

Jacob Paget

From: s 9(2)(a)
Sent: Thursday, 2 May 2024 9:36 am
To: Listed Projects
Cc: Max Gander-Cooper
Subject: FW: [IN-CONFIDENCE]LP01

FYI; have put the advice re: Roroa and Whio in the Treaty assessment.

Ngā mihi,

O.

From: Neil Deans s 9(2)(a)
Sent: Thursday, May 2, 2024 7:18 AM
To: s 9(2)(a) s 9(2)(a)
Cc: Amelia Smith [EXTERNAL] (DOC) s 9(2)(a) Eoin Moynihan [EXTERNAL] (DOC)
s 9(2)(a)
Subject: FW: [IN-CONFIDENCE]LP01

Kia ora e s 9(2)(a)

Further to the previous email, I can confirm DOC has records of roroa and whio in the vicinity of, and potentially affected by, the proposal within the last decade or more recently.

We don't keep records of fernbird in this part of the West Coast as they are quite widespread. In other words they may be present but have not been specifically surveyed.

Contact me if you need further information.

Nga mihi

Neil Deans
Advisor – RM Reform
Department of Conservation—*Te Papa Atawhai*
Level 2, Conservation House, Wellington 6143
s 9(2)(a)
www.doc.govt.nz

Conservation leadership for our nature
Tākina te hī, tiakina te hā, o te ao tūroa

From: Neil Deans
Sent: Wednesday, May 1, 2024 3:55 PM

To: s 9(2)(a) s 9(2)(a)
Subject: RE: [IN-CONFIDENCE]LP01

Hi s 9(2)(a)

Not sure where this leaves us for Fast Tracking. The Ngai Tahu settlement legislation is not in scope of Fast Track. Those provisions generally apply to acknowledge Ngai Tahu interest in the management of those species if transferred in or out. However they are a clear reflection of Treaty obligations to be upheld.

Separately, we are looking into the presence of those species in that area, but I won't have that information until tomorrow. We won't have time to consult on this now.

It would be good to understand the current status of applications; just as a heads up, to understand if anything else is coming our way.

Happy to discuss.

Neil Deans

Advisor – RM Reform

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Level 2, Conservation House, Wellington 6143

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Tākina te hī, tiakina te hā, o te ao tūroa

From: s 9(2)(a) s 9(2)(a)
Sent: Wednesday, May 1, 2024 2:50 PM
To: Neil Deans s 9(2)(a)
Subject: RE: [IN-CONFIDENCE]LP01

FYI, in the interim I've put a high-level note in our advice which reads:

The Otututu Ecological Area is a habitat for Whio/Blue Duck and Roroa/Great Spotted Kiwi, and the Otututu Scenic Reserve supports a large population of Mātā/South Island Fernbird. These are all taonga species under the Ngāi Tahu Settlements Act 1998. Under s293 of this Act, the Minister for Conservation must "consult with, and have particular regard to the views of, Te Rūnanga o Ngāi Tahu" regarding "proposals for the transfer of a taonga species into or from the Ngāi Tahu claim area or methods of control or protection of a taonga species."

However, given the specifics of the project I'm not entirely sure if S293 is relevant or a factor in the advisory group's decision as to whether to list this project.

Ngā mihi,

s 9(2)(a)

From: s 9(2)(a)
Sent: Wednesday, May 1, 2024 2:34 PM

To: Neil Deans [EXTERNAL] (DOC) s 9(2)(a)

Subject: RE: [IN-CONFIDENCE]LP01

Kia ora Neil,

Sorry to send another email on this but Max suggested I contact you directly as he's in and out of the office. Are you available this afternoon for me to give you a quick teams call on the species question below. Appreciate it's late in the day so if not kei te pai.

It may not be relevant given the particulars of the project (and/or because the relevant papatipu rūnanga is supportive of the project) but could try and give an idea on what info I need to give Treaty advice on listing the project.

Ngā mihi,

s 9(2)(a)

From: Max Gander-Cooper s 9(2)(a)

Sent: Wednesday, May 1, 2024 11:17 AM

To: s 9(2)(a) s 9(2)(a)

Cc: Listed Projects <ListedProjects@mfe.govt.nz>

Subject: FW: [IN-CONFIDENCE]LP01

Hi s 9(2)(a),

I'm in and out today, might be best for you to call Neil at DOC since you'll have a better idea of what you need.

