



Forest & Bird

TE REO O TE TAIAO | *Giving Nature a Voice*

Submission on Stewardship Land Reclassification

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Forest & Bird wishes to speak on its submission at public hearing.
Preferred location: Hokitika (in person)
The preferred time is during working hours.

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Introduction

1. The Royal Forest & Bird Protection Society of New Zealand Incorporated (Forest & Bird) is an independent community-based conservation organisation, established in 1923. Its mission is to give nature a voice on land, in freshwater and in the sea, on behalf of more than 100,000 members, donors, supporters and volunteers. There is a network throughout Aotearoa with fifty Forest & Bird branches, including on the West Coast. These branches carry out community conservation projects on land owned by Forest & Bird as well as publicly owned land including Public Conservation Land (PCL).
2. Forest & Bird has for many years been an advocate for greater protection on PCL. Forest & Bird volunteer members work alongside the Department of Conservation (DOC) providing many hours of practical on the ground pest plant and animal control on PCL.
3. Forest & Bird has supported Nature Heritage Fund (NHF) applications to purchase private land for conservation protection.
4. The Society has engaged in a great deal of policy development work relating to PCL. It engages in consultation on Conservation Management Strategies, National Park Management Plans, Regional Pest Management Plans. Section 6D(d) of the Conservation Act allows Forest & Bird to recommend an appointment to the New Zealand Conservation Authority. Forest & Bird has advocated for a review of stewardship land for over a decade (**see Attachments 1 & 2**).

Forest & Bird Submissions

Stewardship Land and Forest & Bird

5. Stewardship land makes up around one third of all PCL, it contains some the most spectacular landscapes in of Aotearoa NZ and is home to many of the four thousand or so threatened species in Aotearoa. Stewardship land has suffered a lower level of legal protection since 1987 despite its status only ever intended to be temporary.
6. It has meant that one third of PCL has been perceived as 'low value' and therefore being more easily available for development and extractive industries.
7. Forest & Bird is acutely aware of what this has meant for nature. The Society has needed at times to fight hard to protect these special places, at significant financial cost to an organisation wholly dependent on public donations.
8. Forest & Bird opposed the destruction of high value stewardship land on proposals such as open cast mining on the Denniston and Stockton Plateaux, the Mōhikinui hydro proposal and a proposal to develop a hydro scheme on the Waitaha river. These are all places which, despite being stewardship land, are habitat for many threatened plants and animals, some critically endangered and endemic to the place and many contributing to nationally important outstanding landscapes.
9. Forest & Bird argued in the Supreme Court against an intention to downgrade land within the Ruahine Forest Park to stewardship land that would have allowed it to be disposed of and inundated for an intended dam.

10. Forest & Bird welcomed the announcement by the Minister of Conservation to begin a review of stewardship land.

Consultation process inadequate

11. Forest & Bird has grave concerns about the way in which the review and associated consultation has been carried out. In particular, the consultation does not meet the minimum statutory standards. These were set out by the Court of Appeal decision in *Wellington International Airport Ltd v Air New Zealand*. A critical element is that DOC must provide enough information to submitters to be adequately informed so as to be able to make intelligent and useful responses. DOC must also keep an open mind and be ready to change and even start afresh, although it is entitled to have a work plan already in mind.
12. The information provided by DOC to date has fallen far short of what is required. These failings include the failure to provide: the criteria that the recommendations were based on; the primary purpose of local purpose and historic reserves; and the reference to aspirations for the use of the land without explaining what those aspirations are.

No criteria for recommendations provided despite requests

13. In terms of the criteria, stewardship land can be reclassified into a number of different land status, including ecological area, conservation park and various reserves statuses.
14. The terms of reference state that DOC will provide the panel with statutory and regulatory criteria:
 - b. The panels will consider a set of statutory and regulatory criteria provided by the Department of Conservation to make assessments and recommendations detailing what is the appropriate revised land classification and the reasons for that revised classification.
15. We have sought but not been provided with the criteria. DOC did provide a document titled "Categorisation of Protected Areas". However, this is not a set of "and regulatory criteria". In any event, the recommendations do not refer to this document.
16. The effect of this is that we have been given no indication of the basis for recommendations. The recommendations set out the values of the area and some statutory consideration and then make a recommendation. The recommendations generally do not explain why one form of land status was preferred over another. For example, why was the Denniston Plateau, with its very high conservation values, recommended for a conservation park and not scientific reserve, national park or ecological area? We are given no insight into this critical matter.
17. Another example is recommendation to retain North Bank Arahura Road (HOK 11) as stewardship land. This is on the basis that there has been discussion with Mana Whenua over the use of the land and stewardship land would enable such discussions to continue. We need to see and understand the criteria before we can make informed comment on this recommendation.

Purpose of reserves not provided

18. There are a number of recommendations for reserves, including historic and local purpose reserves. Unfortunately, we have not been provided with the statutory purpose.

19. Under s 18(1) of the Reserves Act 1977, the purpose of historic reserves is protecting and preserving in perpetuity such places, objects, and natural features, and such things thereon or therein contained as are of historic, archaeological, cultural, educational, and other special interest.
20. Under s 18(2)(c) of the Reserves Act the primary purpose of the historic reserves takes precedence of the protection of its conservation values. The public can also be excluded from the historic reserve for the “wellbeing of the reserve”.
21. The same provisions apply, with modification, to local purpose reserves.
22. The scope of the primary purpose is therefore critical to assessing the appropriateness of the proposed historic reserve status.
23. Without knowing what the scope of the primary purpose of the reserve is, we are not able to provide informed comment on the appropriateness of the reserve.

Undisclosed aspirations

24. A number of recommendations include reference to requiring further assessment. For example, the recommendation for Hok 18 includes the following:

These conservation areas are adjacent to Ngāi Tahu Forestry, an indication of Ngāi Tahu presence, interest and use of the land in this area. Further assessment of the values and opportunities of these conservation areas for Ngāi Tahu is required, as provided for by section 4 Conservation Act and Te Tiriti principles of informed decision making and active protection. Ngāi Tahu may have future aspirations for this land (such as forestry) and so those aspirations must be recognised, considered and provided for, when determining a suitable classification for this land.
25. Forest & Bird does not consider that this is a correct statement of the law. The obligation under section 4 of the Conservation Act is to give effect to the principles of the Treaty of Waitangi. Ngāi Tahu’s future aspirations for this land, including forestry have to be recognised and considered. We think the reference that these aspirations have to be provided for goes too far. The requirement to provide for something is a strong direction. A requirement to provide for Ngāi Tahu’s forestry aspirations could mean that areas with conservation value were either disposed of or forestry allowed to occur in areas with high conservation value. This outcome may be contrary to the Conservation Act.
26. The reference to future aspirations reinforces the problems with the consultation. We are being asked to comment on an appropriate land classification, when there are acknowledged but undefined interests that are sought to be catered for in ways which are entirely opaque.

Conclusion regarding flawed process

27. The problems with the consultation are fundamental. We seek that the process is halted while the requisite information is provided, including the criteria for decision making and reasoning for the recommendations based on the criteria. We also need the primary purposes for all reserves. If future aspirations for land have influenced the decision, we also need further information on what those aspirations are.

28. Once this information has been provided the next steps in the consultation can be determined.
29. We have attempted to provide some comment on the recommendations below. However, the balance of our submission is without prejudice to the position that the process is flawed and should start again.

Land retained as Stewardship Land

30. A number of recommendations are to retain the existing stewardship land classification for a number of parcels of land. Some of these are made by both the National Panel and Mana Whenua Panel, including HOK 11 and MAW 12, in relation to Blackwater and Callaghans Creek. Some of these are made just by the Mana Whenua Panel, for KAW 17, for example, Mt Rochfort and MAW 31 Nelson Creek (riverbed).
31. The basis for these recommendations is not clear, but the purpose of the recommendation for HOK 11 seems to be giving effect to the principles of the Treaty of Waitangi, as required by section 4 of the Conservation Act 1987. The suggestion seems to be that giving effect to the principles of the Treaty of Waitangi, requires that land for which mana whenua have aspirations, needs to be retained as stewardship land to ensure that those aspirations can be realised. It appears that there is a view that, if the land is reclassified into a different form of conservation land, these aspirations will not be able to be realised, and this will be contrary to s 4 of the Conservation Act.
32. As noted above, Forest & Bird considers that this goes beyond the obligation to give effect to the Treaty of Waitangi. An area with high conservation values should be reclassified to reflect that value.
33. The recommendation for MAW 12 is that the stewardship classification is retained for part of the area while further work is done to determine if there are mining or pastoral uses for the land in question. There is no basis for recommending that stewardship land is not reclassified, while further investigations are made into other possible uses of the land. Possible future mining and pastoral uses are not relevant to the current land classification process.

