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8 July 2019**

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"Appendix A"

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Appendix A: Pre-statutory consultation undertaken with iwi prior to public notification of the draft CMS in December 2016

Date	Type ¹	Organisation/ Person	Description/ Purpose
13/02/15	Letters	Te Runanganui o Taranaki Whānui (Atiawa), Port Nicholson Block Settlement Trust, Te Runanga o Toa Rangatira, Atiawa ki Whakarongotai.	A letter introducing the CMS review process and inviting their participation.
23/02/15	E (letter)	Raukawa ki te Tonga, ngatiapa.iwi.nz, Rangitane o Wairarapa, Muaūpoko Tribal Authority, Kahungunu ki Wairarapa, Ngati Hinemanu Ngati Paki, Mokai Patea, Tanenuiarangi, Kahungnu whānui	Letter to Manawatu and Wairarapa District iwi introducing the CMS review process and inviting their participation.
04/03/15	E (letter)	Ngāti Hauiti	Emailed Robert Martin and Te Rangi Hawira to request meeting to discuss. Scheduled for Monday 9th March.
05/03/15	P	Ngāti Hinemanu me Ngāti Paki Trust	Invitation for a meeting to discuss how this Iwi wish to be involved in the CMS process.
05/03/15	P	Mokai Patea Iwi Confederation	Discuss how Mokai Patea iwi wanted to be involved in CMS consultation.
05/03/15	E	Rangitāne o Wairarapa	Contacted Horipo Rimene to follow up on initial letter and request meeting to discuss.
05/03/15	P	Ngāti Apa	Follow up on initial letter sent.
05/03/15	P	Tane Nui a Rangi o Manawātū (TMI)	Phoned re a concession issue and discussed CMS afterward. Paul expressed the view that the CMS discussion will need to wait until DOC and TMI have met to discuss concession protocols.

¹ M = Meeting, E = Email, P = Phone call

Date	Type ¹	Organisation/ Person	Description/ Purpose
06/03/15	E	Rangitāne o Tamaki Nui a Rua	Follow up on initial email. Requested to meet to discuss CMS and how RTNAR want to proceed.
06/03/15	M	Rangitāne o Manawatū	Met with Wiremu Te Aweawe to discuss other matters and also the CMS.
06/03/15	P, E	Kahungunu ki Wairarapa	Called to arrange to meet for a planning hui about how Kahungunu ki Wairarapa would like to be involved in the CMS process.
06/03/15	E	Muaūpoko	Contacted to plan how Muaūpoko would like to be involved in the process and schedule hui to do so.
09/03/15	P	Ngāti Hinemanu me Ngāti Paki Trust	Confirming hui Friday March 13 in Taihape 11am.
09/03/15	P, E	Kahungunu ki Tamaki Nui a Rua	Received contact for Leah Bain as secretary, called and left a message as well as following up with an email.
09/03/15	M	Kaitiaki Board, advisor NB	Discussion re approach to process for iwi authority, and for Kaitiaki Board co-governance group. Advised to consult separately. Discussed potential models to incorporate wider S4 Maori engagement beyond mana whenua governance entities.
09/03/15	M	Ngāti Hauiti	Met with Robert Martin. Will check with wider Hauiti iwi but feels the preference will be to meet as part of Mokai Patea Confederation.
10/03/15	M	Ngāti Toa Rangatira	Basic CMS information. Material on CMS to include in panui.
10/03/15	P	Taiao Raukawa	Left a message indicating an intention to email Taiao Raukawa Trustees as well as all other Raukawa contacts that we have.
10/03/15	P	Kahungunu ki Tamaki Nui a Rua	Explained intention is to have a planning hui and then actual engagement hui, left a message on his phone.
10/03/15	E	Muaūpoko	Muaūpoko indicated that they were getting some advice and asked if a response by the end of this week would be ok.

Date	Type ¹	Organisation/ Person	Description/ Purpose
11/03/15	P, E	Raukawa	Followed up our brief chat and his proposal with an email.
11/03/15	P, E	Kahungunu ki Tamaki Nui a Rua	Arranged to meet March24 to discuss planning for involvement of this Iwi on a wider scale.
11/03/15	M	Mokai Patea Iwi Confederation	Richard Steedman will send email out to iwi heads shortly summarising the process.. Highlighted the fact that the Mokai Patea area crosses over into the Hawkes Bay and Tongariro Conservancies and it would be good to have a representative from Hawkes Bay at the hui. Requested map showing DOC sites in Mokai Patea rohe.
11/03/15	M	Ngāti Apa	Preference is to run the process through their Taiao group. Requested map showing DOC sites in the Ngāti Apa protocol area and a brief description of these.
12/03/15	P follow up	Te Atiawa ki Whakarongotai	Discussion with Kristie Parata about best engagement. Plan to link in with existing whitebait hui on 16th April.
12/03/15	E follow up	Runanganui o Taranaki Whanui	Email to Teri Puketapu. Follow up re meet/ discuss preferred involvement.
12/03/15	P	Raukawa	Expressed some concern about treaty negotiations and past business of DOC eg transferring Kitchener park to MDC. He has also followed up with an email elaborating concern 16/3.
12/03/15	M	Port Nicholson Block Settlement Trust (new CE Jason Fox)	Reg and Paul met new CE of Port Nicholson Block Settlement Trust. Discussed CMS approach.
12/03/15	M	Rangitāne ki Tamaki Nui a Rua	Preference is for hui separate to Rangitāne o Wairarapa. Two tentative dates set, will confirm soon. Positive reception. Have requested summary email that they can send out to iwi members and a map showing DOC sites in the rohe.
13/03/15	M	Rangitāne ki Wairarapa	Met with Horipo Rimene, Siobhan Garlick and Russell Kawana. Will follow up with summary email for them to forward on to iwi members. Will get back to me with hui venue and date. Strong desire for greater involvement.
13/03/15	M	Ngāti Paki Ngāti Hinemanu	Meeting in Taihape about involving this roopu in pre-draft CMS.

Date	Type ¹	Organisation/ Person	Description/ Purpose
13/03/15	E	Raukawa	Follow up email about concern of conflict of interest indicating that Manager and/or planner will address this concern I also provided fact sheet 2 'Role of the CB' (Apr 2014). Provided additional info links to recent CMS', and examples of non-PCL.
13-16/03/15	P, E	Kahungunu ki Tamaki Nui a Rua	Planning time to meet, solid meeting date set for 20/03/15.
17/03/15	M	Kahungunu ki Wairarapa	Meeting with Rawiri Smith in Masterton about involving this roopu in pre-draft CMS; massive discussion kōrero a neherā (historical events) and sites of interest Wairarapa Moana and connection to Rimutaka, Palliser Bay coast, Pukaha and Gladstone. Ra will take this kaupapa to the Treaty Trust to consider they have a long-term vision similar to the timeframe of the CMS and it is agreed that this group will ensure a consistent message.
19/03/15	M	Muaūpoko	Clarified that the CMS is an overarching document identifying values and desired outcomes, the details more relevant to documents that have a narrower focus. Planning for hui mid-May.
20/03/15	M	Kahungunu ki Tamaki Nui a Rua	Met with Pā Morry and Lars. Pā Morry was well prepared with many questions and topics of discussion beyond CMS. Indicated that end of April early May is when we need to complete this we will maintain contact.
25/03/15	E, P	Ngāti Paki Ngāti Hinemanu	Emailed suggested progress towards prior agreements followed up with phone call but he is currently away.
25/03/15	Txt followed by E	TMI (Rangitāne o Manawatū)	Sent Jon Procter a text re meeting to discuss- followed up with an email outlining process and timelines for consultation at his request
31/03/15	M	Wellington Harbour Islands Kaitiaki Board- Taranaki Whanui	Matt Barnett gave an update to the board. Informed the board that the Planners are working out how to re-engage with iwi to allow for more meaningful consultation.
Mar/Apr	E, P	Raukawa ki te Tonga	Taiao Chair maintaining contact to arrange a hui between DOC and iwi. Dates confirmed for May 7 and May 19.

Date	Type ¹	Organisation/ Person	Description/ Purpose
07/04/15	M	Te Runanga o Raukawa	Want closer relationship with DOC, strengthen advocacy on freshwater, marine conservation and conservation values on private land. Discussed issues with specific sites and interested in say on operational management of Tararua Forest Park.
08/04/15	M	Rangitāne o Wairarapa	Discussion around concerns and desired outcomes for several PCL sites.
14/04/15	M	Te Hika o Papauma	Supportive of windfarms in appropriate locations, mixed view over 1080 use, would like input into interpretative signs within rohe.
16/04/15	Initial hui	Te Atiawa ki Whakarongotai	Initial presentation to Atiawa ki Whakarongotai combined with whitebait management discussion.
16/04/15	E	Ngāti Toa Rangātira	Revised hui date locked in. General Info provided to share in iwi panui.
16/04/15	M	Atiawa ki whakarongotai	Paul, Rob, Matt, Jane, Neavin met with sub group of Kaumatua council to discuss whitebait issues and CMS process.
20/04/15	M	Te Aweawe whānau	Issue with poor water quality, they support the tracks and infrastructure that has been put into the Manawatu Gorge, and want focus on pest control and supporting a healthy bird population.
22/04/15	M	Tanenuiarangi o Manawatū	Highlighted relationship as important and working within the settlement space. Want DOC to prioritise works on sites of interest to iwi, concern about biodiversity loss in Ruahine and Tararua ranges, more focus on coastal environment.
24/04/15	M	Muaūpoko	Discussed the CMS and Muaūpoko conservation values; notes are being circulated internally prior to inviting feedback from Muaūpoko attendees.
24/04/15	E	Ngati Toa	Invitation to attend a CMS workshop.
24/04/15	E	Port Nicholson Block Trust	Invitation to attend a CMS workshop.
28/04/15	M	Ngāti Hinemanu and Ngāti Paki	Met at their marae to discuss the CMS and their conservation values, notes coming
03/05/15	M	Ngāi Tumapuhia Rangi	Chris and Adam met to discuss the marine protection area and the CMS process was also discussed

Date	Type ¹	Organisation/ Person	Description/ Purpose
			from this perspective.
05/05/15	M	Wellington Harbour Islands Kaitiaki Board	Minutes Kaitiaki Board hui 5 May 2015. Agreement values from Kaitiaki Plan should be referred to in CMS and considered, pp. 19 Additional mtg 11 June. Agreement to ensure values from Kaitiaki Plan considered, pp. 19-33.
05/05/15	E	Rangitāne	After a meeting with Warren Warbrick (local Rangitāne traditional artist) for another kaupapa I followed up with an email with info and links for CMS.
07/05/15	M	Ngāti Raukawa	Chris, Rod, Mark, Nick, Clint, Jane, Tene all met with Raukawa in the Rūnanga office in Levin.
11/05/15	M	Mokai Patea iwi (Ngāti Tamakopiri; Ngāti Whitikaupeka; Ngāi te Ohuake; Ngāti Hauiti)	Discussion centred around identification of places of specific interest to Iwi groups, these including Ruahine and Rangitikei rivers. The Iwi wanted DOC to consider their environmental policy statement in our planning documents. Concerns around concessions, and landlocked land.
19/05/15	M	Ngāti Raukawa	Ongoing relationship between DOC and Raukawa. Protection/ access to traditional cultural harvest sites, DOC strengthen freshwater advocacy, and incorporate ātauranga. Joint approach to manage coast and dune system.
20/05/15	P's, E's	Ngā Hapū o Ōtaki	subsequent to meeting with Raukawa for the second time it was emphasised again to meet with Ngā hapū o Ōtaki, I was able to get Caleb's number we talked and we followed up with emails.
21/05/15	M	Kahungunu ki Wairarapa	Kathy, Carl, Chris and Tene met with reps of Kahungunu ki Wairarapa, discussion per notes.
25/05/15	M	Ngāti Apa	Discussions around Ngāti Apa and DOC relationship with regards to the settlement protocol and how aspects of this feed into the CMS.
29/05/15	M	Ngāti Toa Rangātira	Recognise Ngati Toa primary of relationship with Kapiti Island Kaitiakitanga in relation to KI – env, spiritual, cultural, social and economic. Accessibility to parts of island improved connectedness of marine environment.
29/05/15	M	Kahungunu ki Tamaki nui a Rua	Met with Pā Morry and Hayden Hape, notes have been completed however confirming with

Date	Type ¹	Organisation/ Person	Description/ Purpose
			attendees prior to saving in doccm.
11/06/15	M	PNBST – Environmental manager, Lee Raihana- August	Met with new Environmental Manger appointed for PNBST. Process outlined, opportunities for input, and engagement with other parts of Taranaki whanui – Kaitiaki Board, and the Runanga at Waiwhetu.
12/06/15	M	Heritage NZ Senior management – Kaihautū Māori: Te Kenehi Teira	Jane initial meeting with Te Kenehi Teira regarding significant cultural heritage sites in Poneke Wellington. Te Kenehi noted key contact for Kahungunu, Haami Te Whaiti 027 636 5174. Te Waari Careek, Ngati Toa kaumatua in residence at Te Papa, and Reuben Waaka for Kapiti Island.
14/08/15	M	Waiwhetu Marae (Terry Puketapu)	Discussed CMS process in the context of Orongorongo Huts issue. Recommended to submit on once draft out.
31/03/16	M	Wellington Harbour Islands Kaitiaki Board- Taranaki Whanui	Gave an update to the board. Informed the board that the Planners are working out how to re-engage with iwi to allow for more meaningful consultation.
29/07/16	M	Te Atiawa Runanga, Waiwhetu	Met with iwi at Waiwhetu to discuss conservation values and aspirations.
25/08/16	M	Kāpiti Island Strategic Advisory Committee	Met with KISAC as part of timetables meeting - updated on new CMS format, timeframes and what input we need from them. They plan to discuss with Runanga and then respond to the board on their views on the timeframes.
29/08/16	E	Kapiti Island Strategic Advisory Committee	Email to KISAC that included draft Wellington Urban and Islands Place, blank Place, sections from Part One and Place maps and aircraft landing zone maps. They were going to take this to their Runanga meeting 1/9 and get back to us regarding how they wished to work together to develop the Islands Place.
02/08/16	E	To all iwi in the Wellington Region	Regarding timeframes to have a draft out to each iwi to review on 19 September and get back to us with comments by the 01/10/16.
05/09/16	E	Jon Proctor (TMI)	Jon emailed request to meet and discuss draft, this invitation was accepted hui scheduled for 26/09/16 3pm.

Date	Type ¹	Organisation/ Person	Description/ Purpose
07/09/16	E	Kaitiaki Board	Provide with a copy of the proposal for how to appropriately reflect Matiu/Somes in the CMS
20/09/16	Hui	Chris Shenton (Ngāti Apa)	Pre-scheduled hui with Chris took opportunity to share draft. I provided paper copies of Part one, Manawatu-Rangitikei place and coastal dunes place as well as maps for these and the Wellington region. I identified parts not provided in paper and invited him to let us know if he would like any others i.e. maps and appendices.
20/09/16	Dropbox	Te Rūnanga a Ngāti Apa, Tanenuiaranga Manawat Inc (TMI), Taiao Raukawa, Muaūpoko Roopu Taiao, Ngāti Hinemanu me Ngāti Paki Trust, Mōkai Pātea	Email sent with notification of Dropbox link to Draft CMS and maps. They were given an opportunity to provide comments on the draft CMS.
20/09/16	E	Te Rūnanga a Ngāti Apa, Tanenuiaranga Manawat Inc (TMI), Taiao Raukawa, Muaūpoko Roopu Taiao, Ngāti Hinemanu me Ngāti Paki Trust, Mōkai Pātea	Update that the draft CMS is available, and welcoming the opportunity to meet and discuss.
20/09/16	E	Dennis Emery (Taiao Raukawa)	Not enthused or interested in this DOC matter
21/09/16	E	Jess Kereama (Taiao Raukawa)	Inadequate notice, and request for paper copy; I have replied addressing feedback.
21/09/16	P	Rob Warrington (Muaūpoko)	Call to follow up above email re the draft is available and welcome opportunity to discuss next week.
21/09/16	P	Barbara Ball (Mōkai Pātea)	Call to follow up above email re the draft is available and welcome opportunity to discuss next week.
22/09/16	P	Jordan Winiata and Kath Parkinson, Ngāti Hinemanu me Ngāti Paki	Call to follow up above email re the draft is available and welcome opportunity to discuss next week.

