

Proposed Kauri National Park Waipoua Forest, Northland



Investigation Report by the Director-General of
Conservation to the New Zealand Conservation Authority
pursuant to Section 8 of the National Parks Act 1980



Department of
Conservation
Te Papa Atawhai

Cover: Kauri, 'Tāne Mahuta', Waipoua Kauri Forest, Northland. Photo: DOC

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Authority pursuant to Section 8 of the National Parks
Act 1980

Executive summary

Purpose of this report

This section 8 National Parks Act investigation report and its accompanying documents support the New Zealand Conservation Authority (NZCA) in considering and consulting on its recommendations for a national park to be established in and around Waipoua Forest, Northland.

Area under investigation

The areas under investigation cover about 13,888 hectares in three geographically distinct but linked areas lying between the Hokianga Harbour and Dargaville, all within the Tutamoe Ecological district. They are included in the Waipoua Forest, the Trounson Kauri Park Scenic Reserve and the Maitahi Wetland Scientific Reserve.

All land under investigation for national park status lies within the rohe of Te Roroa, who settled their historic Treaty of Waitangi claims with the Crown through the Te Roroa Deed of Settlement (2005) and the Te Roroa Claims Settlement Act 2008 (the Settlement Act).

The Settlement Act established Te Tarehu, a classification that overlies the main area in Waipoua Forest, and therefore the main area under investigation for national park status. The Te Tarehu protocol between DOC and Te Roroa includes an acknowledgement by the Crown of Te Roroa's cultural, spiritual, historic and/or traditional values relating to Waipoua Forest, and a list of protection principles directed at the Minister of Conservation to avoid harm to, or the diminishing of, the Te Roroa Values related to Te Tarehu. Te Tarehu requires the NZCA, the Northland Conservation Board and DOC to take certain steps that incorporate the requirements of the Settlement Act and the Te Roroa Deed of Settlement. While these steps do not change the criteria set out in the National Parks Act 1980 and the General Policy for National Parks, they do require close liaison with Te Roroa at key stages in the process.

The areas under investigation are listed in Table 1 below.

TABLE 1. CONSERVATION UNITS INCLUDED IN NATIONAL PARK INVESTIGATION

CONSERVATION UNIT NO.	NAME OF CONSERVATION UNIT	AREA (hectares)
The Waipoua Forest tract		
O06017	Northland Conservation Park—Waipoua Forest, with overlays:*	12544.7152
O06037	- Waipoua Sanctuary Area	-
O06070	- Part Te Tarehu	-
O06025	Parts of Kawerua Conservation Area	32.5635
O06050	Kawerua Marginal Strip No.1*	1.3000
O06058	Gorrie Scenic Reserve	57.9014
O06021	Donnelly's Crossing Scenic Reserve	37.2310
O06035	Marlborough Road Scenic Reserve	91.6997
O06019	Katui Scenic Reserve	294.7826
Subtotal		13 060.1934
Trounson Kauri Park Scenic Reserve		
O07001	Trounson Kauri Park Scenic Reserve	586.0377
O07010	Trounson Addition Scenic Reserve	6.3000
Subtotal		592.3377
Maitahi Wetland Scientific Reserve		
O07055	Maitahi Wetland Scientific Reserve	235.3722
	Total area of lands investigated:	13887.9033

* Areas subject to Te Tarehu obligations.

The investigation

In October 2009, in accordance with the Te Roroa Deed of Settlement and associated protocols, DOC's Northland Conservancy and Te Roroa Manawhenua Trust convened a Joint Working Group to investigate establishing a national park. This Working Group recommended that only public conservation lands in the rohe/area of the Te Roroa Deed of Settlement be considered for inclusion in this investigation, leaving out lands subject to ongoing Treaty claims or settlement negotiations. This approach was endorsed by a number of adjoining iwi, and was accepted by the NZCA.

Treaty of Waitangi Claims

While the Joint Working Party has provided a sound basis for the proposal placed before the NZCA, it is acknowledged that two current Treaty claims relate to areas included in this proposal. One is a contemporary claim - WAI 2283 The Northland Kauri National Park (Parore) claim which relates to all of the land in the investigation. The other claim is a historical claim - WAI 1343 Ngāti Whatua, Taita Marae - relating to the area around Taita Marae, Mamaranui, including Maitahi Wetland Scientific Reserve.

The selected lands have been subject to public consultation and to assessment against the criteria in Policy 6 of the General Policy for National Parks, including an assessment of the likely social, recreational, cultural and economic implications arising from the proposal.

Co-governance

In terms of proposed park management, Te Roroa have proposed a co-governance arrangement, built upon the Te Tarehu protocol of the Settlement Act, and based on shared responsibility for the proposed park. Without co-governance, the cultural and social impacts are considered by Te Roroa to be so significant and detrimental to their people that they could not support the formation of a national park. Te Roroa's co-governance aspirations are outside the scope of this investigation, but are acknowledged.

Findings

In general, written submissions and the public meetings indicated conditional support for the proposal to establish a national park on the public conservation land in the Waipoua Forest. All people involved in the public notification process recognised that the Waipoua Forest ecosystem and the kauri are national taonga worthy of national park status.

This assessment has concluded that positive regional and national economic impacts are likely to follow the formation of a Kauri National Park, based on the experiences of other New Zealand national parks. The land under investigation has limited other economic use, so negative economic impacts are not anticipated. In particular, the formation of a national park would create marketing opportunities and tourism growth for Northland as a whole, building on the region's already strong tourism sector. It was also expected to create jobs. It will be important to ensure that the economic benefits contribute back to the area itself.

The formation of this park is also likely to have positive impacts for regional and national recreational opportunities, particularly because the area under investigation contains outstanding landscapes and ecology not currently represented in any other national park. The Rakau Rangatira project, a partnership between Te Roroa and DOC, has a key role in managing any visitor or recreational implications that may arise as a result of a national park being formed. The participation of Te Roroa, the New Zealand Transport Agency, and local and regional councils in this project is both positive and vital to ensure a number of the concerns identified through the Joint Working Group and public consultation process are mitigated.

While there is limited research on the social implications of establishing a national park, experience in other regions suggests that while increased visitor numbers create extra jobs, these can come with social implications, such as the creation of a transient workforce due to seasonal fluctuations in demand.

Concerns

Among concerns raised in the public notification process was the appropriateness of national park status as a protection mechanism, given the current legislation does not contain any provision for co-governance or the addition of private lands. The public notification process also brought forward the desire that statutory protection of the kauri forest be undertaken in a way that guarantees that the kauri ecosystem can be restored; and that positive benefits should accrue to the economy and livelihoods of the people of the west coast of Northland from the establishment of a national park.

Conclusions

It is the key conclusion of this investigation that the tracts of conservation land identified by the Joint Working Group clearly fit within General Policy for National Parks criteria and that the NZCA should proceed with the proposal to form the Kauri National Park, in consultation with Te Roroa as required under the Settlement Act.

This report concludes that the tracts of land investigated provide a unique series of ecological and landscape features that are not otherwise represented in any existing national park in New Zealand, particularly the majestic kauri. While it is small in relative terms to other national parks, it is perfectly formed, providing a perfect mix of outstanding ecological, historic and landscape features found only in Northland.

The Waipoua Forest Tract contains the last largely unlogged kauri forests in the area, along with a complex mosaic of shrublands and forests, including kauri. Forest in Trounson Kauri Park Scenic Reserve is of high quality and this site contributes to the overall proposal by providing an alternative site for visitor activities. Maitahi Wetland Scientific Reserve, an isolated relict wetland ecosystem, is ecologically valuable and historically interesting and contributes significantly to the overall proposal, providing a rare example of remnant gumland.

An assessment of the economic, recreational, social and cultural impacts identify that the formation of a national park will have significant positive impacts across all of these domains for local communities and for New Zealand as a whole.

Te Roroa have consistently put forward that they support, through due process, the opportunity for further parcels of land to be added to the park as advances with other Treaty settlements are completed. This report highlights some parcels that could be considered in the future for inclusion (Appendix A). It is clear that should opportunities arise to add further parcels, a Joint Working Group of Te Roroa and DOC will need to be convened to consider any land parcels suggested as additions to the national park.

Recommendations

It is recommended that the NZCA:

- **Note** that at the request of the New Zealand Conservation Authority the Director General of the Department of Conservation has undertaken a section 8 National Parks Act investigation of the suitability for national parks status of the parcels of public conservation land identified for the Waipoua Forest Tract, the Trounson Kauri Park Scenic Reserve and the Maitahi Wetland Scenic Reserve (see Table 1 above).
- **Note** that the lands included in this investigation were identified by the Department/Te Roroa Manawhenua Trust Joint Working Group process as required under the Te Tarehu protocol in the Te Roroa Deed of Settlement 2005.
- **Note** that this investigation has been carried out in accordance with provisions of the National Parks Act 1980, the General Policy for National Parks 2005 and the Te Roroa Claims Settlement Act 2008 and the Te Roroa Deed of Settlement 2005.
- **Note** that there are two outstanding Waitangi Tribunal claims over the lands included in this national park investigation, which have not been considered by the Waitangi Tribunal.
- **Note** that in accordance with the provisions of section 8(3) National Parks Act 1980, on the Director General of Conservation formally notified the Minister of Energy (22 April 2010) and the Minister of Conservation (20 April 2009) of this Kauri National Park proposal and investigation.

- **Note** that the Minister of Energy has indicated that the lands in this investigation have low resource potential and that *“land outside the investigation area exhibits higher prospectivity”*.
- **Note** that the views of the Northland Conservation Board, Kaipara District Council, Far North District Council, Northland Regional Council, and the Northland Fish and Game Council were sought and are set out in Chapter 6 of this report.
- **Note** that in accordance with the provisions of policy 6(f) and the Te Roroa Claims Settlement Act 2008 the views of tangata whenua have been sought and that Te Roroa do not support the national park proposal in its current form without the resolution of co-governance issues and associated concerns about cultural and social impacts resulting from the establishment of the proposed Kauri National Park.
- **Note** that the public notification process for the Kauri National Park Proposal took place from 20 May – 18 July 2011.
- **Note** that there was conditional public support for the Kauri National Park Proposal.
- **Note** that in accordance with the provisions of the Te Roroa Claims Settlement Act 2008, the Te Roroa Deed of Settlement 2005 and the General Policy for National Parks 2008, the investigation team assessed the available information on likely social, economic, recreational and cultural impacts of the establishment of a Kauri National Park. It found that establishing a Kauri National Park will provide an economic impetus for the region, provide more recreational opportunities and have associated social benefits.
- **Note** that the lands included in the Kauri National Park Proposal are assessed as meeting the criteria for inclusion in a national park in accordance with the General Policy for National Parks 2005 and the National Park Act 2008.
- **Note** that Appendix A includes a list of lands which could be considered for inclusion in this national park proposal at a later stage under the Joint Working Group process.
- **Receive** the *“Director General of Conservation’s Investigation Report to the New Zealand Conservation Authority on the Kauri National Park Proposal”*.
- **Consider** the *“Director General of Conservation’s Investigation Report to the New Zealand Conservation Authority on the Kauri National Park Proposal”* with specific regard to the lands proposed for inclusion in Table 1 above.
- **Consult** with the Northland Conservation Board in accordance with sections 7(2) and 30(1) of the National Parks Act 1980 and Policy 6(g) of the General Policy on National Parks 2005.
- **Consult** with the trustees of the Te Roroa Manawhenua Trust with particular regard to Te Tarehu and the Te Roroa values and protection principles (sections 54 and 55 of the Te Roroa Claims Settlement Act 2008).
- **Make recommendations** to the Minister of Conservation based on its findings on the Kauri National Park Proposal (Section 7(2) of the National Parks Act 1980).

Chapter 1 Introduction and purpose

This chapter provides a brief introduction to the origins of the proposal to create a Kauri National Park in Northland, and outlines the scope of this investigation under section 8 of the National Parks Act 1980. It describes the purpose of this report to the New Zealand Conservation Authority (NZCA). This chapter acknowledges Te Iwi o Te Roroa's ancestral relationship with the lands under investigation. It concludes with a brief description of how the report is structured.

1.1 Introduction

In February 2010, the NZCA requested the Director-General of Conservation to investigate a proposal for a national park based on the kauri forests of Waipoua, Northland.

The idea of national park status for this region is not new—proposals go back to the turn of the 20th century, and the 1952 creation of the Waipoua Forest Sanctuary (now known as the Waipoua Sanctuary Area) followed a long public campaign for national park status.

Some of the lands included in this proposal were investigated for a much larger national park between 1988 and 1995. However, while the NZCA considered that proposal had merit, the extent of outstanding Treaty of Waitangi claims meant it was unable to progress the investigation at that time.

The revised investigation presented in this report has been able to proceed because Te Roroa settled its Treaty of Waitangi claims with the Crown through the Te Roroa Deed of Settlement (2005) and the Te Roroa Claims Settlement Act 2008. All land under investigation in this report lies within Te Roroa's rohe.

The statutory process for this particular investigation is modified by the Te Roroa Claims Settlement Act, which established Te Tarehu, a classification that overlies most of the land under investigation. Te Tarehu acknowledges the traditional, cultural, historic and spiritual associations of Te Roroa with the forest, while leaving day-to-day management with DOC. Its influence on the national park investigation process is covered in Chapter 3. The Te Tarehu protocol is provided in full in Appendix B.

Despite careful selection of land to include in this proposal, two current Treaty claims relate to some areas. These are described in Chapter 2.

1.2 Purpose

This report and its accompanying documents (provided as appendices) support the NZCA in considering and consulting on its recommendations for a national park to be established in and around Waipoua Forest, Northland. The Report includes:

- An assessment of the lands included in the proposal against the criteria in the General Policy for National Parks (Policies 6(a)).
- An assessment of options for boundaries of the proposed national park (Policy 6(i)).
- A statement by Te Roroa of their values, role and aspirations for a park.
- An assessment of the likely social, recreational, cultural and economic implications for tangata whenua and local and regional communities, as well as New Zealand as a whole (Policy 6(e)).
- A summary and analysis of written submissions from the public and tangata whenua.
- Reference material about the history of Waipoua Forest, the Te Roroa Treaty settlement, other Treaty claims and the previous national park investigation.

Figure 1: Kauri National Park proposal investigation area



1.3 The proposal

This investigation is assessing whether national park status is appropriate for about 13,888 hectares spread over three geographically distinct but linked areas on the west coast of Northland—all are within the Tutamoe Ecological District and lie between the Hokianga Harbour and Dargaville (Figure 1).

The areas are currently protected as public conservation land in the Waipoua Forest tract, Trounson Kauri Park Scenic Reserve and the Maitahi Wetland Scientific Reserve.

New Zealand's iconic kauri tree is the unifying symbol for this national park proposal.

1.4 Te Iwi o Te Roroa

The proposed national park is the ancestral home of Te Roroa, an iwi based on the west coast of Northland. Te Roroa's area of interest runs from south of Dargaville to the Hokianga, and is centred on Waipoua Forest. The relationship Te Roroa has with Waipoua Forest is centuries old – mai rā anō.¹ This relationship is intrinsic to Te Roroa people's identity and their status as manawhenua.

The area under investigation also contains wāhi tapu, both throughout the proposed national park and in the Kawerua coastal zone. These wāhi tapu are treasured taonga—both tangible and intangible treasures²—of the Te Roroa people.

Te Iwi o Te Roroa's ancestral relationship with Waipoua Forest, their involvement in the investigation and their response to the proposal is provided in Chapter 3.

1.5 Presentation of this report

This report analyses and assesses the areas broadly described in 1.3 against the General Policy National Park criteria, to support the NZCA's deliberations on whether national park status should be granted.

The report presents the proposal (Chapter 2), followed by the perspectives and status of Te Roroa under Te Tarehu (Chapter 3).

Chapter 4 covers the assessment of the lands under investigation. This proposal is unique from other national park investigations because the criteria are being assessed against the requirements of Te Tarehu, as well as the National Parks Act 1980 and the General Policy for National Parks.

Chapter 5 presents the strategic issues and management requirements that would arise from a change to national park status. Chapter 6 describes the public submission process and provides an overview of the consultation findings.

¹ Page 20, Nga Ture o Te Taio o Te Roroa Te Iwi o Te Roroa Environmental Policy, ratified version 2009.

² Including, but not limited to, burial sites, battle sites, places of ritual for the sacred pure and tohi rites—baptism, warriorhood; places of worship, places of mauri (stones invested with energy to bring forth bountiful harvests).

Chapter 2 The proposal

Chapter 2 describes in more detail the proposal to create a Kauri National Park in Northland, including attempts over the past 100 years to protect the region's kauri forests. It identifies each of the units of land within the Tutamoe Ecological District that are part of the investigation—each discrete, but strongly linked by the iconic kauri tree. It describes how the decision was reached to include only lands that are part of Te Roroa's rohe, and how selections were made. It flags that two outstanding Treaty of Waitangi claims do apply to some of the lands under investigation. The chapter concludes with a discussion on the proposed national park's name—which currently goes under the working title: Kauri National Park.

2.1 The current proposal

The proposal in this report covers three distinct but linked areas on the west coast of Northland, between the Hokianga Harbour and Dargaville—the Waipoua Forest tract, Trounson Kauri Park Scenic Reserve approximately 40 kilometres north of Dargaville, and the Maitahi Scientific Reserve, approximately 17 kilometres north of Dargaville.

The Waipoua Forest Visitor Centre is 37 kilometres south by road from Opononi, and 55 kilometres north of Dargaville. It is owned and operated by Te Roroa on the former forestry headquarters site transferred to the iwi under the Settlement Act.

The small communities and localities of Waimamaku, Waipoua, Kaitui, Tutamoe and Donnelly's Crossing lie around the Waipoua Forest and Trounson Kauri Park Scenic Reserve boundaries. Te Roroa marae are located at Waimamaku (Whakamaharatanga), in Waipoua Forest (Pānanawe and Matatina), Kaitui (Waikara), Kaihu (Waikaraka) and Dargaville (Te Houhanga).

DOC's Kauri Coast Area Office in Dargaville is responsible for day-to-day management and administration of all lands under investigation. DOC has facilities and staff based at Trounson Kauri Park Scenic Reserve.

2.1.1 Previous attempts to protect Northland's kauri forests

Calls for a national park based on the kauri forests of Waipoua date back more than a century. Pioneer botanist, Dr Leonard Cockayne, discussed the idea in a report to Parliament in 1908, and subsequently promoted the idea during his public addresses around the country.

Although his idea was not taken up and Waipoua remained a State Forest, it received a high degree of political and official respect.

However, this began to change with the death of Prime Minister William Massey in 1925—the following year construction of a state highway through Waipoua Forest began. Public indignation was so great that Prime Minister Joseph Coates, the Member of Parliament for Kaipara, was forced to emphasise that: 'No-one need have the least fear of the forest being interfered with'.

While the Forests Act 1908, and its successor in 1921, did allow the forest to be protected, the legislation did not guarantee it, and logging began in Waipoua Forest during World War 2 under the guise of wartime emergency. Following the war, public concern led by Professor William Roy McGregor and the Waipoua Preservation Society again called for logging to stop and for the forest to be made a national park. Instead, the Waipoua Forest Sanctuary (now the Waipoua Sanctuary Area) was gazetted in 1952.

During most of the 20th century, one of the most significant obstacles to establishing a national park in Northland was that most of the kauri forests were managed by the former New Zealand Forest Service, and often for timber production. Others were managed by the former Department

of Lands and Survey, which administered Crown lands, including national parks. The Forest Service and Lands and Survey ran parallel reserve systems, and these are still reflected in some of the land classification of areas included in this investigation.

In 1987, when the Department of Conservation was formed from elements of the Forest Service and Lands and Survey, State Forests and Crown Lands were allocated for either protection or production. This gave renewed impetus to the push for a national park. Recreation and conservation groups, in particular the Royal Forest and Bird Protection Society, called for a new national park to be established in time to celebrate New Zealand's sesquicentenary in 1990. In response, the Northland National Parks and Reserves Board, the Northland Forest Park Advisory Committee and DOC worked together on a preliminary proposal, and this was forwarded to the National Parks and Reserves Authority in December 1988.

2.1.2 The Northland kauri national park investigation 1988–1995

In March 1989, the National Parks and Reserves Authority asked the Director-General of Conservation to investigate the proposal it had received three months previously. It covered more than 105,000 hectares of land spread over 47 separate areas in Northland, tied together around a kauri theme. Most of the blocks were, and still are, subject to Waitangi Tribunal claims and/or negotiations for settlement of historic Treaty claims.

The investigation, which included extensive consultation with tangata whenua, took 15 months. During this period, the Conservation Act 1987 was amended and the National Parks and Reserves Authority was replaced by the NZCA. At the same time, the Northland National Parks and Reserves Board and the Forest Park Advisory Committee were abolished and replaced by the Northland Conservation Board.

The Director-General reported to the NZCA in May 1992, concluding that there was considerable public support for the establishment of a national park containing all 47 blocks in the proposal, and that the blocks collectively met the criteria for the establishment of a national park. However, the Director-General noted the outstanding Waitangi Tribunal claims by Northland iwi, and that the requirement under section 4 of the Conservation Act to give effect to the principles of the Treaty had substantial implications for the proposal. It therefore did not proceed.

2.2 Lands included in the proposal

The proposal consists of three geographically distinct areas within the Tutamoe Ecological District, covering about 13,888 hectares. The areas are currently protected as public conservation land in the Waipoua Forest tract, Trounson Kauri Park Scenic Reserve and the Maitahi Wetland Scientific Reserve. Each is listed in Table 2 and described below. A full description of the lands under investigation is provided in Chapter 4.

TABLE 2. CONSERVATION UNITS INCLUDED IN THE PROPOSAL.

CONSERVATION UNIT NO.	NAME OF CONSERVATION UNIT	AREA (HECTARES)
The Waipoua Forest tract		
O06017	Northland Conservation Park—Waipoua Forest, with overlays:*	12544.7152
O06037	- Waipoua Sanctuary Area	-
O06070	- Part Te Tarehu	-
O06025	Parts of Kawerua Conservation Area	32.5635
O06050	Kawerua Marginal Strip No.1*	1.3000
O06058	Gorrie Scenic Reserve	57.9014
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O06035	Marlborough Road Scenic Reserve	91.6997
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Subtotal		13 060.1934
Trounson Kauri Park Scenic Reserve		
O07001	Trounson Kauri Park Scenic Reserve	586.0377
O07010	Trounson Addition Scenic Reserve	6.3000
Subtotal		592.3377
Maitahi Wetland Scientific Reserve		
O07055	Maitahi Wetland Scientific Reserve	235.3722
	Total area of lands investigated:	13887.9033

* Areas subject to Te Tarehu obligations.