Conflict of Interest

34. There are significant conflicts of interest in the Mana Whenua Panel. The chair of the Mana Whenua Panel is Francois Tumahai, who is also chair of Te Rūnanga o Ngāti Waewae.
35. Mr Tumahai is a director of Bathurst Resources, a company with coal mining interests, including on the Buller Coal Plateaux. In addition, Ngāti Waewae purchased the coal mining licence for the Sullivan Mine on Denniston Plateau.¹
36. The stewardship land being considered for reclassification includes the Sullivan Mine and areas Bathurst Resources have interests in.

¹ <https://www.stuff.co.nz/business/101257641/land-information-minister-rejects-sale-of-buller-mine>

37. In addition, Westpower Ltd records that it has partnered with Poutini Ngāi Tahu for the Waitaha Hydro Scheme.² The scheme is also on stewardship land that is being considered as part of the review.
38. The Mana Whenua Panel recommendation differs from the National Panel with respect to both the Denniston Plateau and Waitaha Forest.

Few Additions to National Parks

39. Forest & Bird acknowledges mana whenua opposition to additions to National Parks. The National Parks Act affords greater protection of high natural values. National Parks have always been supported by Forest & Bird for that reason, now more than ever given the biodiversity and climate crisis we are facing.
40. Ngāi Tahu consider this degree of protection has contributed to their alienation from their ancestral lands and maintain raupatu of those lands in some situations.³ The current government has signalled some form of conservation law reform at some point. As noted in the mana whenua opposition to the National Panel recommendations for additions to National Parks, the Government has yet to work through the implications of the Ngāi Ki Tāmaki Supreme Court decision and s4 of the Conservation Act.
41. The Department of Conservation website states that the partial reviews of the General Policies for Conservation and National Parks will ensure that the department is well placed to give effect to Te Tiriti, and help meet its responsibilities as a Treaty partner. It is unclear how advanced this work is-the timeline set out indicates there will be public consultation in the final quarter of 2022.
42. Regardless of whether the review process is operating to the intended timetable it is not going to be completed at a time that could potentially allay the concerns of Ngāi Tahu about this process. It is the case that as a result there are few additions to National Parks (despite as Forest & Bird submits) there being parcels that should be added because of the high conservation and landscape values. Further, there has been an effort to 'shoehorn' a better outcome for Iwi by using classifications under the Reserves Act, instead of recommending additions to National Parks, that are simply not fit for that purpose (or perhaps could be but as it stands are poorly defined) and therefore cannot be supported, such as Historic and Local Purpose Reserves.

Taranga e Toru Historic Reserve

43. As noted above, Forest & Bird considers the consultation process has been inadequate, with inadequate information provided in many instances. This is a particular issue for the Taranga e Toru Historic Reserve. Section 18 of the Reserves Act 1977 provides:

18 Historic reserves

It is hereby declared that the appropriate provisions of this Act shall have effect, in relation to reserves classified as historic reserves, for the purpose of protecting and preserving in perpetuity such places, objects, and natural features, and such things thereon or therein contained as are of historic, archaeological, cultural, educational, and other special interest.

² <https://westpower.co.nz/news/article/update-waitaha-hydro-scheme-reconsideration-concession-process>

44. This provides that that the historic reserves are to protect places, objects, natural features or something thereon or therein. Unfortunately, the recommendation does not identify what this is with respect to the Taranga e Toru Historic Reserve.
45. The proper identification of the primary purpose of the historic reserve is a prerequisite for proper consultation. This is because the primary purpose of the reserve takes priority over the protection of scenic, archaeological, geological, biological, or other scientific features, and indigenous flora or fauna on the reserve.
46. It is difficult to understand how the National Panel could have made the recommendations that it did without knowing what the primary purpose was. The National Panel concluded that indigenous flora and fauna and existing recreation would be preserved. This conclusion cannot properly be drawn without knowing the primary purpose. The report itself recognises that recreation may need to be restricted to protect the historic sites. Forest & Bird cannot properly comment without knowing the primary purpose. That is, the place, object, and natural feature or other thing that is to be preserved and protected. We simply do not know what we are commenting on.
47. Forest & Bird also has reservations about the use of a historic reserve in this circumstance. It appears to be a square peg in a round hole situation. Unfortunately, neither the Reserves Act 1977 or the Conservation Act 1987 expressly provide for a reserve to protect the things that are sought to be protected in this instance. The use of a historic reserve appears to be an attempt to apply the historic reserve classification beyond its intended purpose.
48. This submission is similar to the Mana Whenua Panel's recommendation on KAW 02 Mokihinui River, Burkes Creek, where the Mana Whenua Panel recommendation included the observation that "Māori cultural values are not accommodated by the current classification options". We agree with this observation. However, we disagree the solution is to use a land classification that is unsuitable, such as a Taranga e Toru Historic Reserve, to accommodate cultural values, when such a land classification cannot properly accommodate such values.
49. Due to the absence of the identification of the primary purpose, at the current time, Forest & Bird opposes the Taranga e Toru Historic Reserve. This position is not final and is subject to review if we are provided with the adequate information about the primary purpose.

Local Purpose Reserves

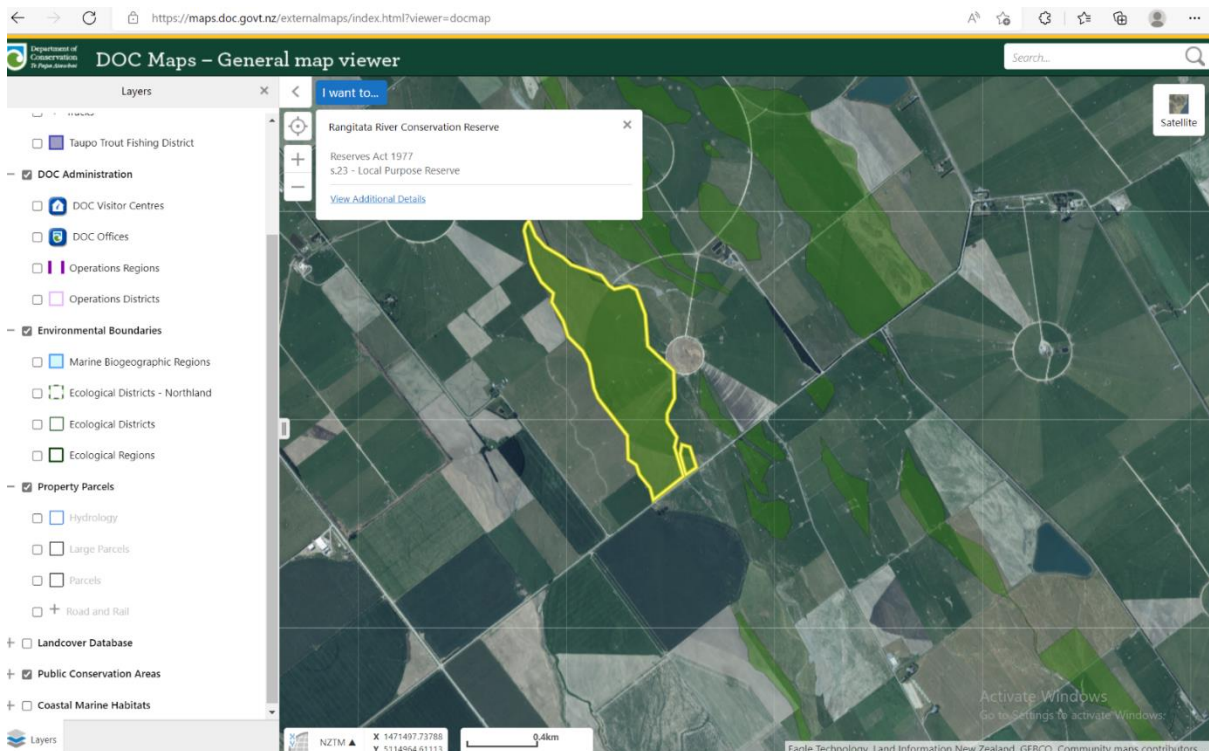
50. Forest & Bird **opposes** the numerous recommendations for Local Purpose Reserves. Forest & Bird does not oppose use of local purpose reserves per se. The concern is around the failure to provide any details about the primary purpose of the local purpose reserve so submitters can be assured that the local purpose reserve will protect the land's ecological values.
51. This is critical information because the protections generally provided to reserves do not apply to the primary purpose. That is, the ecological and other values of a local purpose reserve can be damaged or removed if this is necessary to achieve the local purpose.
52. Absent this critical information, Forest & Bird cannot support the creation of Local Purpose Reserves. **Forest & Bird would review this position** if it were advised of the proposed local purpose of each of the proposed Local Purpose reserves. It is understood that the development of a management plan would occur post-gazettal, but this should be to refine the objectives of management that are determined by the Purpose.