Date	Type ¹	Organisation/ Person	Description/ Purpose
26/09/16	Hui	Jon Proctor (TMI)	
01/10/16	E	Neville Lomax and Hannah Rainforth, Ngāti Hauiti	Neville provided update that Ngāti Hauiti will work on a submission to the draft.
20/10/16	P	Richard Steedman, Mōkai Pātea	Richard called to discuss, comments captured in link.
10/11/16	P, E	Di Rump, Muaūpoko	Attempt to schedule meeting to discuss draft CMS, no meeting followed

Appendix B: Overview of the consultation undertaken with iwi following public notification of the draft CMS in December 2016

Date	Type ¹	Organisation/Person	Description/Purpose
13/12/16	Letter	National stakeholders, local people and various Iwi	Following iwi and stakeholders received hard copies of the CMS and letters DOC-2934807.
14/12/16	E	National stakeholders, local people and various Iwi	Following iwi and stakeholders received emails regarding notification of the CMS DOC-2935509.
21/12/16	E	Ngāti Toa	Suggestion sent to Leana Barriball distribute link to CMS to Iwi, hapu, whanau inviting questions etc. Once uptake ascertained DOC can invite CMS planners to a workshop.
13/01/17	Hui	Chris Shenton, Ngāti Apa	Prescheduled hui, took the opportunity to briefly raise the draft CMS and submissions closing in April.
02/02/17	E	Port Nicholson Block Settlement Trust/ Taranaki Whanui	Suggestion sent to Lee Rauhina-August 2/2/17 from Matt B- distribute link to CMS to Iwi, hapu, whanau inviting questions etc. Once uptake ascertained DOC can invite CMS planners to a workshop.
02/02/17	E	Runanga o Te Atiawa	Suggestion sent to Teri Puketapu 2/2/17 from Matt B- distribute link to CMS to Iwi, hapu, whanau inviting questions etc. Once uptake ascertained DOC can invite CMS planners to a workshop.
02/02/17	E	Te Atiawa ki Whakarongotai	Suggestion sent to Kristie Parata 2/2/17 from Matt B- distribute link to CMS to Iwi, hapu, whanau inviting questions etc. Once uptake ascertained DOC can invite CMS planners to a workshop.
02/02/17	E	Kaitiaki Board	Emailed secretary Toni Love to place CMS item on agenda for discussion, Emma Dunning.
17/02/17	E	Ngāti Toa	Follow up email sent to Leana Barriball 17/02/17 from Lee Barry requesting progress on interest in workshop/hui.
21/02/17	Hui	Danielle Harris and Paul Horton,	Prescheduled business planning hui - took the opportunity to briefly raise the draft CMS and submissions closing in April, Danielle briefly shared that some of RoMs settlement redress are missing and that they

¹ M = Meeting, E = Email, P = Phone call

		Rangitaane o Manawatu	are co-ordinating a submission.
22/02/17	E	Port Nicholson Block Settlement Trust/ Taranaki Whanui	Follow up email re a hui sent by Lee Barry 22/02.
22/02/17	E	Runanga o Te Atiawa	Follow up email re a hui sent by Lee Barry 22/02.
22/02/17	E	Te Atiawa ki Whakarongotai	Follow up email re a hui sent by Lee Barry 22/02.
23/02/17	Hui	Chris Shenton and Grant Huwyler	Prescheduled business planning hui, took the opportunity to briefly raise the draft CMS and submissions closing in April.
23/02/17	P, E	Richard Steedman, Mōkai Pātea	Richard called having identified some errors which he had raised previously; he was satisfied that his other comments were captured.
27/02/17	E	Rob Martin, Ngāti Hauiti	Rob responded to a CMS email that 'We had a discussion at our quarterly hui this past weekend and there will be submissions submitted. However, we still have a few more details to sort through to ensure we have covered off all our key points'.
28/02/17	In passing	Rob Warrington (Muaūpoko)	Indicated he has made a submission his reference is w22.
08/03/17	E	All original recipients	Emailed recipients from original list https://doccm.doc.govt.nz/wcc/faces/wccdoc?dDocName=DOC-2935509 , advising that submission period closes 4 April and inviting submissions.
09/03/17	Hui, M	Wellington Harbour Islands Kaitiaki Board	Board meeting held - CMS item was on agenda.
15/03/17	Hui	Ngati Toa	Hui with Ngati Toa Runanga to discuss process to date, the themes in the CMS, and providing feedback and discussing submissions process.
09/06/17	Hui	KISAC	To discuss the Department's requirements under the Ngati Toa Rangatira Claims Settlement Act 2014 to send the revised draft CMS and summary of submissions to KISAC. Outlined the process and how to work

			together to achieve this.
26/06/17	E	KISAC	To provide KISAC the summary of submissions and outline the process under the Ngati Toa Rangatira Claims Settlement Act 2014 as discussed at the hui that Hollie and Lynn Hansberry attended 9 June.
14/08/17	E	Wellington Conservation Board and KISAC	Sent the revised draft CMS, Summary of submissions, Common Issues Papers and COC to Conservation Board and KISAC electronically.
08/09/17	M	Kapiti Island Strategic Advisory Committee	To discuss the revised draft CMS, Summary of submissions and Common Issues Papers sent to KISAC as per requirements in their Settlement Act.
13/10/17	E	KISAC and Wellington Conservation Board	KISAC's further commentary on the revised draft CMS received by Department, and sent to the Wellington Conservation Board.

Appendix C: Iwi submitters on draft CMS notified in December 2016.

Submitter No	Submitter
22	Muaupoko Tribal Authority Inc, Robert Warrington
94	Te Runanga o Toa Rangatira, Leana Barriball
111	Kahungunu ki Tamaki nui-a-rua Trust, Morry Black
131	Te Taiao Hawke's Bay Environmental Forum, Vaughan Cooper
175	Wellington Harbour Islands Kaitiaki Board, Toni Love
186	Tanenuiarangi Manawatu Incorporated (on behalf of Rangitāne o Manawatū), Paul Horton
204	Rangitane o Wairarapa Incorporated, Horipo Rimene
218	Ngati Hauiti, Hannah Rainforth
223	Kahungunu Ki Wairarapa, Rawiri Richard Smith
227	Te Rūnanga o Raukawa and Te Taiao o Raukawa, Larry Parr and Jessica Kereama
228	Port Nicholson Block Settlement Trust, Aaria Dobson-Waitere
232	Rangitāne o Tamaki nui a Rua Incorporated, Hineirangi Hariata

Critical considerations for analysing submissions on the Wellington Conservation Management Strategy (CMS)

Produced by Te Ātiawa ki Whakarongotai

Context: a Māori approach to management planning and evaluation

Firstly, it's important to provide a context for how Māori think about and frame management planning so that information in submissions received from mana whenua can be understood in terms of a Māori framework. Te Ātiawa ki Whakarongotai (TAKW) has a particular approach to management planning and evaluation that is informed by the wider national discourse on kaupapa Māori management approaches. In particular, TAKW management is informed by the 'Hua Parakore' conceptual framework. Hua Parakore is a kaupapa Māori framework for planning and evaluating management practice in natural systems. It was initially developed as a planning and evaluation framework for Māori organic food production.¹

The Hua Parakore framework is one of a suite of kaupapa Māori planning and evaluation methods that have developed in recent years, such as cultural health indices and cultural opportunity mapping.² It makes explicit three critical aspects of a kaupapa Māori approach to management planning and evaluation; 'kaupapa, tikanga and hua'. With regards to the CMS, this can be compared to the 'objectives, policies and milestones' framework that it has used to set out the strategy for the Wellington region:

1. 'Kaupapa': the foundation or basis for management. The values, principles or objectives that all management is based on.
2. 'Tikanga': the 'how' of management. The policies, protocols and practices which implement or give rise to kaupapa.

¹ Hutchings, Tipene, Carney, Greensill, Skelton and Baker, 2012: Hua Parakore: an indigenous food sovereignty initiative and hallmark of excellence for food and product production. *MAI Journal* 1(2) pp.131-45.

² Baker, M., 2012. The Korowai Framework: assessing GE through tribal values. *New Genetics and Society Special Edition* vol 31(1); Harmsworth, G.R., Young, R.G., Walker, D., Clapcott, J.E., James, T., 2011: Linkages between cultural and scientific indicators of river and stream health. *New Zealand Journal of Marine and Freshwater Research*. 45:3, 423-436; Harmsworth, G. 2002: Coordinated Monitoring of New Zealand Wetlands, Phase Two, Goal 2: *Māori environmental performance indicators for wetland condition and trend*. Ministry for the Environment, Wellington. <http://www.pacificwater.org/userfiles/file/IWRM/Toolboxes/m%20%26%20e/Wetland2Report.pdf><http://www.pacificwater.org/userfiles/file/IWRM/Toolboxes/m%26%20e/Wetland2Report.pdf> Jellyman, D., Graynoth, E. 2010: The importance of tributary streams of Te Waihora/Lake Ellesmere in maintaining populations of longfin eels. National Institute of Water & Atmosphere Research Ltd., Christchurch. <http://ecan.govt.nz/publications/Reports/niwa-tuna-refugia-report.pdf> Pauling, C. 2008: Chapter 8, Cultural health of the lake in *Te Waihora/Lake Ellesmere, State of the Lake and Future Management*, (ed) Hughey and Taylor, EOS Ecology, Christchurch <http://www.wet.org.nz/wp-content/uploads/2009/10/Ch08-Cultural-health-of-the-lake.pdf> Smith, L., Roberts, M., Tiakiwai-Smith, S., Hudson, M., Hemi, M., Baker, M., 2013. Dialogue at the cultural interface; A report for Te Hau Mihi Ata, Mātauranga Māori, Science and Biotechnology. Hamilton: Waikato University Press

3. 'Hua': the fruits of good management. The outcomes, milestones or indicators that kaupapa have been achieved.

TAKW has a set of key kaupapa that form the basis for their natural resource management. In reviewing submissions and considering potential changes to the CMS, they would be looking to see that these kaupapa are reflected as much as possible, that they can be seen at a high level in the regional vision and at the detailed level in the objectives. It is also important that the kaupapa are equally emphasised, that one isn't prioritised above or in exchange of another. The TAKW framework of key kaupapa, tikanga and hua is referred to as the 'Whakarongotai Framework', the name comes from the whakatauāki 'Whakarongotai a te moana, Whakarongotai a te wā', meaning, as you listen to the tides of the ocean, listen to the tides of time, and encourages an integrated approach to kaitiakitanga that involves consideration of both the natural and social worlds as one system.

These key kaupapa are:

- Mauri: Healthy natural systems and healthy people
- Te Ao Tūroa: Natural order is protected
- Māramatanga: People experience enlightenment through involvement in kaitiakitanga
- Mana: Upholding the status of tangata whenua and social cohesion of the community.
- Wairua: Peace and safety
- Whakapapa: Inherited connection to the natural environment.

It is also important that the reflection of these values in the CMS isn't tokenistic, in that the inclusion of any kaupapa is followed with specific tikanga (policies) and hua (milestones) that clearly demonstrate the strategy for achieving them.

Strengths and weaknesses of Part One can be identified by applying the Whakarongotai Framework to look at how well the six key kaupapa are reflected in both the Regional Vision and the additional 'values' sections. This provides a form of 'gap analysis' to look at where the kaupapa are well reflected, and where there is a need for them to be better enhanced.



Regional Vision

- Mauri is reflected through the identification of specific taonga/native fauna and the vision for finding greater numbers of previously threatened native species
- Te Ao Tūroa is reflected through the commitment to strengthen connectivity between mountains to sea that includes a range of habitats, as opposed to focusing on separate distinct ecosystems.
- Māramatanga is reflected through the commitment to enable the introduction of mātauranga Māori concepts, however it could be better emphasised that the benefit of this is not simply providing for the view of Treaty partners, but that mātauranga Māori may provide valuable and enlightening contributions of knowledge or approach, and ultimately may provide better conservation outcomes for all.
- Mana is reflected through the commitment that operational activities are shared between Treaty partners. However the aspect of the vision that states management decisions are *discussed* as opposed to *shared* with Treaty partners diminishes this kaupapa. Submissions received that comment on increased decision-making of Treaty partners should be considered as providing advice on how to enhance this kaupapa. A policy could be added or developed in section 3.3.2 of the CMS to 'take opportunities to share decision-making with PSGEs or tangata whenua' or something to this effect.
- There doesn't seem to be much within the regional vision that explicitly reflects the kaupapa of 'wairua'. Submissions that provide advice on how to better reflect that kaupapa in the regional vision should be readily accepted. The vision states that recreational opportunities are available, but doesn't comment on the quality of those recreational opportunities. An example from a TAKW perspective would be that the regional vision includes comment that DOC managed spaces are calm, safe and conflict free spaces that all can enjoy. This value is really well articulated through regional policy 4.3.2.5 and this could be more emphasised in the overall vision. Another example of enhancing this value in the vision would be that wahi tapu are respected and kept in tact. A milestone around the protection of wahi tapu could also be included in section 3.3.3 of the CMS.
- Whakapapa is reflected through the commitment to celebrate 'the long connection tangata whenua and the public have with the Forest Parks' and that the connection of tangata whenua 'includes the provision of food and shelter, through to recreation and experiencing nature'

Natural Values

- Mauri is reflected in objective 4.1.1.1(b) to conserve threatened species to ensure persistence
- Te Ao Tūroa is reflected through objective 4.1.1.1(a) to conserve a full range of ecosystems
- Māramatanga is not well reflected in this part of the CMS. DOC should be particularly receptive to submissions that recommend how the maintenance and restoration of

natural values could be enhanced through the application of mātauranga Māori. If there are submissions to that effect a regional policy could be added to take opportunities to work with PGSEs and tangata whenua to include the application of mātauranga Māori in conservation of natural values.

- Mana is reflected through objective 4.1.1.1(c) to support the work of others
- Wairua is not well reflected in this part of the CMS. Submissions may provide helpful suggestions around how a regional policy or milestone could include an aspect that relates to maintenance and restoration of the safe human interaction with natural resources. An example of this would be the maintenance of safe water quality in rivers, streams lakes and coastal marine area.
- Whakapapa is reflected through objective 4.1.1.1(d) to conserve significant features, provided that those features include those which mana whenua have a specific whakapapa relationship to. DOC should be receptive to submissions which seek to include sites of specific Māori heritage values to Appendix 8 of the CMS

Historic values

- The values of Mauri and Te Ao Tūroa aren't particularly relevant for this section of the CMS
- Māramatanga is reflected in the regional policy 4.2.2.6 to work with tangata whenua to utilise expertise to provide enhanced visitor experiences.
- Mana is reflected in national policy 4.2.2.4 to understand the expectations of PSGEs and tangata whenua regarding the conservation and management of historic places
- Wairua isn't well reflected in this section despite it being an important value to consider in terms of sites of historical significance. DOC should be receptive to submissions that recommend how issues of wahi tapu should be best managed. One way of achieving this may be to include a regional policy that's specific to working with PSGEs and tangata whenua to be particular sensitive to how to work with and provide adequate protection for wahi tapu sites.
- Whakapapa is strongly reflected through objective 4.2.1.1

Recreation

- Mauri and Te Ao Tūroa are reflected through national objective 4.3.2.1 which indicates the need to balance recreation opportunities with the protection of natural values.
- Māramatanga is well reflected through objective 4.3.1.1.
- Mana is reflected through national objective 4.3.2.4 to achieve improved access
- Wairua is well reflected through the regional policy 4.3.2.5
- Whakapapa isn't well reflected in this section of the CMS and DOC should be receptive to submissions on that recommend how inherited connections to the natural environment can be better prioritised through outdoor experiences, this may include a regional policy that promotes visitor opportunities and provides information that connects people with the cultural heritage of natural landscapes.

Engagement

- Mauri is reflected through objective 4.4.1.1(b)
- Te Ao Tūroa is reflected through national policy 4.4.2.2
- Māramatanga is well reflected in objective 4.4.1.1(a), and through all policies
- Mana is reflected through national policy 4.4.2.1
- Wairua isn't well reflected in this section of the CMS. From a kaupapa Māori perspective, wairua in terms of having peaceful relationships across the community is a very relevant value in this part of the CMS. DOC should be receptive to submissions on how to improve those relationships. This may involve developing a regional policy that requires DOC to support or facilitate good working relationships across businesses, tourism organisations, the community, local authorities and PGSEs or tangata whenua in promoting conservation initiatives, products or services. This seems to be particularly important in achieving the milestones that relate to sharing responsibility for the conservation estate across the wider community.
- Whakapapa is reflected through objective 4.4.1.1

Summary

This document has set out an approach to ensuring that all relevant kaupapa (Māori values) are addressed in a management planning document. For the purpose of analysing submissions and considering the effect their recommendations have on the suitability of the CMS for tangata whenua, a brief gap analysis of the overarching objectives, policies and milestones of Part One of the CMS has been conducted to identify:

1. Strong aspects of the CMS that should be retained or enhanced.
2. Weak aspects of the CMS where special attention should be paid to submissions that may recommend how to better enhance those particular aspects

The following are the key gaps of the CMS and should be areas of priority in analysing submissions:

- Supporting the mana of tangata whenua. There is inadequate emphasis on the sharing of decision-making with Treaty Partners. There is only mention of discussing decision-making.
- Māramatanga could be better emphasised by seeking to frame the input of mātauranga Māori as valuable as a contribution of knowledge, rather than just for the benefit of tangata whenua. The absence of this value is particularly evident in the policies of the natural values section, where there may be an opportunity to develop policy in supporting mātauranga Māori application to conservation initiatives.
- In general the kaupapa of wairua is not well-reflected in the CMS. This is evident through
 - the lack of emphasis on the provision of calm and quiet spaces in the overall regional vision
 - the lack of emphasis on the protection of wahi tapu in the CMS
 - no clear recognition of the role that DOC does or can play in supporting and facilitating better working relationships between tangata whenua and stakeholders, particularly in the interest of getting more uptake of responsibility from other parties in carrying out conservation work.
- The recreation values section of the CMS doesn't place much emphasis on promoting whakapapa or inherited connections to natural landscapes.