The Waipoua Forest tract

A more modified area that falls west to the coast in a complex mosaic of shrublands The Waipoua Forest tract covers 13,060 hectares made up of the Waipoua Forest (including the Waipoua Sanctuary Area), Gorrie, Marlborough Road, Donnelly's Crossing and Katui Scenic Reserves, contiguous parts of the Kawerua Conservation Area and Kawerua Marginal Strip No.1. It includes most of the Wairau River, Ohae Stream and upper Waipoua River catchments. The tract includes two recognisable zones:

- The last largely unlogged kauri forests of the Waipoua Sanctuary Area and other inland areas, mainly in the upper Waipoua and Wairau River catchments.
- A more modified area that falls west to the coast in a complex mosaic of shrublands and forest, including kauri, particularly in the lower Wairau River and Ohae Stream catchments.

The Waipoua Forest tract shares common borders with the Mataraua and Waima Forests and reserves and private lands that contain more than 31,000 hectares of native forest. It also adjoins a number of significant protected areas owned by Te Roroa, the New Zealand Native Forest Restoration Trust, the Waipoua Forest Trust and private landowners (more than 1000 hectares).

Other land adjoining the proposal is unprotected native vegetation, Māori-owned or public reserves, or farm and forestry land.

Trounson Kauri Park Scenic Reserve

Trounson Kauri Park Scenic Reserve is a 592 hectare reserve approximately 8 kilometres inland and 40 kilometres north of Dargaville. It lies several kilometres to the south of Waipoua Forest—the shortest distance between the two is 2.3 kilometres from the Marlborough Road Scenic Reserve. The Waima River forms a small part of the Reserve's boundary.

The Reserve includes a 395-hectare forest remnant, which has been intensively managed since 1996 as one of DOC's six official 'mainland islands', the aim of which is to protect and restore habitats on the mainland by intensively controlling introduced pests.

The remaining 197 hectares of the Reserve is farmed for dry stock under a concession. The Reserve is managed as a unit, with pest control on the farm providing a buffer area for the forest's mainland island. The Reserve also has a DOC-run campground.

Maitahi Wetland Scientific Reserve

Maitahi Wetland Scientific Reserve lies about 20 kilometres south of Waipoua Forest and 17 kilometres north of Dargaville on State Highway 12 (SH12).

The isolated relict wetland ecosystem is rare and unique, made up of sandy/peat gumland and a large fen wetland. The gumland type is endemic to Northland, and Maitahi is the last representative area remaining outside the Ahipara gumlands. The Reserve is Northland's most significant remaining medium-fertility to nutrient-poor wetland.

Surrounding land is predominantly farmland or pine forest.

2.3 Kauri—a unifying symbol

While the lands under investigation are in three parts, New Zealand's iconic kauri tree is the unifying symbol for this national park proposal. The majestic trees pull together a range of ecosystems and landscapes, strong Māori cultural values and a rich and vibrant history. Waipoua Forest's natural, cultural and historic features are a taonga tuku iho (a treasure inherited from ancestors) of Te Iwi o Te Roroa, and the region is highly valued by New Zealand's tourism and recreation interests.

2.4 Rationale for selection

The selection of lands to include in this investigation was made by a joint DOC and Te Roroa Manawhenua Trust working group, set up in 2009 as a requirement of section 59 of the Settlement Act. (The consultation process with Te Roroa is described as part of Chapters 3 and 6.) The Joint Working Group decided to restrict the proposal to lands within the Te Roroa area of interest to avoid conflict between the national park proposal and the ongoing Treaty claims or settlement negotiations of other Northland iwi. As a result, some significant areas of public conservation land that border the Waipoua Forest, such as the Waima and Mataraua Forests, have not been included at this time (see Appendix C). This approach was endorsed by a number of the adjoining iwi. The opportunity for these lands to be investigated for future inclusion in the national park remains open and is actively supported by Te Roroa.

2.4.1 The selection process

The Joint Working Group reviewed records of the previous investigation and identified other key parcels of land. In determining which areas to include in the investigation, the Joint Working Group considered whether:

- the land was wholly within the rohe of Te Roroa, and subject to the Te Roroa Claims Settlement Act 2008
- the land was likely to meet the criteria for national park status.

2.4.2 Outstanding Treaty of Waitangi claims

Despite the care taken in selecting areas for investigation, two current Treaty claims do relate to areas included in this proposal.

WAI 2283 *The Northland Kauri National Park (Parore) claim*

The WAI 2283 claim is a contemporary claim against the actions of the Crown, and was lodged on behalf of Te Kūihi in March 2010. Te Kūihi is a hapū of Ngāti Whatua and Te Roroa, with two marae. Te Houhanga Marae is located in Dargaville and Tangiterōria Marae is located in the settlement of Tangiterōria, 27 kilometres east towards Whāngarei. The claim is that:

...the Crown has failed to consult with hapū regarding the proposed inclusion of (Te Kūihi) customary land in a Northland Kauri National Park, which has prejudicially affected them by risking increased desecration to wāhi tapu in breach of the principles of the Treaty of Waitangi.³

This claim relates to all areas of public conservation land included within the current national park investigation.

WAI 1343 *Ngāti Whatua, Taita Marae*

The WAI 1343 claim was lodged on 27 March 2006 by Taita Marae of Ngāti Torehina hapū. The marae is located at Māmaranui, about 2 kilometres from Maitahi Wetland Scientific Reserve. The claim seeks the return of reserved land and conservation land within the area of Taita Marae. Ngāti Torehina affiliates to Ngāti Whatua and Ngāpuhi. Te Runanga o Ngāti Whatua has a mandate to negotiate settlement of this claim, which has been sidelined for some years by the Tamaki Makaurau negotiations. The Ngāpuhi Tuhoronuku group is also seeking a mandate to negotiate the claim.

The part of this proposal affected by this claim is the Maitahi Wetland Scientific Reserve.

2.5 Naming the national park

‘Kauri National Park’ is the working title for this national park proposal. This name has been used in public consultation on the proposal (and the previous investigation), as well as in the Te Roroa Treaty settlement. However, the NZCA can, if it sees fit, recommend another name to the Minister of Conservation.

Either way, the Minister is required to refer the proposed name to the New Zealand Geographic Board (Ngā Pou Taunaha o Aotearoa) for review (National Parks Act section 7(2A)) before making her own recommendation to the Governor-General to establish a new national park by Order in Council. In the event that the Board does not concur with the proposed name, the Minister may make the final determination (sections 27–29 of the New Zealand Geographic Board (Ngā Pou Taunaha o Aotearoa) Act 2008), although public notification would still be necessary.

The working title, ‘Kauri National Park’, is non-specific enough to be used should the park be enlarged at some future date to include the rohe of other Northland iwi and additional forests. However, it carries little sense of identity, place or the proposed park’s cultural dimensions, which are based on Waipoua Forest, Te Roroa and the Te Tarehu protocol.

³ From WAI 2283 Statement of Claim, under cover letter from Waitangi Tribunal, dated 2 July 2010. Notified by email to Northland Conservancy, 17 September 2010.

An argument can be made that the possibility of future enlargement is not a relevant consideration at this time—should it eventuate, a new name could be adopted to reflect the new entity.

There is no legal requirement for further consultation on the proposed national park's name. However, it is a matter on which the NZCA should consult Te Roroa, with particular regard to the iwi's views under sections 54 and 55 of the Settlement Act as it relates to the values and protection principles for Te Tarehu.

Chapter 3 Te Roroa and Te Tarehu

Kei raro i nga paki aka o nga rawa o Tāne te tohu o nga tipuna.

Our ancestors' marks are embedded below the roots of Tāne's offspring.

Te Roroa whakatauaiki/proverb

This chapter acknowledges Te Roroa's ancestral relationship with the area proposed for a new national park, and its special status in this investigation process. It describes Te Roroa's views on the proposal, consultation with the iwi as required by the Te Roroa Claims Settlement Act 2008, and the outcomes of the Joint Working Group. The chapter describes Te Roroa's values in relation to Te Tarehu and the protection principles, and the iwi's concerns about co-governance, customary use and wāhi tapu and wāhi taonga.

3.1 Te Roroa's kaupapa

As described in Chapter 1, the area covered by this investigation is the ancestral home of Te Roroa, whose relationship with Waipoua Forest is centuries old—mai rā anō.⁴

Approximately 250 people of Te Roroa descent live adjacent to the proposed national park.⁵ Most other Te Roroa descendants live in Dargaville, other areas of the Kaipara and Hokianga, Auckland and Australia. Returning home to Waipoua Forest and their marae, which surround the forest, for tangi, hui, celebrations and wānanga (schools of learning) is an important part of life for Te Roroa people and their relationship with their ancestral land.

As outlined in Annex 2: Kauri National Park Proposal Public Discussion Paper⁶, over the past decade in particular, Te Roroa have established a commercial base around their forestry and farm investments and service industry. Te Roroa's commercial arm has also developed visitor facilities to manaaki/host and welcome visitors to the Waipoua Forest. Te Roroa consider looking after visitors/manaaki manuhiri and guiding them in the forest as integral to their role as its kaitiaki/guardians.

3.1.1 Te Roroa marae

Te Roroa have six marae. Of particular importance in the cultural domain is the recognition that two of Te Roroa's marae, Pānanawe and Matatina, are located in the heart of Waipoua Forest. The other marae also have strong physical, spiritual and ancestral connections to Waipoua Forest and the lands in the proposed national park. The marae are:

- Whakamaharatanga (Waimamaku)
- Pānanawe (Waipoua)
- Matatina (Waipoua)
- Waikara (Kaitui)
- Waikaraka (Kaihu)
- Te Houhanga (Dargaville)

4 Page 20, Ngā Ture o te Taiao o Te Roroa - Te Iwi o Te Roroa Environmental Plan, Ratified Version 2009, unpublished paper, available from Te Roroa Manawhenua Trust.

5 Statistics New Zealand, mesh block data, 2010.

6 Department of Conservation. 2011: Kauri National Park Proposal: An invitation to comment—Public discussion paper. He mana tō te kauri The mana of the kauri. Department of Conservation, Wellington. 45 p.

3.2 The influence of Te Tarehu on this proposal

All land under this investigation lies within the rohe of Te Roroa. Te Roroa settled its historic Treaty of Waitangi claims with the Crown through the Te Roroa Deed of Settlement in 2005 and the Te Roroa Claims Settlement Act 2008. The Settlement Act must be read with the Deed of Settlement, which contains additional detail.

In particular, the Settlement Act establishes Te Tarehu, a classification that overlies the majority of the land under investigation—12,544 hectares of the Waipoua Forest.

Tarehu means ‘mist’ or ‘shroud’. The statutory overlay ‘Te Tarehu’ is akin to the mists that cover the Waipoua Forest, or the shroud of mist that cloaks the land—ever present, dispersed by the rising sun, but returning again at nightfall.⁷

The Te Tarehu protocol between DOC and Te Roroa includes an acknowledgement by the Crown of Te Roroa’s cultural, spiritual, historic and/or traditional values relating to Waipoua Forest, and a list of protection principles directed at the Minister of Conservation to avoid harm to, or the diminishing of, the Te Roroa Values related to Te Tarehu. The Te Roroa Values are:

- Waipoua Forest is a taonga and wāhi tapu to Te Roroa of fundamental cultural, ecological and religious significance, parts of which were regarded by Te Roroa tupuna as wāhi tino tapu, whenua rahui.
- In the Waipoua Valley, the settlement pattern encompassed three zones: the pā on the high ridges, the fertile lower slopes and river terraces, and the coastal flats.
- Topographical features were made more indelible by stories of tupuna involved in naming the many places.
- The isolation of Waipoua has been a contributing factor to the unassailed position Te Roroa has held in respect of their mana whenua, mana moana and mana tupuna.
- Waipoua Forest contains specific taonga and wāhi tapu, including the kauri trees, urupā and kainga tupuna, as well as traditional resources.
- Te Roroa are the kaitiaki of Waipoua Forest and everything in it and assert that they maintain tino rangatiratanga over the Forest.

The Te Roroa protection principles are also outlined in the Te Tarehu section of the Deed of Settlement:

- Protection of wāhi tapu, indigenous flora and fauna and the wider environment within Waipoua Forest.
- Recognition of the mana, kaitiakitanga and tikanga of Te Roroa within Waipoua Forest.
- Respect for Te Roroa tikanga within Waipoua Forest.
- Encouragement of respect for the association of Te Roroa with Waipoua Forest.
- Accurate portrayal of the association of Te Roroa with Waipoua Forest.
- Recognition of the relationship of Te Roroa with wāhi tapu, and wāhi taonga.
- The Te Tarehu protocol is provided in full in Appendix B.

3.3 Te Roroa’s views on a national park

This is the third time Te Roroa have been involved in a national park investigation based in and around Waipoua Forest—in 1988, 1990 and now again in 2011–2012. Although against the national park proposal in its current form, Te Roroa have consistently said during Treaty settlement negotiations, and more recently in discussions about the proposed national park, that their vision for Waipoua is of a healthy forest that can support sustainable use, such as tourism.

⁷ Ibid. p 12.

However, for Te Roroa, sustainable use is secondary to protection of the Forest's biodiversity and historical and cultural values. Further, in Te Roroa's view, any use needs to provide tangible benefits for the iwi, such as employment opportunities. They have been open to a collaborative approach to conserving the Forest, provided it recognises and respects their mana whenua status.

Te Roroa have been consistent in conveying their views about the establishment of a national park to DOC and the NZCA. As noted in the 1995 NZCA report: *Investigation into the Proposal for a Kauri National Park in Northland*⁸:

The position of the tangata whenua regarding the proposal has been clear and consistent throughout the assessment by both the NZCA and the Department before it.

There was unanimous agreement of all iwi representatives at the Kokohuia hui (13 November 1992) for the resolution:

That the Northland Kauri National Park proposal be deferred until all Treaty of Waitangi claims falling within the proposal are satisfactorily concluded, including the provision by the Crown of adequate remedies in the case of claims upheld by the Tribunal, and until other tangata whenua concerns expressed at this hui are satisfactorily resolved.

Other concerns expressed by Te Roroa reiterate those raised during previous national park investigations. These included questions about:

- recognition of tino rangatiratanga and the mana whenua of local people
- partnership in decision-making and management
- consultation frameworks
- equitable representation
- the anticipated effect of the proposal on the resolution of claims to the Waitangi Tribunal
- access to customary cultural materials
- the need for adequate and appropriate protection for wahi tapu
- the declining conditions of the forests and requirements for pest control.⁹

3.4 Consultation on the current proposal

As already discussed, all land under this investigation lies within the rohe of Te Roroa, who settled their historic Treaty of Waitangi claims with the Crown through the Te Roroa Deed of Settlement in 2005 and the Te Roroa Claims Settlement Act 2008. The statutory process for this particular investigation is modified by the Settlement Act in three important ways:

- Section 54 requires the NZCA and the Northland Conservation Board to have particular regard to Te Tarehu values and protection principles before making certain decisions.
- Section 55 likewise requires consultation before certain decisions are made.
- Section 59 requires the Director-General to undertake certain actions in relation to the protection principles set out in the Deed of Settlement dealing with Te Tarehu. These include convening a joint working group as set out in the Deed of Settlement, which reported to the Director-General before the public consultation process (see Figure 2).

⁸ Pg 4, New Zealand Conservation Authority. 1995: Interim Report. Investigation into the Proposal for a Kauri National Park in Northland. New Zealand Conservation Authority, Wellington.

⁹ New Zealand Conservation Authority. 1995: Interim Report. Investigation into the the Proposal for a Kauri National Park in Northland. New Zealand Conservation Authority, Wellington. p4-5.

5.6 Kauri National Park

- 5.6.1 The Department will immediately inform the Governance Entity of any work by the Department towards changing the legal status of land within the Waipoua Forest, including for the purposes of a National Park (for example, immediately upon the commencement of any work by the Department leading to a recommendation under section 7(2) of the National Parks Act 1980 or any investigation or re-confirmation of an earlier investigation requested by the NZCA under section 8 of that Act).
- 5.6.2 If the Department is requested by the Minister, the NZCA or the Northland Conservation Board to provide a recommendation with regard to any change of land status or new management body for Waipoua Forest, it will convene a working group comprised equally of the Department and the Governance Entity (with other members to be co-opted as may be agreed) to draft a report (including recommendations) to the Director-General.

Figure 2. Paragraph 5.6 of the Te Roroa Claims Settlement Act 2008 specifies the formation of a joint working group made up of equal members of Te Roroa Manawhenua Trust and DOC

3.4.1 The Joint Working Group report

The joint DOC and Te Roroa Manawhenua Trust working group was set up on 22 October 2009, made up equally of Te Roroa and DOC representatives. In December 2009, before requesting the current investigation under section 8 of the National Parks Act, the NZCA consulted with Te Roroa via the Joint Working Group. The NZCA noted in a subsequent letter to the Director-General of Conservation, dated 12 February 2010¹⁰, that it had: ‘...selected for investigation those areas that have been agreed between the Department and Te Iwi o Te Roroa, and fall within the rohe of Te Roroa...’. (Appendix D)

The Joint Working Group provided a report to the Director-General in March 2011 (Annex 3), in which it identified key parcels of land for consideration for inclusion in a national park. As previously described, the Joint Working Group considered only public conservation land within the rohe of Te Roroa, an approach accepted by the NZCA.

The lands include the following areas recommended by the NZCA in its 1995 Interim Report:

- Waipoua Sanctuary Area
- Waipoua Forest (referred to in the Interim Report as the Sanctuary Extension)
- Katui Scenic Reserve
- Trounson Kauri Park Scenic Reserve.

Several other areas were also included because they share a common border with the Waipoua Forest. The Joint Working Group concluded that this land would enhance the values of the Waipoua Forest tract and therefore its qualification for national park status. The areas are:

- Kawerua Marginal Strip No.1 (on the coast north of the Wairau River)
- Parts of Kawerua Conservation Area (coastal areas near the Ohae Stream)
- Donnelly’s Crossing Scenic Reserve (established 1917)
- Marlborough Road Scenic Reserve (purchased by the Nature Heritage Fund in 1993)
- Gorrie Scenic Reserve (purchased by the Nature Heritage Fund in 2001).

The Joint Working Group’s preliminary assessment was that the Maitahi Wetland Scientific Reserve should also be included in the investigation. Maitahi is a rare and unique example of remnant gumland (wetland–shrubland) purchased by the Nature Heritage Fund in 2000.

Te Roroa’s aspirations for co-governance

The Joint Working Group also reported on Te Roroa’s expectation that the governance for the national park would be one of partnership through a co-governance mechanism. Te Roroa considers that it should be involved at all levels – governance, management planning and operations within Waipoua Forest and any national park established within its rohe. It indicated

¹⁰ Appendix D.

that it was looking for an innovative governance model that would allow it to co-govern the proposed national park with the Department.

Te Roroa also presented their position on co-governance to the Minister of Conservation in August 2010, and to DOC in two hui with Te Roroa descendants—in Waipoua Forest (22 June 2011) and at Waimamaku Marae (9 July 2011).

Te Roroa do not wish to see another level of alienation imposed upon them by the creation of a national park which does not accord them statutory recognition and a place at the table to work with the Crown and the community in the management and governance of this national park.

3.5 Te Roroa concerns

Te Roroa view a relationship founded on co-governance as central to honouring Te Tarehu as defined in the Settlement Act. Te Roroa have constantly referred to their Te Roroa Deed of Settlement and the Te Roroa values it enshrines.

In its written submission to DOC (dated 3 June 2011), Te Roroa Manawhenua Trust concluded with the following recommendations:

6.1 THAT further consideration of the Kauri National Park proposal be deferred until:

- All Treaty of Waitangi claims affecting the proposal have been satisfactorily settled.
- All discrete wāhi tapu sites and cultural sites of importance have been excluded from the proposal to the satisfaction of Te Roroa.
- The boundaries of the proposed Kauri National Park, or its replacement, are acceptable to Te Roroa.
- A satisfactory costs/benefits analysis of the proposal, or its replacement, encompassing all socio-economic effects and which demonstrates benefits over costs has been obtained.
- A satisfactory Environmental Impact Assessment of the proposal, or its replacement has been obtained.
- Government has provided a commitment to Crown/Te Roroa co-governance in the proposal, or its replacement.
- Government has accepted the recommendations of the Waitangi Tribunal in the WAI 262 Report.
- A review of the Northland Conservation Management Strategy has been completed.

6.2 THAT once the proposal, or its replacement is able to progress further an amended discussion paper be compiled under the joint authorship of Te Roroa and Department of Conservation.

3.5.1 Te Roroa concerns about customary use

Te Roroa have voiced concerns about the direct impacts the proposed national park could have on their cultural practices. The area under investigation for national park status is a source of tangible and intangible physical, educational, spiritual and cultural resources for Te Roroa.

Te Roroa's concerns were raised at hui held with DOC at the Waipoua Forest Community Hall (22 June 2011) and at Te Whakamaharatanga Marae, Waimamaku (9 July 2011) and through the Joint Working Group. Te Roroa's cultural practices have been recognised in the DOC protocol and Te Tarehu protocols of the Settlement Act.

Topics of concern included:

- **Hunting.** Hunting introduced pigs and goats for food is in accordance with DOC's pest management strategies, and will not be affected by national park status. Te Roroa are aware of, and agree with, section 4.3(d) of the General Policy on National Parks specifying the eradication of pest species. Section 4(2)(b) of the National Parks Act also requires introduced plants and animals, as far as possible, to be exterminated (unless the NZCA determines otherwise). The release of pigs and goats into the national park area will continue to be illegal as is currently the case under the Conservation Act. Hunters require a permit and their dogs must be specifically trained to avoid kiwi.
- **Non-commercial gathering of freshwater fish and eels.** Te Roroa whānau who wish to undertake non-commercial gathering of freshwater fish and eels to feed whānau are able to apply for a permit under the National Parks Act. This accords with the Settlement Act and provisions of Te Tarehu.¹¹
- **Cultural materials.** Gathering natural resources for matauranga Māori, such as mahi whakairo/carving, rāranga/weaving and rongoa/traditional medicine, will not be affected by national park status. As above, a permit may be issued for customary harvest under the National Parks Act. This accords with the Settlement Act and provisions of Te Tarehu.
- **Environmental effects.** The effect of establishing a national park on the pristine natural catchment areas such as Wairau, and the Waipoua River catchment area, which rates as the most pristine river in Northland, will not be disturbed or altered with the implementation of a national park.

Both Policy 2(g) of the General Policy for National Parks (2005) and the Te Tarehu Protocol of the Te Roroa Claims Settlement Act 2008 provide for the possibility of Te Roroa whānau continuing their customary practices within the proposal under a permitting system. Te Roroa's customary use of natural resources will need to be included in the management plan for the proposed national park. DOC and Te Roroa are currently working together to establish processes and procedures for customary materials collection that will not adversely impact upon the ecological values of Waipoua Forest. This work is mandated in the Settlement Act and will continue irrespective of the national park investigation.

