. limited features and distinctiveness) justify 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)

- Submissions stated their agreement with the recommendation 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.

Other (Not Allowed)

- It was noted that disposals only form 0.01% of the stewardship land in the West Coast reclassification process.
- It was suggested that a land swap would be preferable if possible.

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 to rivers and other conservation land, and expressed opposition to any disposal which means a loss of recreation opportunities such as angling or hunting.
- Submissions noted that riparian access via marginal strips is not guaranteed, particularly if the river changes.
- Submissions suggested that land be retained or that appropriate mechanisms are used to ensure public access is maintained.
- Alternative suggested classifications to protect public access included recreation reserve or local purpose reserve.

I recommend that these comments are not accepted. The CVR notes that no tracks or facilities are present and the area receives little or no recreational use, and the comments do not raise any new recreational or access uses. Therefore, it is my view that there are no recreational or access values which justify retention as public conservation land.

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 argued that disposing of public conservation land compromises future sustainability and climate mitigation options, noting that climate change is heightening pressure on ecosystems.

I recommend that these comments are not accepted. The area's landscape context (bordered by freehold land and private road) and very small size limit the appropriateness of retaining it for carbon sequestration. 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.

Ecology and Landscape (Allowed)

- A submitter commented that "these areas contain high ecological values very similar to the existing National Parks" advocating for higher protection.
- Submissions opposed disposal, stating that "widespread vegetation clearance, vulnerable ecosystems and Aotearoa's seriously declining biodiversity make retaining all conservation land essential".
- 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 (noting that there is potential for restoration with minimal intervention through the natural gorse to native

succession process, particularly given the high rainfall on the West Coast and the proximity of nearby forests and seed sources).

- 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”.
- Submissions suggested either no disposal, or that an alternative classification such as wildlife protection area, conservation area, or scenic reserve would better reflect the actual or potential conservation values.

I recommend that these comments are not accepted. The low conservation values of the area (e.g. limited features and distinctiveness) and landscape context (bordered by freehold land and private road) justifies referring this area to the Department to investigate the suitability of disposal. I note that any parts of the area identified to have substantive natural values are unlikely to pass the Conservation General Policy and legislative disposal tests.

Treaty Considerations (Allowed)

- 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”.
- A submission stated, “transfer ownership to local iwi”.

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 rights of first refusal process as set out in the Ngāi Tahu Claims Settlement Act 1998. I note that any parts of the area identified to have substantive “conservation & mahika-kai values” are unlikely to pass the Conservation General Policy and legislative disposal tests.

General (Allowed)

- Submissions expressed opposition to disposal of any stewardship land in general terms, argued that public conservation land is best retained for future generations or future conservation purposes, expressed a desire for maximum environmental protection (and protection from development, mining, or other extractive activities) across all stewardship land, or supported “a cautionary approach” and preference to retain land in Crown ownership.

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 suggested that, if disposal occurred, waterways should be protected by a setback, fencing and planting.

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

No Opinion/Position Stated

Climate Change and Natural Hazards (Allowed)

- One submission that selected no opinion stated that no land should be disposed of if there is potential for restoration or carbon sequestration, 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 area’s landscape context (bordered by freehold land and private road) and its very small size (0.02 ha) limits the appropriateness of retaining it for carbon sequestration. 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.

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 for further consideration. 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. No 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)

- It was noted that land is subject to Heritage New Zealand Pouhere Taonga Notification Process, and they may recommend heritage protection measures as part of this disposal process.
- 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.

TWP_48 – High Street - Jackson Bay – 2801486

Protected Area	Recommendation ID	National Panel Recommendation	Mana Whenua Panel Recommendation	Support	Oppose
High Street - Jackson Bay	TWP_48_2801486q	Disposal	Disposal	13	19

DOC Conservation Values Report Description

A 0.3024-ha area with a Department-managed carpark at the beginning of the Wharekai-Te Kou walking track. The remaining section of the assessment area is part of a larger area of connected native forest canopy.

Panel Recommendations

National Panel: Disposal, given the very low conservation values identified.

Mana Whenua Panel: The Conservation Area 'High Street -Jackson Bay' (NaPALIS #2801486) should be disposed of. It is 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

- 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 opposed the notified disposal investigation based on the natural resources present, that it provides public recreational access, and due to the landscape context of the area. Also accepted were comments that disposal would not support climate mitigation.

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 modified.

Although I acknowledge the Mana Whenua Panel support of the notified proposal, my assessment, considering those submissions accepted is that the natural and historic resources present warrant retaining the area as public conservation land. I note that any further work to determine an appropriate classification for this area will be undertaken in a manner consistent with Treaty principles.

Rationale: I agree with submitters' comments that disposal of this area would impact on public use of the DOC carpark within the stewardship area and curtail access to other conservation land, and that the natural resources present warrant retention as public conservation land. I note that the area (described in the CVR as mixed-podocarp-hardwood forest association over 75% of the assessment area) is unlikely to meet the Conservation General Policy (6d) and Conservation Act (s. 26) tests for disposal, and it does not warrant further investigation by the Department regarding the suitability of disposal.