53. Forest & Bird notes that the Reserves Act 1977, s 16(8) provides that once classified, each reserve must be held and administered for the purpose or purposes for which it is classified “and for no other purpose”. Reserves Act, s23(2) requires that the biological or natural features are managed and protected to the extent compatible with its principal or primary purpose.
54. Section 23(2) also requires that local purpose reserves are administered and maintained to the extent compatible with the principal or primary purpose of the reserve, its value as a soil, water and forest conservation areas must be maintained.
55. Reserves Act, s40(1) provides that an administering body of a reserve is charged with the duty of administering, managing and controlling the reserve “in accordance with the appropriate provisions of this Act and in terms of its appointment and the means at its disposal, so as to ensure the use, enjoyment, development, maintenance, protection, and preservation, as the case may require, of the reserve for the purpose of which it is classified. Section 40(1) reinforces the s23(2) requirements.
56. Forest & Bird considers that these sections will ensure the local purpose reserve is managed for the primary or principal purpose for which it is designated but consider it is imperative that a local purpose reserve’s primary or principal purpose is identified now.

Local Purpose (River Conservation) Reserves

57. Forest & Bird **opposes the** reclassification of land parcels that include riverbeds or river margins held as stewardship land to Local Purpose (River Conservation) Reserves unless the purpose can clearly set out how the freshwater values will be protected. It is entirely unclear if such a reserve would properly protect the natural values. Further information needs to be provided for Forest & Bird to have any confidence in the appropriateness of the recommendations.
58. It is recommended that further work is carried out to properly assess how the values can be properly protected and given a classification that is more appropriate-in some instances this will be an Ecological Area, Wildlife Management Area or Scenic Reserve. The creation of local purpose reserves risk maintaining the status quo-land often grazed and not managed at an ecosystem or catchment level. There has been no attempt to think about these riverbeds at that scale. If that were to occur there could be a real opportunity to build resilience into these systems for enhanced species habitat and climate mitigation.
59. In Forest & Bird’s experience government agencies have done, and continue to do, a very poor job managing riverbeds and their margins. This process creates an opportunity for more responsible management in the review area.
60. DOC holds many local purpose reserves for the purpose of soil conservation and river control (see **Attachment 3**). While this purpose on face value seems legitimate, in practice it is uncertain.
61. Experience in the lower Rangitata catchment in Canterbury clearly demonstrates that reclassifying land parcels as Local Purpose (River Conservation) Reserves provides no confidence that freshwater values or river margins and corridors will be protected from inappropriate use and development.
62. Numerous Local Purpose (River Conservation) Reserves in the Rangitata River held for the purpose of soil conservation and river control are intensively farmed, some are occupied by

pivot irrigators, and one has been built upon by what appears to be a private dwelling and implement sheds.



Lower Rangitata River Local Purpose (River Conservation) Reserves – Source DOC Maps

Disposal

63. Pasture is not defined but what has been described as ‘pasture’ is likely to retain indigenous spp., juncus, carex etc. There will have been little in the way of cultivation, often close to native forest (and therefore seed source) meaning without grazing these areas will overtime readily revert to forest.
64. Forest & Bird opposes disposals where there is poor ecological representation in the existing protected areas. Additionally, all lowland river terraces should be kept as public conservation land (PCL) because so little remains – most of these areas have been highly modified for grazing. Despite these lowland river terraces being grazed, retaining them as PCL still presents an opportunity for future restoration/regeneration. Grazing is effectively pausing the natural succession that occurs in West Coast native forests disturbance – seral to native forest over time. Disposal will remove the opportunity for regeneration and restoration and in some instances, where there is little representation within an ecological district, future opportunities for seed sources and public education. Disposal may also forgo the ability for carbon sequestration and climate mitigation. Forest & Bird considers this has only been considered in a very cursory manner, see submission point “Climate Change Considerations”.
65. There will be little or no added management burden to retain these lands. Disposal could present an added cost in some situations where the recommendation to dispose refers to part of a land parcel causing subdivision costs to be incurred. The only possible advantage in the recommendation for land disposal is to the landowner who currently has a grazing

license (or those who are farming regardless of whether they have a grazing license or not. A number of Technical Reports refer to areas being grazed or farmed generally without any recorded concession **and** recommended for disposal. One example (and there are others) is TWP_19_McCulloughs Creek #2909671. It is noted that this area contains developed pasture and farm tracks and... *appears to be used by the adjoining farm without a concession*. This particular area is adjacent to the Whataroa River with potential for it to be additional habitat for long tailed bat.

66. It would be entirely unacceptable in such a situation that illegal use of PCL could potentially be rewarded. Where non-compliance or illegal use of PCL has been observed during this review follow up should occur and remedies taken.
67. It is submitted that the Panels have considered the Climate Change Commission Report in a very cursory manner regarding disposals and the absence of any clarity as to how the proposed river conservation local purpose reserves will protect natural values for example.

Climate Change Considerations

68. The panel was tasked with giving consideration to the objective of the Climate Change Commission Report and the recommended policy direction.
69. There are two issues with the approach taken by the Panels and the results of that approach. Firstly, the Panel has not fully considered the Climate Change Commission's recommendations with the granularity that these recommendations require. Secondly, since the Panel started its work Government policy has evolved to give effect to these recommendations and consideration needs to be given to approved statutory Government policy under the Climate Change Response Act, this policy being the Emissions Reduction Plan 2022 and the National Adaptation Plan 2022, both of which contain the policy priority for nature-based solutions when making decisions relating to regulation and planning (such as this process).

Relevant Climate Change Commission advice

70. The Commission made the following recommendations in its advice on New Zealand's pathway to reducing emissions in June 2021 that are directly relevant to the disposal of land:
71. Establishing a long-term carbon sink through a comprehensive national programme to incentivise the reversion and planting of new native forests to maintain net zero long-lived greenhouse gas emissions beyond 2050.
72. Managing pests in an integrated way, to ensure forests are successfully established and all forests are maintained long term; and

Taking steps to:

- Protect and increase the carbon stocks of pre-1990 forests through activities such as pest and fire control, and enrichment planting.
- Encourage carbon removals by new and additional small blocks of trees and vegetation.

- Preventing further loss of carbon from organic soils, particularly due to the degradation of drained peatlands and the destruction of wetlands.

73. In considering the relationship of the Commission's advice to land disposal particularly, but also more broadly, it is not sufficient for the Panel to conclude that a future owner or manager of the land would not be precluded from carrying out enrichment planting, pest control, adding small blocks of trees and vegetation or choosing to restore or retain wetlands. The Panel should have considered to what extent these were likely outcomes for the future use of the land.

Emissions Reduction Plan 2022 and Adaptation Plan 2022

74. The key clause in the Emissions Reduction Plan 2022 that gives effect to the Climate Change Commission's advice in relation to biodiversity and climate change is Action 4.1: Prioritise nature-based solutions. In this clause the Government commits to:

- prioritising the use of nature-based solutions within our planning and regulatory systems, where possible, for both carbon removals and climate change adaptation
- investigating how to best ensure that a biodiversity lens is applied to climate change policy development and planning in order to prioritise nature-based solutions.

75. This policy development has occurred in parallel with stewardship land review and needs to be taken into account as it provides the Government's approach to giving effect to the advice of the Commission. The Adaptation Plan 2022 reconfirmed this approach.

Applying the Climate Change Commission's advice and consequential Government policy to the Stewardship Land Review.