Cheers

Max

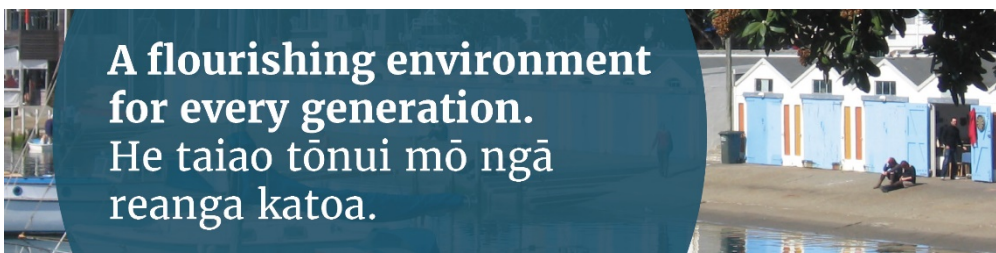
From: Listed Projects <ListedProjects@mfe.govt.nz>

Sent: Wednesday, May 1, 2024 11:08 AM

To: Max Gander-Cooper s 9(2)(a)

Subject: FW: [IN-CONFIDENCE]LP01

Fyi response from DOC



From: Neil Deans s 9(2)(a)

Sent: Wednesday, May 1, 2024 10:02 AM

To: Listed Projects <ListedProjects@mfe.govt.nz>

Cc: Amelia Smith [EXTERNAL] (DOC) s 9(2)(a)

Subject: RE: [IN-CONFIDENCE]LP01

Hi Max

I tried to call you on this now; note my subsequent advice on the land status for this application, which is attached.

I don't have ready access to species information but can enquire. I just want to be clear on what you need for the purpose of listing.

Free this morning except from 10.30 -11.30 when I am in other MfE meetings, if you would like to call.

Neil Deans

Advisor – RM Reform

Department of Conservation—*Te Papa Atawhai*

Level 2, Conservation House, Wellington 6143

s 9(2)(a)

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From: Listed Projects <ListedProjects@mfe.govt.nz>

Sent: Wednesday, May 1, 2024 9:28 AM

To: Neil Deans s 9(2)(a)

Cc: Amelia Smith s 9(2)(a)

Subject: RE: [IN-CONFIDENCE]LP01

Kia ora Neil,

Sorry to come back to you on this one. We've set up our Treaty analysis process now and have the below question from our Treaty analysts:

The Otututu Ecological Area is a habitat for Whio/Blue Duck and Roroa/Great Spotted Kiwi, and the Otututu Scenic Reserve supports a large population of Mātā/South Island Fernbird. These are all taonga species under the Ngāi Tahu Settlements Act 1998. Do DOC have any advice when taonga species are potentially affected by the proposal?

Are you able to provide any advice on this?

Ngā mihi

Max Gander-Cooper (he/him)

Senior Policy Analyst | Kaitātari Kaupapa Here Matua

Ministerial Inquiry into Land Use

Ministry for the Environment | Manatū Mō Te Taiao

s 9(2)(a)

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From: Neil Deans S 9(2)(a)
Sent: Thursday, April 11, 2024 12:47 PM
To: Listed Projects <ListedProjects@mfe.govt.nz>
Cc: Max Gander-Cooper S 9(2)(a); Amelia Smith [EXTERNAL] (DOC)
S 9(2)(a)
Subject: RE: [IN-CONFIDENCE]LP01

Hi Max

I have checked; the proposed penstock would cross a substantial proportion of Paparoa National Park specially protected area, which appears to render it ineligible for Fast Track. It doesn't look like the route can avoid that area but it may be possible.

I suggest the initial assessment for the Rough (Otututu) River Hydroelectric Power Scheme is that it is ineligible for consideration under Fast Track due to its needing to cross National Park land.

Regards

Neil Deans
Advisor – RM Reform
Department of Conservation—*Te Papa Atawhai*
Level 2, Conservation House, Wellington 6143
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From: Listed Projects <ListedProjects@mfe.govt.nz>
Sent: Wednesday, April 10, 2024 5:29 PM
To: Neil Deans S 9(2)(a)
Cc: Max Gander-Cooper S 9(2)(a)
Subject: [IN-CONFIDENCE]LP01

Kia ora Neil,

Please find attached the application form and supporting material for the first listed project application we have received (MfE reference LP01).

The applicant has identified that the project includes PCL and will require Conservation Act, Reserves Act and Wildlife Act approvals.

The relevant iwi appears to be Ngai Tahu, with Ngati Waewae and Makaawhio being the relevant runanga.

Please let me know if this is the level of information you'd like to receive for applications, and if there's anything else from the application you'd like me to highlight.

Ngā mihi

Max Gander-Cooper (he/him)

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