3.5.2 Wāhi tapu and wāhi taonga

Waipoua Forest and the public conservation land identified for inclusion in the proposed national park contains many wāhi tapu sites and wāhi taonga/treasured sites of historical and cultural significance, as described in the Te Roroa Waitangi Tribunal Report. During the development of this report, some Te Roroa descendants raised concerns about these sites being included in the proposed national park and the potential impact this could have. The management plan for the proposed park must ensure that all of these sites are protected and preserved effectively. As part of the Te Tarehu Protocol between DOC and Te Roroa, work is currently under way to ensure a clear management plan specifically for wāhi tapu is in place, along with agreement to work together to protect all wāhi tapu and wāhi taonga sites. DOC will continue to work with Te Roroa hapū and whānau on protecting wāhi tapu and wāhi taonga sites, irrespective of the national park investigation.

¹¹ General Policy for National Parks. 2005. Section 2(g); Treaty of Waitangi Responsibilities. p 15. 'Customary use of traditional materials and indigenous species may be authorised either as a Ministerial consent under section 5 of the National Parks Act 1980 or as a concession under section 49, depending on the nature of the use. Other consents may be required.'

Chapter 4 Assessment of this proposal for national park status

This chapter addresses the required statutory processes in an assessment of whether national park status is appropriate for the Northland kauri forests under investigation. The processes for this proposal are unique, as they also require adherence to Te Tarehu, under the Te Roroa Claims Settlement Act 2008 and the Te Roroa Deed of Settlement 2005. The chapter addresses specific criteria in the General Policy for National Parks that must be met for national park status to be deemed appropriate (Policy 6); and assesses the land under investigation against those criteria. While specific consideration of consultation with Te Roroa, required to meet the Te Tarehu protocol, is provided in 4.4, other Te Tarehu considerations are woven throughout this chapter, where relevant. In 4.9, an assessment is provided of the legal and practical implications that national park status would have on management of the lands. The chapter concludes with recommendations to the NZCA (4.10).

4.1 Statutory process and considerations

4.1.1 The statutory process for this investigation

The process for assessing this proposed national park for Northland's kauri forests is unique—it not only adheres to requirements in the National Parks Act and General Policy for National Parks, but also incorporates the requirements of the Te Roroa Claims Settlement Act 2008 and the Te Roroa Deed of Settlement 2005. While the Settlement Act does not change the criteria set out in the National Parks Act and the General Policy for National Parks, it does require the NZCA, the Northland Conservation Board and DOC to liaise closely with Te Roroa at key stages in the process. The composite process is summarised in Appendix E.

4.1.2 National Parks Act 1980

Sections 7 and 8 of the National Parks Act are key to this investigation. Section 7(2) says the Minister of Conservation may not recommend to the Governor-General that a national park be established, added to or named except on the NZCA's recommendation, made after consultation with the relevant conservation board.

Section 8(1) empowers the NZCA to request the Director-General of Conservation to investigate and report to it on any national park proposal, including whether land should be acquired for national park purposes. However, only land of the Crown may be declared national park (section 7(1)). Relevant sections of the National Parks Act are reproduced in full in Appendix F.

4.1.3 General Policy for National Parks

Section 4 of the National Parks Act sets out its purpose—to preserve:

...in perpetuity as national parks, for their intrinsic worth and for the benefit, use, and enjoyment of the public, areas of New Zealand that contain scenery of such distinctive quality, ecological systems, or natural features so beautiful, unique, or scientifically important that their preservation is in the national interest.

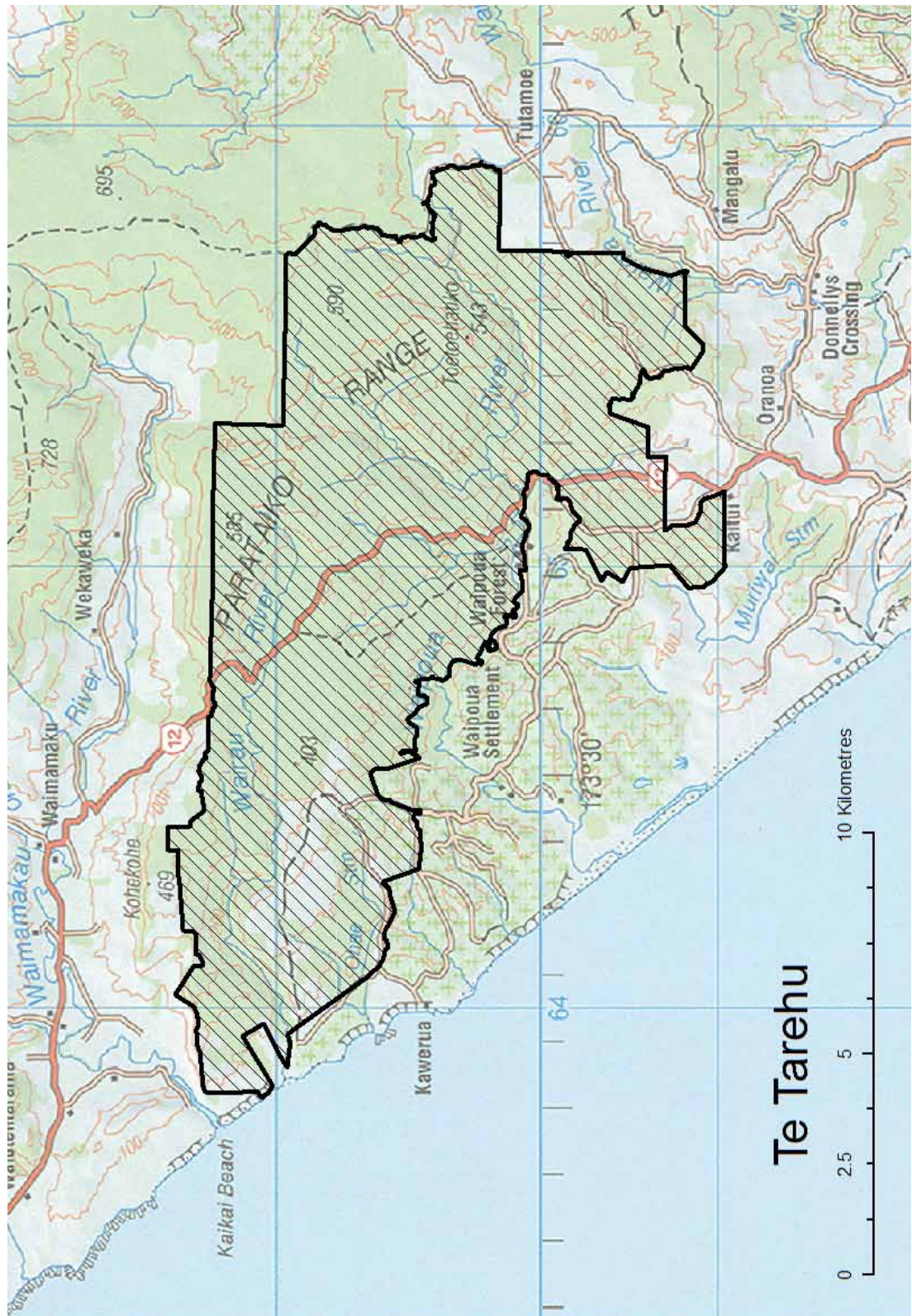
However, other requirements are implied or specified elsewhere in the Act. These are synthesised in Policy 6 of the General Policy for National Parks, which outlines matters that must be taken into consideration in assessing whether land should be given national park status, and in determining the boundaries. The criteria in Policy 6 provide the detailed framework for assessing national park values and boundaries. Sections 4.2–4.8 of this chapter deal with each of the Policy's specific criteria to make the case for a Kauri National Park.

The General Policy for National Parks is provided as Annex 4.

4.1.4 Te Roroa Claims Settlement Act 2008 and Te Tarehu overlay

The three key sections of the Settlement Act are sections 54, 55 and 59. These relate specifically to Te Tarehu, which is established by the Settlement Act and shown on Figure 4. Te Tarehu is intended to protect the traditional, cultural, historical and spiritual associations of Te Roroa with the forest, while leaving day-to-day management with DOC.

Figure 3. Te Tarehu Map overlay on Waipoua Forest



While sections 54, 55 and 59 are discussed elsewhere in this report, their importance means it is relevant to describe them again here:

Section 54 requires the NZCA and the Northland Conservation Board to have particular regard to Te Roroa values in relation to Te Tarehu and the protection principles when it approves or otherwise considers a proposal or recommendation for a change of status in relation to Te Tarehu.

Section 55 requires the NZCA and the Northland Conservation Board to consult with Te Roroa's Manawhenua Trust and have particular regard to its views as to the effect of the proposal or recommendation for a change of status on Te Roroa values in relation to Te Tarehu and the protection principles.

Section 59 requires the Director-General to take certain actions in relation to the protection principles set out in the Deed of Settlement dealing with Te Tarehu. These include convening a joint DOC–Te Roroa working group (the Joint Working Group). In 19 November 2009, the Joint Working Group advised the NZCA on land to be investigated, and it reported to the director-General in March 2011 on a range of matters to do with the proposal. The Joint Working Group Report is attached as Annex 3.

Relevant sections of the Settlement Act are provided in full in Appendix G. Te Tarehu values and protection principles are set out in the Deed of Settlement and are provided in Appendix B.

4.1.5 National Parks Governance

The National Parks Act sets up an elaborate framework for the governance of national parks. National parks are administered and managed by the Department in accordance with the National Parks Act, the General Policy for National Parks, CMSs and management plans. The Minister is invariably the decision maker in respect of decisions required to be made under the Act. The New Zealand Conservation Authority approves general policy for national parks. It also approves management plans for each park and advises the Minister and Director-General on national park issues. The function of Conservation Boards is to recommend management plans to the NZCA for approval. They also play a role in the development of such plans as they must be consulted by the Director-General on the preparation or review of a plan. They are able to advise the Director-General or NZCA on national park issues. The Department prepares management plans with input from the relevant Conservation Board, and affected iwi. Statutory decisions under the National Parks Act are usually made by the Minister.

Te Roroa's Settlement Act provides the foundation for a relationship on shared conservation goals for Waipoua Forest and surrounding public conservation land. It includes a detailed proposal regarding some of Te Roroa's relationship with the Department largely on day to day matters. Te Roroa considers that it should be involved at all levels – governance, management planning and operations within Waipoua Forest and any national park established within its rohe. During the Joint Working Group process Te Roroa expressed a strong aspiration to be actively involved at a governance level as a partner in this proposed national park. It indicated that it was looking for an innovative governance model that would allow it to co-govern the proposed national park with the Department.

The investigation process under s 8 of the Act, however, is necessarily focused on investigating proposals to add land to parks or establish new parks. It does not provide for or enable governance issues to be addressed. Any issues about governance can only be dealt with through the political and legislative processes. These matters are, therefore, beyond the scope of this investigation.

4.2 General Policy for National Parks: Policy 6(a)–6(c): Scenery, natural features, size and naturalness

Policy 6(a)–6(c) requires that:

- 6(a) *Lands recommended for national park status will contain, for their intrinsic worth and for the benefit, use and enjoyment of the public, the following:*
- i) *scenery of such distinctive quality that its preservation in perpetuity is in the national interest; or*
 - ii) *ecosystems or natural features so beautiful, unique or scientifically important that their preservation in perpetuity is in the national interest.*
- 6(b) *Lands recommended for new national park status should be relatively large, preferably in terms of thousands of hectares, and preferably comprise contiguous areas or related areas; and should be natural areas.*
- 6(c) *Predominantly natural areas may be considered for national park status if they:*
- i) *contain modified areas which can be restored or are capable of natural regeneration, particularly if representative of ecosystems not adequately included elsewhere in a national park; or*
 - ii) *contain features which have no equivalent in a national park and which are so beautiful, unique or scientifically important that they should be protected in a national park.*



Waipoua Forest showing layers of vegetation. Photo: DOC.

Criteria 6(a)(i): Distinctive scenery

The proposal contains the following outstanding scenery:

- The iconic Kauri Coast vista of coastal dunes rolling inland to the shrublands, climbing through rainforest to the distant Parataiko Range.
- Majestic individual kauri with their mastheads soaring skywards from the rainforest—ngā tupuna o te ngāhere—ancestors of the forest.
- The lush multilayered subtropical rainforest foliage, which can be glimpsed and experienced up close via the road and the tracks.
- The unspoilt beauty of the Waipoua River, Wairau River and Ohae Streams as they flow through the forest down to the sea.

From the coast to the eastern boundary of the Waipoua Forest, the land rises gradually towards the summit of the Mataraua Plateau, some 16 kilometres inland and 640 metres above sea level. The coastal frontage of the proposal, approximately 3 kilometres long, consists of exposed sand beaches, with small areas of boulder outcrops where basalt flows have extended seawards. Slopes within the proposal are moderate with a mean of 12 degrees and range of up to 47 degrees. The Parataiko Range forms a boundary to the north, with the southern boundary marked by the Katui-Marlborough Hills.

Two key catchments are included in the proposal—the Wairau and upper Waipoua Rivers. These two main river systems remain largely unmodified and both are identified as rivers of outstanding value in the Northland Regional Council Soil and Water Plan. The other major catchment in the proposal is the Ohae Stream, which drains a significant part of the drier coastal faces.

Four major landforms are represented in the proposal:

- Older consolidated aeolian (windblown) sands form a gently rolling topography immediately behind the coastal frontage.
- Hill country covers most of the area—long low rounded ridge/gully systems with a noticeable lack of erosion.
- High altitude plateaux are located in the north-east of the forest.
- Alluvial river flats occur in the lower valleys of the two major rivers—Wairau and Waipoua.

Waipoua Forest is perhaps most recognised by the iconic image of the giant kauri, Tāne Mahuta—Lord of the Forest. The Waipoua Forest tract encompasses an entire landscape of wild rugged and remote Northland west coast scenery—from the high coastal dunes through shrubland that merges into a rich sub-tropical rainforest with emergent kauri (*Agathis australis*), up into distant moist virgin bush-clad ranges.

Most visitors experience the scenery of Waipoua Forest via SH12, which winds 20 kilometres through the heart of the forest along a narrow corridor of vigorously profuse and densely overhanging vegetation, with occasional large kauri next to the road. From the road, visitors can stop off at five sites (Forest Lookout, Waipoua Forest Visitor Center, two Kauri Walks sites and Tāne Mahuta), and take a series of short walks to visit the main kauri attractions.

To the west of the main Waipoua Forest tract lie the Kawerua Conservation Area and Kawerua Marginal Strip No 1, with a mosaic of regenerating coastal-shrubland forest. To the south-east and due south of Waipoua Forest are Gorrie Scenic Reserve, Donnelly's Crossing Scenic Reserve and Marlborough Road Scenic Reserve, which all border the main forest tract.

The scenery of Trounson Kauri Park Scenic Reserve includes a significant remnant of mature kauri forest associations amongst farmlands in the upper Kaihu/Waima Valley. Its forest contains distinctive emergent kauri tree crowns and, in 1921, was described as: 'One of the world's greatest sights' by the then MP for Auckland, the Hon George Fowlds.

When Te Roroa people look at the landscape of the investigation area they see 'the records of interaction with our tupuna/ancestors in this place'.¹²

Criteria 6(a)(ii): Beautiful, unique or scientifically important ecosystems and natural features

The climate, geology and soils of the areas under investigation, combined with the native plants and animals that live there, ensure the proposal meets the criteria for beautiful, unique and/or scientifically important ecosystems and natural features. Notable features include:

- The kauri forest soils of the investigation area are of international importance.

¹² Pg 20 Nga Ture o Te Taiao - Te Iwi o Te Roroa Environmental Policy - Ratified Version, 2009.

- Maitahi Wetland Scientific Reserve has the only known viable population of black mudfish in the whole west coast of Northland.
- The investigation area includes New Zealand’s largest remaining example of relatively intact old-growth kauri forest—less than 3.3% of New Zealand’s original kauri forests remain.¹³
- More than 300 species of trees, shrubs and ferns are found within the proposal, living in a rich mosaic of interdependency and providing the best ‘mountains-to-sea’ altitudinal sequence of any northern forest.
- More than 30 species of plants, lichen and shrubs perch in the branches of Tāne Mahuta—Lord of the Forest.
- Waipoua Forest tract contains a huge range of floristic diversity with 13 differing forest types and 7 shrubland types present. Among its plants are 31 threatened species, some of which are endemic to Northland.
- Maitahi Wetland Scientific Reserve is a very rare and unique ecosystem—its ‘gumland’ type of wetland is endemic to Northland and of significant scientific importance.
- Waipoua Forest tract, Trounson and Maitahi are key habitats for nationally threatened and at risk New Zealand fauna, including North Island kōkako and Northland brown kiwi.

Overview

The three discrete geographical areas included in this investigation are unified by their kauri connections. The kauri tree is only found in New Zealand, and stands tall as an iconic emblem for the vast suite of plants and animals that are found only in the northern part of New Zealand.

Waipoua Forest and its adjoining areas contain the largest and most intact remnant of the vast kauri forests that once covered much of the northern North Island. The area is notable for the diversity of its forests and other vegetation, for the quality of its catchments and freshwater ecosystems, and for the uniqueness and scientific significance of Maitahi wetland. Further, it contains the best ‘mountains-to-sea’ altitudinal sequence of any northern forest.

Acknowledging the beauty, uniqueness and scientific significance of the lands in this proposal would create the first North Island national park to touch the coast and the only kauri national park.

Natural features

The Waipoua Forest tract includes about 10,000 hectares of contiguous forest tract. It forms a unique ecological sequence of scientific importance that encapsulates the rich biodiversity of a northern subtropical rainforest. From the Kawerua Conservation Area at coastal level, to the high ground of the Mataraua Plateau, almost the entire catchments of the Wairau River and Ohae Stream, and most of the upper Waipoua River catchment are included in this national park proposal.

Waipoua Forest is New Zealand’s largest remaining relatively intact example of old-growth kauri forest. Sale and Halkett (1986¹⁴) estimated that less than 3.3% of New Zealand’s original kauri forests remain. The massive specimens of mature kauri within the Waipoua Sanctuary Area are recognised internationally as taonga. Ranging in height from 30-50 metres, these trees are thought to be more than 1000 years old and are some of the largest and oldest living organisms in the world.¹⁵ The beauty, uniqueness and scientific importance of these trees warrants their preservation in both the national and international interest.

13 Halkett, J; Sale, E.V. 1986: *The World of the Kauri*. Reed Methuen, Auckland. P 159.

14 Halkett, J; Sale, E.V. 1986: *The World of the Kauri*. Reed Methuen, Auckland. P 159.

15 Department of Conservation. 1992: Northland Kauri National Park Investigation. Report to the New Zealand Conservation Authority. Department of Conservation, Whangarei. P 34.

The Kawerua Conservation Area contains coastal and lower altitude shrublands, including a mosaic landscape reflective of historic fires and gum-digging activities. With the inclusion of the Kawerua Conservation Area, the sequence, which extends up the Wairau River catchment, is a nationally rare ecosystem continuum of outstanding scenic, landscape and ecological value. Along with the Waipoua Forest tract as a whole, this zone meets the criteria for national parks status.

Trounson Kauri Park Scenic Reserve shares many of the Waipoua Forest tract's natural features and values—namely majestic kauri specimens and an easily accessible example of rare lowland mature forest habitat. A vital aspect of its value to the proposal's natural features is the wildlife corridor provided by its lowland mature forest habitat, particularly important for kükupa (native wood pigeon).

The open access Maitahi Wetland Scientific Reserve is a natural feature in and of itself. As a very rare wetland ecosystem, the Reserve has significant scientific importance, offering opportunities for scientific insight and providing a focus for learning about the ecology of kauri forest wetlands. The main body of the wetland is surrounded by a gumland catchment. Its size, intactness and the range of wetland types and threatened species it supports make it Northland's most significant remaining medium fertility to nutrient-poor fertility wetland, and increase its relevance and importance as part of New Zealand's national park network.

Ecological systems

Although Waipoua Forest is rightly famous for its giant kauri trees, these groves are only a small part of its ecosystem. Taraire (*Beilschmiedia tarairi*) is the most abundant species in Waipoua Forest numerically, with towai (*Weinmannia silivicola*) and tawa (*Beilschmiedia tawa*) the next most common.¹⁶ Waipoua Forest is, however, a forest of endless variety, complexity and diversity. More than 300 species of trees, shrubs and ferns are found within the proposal living in a rich mosaic of interdependency. More than 30 species of plants, lichen and shrubs are perched in the branches of Tāne Mahuta alone. With its rich biodiversity, Waipoua Forest is more akin to the tropical rainforests of the south-west Pacific, than it is to the temperate forests of the rest of New Zealand. Further inland, at higher altitude, kauri disappears from the forest.

While Trounson is fundamentally similar to the type of forest found in the core of the Waipoua Forest tract, its management by DOC as a mainland island has significantly enhanced its kauri forest ecosystem and wildlife habitat values.

The third area in this proposal, Maitahi Wetland Scientific Reserve, is the largest area of 'gumland' remaining in the Kaipara Ecological District. Its large size and shape (part of a catchment) mean much of it is effectively self-buffered. Maitahi Wetland supports an impressive number of nationally threatened, at risk and regionally significant species, including what appears to be Northland's only extant population of the nationally endangered wiry bogsedge (*Schoenus carsei*), as well as an impressive array of orchids.

Maitahi Wetland's significance arises from its rarity and uniqueness as an ecosystem—combining a sandy/peat gumland with a large fen wetland. Gumlands are seasonally waterlogged, infertile and acidic wetlands, which are characterised by species such as manuka, umbrella fern, sedges and *Dracophyllum lessonianum*. A fen wetland has a predominantly peat substrate that receives inputs of groundwater and nutrients from adjacent soils.

Maitahi Wetland's gumland type is endemic to Northland and Maitahi is the last representative area of this type outside of the Ahipara gumlands (which differ again and do not have the associated fenland).¹⁷

16 Eadie, E.; Burns, B.; Leathwick, J. 1987: Waipoua Ecological Survey 1984-1905. Department of Conservation, Auckland, and Forest Research Institute, Rotorua. p 43; Bellingham, M. 1985: Proposed Western Extension to the Waipoua Forest Sanctuary. Unpublished, Royal Forest and Bird Society of New Zealand, Wellington. p 2.

17 Anderson, P. 2005: Internal DOC report. Available at OLDDM-117664; dme://olddm-117830.

Native plants

Waipoua Forest tract contains a huge range of floristic diversity, with 13 differing forest types and 7 shrubland types present (Burns et al. 1987). This unique compilation is an outstanding example of a northern rainforest ecosystem, including magnificent specimens of kauri.

Within this floristic diversity is a rich array of fungi and non-vascular plants, such as mosses and liverworts, algae and lichens. Although extensive, the current list for the area under investigation is known to be incomplete, as other species have been recorded from coastal areas, and some very seasonal plants, such as ground orchids, are difficult to find.