David Allen

From: Kristie Parata <admin@teatiawakikapiti.co.nz>
Sent: Tuesday, 19 July 2016 11:49 a.m.
To: David Allen
Subject: Hui Rangatahi
Attachments: 20160713_122129.jpg; 20160713_122133.jpg; 20160713_122145.jpg; 20160713_122148.jpg; 20160713_122217.jpg; 20160713_122017.jpg; 20160713_122021.jpg; 20160713_135148.jpg; 20160713_155359 (1).jpg

Kia ora Dave,

Thanks for your text last week, and at the end of the hui Rangatahi we went round the room wrap up / poroaki and lots of the rangatahi said they loved the planting, so that was a bit of a surprise but great feedback☺

Anyway, been a bit crazy busy since our planting, but thanks again to you and Lisa for coming and organising that for us, it's always a treat being out on the whenua, and apologies again for bailing and leaving you guys to finish off, it's not my usual style but it happens sometimes...

Big mihi also to Claire for sharing with us too.

I've attached those pics, but realise my phone camera is pretty rubbish, so they are not the best...

One more thing, is there a chance I can get Carl's contact details please, I understand he is interim Rob Stone? I tried David Moss, but he's still on leave.

Ngā mihi..... Kristie

Heoi ano, nā,
Kind regards,

Kristie Parata
Administrator
Te Ātiawa ki Whakarongotai Charitable Trust
(04) 293 1538
11 Elizabeth Street / PO Box 509, Waikanae 5250
Monday – Thursday 10.00 am – 4.00 pm


TE ĀTIAWA KI KĀPITI

Facebook: <https://www.facebook.com/TeAtiawaKiKapiti>

Kristie Parata
Ati Awa ki Whakarongotai Charitable Trust
P.O. Box 509

WAIKANAE 5250

7th August 2018

Consultation Opportunity – Pest Control, Paraparaumu Scenic Reserve, Paraparaumu, Mahaki and Maungakōtutukutuku Dam Covenants

Dear Kristie,

We are in the process of planning the operational requirements and reapplying for consents to use the vertebrate toxins cyanide, cholecalciferol and diphacinone in Paraparaumu Scenic Reserve, Paraparaumu, Mahaki, and Maungakōtutukutuku Dam Covenants. I would like to offer you this opportunity to discuss any issues that you may have with their use.

This is an ongoing operation and a continuation of the pest control programme that has been active in Paraparaumu Scenic Reserve, Paraparaumu and Mahaki covenants since 1995 and in Maungakōtutukutuku Dam Covenant since 2015. For the next year we plan to use Feracol (cholecalciferol 8g/kg paste) for control of rats, Feratox (encapsulated cyanide enclosed in a prefeed striker) for control of possums and Pestoff Rat Bait 50D (0.05g/kg diphacinone cereal pellets) as a secondary method for rodents following initial control with Feracol. All poisons are to be placed inside bait stations.

These pesticides are poisonous to humans and domestic animals. Warning signs will be placed at the entrances to this reserve. Please assume that pesticides are always present in the bait stations and do not eat animals from within this area while these warning signs are present.

Please do not hesitate to contact me on (04) 470 8410, email dallen@doc.govt.nz or refer to the enclosed fact sheet if you have any enquiries or if you would like to provide feedback about this operation.

Yours sincerely,



David Allen
Biodiversity Ranger

Department of Conservation Te Papa Atawhai
Kāpiti Wellington Area Office
PO Box 5086, Wellington 6140
www.doc.govt.nz

DOC-6004223

David Allen

From: Kristie Parata <admin@teatiawakikapiti.co.nz>
Sent: Thursday, 9 August 2018 3:58 p.m.
To: Mahina-arangi Baker
Cc: David Allen
Subject: FW: Upcoming consultation with Whakarongotai
Attachments: Hemi Matenga_Monitoring_Lines_Oct 2014.jpg; Paraparaumu SR and surround covenants Schoolss Mar 15.jpg

Kia ora kōrua,

Cuzzie, I have spoken with Dave this morning, and just extending Dave's offer to come and kōrero kanohi-ki-te-kanohi should you wish to discuss this further, see below, fyi.

Heoi ano, nā,
 Kind regards,

Kristie Parata
 Administrator
 Te Ātiawa ki Whakarongotai Charitable Trust
 (04) 293 1538
 11 Elizabeth Street / PO Box 509, Waikanae 5250
 Monday – Thursday 10.00 am – 4.00 pm



Facebook: <https://www.facebook.com/TeAtiawaKiKapiti>

From: David Allen [mailto:dallen@doc.govt.nz]
Sent: Thursday, 9 August 2018 2:09 p.m.
To: Kristie Parata <admin@teatiawakikapiti.co.nz>
Subject: Upcoming consultation with Whakarongotai

Kia ora Kristie,

Ngā mihi mahana ō te marama ō Here-turi-kōkā ☺

Just a note to pre-empt DOC's up-coming consultation on pest control operations in Hemi Matenga and Paraparaumu Scenic Reserves.

We're planning to try and get a possum and rodent control operation going again in those blocks this year, to provide protection from browsing for the kohekohe – this mahi has been ongoing in some capacity since 1995.

Looking over our past operations (before my time with DOC) I think Ati Awa ki Whakarongotai has been sent letters and fact sheets to inform whanau of past possum, rodent and goat control ops, the methodology being planned, and the effects of that methodology – with the opportunity for whanau to then raise any issues with us following the letter. Back in 2016 (I think – don't have the email on file) I offered to come chat through the existing plan with whoever might be interested, but I believe you guys responded to say you were happy to keep with the normal letter and fact sheet format as the operations were well established. Before we finalised and send these letters I want to check that you are still happy with that? The operation details will be essentially identical and I can see that the mail out takes up less of your time than a sit down chat.

Either way is kei te pai with me - whatever approach is most suitable for Whakarongotai. The mahi will be possum and rat control using pesticides in the existing hard plastic bait stations (as per previous ops), and the consultation DOC offers is on the effects of this method (on the environment, people, domestic animals, and the target animals themselves).

Hope that makes sense, and please give me a buzz if a korero would help to clarify anything. Lovely to get to chat with you this morning and looking forward to news of the new bub ☺

Teena koe,

David Allen

Biodiversity Ranger - *Kaitiaki, Kanorau Koiora*
Department of Conservation - *Te Papa Atawhai*

DDI: (04) 470 8410 | VPN 8410

Email: dallen@doc.govt.nz

Kāpiti Wellington Office

PO Box 5086, Wellington 6140

13B Wall Place, Kenepuru, Porirua 5022

T: 04 470 8412 VPN 8412



CONSERVATION WEEK
IS CALLING 15-23 Sept

Visit conservationweek.org.nz

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DOC-5546597



Department of Conservation
Te Papa Atawhai

Kristie Parata
Atiawa ki Whakarongotai Charitable Trust
P.O. Box 509

WAIKANAE 5250

22nd August 2018

Consultation opportunity – Pest Control, Hemi Matenga Memorial Park Scenic Reserve

Tēnā koe e Kristie,

We are in the process of planning the operational requirements and reapplying for consents to use the vertebrate toxins cyanide, cholecalciferol and diphacinone in Hemi Matenga Memorial Park Scenic Reserve for the 2018/19 season. I would like to offer you this opportunity to discuss any issues that you may have with their use.

This is an on-going operation and a continuation of the pest control programme that has been active in this area since 1995. For the next year we plan to use Feracol (cholecalciferol 8g/kg paste) for control of rats, Feratox (encapsulated cyanide enclosed in a prefeed striker) for control of possums and Pestoff Rat Bait 50D (0.05g/kg diphacinone cereal pellets) as a secondary method for rodents following initial control with Feracol. All poisons are to be placed inside bait stations.

These pesticides are poisonous to humans and domestic animals. Warning signs will be placed at the entrances to this reserve. Please assume that pesticides are always present in the bait stations and do not eat animals from within this area while these warning signs are present.

Please do not hesitate to contact me on 027 404 9812, email dallen@doc.govt.nz or refer to the enclosed fact sheet if you have any enquiries or if you would like to provide feedback about this operation. Please also get in touch if you would like to be notified immediately prior to bait being placed in the reserve.

Nāku noa, nā

A handwritten signature in blue ink, appearing to read 'Dallen'.

David Allen
Biodiversity Ranger

Department of Conservation *Te Papa Atawhai*
Kāpiti Wellington Area Office
PO Box 5086, Wellington 6140
www.doc.govt.nz



Possum and rat control in Hemi Matenga Memorial Park Scenic Reserve

The Department of Conservation's Kāpiti/Wellington Office plans to resume possum and rat control in Hemi Matenga Memorial Park Scenic Reserve (see map overleaf).

Consultation

The Department (DOC) is consulting on the effects of pest control in Hemi Matenga Memorial Park Scenic Reserve and would welcome your views.

What has been decided so far

The control options that we have chosen to use are:

- The pesticide cyanide, 475 g/kg, in the form of an encapsulated pellet within a pre-feed striker placed in bait stations to control possums.
- The pesticide cholecalciferol, 8g/kg, in the form of a paste placed in bait stations to control both rats and possums.
- The pesticide diphacinone, 0.05 g/kg, in the form of a cereal pellet in bait stations to control rats.

The choice of these pesticides is based on their history as proven pesticides for controlling possums and rats.

To minimise any risk to native fauna, bait will be placed in secure bait stations attached to the base of trees. To minimise any risk to aquatic environments, bait will be laid at least 20m away from waterways. Cyanide will not be placed within 150m of any household.

Timeframe

At this stage the operation is planned to begin in the first period of favourable weather from November 2018. A fact sheet will be distributed closer to the time to confirm any changes to this timeframe.

Also, DOC will contact all neighbours and place warning signs at points of public entry immediately prior to the operation starting.

Please contact us to provide a phone number or email so we are able to notify you prior to the operation commencing.

Have your say

If you wish to provide feedback or would like to receive any additional information, please contact the Kāpiti/Wellington Office using the details below.

Please get in touch with us if you would like to be notified again prior to each operation.

Why we are controlling possums and rodents

Hemi Matenga Memorial Park Scenic Reserve is one of the largest remaining areas of lowland forest dominated by kohekohe in the lower North Island. It forms a backdrop to Waikanae township, and is home to many native birds and plants. The kererū (NZ wood pigeon) and other native bird species depend on native trees for their food supply. Possums and rats eat seeds and seedlings, impact forest regeneration, compete with native wildlife for food, and directly prey on birds, eggs and insects. The operation will help to improve habitat quality and decrease native bird predation.

Key facts

Cyanide, cholecalciferol and diphacinone are poisonous to humans and domestic animals. Poisoning can occur through handling or eating the bait or consuming dead or poisoned animals. There is no health risk in using these baits in these areas if the rules below are observed:

- DO NOT handle any bait
- DO NOT allow CHILDREN to wander unsupervised
- DO NOT bring DOGS into this area
- DO NOT handle or eat ANIMALS from this area.

Observe these rules whenever you see warning signs about pesticides. Warning signs indicate that pesticide residues may still be present in baits or animals. When signs are removed, this means that you can resume normal activities in the area. If in doubt, check with DOC.

Operational planning

Where vertebrate pesticides are used DOC assesses operations on public conservation land on behalf of the Environmental Protection Authority (EPA). DOC managers follow procedures approved by the EPA and apply conditions to ensure that all legal and policy requirements are met, and that any potential risks of the operation are managed.

Cyanide, cholecalciferol and diphacinone have been approved for use by the Environmental Protection Authority. The use of cyanide requires external consent from the Medical Officer of Health.

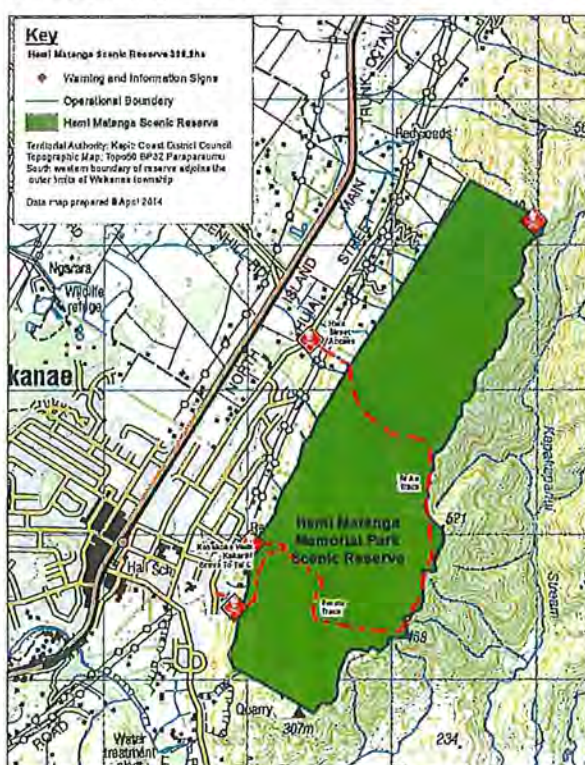
For more information

David Allen
Department of Conservation
Kāpiti/Wellington Office
P.O. Box 5086, Wellington 6140
Tel: 027 404 9812
Email: dallen@doc.govt.nz

If you wish to receive 24-hour notice of bait being placed in the reserve, please contact us to provide a phone number or email address.

Pesticide Treatment Area

Hemi Matenga Memorial Park Scenic Reserve



DOC-5896278



Department of Conservation
Te Papa Atawhai

Atiawa ki Whakarongotai Charitable Trust
Kristie Parata
P.O. Box 509
WAIKANAE
5250

25th March 2019

Notification of Pest Operation - Paraparaumu Scenic Reserve, Waikanae Scenic Reserve, Kiripiti Scientific Reserve, Forest and Bird Block, Waikanae QEII, Tini Bush, Mansell's Bush, Hillas and Huttons Snail Covenants Pest Control Operation

Tēnā koe e Kristie,

Ngā mihi mahana ō te wā ki Atiawa ki Whakarongotai.

Following consultation documents sent out in February 2019, please find enclosed a fact sheet of information regarding the pest control operation that will now recommence in the above blocks (see map attached). Weather dependent, toxic bait will be placed in bait stations from the week commencing 15th April 2019.

This is an on-going operation and a continuation of the pest control programme that has been active in this area since 1995. The chosen control method uses **Feracol (cholecalciferol 8g/kg)** in paste form for control of rats and striker form for control of possums. **Pestoff Rat Bait 50D (0.05g/kg diphacinone cereal pellets)** may be employed as a secondary control method for rats if required. All bait will be placed inside bait stations which are nailed to the base of trees throughout blocks. At present we are trialling a possum and rat control programme within **Paraparaumu Scenic Reserve** that employs **traps only**. If our targets for possum and rat control are not met using traps, then pesticide will be deployed as described above.

These pesticides are poisonous to humans and domestic animals. Warning signs will be placed at the normal points of entry to the block (s). Please assume that pesticides are always present in the bait stations and do not eat animals from within this area while these warning signs are present.

For more information on this control programme please refer to the enclosed fact sheet. Updates can also be found via the 'Pesticide summaries interactive map' at www.doc.govt.nz/nature/pests-and-threats/pesticide-summaries/ and navigating to the reserve. If you have any enquiries or you require further information about this operation, please do not hesitate to call me on 027 404 9812 or email dallen@doc.govt.nz. If you would like a 24hr notice prior to bait deployment, please provide us with a phone number and/or email address.

Naku noa, nā,

Dave Allen - Biodiversity Ranger
Department of Conservation *Te Papa Atawhai*
Kāpiti Wellington Area Office
PO Box 5086, Wellington 6140
www.doc.govt.nz

APPLICATION FOR A HEALTH PERMISSION FOR THE USE OF VERTEBRATE TOXIC AGENT(S) (VTAs) AND OTHER HAZARDOUS SUBSTANCE(S)

Hazardous Substances and New Organisms Act 1996 (HSNO)


This application is to be used when applying for a Health permission to use a vertebrate toxic agent or any other hazardous substance¹ approved under the HSNO Act, for which a Health permission is required under section 95A of the HSNO Act.

A Health permission is issued by a person acting under powers delegated by the Environmental Protection Authority ("the delegated person").s

Guidance

The applicant is required to provide information to assess possible exposure pathways to enable HSNO enforcement officers to assess public health risk. The form has suggested prompts to ensure that potential routes of exposures are identified and subsequently public health risks are managed. Complete all of the sections. If a section is not relevant, return the section as part of the completed application form and write "not applicable" across it.

Prepared by: David Allen dallen@doc.govt.nz

Signature: 

Date: 08/11/2018

Return this application to the contact person below.