76. When considering the future status of land, including whether such land is suitable for disposal, the following factors should be taken into account as they translate the recommendations of the Climate Change Commission and consequential Government policy to the actual situation and condition of the land under consideration:

- a) whether the land could be incorporated into a comprehensive national programme to revert land to native forests. A relevant consideration could be whether such land has adjacent seed sources (such as adjacent forest or wetland) that would reduce the costs of re-establishing native forest via natural processes.
- b) whether there are risks to integrated management of browsing pests through the disposal of land such as creating a reservoir of pests for reinvasion
- c) the presence of wetlands and wet pasture (irrespective of the current condition) that would be at risk of drainage or development following disposal. A relevant consideration may be whether the rules in any district or regional plan are robust enough to prevent the loss or further degradation of the wetland
- d) whether small parcels of land for disposal could be used for small-block carbon removals

- e) whether there are any other opportunities for CO2 removals not otherwise identified above
- f) whether the land is river-adjacent and therefore valuable as a natural buffer against flooding, erosion, and sedimentation of other land, including farmland and otherwise developed land downstream
- g) whether the land contains wetlands or contains a natural retention basin that can buffer flood flows and prevent damage to downstream farmland and otherwise developed land downstream
- h) whether the land contains vegetation that can protect downstream land from erosion, sedimentation, and flood flows.
- i) whether any coastal land could act as a natural buffer to storm surges and sea-level rise
- j) whether the land is adjacent to the coast or any water body such that it is vulnerable to flooding, erosion, or sedimentation and therefore at significant risk from extreme weather events and therefore the development of which risks imposing costs on society through maladaptation to climate change

77. In assessing land against these factors, it is not sufficient to simply consider whether disposal would preclude a new owner or manager from managing for these values. The minister should consider whether society can have confidence that the land will be managed for those values. For example, if the land contains a riparian wetland and is grazed or potentially able to be grazed then disposal is unlikely to result in protection and restoration of the wetland.

78. It is also not sufficient to dismiss land of presently low conservation value as the potential of that land to contain restored wetlands and forest or other natural features of benefit to New Zealand's climate change response should also be considered.

Conservation Parks

79. Multiple Conservation Parks have been recommended. Forest & Bird has two concerns regarding these recommendations. Firstly, it is submitted some have been created for areas of land that require a greater degree of protection the Waitaha catchment and the Denniston Plateau for example.

80. Secondly, many are in close proximity of one another and it appears to be an inefficient way of managing land for conservation. There has been no information provided for Forest & Bird to understand why it is the case. Bringing together these Parks into one larger area, where the values are similar provides greater opportunity for large landscape scale management and potentially work with private land owners nearby with an interest in restoration.

81. Thirdly, the absence of any information about possible economic activities that may occur as signalled in some instances-see submission on consultation process-to provide confidence as to the appropriateness of the classification.

Submissions on Individual land parcels

82. Considering there are 504 parcels for review, some may have inevitably been missed. we reserve the right to make further recommendations or amend our recommendations during the hearing as further information is gathered.

Karamea Place

As discussed earlier in this submission all recommendations for Local Purpose Reserves are **opposed**.

All recommendations for disposal within the Karamea Place are **opposed** for reasons discussed earlier in this submission-see '**Disposals**'.

KAR 01 2807687 Mossy Burn

Support National Panel Recommendation - It is sensible to add the parcel the National Park. The assessment is that the Technical Report conservation values are similar to the adjoining park and provides for landscape continuity.

KAR 03 2807684 Ōpārara

Support National Panel Recommendation - The additions are sensible. It has high natural values requiring proper protection. Potentially habitat for species found nearby including the long-tailed bat and uncommon species (for the ED) such as *Dodonea* sp. It is likely that the values are similar to those found in that area of the adjoining National Park.

KAR 02 04 06 07 2807683 Ōpārara Lagoon 2807694 Ōpārara riverbed 2807694 Kongahu (Pasture & Foreshore) 2807708 Otamahana Estuary 2807691 2807698 Karamea Estuary 2807692 Karamea riverbed

Support the recommendation for these parcels becoming Wildlife Management Areas. The high freshwater values and recreation use makes this an appropriate classification.

KAR 09 11 2807688 /280769 Elfin Bluff Kongahu

Oppose the National Panel recommendation for Scenic Reserve for both these areas.

Recommend addition to the National Park. Both parcels have an ecological connection to the Kahurangi National Park-Elfin Bluff adjoins the Park. The parcels are part of a threatened environment in the Ecological District, provides habitat for a number of threatened spp., provides an opportunity to enhance the landscape and ecological connection to the Karamea river and the Otumahana Lagoon. The species composition is the same as those of the Park.

KAR 13 2807697 Arapito Kar 14 2807724 Kongahu Swamp Rd Kar 16 Kar 17 2807700 2807723 Little Wanganui River 2807711 Scobie Clearing

Support additions to the National Park - The technical reports indicate that the values are the same as those in the adjoining areas within the NP. It will provide for better management including enhancing habitat for threatened species and provide for landscape continuity. The existing boundaries between the NP and the stewardship land are simply arbitrary.

KAR 18 2807733 Little Wanganui River

Oppose - Please see the Forest & Bird general submission point regarding Local Purpose Reserve recommendations.

The technical report indicates the area has a high level of naturalness with a variety of habitats. It is likely to have a number of At Risk-Threatened flora and fauna. It provides habitat for a number of important freshwater fish spp. Given the ecological importance of the area there is simply not enough information provided as to what is the purpose of the proposed Local Purpose Reserve and the extent to which the natural values can be maintained.

This is acknowledged in the Mana Whenua recommendation where it considers the Purpose will need to be clarified at a later date through discussions with the department.

KAR 18 2807735/ 2807737 O'Connor Creek Boulder Creek

Support the recommendation to add these parcels to the Glasseye Ecological Area for the values described in the technical assessment. These parcels are mostly contiguous and has an important function as habitat for nationally important species such as the long-tailed bat and roroa. It is mostly forested, and parts have been unlogged.

KAR 19 2807732 Blue Duck Creek

Support National Panel Recommendation - The area is mostly bounded by the National Park and aids in providing an intact ecological sequence from the mountains to the sea. The current delineation is arbitrary.

KAR 19 2807732 Tidal Creek

Support National Panel Recommendation - The area contains a number of rare and distinct species that need to be properly managed. The values are similar to the adjoining section of the National Park.

Kawatiri Place

As discussed earlier in this submission all recommendations for Local Purpose Reserves are **opposed**.

All recommendations for disposal within the Kawatiri Place are **opposed** for reasons discussed earlier in this submission-see '**Disposals**'.

KAW 02 2807738 Mohikinui

Support - the values as assessed in the technical report indicates this is an appropriate classification.

KAW 02 2807751 Burkes Creek

Oppose - the recommendation by the Panels to retain this land in stewardship land is because it is considered that the Māori cultural options are not being accommodated by the existing framework.

Forest & Bird's conclusion, when it has considered the recommendation for various Ngāi Tahu local purpose reserves and the Tarahanga e Toru reserve, is for precisely that reason-see its submission earlier regarding what appears to be attempting to 'shoehorn' Ngāi Tahu values into a framework that doesn't necessarily accommodate their values.

The Panels appear to be recommending an amendment to the relevant Acts which would be beyond the scope of the Panel's Terms of Reference.

KAW 08/09/11 2807744 2807745 2807757 2807807 2807860 2807781

The recommendation to create the Waimangaroa Conservation Park is **opposed**.

It is submitted that the Panel has not properly considered the nationally important ecological values that exist in these places, including the nationally critical *Powelliphanta Augustus* and numerous other threatened species-and as described in the technical assessments. A Conservation Park will provide a low level of protection for them.

These parcels should be added to the Ngakawau Ecological Area and be managed in a more coherent and ecologically robust manner than would occur in a Conservation Park.

KAW 10 2807805 Waimangaroa Granity

Oppose - The technical reports describe this Conservation Area as a part of the Buller Coal Plateau Biodiversity Priority Site. The report emphasises the high value Deep Stream/Waimangaroa Ecosystem Management Unit and its location adjacent to the species management unit for the nationally critical *Powelliphanta augusta*.

The report describes the conservation area as “*overwhelmingly natural and largely intact*” containing the last fragment of habitat for this highly endangered species, as well as containing suitable habitat for a range of native fauna, including native geckos and the threatened long-tailed bat.

The area is identified as important for connectivity between the coastal and lowland forest, and the inland mountain forests of the Ngakawau Ecological Area. The Deep Stream part of this parcel is particularly important from an ecological perspective, because it contains largely unmodified coal measures and associated ecosystems, like those found on the Mount Rochfort Conservation Area.

Despite the recognition of the conservation area’s high ecological values, the recommendation of the National Panel is for a Waimangaroa Conservation Park and the Mana Whenua Panel recommends that this area be held as stewardship land. Neither of these recommendations are supported by Forest & Bird because they do not provide appropriate protection commensurate with ecological significance, particularly for the increasingly rare coal measures and the last fragment of habitat for highly endangered species.

Forest & Bird submits that Deep Stream part of this conservation area containing the largely unmodified coal measure ecosystem, **be included in the proposed Mt Rochfort Scientific Reserve**.

Forest & Bird submits that the remainder of the parcel be included in the neighbouring **Denniston Scenic Reserve**. These classifications would provide more appropriate protection of the natural values of this place.

KAW 17 2807866 Old Denniston School 28082325 Mt Rochfort

Oppose - National Panel and Mana Whenua Panel Recommendations Recommend that the are Old Denniston School be added to the **existing Denniston Historic Reserve**.