Eadie et al. (1984–1985¹⁸) recorded more than 380 native vascular plants in Waipoua Forest, of which 69 (18% of the total) are restricted to the north of the North Island. Some of the Forest's 31 threatened plant species are endemic to Northland.

Of particular significance is the Wairau River catchment, which lies almost entirely within the proposal. Bellingham (1985)¹⁹ identified it as having the only surviving coastal forest-to-upland kauri forest sequence in the Western Northland Ecological Region. This catchment also contains colonies of the threatened *Pittosporum pimeleoides* subsp. *pimeleoides*. In his report Bellingham said:

The occurrence of the unusual plant species indicates the fragile nature of the lowland valleys and the uniqueness of the Wairau. It is the only relatively untouched valley system in Northland that still displays vegetation that the early botanists such as Cunningham and Cheeseman would have seen.

Bellingham also said of significance is the Ohae Stream catchment, which takes in a large area towards the coast, and is typified by a mosaic of forest and shrublands. It has the only stand of mature kauri forest on sand and beach deposits in the Tutamoe Ecological District.²⁰ The Ohae Stream catchment also has the Western Northland Ecological Region's most representative sequence of the stages of regeneration of lowland forest, from gumland scrub to mature kauri forest. Bellingham said of its silver pine (*Manoao colensoi*):

Silver pine is uncommon throughout Northland, especially in lowland sites. One site was located with pole silver pine in a poorly-drained basin on sandy soils in the lower Ohae catchment. The growth of silver pine of this type of soil is rare and not unlike that of South Westland.²¹

Beyond the large forest tract of Waipoua/Mataraua/Waima, Trounson Kauri Park Scenic Reserve contains the best examples of kauri-taraire and taraire-totara forest in the Tutamoe Ecological District. Further, it contains the Tutamoe Ecological District's only recorded examples of three ecological units:

- Mapou shrubland on hillslope
- Kahikatea-kauri forest on flats
- Taraire-totara riverine forest on alluvium.

The Reserve also has significant areas of regenerating secondary forest.

Nationally threatened and at risk plant species in the Waipoua Forest tract and Trounson Kauri Park Scenic Reserve are shown in Table 3. (Note that further information on vegetation types in the Waipoua Forest, based on an ecological survey in 1984–1985, is available in Appendix I.)

18 Eadie, E.; Burns, B.; Leathwick, J. 1987: Waipoua Ecological Survey 1984-1905. Department of Conservation, Auckland, and Forest Research Institute, Rotorua. p 43.

19 Bellingham, M. 1985: Proposed Western Extension to the Waipoua Forest Sanctuary. Unpublished, Royal Forest and Bird Society of New Zealand, Wellington. pp 5-7.

20 Ibid. p 2.

21 Ibid. p 2.

TABLE 3. NATIONALLY THREATENED AND AT RISK NATIVE PLANT SPECIES IN THE WAIPOUA FOREST TRACT AND TROUNSON KAURI PARK SCENIC RESERVE

THREAT STATUS	SPECIES NAME
Nationally critical	Fungus (Undescribed genus— <i>Trichocomaceae</i>)
Nationally endangered	Moss— <i>Fissidens integerrimus</i> Native oxtongue— <i>Picris burbridgeae</i> King fern— <i>Todea barbara</i> Bartlett's koromiko— <i>Hebe perbella</i>
Nationally vulnerable	Shiny sedge— <i>Baumea complanata</i> <i>Pimelea tomentosa</i> Historical record of NZ water cress, matangaoa— <i>Forippa divaricata</i>
Declining	Kirks daisy— <i>Pittosporum kirkii</i> Kirk's daisy— <i>Brachyglottis kirkii</i> var. <i>kirkii</i> Raukawa— <i>Raukawa edgerleyi</i> Historic record of red mistletoe / pikirangi— <i>Peraxilla tetrapetala</i>
Naturally uncommon	Yellow gumland leek orchid— <i>Corunastylis pumila</i> Moss— <i>Fissidens strictus</i> Mokimoki— <i>Doodia mollis</i> <i>Doodia squarrosa</i> Liverwort— <i>Drucella entegristipula</i> Rawlings strap-fern— <i>Grammitis rawlingsii</i> Filmy fern/piripiri— <i>Hymenophyllum atrovirens</i> <i>Fuchsia procumbens</i> Liverwort— <i>Schistochila nitidissima</i> New Zealand cedar/kawaka— <i>Libocedrus plumosa</i> <i>Microlaena carsei</i> Monoao— <i>Halocarpus kirkii</i> <i>Pittosporum ellipticum</i> <i>P. pimeleoides</i> subsp. <i>pimeleoides</i> Fan-fern— <i>Schizaea dichotoma</i> Moss— <i>Sphagnum perichaetiale</i> Historical record of <i>Thismia rodwayi</i>
Relict	Colensoa/koru— <i>Colensoa physaloides</i> <i>Lagenifera lanata</i> Historical record of bladderwort— <i>Utricularia delicatula</i>
Data deficient	Spider orchid— <i>Nematoceras rivulare</i>

Maitahi Wetland Scientific Reserve has its own unique collection of nationally threatened, at risk and regionally significant native plant species, predominantly defined by *Schoenus brevifolius* sedgeland, manuka-harakeke-tangle fern shrubland and manuka gumland, with significant presence of the exotic shrub prickly hakea. The Wetland Reserve's significant native plants are listed in Table 4, including Northland's only extant population of the nationally endangered wiry bogsedge, already mentioned.

TABLE 4. SIGNIFICANT NATIVE PLANTS UNDER THREAT IN MAITAHU WETLAND SCIENTIFIC RESERVE

THREAT STATUS	SPECIES
Nationally critical	Pygmy clubmoss— <i>Phylloglossum drummondii</i>
Nationally endangered	<i>Pomaderris phyllicifolia</i> Wiry bogsedge— <i>Schoenus carsei</i>
Declining	Kirk's daisy— <i>Brachyglottis kirkii</i> var. <i>kirkii</i> <i>Dianella haemata</i> Marsh fern— <i>Thelypteris confluens</i>
Relict	<i>Utricularia delicatula</i>
Taxonomically indeterminate—nationally critical	Copper beard orchid— <i>Calochilus</i> aff. <i>herbaceus</i>

Native fauna

The Waipoua Forest tract, Trounson Kauri Park Scenic Reserve and Maitahi Wetland Scientific Reserve are key habitats for nationally threatened and at risk New Zealand native animal species, including birds, bats, reptiles and snails (Table 5).

Waipoua, together with the contiguous areas of the Waima and Mataraua Forests, probably supports the largest remaining Northland brown kiwi population (*Apteryx mantelli*) and Northland's last functional population of kōkako (*Callaeas cinereus*). Of a limited distribution nationally, but not uncommon within the forested areas, is the pied tomtit/miromiro (*Petroica macrocephala*). The North Island fernbird/mātātā (*Bowdleria punctata vealeae*) is found in the shrublands nearer the coast. Other native birds are relatively common and widespread throughout the area, including tūī (*Prosthemadera novaeseelandiae novaeseelandiae*), silveryeye (*Zosterops lateralis lateralis*), North Island fantail (*Rhipidura fuliginosa placabilis*), grey warbler (*Gerygone igata*), kingfisher (*Todiramphus sanctus vagans*), morepork (*Ninox n. novaeseelandiae*) and shining cuckoo (*Chrysococcyx lucidus lucidus*).

Kiwi and kūkupa (*Hemiphaga novaeseelandiae*) numbers are particularly high at Trounson Kauri Park Scenic Reserve, and both species disperse to outside areas. Because Trounson has been intensively managed as a mainland island since 1996, it is both an important refuge for threatened species, and a source of new recruits to surrounding areas.

TABLE 5. NATIVE ANIMAL SPECIES UNDER THREAT IN THE AREAS UNDER INVESTIGATION

THREAT STATUS	SPECIES
	Land birds
Nationally endangered	Australasian bittern— <i>Botaurus poiciloptilus</i>
Nationally vulnerable	North Island kaka— <i>Nestor meridionalis septentrionalis</i> North Island kōkako— <i>Callaeas cinereus</i> North Island brown kiwi— <i>Apteryx mantelli</i>
At risk	North Island fernbird—mātātā— <i>Bowdleria punctata vealeae</i>
Nationally uncommon	Long-tailed cuckoo— <i>Eudynamys taitensis</i>
Relict	Red-crowned kakariki— <i>Cyanoramphus n. novaezealandiae</i>
	Coastal birds
Nationally vulnerable	Caspian tern/taranui — <i>Hydroprogne caspia</i> Reef heron/matuku moana — <i>Egretta s. sacra</i> Northern New Zealand dotterel—tuturiwhatu pukunui— <i>Charadrius obscurus</i> Banded dotterel/tuturiwhatu— <i>Charadrius bicinctus</i>
Declining	Northern blue penguin/korara— <i>Eudyptula minor</i> White-fronted tern— <i>Sterna striata</i>
Nationally uncommon	Black shag/kawau— <i>Phalacrocorax carbo novaehollandiae</i>
	Mammals
Nationally endangered	Long-tailed bat— <i>Chalinolobus tuberculatus</i> Northern short-tailed bat— <i>Mystacina tuberculata aupaourica</i>
	Reptiles
Declining	Auckland green gecko— <i>Naultinus e. elegans</i>

Native invertebrate fauna

While the invertebrate fauna of the areas under investigation is not well known, there are at least six threatened species present in Waipoua Forest. A national survey of the conservation needs of 101 native invertebrates found Northland to have the second highest occurrence of threatened species nationally—55—or 18% of the total surveyed (McGuinness 2001).

Snails are a notable feature of Northland's native fauna and are well-represented at Waipoua, particularly the large and attractive kauri snail (*Paryphanta busbyi*), which is classified as in 'gradual decline'. Site endemic beetles and ground weta are also found there. Table 6 lists the threatened native invertebrate animals known to live in the three areas under investigation for national park status.



Kauri snail. Photo: DOC.

TABLE 6. NATIVE INVERTEBRATE ANIMAL SPECIES UNDER THREAT IN THE AREAS UNDER INVESTIGATION

THREAT STATUS	SPECIES
	Invertebrates
Serious decline	Forest ringlet butterfly— <i>Dodonidia helmsii</i>
Range restricted	Otekauri (ground weta)— <i>Hemiandrus</i> sp.
Sparse	'Waipoua' (beetle)— <i>Syrphetodes</i> sp. Northland tusked weta— <i>Hemiandrus monstrosus</i> Northland tusked weta— <i>Anisonra nicobarica</i> Stag beetle— <i>Paralissotes mangonuiensis</i>
Data deficient	<i>Rhododrilus agathis</i> (earthworm) The minute beetles <i>Euconnus microcilipes</i> , <i>Euconnus paracilipes</i> , <i>Maorinus hunuaeformis</i> , <i>Maorinus</i> sp., <i>Maorinus toronouii</i> and <i>Sciacharis yakasensis</i> <i>Megacolabus bifurcatus</i> and <i>Megacolabus obesus</i> (beetles) Peace's weevil— <i>Nothaldonis peacei</i>
	Land snails
Nationally endangered	<i>Phrixgnathus murdochi</i>
Gradual decline	Kauri snail— <i>Paryphanta busbyi</i>
Range restricted	<i>Phrixgnathus waipoua</i> <i>Athoracophorus</i> sp. 7 (native slug) <i>Punctidae</i> sp. 28 <i>Punctidae</i> sp. 29 <i>Punctidae</i> sp. 34
Data deficient	<i>Charopidae</i> sp. 8 <i>Charopidae</i> sp. 12
Numbers are used to classify data deficient species until the species' taxonomy is definitively identified.	<i>Charopidae</i> sp. 13 <i>Punctidae</i> sp. 31 <i>Punctidae</i> sp. 32 <i>Punctidae</i> sp. 33

Freshwater fauna

The most significant freshwater species in the areas under investigation is found in Maitahi Wetland Scientific Reserve—the only known viable population of black mudfish ('relictual') in the Kaipara Ecological District, and indeed on the west coast of Northland.

Eleven species of native freshwater fish have been recorded from the three main catchments of the proposal (the Waipoua and Wairau Rivers, and the Ohae stream). Both Waipoua and Wairau Rivers are identified in the Northland Regional Soil and Water Plan as rivers of regional significance and ‘near to pristine rivers’.

Several species considered to be ‘at risk’ are found in their waters (Table 7), including the long fin eel/tuna (*Anguilla dieffenbachii*), torrentfish (*Cheimarrichthys fosteri*), lamprey/pihoro/kanakana (*Geotria australis*) and short-jawed kōkopu (*Galaxias postvectis*). Waipoua River is also noted for the high species diversity of its aquatic invertebrate community (Sietzer, 1996).

TABLE 7. NATIVE FRESHWATER ANIMAL SPECIES UNDER THREAT IN THE AREAS UNDER INVESTIGATION

THREAT STATUS	SPECIES
	Fish
Declining	Short-jawed kōkopu— <i>Galaxias postvectis</i> Long fin eel/tuna— <i>Anguilla dieffenbachii</i> Lamprey/pihoro/kanakana— <i>Geotria australis</i> Koaro— <i>Galaxias brevipinnis</i> Torrentfish— <i>Cheimarrichthys fosteri</i> Red-finned bully— <i>Gobiomorphus huttoni</i>
Relict	Black mudfish— <i>Neochanna diversus</i>
	Invertebrates
Range restricted	Caddisfly— <i>Oxythira waipoua</i>

Climate

A prevailing westerly flow from the Tasman Sea, combined with the open coastal exposure of the Kauri Coast, produce high rainfall and the unique climatic conditions that support the Waipoua Forest ecosystem. The westerly flow creates misty conditions, prevalent from February through to October.

Geology

Four geological strata underlie the area under investigation:

- Omapere Conglomerate and the Pukorukoru Formation are sedimentary rocks thought to have been deposited in an alluvial plain or deltaic environment. They occur infrequently on the surface and were already present in the mid-Miocene (12-20 million years ago) when the first Waipoua Basalt lava flows were laid down. The main area of conglomerates in the proposal occurs in the headwaters of the Wairau River where SH12 enters the northern Waipoua Forest.
- Waipoua Basalt covers an area of 500-square-kilometres, extending from Kaihu to the Waimamaku Valley, up to 20 kilometres inland and to elevations in excess of 700 metres above sea level. Along the coastline the flows dip gently into the sea. Most of the proposal overlies Waipoua Basalt.
- The Kaihu Group is mainly sand-based and includes all the main sub-groups above the Waipoua Basalt. It occurs mainly along the coast but can extend up to 7 kilometres inland and to altitudes of 300 metres. Kaihu Group deposits underlie coastal parts of the proposal.

Many small streams within the forest drain into the Wairau and Waipoua Rivers. The Waipoua and its tributaries are much narrower and faster than the wider and more sedate Wairau, and have cut deeper into the underlying Waipoua Basalt. The virtually impervious basalt and the area’s high rainfall cause frequent floods that have created wide alluvial flats, especially in the lower catchments.

The Trounson Kauri Park Scenic Reserve lies entirely on Waipoua Basalt, with similar soils to the Waipoua Forest tract. It occupies a low hill between 140 meters and 320 metres above sea level in the Waima River catchment, adjoining the river along part of its western boundary.

Soils

Arand et al (1993)²² identified the Waipoua Sanctuary Area as a soil site of international importance. It features:

- a large area containing a diverse range of brown granular clays under native vegetation
- the only example of Parataiko and Waimamaku soils
- good examples of uncommon soil types, such as Hihi, Waipoua and Katui.

Similarly, Arand et. al (1993)²³ consider Trounson Kauri Park Scenic Reserve as a soil site of international importance:

- for its undisturbed soil-kauri forest associations featuring unmodified kauri forest
- as the only example of Whatoro soils.

Major factors influencing the formation of soils in the investigation area are:

- Extensive sheets of acidic andesitic basalt.
- Its warm humid climate.
- The length of time since the area's last volcanic or tectonic activity.
- The effects of mor-forming forests—those where the vegetation deposits a mor-forming acid litter, such as in kauri forests. This tends to leach the nutrients required for plant growth from the soil, leaving 'podzols'. Kauri leave their mark in the form of 'egg-cup podzols'—nutrient-poor areas in the soil where individual trees once grew. The so-called 'white streak soil' from kauri forests in Northland is quartz sand, which is virtually devoid of nutrients.

Criteria 6(b): Size and fragmentation

The proposal meets this criterion, and would take pride of place as New Zealand's smallest national park. The three parcels of land are related by their relationship with the iconic kauri and their physical proximity. Integrating them into one national park protects the ecological integrity and biodiversity values of habitat that stretches from the coast to upland forests and provides important wildlife corridors. Looked at in terms of the northern flora, kauri forests and west coast landscape, there is no better candidate.

The Waipoua Forest tract 13,060 hectares, of which 12,765 hectares are legally contiguous. In addition, Kaitui Scenic Reserve (295 hectares) is legally separate but physically linked to the main body by a QEII covenant, owned and being restored by the New Zealand Native Forest Restoration Trust.

At a larger scale, the Waipoua Forest tract is also part of the 33,000 hectare Waima-Mataraua-Waipoua forest tract, of which 23,665 hectares is public conservation lands. (While this could potentially become national park at some future point, there is no certainty about this and Waipoua Forest tract must be considered on its own merits).

When all three parcels of land under investigation are assessed as an integrated whole, they meet the criteria even more strongly, including increasing the proposal's size to 13,888 hectares. The proposed park would be New Zealand's smallest national park—6% of the average area of New Zealand's national parks (9% if Fiordland is excluded), and 55% of Abel Tasman National Park, which is currently the smallest.

In terms of naturalness, Waipoua Forest tract is the largest single tract of substantially unmodified kauri forest in New Zealand, and one of only three comparable areas adjoining the west coast (the others are Auckland's Waitakere Ranges Regional Park (17,000 hectares) and the

²² Arand, J.; Basher, L.; Wardle R.; Wardle K. 1993: Inventory of New Zealand Soil Sites of International, National and Regional Importance. Part Two—North Island and Northern Off Shore Islands (1st edition). *New Zealand Society of Soil Science Occasional Publication 2*, Lincoln University.

²³ Ibid.

Warawara Forest north of Hokianga (6943 hectares)). Very limited potential exists for a national park to be established anywhere north of 38 degrees latitude which would be representative of the northern native plants and animals.

Trounson Kauri Park Scenic Reserve and Maitahi Wetland Scientific Reserve make critical contributions to the proposed national park by broadening its array of natural ecological systems and vistas—first, in presenting the whole kauri continuum; and second, by providing a rare example of what ecosystems remain once kauri die or are removed. Trounson’s added value as a wildlife corridor has already been discussed.

The combined investigation of all three areas supports the overall integrity and coherence of the proposal by creating an integrated network of Northland’s native flora and fauna, with the advantage of providing easy access to some parts, allowing visitors to gain a deeper appreciation of what the forest and its wildlife were, and could again be. For example, Trounson offers value as an alternative visitor activity node close to the SH12 sites within Waipoua Forest, with its focus on interpretation and wildlife.

If established, the national park would lend itself to becoming a focal site for further research and interpretation of its landscape and forest ecosystems.

Although the both the Maitahi Wetland Scientific Reserve and Trounson Kauri Park Scenic Reserve are outside the Te Tarehu overlay area, the protection of indigenous species such as kauri, kiwi and other native flora and fauna is of fundamental importance to Te Roroa.

Submissions received

During the public notification process there was no comment about the boundaries of the lands included for investigation. However a key issue raised in the public notification process was a desire to see the expansion of a kauri themed national park to include other tracts of kauri forest ecosystems over time.

Criteria 6(c)(i): Modified areas capable of regeneration; Criteria 6(c)(ii): Features that have no equivalent in a national park

The Waipoua Sanctuary Area (8295 hectares) covers nearly 60% of land included in this national park investigation. Much of the remaining 40% has been modified, but is capable to some extent of regeneration, including the rare gumlands of the Maitahi Wetland Scientific Reserve, and Ohae and Kawerua in the western parts of the Waipoua Forest tract. As well as containing features that are unique and scientifically important, these two types of ecosystem sequences are now very rare in Northland and are areas not currently represented in New Zealand’s national park system. Including them in the national park proposal retains the ecological integrity and biodiversity value of habitat from rising from coast to upland forest.

Before 1900, outside of the 8295-hectare Waipoua Forest Sanctuary, much of Waipoua Forest was burned, farmed, dug for gum and logged. However, over the past century these areas have naturally regenerated to native forest.

In broad terms, three areas of the Waipoua Forest tract have been modified to varying degrees:

Inland forests, including parts of the Waipoua Sanctuary Area, have been logged but are substantially intact and/or advanced in regeneration. The Waipoua Sanctuary Area/Te Tarehu is the heart of the proposal.

The extensive mosaic of forest, persistent shrublands and scrub towards the coast are historical and/or regenerating, and interesting in their own right. They are important to the integrity of the Wairau and Ohae catchments and to the representation of forest and landscapes.

The cutover coastal pine forest provides representation of natural features, ecological systems and species not found elsewhere in the proposal. It also contributes to ecological and landscape

sequences and the integrity of the Ohae catchment. However, it is at a very early stage of regeneration and because the adjoining marginal strip (Kawerua Marginal Strip #2) was excluded from investigation (see Appendix A), it could be considered as adding low-quality land to the park without securing the full benefits of doing so. However it was the view of the investigation team that including this parcel could provide future opportunities to view regeneration in its many stages.

Adjoining Waipoua Forest to the south, the Gorrie, Donnelly's Crossing and Marlborough Road Scenic Reserves are also regenerating native forest areas.

Katui Scenic Reserve, less than 1 kilometre south of Waipoua Forest's southern boundary, has also been modified by logging and the gum industry. It is linked to the Waipoua Forest by the Elvie McGregor Reserve, which is a QEII National Trust covenant being restored by the New Zealand Native Forest Restoration Trust.

It is of note that, despite the modification of the Waipoua Forest (including the Waipoua Sanctuary Area and Katui Scenic Reserves), the NZCA's 1995 *Interim Report—Investigation into the Proposal for a Kauri National Park in Northland*,²⁴ found that these areas met the criteria for inclusion in a potential kauri national park. Since then they have regenerated further.

Towards the coast lies a more modified landscape, some of which has been burnt many times and some of which has been extensively dug for kauri gum. Including these lower-altitude and coastal shrublands enables the park to capture the mountains-to-sea ecological sequences that depict the forest's regeneration. In addition, even the most modified areas near and along the coast add to the ecological and historical value of the wider area, including wetlands and coastal vegetation and habitats not otherwise represented in New Zealand's national parks system.

Both the regenerating Gorrie and Marlborough Road Scenic Reserves are contiguous with the main Waipoua Forest tract, acquired by DOC after the 1992 national park investigation.