LOCAL PUBLIC HEALTH CONTACT:

Gray Bamber - Health Protection Officer (Regional Public Health, Hutt Valley)

M: 0274582492

¹ Hazardous substances requiring Health permissions refer to substances listed in Schedule 1 of the Environmental Protection Authority's Instrument of Delegation. These are: sodium fluoroacetate (1080), sodium cyanide, potassium cyanide, yellow phosphorous, 3-chloro-p-toluidine-hydrochloride, microencapsulated zinc phosphate paste, Advion® fire ant bait, Amdro® fire ant bait, Campaign® ant bait.

Guidance for Applicants

Hazardous Substances and New Organisms (HSNO) Act and Health and Safety at Work (HSW) (Hazardous Substances) Regulations 2017 Requirements for VTAs and Other Hazardous Substances

The requirements specified under the HSNO Act, its regulations, EPA notices, and approvals for hazardous substances granted under the HSNO Act and HSW (Hazardous Substances) Regulations are requirements which must be met. Where a Health permission for VTAs and other hazardous substances use is granted by a person acting under a delegation from the Authority, they may impose additional conditions to address local circumstances.

The current HSNO Approvals for hazardous substances can be found by searching the register on the Environmental Protection Authority (EPA) website, at:

<http://www.epa.govt.nz/search-databases/pages/controls-search.aspx>

Consultation Required in Managing Public Health Risk Prior to Aerial Application of Sodium Fluoroacetate (1080)

Consultation is a key risk mitigation tool for aerial 1080 operations. You need to provide sufficient evidence to satisfy the HSNO enforcement officer that your consultation has met the requirements of ERMA New Zealand's (now EPA) Communication Guidelines for Aerial 1080 Operations before a permission can be issued.

The Communication Guidelines for Aerial 1080 Operations can be found on the EPA website at:

<http://old.epa.govt.nz/Publications/ERMA-1080-Guidelines.pdf>

Note:

- 1) You can provide copies of communication logs as evidence of consultation, rather than repeating this evidence in this application.
- 2) The evidence needs to be sufficient to satisfy the HSNO enforcement officer that potential risks to public health have been identified and can be avoided, remedied or mitigated.

If you are uncertain about the level of consultation required, or the evidence required of such consultation in managing public health risk, discuss this with your local Public Health Unit (PHU).

Food Safety Considerations

The Ministry of Primary Industries (MPI) is the regulatory agency concerning food safety. Discuss with MPI if there are food safety risks relating to a particular substance that are not being adequately managed through the food safety system.

Other Relevant Legislation

It is the responsibility of the applicant to ensure compliance with all relevant legislation including, but not limited to, Food Act 2014, Animal Products Act 1999, Agriculture Compounds and Veterinary Medicines Act 1997, Resource Management Act 1991, Land Transport Act 1998, Biosecurity Act 1993, and the Conservation Act 1987.

APPLICATION FOR A HEALTH PERMISSION TO USE A VERTEBRATE TOXIC AGENT (VTA) AND OTHER HAZARDOUS SUBSTANCES

(Pursuant to section 95A of the Hazardous Substances and New Organisms Act 1996)

Explanatory Note: An application is submitted by a "person", for example a corporation, company, incorporated societies, trusts, principal agency, contractor or subcontractor as well as named individual. It also includes the Crown (e.g. the Department of Conservation). An applicant for a Health permission does not need to hold a Controlled Substance Licence (CSL). Note that you must be a CSL holder to be able to possess Vertebrate Toxic Agents (VTAs) as required under the Health and Safety at Work (Hazardous Substances) Regulations 2017.

Note: Complete Section D if field operations are to be subcontracted to another individual/organisation.

Full Name of Applicant: <i>(This is the 'person' to whom the permission will be issued)</i>	Colin Giddy, Department of Conservation, Kāpiti Wellington District Office		
Contact Person (if applicable):	David Allen		
Applicant Contact Details: <i>(Physical and postal address, telephone, cell phone, fax, e-mail)</i>	13B Wall Place, Kenepuru, Porirua, 5022 PO Box 5086, Wellington 6140 dallen@doc.govt.nz (04) 470 8410 and 0274049812		
Controlled Substances Licence/s (CSL) <i>Provide CSL details of either the applicant, or at least one person employed by the applicant to undertake the operation:</i>			
CSL No:	CSL000493		
Name on CSL:	Colin Patrick Giddy		
Expiry Date:	02/08/2020		
CSL covers VTA(s) relevant to application:	Yes		
Operational Period <i>Note: A Health permission will be issued to the applicant for a maximum period of 12 months. Where an operation extends past 12 months, the applicant must apply for a new permission.</i>			
Start date:	1/12/2018	Finish date:	1/12/2019
Operation			
Operation name:	Possum and rat control in Paraparaumu Scenic Reserve and Surrounding Covenants 2018/19		
Operation locality:	Paraparaumu		
Territorial local authority ²:	Kapiti Coast District Council		
Total operation size (ha):	370.5ha		
Previous operations: <i>If the applicant has carried out an earlier operation, provide date of operation and application identification code.</i>	Previous operations receiving pest control: Paraparaumu Scenic Reserve and associated covenants 2/11/2016 – 2/11/2017. 16/16/GB/RPH		

² District council, city council or unitary authority

VTA or Hazardous Substance Information				
VTA or Hazardous substance Potassium cyanide	Strength 475 g/kg	Form Encapsulated pellet in pre-feed striker in bait stations	Application rate (for aerial operations) N/A – placed in bait stations	Purpose For possum control
HSNO Approval Number (e.g. HSR002424): HRC001673				
Start Date of Application: Date of consent approval			Last Date of Application: 12 months from approval	
Specify all application methods to be used for the hazardous substance:				
Treatment area size (ha): 869.6ha				
Methods to be used (tick applicable box):				
	Yes	No		Yes
• Aerial	<input type="checkbox"/>	<input type="checkbox"/>	• Bait stations and bags:	<input checked="" type="checkbox"/>
• Hand broadcast	<input type="checkbox"/>	<input type="checkbox"/>	State heights of bait stations/bags:	<input type="checkbox"/>
• Turf spits/direct to ground	<input type="checkbox"/>	<input type="checkbox"/>	Base 10-20cm from ground	
• Other control methods:	<input type="checkbox"/>	<input type="checkbox"/>	Types of bait stations/bags used:	
Describe briefly below:			Philproof Bait Station (large)	

SECTIONS A TO M

Complete all relevant sections that apply to this application. Tick the "yes/no" or not applicable (N/A) boxes below. Ensure you return all sections with this application. If a section is not relevant, write "not applicable" across it.

Note that different hazardous substances may require varying levels of detail to be provided with the section. Similarly, aerial and ground operations will have different information requirements.

Page No.	Section: Reference A to M	Information attached	Office use only
		Tick applicable box	
General		YES NO N/A	
6	A Operational Maps/Lists	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/>
8	B Community Consultation	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/>
9	C Consultation with Maori	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/>
10	D Operation Delivered by Subcontractor	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/>
For Aerial 1080 operations: Does the consultation described in sections B & C meet the requirements of the Communication Guidelines for Aerial 1080 Operations?		<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/>
Excluded Areas			
11	E Drinking Water Supplies	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/>
13	F Dwellings, Adjacent Landowners/Residents	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/>
14	G Areas Easily Accessible or Used by the Public	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/>
16	H Publicly Accessible Roads	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/>
17	I Walking/Biking/Off-Road Tracks	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/>
18	J Areas to be Inspected	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/>
Risk Communication			
19	K Schools and Early Childhood Education Centres	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/>
20	L Notifications	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/>
21	M Notice Boards	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/>
For Aerial 1080 operations: Does the consultation described in sections F, K, L & M meet the requirements of the Communication Guidelines for Aerial 1080 Operations?		<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/>

SECTION A: OPERATIONAL MAPS/LISTS

The use of the maps is to provide sufficient specific information for this operation.

- **Provide a description of the operational area.** Include here the name of the area/reserve, and the name(s) of the landowner(s) (if no more than 10), clearly noting public and private land ownership.
 - Paraparaumu Scenic Reserve and Surrounding Covenants (Mahaki Covenant, Paraparaumu Covenant, Maungakotukutuku Dam Covenant). Public land managed by DOC.
- Operational maps (hardcopy or electronic) should provide an adequate level of detail. A number of map options are available e.g. topographical (e.g. NZS 260 series or Topo 50 Series), GIS (geographic information systems), and electronic shape file if the relevant public health unit has facilities to use these.
- **Include:**
 - total area of ground control
 - total area of aerial control
 - territorial local authority(s)
 - direction and distance to nearest town
- **Paraparaumu Scenic Reserve and Surrounding Covenants (357ha).** Paraparaumu SR public land managed by DOC. Mahaki Covenant owned by Kapiti Coast District Council. Paraparaumu Covenant owned by Sonia and Gary Marton. Maungakotukutuku Dam Covenant owned by Reikorangi Forest Limited. Outskirts of Paraparaumu township 400m west of reserve. Territorial local authority is Kāpiti Coast District Council.
- If using more than one hazardous substance, show on the map where each hazardous substance will be applied. The use of different colours or a colour code for different hazardous substances may help.
- **Attach 2 copies of operational maps:** More than one map may be needed to include all the information. Use maps of different scales if necessary. A copy of the map (including any necessary changes) will be returned to you and form part of the Health permission conditions. A copy will be kept as a record by the public health unit (hard copy or electronically). The PHU may choose to produce their own maps to go with the Health permission. Check with the relevant PHU if unsure.
- **Identify the following on your map(s) by using a colour code, a number code or similar:**

REFER TO SECTIONS (letters in brackets refer to corresponding sections in form)

- | | |
|--|---|
| • Community halls & churches | G |
| • Marae | G |
| • Drinking water catchments and intakes | E |
| • Dwellings, adjacent landowners/residents | F |

(Note: a list, including name and addresses, is acceptable if more than 10)

- | | |
|--|---|
| • Huts, bivvies/shelters | G |
| • Camping sites and picnic areas | G |
| • Public roads and lay-bys | G |
| • Watercraft landing points | G |
| • Helicopter landing pads | G |
| • Popular swimming and fishing access points | G |
| • School bus shelters | G |
| • Historical/memorial tourist sites | G |

- | | |
|--|---|
| • Urupa/cemeteries | G |
| • Recreational & amenity facilities (e.g. golf course, wedding or sporting venues) | G |
| • Other outdoor activities gathering sites (e.g. caving, orienteering etc.) | G |
| • Walking/biking/off-road tracks | I |
| • Schools and Early Childhood Education Centres | K |
| • Notice boards | M |

PHU: Operational maps attached and meet requirements (2 copies unless PHU advised otherwise)

☐ (For official use)

B: COMMUNITY CONSULTATION

Consultation is the process of extending a genuine invitation to interested and affected parties to express their views, and provides a means of addressing their concerns.

Do you expect any public concern about this operation?

Yes ☐

No ☒

If yes, describe the nature of the concern:

N/A

If no, on what is this assessment based?

Ground-based possum control with the use of pesticides has been carried out since 1995 in Paraparaumu Scenic Reserve and Covenant and 2006 in Mahaki Covenant; this is a new operation for Maungakotukutuku Dam Covenant. There have been no concerns raised by the previous operations or records of such in post operational reports. Following the distribution of letters and fact sheets and the placement of public notices in the Kapiti Observer there has been no negative contact from concerned residents.

In August 2018, consultation on effects of the control methods used at each of the four sites (covenants inclusive) was invited through letters and fact sheets sent out to all landowners, adjoining landowners and tangata whenua (Section C) in August 2018. To date no concerns have been raised/received.

The phone number of this office will be on all signage at the reserve. As part of the DOC Assessment of Environmental Effects process, local emergency services, neighbours and concerned parties are notified of operations. Any phone calls, emails or visits to the Kapiti Wellington District Office with concerns regarding the operation would be recorded. No concerns have been raised by any of the parties or individuals notified.

What is the source of your information?

Previous discussions, emails, phone calls and letters in response to consultation letters with fact sheets and/or meetings sent out in preparation for previous operations over the above time period.

Consultation with Community Groups

What community groups did you consult with in relation to this application?

Consultation on effects was not conducted with community groups (only with tangata whenua, landowners, leasees and adjoining landowners). Notification will be sent to the following community groups:

- Kapi-Mana Kennel Society
- Kapiti Dog Training Club (Inc)

Detail what, if any, concerns these individuals/groups identified:

None as a result of previous operations and none to date following consultation letters and key facts packs sent in August 2018.

How are you planning to avoid, mitigate or remedy any adverse effects identified by these individuals/groups?

Continuing communicating with any concerned individuals/groups as a result of upcoming notification. In previous operations we have remedied any concerns raised as a result of notification, regardless of whether the individuals were offered the chance of consultation or not.

Attach any evidence of the consultation (correspondence, minutes of meetings, record of phone calls, etc):

See consultation document attached

If you have not consulted any community groups about this application, ask the resource consent planner at your local council to help identify the appropriate groups to contact.

Aerial 1080 Operations

You must provide sufficient evidence to demonstrate that consultation in managing public health risk prior to aerial 1080 operations have met the requirements of ERMA NZ's (now EPA) Communication Guidelines for Aerial 1080 Operations.

You can provide copies of communication logs as evidence, rather than repeating this evidence here.

Have you provided evidence to demonstrate compliance with the requirements of ERMA NZ's (now EPA) Communication Guidelines for Aerial 1080 Operations?

☐ No

If you have not followed these guidelines, please explain in detail your justification for not meeting these requirements:

SECTION C: CONSULTATION WITH MAORI

When consulting with Maori, you need to take into account Section 6(d) of the HSNO Act: "The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, valued flora and fauna, mahinga kai, and other taonga".

List Maori groups (iwi/hapu/marae/whanau) and individuals did you consult with in relation to this application?

Te Ātiawa Ki Whakarongotai

Te Ātiawa Ki Whakarongotai Charitable Trust - Kristie Parata (Administrator)

Te Ātiawa Ki Whakarongotai Charitable Trust - Mahina-ā-rangi Baker (Environmental Consultant)

Kristie, an subsequently Mahina-ā-rangi, was contacted in June 2016 to offer a face-to-face discussion regarding any future pest control within the rohe of Te Ātiawa Ki Whakarongotai between themselves and David Allen. Both responded to say that they had no concerns regarding this established operation and that, due to their own capacity, communication via letter and fact sheet would suffice as in previous years.

Past consultation with Te Ātiawa ki Whakarongotai hadn't identified specific cultural or spiritual values within the scenic reserve, over and above those inherent within such environments to tangata whenua. Regardless, whānau, hapū and iwi were contacted (phone/email) in August 2018 to reaffirm their preferred method of consultation (letter/fact sheet or visit) for the proposed possum and rodent control operation. Subsequently, a letter and fact sheet were emailed to the Trust in August 2018 to provide operational details and offer the opportunity for feedback on the effects of the proposed methodology. No feedback regarding the planned 2018/2019 operation has been received to date.

Identify what, if any, concerns these individuals and groups identified:

No concerns raised.

Te Ātiawa Ki Whakarongotai were consulted in 2015 and have requested that a consultation letter and fact sheet only be supplied during the planning of any future operations of a similar type.

Have you marked any Marae inside, or within 3km (aerial) or 200m (ground) of the operational area on your Section A map?

N/A – the closest marae to any of the treatment areas is Whakarongotai Marae, Waikanae, that lies approximately 3.2km from the closest boundary of Paraparaumu Scenic Reserve.

Attach evidence of the consultation (correspondence, minutes of meetings, record of phone calls, etc):

Attached is the Consultation Plan for the all four treatment areas. These detail communication between DOC and the above iwi. In addition, the email correspondence (that also records the phone conversation prior to the email) between DOC and Ātiawa Ki Whakarongotai from August 2018 is also included.

If you have not consulted the Maori community about this application, ask the resource consent planner at your local council to help identify the appropriate groups to contact.

Aerial 1080 Operations

You must provide sufficient evidence to demonstrate that consultation in managing public health risk prior to aerial 1080 operations have met the requirements of ERMA NZ's (now EPA) Communication Guidelines for Aerial 1080 Operations.

You can provide copies of communication logs as evidence, rather than repeating this evidence here.