Recommend that the area Mt Rochfort is classified as a **Scientific Reserve**.

The Denniston plateau is the least modified of only two elevated Brunner coal measure ecosystems, supporting a unique association of native vegetation different from anywhere in New Zealand. The Plateau contains a complex mosaic of interrelated habitats, a high degree of continuity and integrity, and a lack of exotic flora and fauna. As such it contains the “ecological associations, plant or animal communities, types of soil, geomorphological phenomena, and like matters of special interest” necessary for a scientific reserve.

The Conservation Value Report (CVR) acknowledges that the plateau supports two Naturally Uncommon Ecosystems, and three Threatened Ecosystems including Endangered sandstone erosion pavements. The Denniston plateau is acknowledged as having what may be the best and most extensive examples of sandstone erosion pavements and associated values. Because it is the least modified in terms of roads and weeds, Denniston has the largest contiguous areas of intact representative Buller Coal Measure ecosystems. It is a national stronghold for coal measure pakihī, which is dominated by the endangered tussock *Chionochloa juncea*.

About half the plateau is a nationally significant wetland, ranked by WONI as the number one wetland in the North West Nelson Biogeographic region. The plateau includes the Threatened Ecosystems of Endangered seepages and flushes and Critically Endangered ephemeral wetlands, which provide habitat for species such as *Euphrasia wettsteiniana*, *Sticherus tener*, and *Pallavicinia rubristipa*.

In part because exotic predator levels are naturally low (as the CVR states, this is a 'natural refuge'), the Denniston Plateau is nationally significant for terrestrial fauna. In addition to supporting strong populations of numerous bird species such as rorora/great spotted kiwi and fernbird, the plateau is a national stronghold for lizards. The CVR points out that lizards are frequently found, in contrast to the rest of the West Coast. It is worth repeating the CVR's other lizard findings: the unique assemblage of three threatened or at-risk species includes two with distinct morphological features not found anywhere else; the plateau has the largest known population of West Coast green gecko; and the high density of the forest gecko is not found anywhere else in New Zealand.

The CVR mentions nothing about invertebrate species apart from pointing out that the plateau is the only home of the Denniston subspecies of the threatened land snail *Powelliphanta patrickensis*. It is true that there is still a knowledge gap on terrestrial invertebrates, despite Forest & Bird organising a well-attended bio-blitz event on the plateau in 2012. This resulted in at least one new species discovery, *Arctesthes avatar*, with potential for many more. One of the primary biodiversity values of the invertebrate communities on the Plateau is the particular assemblage of species present, particularly large-bodied invertebrates. Wildlife photographer Rod Morris summed this up in his evidence before the Environment Court (**Attachment 4**) by describing the plateau's unique value as "slow growing 'dwarf' trees with oversized 'giant' invertebrates".

As a 'priority site for biodiversity' under the West Coast Conservation Management Strategy (2010-2020), the Department's objective for the Denniston Plateau was that by 2020 "Natural heritage values are maintained and, where practicable, protected and enhanced." This is unlikely to have been achieved, because during that time a section of the plateau has been permanently destroyed by the mothballed but partially-built Escarpment opencast coal mine.



The Escarpment Mine on the Denniston Plateau. Photo: Neil Silverwood

The Department permissions mining report for the Escarpment mine noted that the application was “inconsistent with regard to the Objectives of the Conservation Act, the Purposes for which the land is held, and relevant Management Plans (being the West Coast Tai Poutini Conservation Management Strategy).” The access arrangement was granted anyway.

It seems likely a recommendation of Conservation Park would not change this situation for future mining applications, since Conservation Parks are held for the same purpose as Stewardship Areas.

When granting resource consent for the Escarpment mine, the resource consent commissioners noted that “from the evidence presented to us, it is abundantly clear that large scale mining is poised to invade the entire Denniston Plateau coal reserves which if unchecked, will totally destroy the ecosystems which are present.” This threat, while delayed, has not dissipated.

The Mount Rochfort Conservation Area should be reclassified into a scientific reserve because it contains rare and important ecosystems which are found nowhere else in New Zealand, regionally important geological features which are integral to the functioning of the natural landscape and ecosystem, and significant ecological values.

KAW 26 2808247 Ballarat (northern, central and southern units)
Oppose National Panel recommendation - Recommend it is considered to be an **Ecological Area** and managed for the nationally important values.

The values identified in the technical report means that the classification of Conservation Park will not properly protect this nationally important site. The area includes a large wetland with high freshwater species diversity. These include bittern (the technical assessment notes that any remnant wetland habitat is ecologically important for this species). It has a number of nationally important freshwater species including kōrua, long fin eel and brown mudfish. It is also habitat for three whitebait species.

Along with bittern the area is also a stronghold for fernbird, forest gecko and the long-tailed bat, along with important habitat for a number of plant species including the nationally critical rōhutu. It is a nationally uncommon ecosystem type with only 0.5% occurring.

KAW 37 2808287 2808297 Charleston- Cemetery Road

Support National Panel Recommendation - The creation of scenic reserve status for these two parcels makes sense. It is regenerating cut over forest and provides for a natural experience for this increasingly popular area-the Kawatiri Cycle Trail crosses over Cemetery Road.

Inangahua Place

As discussed earlier in this submission all recommendations for Local Purpose Reserves are opposed

All recommendations for disposal within the Inangahua Place are **opposed** for reasons discussed earlier in this submission-see '**Disposals**'.

INA 04 2807825 Inangahua Junction

Oppose the National Panel recommendation - F&B considers that despite the podocarp logging that has occurred in this forest and considering the remaining natural values and proximity of this parcel of land to Paparoa National Park, it is a worthy addition to the National Park.

INA 04 2807842 White Cliffs

Support National Panel recommendation - The addition to the National Park is sensible and consistent with the Purpose of the National Park. F&B agrees with the technical assessment, the area has high natural values of national importance, and the addition will ensure the contiguity of the extensive forested area and preserve the landscape values. It will ensure (the now limited) habitat for the critically endangered Powelliphanta.

INA 04 2807826 Lower Buller Gorge Road: National Panel

Support - F&B considers the addition to the National Park is sensible and consistent with the Purpose of a National Park. The area has high natural values of national importance including one of the few surviving habitats for Powelliphanta, rare forest species such as kākā and kākāriki and distinct geological features.

Paparoa Place

As discussed earlier in this submission all recommendations for Local Purpose Reserves are **opposed**.

The **Tarahanga e Toru Reserve recommendations are opposed** for reasons discussed earlier in this submission.

All recommendations for disposal within the Mawhera Place are **opposed** for reasons discussed earlier in this submission-see '**Disposals**'.

PAP 01 2808352 Marys Creek

Support the National Panel recommendation - Scenic Reserve status is appropriate.

PAP 02 2806955 Ananui Creek

Support the National Panel recommendation - F&B considers the addition of the two areas to be sensible and consistent with the Purpose of the National Park. The areas are highly natural (ecosystems mostly intact) and of a similar nature to values within the adjoining Park boundary.

PAP 02 2808295 Northern Paparoa Range

Support the National Panel recommendation - F&B considers the recommendation to add the parcels to the National Park is sensible and consistent with the Purpose of National Parks. The technical report states that the area includes a wide range of landforms and its mostly unmodified vegetation and its connection to adjoining land is critical to allow for the protection of the existing functioning ecosystems and processes. F&B agrees with that assessment.

PAP 02 2808369 Little Tōtara River:

Support the National Panel recommendation - F&B considers the addition to the National Park is sensible and consistent with its Purpose. It is agreed that the addition will increase the overall integrity of Paparoa NP.

PAP 02 2808289 Doctor Bay

Support - F&B agrees that a Scenic Reserve is an appropriate classification. It provides for an easily accessible and unique recreational experience as well as the ability to protect the critically endangered coastal turf ecosystem and significant flora and fauna.

PAP 05 2808365 Four Mile River

Support National Panel recommendation - Scenic Reserve status will appropriately protect the natural values and provide for appropriate management of the area for recreation (including the proposed Kawatiri cycle trail).

PAP 06 2808292 Basin Road

Support the National Panel recommendation - The values are consistent with the area of Park it adjoins.

PAP 06 2808366 Nile River

Support the National Panel recommendation - F&B considers the addition of the Nile River Conservation Area to the Paparoa NP is sensible and consistent with the purpose of a National Park. The technical assessment notes that it has rare and distinctive features including karst and caves, nationally important indigenous freshwater fish species as well as nationally endangered avifauna such as whio and roroa.

