

Stewardship land in Aotearoa New Zealand discussion document: Options to streamline processes for reclassification and disposal

DOC is undertaking a review of the legislation relating to stewardship land, as part of the broader stewardship land reclassification project. The review seeks to streamline the processes for reclassifying and disposing of stewardship land to resolve issues that have led to delays in the past.

We are seeking feedback on six proposals which aim to make the process more efficient and effective. Let us know your feedback on the Stewardship Land in Aotearoa New Zealand discussion document, using the prompt questions listed below.

These questions correspond with the questions included in the discussion document. You don't need to fill out every question if you don't wish to.

Once you have completed the form, email it to: stewardshiplandpolicy@doc.govt.nz

You can also post a hard copy to:

Stewardship Land Consultation
Department of Conservation
P. O. Box 10420 Wellington 6143

Submitter details

Name: Hamish Darling

Are you submitting on behalf of an organisation or group of people? Yes, **Whitewater New Zealand**, we are the national body upholding interests for our 1,000 members and a further approximate 4,000 Whitewater recreationalists.

Email: president@whitewater.nz

Discussion document proposals

A. Introduction and objectives

- 1. Do you agree with the objectives listed in the discussion document? Do you think there are any other objectives that should be included in this review?**

Yes.

Whitewater NZ has been dismayed at the very slow rate that stewardship land has been addressed in the past. We believe these objectives uphold DOC and the Minister of Conservation's obligations and provide (finally) a resolution to the 'statutory holding pen' that stewardship land was intended to be.

- 2. Do you agree with the description of the problem in the discussion document? If no, please provide reasons to support your answer?**

Yes.

Whitewater NZ recognises that the issue of reclassifying land is complex, however the biggest issue is that it simply isn't being done, this has a negative impact on conservation efforts and recreation. It is essential that change is pursued so that this issue is resolved at a faster rate.

- 3. Do you think there are any additional factors that have contributed to stewardship land reclassification not being progressed on a large scale? If so, please describe them.**

No. However we are not experts in public policy, we have only seen the resulting cumbersome reclassification attempts in the past.

- 4. Do you think there any other issues or impacts caused by the failure to reclassify stewardship land on a large scale that have not been described here? If so, what are they and who/what do they affect?**

The impact failed reclassification has had on biodiversity cannot be understated.

Originally stewardship land was established because it was not feasible for DOC to do all of the complex ecological, cultural and geographical surveys needed to understand if the area needed protection. However no significant reclassification process followed.

This has led to a 30+ year delay in addressing the protection of this land. Delaying investigation into possibly highly delicate ecosystems which have likely been highly impacted by predators, pest species and poor land management. For a long time DOC has been acting as landowner, only doing the investigations where concessions, or land sale is proposed rather than proactively investigating for the purposes of conservation.

Whitewater New Zealand is excited to see this finally addressed.

B. Improving consistency of public notification and submission processes

- 5. The discussion document sets out three possible options – please indicate your preferred option. You may provide further analysis or comments to support your choice.**

Option 1.1

We are of the belief that, with proper public notification and outreach, 20 days is sufficient to compile a submission with regard to land reclassification. The discretion granted to the relevant Panels which allows them to provide more time for areas of high contention or larger size also reduces any negative impact this policy change may have.

- 6. Do you think 20 working days (one month) is adequate to prepare a written submission? If not, what time period would be adequate?**

Yes. We believe that it is sufficient for any organisation who has strong opinions on the matter to make their submission. This is only the case if adequate effort is made to notify the public of the proposed changes.

- 7. What role or function do you consider hearings play?**

Hearings are an essential element of the public consultation process, giving submitters a chance to further explain their point or passion for their submission. That being said Whitewater New Zealand believes that the reclassification of stewardship land is an urgent issue. As such discretion on part of the Panel of whether or not to accept hearings is appropriate to best achieve reclassification.

8. Are there any further options you think DOC should consider that would meet the objectives set out in the discussion document?

No we believe option 1.1 to be sufficient.

C. Enabling the national panels to carry out the public notification and submission process

9. The discussion document sets out two possible options – please indicate your preferred option. You may provide further analysis or comments to support your choice.

Option 2.1

This option makes sense as the Panel has ownership of the whole process otherwise.

10. If the national panels carried out the public notification and submissions process, what impact do you think this would have on the reclassification or disposal process?

We believe it will help expediate the process.

11. Are there any further options you think DOC should consider that would meet the objectives set out in the discussion document?

No

D. Clarifying responsibilities for making recommendations to reclassify stewardship land to national park

12. What particular expertise/experience do you consider the national panels could bring to the process?

It is our belief that the Panels are well placed to conduct this process. This is due to having good relevant expertise as explained on page 12. We are especially pleased to see expertise in Recreation present on the panel.

13. If the national panels were responsible for making recommendations to reclassify land to national parks, do you consider this would create any risks?

