BEFORE THE HEARING PANEL

IN THE MATTER	of the Resource Management Act 1991
AND	The Proposed Waitaki District Plan Energy, Infrastructure, Stormwater, Transport, Earthworks, Designations

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Memorandum of Counsel for the
Director-General of Conservation / *Tumuaki Ahurei* – Submitter No: 194
Re – Hearing Stream 4: Heritage; Residential Zones; Commercial Zones; Industrial Zones; Open Space & Recreation Zones
Dated 2 November 2026

Department of Conservation / *Te Papa Atawhai*
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May it please the Hearing Panel (Panel)

The following matters are submitted on behalf of the Director-General of Conservation/ *Tumuaki Ahurei* (DG):

1. The DG submitted and further submitted[1] on the proposed District Plan (PDP), notified by Waitaki District Council (Council) in March 2025.

2. The DG has reviewed the section 42A reports for Hearing Stream 4 (Heritage and Zones) and there are no matters arising which require extensive evidence or legal submissions.

3. However, there are two matters where I wish to provide information to assist the Panel as follows.

Heritage – addition of Murphy's Flat Reserve Historic Area to HH SCHED 2

4. The Heritage section 42A report discusses the submission by Heritage New Zealand Pouhere Taonga (HNZPT) seeking the addition of the Murphy's Flat Reserve Historic Area (List No. 7940) in HH SCHED 2 of Historic Heritage Items.[2]

5. The DG did not further submit on the submission by HNZPT; however, the Department of Conservation administers this area as a historic reserve – Murphys Flat Historic Reserve, gazetted in 2007.

6. I confirm for the DG as landowner, the DG consents to and supports adding this area to HH SCHED 2 as this would appropriately reflect the area's values and status as both a gazetted historic reserve and a historic area listed on the New Zealand Heritage List/ Rārangi Kōrero.

Open Space and Recreation Zones – definition of "Conservation activities"

7. The Open Space and Recreations Zones section 42A report discusses the DG's submission seeking changes to the definition of "Conservation activities" to refer to,

[1] Submission for Director-General of Conservation dated 15 May 2025, submission no 194; further submission for Director-General of Conservation dated 18 May 2026.
[2] heritage-s42a-report-hh-sched2-prec2.pdf, at paragraphs 169 and 175 – 180, referring to the submission by HNZPT 257.40

as an example, “walking and cycling tracks” rather than just “access tracks”.[3] The section 42A report recommends this submission be accepted.

8. I note the Panel has recently raised a question for the section 42A report writer on the inclusion of specific examples of ancillary activities in the definition, such as “walking and cycling tracks”. The DG considers that the specific examples, in the context of the definition, do usefully assist the plan reader.

9. Should the Panel wish to explore drafting changes to the definition, the DG’s Senior RMA Planner, Mr Murray Brass, would be happy to assist the Panel or Ms Clark, the section 42A report writer.



Pene Williams
Counsel for the Director-General

[3] open-space-and-recreation-zones-s42a-report.pdf at section 7.4, paragraphs 77 – 82.