PAP 06 2808367 Charleston

Support the National Panel recommendation - F&B considers the addition to the National Park is sensible and consistent with its purpose. It is an area of high natural value and similar to the adjoining area of the National Park, its addition will serve to increase the integrity of those values.

PAP 07 2808370/2808372/2808373/2806939 Red Jacket -Four Mile River -White Horse Creek

Support - F&B supports the addition of the parcels of land into the National Park. Each contain natural values of national importance, including nationally important species such as roroa and kororā.

The areas are adjoined by public conservation land including the National Park. The proposed additions will provide for greater protection of a diverse range of land environments from the mountains to the sea. The current classifications cannot be ecologically justified: they are simply historic.

PAP 08 2808374 Woodpecker Bay

Support the National Panel Recommendation - The addition to the National Park is supported. The area adjoins the Park, has rare and distinctive geological features as well as nationally important plant and animal species, including the Westland Petrel. It will provide, when nearby QE11 covenanted land is taken into account, a connection to the Coast that will provide greater protection for the flight path and breeding habitat of the Taiko Westland Petrel.

PAP 09 2808375 Fox River

Support the National Panel Recommendation - The recommendation to add to the National Park seems sensible. It has high levels of naturalness, similar vegetation as the adjoining Park, rare geological feature and provides habitat for nationally important species such as the roroa.

PAP 10 2808377 Bullock Creek Farm

Support the National Panel Recommendation - The addition to the National Park is sensible and consistent with the purpose of a National Park. It is surrounded by National Park with species habitat that is indistinguishable from what is within the park.

PAP 11 280688 Punakaiki –Coast Road

Oppose - There is simply not enough information provided as to the purpose of this reserve. The northern part of Punakaiki Coast Road assessment area is composed of two primary parcels; the one adjacent to the shops and visitor infrastructure is the smaller and more modified.

The larger parcel is less modified, taller canopy height and most likely have a greater degree of species diversity. It has interesting limestone rock outcrops and an abundance of ferns, mosses, and liverworts.

The larger parcel at least seems the same as the values of the adjoining part of the National Park and those of the southern assessment area which is composed of two other parts of the Punakaiki Coast Road Conservation Area and has been recommended to be added to the National Park.

Forest & Bird considers the larger parcel is recommended to be included into the local purpose reserve **should be added to the National Park**. It would meet the criteria and it is difficult to understand why that had not been recommended.

PAP 14 2806891 Punakaiki - Coast Road (South)

Support the National Panel recommendation - The addition of these areas will be consistent with the Purpose of National Parks. There is a high number of vulnerable species that are nationally important. The greater protection of the habitat and on land flight path of the Westland Petrel is important. The Punakaiki is the only mainland breeding habitat for this species, this addition, and other conservation areas nearby will provide better connection to the coast with a full gradient from Alps to sea down to the marine reserve.

PAP 15 2806936 Hibernia Creek

Support - The recommendation is supported. It will provide added resilience for habitat in the nearby scenic reserve and the adjoining QE11 covenanted areas.

PAP 16 280693 Barrytown Flats

Oppose the recommendation for Scenic Reserve - The Barrytown Flats is an area with high landscape and natural values. It is the largest coastal wetland remaining in the area making it a site of national importance. Given how poorly lowland wetlands are represented, and the rare flora and fauna species present, the Barrytown Flats should be considered as an **Ecological Area**.

Making the Barrytown Flats an ecological area will provide a valuable benchmark for assessing changes to the coastline as a result of climate change and provide some protection against sea level rise for adjoining properties, as well as provide an important gene source to assist with any future wetland restoration nearby.

PAP 18 2806570 Barrytown-SH6 2806778 Paparoa Range South 2806783 Barrytown 2806784 Baker Creek 2809052 Seventeen Mile Bluff

Support the National Panel recommendation - The proposal to add this area and the other conservation areas associated with the Paparoa Range South is supported as the values present are consistent with the Purpose of the National Park. There are numerous fauna that are of national importance including kaka, kakariki and an impressive array of other forest birds. It is habitat for green gecko and distinct and rare wetland environments such as pākihi.

Mawhera Place

As discussed earlier in this submission all recommendations for Local Purpose Reserves are **opposed**.

The **Tarahanga e Toru Reserve recommendations are opposed** for reasons discussed earlier in this submission.

All recommendations for disposal within the Mawhera Place are **opposed** for reasons discussed earlier in this submission-see '**Disposals**'.

MAW 05 2806786 Paparoa Forest

Support – the addition to the Otututu Ecological Area. It will provide for landscape continuity, and it is noted in the technical assessment the values are indistinguishable from the Otututu. Forest & Bird opposes the disposal of the grazed land for reasons discussed earlier.

MAW 06 2806492 Waipuna Clarke River

Support this area becoming a Scenic Reserve (a). It has an important role providing connectivity and is a land type that has been substantially depleted within the area.

MAW 08 3289810 Ahaura Kopara Road, Ahaura-Grey

Support –the addition to the Granville Ecological Area. It has similar values and will aid in building resilience acting as a buffer to the farmland that surrounds these areas.

MAW 12 2806493/ 2806985 Callaghans Creek Blackwater Creek

Oppose- Retaining these parcels in Stewardship Land cannot be justified. Ngāi Tahu is able to discuss an easement arrangement with the Department (or explore alternative access on private land).

These parcels have high ecological values and should be appropriately classified so they are recognised and properly managed, such as Scenic Reserve or an Ecological Area.

Also, refer to Forest & Bird's earlier submission point regarding retaining land as Stewardship Land.

MAW 26 2806792 2806684 Blackball Creek and Terraces, Atarau

Support - the recommendation to add these parcels to the adjacent Roaring Meg Ecological Area.

MAW 31 2806802/2806804 Nelson Creek (Riverbed) Nelson Creek

Oppose Mana whenua recommendation to retain land in Stewardship Land.

As submitted earlier Forest & Bird cannot support Local Purpose (River Conservation) Reserves because it has no confidence that the important values will be properly protected. These include habitat for avifauna and a diverse range of vulnerable indigenous fish species.

It cannot support the recommendation to retain the area in Stewardship Land for the reasons also discussed earlier in this submission.

Hokitika Place

As discussed earlier in this submission all recommendations for Local Purpose (Reserves are **opposed**).

The **Tarahanga e Toru Reserve recommendations are opposed** for reasons discussed earlier in this submission.

All recommendations for disposal within the Hokitika Place are **opposed** for reasons discussed earlier in this submission-see '**Disposals**'.

HOK 01,04,05,06,07,10,12 includes nineteen separate land parcels recommended as four different Conservation Parks: Kohimara, Kapitea, Waimea, Ōkūkū,

The creation of the parks/park should provide greater protection for numerous nationally important indigenous plants and animals, enhance water quality where there is habitat for native fish species and ensure landscape continuity.

Forest & Bird seeks clarification as to the Ngāi Tahu 'future economic well-being and development aspirations' within HOK 4,6 that are referred to. Without some sense of what these aspirations are it is hard to assess the suitability of the classification. Information is needed on the potential impact on the natural values as a result of the aspirations and the extent to which the classification has been influenced by those aspirations.

The creation of the four parks within relative proximity to one another is curious. It could be that it made sense to technically assess them in such a way, but it doesn't logically follow that four separate parks are recommended. It could be that a better management approach would be to bring them together as one conservation park to ensure long-term protection and maintenance of biological diversity, including taking opportunities to increase biodiversity on adjoining private land to assist in connectivity.

HOK 02 2809264 Kumara Junction

Support - The recommendation is sensible and consistent with the Purpose of a Scenic Reserve (a). It will provide a valuable buffer to the adjacent reserve.

HOK 11 2806208 Arahura North Bank

Oppose - It is not appropriate that the current status of stewardship land is retained when there are values that exist that would justify reclassification.

Any further discussions regarding a papakāinga area may be sometime away, but regardless a proper consideration of the values and the effects on them as a result of any development may not occur if retained as Stewardship Land.

This is important as the technical assessment states that it is the largest area of remnant podocarp/broadleaf within the maritime zone of Arahura catchment in PCL. Furthermore, it is part of an important network of remnant forest of this type-the other forests are privately owned. A great deal of forest clearance of this type has occurred on private land in relatively recent time. It is also noted as having little in the way of anthropogenic impacts, other than a 4WD road throughout the centre.

It has some wetland and waterways providing habitat for a number of threatened freshwater fish species (brown mudfish, koura and tuna for example).

HOK 15 2809284 Bells Dam

Support - It is sensible to classify Bells Dam area as a Scenic Reserve and it is recommended that it is added to the existing Ōkūkū Reserve that surrounds it. It is a (now ephemeral wetland) as described in the technical assessment report that is a rare and threatened ecosystem.