The regenerating Donnelly's Crossing Scenic Reserve has also been included in this national park investigation area because it is also contiguous with the main investigation area, is completely within the rohe of Te Roroa and is of key historic importance to the kauri story.

The western coastal-shrubland mosaic of the Waipoua Forest tract is a modified area capable of regeneration. It is an integral part of the mosaic of communities that make up the Waipoua Forest tract, a type of ecosystem not currently represented in New Zealand's national park system. As such it would make a valuable contribution to the national park network.

Trounson Kauri Park Scenic Reserve was one of the first areas of forest to be voluntarily protected when it was donated to the Crown in 1921 by James Trounson.²⁵ Trounson recognised the need to protect his remnant of mature kauri forest at a time when most kauri-dominated forest had already been felled. Since 1996, the Trounson Kauri Park Scenic Reserve has been intensively managed as a 'mainland island' to restore its ecosystem. It is an important example of a low-mid altitude kauri forest remnant, and compliments the main Waipoua Forest tract. Further, it provides visitors an accessible experience to be amongst a cathedral of kauri.

²⁴ New Zealand Conservation Authority. 1995: Interim Report. Investigation into the Proposal for a Kauri National Park in Northland. New Zealand Conservation Authority, Wellington.

²⁵ Department of Conservation. 2008: Natural Areas of Tutamoe Ecological District Protected Natural Areas Report. Department of Conservation, Whangarei. p 121. <http://www.doc.govt.nz/publications/conservation/land-and-freshwater/land/northland-conservancy-ecological-districts-survey-reports/natural-areas-of-tutamoe-ecological-district/>.

A 197 hectare part of Trounson Kauri Park Scenic Reserve is farmed and this is likely to continue to a lessening degree over time. The farmland provides a good and manageable buffer to the forested areas and mainland island, and could retain its current ‘scenic reserve’ designation. The long-term management approach is to slowly retire blocks and regenerate them back to kauri forest. Some of the non-farmed area is already regenerating or under restoration as part of the Trounson Kauri Park Mainland Island, which should be treated as a unit. Figure 4 shows the current land uses in the Trounson Kauri Park Scenic Reserve.

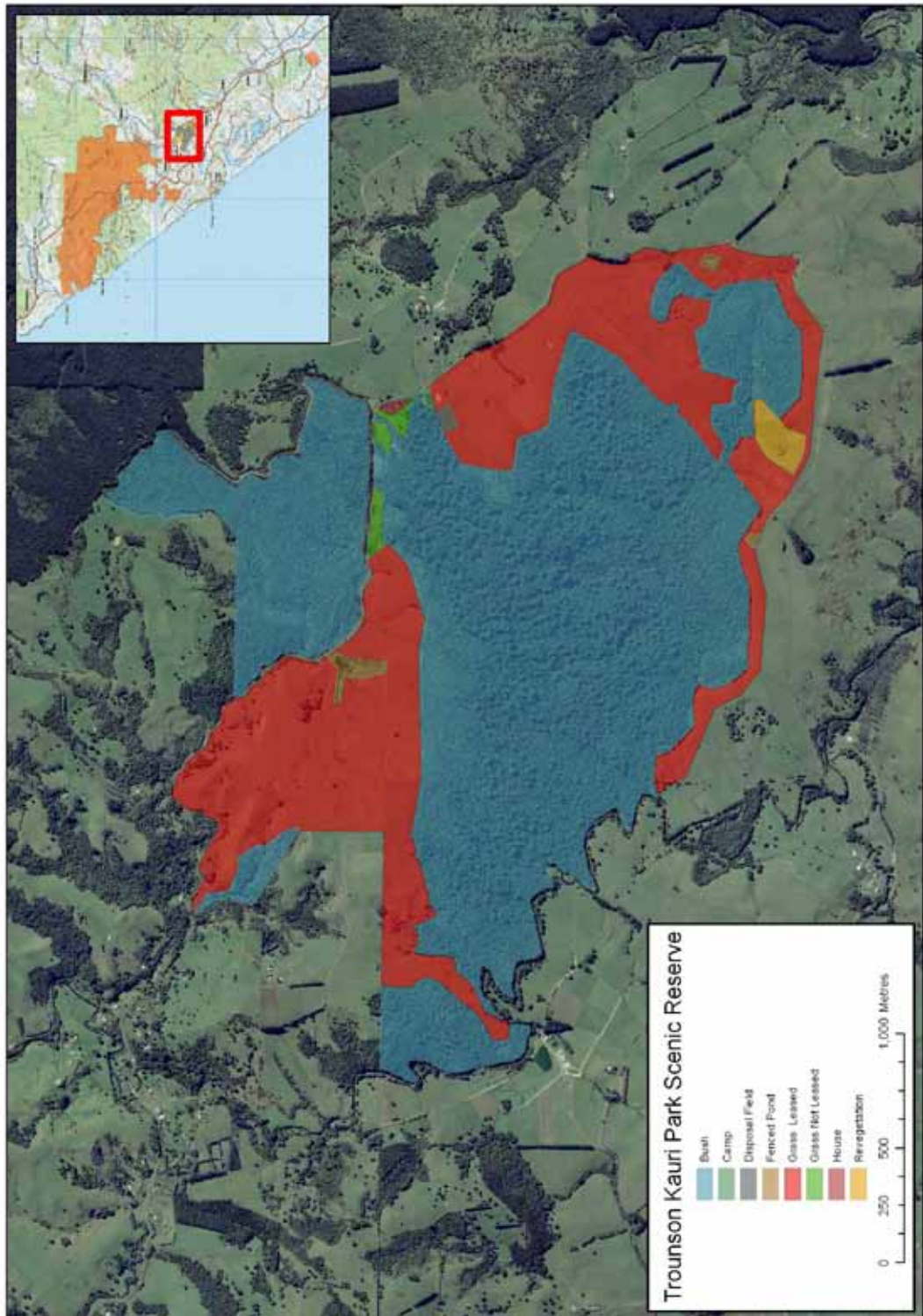


Figure 4: Trounson Kauri Park Scenic Reserve showing land use areas.

Maitahi Wetland Scientific Reserve, both rare and scientifically significant, represents an ecosystem not included elsewhere in the New Zealand national park system. It was purchased by the Nature Heritage Fund in 2000. Although parts of the Wetland's catchment have been modified, they are capable of regeneration. The Reserve sits in a self-contained catchment and is a remnant of a land type critical to the economic development of New Zealand at the time of European settlement—while there were once extensive areas of gum fields in Northland, most of them were converted to farmland. In 2005, DOC attempted to purchase adjacent private farmland that exhibited the same qualities as the main wetland-gumland; however, this bid was unsuccessful. Subsequently, the private farmland has been illegally drained.

4.3 General Policy for National Parks: Policy 6(e): Social, cultural, economic and recreational impact

Policy 6(e) requires that the:

- 6(e) *Investigation reports on any proposal that land should be declared to be a national park or part of a national park should include an assessment of the likely social, recreational, cultural and economic implications for tangata whenua and local and regional communities, as well as the nation generally.*

The substantive findings from this assessment of the proposal's likely cultural, economic, recreational and social impacts are:

- Te Roroa consider a co-governance arrangement based on shared responsibility for the proposed park is the only opportunity to effectively address and mitigate the cultural impacts identified.
- The proposal offers significant potential to enhance historic heritage values for the wider community, and to provide increased opportunities to access and enjoy the area's rich heritage.
- Based on the experiences of other New Zealand national parks, positive regional and national economic impacts are likely, particularly in tourism, which is Northland's most developed industry sector and provides the greatest potential for increased economic opportunities.
- Increased tourism will put pressure on existing infrastructure, and the potential of increased visitors to spread kauri dieback disease (*Phytophthora taxon Agathis* (PTA)), needs to be carefully and effectively managed.
- The land under investigation has limited other economic uses, so negative economic impacts are not anticipated.
- New Zealand mineral and natural resource sector collective, Straterra, welcomed the perceived benefits national park status would bring—higher priority for conservation management; and potential flow-on benefits to the Northland economy of increased tourism.
- DOC and Te Roroa are partnering on the Rakau Rangatira project to develop infrastructure in key visitor sites. Two priorities are to ensure the protection of kauri trees and the safety of SH12. The project also includes the New Zealand Transport Agency, and local and regional councils.
- No substantive changes are expected for hunters.

- Concerns were raised about the potential social impact of increased visitors on the social fabric of ahi kā/home settlements in Waipoua Forest, on the infrastructure of the wide Hokianga and Kaipara districts, and on the region's social and health services.
- A cohesive and integrated management plan, which documents strategies for a collective approach to managing the proposed national park, would enable Te Roroa, the wider community, DOC and all other relevant local, regional and national agencies to work together proactively and effectively to maximise opportunities, allow all affected parties to benefit, and address any implications arising.

4.3.1 Introduction

Because establishing a national park has implications for the community—intended or otherwise—the General Policy for National Parks 6(e) requires an assessment of the likely social, recreational, cultural and economic implications such a move could effect. This was undertaken for this proposal.

No formal cultural impact assessment was undertaken by Te Roroa; the Joint Working Group was the accepted process for discussions with key individuals within Te Roroa, who provided guidance on the likely cultural impacts from their perspectives.

The material drawn on to assess the likely social, recreational, cultural and economic impacts of the proposed Kauri National Park centred on Waipoua Forest came from primary sources (the Joint Working Group and public submission process), and the secondary sources described below:

- Available information on the current cultural, economic, social and recreational dynamics of the Kauri National Park Area was gathered and summarised, with reference to previous Kauri National Park investigations in 1998 and 1990.
- A literature review was conducted of other studies that outline the cultural, economic, social and recreational implications of establishing national parks in New Zealand.

For the purposes of this analysis the following definitions apply:

- **Cultural implications:** include the likely impact on the relationship of tangata whenua to the area; and tangata whenua participation in management and decision-making.
- **Economic implications:** include the likely impact on employment opportunities; income multipliers; visitor expenditure and their length of stay; commercial development opportunities; support services and accommodation; transport provision; tourism products and profile.
- **Social implications:** are the likely impact on the demographic profile of communities; access for hunting or food gathering; community understanding and attitudes to conservation; attitudes to other conservation projects; and existing and possible new community conservation initiatives.
- **Recreational implications:** includes the likely impact on the quality and standard of facilities; the quality of visitor experiences; and the number and range of visitor experiences. Environmental issues associated with recreation are also of significant concern and include: the number of visitors; the capacity of toilets and sewage disposal systems; and, in this particular investigation, the potential for increased visitor numbers to speed up the spread of kauri dieback disease (*Phytophthora taxon Agathis* (PTA)), a microscopic fungus-like disease-causing agent that only affects kauri. PTA was a likely impact identified through the public submission process.

Findings of the 1992 Northland Kauri National Park investigation report

The 1992 investigation of national park status was broader; based on kauri forests throughout the Northland region. That report's assessment of the possible cultural, economic, social and recreational implications of a larger proposal concluded that:

Establishment of a national park would provide further employment in the servicing of the tourism industry.

Establishment of a national park would focus public attention on the value of protecting the kauri forests.

Negative impacts resulting from the creation establishment of a national park, such as increased demands on water supply, sewerage and rubbish disposal services, could be mitigated by sound management practices.²⁶

Traditional Māori cultural use of forest resources would not be affected.²⁷

Criteria 6(e): Cultural implications

Tangata whenua

Te Roroa have consistently referred to their Deed of Settlement and the Te Tarehu values and principles to assess the cultural implications for them as mana whenua of the designated area.

Te Roroa have expressed concern that establishing a national park would create another degree of alienation from their whenua/land, particularly the Waipoua Forest, which is overlaid with the Te Tarehu protocol.

Te Roroa considers that this concern would be best mitigated by a co-governance approach between themselves and DOC. As discussed in Chapter 3, Te Roroa view the co-governance relationship as central to honouring their values as embodied in Te Tarehu, and to ensuring the protocol's protection principles are applied.

Discussions with Te Roroa, through the Joint Working Group, have made it clear that, unless a co-governance approach is developed, the likely cultural implications are so significant to Te Roroa they will not be able to support the proposed parks development.

Specific concerns around the direct impacts on the cultural practices of Te Roroa were also expressed by Te Roroa whānau, and are presented in Chapter 3. These concerns focused particularly on ensuring no impact on access to the traditional resources that help define Te Roroatanga. The proposed national park area is a source of spiritual, cultural, educational and physical resources for Te Roroa—for example, it provides kai/food and opportunities for economic development, such as guiding visitors to introduce them to their world centered on Waipoua Forest.

Development of the proposed park's management plan, in partnership between Te Roroa and DOC, will help ensure that the significant cultural heritage contained in Waipoua Forest is preserved and protected for all parts of the community, in ways that acknowledge and respect DOC's Te Tarehu obligations. Work already under way between DOC and Te Roroa, in adherence with the Settlement Act, demonstrates the good will between the parties and it is therefore likely that any cultural impacts would be able to be mitigated during the management plan's development.

Irrespective of any change in the land's status, DOC and Te Roroa are currently working together to establish processes and procedures for customary materials collection that will not adversely impact upon the ecological values of Waipoua Forest. This work is mandated in the Te Roroa Claims Settlement Act 2008, and will continue irrespective of land status.

²⁶ DSIR. 1992: Report on Social and Economic Indicators for National Park Proposals. DSIR, Social Science Unit, Wellington. p 7.

²⁷ Department of Conservation. 1990: Northland Kauri National Park Proposal—Public Discussion Paper. Department of Conservation, Whangarei. p 28.

Cultural implications—wider community

The proposed Kauri National Park area provides physical examples of one of New Zealand's major 19th century industries—gumdigging. In the 1890s, some 20,000 people were involved in the gum industry—7,000 of them working full time.²⁸ Kauri gum, prized for use in varnish and linoleum, was dug from swamps and exported in large quantities. 'Bleeding' involved cutting live kauri trees so that valuable kauri gum resin would leach out, and forest fires were deliberately lit so the valuable kauri gum resin could be gathered. While these actions were hard on wetlands and devastating to the kauri forest, the remnants provide a significant insight to the industry and provide historical and cultural value to the community and the nation.²⁹

Logging kauri was also an important industry. Many sea-going ships and coastal scows, built from kauri, served the expanding export and domestic timber industry. By the early 1900s, most kauri forest had been logged.³⁰ In just over 100 years, logging and burning transformed the northern landscape from forest to farmland.

There is significant potential for the proposed Kauri National Park to enhance these historic heritage values for the community, and to provide increased opportunities to access and enjoy this rich and fascinating heritage. For example, the Maitahi Wetland Scientific Reserve, which was purchased by the Nature Heritage Fund in 2000, is a remnant of a land type critical to the economic development of New Zealand at the time of European settlement.

Another example is the Matakohe Kauri Museum, in Matakohe on SH12, which already provides a valuable insight into these industries and their socio-historic contribution to the development of Northland's west coast community and New Zealand as a whole. This could be enhanced by providing a 'Kauri Trail' that leads visitors from the Matakohe Kauri Museum, into and through the proposed kauri national park, delivering a unique and valuable insight into the culture and history of this part of New Zealand.

As already stated, development of the park's management plan, by Te Roroa and DOC, will ensure that the significant cultural heritage contained in Waipoua Forest is preserved and protected for all parts of the community, in ways that acknowledge and respect DOC's Te Tarehu obligations.

Criteria 6(e): Economic implications

Investigating the economic implications of establishing a national park must include an analysis of alternative economic uses of the public conservation land in question, and how these may be impacted. Currently, tourism and visitor services occur on the lands under investigation; and these lands also deliver ecosystem services, which sustain and fulfil human life, such as nutrient re-cycling, filtering fresh water and flood control. No other major economic initiatives are currently under way in Waipoua Forest and the surrounding public conservation land.

Mining, tourism and concessions are discussed as part of this economic assessment. Irrespective of whether the land becomes a national park or not:

- Commercial forestry operations are not possible because Waipoua Forest and the surrounding public conservation land are held for conservation purposes.
- Large-scale water supply and hydroelectricity schemes are not likely because: (i) the catchment is not large enough to sustain a large economic generation facility; and (ii) issues associated with a lack of constant flow during the summer season.³¹

28 Walrond, C. Kauri gum and gum digging. Retrieved from: Te Ara—the Encyclopedia of New Zealand, updated 1-Mar-09 URL: <http://www.TeAra.govt.nz/en/kauri-gum-and-gum-digging>.

29 McVeagh, J. 1988: Waimamaku— A Very Special Settlement. Waimamaku Centenary Committee. P 5.

30 Orwin, J. Kauri forest—using kauri. Retrieved from: Te Ara—the Encyclopedia of New Zealand, updated 1-Mar-09 URL: <http://www.TeAra.govt.nz/en/kauri-forest/3+>

31 East Harbour Management. 2004: Waters of National Importance—Identification of Potential Hydroelectric Resources. Report for the Ministry of Economic Development, Wellington. p 8.

- Farming is not a suitable alternative use of this public conservation land because of: (i) the physical constraints of the land and soil types; and (ii) the land is held for conservation purposes.³²

Mining

Section 8(3) of the National Parks Act requires the Director-General to notify the Minister of Energy that the land was to be investigated for national park status. The Minister of Energy advised in reply (22 April 2010³³) Appendix H that the lands in this investigation have low resource potential and that “land outside the investigation area exhibits higher prospectivity”. This accords with findings in previous Northland national park investigations: that there is ‘low resource potential in ... Waipoua Forest’³⁴ (Annex 5).

Straterra³⁵, a New Zealand mineral and natural resource sector collective, noted the following points regarding minerals in its submission:

To the best of our knowledge, the area is not prospective for minerals. Nor is there any history of mining in the area.

To our mind, the chief benefits of national park status are twofold: higher priority for management by the Department, which is important because of the risks of pests and diseases; and potentially higher awareness of the kauri forests as a place to visit, for New Zealanders and tourists, with flow-on benefits to the Northland economy. In this case, these benefits are achieved with no loss in terms of alternative resource-based economic opportunities, and presumably a marginal cost incurred by the Department that is within the budget and that meets their objectives.

Through the public submission process, the community identified its hope that, if Waipoua Forest and the surrounding public conservation land became a national park, then the area would automatically be included in schedule 4 of the Crown Minerals Act 1991. No mining is permitted on lands listed in this schedule, which includes national parks, marine reserves, scientific reserves and other types of land. The inclusion of the Kauri National Park in schedule 4 would therefore protect it from mining.³⁶ The Waipoua Sanctuary Area is already listed in schedule 4 and therefore exempt from mining.

Tourism

Tourism is a key driver of the New Zealand economy, directly and indirectly contributing 8.6% of gross domestic product (GDP).³⁷ This expenditure directly supports 91,900 full-time equivalent jobs, or 4.8% of New Zealand’s total workforce.

International tourism is a key driver of economic growth—in the year ended March 2011, international tourist expenditure accounted for \$9.7 billion (16.8%) of New Zealand’s total export earnings.³⁸ International visitor arrivals in New Zealand have increased by around 7% per year over the previous few decades and the underlying growth curve is robust and highly consistent over an extended period. Expenditure by international visitors in the year to March 2012 increased to \$5.635 billion (up \$10 million; 0.4%) on the previous 12 months.³⁹ Northland’s natural features, including its kauri forests, are a significant contributor to the sector.

32 New Zealand Conservation Authority. 1995: Interim Report. Investigation into the Proposal for a Kauri National Park in Northland. New Zealand Conservation Authority, Wellington. P 12, para 3.5.4.

33 Letter from Office of Hon Gerry Brownlee, Minister of Energy and Resources, to Al Morrison, Director General, Department of Conservation, 22 April 2010.

34 Appendix 6.9: Ministry of Commerce, Energy and Resources Division, Resource Information Report 14, Wayne Jennings, 1992, pg iv. IN: New Zealand Conservation Authority. 1995: Interim Report on Kauri National Park Proposal.

35 Straterra Incorporated offers a collective voice for the New Zealand resource sector. Membership comprises 84% by value of New Zealand’s minerals production (except oil and gas, and geothermal). Straterra works closely with the petroleum sector, and has links to geothermal. Written Submission dated 22 July 2011.

36 Press release Minister for Energy and Resources and the Minister of Conservation, 20 July 2010. Retrieved from: <http://www.beehive.govt.nz/release/no+land+be+removed+schedule+4>.

37 Ministry of Economic Development. 2012: Key Tourism Statistics 21 May 2012. Retrieved from: <http://www.med.govt.nz/sectors-industries/tourism/pdf-docs-library/key-tourism-statistics/key-tourism-statistics.pdf>.

38 Ibid.

39 Ibid.

Tourism on the west coast of Northland

Tourism is Northland's most developed and interconnected industry sector, and provides the greatest potential for increased economic opportunities in the region.

The sector is performing strongly, having grown consistently over recent years. For example, in 2001, tourism contributed an estimated \$541 million to the Northland economy; in 2006, tourism expenditure totalled \$657.6 million. The sector is expected to increase 34.6%, to \$885.3 million in 2013.⁴⁰

Northland tourism is based upon a large and relatively stable but highly seasonal domestic tourism base, and a significant and fast growing international tourism sector that has growing importance for Northland. The period 2001–2008 saw international visitor nights increasing from 25% to 30% of total visitor nights, and expenditure increasing from \$185 million to around \$375 million.

Waipoua Forest is an iconic Northland and New Zealand tourist destination. Up to 100,000 people per year visit the Tāne Mahuta site.⁴¹

Key points about the Northland tourism sector relevant to this national park investigation are:

- Targeting international visitors arguably offers the best potential to alter the highly seasonal pattern of Northland tourism.
- The large kauri trees in Waipoua Forest are one of three major natural features that the Northland tourism industry is strategically focusing for its tourism promotions.
- International tourist numbers, with their comparatively high spending patterns, are growing and forecast to contribute more to Northland's future tourism earnings.

While tourism offers the greatest potential for increased economic opportunities for Northland, experiences from other national parks demonstrate that careful consideration is required to manage its potential impacts effectively.⁴²

Tourism initiatives must be planned and coordinated with local and regional authorities, tourism interests, the New Zealand Land Transport Agency, DOC, communities, mana whenua and other iwi to manage and mitigate effects on both people and ecosystems.

Specific attention is needed to coordinate agencies in providing adequate infrastructure for the expected increase in visitor numbers and, through this, increase local people's acceptance of tourism.⁴³ Key infrastructure needs associated with increased tourism are:

- Roads and bridges.
- Sewerage systems and toilet facilities, including campervan waste dumping sites and public toilets. This includes monitoring and providing more dumping sites and public toilets where necessary, providing education about the appropriate disposal of waste; and ensuring public toilets are clean and well serviced.
- Water supplies.
- Rubbish collection and disposal, including ensuring rest stops are clean and tidy.

40 Destination Planning Ltd. [2008]: Northland Visitor Strategy (Update: 2008-2013). Prepared for Enterprise Northland and the Northland Tourism Development Group, Whangarei. P 41. Retrieved from: http://www.northlandnz.com/assets/pdf_downloads/NVS_2008_2013_Final_11Sept08_1.pdf.