Have you provided evidence to demonstrate compliance with the requirements of

☐ No

ERMA NZ's (now EPA) Communication Guidelines for Aerial 1080 Operations?		
--	--	--

If you have not followed these guidelines, please explain in detail your justification for not meeting these requirements:

SECTION D: OPERATION DELIVERED BY SUBCONTRACTOR

Full name of subcontractor: Ngā Uruora Contracting Limited Company (legal entity title) /Organisation: Ngā Uruora Contracting Limited	Controlled Substance Licence #: Peter McLaughlin CSL007400 Philippus de Wilde CSL007396 Steven Bright CSL007397 Anthony Older CSL007401 Date of Expiry: Peter McLaughlin 02/12/2019 Philippus de Wilde 02/12/2019 Steven Bright 02/12/2019 Anthony Older 02/12/2019 Does the licence cover the hazardous substance they intend to use? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
List the work experience the subcontractor has with the hazardous substances to be used: Ngā Uruora Contracting Ltd has worked under contract for DOC since December 2014 laying cyanide in all blocks covered within this application, except Maungakotukutuku Dam Covenant. All work has been done to a high standard. Maungakotukutuku Dam Covenant is scheduled to have a bait station network installed in 2019, following which bait will be laid.			
Contact details of the subcontractor (address, postal address, telephone, cell phone, facsimile, e-mail): Ngā Uruora Contracting Limited 11 Haumia Street, Paekakariki, Paekakariki 5034, New Zealand Contact Philip de Wilde Philip.dewilde.nucc@gmail.com (02) 78414299 Signature of applicant: _____			
Chain of responsibility – Complete as applicable to this operation Note: It is now common practice for pesticide operations to be subcontracted to other agencies. All agencies involved have responsibilities to ensure the safe use of hazardous substances. Any subcontracting arrangements must be documented. Example: <table border="0" style="width: 100%;"> <tr> <td style="vertical-align: top;"> <u>Agency/Authority</u> Principal Agency (TBFree/OSPRI, DoC) Contractor (Local Authority) Subcontractor (Name of approved operator) </td> <td style="vertical-align: top;"> <u>Area of Responsibility</u> e.g. Control of Bovine TB, Conservation, etc. e.g. Contracted by TBFree/OSPRI e.g. Field operations </td> </tr> </table>		<u>Agency/Authority</u> Principal Agency (TBFree/OSPRI, DoC) Contractor (Local Authority) Subcontractor (Name of approved operator)	<u>Area of Responsibility</u> e.g. Control of Bovine TB, Conservation, etc. e.g. Contracted by TBFree/OSPRI e.g. Field operations
<u>Agency/Authority</u> Principal Agency (TBFree/OSPRI, DoC) Contractor (Local Authority) Subcontractor (Name of approved operator)	<u>Area of Responsibility</u> e.g. Control of Bovine TB, Conservation, etc. e.g. Contracted by TBFree/OSPRI e.g. Field operations		

Agency/Authority		Area of Responsibility
Principal Agency	DOC	Control of possum and rats to appropriate levels to conserve lowland kohekohe (<i>Dysoxylum spectabile</i>) forest.
Contractor:	Nga Uruora Contracting Ltd	Field Operations
Subcontractor:	N/A	
Have you attached a copy of the documentation confirming subcontracting arrangements?		<input type="checkbox"/> No

PHU: Documentation showing subcontracting arrangements attached.

☐ (For official use)

SECTION E: DRINKING WATER SUPPLIES

The intent of this section is to minimise the risk of people drinking water contaminated with hazardous substances.

A **drinking water supply**³ includes the area from which water is likely to be taken for use as drinking water for human consumption. This includes surface water and ground water extraction points as well as water supply

³ This broad definition allows for the identification of drinking water supplies covered by the proposed operation.

reservoirs, treatment plants and storage facilities. The nature and size of water supplies can vary significantly from large networked supplies through to smaller individual supplies serving a varying number of people.

Drinking water supplies may include schools, early childhood education centres, community halls, Marae, publically accessible huts/shelters, camping sites, cities/towns/villages, individual households, etc.

Information on many drinking water supplies in your proposed area of operation can be found from the Drinking-water Register for New Zealand: <http://www.esr.cri.nz/water-science/our-services/drinking-water/register-of-suppliers/>; local authority water abstraction consent information, online district maps, and other of information.

Note: Map References

Provide topographical NZMS grid references below. Provide references for all water supply intakes you have marked on your attached operational map (Section A). All locations shall be obtained using at least a GPS unit set up for use in New Zealand and using projection NZTM 2000 (New Zealand Transverse Mercator).

Locations of intakes of drinking water for hazardous substance operations:

Ground Operations (all VTAs and other Hazardous Substances)

*List drinking water supply intakes **within 200 metres** of the boundary of operational area where the source water has arisen within the operational area (add new entries for each supply as required):*

N/A

Note: For all other non VTA aerial and ground hazardous substances covered by this application form, it is at the discretion of the HSNO enforcement officer what appropriate exclusion distance is to be set. The distance will depend on the officer's risk assessment.

SECTION F: DWELLINGS, ADJACENT LANDOWNERS/RESIDENTS

Have you attached an up-to-date list (or identified on the Section A map if no more than 10 in total of each) of all dwellings, adjacent landowners/residents associated with the operational area?	Yes ✓	No <input type="checkbox"/>
Have you attached a copy of the information provided to dwellings inside the operational area, and adjacent landowners/residents of the operational area?	Yes ✓	No <input type="checkbox"/>
<p>How will you ensure that VTA and /or other hazardous substance baits are not applied near occupied dwellings?</p> <p>All bait station lines have been measured on compass bearings, therefore an accurate distance on the ground can be gauged and no VTA baits will be laid within 150m of any occupied dwellings. Each of the baiting points also have a GPS location number. Contractors are instructed as to which bait stations do receiving cyanide due to their proximity to dwellings.</p>		
Have there been any public concerns raised from the consultation?	Yes <input type="checkbox"/>	No ✓
<p>If 'yes', how are you planning to mitigate this concern?</p>		

PHU: List of all dwellings, adjacent landowners/residents provided or identified on map.
Copy of information provided attached.

☐ (For official use)

SECTION G: AREAS EASILY ACCESSIBLE OR USED BY THE PUBLIC

The intent of this section is to cover those places where the public may be gathered temporarily. Consider privately-used facilities as well – some of the organisations identified in Sections B and C may be relevant here.

Within the operational area, or within 150 m of the operational area, are there any:		
• Huts, bivvies/shelters	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
• Camping sites	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
• Picnic areas	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
• Public roads and lay-bys	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
• Logging truck turn-around points	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
• Watercraft landing points	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
• Helicopter landing pads	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
• Popular swimming and fishing access points	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
• School bus shelters	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
• Historical/memorial/tourist sites	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
• Urupa/cemeteries	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
• Recreational & amenity facilities (e.g. golf course, wedding or sporting venues)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
• Other outdoor activities gathering sites (e.g. caving, orienteering etc.)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
• Community churches/halls	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
• Marae	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

If 'yes' to any above, list below and ensure they are clearly identified on Section A map(s):

Public road runs adjacent to the Paraparaumu Scenic Reserve at approximately $\geq 200\text{m}$ at the closest point to Maui Pomare Road, and adjacent to Anlaby Road. These roads are shown on the attached maps.

Give the source(s) of your information for the location of these features:

Knowledge of the site from previous work visits. DOC GIS database – AMIS data layers to show tracks/huts and other amenity areas (see attached mapping). Discussions with DOC recreational staff. Personal knowledge of the site – Colin Giddy, David Allen. Private land – no facilities.

Describe the baiting plans around these areas:

The bait stations that lie along these boundaries are not visible from the roads and public tracks. No bait stations lie within 150m of the roads, and the closest stations will not receive cyanide regardless due to their proximity to adjacent dwellings. Bait stations do lie within 150m of the logging road but this is on private land (the road is only accessed through a locked gate) and bait stations are not visible from the road. This landowner is offered the chance for consultation on the effects of the control methods through a letter and fact sheet (to date, no comments received by DOC due to this or previous operations).

No bait stations lie within 150m of the above mentioned roads. None are visible from the public tracks leading from this road.

Estimate the number of people visiting the operational area. In particular, is it a high use area or will the number of people using it during the operation, increase for specific events or according to the season or holiday periods (particularly think of tourists and children):

☒ **HIGH USE**

(more than 50 people per day)

1. Rangituhi/Colonial Knob SR

☒ **MODERATE USE**

(between 10 and 50 people per day)

1. Hemi Matenga MPSR
2. Paraparaumu SR

☒ **LOW USE**

(fewer 10 people per day)

1. Kay Covenant
2. Paraparaumu Covenant
3. Mahaki Covenant
4. Maungakotukutuku Dam Covenant

List any areas to be closed to the public:

No public conservation reserves will be closed.

All covenants are private land with no public access.

List private land which has a high public use (or identify on operational map; Section A):

N/A

All private land is of low public use (see above). For the covenants associated with Paraparaumu Scenic Reserve - there are no formal tracks into the reserve and there is no official information available on Paraparaumu Scenic Reserve either on the DOC web site or available in pamphlet format at visitor centres. However, Paraparaumu Scenic Reserve is open to the public and there is some information available on the internet e.g. Tracks.Org.NZ. There is a DOC car park off Maui Pomare Road. The short tar-sealed track meets a gate at the entrance to the reserve. There is then an unofficial track that follows an overgrown, grassy 4WD track through the centre of the reserve with bush on either side. A further 4WD track is assessable off Anlaby Road. This is a maintenance track for electricity and gas services. The gate is not locked and public can access this road way. Both 4WD tracks are fenced on either side and no bait stations are within these areas. - See operation map. Paraparaumu Covenant, Mahaki Covenant and Maungakotukutuku Dam Covenant are all private covenants and visitor access is at owner discretion. There are however, no fence or boundary markers to indicate covenant boundaries from within Paraparaumu Scenic Reserve and visitors could unknowingly travel between the Scenic Reserve and the Covenants. Access to the Covenants from adjoining land (i.e. outside the Scenic Reserve) is through private land and would be at the discretion of landowners.

List high use areas which will receive a mid-week baiting strategy (or identify on operational map Section A):

Give the source(s) of your information:

Kāpiti Wellington District Office, Department of Conservation - AMIS GIS database

David Allen

From previous pest control operations at the site.

Personal knowledge of the site and also discussed with other DOC staff who have knowledge of the site.

Name of the person who provided the information: _____ David Allen _____

Signature:  _____

SECTION H: PUBLICLY ACCESSIBLE VEHICLE ROADS

The intent of this Section is to identify publicly accessible vehicle roads. Such roads include all formed public roads primarily for use by the public in licenced vehicles, but can also include other roads that are not identified by signage and/or barriers as not being open to the general public (a common example of this are private forestry roads coming off formed public roads that are not sign-posted and/or have barriers up advising of no public access).

List all publicly accessible roads used by the public within the area according the criteria listed to assess the level of use of the road:

HIGH USE <i>(more than 50 vehicles per day)</i>	MEDIUM USE <i>(between 10 and 50 vehicles per day)</i>	LOW USE <i>(fewer than 10 vehicles per day)</i>
		N/A – no publicly accessible roads within operational areas

Give the source(s) of your information:

Discussions with DOC recreational staff

Personal knowledge of the site – David Allen

Name of the person who provided the information: _____ David Allen _____

Signature: _____  _____

SECTION I: WALKING/BIKING/OFF-ROAD TRACKS

The intent of this Section is to identify walking/biking/off road tracks used by the public within the operational area according to the level of use. Such tracks include those that, although not "official" tracks on maps/signs and web-sites etc., are known to be often used by the public for walking/biking/off-road activities. Examples include unofficial river access tracks; tracks through private land to access DoC reserves, tracks through DoC reserves that otherwise have no officially identified tracks; historic forestry logging truck turn-around tracks where logs were loaded onto them, etc. It may also be appropriate to consult and/or notify schools in a wider area that are known to or are likely to use the area for recreation, education, camps, etc.

List all publicly accessible walking/biking/off-road tracks used by the public within the operational area (and identify on the operational map, Section A) according to the criteria listed to assess the level of use of the walking/biking/off-road tracks:

HIGH USE (more than 50 people per day)	MEDIUM USE (between 10 and 50 people per day)	LOW USE (fewer than 10 people per day)
		Paraparaumu SR: See section above for info on 4WD tracks – it is possible that the public use these tracks for walking, though there is no public tracks and no information available to quantify the number. No track counters are used in this area.

Give the source(s) of your information:

Kāpiti Wellington District Office, Department of Conservation.

David Allen

Name of the person who provided the information: _____ David Allen _____

Signature:  _____

SECTION J: AREAS TO BE INSPECTED

The intent of this section is to identify places where the use of VTAs and/or other hazardous substances may directly or indirectly harm human health.

List any other excluded areas not recorded elsewhere in the application (or identify on operational map, Section A):

See operation map for bait stations that won't receive cyanide due to their proximity to public tracks, waterways, private water intakes or occupied dwellings. There are no bait stations in the 4WD tracked areas as marked on the operational map.

Describe the control methods for this area:

Feratox (cyanide) will not be placed within 150m of any occupied dwelling. Feratox placed beyond 150m of any dwelling will be placed within bait stations secured to a tree.

SECTION K: SCHOOLS, EARLY CHILDHOOD EDUCATION CENTRES (including Te Kohanga Reo's, Kindergartens, Playcentres, etc.)

The intent of this section is to help to protect young children from the risk of contact with VTA and/or other hazardous substance. For example young children walking or cycling to school may visit friends, explore or take short cuts through operational areas (therefore their parents/caregivers need to receive warnings of the whereabouts of hazardous substances in the area). It may also be appropriate to consult and/or notify schools in a wider area that are known to or are likely to use the area for recreation, educational purposes, camps, etc.

Explanatory Note - "Appropriate Distance"

This applies to the size of a buffer around an operational area in which schools and early childhood education centres (ECEC) may be found. Urban schools are likely to have pupils coming from shorter distances than those in rural areas. For example, a 2 km-radius circle area around an operational area may be suitable in an urban setting, but a 10 km radius may be more suitable in a rural area. The appropriate distance should be identified after consultation with school staff and with the delegated person.

List all schools and ECEC located within an "appropriate distance" of the operational area:	
Name of educational facility:	Distance from operational area:
Paraparaumu SR and surrounding Covenants –	
- St Patrick's and Holmdean Day-care Centre	<10km
- Kapiti Primary School	<10km
- Paraparaumu School	<10km
- Kenakena School	<10km
- Paraparaumu Beach School	<10km
- Paraparaumu College	<10km
- Our Lady of Kapiti School	<10km
- ABC Paraparaumu	<10km
- Montessori Kapiti Road	<10km
- Grafton Kindegarten	<10km
- Paraparaumu Kindergarten	<10km
- Little Farm Kindergarten and Nursery	<10km
- Ngahina Kindergarten	<10km
- ABC Raumati Childcare	<10km
- Paraparaumu Play Centre	<10km
- ABC Arawhata Road Childcare	<10km
- Wise Owl Early Childhood	<10km
- Kapiti Children's Centre	<10km
Have you sent information, and requested feed-back for any concerns, to these schools and ECEC? <input checked="" type="checkbox"/> No	
Detail what, if any, concerns these schools and ECEC identified: None – notification will be sent to these schools prior to the start of the operation.	
How are you planning to avoid, mitigate or remedy any adverse effects identified by these schools and ECEC?	

There have been none raised during previous operations of the same control method, but DOC would meet with any individuals/groups to address any concerns with the operation and work with them to resolve any issues.

Have you attached a copy of the information that will be supplied to these schools and ECEC:

☒ Yes

☐ No

PHU: Copy of information provided attached.

☐ (For official use)

SECTION L: NOTIFICATIONS

Notification is required to ensure that the general public are aware of any VTA and/or other hazardous substance operation scheduled to take place to inform affected parties of times, dates, locations and other required operational matters. This takes place after a decision has been made on the poisoning operation and consultation is completed.

Hunting permits for Department of Conservation (DOC) (and many private forests) are required to carry a warning to hunters that poisoning is planned for certain localities.

The appropriate authorities (DOC, WorkSafe NZ, Regional and Local Councils or Forest Managers) must be notified in advance of the operation.

A record or list of names and addresses of contacts is to be maintained by the applicant. This record is to be kept by the applicant for 12 months from the date of expiry of the Permission and shall be made available to the delegated person on request.

Please list notifications made to the following agencies and groups:
Local health/medical services/police: Coastal Medical Rooms Grace Surgery Kapiti Health Centre Paraparaumu Medical Centre Team Medical at Coastlands Waikanae Health Kapiti Police Station Care Vets Kapiti Paraparaumu WellPet Veterinary Centre Waikanae WellPet Veterinary Centre Raumati Veterinary Centre
Outdoor pursuit clubs/organisations such as: tramping, walking, biking, caving, rafting, boating, conservation, nature, mountain climbing, fishing, hunting, orienteering clubs and other organisations. Also public events, such as road races, BMX, triathlon, marathons, agricultural field days, A&P shows, dog trails, etc.: Kapiti Dog Training Club Kapi-mana Kennel Society Dogs New Zealand
Any other known groups that are likely to have access to the area, eg beekeepers: None known
Attach a copy of the information that will be supplied to groups and agencies.

PHU: Copy of information provided attached.

☐ (For official use)

SECTION M: NOTICE BOARDS, PUBLIC INFORMATION CENTRES, KIOSKS, etc.

The intent of this section is to ensure that a clear message is given to people of the presence and danger of the VTA and/or other hazardous substance. Where foreign tourists are known to frequently visit an area, it may be useful to provide message in the appropriate language.

Explanatory Note - Signage controls are covered by the Health and Safety at Work (Hazardous Substances) Regulations 2017 and do not form part of this permission process.

Please list locations of notice boards, etc (or identify on operational map; Section A):

Signs will be present at all normal entry points of all treatment blocks, and available online at the DOC Pesticide Summary interactive map. Refer to maps attached for their locations.

Public notices are also placed in local newspapers prior to the operation.