HOK 17 2809286/2809289/2805688 Blue Spur Road

Oppose - It is submitted that the appropriate classification is an 'Ecological Area' as it contains nationally important ecological values that would not be properly protected as a Conservation Park. There are a wide range of habitats including the now rare old growth forest (for the ED lowland). This land type has been severely depleted due to modification (at least by 90%).

What remains is an important representative example and needs to be properly protected and any regeneration managed for that purpose. The creeks within the parcels are likely to contain a number of Nationally Vulnerable/At Risk Declining indigenous fish spp. and there are all five galaxias whitebait present making this an important habitat for whitebait diversity. There is little in the way of weed encroachment.

HOK 18 2805691 2806246 Kaniere Forest

Oppose - On the face of it the creation of the Kaniere Conservation Park by bundling a number of land parcels is a reasonable recommendation. Unfortunately, as is the case of a number of recommendations, F&B would require some clarification to be fully comfortable with the appropriateness of the proposed classification.

It is signalled that in the HOK18 assessment area Ngāi Tahu has (unspecified) 'future economic wellbeing and development aspirations'. It leads then to a sense of unease as to the extent to which the aspirations could have on the important natural values. A clearer understanding of the type of activities Ngāi Tahu envisages could allay Forest & Bird concerns.

HOK 21 2802590, 2805710, 2805711, 2805720 Includes eight parcels of land described either as riverbed or pasture in the Kokatahi catchment and in the Hokitika catchment.

Support – the National Panel recommendation to reclassify these parcels as Conservation Park though we are unclear why they would be two separate parks, Kokatahi Awa and Hokitika Awa respectively. We do not support the disposal of pasture as this would cause unnecessary fragmentation. As conservation park, and by managing them in an integrated, holistic way, these parcels can contribute to improving the quality of freshwater habitat and climate resilience.

HOK 33 2805698 Includes two parcels contiguous with parcels in HOK 21.

Support – the National Panel recommendation to reclassify these parcels as conservation park, but as above, we are unclear why this would be a third conservation park (Mahinapua- Hokitika) near the HOK 21 land parcels. HOK 21 and HOK 33 present an opportunity to manage these waters ways and their margins in a holistic, mountains to sea approach in conjunction with the large tracts of

native forest in their headwaters. This also presents an opportunity for ecological restoration of the river margins and of Groves Swamp, home to two uncommon plants, *Coprosma "filifolia"* and *Olearia virgata* var. *laxiflora*, possibly more, as well as a population of two threatened species of fish, *Galaxias argenteus* and *G. fasciatus*, and a threatened species of bird, Australasian Bittern, *Botaurus poiciloptilus*.³

HOK 23 2805718 Hans Bay - Lake Kaniere

Support - The classification is appropriate. It adjoins the larger Lake Kaniere Scenic Reserve and is used for recreation as part of the existing reserve. Given it is bounded by the Lake Kaniere SR (other than roadside) consideration should be given to it being an addition to it.

HOK 25 2806321 Ōtira River Conservation Area

Support the recommendation of the National Panel - The addition to the National Park is supported. It is an entirely sensible as the small parcel is surrounded by the National Park other than the road boundary. The delineation between this parcel and the values in the adjoining Park are historic and entirely arbitrary.

HOK 27 2805692 Pine Creek

Support - The recommendation of a Scenic Reserve is supported. It will provide added resilience to the adjoining Scenic Reserve, and importantly a buffer against the modification that is occurring on private land nearby (exotic forestry and a large-scale gold mine).

HOK 30 2805696 Mananui Bush

Oppose - recommend an **Ecological Area**. The technical assessment of this parcel considers it to be nationally rare as it is the only remaining coastal forest that extends to the dunes and linked to inland forest within the ED. Consideration should be given to this being an Ecological Area. It is habitat for At Risk-Declining skink spp. including an unnamed grass skink as well as green gecko. The area should be especially protected as a gene pool that could assist in the restoration of similar duneland, if the opportunity presented itself in the future, and will serve to show how the area would have once been, and therefore a valuable public education resource. This classification would not be inconsistent with the current recreational use

HOK 31 2805699 Seddon Terrace

Support - The rationalising of the boundary between this parcel and the adjoining Black Creek Swamp reserve is supported.

HOK 32 2805697 Frosty Creek

Support - The rationalising boundaries is supported. The parcels include an area of cut over now regenerating forest as well as a highly representative moraine terrace forest that is a remnant of the original forest in that land type. Frosty Creek is assessed as having high naturalness and the regenerating parcel provides for a useful buffer to ensure the good water quality that exists.

HOK 34 3267740 Bennet Creek 2805700 Camp Creek 285701 Woolhouse Creek.

Support - The addition of these parcels to the Upper Tōtara Wildlife Management Reserve is sensible. The high natural values present including a nationally significant wetland justifies the classification of a Wildlife Management Area

HOK 36 2805721 Camelback

³ Groves Swamp Accessed at <https://www.doc.govt.nz/globalassets/documents/science-and-technical/nzwetlands10.pdf>

Support - The addition to the Mt Camelback Scenic Reserve is supported. It will provide greater habitat range (and therefore added resilience) for a number of indigenous fauna species including lizards and some invertebrate. It is noted that there appears to be grazing present within this area and yet no permissions are recorded. DOC must address this matter during the gazettal process.

HOK 37 2805708/ 2805709 Lake Arthur

Support - The classification is sensible. It adjoins the Lake Arthur Scenic Reserve and will provide for the protection of important habitat.

HOK 38 2895705 Tōtara River and Donnelly Creek

Oppose - The River Conservation Purpose needs to identify the importance of managing the river for its ecological values and the gravel concession reconsidered. The area includes a nationally important braided river ecosystem vulnerable to a number of threats including gravel extraction. It is noted there is currently a concession for gravel extraction which appears to be wholly inappropriate given the importance of the river system. It is habitat for a number of at risk spp and near whitebait spawning habitat.

Any disposal of grazed land is **opposed**. It does not consider the added resilience of having these areas properly managed by having greater riparian buffering, nor the opportunity for regeneration to add to the forested areas in the future.

HOK 43 2805513 Mcleods Road

Oppose - This parcel should be added to the **Upper Tōtara Ecological Area**. The Technical Report notes that the area is 'almost unmatched in the degree of value it has for native (fluvial) freshwater biodiversity and offers extensive habitat for multiple threatened species'. It has high freshwater ecological values and given its vulnerability to mining interests the proposed classification is inappropriate.

HOK 43 2806269 Totara - Mikonui Forests

Oppose - This parcel should be added to the **Upper Totara Ecological Area**. The Technical Report notes that the area is 'almost unmatched in the degree of value it has for native (fluvial) freshwater biodiversity and offers extensive habitat for multiple threatened species'. It has high freshwater ecological values and given its vulnerability to mining interests the proposed classification is inappropriate.



An alluvial goldmine in the Totara Mikonui Forests Conservation Area in 2018. Photo: Neil Silverwood

HOK 43 2809720 Mine Creek

Oppose - This parcel should be added to the **Upper Totara Ecological Area**. The Technical Report notes that the area is 'almost unmatched in the degree of value it has for native (fluvial) freshwater biodiversity and offers extensive habitat for multiple threatened species'. It has high freshwater ecological values and given its vulnerability to mining interests the proposed classification is inappropriate.

HOK 46 2805510 Shearers Swamp - Mikonui

Support - The area is surrounded by Scenic Reserve and has high and similar natural values as the reserve. Rationalising the boundaries should be considered so it is managed as one reserve.

HOK 46 2805511 Waikoriri Creek

Support - The recommended classification will afford the appropriate protection of part of the nationally important wetland (Shearers Swamp). It is habitat for an important wetland indigenous fish species as well as a number of At-Risk bird and plant species. Forest & Bird agrees it will provide landscape continuity with the recommended and adjoining Wildlife Management Area.

Forest & Bird has submitted on a number of other Hokitika land parcels. Please see Attachment 5.

Te Wahi Pounamu Place

As discussed earlier in this submission all recommendations for Local Purpose Reserves are **opposed**.

All recommendations for disposal within the Te Wahi Pounamu Place are **opposed** for reasons discussed earlier in this submission-see '**Disposals**'.

TWP 05 2805301 Conservation Area - Wahapo, #2805302 Conservation Area – Okarito Forks, #2805303 Conservation Area - Waitangi Forest (West), #2805654 Conservation Area - Ferguson Creek, #2809661 Conservation Area - Waitangitahuna River (West), #2809662

Conservation Area - Waitangitahuna River (East), #2809665 Conservation Area - Waitangi Forest (East)

The National Panel recommendation for each of these parcels as separate conservation parks is not supported. Logically these areas would be better included and managed as part of the adjacent or nearest existing protected area.