Not any more than would in other statutory boards such as Conservation Boards or the Conservation Authority.

14. Are there any further options you think DOC should consider that would meet the objectives set out above?

No

E. Removing the statutory step to declare all stewardship land to be held for conservation purposes before it can be reclassified or disposed of

15. The discussion document sets out two possible options – please indicate your preferred option. You may provide further analysis or comments to support your choice.

Option 4.1

This is an obvious simplification that saves time and resource. We can't see any unintended consequences of this change. This declaration is in keeping with DOC's mission and the statutory responsibilities of the Minister.

16. Are there any alternative options that have not been discussed here? Please provide analysis or comments to explain your answer.

17. Do you think that there are any other risks or impacts associated with declaring all section 62 stewardship land to be held for a conservation purpose via a legislative change that have not been identified here?

No because as the land is held and managed by the Department of Conservation and this is analogous with DOC's declared purpose and outcomes anyway.

F. Enabling the Minister of Conservation to direct the proceeds of sale from stewardship land to DOC

18. The discussion document sets out two possible options – please indicate your preferred option. You may provide further analysis or comments to support your choice.

Option 5.1

It is our view that the Department should use the funds from proceeds of sale towards better management of Conservation estate. As cost of the reclassification has been a large burden in the past it makes sense to direct the funds back to DOC. Furthermore, it is consistent with point E above. If this land is declared for the purposes of conservation, the proceeds ought to be also used for conservation needs.

19. What are the risks or impacts associated with allowing the Minister of Conservation to direct the proceeds of sale of stewardship land to DOC that have not been identified here?

There will likely political and budgetary ramifications here. However this is outside the scope of this discussion and our expertise.

Whitewater New Zealand supports increased funding for DOC, furthermore we argue any policy which results in encouraging the sale of conservation estate for profit would be bad policy.

In order to prevent incentivising the sale of conservation estate the panel must first determine the conservation value of the land wholly, before it considers valuation or sale. We hope this, along with the independence of the panel, helps prevent any sales for purpose of profit.

20. Are there any further options you think DOC should consider that would meet the objectives set out in the discussion document?

G. Clarifying the status of concessions on reclassified stewardship land

21. The discussion document sets out two possible options – please indicate your preferred option. You may provide further analysis or comments to support your choice.

Option 6.1

It would be inappropriate to create a blanket rule allowing all concessions to continue regardless of new classification.

The purpose of this re-classification effort is to finally analyse the stewardship land for its conservation values and give it appropriate protection. Should the land be re-classified due to its extraordinary conservation values, any previous concessions ought to be considered in the light of that new information. DOC should reconsider concessions with all the available information especially in regards to ecological, historic or recreational values. As such some previous concessions may no longer be appropriate.

22. If a concession is inconsistent with a new land classification or on land that has been recommended for disposal, should it be allowed to continue? Please explain your answer.

No, the primary purpose of the national panels, and this process as a whole, is to give effect to the ecological, historic and recreational value of the land. This must be the priority, not the previous contracts and concessions.

23. Are there any other risks or impacts associated with allowing inconsistent concessions to continue?

The land may not be granted the protection that this process is designed to provide. For reasons noted above.

24. Are there any further options you think DOC should consider that would meet the objectives set out in the discussion document?

Perhaps a middle ground, create a new rule, for example:

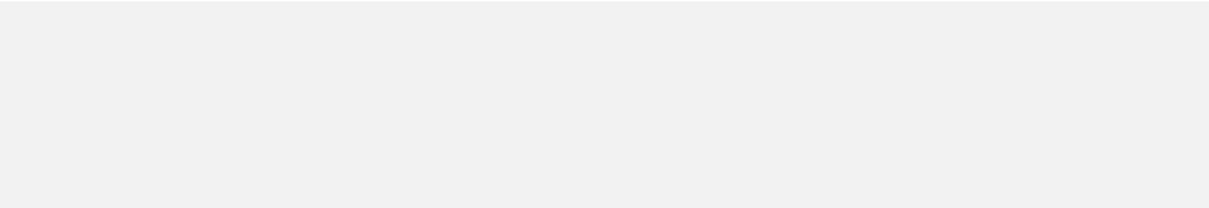
If the land is classified as a recreation or scenic reserve, OR conservation area as a amenity area, conservation park, or wilderness area then concessions may continue as previously agreed.

This class of classifications are created because the definitions of the land promotes the recreation/ amenity use of the conservation estate.

Whitewater New Zealand would propose that all other new land classifications (such as National Park or SPA as ecological area) require reconsideration of the current concessions.

H. Non-regulatory options to improve stewardship land reclassification

25. Are there any other non-regulatory options to help streamline the process for reclassifying stewardship land that we should consider? Please explain your answer.



I. Implementing changes

26. Are there any additional evaluation or monitoring measures that you think should be implemented? Please explain your answer.