Have you attached a copy of information with this application?

☒ Yes

☐ No

PHU: Copy of information provided attached.

☐ (For official use)

Non-notified Concession Report to Decision Maker

Report to Decision Maker: Jack Mace
Operations Manager, Kapiti Wellington District Office

Applicant: Blair and Gabrielle McCardle

Permission Record Number: 52055-OTH

File: PAC-00-04-424-02

The purpose of this report is to provide a thorough analysis of the application within the context of the legislation, the statutory planning framework and actual and potential effects, so the Decision Maker can consider the application and confirm that it should not be notified and decide whether it should be granted or declined.

1.0 Summary of proposal

Background: Kapiti Wellington District staff discovered a number of water supply pipes extending from the private residences along Huia Street in Waikanae onto the Hemi Matenga Scenic Reserve to locations where a number of small water intakes were situated. The users of the water supplies were visited by district staff and asked to apply for a retrospective easement to acknowledge the use of the Reserve. The Applicants, Blair and Gabrielle McCardle, would benefit from the water supply. Seven other property owners have applied for similar easements which have been entered into the Permissions Database under the following permission numbers:

Applicant Name	Permission Number
Alan Blundell	50908-OTH
The Skalf Trust	51993-OTH
John and Beverley Yaldwin	52140-OTH
Juergen Jenkner	52242-OTH
Mark Townshend	52371-OTH
Ran and Dahlia Ben-Dom	52211-OTH
Chris and Susie Stone	50820-OTH

The Applicants are applying for a water-take easement for the benefit of the two adjoining properties, 119 and 123 Huia Street, Waikanae. The Applicants have installed a 20 millimetres (mm) black alkathene pipe to extract water from the portion of a creek in Hemi Matenga Memorial Park Scenic Reserve for domestic use. The creek once ran from Hemi Matenga Memorial Park Scenic Reserve into the adjacent/neighbouring private properties right between 119 and 123 Huia Street. The water pipe for extraction extends approximately 100 metres (m) upstream into Hemi Matenga Memorial Park Scenic Reserve.

The activity of taking water is under the authority of the Greater Wellington Regional Council, and the take meets the permitted activity rules under their relevant plans. However, a consideration of effects under the Conservation Act is still required due to the different legislation to be considered.

A property title search of DOCgis indicates the adjoining parcels are owned by: Blair Allen Kensington McCardle; Gabrielle Marion McCardle; and John Vincent McCardle.

Information about the applicant: The easement application is for the benefit of 119 and 123 Huia Street, Waikanae and its property owners, the McCardle Trust. The Applicants have no known previous concessions with the Department of Conservation and no known criminal history.

Type of concession sought: Non-notified Easement

Term sought: The Applicants are seeking an indefinite term.

Description of the proposed activity:

This application is for a retroactive easement for water-take pipe to extract water from a creek located within Hemi Matenga Memorial Park for the benefit of the adjacent properties owned by the Applicants – 119 and 123 Huia Street, Waikanae. The easement would allow a 20mm black alkathene water-take pipe for the distance of 100m into Hemi Matenga Memorial Park which lies on the eastern boundary of the applicants' two properties.

According to the Applicants: "the spring is of a surface run off nature that typically runs for approximately 10 months per year". Additionally, although there are no structures associated with this easement application on Public Conservation, the pipe crosses the Te Au Track in Hemi Matenga Memorial Park which comes close to the applicant's properties. The Applicants note mitigating the effects of the pipe over the track by the placement of small stones and rock for cover.

The pipe, which has been in existence since the 1970s, feeds into two 30,000 litre concrete storage tanks that are located on the Applicants' property. The Applicants also note that the water source is essential for grazing and husbandry on the properties and can be used as a potential water source for the local fire brigade. The Applicants have not altered the location of the pipe since its inception.

Description of locations where activity is proposed:

Location	Activity
Hemi Matenga Memorial Park Scenic Reserve - Water Pipe - 119/123 Huia St., Waikanae	Water supply scheme



Figure 1. Map of application for easement proposal. See Appendix 1 for enlarged version.

Linked is a copy of the [Application](#) - DOC-2870247.

2.0 Information available for consideration

From applicant:

An application was received by the Hokitika Shared Service Centre on 01 September 2016. The applicant was requested to provide additional information 12 September 2016. The Department received the requested information from the Applicants on 03 October 2016 (DOC-2887747).

From DOC staff:

12 June 2017 – The District Staff provided comments (DOC-2871878) who noted having had correspondence with the Applicants prior to the application being lodged:

This application is one of a number that are currently been applied within the Hemi Matenga Memorial Park Scenic Reserve. The pipes which are located within the reserve have been in place for a number of years and supply small volumes of water to neighbouring properties for sock and domestic supply. They were identified by staff carrying out pest control work with in the reserve.

Additional comments were requested on 12 June 2017 regarding the critical issue of the pipes crossing the track, as described in the map and pictures provided. The District provided comments (DOC-3072818) the same day noting that, “as per the RFC form”, the pipes should not be visible from the track and “that it will not be possible to reroute the pipe around the track...” Therefore, the District propose the following special condition, which is recommended to be included in the Concession Document:

- Where a water pipe crosses a track, the Concessionaire will either burry the water pipe under the track at a depth of at least 150mm or run it through an existing culvert, if any, under the track.

Additional comments from the District Staff, received 12 June 2017, are applied throughout this Report, but specifically in Section 2 and Section 4.

From whanau/hapu/iwi:

Te Ati Awa Ki Whakarongotai were contacted as early as 08 July 2016. The District Staff provided comment on 12 June 2017 regarding Iwi consultation. Te Ati Awa ki Whakarongotai were consulted in relation to this application and have provided the following comment from Mahina-a-rangi Baker - Environmental Consultant, Te Atiawa ki Whakarongotai Charitable Trust. The District staff shared in their report the following comment from Ngā mihi (Mahina-a-rangi Baker, M.Env.Stud., Environmental Consultant, Te Atiawa ki Whakarongotai Charitable Trust):

Our Committee met yesterday and had a lengthy discussion about the Hemi Matenga issue. What follows is a summary of their position:

- Committee members, including a resident that uses the water, are aware of the long history of the piping, which apparently goes back to the time of steam engines, and were surprised that DOC was apparently not aware of it, as they were sure old staff of DOC had been.
- There is concern about any potential for private residents to be charging for access to water over and above reimbursements for any costs incurred maintaining infrastructure.
- The iwi would be unhappy if the continued take of water prevented DOC from implementing their pest management as planned, i.e. the dropping of 1080.
- Given this, the Committee wondered if it would be possible to get agreement from residents that the water used from the stream was not used for drinking water, and that significant signage is placed around the Stream to prevent anyone drinking from it in the event that 1080 is dropped.
- The Committee felt it best to leave it up to DOC to determine whether to grant an easement based on their view on both the potential effects to fish and other aquatic species, and the ability to ensure that water takes don't interfere with pest management of the reserve.

- The Committee decided they didn't have an interest in conducting a site visit, as members felt relatively familiar with the site.
- The Committee requested that they be briefed with any updates regarding the activity.

Comment

These issues raised are commented on further in the Analysis of Effects section, below.

From Conservation Board:

The application does not meet the triggers for consultation with the Wellington Conservation Board.

Requested information not received:

The Applicants have provided all requested information in a timely manner.

3.0 Acknowledgement of complete application (s17S)

The application is deemed to be complete for the purposes of the Act as it contains all the information required under section 17S of the Conservation Act 1987.

4.0 Analysis of proposal (s17T, 17U, 17V, 17W, 17X, 17Y)

Process for complete application s17T(2): Section 17T(2) of the Conservation Act 1987 requires the Minister to decline an application within 20 working days of it being deemed complete, if "...the application does not comply or is inconsistent with the provisions of this Act or any other relevant conservation management strategy or plan..."

Comment:

佬 降 佢 併 估 伙 侗 侗 伙 俗 伙 and inconsistent with the provisions of the Conservation Act 1987 and any other relevant conservation management strategies or plans and therefore was not declined.

Public notification s17T(5):

Having considered the effects of the activity it is not considered they are cause for this application to be publicly notified. The 30 year term is available for an easement under the s17Z(3) in the Act. Having regard to the effects and the term it is not considered appropriate or necessary to publicly notify in this case.

Analysis of Effects s17U(1) and (2):

The Department considers that adverse effects can be adequately avoided, remedied or mitigated and the proposal does not warrant decline. A discussion of the effects on conservation values, cultural values, recreational values and cumulative effects is detailed below.

Effects on conservation values

The potential adverse effects on conservation values relate to any future works which may occur which could negatively affect environmental values associated with biodiversity (flora and fauna) but mainly damage to vegetation; introduction of didymo/weeds; littering with rubbish; and visual impacts upon the landscape.

The District Staff noted that the water-take would not have an adverse effect on conservation values and that the pipe is located away from tracks and structures. The District Staff suggests that "pipes should be located away from public tracks or other structures."

The Department's standard terms and conditions and standard special conditions would otherwise adequately avoid, remedy and mitigate these potential adverse effects, particularly those relating to prior consent being required from the Department for damage to vegetation.

Effects on existing and future users (recreational values)

The potential adverse effects on recreational values relate to any future works which may occur which could negatively affect social values associated with noise, visual impacts and other users of PCL etc.

The expected impact from such adverse effects would be minimal, except where the water pipes are near public tracks or structures. A special condition would be added to the contract to prohibit the placement of water pipes near any public tracks or structures without prior authorisation from the

Department. As this proposed easement includes an existing pipe which crosses a public track, a special condition requiring it to be buried or placed in a culvert under the track is also recommended. The special condition is listed in Section 6 Proposed Operating Conditions. The Department's standard conditions and the proposed special condition would ensure that any adverse effects on existing and future users of the area would be sufficiently avoided, remedied or mitigated.

Cumulative effects of adding this activity to current activity on site

The amount of water used, or not, is initially up to the Greater Wellington Regional Council, and the take meets the permitted activity rules under their relevant plans. The amount of water taken is also to be considered in regard to impacts on freshwater values under the Conservation Act. The effects of the water take and pipeline on freshwater values are considered to be very low. The existing water pipe is in a suitable location and is currently labelled.

The Department's standard terms and conditions and standard special conditions would adequately avoid, remedy and mitigate these potential adverse effects.

Iwi comment

Iwi comments from Te Ati Awa ki Whakarongotai under Information received section above raises two issues:

1. Pest management in the Scenic Reserve
2. Limit effects on the aquatic ecosystem

Pest Management

The CMS states, under 7.3 Hemi Matenga Memorial Park Scenic Reserve, Management Issues, that possums browse on both rata and kohekohe and that "the Reserve has been identified for possum control by the Department." As stated in the comment from Te Ati Awa ki Whakarongotai, the dropping of 1080 is how the Department controls possum numbers. The suggestion by iwi to get agreement from residents not to use the water for drinking, and for signage to be placed around the stream when 1080 is to be used is considered appropriate. Also, all properties that share a boundary with the Hemi Matenga Memorial Park Scenic Reserve would be advised by letter prior to any 1080 drop by the organisation doing the operation.

Aquatic Ecosystems

In terms of aquatic ecosystem effects, a Department monitoring report from February 2016 states that the number of water takes from the stream had increased from 4 to 8 in 2014, and to 13 in 2016. The pipes at the intake "appear to be removing a substantial volume of water, and considerably modifying the natural water course." It is suggested the pipes together are draining "considerable volumes of water, and there is no water flowing on the surface downhill from them. It appears this may have once been the beginning of a stream, as there is an apparent stream bed running downhill from this site."

Effects on the aquatic ecosystem requires further consideration. The CMS states under 26.2.3 Easements, that the Objective is for easements to be granted "only where the proposal will not significantly affect ... natural...resources." The Department considers the effects are minor due to the stream running mainly underground, and the limited number of small pipes being used for supply of the water. The Department would not like to see any further development of water takes, nor any dams or working of the land to redirect present flows. Additionally, it is noted that the grating of this easement is for existing use, and the Department would be unlikely to consider any new applications in the future.

The special conditions are listed below in section 6 Proposed Operating Conditions, would ensure any adverse effects regarding Pest management and the aquatic ecosystem in the Scenic Reserve are mitigated or remedied or avoided.

Monitoring conditions

It is considered that monitoring is unlikely to be required for this application however the contract contains a standard clause and at some point it might be decided that a visit to the water supply is required.

Purpose for which the land is held s(17U(3):

The location under application is the Hemi Matenga Memorial Park Scenic Reserve which is managed under the Reserves Act 1977. The Minister shall not grant a concession if the proposed activity is contrary to the purpose for which the land is held as per section 17U(3) of the Conservation Act.

Reserves Act 1977

Part 1 section 3 of the Act states the general purpose of the Act is where there are areas that have recreational use, wildlife, native flora or fauna, a place of special interest or special value, that the Department shall administer the area in a way that preserves the survival of flora and fauna and ecosystems and landscape which give Aotearoa New Zealand its own character.

Scenic Reserves

Part 3 Section 19(1)(a) states the purpose of Scenic Reserves is to protect and preserve areas which have scenic interest, beauty or natural features which can be enjoyed by the public, and for their intrinsic worth, as well as areas which are developed into those areas that become of such scenic interest that their protection and preservation are desirable.

Section 19(2) states that those areas that are named as Scenic Reserves under 19(1)(a) shall have exotic flora and fauna removed, the public shall have freedom of entry and access, amenities and facilities shall be allowed, and for other special features, such as historic, archaeological, geological, biological or other scientific features, those shall usually be specially managed and protected. Lastly, the reserves values as a soil, water and forest conservation area shall be maintained.

Comment

The Reserves Act section 19 states that Scenic Reserves are for the use and enjoyment of the public and at the same time the protection and preservation of the landscape. The application is for a small pipe to remain in situ across the undergrowth of the Reserve, and would not affect the use and enjoyment of the area, nor the preservation of the landscape.

The activity is not contrary to the purpose for which the land is held.

Conservation General Policy

Policies 11.3 (a) – (e) lay out a number of ways in which utilities must be managed on public conservation lands. Water supply pipes are considered a utility. It states that they may be allowed on conservation lands where that is the reasonable choice, that they should be of scale that sits easily in the landscape, that if they become redundant they should be removed from the land.

Comment

The existing pipeline does not stand out on the land, and having been there a number of years is the reasonable choice of location for the pipe. Use of the Reserve in this way would not alter the access or enjoyment of people visiting the land.

Consistency with Relevant Management Strategies and Plans S17W:Wellington Conservation Management Strategy (CMS)

Section 7.3 of the CMS states that plant values are high in this reserve as well as it being an area of high recreational value. The objectives require protection and preservation of natural resources, good recreational facilities, joint management or legal protection with nearby landowners, increased public appreciation of the area and a co-operative relationship with tangata whenua.

Section 26.2.3 Easements, includes the right to convey water as per this application. It states that easements are allowed in cases where private land is not a suitable alternative, there is no negative impact on natural or historic resources, and public use is not significantly limited.

Comment

The proposed easement for a water-take pipe in Hemi Matenga Memorial Park is consistent Sections 7.3 and 26.2.3 of the CMS. The proposed easement for a water-take pipe is consistent Section 7.3 because adherence to standard terms and conditions would adequately mitigate the potential adverse effects of this activity on the identified values.

The proposed easement for a water-take pipe is also consistent Section 26.2.3 of the CMS. This easement proposal complies with CMS because the natural and historic resources are not adversely affected and existing public use is not restricted. Additionally, this proposal does not contradict the objectives for easement under the CMS because *"the proposal will not significantly affect landforms, landscapes or natural and historic resources and recreational opportunities"*. Adherence to the standard terms and conditions and recommended special conditions would adequately comply with the implementation policies of the CMS for easements.

The easement to allow for this activity would be consistent with the CMS.

5.0 Relevant information about the Applicants

Convictions on any charge related to the activity applied for or on any conservation related issue:

There are no known convictions or any charges related to the activity applied for or on any conservation related issue.

Past compliance with concession conditions:

There are no known compliance issues with the Applicants as this is the first known concession applied for by the Applicants to the Department.

Credit check result:

As the Applicants are new customers, the Applicants do not have any outstanding debts with the Department.

6.0 Proposed operating conditions

Concession Activity:

Easement to allow a 20mm water pipe to extend approximately 100m in Hemi Matenga Memorial Park Scenic Reserve for domestic use.

Term: 30 years. Under section 17Z(3) an easement may be granted for a term up to 30 years, thus an indefinite term is unavailable and a 30 year term is appropriate and available under the Act.

Fees:

Activity Fee

Standard Department practice is for an annual activity fee to be charged with calculations based on the Telfer Young (Hawkes Bay) Ltd Valuation for the Department of Conservation – Easement Concession Fees Standard Operating Procedure (SOP) Ref 472/225 dated 26 July 2005 (old DM-565444 page 27). The SOP suggests the per annum activity fee rates for minor water pipeline easements that have low impact be set between \$100 and \$300. As the proposed easement is for a minor distance and will be low impact, and the scale of use is small, it is recommended that the annual activity fee be set at the minimum of the range being \$100 + GST per annum.