Disposal - TWP_48_2801486q

Support

Ecology and Landscape (Allowed)

- Submissions stated they support disposal of stewardship land where there are no conservation values or natural values remaining.

I recommend that these comments are not accepted. Although areas of modification may be present in the form of a DOC carpark, on balance the natural resources described in the CVR (e.g. a mixed-podocarp-hardwood forest association over 75% of the assessment area) warrant retaining the area as public conservation land.

Treaty Considerations (Allowed)

- Submissions supported the recommendations of the Mana Whenua Panel on the basis that they 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 areas of modification may be present in the form of a DOC carpark, on balance the natural resources described in the CVR (e.g. a mixed-podocarp-hardwood forest association over 75% of the assessment area) warrant retaining the area as public conservation land. No specific Ngāi Tahu interests have been identified for further consideration.

General (Allowed)

- Submissions stated their agreement with the recommendation 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.

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)

- A submission noted that the area was important for access, suggesting scenic reserve or local purpose (carpark/access) as an alternative classification.
- Submissions objected to disposal on the grounds that this represents a loss of public access to rivers and other conservation land, and expressed opposition to any disposal which means a loss of recreation opportunities such as angling or hunting.
- Submissions noted that riparian access via marginal strips is not guaranteed, particularly if the river changes.
- Submissions suggested that land be retained or that appropriate mechanisms are used to ensure public access is maintained. Other suggested classifications to protect public access included recreation reserve or local purpose reserve.

I recommend that these comments are accepted. Submissions identify site-specific details regarding the access values of this stewardship area. I agree that the public access and recreational features present (e.g. contains the carpark for the start of the Wharekai-te Kou Walk) warrant retaining the area as public conservation land, and that disposal of this area would curtail public access to the wider area.

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. They suggested reclassification as scenic reserve or ecological reserve to support restoration and allow room for natural river processes.
- 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. The natural resources described in the CVR (e.g. a mixed-podocarp-hardwood forest association over 75% of the assessment area) warrant retaining the area as public conservation land to support this outcome.

Ecology and Landscape (Allowed)

- Submissions in opposition noted that the “land parcel is an enclave within land that has a higher protected status than that proposed; land parcel has ecological values that appear similar to those on other nearby land with a higher protected status” recommending scenic reserve or local purpose reserve (carpark/access), while another suggested that the area contains “high ecological values very similar to the existing National Parks”.
- Submissions opposed disposal, stating that “widespread vegetation clearance, vulnerable ecosystems and Aotearoa’s seriously declining biodiversity make retaining all conservation land essential”.
- 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.
- 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 (noting that there is potential for restoration with minimal intervention through the natural gorse to native succession process, particularly given the high rainfall on the West Coast and the proximity of nearby forests and seed sources).
- 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”.

I recommend that these comments are accepted. I agree that the area’s ecological values (e.g. the CVR states a mixed-podocarp-hardwood forest association over 75% of the assessment area) and landscape context (connected to the Arawhata conservation area) warrant retaining the area 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”.

I recommend that these comments are accepted to the extent that I agree that this stewardship area holds sufficient conservation values to warrant retention as public conservation land. I note that any further work to determine an appropriate classification or this area will be undertaken in a manner consistent with Treaty principles.

- A submitter stated, “transfer ownership to local iwi”.

I recommend that these comments are not accepted. My assessment is that disposal of this area would be inconsistent with promoting the conservation of the natural resources present (e.g. a mixed-podocarp-hardwood forest association over 75% of the assessment area), and providing for the area’s appreciation and recreational enjoyment by the public (e.g. contains the carpark for the start of the Wharekai-te Kou Walk).

General (Allowed)

- Submissions expressed opposition to disposal of any stewardship land in general terms, argued that public conservation land is best retained for future generations or future conservation purposes, expressed a desire for maximum environmental protection (and protection from development, mining, or other extractive activities) across all stewardship land, or supported “a cautionary approach” and preference to retain land in Crown ownership.
- Submissions suggested either no disposal, or that an alternative classification such as wildlife protection area, conservation area, or scenic reserve would better reflect the actual or potential conservation values.

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

Permissions, Economic Factors and Land Use (Not Allowed)

- Submissions 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.

No Opinion/Position Stated

Climate Change and Natural Hazards (Allowed)

- One submission that selected no opinion stated that no land should be disposed of if there is potential for restoration or carbon sequestration, and that riverbeds and adjacent land should be retained for flood retention, with no grazing permitted.

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. The natural resources described in the CVR (e.g. a mixed-podocarp-hardwood forest association over 75% of the assessment area) warrant retaining the area as public conservation land to support this outcome.

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 for further consideration. 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. No 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)

- It was noted that land is subject to Heritage New Zealand Pouhere Taonga Notification Process, and they may recommend heritage protection measures as part of this disposal process.
- 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.