The larger parcels contain similar ecological values and are important connections to Westland Tai Poutini National Park as well as the Adams Wilderness Area. The smaller parcels are valuable additions to the neighbouring Rohutu and Wilberg Scenic Reserves. This approach supports expanding landscape scale mountain to sea protection, with the adjacent Waitaha Forest, which we are also recommending as National Park.

Forest & Bird make the following recommendations:

**TWP 05 2805301 Wahapo 2805302 Okarito Forks 2805303 Waitangi Forest (West)
2809665**

Waitangi Forest (East)

Add to Westland Tai Poutini National Park

TWP 05 2809661 2809662 Waitangitahuna

Add to Rohutu Scenic Reserve

TWP 05 2805654 Fergusson Creek

Add to Wilberg Range Scenic Reserve

TWP 36 2804986 Conservation Area – Cook River /Weheka to Haast

This vast conservation area (188,710.8 hectares) adjoins the Hooker/Landsborough Wilderness Area, and Westland Tai Poutini, and Mount Aspiring National Parks.

Much of the Cook River/Weheka to Haast Conservation Area appears to have been separated into two large parts, the Northern part and the Southern part, and several smaller parts, being 2804993 Mahitahi Riverbed, 2804994 the Paringa Bridge and 2804997 Abbey Rocks.

A 47,063-ha section of the Conservation Area from the Manakaiaua River south to the Paringa River is excluded from the Panel recommendations for reasons unknown.



Map showing area between the Manakiaua River and Paringa River excluded from stewardship land review, containing the Ohinemaka lowland kahikatea forest toward the southern part. Graeme Loh.

The National Panel recommends the larger parts of the Conservation Area for Ka Tiritiri o Te Moana Conservation Park. This is supported by the Mana Whenua Panel.

The National Panel technical reports give reasonably full details of the ecological and the cultural values of this important area of land, emphasising the diversity of species and ecosystems, and the intact ecological sequences from the coast inland to the tops of the Southern Alps. We note that this area includes the southern end of the West Coast “beech gap” an area of about 160km stretching from Hokitika to Lake Paringa where native beech forest is largely absent, thought to have been wiped out by glaciation and subsequently recolonised by mixed podocarp forest, due to the slow recolonisation of beech forest, and is of high scientific importance.

The Conservation Area – Cook River/Weheka to Haast is part of the UNESCO Te Wahi Pounamu World Heritage Area (WHA) though in New Zealand this overlay while significant, is not statutory.

Regarding South Westland’s kahikatea forests, Hutching (1998)⁴ writes:

“Today mature kahikatea forest exists in extensive stands only in South Westland... from Westland National Park south to Haast there is a total of 9850 ha of kahikatea forest in areas such as Ohinetamatea, Hunt’s Beach, Ohinemaka, Mataketake and Tawharekiri forest”

Hutching (1998) notes that these areas are “totally protected” by the WHA. However, in Forest & Bird’s view despite this international recognition, as stewardship land and even as conservation park and considering rarity and high scientific values, this level of formal legal protection is uncertain and needs to be strengthened.

South Westland’s rimu/kahikatea forests

The Cook River/Weheka Conservation Area NaPALIS 2804986 contains at least three internationally significant mature podocarp (rimu/kahikatea) forests, Ohinetamatea immediately south of the Cook

⁴ Hutching, G. (1998) The Natural World of New Zealand: An Illustrated Encyclopaedia of New Zealand’s Natural Heritage. Penguin Books. (pp165-166)

River which has been long campaigned for as a national park addition, Karangarua/Hunt Beach Forest, immediately south of the Karangarua River which is New Zealand's prime stand of alluvial/swamp kahikatea, and Ohinemaka Forest immediately south of Heritaniwha Point and Bruce Bay, which is the poster forest for the Te Wahipounamu UNESCO World Heritage Area (WHA).

The WHA covers four national parks (Aoraki, Westland Tai Poutini, Aspiring and Fiordland) and the intervening land, totalling about 2.6 million hectares or around 10% of New Zealand's landmass. The WHA includes the largest and least modified area of New Zealand's natural ecosystems, the flora and fauna has become the [world's best intact modern representation of the ancient biota of Gondwana](#), of which these notable lowland rimu/kahikatea forests are a very important feature.

In his World Heritage Guide to South Westland, Dennis (2007)⁵ writes:

"Elsewhere in New Zealand, rimu/kahikatea forests have been largely logged into extinction and it is only in this remote part of South Westland that extensive tracts of these forests remain today."

The [Department of Conservation website](#) contains some further facts about kahikatea:

- Today only 2% of kahikatea forest is thought to remain.
- Also called white pine, *Dacrycarpus dacrydioides*, kahikatea are found only in New Zealand.
- Both male and female trees exist, and seeds are distributed by birds.
- Dating back to the Jurassic Period, they are able to live for 500 years or more.
- Kahikatea is the only native conifer that doesn't produce resin (which made it ideal for butter boxes, a trait that hastened its demise).

Given that these magnificent South Westland rimu/kahikatea forests contribute to the last remaining 2% of this forest type and are a part of a largely intact mountains to sea ecological sequence, long lauded by many as worthy of national park status, they deserve strong legal protection. In Forest & Bird's view, this needs to be stronger than what a conservation park provides for.

Forest & Bird make the following recommendations:

Ohinetamatea Forest (Northern Part of CA Cook/Weheka to Haast River)

Recommendation: **Add to Westland Tai Poutini National Park**

Ohinetamatea Forest, immediately south of the Cook Weheka River and adjacent to the Westland Tai Poutini National Park, has been long campaigned for as a national park addition. For a site to meet the criteria for addition to National Park it must contain scenery of such distinctive quality, ecological systems or natural features so beautiful, unique or scientifically important, that they are of national interest. As discussed above, based upon its scientific values alone and by virtue of the WHA recognition and its location adjacent to the national park, this site is logical addition to Westland Tai Poutini National Park.

⁵ Dennis, A (2007) South West New Zealand World Heritage Highway Guide. (p36)



A kahikatea tree in the Karangaru parcel

Karangarua/Hunt Beach Forest (Northern Part of CA Cook/Weheka to Haast River)

Recommendation: Add to Westland Tai Poutini National Park or reclassify as Scientific Reserve

The Karangarua/Hunt Beach Forest is located immediately south of the Karangarua River and adjacent to Ohinetamatea Forest. It is New Zealand's prime stand of alluvial/swamp kahikatea. The technical reports identify the values and ecological associations within this place. In Forest & Bird's view, this forest contains values worthy of either a national park or scientific reserve. A scientific reserve must possess ecological associations, plants or animal communities, types of soil, geomorphological phenomena, and like matters of special interest for scientific study, research, education for the benefit of New Zealand. An area must be at least two-thirds in a natural condition and large enough to absorb sustainable scientific uses without detriment to its overall long term natural values. Considering the international significance, its location and the rarity of the swamp kahikatea forest at Hunt Beach/Karangarua and the scientific values this bestows, either addition to the Westland Tai Poutini National Park or reclassification as a scientific reserve would be an

appropriate classification.

Ohinemaka Forest (Located within the excluded part of the Cook/Weheka to Haast River Conservation Area)

Recommendation: Add to Westland Tai Poutini National Park or reclassify as Ecological Area

Ohinemaka Forest is located immediately south of Heritaniwha Point and Bruce Bay and has become known as the poster forest for the WHA.

Because of its internationally recognised scenery and high scientific value, our preference is for this forest to be added Westland Tai Poutini National Park. However, considering this forest is located within the excluded area, we propose an alternative classification of **Ecological Area**. The purpose of an ecological area is to protect the land primarily for its scientific, particularly ecological values. Like a scientific reserve, criteria for an ecological area requires that a forest be two thirds in its natural state and large enough to sustain sustainable scientific and related uses. An ecological area provides strong legal protection while enabling sustainable use related to its scientific value.

TWP 36 Conservation Area Abbey Rocks (2804997 – 156 hectares) was purchased with the Nature Heritage fund in 1996 for nature conservation purposes, and permanent protection of this important lowland native forest on limestone land. Recommend for addition to Westland Tai Poutini National Park and the UNESCO World Heritage Area, or Ecological Area.

Ship Creek south to Haast River coastal plain – The Ecological Area overlay recommended by the National Panel for this part of NaPALIS 2804986 would provide additional protection for the coastal plain however it falls short of recognising the ecological and landscape significance of the broader

area recommended as conservation park. **Forest & Bird submits that the whole area should be part of the National Park.**