Management Fee

Usually would be \$250 + GST per year, made up of:
Basic rate of \$150 per year to cost recover invoicing and general communication with concessionaire, plus Rent Review fee of \$100 per year to cost recover the three-yearly rent review task which considers the Activity Fee. However, given that in this instance there are 8 easements in the same vein, when the rent review is calculated for one it would be used for all 8 easements, so no further time taken.
Recommend: \$150 per year

Monitoring Fee

A monitoring fee will be charged on a cost recovery basis. It is unlikely that monitoring would be required regularly however over the 30 year term it is likely that monitoring may be required.

Summary of special conditions as listed in effects assessment above:

The following special conditions have been added to the Special Conditions to Schedule 3 of the Concession Document:

1. The Concessionaire must ensure both ends of the water pipe are clearly labelled with the full street address for the consumer of the water; that is, at the entry point to the stream and the exit point of the Reserve.
2. The Concessionaire must ensure that the water pipe remains in its current location, and is not relocated to cross any public tracks or be near any other structures, nor be visible from those tracks.
3. The Concessionaire must, before moving the water pipe to any new location, consult with the Grantor as to its future site.
4. The Concessionaire must ensure that no further development of water takes, nor any dams or working of the land occurs to redirect present flows.
5. Where a water pipe crosses a track, the Concessionaire will either bury the water pipe under the track at a depth of at least 150mm or run it through an existing culvert, if any, under the track.

7.0 Applicant's comments on draft report

It was not considered necessary to send the applicants a copy of the draft report given the relatively standard nature of the application as well as various communication with the applicant throughout the processing of the application.

8.0 Summary and Conclusions

The application for a 30-year non-notified easement is considered to be consistent with the legislation and statutory plans and with adherence to the Standard and proposed Special Conditions, the effects on the conservation values are considered to be adequately avoided, remedied or mitigated.

9.0 Recommendations to decision maker

Pursuant to the delegation dated 9 September 2015, it is recommended that the Operations Manager, Wellington District Office

1. Deem this application to be complete in terms of s17S of the Conservation Act 1987; and
2. Agree that is not considered appropriate to give public notice of the intention to grant the permit; and
3. Approve the granting of a Non-Notified Easement concession to Blair McCardle and Gabrielle McCardle subject to the standard concession contract; and the special conditions identified in this report.

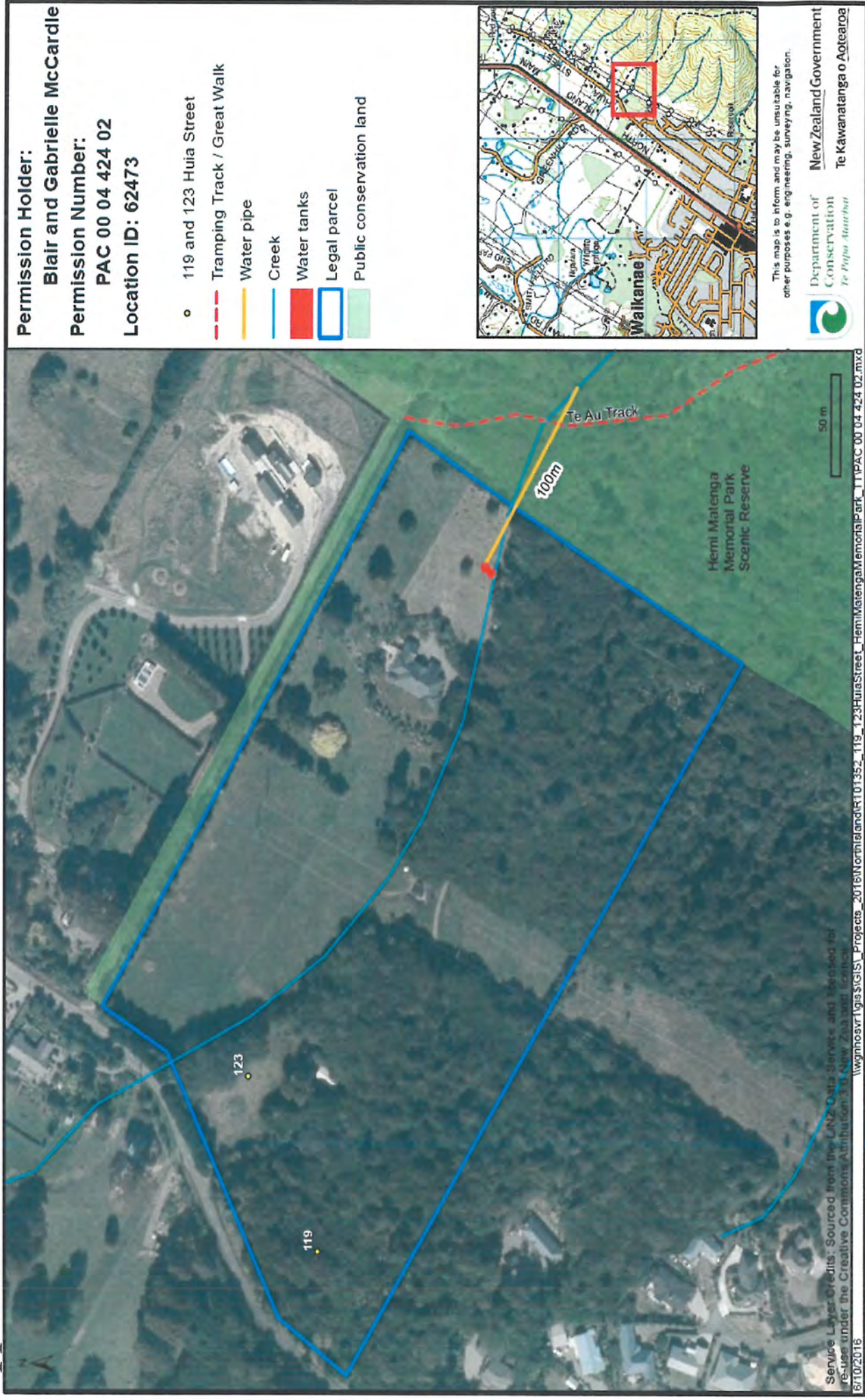
Daniel Haverty
Permissions Advisor
Hokitika Shared Services Centre
4 July 2017

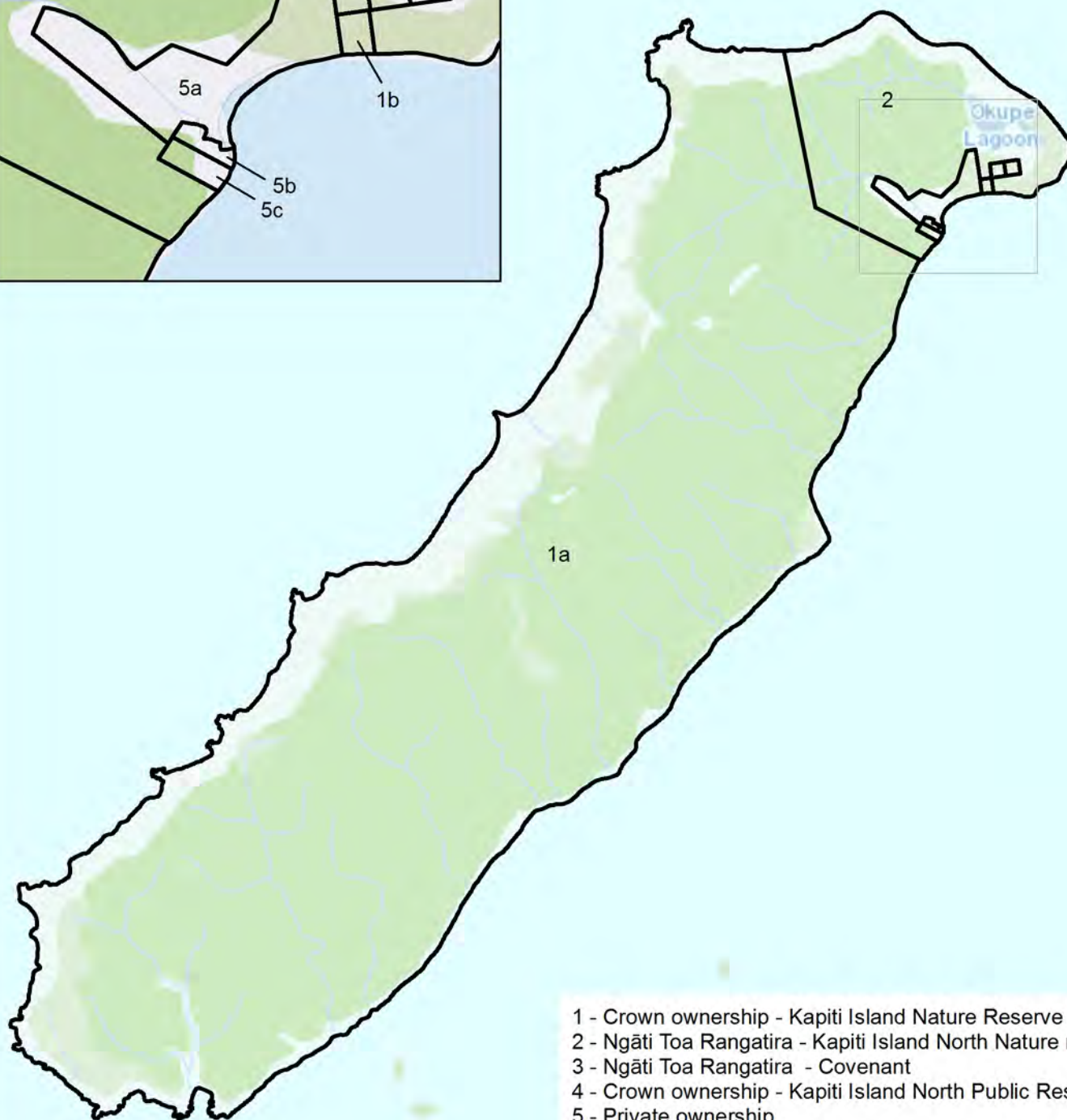
Recommendation:

- 1 Agree / Disagree
- 2 Agree / Disagree
- 3 Approved / Declined

Signed: _____
Jack Mace
Operations Manager
Kapiti Wellington Operations District
Date:

Appendix 1





- 1 - Crown ownership - Kapiti Island Nature Reserve
- 2 - Ngāti Toa Rangatira - Kapiti Island North Nature reserve
- 3 - Ngāti Toa Rangatira - Covenant
- 4 - Crown ownership - Kapiti Island North Public Reserve
- 5 - Private ownership

Data derived through Land Information New Zealand's Landonline system
(New Zealand's Official Title and Cadastral System)

1 km

Kapiti Island - Land Areas



Appendix "H"

Rangitāne o Manawatu Conservation Protocol

I understand there are five iwi who asserts traditional interests at Kāpiti Island: Ngāti Toa Rangatira, Te Ātiawa ki Kāpiti, Ngāti Raukawa, Muaūpoko and Rangitāne o Manawatu.

As part of the settlement of the Treaty of Waitangi claims of Rangitāne o Manawatu, a Conservation Protocol was agreed. A copy of that Protocol is at **Appendix "I"**.

As is set out at [1.3] of the Conservation Protocol, Rangitāne o Manawatu has cultural, spiritual, traditional and historic associations with the land, waters and indigenous flora and fauna within their Area of Interest. A map depicting Rangitāne o Manawatu's Area of Interest appears at page 59 of the Protocol. The area of interest includes Kāpiti Island.

I understand, but of course was not party to, there was complex overlapping claims consultation undertaken by Ta John Clarke on behalf of the Crown during the negotiations of the Ngāti Toa Rangatira settlement and the Rangitāne o Manawatu settlement, including in relation to Kāpiti Island. As an outcome of those overlapping claims negotiations, while Rangitāne o Manawatu are acknowledged as having an historical interest in the and must be advised in advance of any Conservation Management Strategy amendments or reviews, or the preparation of any statutory or non-statutory plans, policies or documents that relate to the management of places administered by DOC within Rangitāne o Manawatu's Area of Interest, Rangitāne o Manawatu does not hold a seat on the Kāpiti Island Strategy Advisory Committee and did not receive any transfer of any land on Kāpiti Island as part of their settlement.

This information has been provided to me by Wendy Evans, Business Support Manager, Planning Permissions and Land, Operations, at DOC. Wendy was the Negotiations Advisor in DOC's Treaty Negotiations team who was part of the Crown team for the Ngāti Toa Rangatira settlement negotiations as well as the Rangitāne o Manawatu negotiations.

RANGITĀNE O MANAWATU
and
THE TRUSTEES OF THE RANGITĀNE O MANAWATU SETTLEMENT
TRUST
and
THE CROWN

DEED OF SETTLEMENT SCHEDULE:
DOCUMENTS

DOCUMENTS

5: PROTOCOLS

CONSERVATION

1.1 The purpose of this protocol is to ensure that the conservation of the natural and cultural heritage of the State of Palestine is given the highest priority in all development and planning activities. The State of Palestine is committed to the protection and preservation of its natural and cultural heritage for the benefit of present and future generations.

1.2 The State of Palestine shall take all necessary measures to protect and preserve its natural and cultural heritage, including the establishment of a national conservation authority.

1.3 The State of Palestine shall ensure that the conservation of its natural and cultural heritage is integrated into all development and planning activities.

5.1 Conservation protocol

1.4 The State of Palestine shall ensure that the conservation of its natural and cultural heritage is integrated into all development and planning activities.

1.5 The State of Palestine shall ensure that the conservation of its natural and cultural heritage is integrated into all development and planning activities.

CONSERVATION

2.1 The State of Palestine shall ensure that the conservation of its natural and cultural heritage is integrated into all development and planning activities.

2.2 The State of Palestine shall ensure that the conservation of its natural and cultural heritage is integrated into all development and planning activities.

2.3 The State of Palestine shall ensure that the conservation of its natural and cultural heritage is integrated into all development and planning activities.

2.4 The State of Palestine shall ensure that the conservation of its natural and cultural heritage is integrated into all development and planning activities.

2.5 The State of Palestine shall ensure that the conservation of its natural and cultural heritage is integrated into all development and planning activities.

5: PROTOCOLS: CONSERVATION PROTOCOL

**CONSERVATION PROTOCOL: A PROTOCOL ISSUED BY THE CROWN THROUGH THE
MINISTER OF CONSERVATION REGARDING RANGITĀNE O MANAWATU AND THE
DEPARTMENT OF CONSERVATION**
1 INTRODUCTION

- 1.1 Under the Deed of Settlement dated [] between Rangitāne o Manawatu and the Crown (the “**Deed of Settlement**”), the Crown agreed that the Minister of Conservation (the “**Minister**”) would issue a Protocol (the “**Protocol**”) setting out the basis upon which the Department of Conservation (the “**Department**”) will interact with the trustees of the Rangitāne o Manawatu Settlement Trust (the “**Governance Entity**”) across the Area of Interest (**Attachment A**).
- 1.2 Rangitāne o Manawatu describes its association with natural resources as inclusive of mana atua (its spiritual and cultural association with the land), mana whenua (its land as an economic base) and mana tangata (its social organisation on the land).
- 1.3 Rangitāne o Manawatu has cultural, spiritual, traditional and historic associations with the land, waters and indigenous flora and fauna within their Area of Interest, and accept a responsibility as kaitiaki under tikanga Māori to preserve, protect, and manage natural and historic resources.
- 1.4 The Department’s functions include managing “for conservation purposes, all land, and all other natural and historic resources” under the Conservation Legislation. This must be interpreted and administered so as to give effect to the principles of the Treaty of Waitangi, to the extent that those principles are consistent with the Conservation Legislation.
- 1.5 This document is a framework to foster the development of a positive, collaborative and enduring relationship into the future.

2 COMMUNICATION

- 2.1 The Department will maintain effective and efficient communication with Rangitāne o Manawatu on an ongoing basis by:
 - 2.1.1 maintaining a record of the Governance Entity’s office holders, and their addresses and contact details;
 - 2.1.2 meeting with the Governance Entity at least once a year, or more often if agreed, to discuss issues of shared interest;
 - 2.1.3 appointing the Conservation Partnerships Manager as the primary contact person for the Governance Entity. The Conservation Partnerships Manager will act as a liaison person with other Departmental staff including those in the National Office, and may arrange meetings with the Governance Entity from time to time; and
 - 2.1.4 training relevant staff and briefing Conservation Board members on the content of the Protocol, and informing other stakeholders about the Protocol where the opportunity arises.

DOCUMENTS

5: PROTOCOLS: CONSERVATION PROTOCOL**3 VISITOR AND PUBLIC INFORMATION**

- 3.1 The Department shares its knowledge about natural and historic heritage with visitors and the general public. This is to increase their enjoyment and understanding of this heritage, and to develop their awareness of the need for its conservation.
- 3.2 The Governance Entity will be consulted on the use of information about Rangitāne o Manawatu values included in information for visitors published by the Department.
- 3.3 The Department will work with Rangitāne o Manawatu to encourage respect for Rangitāne o Manawatu cultural heritage values, and accuracy in how those values are described, by raising public awareness of any positive conservation partnerships between Rangitāne o Manawatu and the Department. These may include publications, presentations and services.

