



OIAD-3688

26 February 2024

Tēnā koe [REDACTED]

Thank you for your request to the Department of Conservation, received on 2 January 2024, in which you asked:

*Please send me all information or Policy's that the Department of Conservation has the Legal Right to terminate long held Residential Lessees within New Zealand when it is pressurised by Māori interests or any other reason.*

*Send me all the information that, the Lower Selwyn Huts [leases] need to be terminated, what is the reason, they have been there over 100 years with no issues notified to the Selwyn District Council, same as Green Park Huts, 12th December 2023.*

*What is the policy of the Department to evict residents without compensation?  
The prime example was Green Park Huts and now Lower Selwyn Huts by Ngai Tahu.*

*A copy of any current Lease Agreements for the Lower Selwyn Huts.*

*A copy of the current eviction Notice issued by DOC to remove all dwellings and chattels from the Lower Selwyn Huts, Lake Ellesmere, 30 June 2024.*

*Are there any other places within New Zealand that the Department have issued eviction notices and not renewing the [leases]?*

We have considered your request under the Official Information Act 1982. On 12 February 2024 we extended the timeframe to respond to your request to 27 February due to the consultations necessary. I note you will have also received a response from the Minister of Conservation, Hon Tama Potaka, on this matter.

The Department of Conservation manages leases for the recreational use of 56 huts within the Lower Selwyn Huts Stewardship Area. These leases do not authorise permanent residence, except for three that are allowed permanent residence for security purposes.

The leases are due to expire on 30 June 2024. These lease documents do not include a right of renewal and we are working through a process with the Lower Selwyn Huts Association on how to proceed beyond this date. No eviction notices have been issued.

The Department does not administer the Greenpark Huts settlement.



Your questions and our responses are listed below:

1. *What is the policy of the Department to evict residents without compensation?*

The Department is not evicting residents in the Lower Selwyn Huts settlement. We are working through a process to determine the outcome of the Lower Selwyn Huts concessions following their expiry date on 30 June 2024.

Through this process we are following the policies outlined in the Conservation General Policy, the Canterbury Conservation Management Strategy, and the Te Waihora Joint Management Plan. These are publicly available at the following links:

- Conservation General Policy  
<https://www.doc.govt.nz/about-us/our-policies-and-plans/conservation-general-policy/>
- Canterbury Conservation Management Strategy  
<https://www.doc.govt.nz/about-us/our-policies-and-plans/statutory-plans/statutory-plan-publications/conservation-management-strategies/canterbury/>
- Te Waihora Joint Management Plan  
<https://www.doc.govt.nz/about-us/our-policies-and-plans/statutory-plans/statutory-plan-publications/conservation-management-plans/te-waihora-joint-management-plan/>

The Conservation General Policy (CGP) provides policies and criteria against which accommodation on public conservation land needs to be assessed. Policy 10(h) sets out the expectation that existing private accommodation is phased out and removed (unless retained by the Department for public use).

The Canterbury Conservation Management Strategy (CMS) states that the CMS does not apply to areas covered by the Te Waihora Joint Management Plan (JMP). The JMP is silent on the long-term management approach for the Lower Selwyn Huts.

Any decisions on future concessions will need to be guided by the CGP, particularly policy 10h (phase out of private accommodation on PCL).

2. *Are there any other places within New Zealand that the Department have issued eviction notices and not renewing the [leases]?*

The Department is working through several circumstances involving private accommodation on public land. The related concessions expire at different times, and as such, are being worked through on a case-by-case basis. However, all concessions are subject to the same Conservation General Policy.

The Department has terminated very few concessions for private accommodation on Public Conservation Land. Terminations do sometimes arise due to substantive breaches of the concession agreement e.g. unpaid fees.

The remaining documentation within scope of your request is outlined in Table 1 at the end of this letter and is attached to this response.



I have decided to release the relevant parts of the documents listed, subject to information being withheld under the following sections of the Official Information Act, as applicable:

- personal contact details of officials, under section 9(2)(a) – to protect the privacy of natural persons, including deceased people; and
- advice subject to legal privilege, under section 9(2)(h) - to maintain legal professional privilege.

In making my decision, I have considered the public interest considerations in section 9(1) of the Official Information Act and determined there are no public interests that outweigh the grounds for withholding.

You are entitled to seek an investigation and review of my decision by writing to an Ombudsman as provided by section 28(3) of the Official Information Act.

Please note that this letter (with your personal details removed) and attached documents may be published on the Department's website.

Nāku noa, nā



**Jo Macpherson**

Director Operations, Eastern South Island  
Department of Conservation *Te Papa Atawhai*

Encls.



**Table 1 - Schedule of documents**

<b>Item</b>	<b>Date</b>	<b>Document description</b>	<b>Decision</b>
1.	N/A	Current Selwyn Huts Concession Document (one example given; all individual concessions for the Lower Selwyn Huts have the same standard wording). Please note that this is a copy of the current concession contract and is not representative of the outcome of the next process for future occupation.	<i>Released in part</i>
2.	27/08/20	Management planning advice – Lower Selwyn Huts 2020	<i>Released in part</i>
3.	10/08/21	Management planning advice – Lower Selwyn Huts 2021	<i>Released in full</i>
4.	10/21	Report to Canterbury Aoraki Conservation Board on Lower Selwyn Huts	<i>Released in part</i>
5.	04/11/22	National principles for private accommodation on public conservation land	<i>Released in part</i>
6.	22/09/22	Climate Science Advice	<i>Released in part</i>
7.	18/01/23	Explore task report – Lower Selwyn Huts	<i>Released in part</i>
8.	08/12/23	Letter to Te Rūnanga o Ngāi Tahu	<i>Released in part</i>