41 Northland Tourism Strategy 2003-2008 and beyond. Pg 39. Retrieved from: <http://destinationnorthland.co.nz/statistics/resources>.

42 Moran, Simmons et al. 2001: Evolving Community Perceptions of Tourism in Westland. Tourism, Recreation, Research and Education Center, Report No 24, Lincoln University. p 82; Taylor, N.; Buckenham, B. 2003: Social impacts of marine reserves in New Zealand. Department of Conservation, Wellington. p 3. Available at: <http://www.doc.govt.nz/upload/documents/science-and-technical/SfC217.pdf> Thorn, K. (Deloitte Tourism Scholar.) 1989: Tourism and national parks: relationships, impacts and strategies for management: a discussion paper. Tourism Human Resource Development Unit, New Zealand Tourist Industry Federation. p 27.

43 Ibid.

Concessions

Individuals or businesses undertaking commercial activities or research on public conservation land need to apply for a concession. The term ‘concession’ describes a permit, licence or lease that allows:

- commercial activities
- organised non-profit activities
- occupation of land and the building of structures.

These activities will continue to be allowed should the proposed Kauri National Park proceed, provided conservation values are protected.⁴⁴ Most of the approximately 20 existing concessions in the area under investigation involve guided activities, grazing and scientific research. Te Roroa Manawhenua Trust and DOC (in accordance with the Deed of Settlement, Settlement Act and the Te Tarehu protocol) currently work together to assess concession applications; national park status will not change this. There is an anticipated increase in applications for concessions should the proposed Kauri National Park advance.

Criteria 6(e): Recreational implications

As described above, Waipoua Forest is already an important Northland and New Zealand tourism site, with up to 100,000 visitors a year visiting the iconic kauri–Tāne Mahuta. Because this area contributes a unique set of experiences not included in the current suite of national parks, the area under investigation will contribute to both national and regional recreational opportunities, and expand New Zealand’s tourism offering to international visitors.

Managing increased numbers

The experience of regions with established national parks demonstrates that the title of ‘National Park’ in itself attracts increased visitor numbers, both domestic and international. Studies of Kahurangi National Park⁴⁵ (established in 1996) show an initial increase of 15% in average visitor numbers during its first year, and a continuing rise thereafter. This increase in visitor numbers is also reflected in Table 8 which shows data for Rakiura/Stewart Island National Park.

National Park status is a key feature in the promotion of tourism to these regions.⁴⁶ While visitor numbers are variable, they sit comfortably in a modest estimated growth range of between 6–9% a year. (McCleave, J (2004); Taylor, N. et al. (1999).

⁴⁴ See: <http://www.doc.govt.nz/about-doc/concessions-and-permits/concessions/about-concessions/what-is-a-concession/>

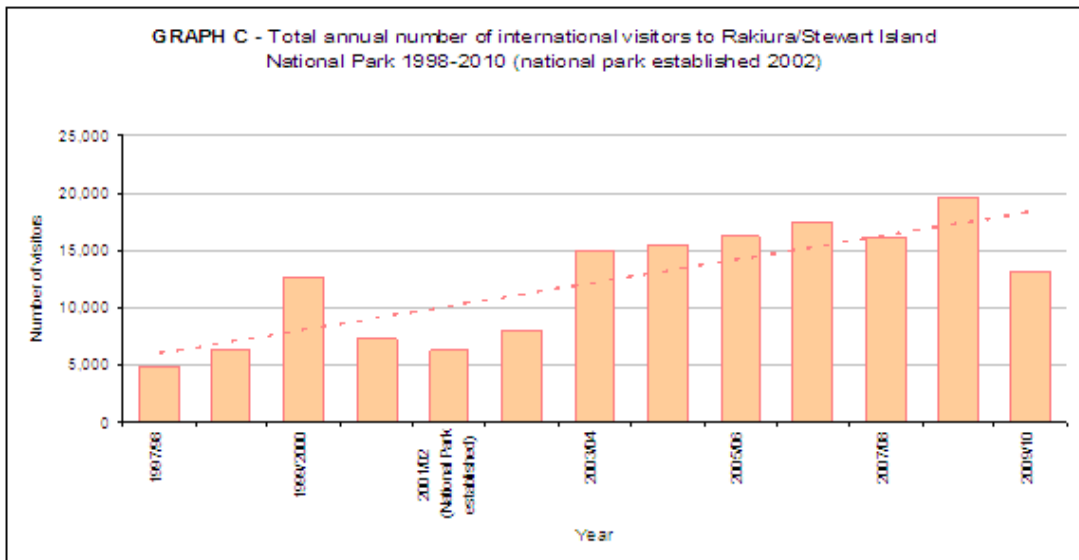
⁴⁵ Taylor, C.N.; Gough, J.; Warren, J; McClintock, W. 1999: Social and economic impacts of Kahurangi National Park. *Science For Conservation 119*. Department of Conservation, Wellington. 62 p.

⁴⁶ Ibid. p 5.



Darby and Joan kauri trees, SH12. Photo: Terry Conaghan, DOC.

TABLE 8. TOTAL ANNUAL NUMBER OF INTERNATIONAL VISITORS TO RAKIURA/STEWART ISLAND NATIONAL PARK 1998–2010



Based on the experiences of other national parks, it is highly likely that, should a Kauri National Park be established, there will be increased visitor numbers and recreational use of Waipoua Forest, Trounson Kauri Park Scenic Reserve and the Maitahi Wetland Scientific Reserve.

In the past, both the tourism industry and iwi have raised their concerns with DOC over the deteriorating quality of its Northland visitor infrastructure (tracks, toilets and carparks) and the impact this already has on visitors' experiences. The upgrade of these facilities was identified as a key priority in the Northland Tourism Strategy 2003–2008.⁴⁷ An assessment of the potential negative impacts from increased visitor numbers to a Kauri National Park identifies four key areas:

- Track structures—safety for both the kauri ecosystem and visitors.
- Biosecurity—specifically the spread of PTA.
- The safety of SH12—for both parking and driving.
- The Tāne Mahuta car park's sewage system—insufficient capacity.

In response to the concerns raised by the tourism industry and iwi, in 2007, DOC embarked on a capital investment project: Rakau Rangatira/Big trees. This project is focused on developing infrastructure (such as tracks, other visitor facilities and interpretation) in nine key visitor sites in Waipoua Forest and Trounson Kauri Park Scenic Reserve—including Tāne Mahuta, Te Matua Ngahere, Yakas and the Four Sisters. In accordance with DOC's Te Tarehu obligations, Rakau Rangatira is run in partnership with Te Roroa, through the Rakau Rangatira Decision Group. This Group has been involved from the conceptual stage, and the project is now in its final planning stages.

While the planned upgrade of physical visitor infrastructure aims to cater for increased visitor numbers, the Rakau Rangatira project also recognises increased visitor numbers may have negative effects on the delicate ecology of the kauri ecosystems, which are under threat from kauri dieback disease, PTA. Therefore the project is closely aligned with work to limit the effects of PTA, particularly in the location, construction and design of tracks.

Te Roroa actively support Rakau Rangatira, recognising that improved facilities will help mitigate any negative impacts an increase in visitor numbers may mean for the kauri forest, and also for the safety of SH12.

Other key contributors to Rakau Rangatira are the Far North and Kaipara District Councils, Northland Regional Council, Destination Northland (Northland's Regional Tourism Organisation), and the New Zealand Transport Agency. Adjacent visitor facilities, such as car parks and road safety at Waipoua, are owned by the New Zealand Transport Agency. The need for a collaborative approach is identified in project documentation. A final budget has yet to be allocated.

Recreational hunting

Recreational hunting permits for pigs and goats will continue to be available for areas in the proposed Kauri National Park, although the focus of pest management under the General Policy for National Parks will change from controlling pests to the eradication of introduced pests. Because dogs are the major threat to Northland's brown kiwi populations, a condition of any recreational hunting permit will continue to be that hunters' dogs must be specifically trained to avoid kiwi, to help prevent them killing kiwi. These training courses are available free-of-charge via the Kauri Coast Area Office.⁴⁸

⁴⁷ Northland Tourism Strategy 2003-2008. P 5. Available at <http://destinationnorthland.co.nz/statistics/resources>.

⁴⁸ See: <http://www.doc.govt.nz/parks-and-recreation/plan-and-prepare/dog-access/dog-training/avian-awareness-and-avoidance-training/>.

Dogs

National park status for the areas under investigation will change the ability to take dogs into these areas. Dogs are not allowed in national parks except in the case of guide dogs, permitted hunting dogs, police, customs and search-and-rescue dogs, or those licensed to perform wildlife conservation work.

This is considered a strength of this proposal as there have been many instances in Northland where dogs have been left to roam on the public conservation lands and elsewhere. Dogs are the biggest killer of adult kiwi in Northland—worse even than stoats. Without dogs, Northland’s kiwi populations would be self-sustaining but, instead of living for 40–65 years, Northland’s kiwi have a life expectancy of just 14 years.

Mountain biking

The General Policy for National Parks generally prohibits off-road use of vehicles, including mountain bikes. There is currently no access for mountain bikes in any of the areas in the proposal, which means no change to the *status quo* should a Kauri National Park be established. The Kaipara District Council is in the considering a proposal to develop a cycleway along the Waoku Coach Road which runs adjacent to the investigation area. Should this proposal advance, it will be addressed as part of the national park management planning process. (See Appendix A for map of Waoku Coach Road.)

Criteria 6(e): Social implications

There has been limited research on the social implications of establishing national parks, either within New Zealand or internationally. The limited literature available focuses primarily on the economic impacts on the communities affected and their surroundings.

While this assessment has drawn on the limited literature available, more importantly it has been able to draw on the information put forward by the Joint Working Group and communities of Waipoua and Hokianga through the public consultation process.

What the literature says

Social science research about national parks, especially in industrialised countries, has tended to concentrate on issues relating to on-site recreational or tourism use—for example, activity preferences, participation levels, carrying capacity and user conflicts (Wouters, 2011; Machlis & Field, 2000). Impacts of national parks on adjacent communities have not received such attention.

Wouters (2011) uses the term ‘gateway communities’ to define cities and towns that border large public land holdings, such as national and state parks, forests or wildlife refuges. This builds on the definition of Howe et al. (1997). Wouters found most people living near a park will be aware of it and feel something about it, even if they may not physically go there very often.⁴⁹ Gateway communities play a pivotal role in protecting and managing natural areas in several ways:

- (a) By providing services for visitors, therefore keeping commercial development and visitor infrastructure outside park boundaries (although some communities in Waipoua will be located within the protected areas).
- (b) By providing economic and political support for the protection and management of the protected area’s resources (e.g. communities with financial ties to a resource have an inherent interest in protecting the resource, because the quality of the park is the primary tourism product).

⁴⁹ McCleave, J.M. 2004: Love thy Neighbour—a study of Kahurangi National Park, Aotearoa New Zealand and the people-park relationship. Masters thesis, Lincoln University, Christchurch. P 151.

(c) By providing needed visitor services, gateway communities can manage development; for example, by locating developments just outside the park.

Changes to local employment opportunities

The experiences of other regions where national parks have been formed demonstrate that the increase in visitor numbers provides a positive economic benefit by creating extra jobs. For example, original estimates of 50 direct and 30 indirect jobs created by Kahurangi National Park should prove conservative.⁵⁰

However, while positive, the new jobs may also have a social impact on communities because:

- they are seasonal or part time⁵¹
- they tend to be in the tourism and service sectors, which means females are more likely to benefit from this employment.⁵²

Seasonal fluctuations to meet summer demand may create a transient workforce that could impact on the social cohesion and economic return for the local community.

Implications for local communities

Three main concerns were raised. First, Te Roroa and the Waipoua Forest community identified that the increase in visitor numbers may change the area forever. Of particular concern was the impact the national park proposal may have on settlements in Waipoua Forest. Within the forest confines are two marae, Matatina and Pānanawe, each of which has its ahi kā/home people living in and around the marae. While the actual settlements are located just outside the proposed boundaries for the Kauri National Park, there are implications for the lifestyle of these small communities which have remained relatively undisturbed for centuries. Clear signs and the development of appropriate infrastructure may help mitigate any negative social impacts on these settlements.

Second, the expected increase in the number of visitors will create greater pressure on infrastructure in the Kaipara and Hokianga areas, particularly the former. The Kaipara District Council acknowledges that those impacts will be significant in the Kaipara area, and is exploring how it can future-proof the infrastructure through its long-term council community plan and annual plan processes. Of particular concern for the Kaipara District Council and members of the community is SH12, which narrows considerably at the beginning of Waipoua Forest and is a difficult road for inexperienced drivers. The New Zealand Transport Agency is working as an active partner with DOC and Te Roroa on the Rakau Rangatira project, and the safety of the SH12 is a specific focus of this project. Increased visitor numbers are being anticipated in the New Zealand Transport Agency's planning for future developments on SH12.

Third, concerns were raised about the increased demand likely to arise for social and health services, particularly during the busy November to March tourist season. These services are currently limited for Dargaville and Hokianga, so any extra demand needs to be carefully considered and planned for to ensure people can access the necessary services. In more recent times, Northland District Health Board has been working with the Dargaville community to further build health services delivery in the Kaipara.

⁵⁰ Ibid. p 5.

⁵¹ Moran, Simmons et al. 2001: Evolving Community Perceptions of Tourism in Westland. Tourism, Recreation, Research and Education Center, Report No 24, Lincoln University. p 80.

⁵² Pashman, J. 1999: A Community Assessment of the Stewart Island/Rakiura National Park Proposal. Unpublished, paper submitted School for International Training, Aotearoa New Zealand. P 58.

4.3.2 Conclusions

The likely impacts of this national park proposal in Waipoua have been assessed through analysis and critique of secondary material—largely other social, cultural, recreational and economic impact assessments for other New Zealand national park investigations, and their post-gazettal experiences—and by examining the primary sources of information from Te Roroa and community stakeholders who engaged in the public consultation process.

Te Roroa have expressed concerns about the likely cultural and social impacts that the formation of a national park may cause.

To effectively address and mitigate the cultural impacts, Te Roroa have proposed a co-governance arrangement. Te Roroa view the Te Tarehu protocol with DOC and the Te Roroa Claims Settlement Act 2008 as the platform for developing a co-governance relationship based on shared responsibility for the proposed park. Without co-governance, the cultural impacts are considered by Te Roroa to be so significant and detrimental to their people that they could not support the formation of a national park.

Establishing co-governance is beyond the scope of this investigation. However, it is anticipated that development of the proposed park's management plan, in partnership between Te Roroa and DOC, will help mitigate any cultural impacts in ways that acknowledge and respect DOC's Te Tarehu obligations. The good will between the parties is evident in work DOC and Te Roroa already have under way, in adherence with the Settlement Act.

This assessment concludes that positive regional and national economic impacts are likely to follow the formation of a Kauri National Park, based on the experiences of other national parks, such as Kahurangi and Rakiura/Stewart Island. The land under investigation has limited other economic use, so negative economic impacts are not anticipated. In particular, the formation of a national park would create marketing opportunities and tourism growth for Northland as a whole, building on the region's already strong tourism sector. It will be important to ensure that the economic benefits contribute back to the area itself.

The formation of this park is likely to have positive impacts for regional and national recreational opportunities, particularly because the area under investigation contains outstanding landscapes and ecology not currently represented in any other national park. The Rakau Rangatira project, a partnership between Te Roroa and DOC, has a key role in managing any visitor or recreational implications that may arise as a result of a national park being formed. The participation of Te Roroa, the New Zealand Transport Agency, and local and regional councils is both positive and vital to ensure a number of the concerns identified through the Joint Working Group and public consultation process are mitigated.

There is very limited research on the social implications of establishing a national park—either in New Zealand or overseas. Elsewhere in New Zealand, regions have experienced a positive economic benefit as increased visitor numbers create extra jobs, but these jobs can come with social implications, such as the creation of a transient workforce due to seasonal fluctuations in demand. Careful management and coordination will also be needed to manage an expected increased demand on the area's health and social services.

The most effective solution to emerge that would: (i) maximise the opportunities created by a new Kauri National Park; (ii) allow all affected parties to benefit as fully as possible; and (iii) address any implications arising; was a collective approach to developing a cohesive and integrated management plan, (section 45 of the National Parks Act 1980)) which documents strategies for Te Roroa, the wider community, DOC and all other relevant local, regional and national agencies to work together proactively and effectively. This approach would be underpinned by an agreement between Te Roroa and DOC that meets DOC's obligations under the Te Tarehu protocol and the Settlement Act.

4.4 General Policy for National Parks: Policy 6(f): Consultation with tangata whenua

Policy 6(f) requires that:

- 6(f) *The investigation process should include consultation with tangata whenua and seek written comments from, and have regard to the views of, interested people and organisations.*

The statutory and Te Tarehu obligations to consult with Te Roroa have been met.

4.4.1 Te Roroa Claims Settlement Act 2008

As described in Chapter 3, the Te Roroa Claims Settlement Act 2008 has implications for how this investigation into national park status for the Waipoua Forest tract, Trounson Kauri Park Scenic Reserve and Maitahi Wetland Scientific Reserve should proceed. It requires DOC to consult with Te Roroa before any national park investigation begins. Specifically, it modifies the statutory process of the National Parks Act in three important ways:

- Section 54 requires the NZCA and the Northland Conservation Board to have particular regard to the values and protection principles of the Te Tarehu protocol before making certain decisions.
- Section 55 requires the New Zealand Conservation Authority to consult with Te Roroa before a national park investigation begins, and have particular regard to Te Roroa's views as to the effect a proposal to change status and any recommendation to change status would have.
- Section 59 requires the Director-General to take certain actions. In terms of the Deed of Settlement, these are to inform the Governance Entity (Te Roroa Manawhenua Trust) of any work towards changing status, and to convene a joint working group.

Independently of the Te Tarehu protocol, the Director-General also has a duty under section 4 of the Conservation Act to give effect to the principles of the Treaty of Waitangi. While there is no specific Treaty principle requiring consultation, its principles include acting in good faith, and consultation would be seen to be part of this

In accordance with sections 54 and 55 of the Settlement Act, in December 2009 a letter was sent from the New Zealand Conservation Authority to Te Roroa Manawhenua Trust to advise them of its intention to investigate this national park proposal. Te Roroa Manawhenua Trust replied giving its support in principle to the national park investigation. (Appendix D)

4.4.2 The Joint Working Group process

Section 59 of the Te Tarehu protocol, specifically, para 5.6, requires DOC to form a joint working group with Te Roroa. See Appendix B for the wording.

DOC convened a Joint Working Group with members of Te Roroa Manawhenua Trust on 22 October 2009 to consider this national park proposal. The report from this Joint Working Group is provided in Annex 3.

4.5 General Policy for National Parks: Policy 6(f): Consultation with interested people and organisations

Policy 6(f) requires that:

- 6(f) *The investigation process should include consultation with tangata whenua and seek written comments from, and have regard to the views of, interested people and organisations.*

The statutory obligation to consult with the Ministers of Conservation and Energy, central government agencies, local government agencies, and interested people and organisations have been met. As well, comprehensive public notification of the investigation provided the opportunity for the general public to engage.

4.5.1 Specific notification/consultation required by legislation and the General Policy

National Parks Act 1980

Under the National Parks Act, the NZCA is required to notify certain Ministers in certain circumstances regarding the national park proposal. These notifications are dealt with separately from the general public consultation process.

Section 8(1) requires the New Zealand Conservation Authority to notify the Minister of Conservation when it requests an investigation. This was done on 21 November 2009.

Section 8(3) requires the Director-General to notify the Minister of Energy that land is to be investigated. Written notice was sent to the Minister of Energy on 18 April 2010.

Other central agencies

The views of the following central government agencies were sought:

- Ministry for the Environment
- Ministry for Economic Development
- Ministry for Agriculture and Forestry; and the Ministry of Fisheries (now amalgamated into the Ministry for Primary Industries)
- New Zealand Transport Agency

Regional and local government agencies

The views of the following regional and local government agencies were sought and/or received:

- Northland Regional Council was briefed on the Kauri National Park proposal on 19 May 2011, and Council staff and councillors attended public workshops in Whangarei on 13 June 2011 and Kaitiāia on 6 July 2011
- Far North District Council was briefed as part of the Northland Intersectoral Forum (which included the Chief Executive Officer and Mayor of the Far North District Council (FNDC)).
- The Kaikohe-Hokianga Community Board of the FNDC provided a written submission.
- Kaipara District Council provided a written submission.

4.5.2 Methodology for public consultation

A specific page for this national park investigation has been live on DOC's website since December 2009, and regularly updated. It outlines the process and progress, and contains links to a range of relevant documents and resources. During the public consultation phase, organisations including Forest & Bird, the Federation of Māori Authorities and Greenpeace linked to the homepage from their websites.

In February 2010, the NZCA issued a press release formally announcing an investigation into the Kauri National Park proposal. A public discussion paper was released on 20 May 2011, and was made available from offices throughout Northland Conservancy and through the DOC website (Annex 2).

Public notices inviting public suggestions during the period 20 May–18 July 2011 were placed in the main New Zealand daily newspapers, and local papers in Dargaville, Whangarei, Kerikeri and Kaitia. Public notices in Northland also invited people to a series of public workshops and hui. In some cases these were held concurrently with consultations to review the Northland Conservation Management Strategy (CMS).

An email or letter inviting comment on the Kauri National Park proposal was also sent to iwi bodies in Northland, conservation and community groups, adjacent landowners, past and present concession holders and other identified stakeholders.

A postcard (Figure 5) inviting people to contribute their views on the proposal (in writing, or in person at one of the public meetings) was also sent to approximately 50,000 households, from Warkworth in the south to Cape Reinga in the north)

Figure 5: Postcard used as part of the public consultation process



To the householder

**Public conservation land is your land.
Here's your chance to tell us what you think.**

The Department of Conservation (DOC) is continuing a review of the Northland Conservation Management Strategy (CMS). Your input into the strategy and a proposed Kauri National Park is needed. Your ideas can help DOC look after New Zealand's conservation land even better, now and into the future.

Here's how you can get involved:

- Check out www.doc.govt.nz/northlandcms for information on the CMS, hui and workshops, and to fill in our questionnaire. Information on the Kauri National Park can be found at www.doc.govt.nz/kaurinationalpark.
- Email your thoughts to northlandcms@doc.govt.nz.
- Call into your nearest DOC office for a questionnaire form. Offices are located in Kerikeri, Whangarei, Dargaville and Kaitia.

Make your submission and be in to **WIN** a conservation trip!

CMS
Conservation Management Strategy

April 2011
New Zealand Government

By 18 July 2011, 56 written suggestions had been received by hand, mail and email.