4 CULTURAL MATERIALS

- 4.1 The Minister and/or Director-General will facilitate, in accordance with legislative requirements, Rangitāne o Manawatu access to cultural materials.
- 4.2 In relation to cultural materials, the Minister and/or Director-General will consult with the Governance Entity in circumstances where the Department is aware that there are competing requests between the Governance Entity and non-Rangitāne o Manawatu persons or entities for the use of cultural materials. For example, for scientific research purposes, or requests for access to, and use of, cultural materials within the Area of Interest from non-Rangitāne o Manawatu persons and entities.
- 4.3 Where cultural materials become available as a result of Departmental operations such as track maintenance or clearance, or species management, or where materials become available as a result of accidental death or otherwise through natural causes, the Minister and/or Director-General will discuss access to cultural materials with Governance Entity, taking into consideration the interests of other tangata whenua.
- 4.4 Subject to access to flora cultural materials being provided in accordance with legislative requirements:
 - 4.4.1 the Department may assist as far as reasonably practicable, the Governance Entity to obtain plant stock for propagation to reduce the need for plants to be gathered from land administered by the Department and to provide advice to the Governance Entity in the establishment of its own cultivation areas;
 - 4.4.2 provide, as far as reasonably practicable, ongoing advice to the Governance Entity for the management and propagation of the plant stock; and
 - 4.4.3 identify areas administered by the Department which may be suitable as sites where re-vegetation planting of plants suitable for cultural use, and establishment of pa harakeke, may be appropriate.
- 4.5 The Department and the Governance Entity may discuss the development of procedures for monitoring the levels of use of cultural materials, and will discuss appropriate Rangitāne o Manawatu tikanga in association with applications that are made to the Department.

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- 4.6 The Department will consider waiving or reducing any recovery of authorisation costs for collection of cultural material by the Governance Entity.

5 MARINE MAMMALS

- 5.1 All species of marine mammal occurring within New Zealand and New Zealand's fisheries waters are absolutely protected under the Marine Mammals Protection Act 1978. The Department has responsibilities for the protection, conservation and management of all marine mammals, including their disposal and the health and safety of its staff and any volunteers under its control, and the public.
- 5.2 The Governance Entity will be advised of marine mammal strandings within the Area of Interest. A co-operative approach will be adopted with Rangitāne o Manawatu to management of stranding events, including recovery of bone (including teeth and baleen) for cultural purposes and burial of marine mammals (in particular burial sites will be agreed to avoid the possible violation of Rangitāne o Manawatu tikanga). The Department will make reasonable efforts to inform the Governance Entity before any decision is made to euthanise a marine mammal or gather scientific information.
- 5.3 As part of the business planning processes that apply to the Area of Interest, the Department will discuss with Rangitāne o Manawatu any research and monitoring proposals that the Conservancy develops relating to marine mammal populations to enable Rangitāne o Manawatu to have input into such research and monitoring proposals.

6 FRESHWATER FISHERIES AND MARGINAL STRIPS

- 6.1 The Department's functions under the Conservation Act 1987 include the preservation, as far as practicable, of all indigenous freshwater fisheries, and the protection of recreational freshwater fisheries and their habitats. Active management is limited to whitebait fishing and those fisheries and habitats that are located on public conservation land. In all other areas, advocacy for the conservation of freshwater fisheries is undertaken primarily through Resource Management Act processes.
- 6.2 A co-operative and participatory approach will be adopted with the Governance Entity in the conservation, management and research of freshwater fisheries and freshwater habitats. This may include seeking to identify areas for co-operation in the protection of riparian vegetation and habitats, fish passages, water quality, the restoration, rehabilitation and/or enhancement of customary freshwater fisheries and their freshwater habitats and consulting with the Governance Entity when the Department is developing or contributing to research and monitoring programmes. The Governance Entity will be considered as a possible science provider or collaborator for research projects.
- 6.3 The Governance Entity will use the process provided for in clause 7 of this Protocol to identify sites of significance on marginal strips within their rohe. Information relating to Rangitāne o Manawatu sites of significance will be treated in confidence by the Department in order to preserve the wāhi tapu nature of the identified places.
- 6.4 The Governance Entity and the Department will discuss on an on-going basis, the potential for the Governance Entity to be appointed to manage marginal strips of significance to Rangitāne o Manawatu, under section 24H of the Conservation Act 1987.

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- 6.5 The Department will consult with the Governance Entity where the Department is entering into formal or informal arrangements with any third party that relate to the management of marginal strips identified under clause 6.3.

7 SITES OF SIGNIFICANCE

- 7.1 The Department aims to conserve historic places and structures in areas managed under Conservation Legislation. It will endeavour to do this for sites of significance to Rangitāne o Manawatu in co-operation with the Governance Entity and according to Rangitāne o Manawatu tikanga and professional standards.
- 7.2 Where Rangitāne o Manawatu request, information relating to Rangitāne o Manawatu sites of significance will be treated in confidence by the Department in order to preserve the wāhi tapu nature of places.
- 7.3 The Department and Rangitāne o Manawatu will work together to look for opportunities and identify practical ways in which Rangitāne o Manawatu can exercise kaitiakitanga over ancestral lands, natural and historic resources and other taonga managed by the Department within the Area of Interest.
- 7.4 The Department will inform Rangitāne o Manawatu if taonga or koiwi are found by the Department staff on land administered by the Department within the Area of Interest.

8 NATIONAL PROGRAMMES

- 8.1 The Department aims to conserve the full range of New Zealand's ecosystems, maintain or restore the ecological integrity of managed sites, and ensure the survival of threatened species, in particular those most at risk of extinction. To do this, it conducts a number of national programmes. The funding of any specific projects will be determined through the annual business planning processes that are set out in clause 11 below.
- 8.2 If there are any national sites and species programmes operating in the Area of Interest, the Department will advise the Governance Entity of them.

9 PEST CONTROL

- 9.1 Preventing, managing and controlling threats to natural, historic and cultural values from animal and weed pests is an integral part of the Department's work. This is done in a way that maximises the value from limited resources available to do this work.
- 9.2 The Governance Entity will be consulted beforehand on pest control activities to be carried out on land administered by the Department, particularly in relation to the use of toxins, and will be provided with opportunities to discuss programmes and outcomes.

10 RESOURCE MANAGEMENT ACT 1991

- 10.1 From time to time, Rangitāne o Manawatu and the Department will each have concerns with the effects of activities controlled and managed under the Resource Management Act 1991.

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- 10.2 The Governance Entity and the Department will seek to identify issues of mutual interest and/or concern ahead of each party making submissions in Resource Management Act processes.

11 BUSINESS AND MANAGEMENT PLANNING

- 11.1 The annual business planning process determines the Department's conservation work priorities. The Governance Entity will be able to request specific projects to be undertaken. Such requests will be taken forward into the business planning process and considered by the Department when it determines its overall priorities. Where such requests are taken forward the Governance Entity and the Department will agree to the nature of their collaboration, which may include a Project/Work Plan and implementation timetable for administering the project, in accordance with the resources that have been allocated to the project.
- 11.2 If a specific project is not advanced, the Department will advise the Governance Entity of the reasons for this.
- 11.3 The Department will advise Rangitāne o Manawatu in advance of any Conservation Management Strategy amendments or reviews, or the preparation of any statutory or non-statutory plans, policies or documents that relate to the management of places administered by the Department within the Area of Interest.
- 11.4 Rangitāne o Manawatu will have opportunities to provide early input into relevant Conservation Management Strategy reviews, or Management Plans if any, within the Area of Interest.

12 CONTRACTING FOR SERVICES

- 12.1 Where contracts are to be tendered for conservation management within the Area of Interest the Department will inform Rangitāne o Manawatu.
- 12.2 Where appropriate, the Department will consider using Rangitāne o Manawatu (individuals or the Governance Entity) as a provider of professional services, including cultural advice and pest management, where those services are necessary to manage conservation resources in the Area of Interest.

13 CONCESSION APPLICATIONS

- 13.1 The Governance Entity will be consulted with regard to categories of concession applications or renewals of concession applications within the Area of Interest that may impact on the cultural or historic values of Rangitāne o Manawatu, as identified from time to time by Rangitāne o Manawatu and the Department. As the Department works within time limits to process concession applications, it will notify the Governance Entity of the time frames for making comments.
- 13.2 Prior to issuing concessions to carry out activities on land managed by the Department within the Area of Interest, the Minister will encourage communication between the proposed concessionaire and the Governance Entity.

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14 CONSULTATION

14.1 Where consultation is required under this Protocol, the Department will:

14.1.1 Ensure that the Governance Entity is consulted as soon as reasonably practicable following the identification of the proposal or issues to be the subject of the consultation;

14.1.2 Provide the Governance Entity with sufficient information and time to make informed comments and/or submissions in relation to any of the matters that are the subject of the consultation;

14.1.3 Approach the consultation with an open mind and genuinely consider any views and/or concerns that the Governance Entity may have in relation to any of the matters that are subject to the consultation; and

14.1.4 Report back to the Governance Entity on any decision that is made.

15 REVIEW OF THE PROTOCOL

15.1 This Protocol is a living document which should be discussed, reviewed and updated from time to time when needed, by mutual agreement or as instigated by either party.

16 DEFINITIONS

16.1 In this Protocol:

Area of Interest has the meaning given to that term in the Deed of Settlement;

Conservation Management Strategy has the same meaning as in the Conservation Act 1987;

Conservation Legislation means the Conservation Act 1987 and the statutes in the First Schedule of the Act;

Crown means the Sovereign in right of New Zealand and includes, where appropriate, the Ministers and Departments of the Crown that are involved in, or bound by the terms of the Deed of Settlement to participate in, any aspect of the redress under the Deed of Settlement;

Cultural materials means plants, plant materials, and materials derived from dead wildlife, marine mammals or birds for which the Department is responsible within the Area of Interest and which are important to Rangitāne o Manawatu in maintaining and expressing its cultural values and practices;

Department means the Minister of Conservation, the Director-General and the Departmental managers to whom the Minister of Conservation's and the Director-General's decision-making powers can be delegated.

Governance Entity means the trustees of the Rangitāne o Manawatu Settlement Trust;

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Rangitāne o Manawatu has the meaning set out in clause 8.5 of the Deed of Settlement;

Kaitiaki means environmental guardians;

Protocol means a statement in writing, issued by the Crown through the Minister of Conservation to the Governance Entity under the Settlement Legislation and the Deed of Settlement and includes this Protocol;

Settlement Legislation means the Rangitāne o Manawatu Claims Settlement Bill which gives effect to the Deed of Settlement; and

Tikanga Māori refers to Māori traditional customs.

17 TERMS OF ISSUE

17.1 This Protocol is –

17.1.1 issued under –

- (a) clause 5.10 of the Deed of Settlement; and
- (b) section [number] of the Settlement Legislation; and

17.1.2 subject to the Deed of Settlement and the Settlement Legislation;

17.2 A summary is attached of the terms of issue of the Protocol in the Deed of Settlement and the Settlement Legislation.

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ISSUED on []

SIGNED for and on behalf of **THE SOVEREIGN** in right of
New Zealand by the Minister of
Conservation

)
) _____
)

Signature of witness

Name of witness

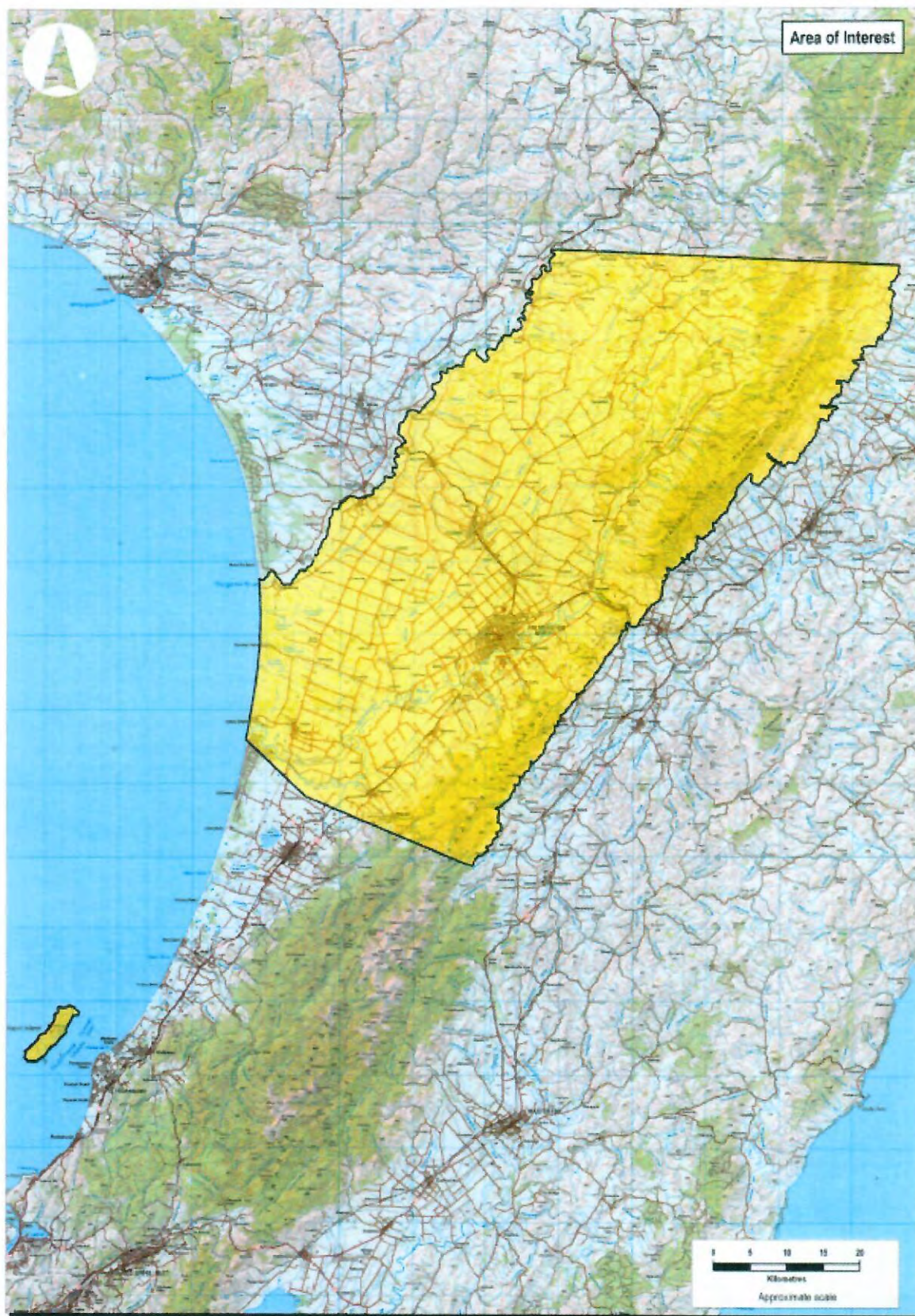
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ATTACHMENT A: RANGITĀNE O MANAWATU AREA OF INTEREST



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SUMMARY OF THE TERMS OF ISSUE

This Protocol is subject to the Deed of Settlement and the Settlement Legislation. A summary of the relevant provisions is set out below.

1. Amendment and cancellation

- 1.1 The Minister may amend or cancel this Protocol, but only after consulting the Governance Entity and having particular regard to its views (*section [number]*).

2. Noting

- 2.1 A summary of the terms of this Protocol must be noted in the conservation documents affecting the Area of Interest, but the noting –

2.1.1 is for the purpose of public notice; and

2.1.2 does not amend the conservation documents for the purposes of the Conservation Act 1987 or the National Parks Act 1980 (*section [number]*).

3. Limits

- 3.1 This Protocol does not –

3.1.1 restrict the Crown from exercising its powers, and performing its functions and duties, in accordance with the law and government policy, including –

(a) introducing legislation; or

(b) changing government policy; or

(c) issuing a protocol to, or interacting or consulting with, anyone the Crown considers appropriate, including any iwi, hapū, marae, whānau, or representative of tangata whenua (*section [number]*); or

3.1.2 restrict the responsibilities of the Minister or the department or the legal rights of the settling group (*section [number]*); or

3.1.3 grant, create, or evidence an estate or interest in, or rights relating to, –

(a) land held, managed, or administered under the conservation legislation; or

(b) flora or fauna managed or administered under the conservation legislation (*section [number]*); or

3.1.4 have the effect of granting, creating or providing evidence of an estate or interest in, or rights relating to, the common marine and coastal area (as defined in section 9(1) of the Marine and Coastal Area (Takutai Moana) Act 2011).

5: PROTOCOLS: CONSERVATION PROTOCOL**4. Breach**

- 4.1 Subject to the Crown Proceedings Act 1950, the Governance Entity may enforce this Protocol if the Crown breaches it without good cause, but damages or monetary compensation will not be awarded (*section [number]*).
- 4.2 A breach of this Protocol is not a breach of the Deed of Settlement (clause 5.13).