Media monitoring indicates 11 print media articles, 4 television reports and 3 radio interviews were generated during the public notification period. Key issues raised in the media coverage, in descending order of frequency were:

- Te Roroa’s aspirations for co-governance.
- Adequacy of funding for pest control in national parks.
- PTA threat to kauri.
- Proposed size of the proposed national park.

4.5.3 Description of public meetings and hui

DOC hosted and recorded feedback from public workshops held in Whangarei, Kaikohe, Dargaville and Kaitaia, and from open days held at Kaiwaka, Maungaturoto, Opononi and Dargaville. The open days consisted of informal one-on-one opportunities for members of the public to meet DOC staff and give their views on the national park proposal in person. A total of 129 people engaged in this process, including the hui for consultation with tangata whenua which took place at the Waipoua Forest Community Hall (22 June 2011) and Te Whakamaharatanga Marae, Waimamaku (9 July 2011). Summaries of these proceedings are given in Chapter 3, and the numbers attending in each location are in Table 9.

TABLE 9. THE NUMBER OF PEOPLE ATTENDING EACH OF DOC’S PUBLIC WORKSHOPS, OPEN DAYS AND HUI

LOCATION	NUMBER OF PEOPLE ATTENDING
Dargaville	17
Kaikohe	0
Kaitaia	16
Kaiwaka	31
Maungaturoto	7
Opononi	11
Waimamaku	10
Waipoua	20
Whangarei	17

Analysis of the type of written submissions received

Written submissions were received from 56 individuals and organisations. Submissions varied from single line emails to written submissions of more than 20 pages.

Because group submissions represent the views of more than one person, and often large numbers of people, the views of groups were analysed separately. Submissions were categorised as follows:

- Individual (one person).
- Commercial (submission from a business or commercial organisation).
- Official (district & regional councils; community boards; government departments; iwi authorities).
- Club (non-commercial organisations; clubs and associations, excluding conservation organisations)
- Conservation organisations (organisations, clubs and associations identified as being pro-conservation)

Table 10 shows how many individual and collective submissions were received from different regions, based on the sender’s address. Table 11 categorises the affiliation of people and

organisations that made written submissions. Most submissions were received from individuals in the Northland area.

TABLE 10. WRITTEN SUBMISSIONS BY SENDER'S ADDRESS

LOCATION	GROUP SUBMISSION	INDIVIDUAL SUBMISSION
Kauri Coast area	10	6
Other Northland	8	8
Auckland	2	4
North Island	12	4
South Island	1	1
Subtotal	33	23

TABLE 11. WRITTEN SUBMISSIONS BY AFFILIATION

AFFILIATION	SUBMISSIONS
Individuals	23
Conservation organisations (organisations, clubs and associations identified as being pro-conservation)	6
Clubs (other non-commercial organisations)	5
Commercial	6
Official	12
Iwi Authorities	4
Total	56

4.6 General Policy for National Parks: Policy 6(d), (g), (h), (j), (k): Procedural requirements

Policy 6(d), (g), (h), (j), (k) requires that:

- 6(d) *Before requesting an investigation and report on any proposal that land should be declared to be a national park or part of a national park, the Authority:*
- i) will advise the Minister of Conservation of the proposal;*
 - ii) will seek the views of the conservation board within whose area of jurisdiction the land is located;*
 - iii) will seek the views of tangata whenua within whose rohe the land is located; and*
 - iv) should seek the views of the any territorial authority and any fish and game council within whose area of jurisdiction the land is located.*
- 6(g) *Before making a recommendation to the Minister on the creation of a new national park, the Authority will consult with the conservation board within whose area the national park will lie and should have regard to public submissions and the views of tangata whenua.*
- 6(h) *The Authority may recommend additions or boundary adjustments to a national park without requesting a formal investigation, when the land to be added has been specifically acquired for national park purposes, and in other circumstances, including one or more of the following:*
- i) the addition or adjustment would create a boundary that more closely follows natural features;*
 - ii) the land to be added is contiguous with the national park or largely surrounded by the national park, with the same, or complementary, natural values;*
 - iii) the national park values have already been investigated or are already well documented;*
 - iv) there are no significant adverse effects on tangata whenua values;*
 - v) the land does not contain significant known mineral deposits with commercial potential which are economically viable for extraction;*
 - vi) the addition is considered unlikely to have significant adverse effects on communities beyond the boundaries of the national park.*
- 6(j) *The inclusion in national parks of the beds of lakes and rivers vested in the Crown, within the boundaries of the national park, and of any foreshore adjoining the national park, should be sought wherever possible, as they are ecologically continuous with the national park and their inclusion would allow for better integrated management of the national park.*
- 6(k) *The Authority may consider recommending exclusion of land from an existing national park if:*

- i) the land to be excluded does not have national park values; or*
- ii) a boundary more consistent with policy 6(i) is created; or*
- iii) the land is required for an upgrade to an existing legal road or railway route to improve safety.*

Criteria 6(d): Advising and consulting

All components of criteria 6(d) have been met.

The NZCA advised the Minister of Conservation of the investigation on 21 November 2009.

The NZCA sought the views of the Northland Conservation Board. In a letter dated 5 February 2010, the Board gave its support in principle to the investigation.

As previously described, the entire proposal lies within the rohe of Te Roroa, and the investigation is also bound by the provisions of the Settlement Act and its associated protocols. These provisions have required consultation with the Te Roroa Manawhenua Trust in the identification and analysis of lands proposed for the Kauri National Park. Te Roroa was consulted on 22 October 2009, and the Joint Working Group was established with equal Te Roroa and DOC representation. The Joint Working Group process was used to select lands for investigation. The Joint Working Group reported to the Director-General of Conservation in March 2011. The investigation team has limited its analysis to those parcels of land that were identified and analysed by the Joint Working Group.

The NZCA also sought the views of the:

- Northland Fish and Game Council. In a letter dated 8 February 2010, the Council gave its support to the proposal.
- The Northland Regional Council was briefed on 19 May 2011, and Council staff and councillors attended public workshops on 13 June 2011 (Whangarei) and 6 July 2011 (Kaipara)
- Far North District Council. A briefing to the Far North District Council was given on 16 May 2011.
- Kaipara District Council. A briefing to the Kaipara District Council was given on 16 May 2011.

Criteria 6(g): Pre-recommendation to Minister: NZCA consultation with the Northland Conservation Board, and regard to public submissions and the views of tangata whenua

All components of criteria 6(g) have been met.

Since October 2009, the Northland Conservation Board has been briefed regularly on this national park investigation. Board members also attended public meetings and hui, which were held as part of the public notification process. The NZCA, in its consideration of this report, is required to consult with the Northland Conservation Board before it makes a recommendation to the Minister.

Submissions are summarised in Chapter 6. Section 4.5 describes the public notification process and methodology. Submissions indicated conditional support for the proposal to establish a national park on the public conservation land in the Waipoua Forest.

The views of Te Roroa are outlined in detail in Chapter 3 and, in keeping with the Te Tarehu protocol, form an integral part of the proposal and assessment, including determination of the boundaries for investigation.

Criteria 6(h) and 6(k): Additions or boundary and adjustments, and exclusions

These criteria are not applicable to this investigation but would become so should a kauri national park be established.

While these criteria are not applicable as no national park exists, it may be noted that:

- A number of small areas were specifically excluded from the investigation by the Joint Working Group. This was because the land included wāhi tapu, or were in areas where there had been a history of conflict over trespass. It was the view of the Joint Working Group that excluding these areas did not affect the national park proposal but would reduce tension and conflict, particularly with Te Roroa.
- During the analysis of the investigation, a number of small parcels were considered that were not agreed by the Joint Working Group at this time, but may offer potential as future additions if the proposed Kauri National Park proceeds. The investigation team worked with the understanding that, while these components were excluded from this analysis, it would be useful to identify them for future consideration. Te Roroa has stated that they support the opportunity to add further components of land as Treaty settlements progress. As the NZCA has already approved the Joint Working Group areas for this investigation, the summary of the main parcels of land for future consideration is in Appendix A. These are:
 - Kawerua Marginal Strip #2
 - Waimamaku Domain Recreational Reserve
 - Parataiko Conservation Area

Criteria 6(j): Inclusion of the beds of lakes and rivers

There are no separately titled river or lake beds within the proposal, although all or part of the Waipoua River may be Crown land on the basis of navigability. In the case of non-navigable rivers, the boundaries of land abutting the rivers on either side extend to the mid point of the river by virtue of a legal principle known as *ad medium filum aquae*. There are no other lakes or rivers within the reserve, although parts of the legal boundaries of Donnelly's Crossing, Gorrie Scenic Reserve and Trouson Kauri Park Scenic Reserve are defined by the Waima River. The Waima River bed is not included in this national park proposal.

The three principal catchments are the Wairau River, Ohae Stream and the upper Waipoua River:

- The Wairau River is non-navigable and legal boundaries are defined by reference to the *ad medium filum aquae* rule. As a result, its bed is considered to be part of the Waipoua Forest and should be included in the proposal. However, a short reach above the coastal marine area boundary runs through land transferred to Te Roroa in its Treaty settlement and application of the *ad medium filum aquae* rule means that it would belong to Te Roroa.

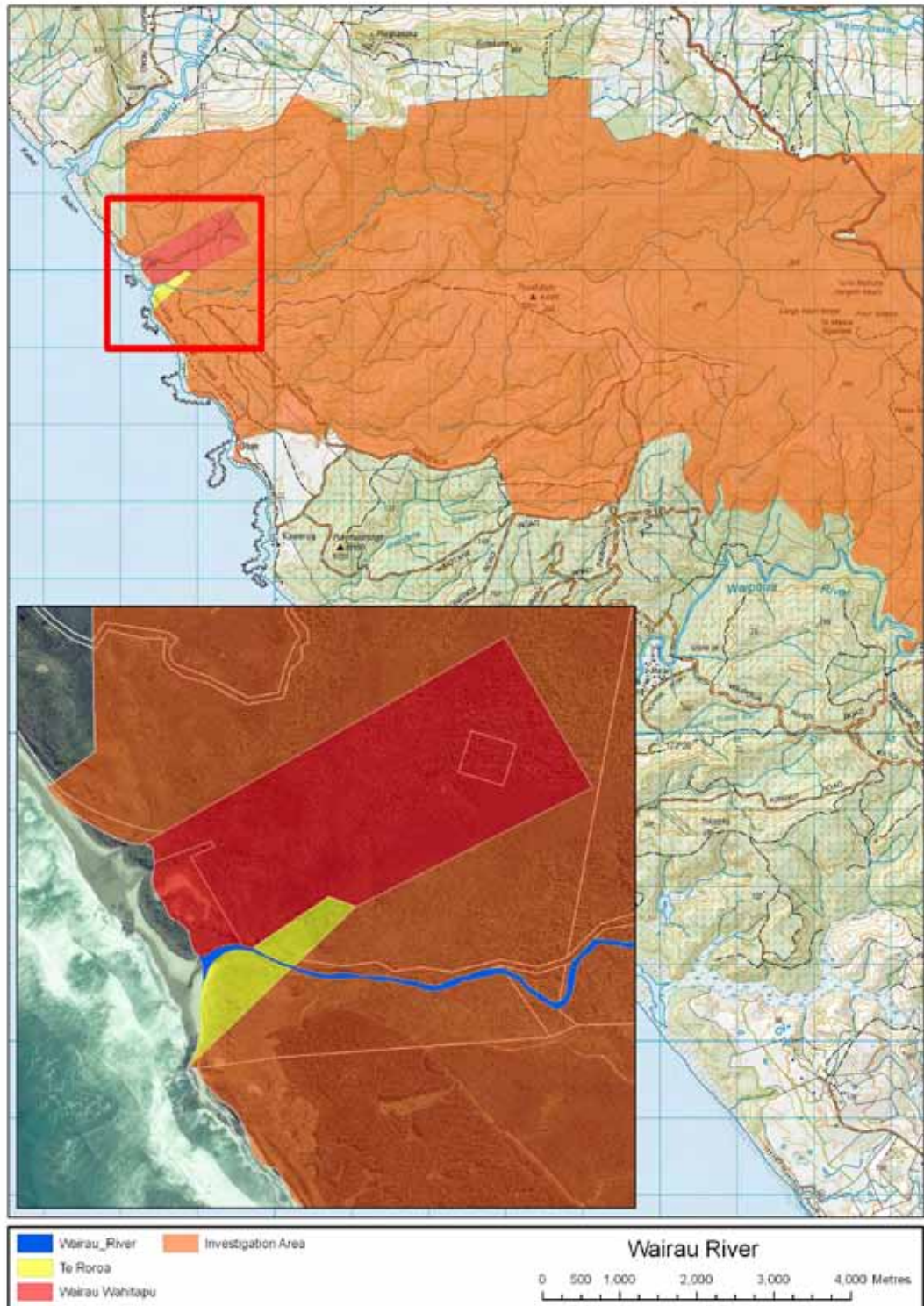


Figure 6: Wairau River

- The Ohae Stream is non-navigable and lies within land titles of the Kawerua Conservation Area. The coastal marine area boundary lies at about the ford.



Figure 7: Ohae Stream.

- The lower reaches of the Waipoua River run through Te Roroa lands to the west of the proposal, but between SH12 and Te Roroa's Te Taiawa covenant, the legal boundary of the Waipoua Forest is defined by the river. Te Roroa owns the land opposite and by application of the *ad medium filum aquae* rule, each owns the river to its midline. The most appropriate option for this boundary is to exclude the wet riverbed.

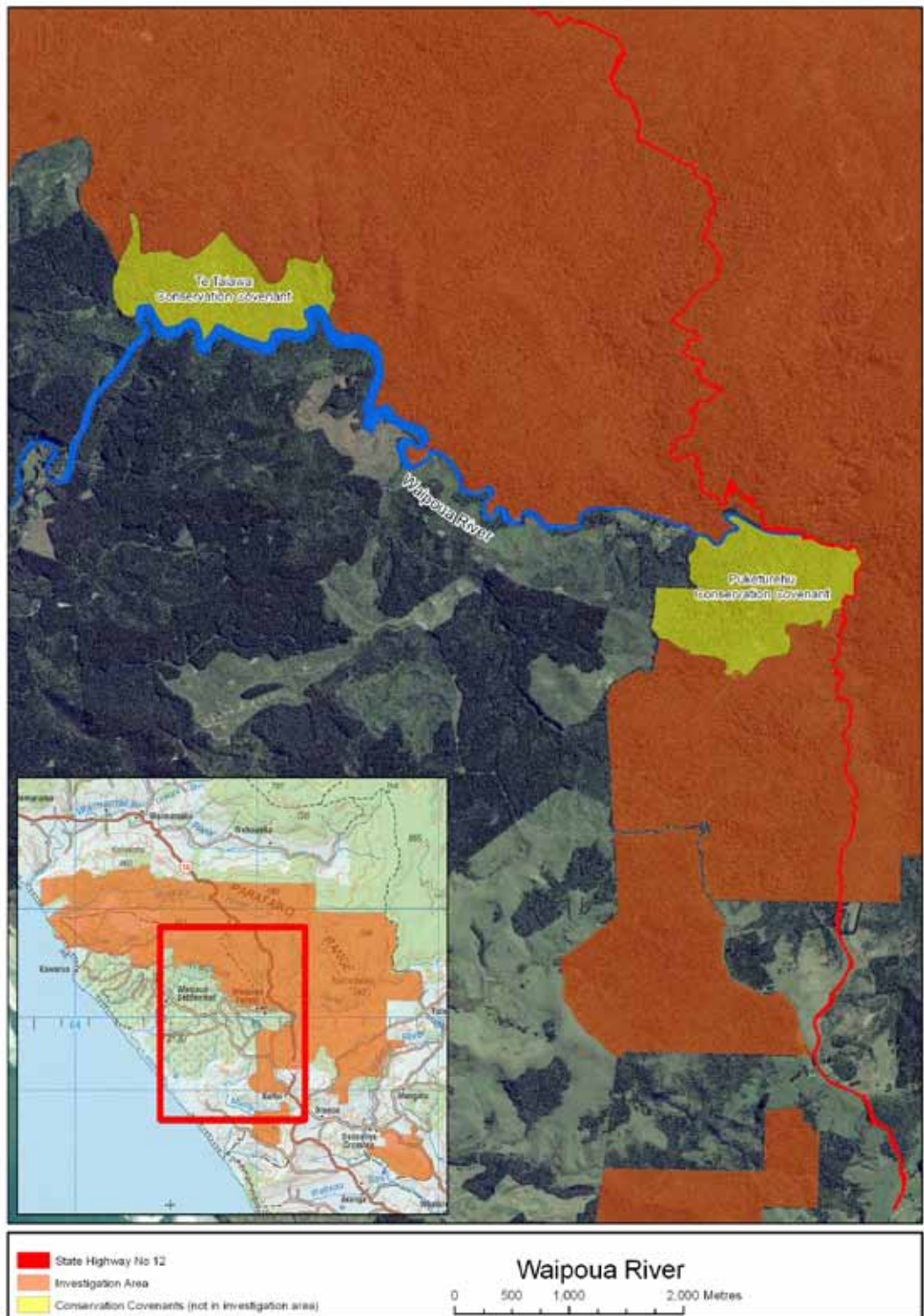


Figure 8: Waipoua River –southern part of investigation area.

Submissions received

In its written submission of 18 July 2011, Te Roroa Manawhenua Trust noted its concern that:

...the Waipoua riverbed downstream from State Highway 12 should become part of the proposed Kauri National Park as suggested at page 33 of the Discussion Paper. Most of that riverbed was not sold to the Crown, but rather became the boundary between Crown land and Waipoua 2 Block, the Waipoua Native Reserve. Under customary law the unsold riverbed continues to belong to Te Roroa; under common law the presumption of ad medium filium, ownership to mid-stream applies.

Comment

The bed of the Waipoua River is not separately titled and Te Roroa land in this area is freehold title transferred to Te Roroa by the Crown in its Treaty settlement. Land title boundaries are defined by the river. In this situation, application of the *ad medium filium aquae* rule means adjoining landowners are considered to own the bed to its centreline. Where the river forms the boundary of the proposed park—such as parts of the Lower Waipoua River lying between SH12 and Te Roroa’s Te Taiawa covenant—the discussion document noted that this rule could lead to half the river in certain reaches becoming national park, with its other half, as well as upstream areas, lying outside the park. Te Roroa’s land boundaries would be equally complicated. The best solution is to exclude the riverbed from the park where the Crown does not own both banks—approximately the SH12 bridge.

Criteria 6(j): Foreshore and the coastal marine area

When this national park investigation began, the NZCA agreed to exclude foreshore from this investigation, to allow Te Roroa to seek determination of customary title or customary rights in the marine and coastal area in accordance with the Marine and Coastal Areas (Takutai Moana) Act 2011. Although it remains desirable in principle to include adjoining foreshore, it is not essential to address the issue at this time. As it stands the legal boundaries of the proposal only adjoin foreshore along the Kawerua Marginal Strip #1—some 200 metres. (Although as identified in Appendix A if Kawerua Marginal Strip #2 was included at a later stage that would increase the foreshore to about 2.5 kilometres.)

For foreshore to be added to a national park, the Marine and Coastal Areas (Takutai Moana) Act recognises the right of iwi kaitiaki to participate in the relevant processes, regardless of whether they hold protected customary rights or customary marine title.

Foreshore is defined by the National Parks Act as *‘land covered and uncovered by the flow and ebb of the tide at mean spring tides’*, and is now effectively a part of the ‘common marine and coastal area’ defined by the Marine and Coastal Areas (Takutai Moana) Act as: *‘the area that is bounded ... on the landward side, by the line of mean high-water springs [and] the outer limits of the territorial sea’*. For the purposes of this investigation, then, where the proposal adjoins the coast, its seaward boundary is the line of Mean High Water Springs.

The boundary between a river or stream and the ‘common marine and coastal area’ is the same as that of the coastal marine area as defined in the Resource Management Act 1991. This is either: *‘the point upstream that is calculated by multiplying the width of the river mouth by 5’*, or by agreement between the Minister of Conservation and the regional council. Consequently, the downstream boundary of any waterway included in the proposal is the cross-river boundary of the coastal marine area and the marine and coastal area. As noted above this would only affect the Ohae Stream.

Submissions received

Te Roroa specifically raised the concern that if the foreshore is excluded from the national park investigation, the Crown may dispose of the foreshore under section 11 of the National Parks Act:

1.2.5. Notwithstanding that the Discussion paper (p 6) adverts to exclusion of the foreshore from the Kauri National Park investigation, it fails to deal with the consequences of exclusion. For instance, under Section 11 of the National Parks Act, such excluded foreshore can be disposed of by the Crown. Such potentiality, which has implications for Te Roroa's justiciable claim to its customary foreshore and seabed, not only is opposed by Te Roroa but is indicative that the National Parks Act is not an appropriate vehicle for the recognition of continuing Maori historic and cultural interests in terms of both tikanga and te Tiriti. Given that the Act is now over 30 years old and over that period has been overtaken by considerable advancements in Tiriti jurisprudence, that scarcely is surprising.

The Northland Regional Council sought clarification on which areas of the coastal marine area, especially the Wairau River and Ohae Stream, were included in this national park proposal. The cross-river boundaries of these waterways have been agreed as shown in Figure 9, and are also the boundaries of the 'common marine and coastal area' under the Marine and Coastal Areas (Takutai Moana) Act.

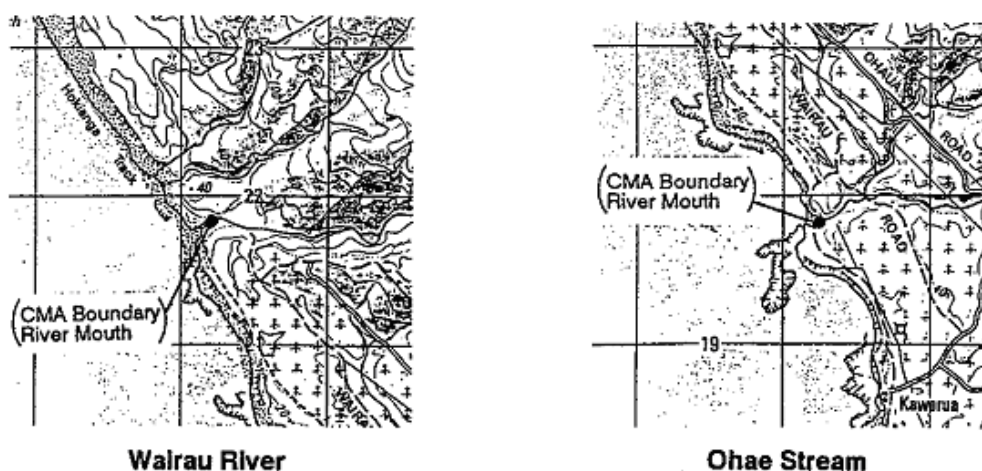


Figure 9. Cross-river boundaries of the Wairau River and Ohae Stream – sourced from Northland Regional Council – Far North District River Mouth Boundaries <http://www.nrc.govt.nz/upload/1651/Far%20North%20District%20river%20mouth%20boundaries.PDF>

Comment

Foreshore was specifically excluded from investigation to allow Te Roroa to seek determination of customary title or customary rights in the marine and coastal area in accordance with the Marine and Coastal Area (Takutai Moana) Act. Section 11(1) of the NPA provides that no land in a national park can be excluded from that park except by special Act of Parliament. For foreshore to be excluded from a national park it would first have to be investigated and made national park, which is contrary to the current proposal.

The seaward boundary of the proposal in the Wairau River catchment lies upstream of the coastal marine area boundary. As land titles are defined by the river (where this is non-navigable), application of the *ad medium filum aquae* rule means the lower part of the river bed is now owned by Te Roroa as a result of the Settlement Act. If the bed of the Ohae Stream is included in the park, the boundary would coincide with the cross-river boundary (at about the ford).

4.7 General Policy for National Parks: Policy 6(l)–(o): Management

Policy 6(l)–(o) requires that:

- 6(l) *National park management plans should identify any proposals to exclude land from a national park. Where any proposed exclusion has not been identified in a national park management plan and the Authority considers the proposed exclusion may be controversial, public comment should be sought before the Authority makes any recommendation to the Minister.*
- 6(m) *Specially protected areas should be established to preserve indigenous species, habitats and ecosystems, natural features, or sites and objects of archaeological or historical and cultural interest of such significance that public access should be controlled.*
- 6(n) *Wilderness areas should be large enough and sufficiently remote and buffered to be unaffected by human influences, except in minor ways, consistent with section 14(2) of the National Parks Act 1980.*
- 6(o) *National park management plans should identify new, modified, or expanded amenities areas in national parks only where:
 - i) *the development and operation of recreational and public amenities appropriate for public use and enjoyment of the national park cannot practicably be located outside the national park; and*
 - ii) *where adverse effects on the rest of the national park can be minimised.**

These criteria are not applicable to this investigation but would become so should a kauri national park be established.

In the event that a kauri national park is established, a management plan will be required to be prepared within 2 years, in accordance with section 45 of the National Parks Act. The management plan must be prepared in regard to the provisions of this Act and Te Tarehu. It is also noted that under section 44 of the National Parks Act, the Northland Conservation Management Strategy, in preparation, is required to establish objectives for the management of the national park and areas of the national park in the event that it is established. Additionally, the management plan must not derogate from the provisions of the Conservation Management Strategy.

The requirement to prepare a management plan for the proposed Kauri National Park is one mechanism to work with Te Roroa to help ensure its concerns are addressed, and to work with the local community to foster integrated best practice management outcomes for the proposed park.

4.8 General Policy for National Parks: Policy 6(i): Matters to be considered by the NZCA

Policy 6(i) requires that:

- 6(i) *The following matters should be considered by the Authority before recommending, and by the Minister before approving, the boundaries of new parks, additions to existing national parks and changes to existing boundaries:*
- i) the need to protect natural, historical and cultural heritage in national parks from adverse effects of activities outside national park boundaries, and avoid any potential adverse effects of national park status on adjoining land;*
 - ii) the goal of a representative range of ecosystems, natural features and scenery types being included in national parks;*
 - iii) landscape units;*
 - iv) readily identifiable natural features;*
 - v) convenience for the efficient management of the national park; and*
 - vi) access options, consistent with the need to preserve national park values.*

This investigation demonstrates that criteria 6(i) is fully met.

4.8.1 Overview

As outlined in the General Policy for National Parks, the NZCA's vision for national parks and other protected places is for them to stretch as a continuum from the mountains to the sea, and cover a comprehensive and representative range across New Zealand of ecosystems, natural features and scenery.

The boundaries of this proposal have been designed to specifically include the following ecosystems, natural features and scenery that are currently not represented in New Zealand's national park system:

- An example of a rare intact mountains-to-sea Northland west coast landscape, comprising a coastal-shrubland-regenerating forest mosaic rising upwards into a rich northern (above 38 degrees) rainforest ecosystem.
- Natural features, including the pristine Waipoua and Wairau River systems and iconic giant kauri.
- Stunning scenic vistas with towering kauri trees.
- A rare and unique ecosystem sandy/peat gumland together with a large fenland wetland which is endemic to Northland and is the last representative area of its type remaining outside of the Ahipara gumlands (which differ again and do not have the associated fenland).⁵³

These landscape units are distinct and with differing ecological values—coastal-shrubland-rainforest, gumland-wetland, mainland island of riverine lowland forest—all representing endemic species found only above 38 degrees latitude. However, as a whole complementary entity, the national park investigation landscape is a reflection of the history of human contact and interaction with the land—from the magnificence of Tāne Mahuta and the remaining kauri giants, to Trounson Kauri Park Scenic Reserve and the regenerating gumlands at Kawerua and the

⁵³ Anderson, P. 2005: Internal DOC report. Available at: OLDDM-117664; dme://olddm-117830

Maitahi Wetland Scientific Reserve. This landscape, its ecosystems, natural features and scenery, and its historic and cultural history, make an important contribution to New Zealand's national park system.

Submissions received

A key theme of the public notification and submission process was that people, irrespective of whether in favour of the national park proposal in its current form or not, thought that the public conservation lands identified for inclusion in the national park area were worthy of national protection. The West Coast Te Tai Poutini Conservation Board queried the inclusion of Maitahi Wetland Scientific Reserve due to its limited public access and distance from the main Waipoua Forest Tract.

Comment

Further investigations have clarified that Maitahi Wetland Scientific Reserve has open public access.

Criteria 6(i)(i) Avoiding adverse effects

Te Roroa have also raised with DOC a number of times their concerns regarding the impact national park status would have on the adjoining Te Roroa lands to the west of the proposal—in particular the coastal Kawerua area and the Wairau Reserve. These lands contain nationally significant archaeological, historical, and cultural taonga, as well as wāhi tapu.

Of particular concern for Te Roroa is the possibility that increased numbers of people will inadvertently or deliberately enter private land from the beach. Past incidences of trespass and fossicking are of concern to Te Roroa landowners and, in one instance, has resulted in court action.

Te Roroa specifically requested in their written submission (dated 25 June 2011) that a suitable buffer zone be created between the national park proposal and sites of cultural and historical significance in the proposal—including Te Roroa private lands to the west.

Comment

This issue is the subject of ongoing discussions between DOC and Te Roroa with regards to improved management of the area—fencing, signs, gates, etc. This issue will be a key management priority in any national park management plan.

Trounson Kauri Park Scenic Reserve is internally buffered against adverse effects, with conservation management operations being carried out on the farmland. Careful consideration will need to be given in the proposed national park's management plan to ensure that, within the mainland island, research and management, especially experiments, are able to continue.

Inclusion of Trounson Kauri Park Scenic Reserve in the proposal adds significantly to the diversity of the ecology under investigation. It also adds the opportunity for an education node focused on the Trounson Kauri Park Mainland Island's research and management. Given the boundaries between the forest and the farm are very clean, no management issues are anticipated from including both in the proposal, while including the farm also provides future forest regeneration opportunities.

Criteria 6(i)(ii): Representative range

The proposal, and the Waipoua Forest tract in particular, would significantly add to the representation of northern and coastal landscapes and ecosystems in the national park system. The proposal would add several attributes to the national park system, notably:

- The northern flora and fauna (species found north of the 38th parallel).
- North Island coastal landscapes.

These attributes underline the importance of including the coastal section of Waipoua Forest tract in the investigation.

Criteria 6(i)(iii): Landscape units

The Far North District Plan identifies the Waima/Mataraua/Waipoua Forest tract as an 'Outstanding Landscape', with its northern boundary on the bluffs and slopes above the Waimamaku Valley outside the Waipoua Forest tract. Variation 1 to the Proposed Kaipara District Plan also identifies the Waipoua Forest as an 'Outstanding Landscape Area', including lower hill slopes outside the Waipoua Forest tract.

A 1995 Landscape Assessment carried out for the Far North District Council identifies the reef-lined coast between Hokianga and Maunganui Bluff as an outstanding landscape. The plan uses the Conservation and Coastal zones to protect its landscape values.

The Waipoua Forest tract sits within and includes most of the identified terrestrial landscape unit(s). However, landscape boundaries could be improved over time by enhanced protection for native vegetation along the northern slopes/escarpment, particularly around the northern entrance on SH12, and the faces visible from SH12 at the southern entrance (Katui).

Criteria 6(i)(iv): Identifiable natural features

The northern escarpment, the coastline and the southern approaches are large features contributing primarily to landscape values. Legal boundaries are based on historical forestry value with little regard for other interests. It is the view of the investigation team that there is little scope for improvement within the scope of this process.

The Wairau River catchment lies almost entirely within the proposal, with the exception of some tributaries arising on private land in the north between the heights Piwakawaka and Kohekohe, and a small part near the sea, which lies in Te Roroa land. The upper catchment of the Waipoua River also lies almost entirely within the proposal, apart from tributaries in the Katui area, which lie within privately protected land owned by Native Forest Restoration Trust. The Ohae stream catchment lies entirely within the proposal. There is no scope for improved catchment boundaries within the scope of the current process.

The giant kauri groves are the other prominent natural feature and lie well within the proposal.

Criteria 6(i)(v): Efficient management

The public conservation lands identified for inclusion in this national park proposal are all co-located and currently treated as one management entity. As such, the boundaries of the current proposal are best placed for the efficient integrated management of the public conservation lands. Te Roroa and the DOC's Kauri Coast Area Office have a good working relationship based on effective and efficient management of the proposal as a single whole entity. Further, the Waipoua Forest tract is an existing management unit with easements providing management (though not public) access thorough Te Roroa lands to coastal parts of the block.

Submissions

Te Tai Poutini West Coast Conservation Board, and two individual submissions queried the inclusion of the Maitahi Wetland Scientific Reserve due to the distance from the main forest tract.

Comment

The Maitahi Wetland Scientific Reserve is currently managed as an integral and integrated ecosystem with other public conservation lands in the proposal.

Criteria 6(i)(vi): Access

Currently most public access to and into the Waipoua Forest tract is concentrated on three general areas:

- SH12 and the kauri short walks. These are the focus for most casual visitor activity, highlighting the giant kauri groves and Tāne Mahuta. The Rakau Rangatira project and rationalisation of the SH12 road reserve will serve to address parking and traffic safety concerns, and provide a access to the track system within the Waipoua Forest tract
- Waipoua bridge—Te Roroa Waipoua visitor centre area. This is a complex activity node involving public use of both public conservation lands and Te Roroa lands, again highlighting kauri. The bridge lies on the boundary of Te Roroa lands and the road to the visitor centre is private. Several short walks and the slightly longer Yakas track start in this area including the fire lookout walk on Te Roroa’s Puketurehu covenant. The Rakau Rangatira project and rationalisation of the state highway road reserve will address parking and traffic safety concerns.
- Access to the investigation area, the coast and adjacent Te Roroa lands is freely available from the Waimamaku Domain Recreation Reserve, vested in the Far North District Council, and the informal Hokianga-Kai Iwi walking route that passes along the coast. The Hokianga-Kai Iwi walking route was never formally gazetted and recently DOC was ordered to pay damages for trespass as a result of walkers trespassing on private Māori land. As a consequence the walkway has been removed from DOC’s information material. As a result, a clear approach to access is required in the management plan, to guide visitors to use the amenities within the proposed boundaries.

The main public access to Trounson Kauri Park Scenic Reserve is from Trounson Park Road and there is opportunity to provide for alternative access to other parts of the reserve if required in future. Maitahi Wetland Scientific Reserve has open public access.

A unique consideration in considering access and recreational use in this proposal is the threat of spreading kauri dieback disease (*Phytophthora taxon Agathis* (PTA)). At present the disease is being managed by corralling the majority of visitors to a small number of short walk sites. The ongoing management of the risk of PTA will have to be integrated into the proposed national park’s management plan, and will require the restricting of public access to certain areas for biosecurity reasons. These concerns will specifically be addressed in the Rakau Rangatira project.

4.9 Implications of a change in land classification: the statutory context

This section clarifies what the current conservation status is for the public conservation lands included in this investigation, how they are dealt with in current regional and district plans, what changes may be required in the future.

4.9.1 The current land classification

The core of the proposal is the Waipoua Forest, part of the Northland Conservation Park. A conservation park is to be managed for:

...the protection of its natural and historic resources and, subject to that, to facilitate public recreation and enjoyment (section 19 of the Conservation Act).

Some of the Forest is further classified as the Waipoua Sanctuary Area, to be managed:

...to preserve in their natural state the indigenous plants and animals in it, and for scientific and other similar purposes' (section 22 of the Conservation Act).

Much of Waipoua Forest is also subject to the Te Tarehu overlay classification, which is intended to protect the traditional, cultural, historic and spiritual associations of Te Roroa with the forest, while leaving day-to-day management with DOC (sections 49 and 51 the Settlement Act).

The Waipoua Forest tract also includes parts of the Kawerua Conservation Area and marginal strip adjoining Waipoua Forest along the coast. Conservation areas are land or foreshore held under the Conservation Act for conservation purposes, or land in respect of which an interest is held under that Act for conservation purposes (section 2 of the Conservation Act).

Conservation areas include stewardship areas under section 25 of the Conservation Act, specially protected areas under Part 4 of the Conservation Act, and marginal strips under Part 4A.

Marginal strips are to be managed for:

- (a) *conservation purposes, in particular -*
 - (i) *the maintenance of adjacent watercourses or bodies of water; and*
 - (ii) *the maintenance of water quality; and*
 - (iii) *the maintenance of aquatic life and the control of harmful species of aquatic life; and*
 - (iv) *the protection of the marginal strips and their natural values; and*
- (b) *to enable public access to any adjacent watercourses or bodies of water; and*
- (c) *for public recreational use of the marginal strips and adjacent watercourses or bodies of water (section 24C Conservation Act)*

The Gorrie, Donnelly's Crossing and Marlborough Road Scenic Reserves are contiguous with Waipoua Forest, and the Katui Scenic Reserve is very close by (and is in fact linked by covenanted areas undergoing active restoration and regeneration). The Trounson Kauri Park Scenic Reserve lies approximately 2.3 kilometres away from the main forest tract.

Scenic reserves are required to be managed for such purposes as:

'...protecting and preserving in perpetuity for their intrinsic worth and for the benefit, enjoyment, and use of the public, suitable areas possessing such qualities of scenic interest, beauty, or natural features or landscape that their protection and preservation are desirable in the public interest' (section 19(1)(a) Reserves Act 1977).

Maitahi Wetland is a Scientific Reserve, and scientific reserves are required to be managed for such purposes as:

'...protecting and preserving in perpetuity for scientific study, research, education, and the benefit of the country, ecological associations, plant or animal communities, types of soil, geomorphological phenomena, and like matters of special interest' (section 21(1) Reserves Act 1977).

4.9.2 Statutory planning for conservation

There is no management plan for any of the areas under investigation.

Since June 1999, the management of conservation lands in Northland including some off-shore islands, has been directed by the Northland Conservation Management Strategy (CMS). The CMS, spanning 10 years and setting out integrated management strategies for the natural and historic resources of Northland, was developed in close consultation with the Northland Conservation Board, tangata whenua and the public.

The 1999–2009 Northland CMS is still operative over the investigation area, with a revised draft planned for public consultation in September 2012. It identifies Waipoua/Waima/Mataraua (including Katui Scenic Reserve and Trounson Kauri Park Scenic Reserve) as a ‘priority area for integrated management’ (CMS section 4.8 (Appendix J)).

Strategic issues and management programmes relevant to the CMS are discussed in Chapter 5.

4.9.3 Regional and district planning—local government

The proposal lies entirely within the Northland region and straddles the boundary of the Far North and Kaipara Districts. The district boundary follows the mid-line of the Waipoua River inland from the coast to a point about 2 kilometres east of SH12, before striking north and then east through the Waipoua Forest. The relevant regional and local plans are described below.

Northland Regional Policy Statement

The Northland Regional Policy Statement specifically recognises the Wairau and Waipoua rivers through this statement: *‘Rivers with the highest conservation value are those whose catchments are the least modified’*.⁵⁴

Northland Regional Coastal Plan

The Northland Regional Coastal Plan includes a ‘protection’ zone along the coast of the proposal, between the Wairau and Waipoua Rivers, which is very restrictive of new activities whose effects might be more than minor. The priority in Marine 1 Management Areas (M1MA) is the protection of identified important conservation values. Recognised values of the Kawerua M1MA are:

Protected areas, coastal wetlands, marine mammals, birds and ecosystems. Inter-tidal areas provide significant habitat for New Zealand endemic wading birds including threatened species. Contains the greatest diversity of inter-tidal and shallow sub-tidal rocky reef habitats in western Northland.

Far North District Plan

The Far North District Plan zones the northern part of Waipoua Forest and most other public conservation lands north of the Waipoua River as ‘Conservation’. Most private land and some public land in the area adjoining the proposal is zoned ‘General Rural’ and ‘General Coastal’. Much of the proposal is recognised as ‘Outstanding Landscape’, in particular:

- the Waima/Mataraua/Waipoua Forest tract, with its northern boundary on the bluffs and slopes above the Waimamaku Valley
- the reef-lined coast between Hokianga and Maunganui Bluff.

Kaipara District Plan

The Kaipara District Plan zones the southern part of the Waipoua Forest tract, Trounson and Maitahi as ‘Rural’. Land adjoining the proposal is zoned ‘Treaty Settlement’ or ‘Rural’. Variation 1 to the Proposed Kaipara District Plan also identifies the Waipoua Forest as an ‘Outstanding Natural Landscape’, including lower hill slopes.

Other relevant regional plans

The Northland Regional Soil and Water plan also recognises the Waipoua and Wairau Rivers as rivers of ‘outstanding value’.⁵⁵

⁵⁴ Northland Regional Policy Statement. Rivers. p 11.

⁵⁵ Northland Regional Water and Soil Plan, Appendix 18. Available at: <http://www.nrc.govt.nz/Resource-Library-Summary/Plans-and-Policies/Regional-plans/Regional-Water-and-Soil-Plan>

4.9.4 Effect of national park status on land

Establishing a national park would rationalise the classification of a number of adjoining conservation areas and reserves in the Waipoua Forest tract. The main effect of the change would be to bring the land under a single cohesive framework with more detailed management than at present. Ecological management, and recreational and tourism use, would be more closely integrated with the overriding aim of preservation in perpetuity.

The scenic reserves, conservation areas and marginal strips would have a higher level of protection than at present, while the Waipoua Sanctuary Area would continue to be strictly protected. The Maitahi Wetland Scientific Reserve would need to be managed to ensure the continued protection of flora and fauna at this site.

National park status will likely result in increased visitor numbers, and tourism and recreation opportunities, which would need to be managed.

At present, the Northland CMS directs the ways in which these lands are to be managed. Should a national park be established, within two years a management plan consistent with the CMS would have to be prepared (under section 45 of the National Parks Act).

The upgrade of walking tracks and other visitor infrastructure already under way through the Rakau Rangatira project does not depend on national park status and would continue regardless of the outcome of this investigation. In the proposed national park as a whole, the low level of recreational development means that management planning may identify new opportunities for development. The Northland Conservation Board plays a key role in management planning, and Te Roroa, through the mechanisms established in the Settlement Act, will continue to play a significant role, particularly in relation to Te Tarehu.

4.10 Findings of the assessment and recommendations

This investigation has been carried out in accordance with provisions of the National Parks Act 1980, the General Policy for National Parks 2005 and the Te Roroa Claims Settlement Act 2008 and the Te Roroa Deed of Settlement 2005.

Assessment Against Criteria

This report concludes that the tracts of land investigated provide a unique series ecological and landscape features that are not otherwise represented in any existing national park in New Zealand, particularly the majestic kauri. While it is small in relative terms to other national parks, it is perfectly formed, providing a perfect mix of outstanding ecological, historic and landscape features found only in Northland.

The Waipoua Forest Tract contains the last largely unlogged kauri forests in the area, along with a complex mosaic of shrublands and forests, including kauri. Forest in Trounson Kauri Park Scenic Reserve is of high quality and this site contributes to the overall proposal by providing an alternative site for visitor activities. Maitahi Wetland Scientific Reserve, an isolated relict wetland ecosystem, is ecologically valuable and historically interesting and contributes significantly to the overall proposal, providing a rare example of remnant gumland. Key highlights of the investigation area include:

- The investigation area includes New Zealand's largest remaining example of relatively intact old-growth kauri forest – less than 3.3% of New Zealand's original kauri forests remain.⁵⁶

⁵⁶ Halkett, J.; Sale, E.V. 1986: The World of the Kauri. Reed Methuen, Auckland. P 159.

- More than 300 species of trees, shrubs and ferns are found within the proposal, living in a rich mosaic of interdependency and providing the best ‘mountains-to-sea’ altitudinal sequence of any northern forest.
- More than 30 species of plants, lichen and shrubs perch in the branches of Tāne Mahuta—Lord of the Forest.
- Waipoua Forest tract contains a huge range of floristic diversity with 13 differing forest types and 7 shrubland types present. Among its plants are 31 threatened species, some of which are endemic to Northland.
- Maitahi Wetland Scientific Reserve is a very rare and unique ecosystem—its ‘gumland’ type of wetland is endemic to Northland and of significant scientific importance.
- Waipoua Forest tract, Trounson and Maitahi are key habitats for nationally threatened and at risk New Zealand fauna, including North Island kokako and Northland brown kiwi.

Social, Cultural, Recreational and Economic Implications

This assessment has concluded that positive regional and national economic impacts are likely to follow the formation of a Kauri National Park, based on the experiences of other New Zealand national parks. The land under investigation has limited other economic use, so negative economic impacts are not anticipated. In particular, the formation of a national park would create marketing opportunities and tourism growth for Northland as a whole, building on the region’s already strong tourism sector. It was also expected to create jobs. It will be important to ensure that the economic benefits contribute back to the area itself.

The formation of this park is also likely to have positive impacts for regional and national recreational opportunities, particularly because the area under investigation contains outstanding landscapes and ecology not currently represented in any other national park. The Rakau Rangatira project, a partnership between Te Roroa and DOC, has a key role in managing any visitor or recreational implications that may arise as a result of a national park being formed. The participation of Te Roroa, the New Zealand Transport Agency, and local and regional councils in this project is both positive and vital to ensure a number of the concerns identified through the Joint Working Group and public consultation process are mitigated.

While there is limited research on the social implications of establishing a national park, experience in other regions suggests that while increased visitor numbers create extra jobs, these can come with social implications, such as the creation of a transient workforce due to seasonal fluctuations in demand.

Boundaries

The lands included in this investigation were identified by the Department/Te Roroa Manawhenua Trust Joint Working Group process as required under the Te Tarehu protocol in the Te Roroa Deed of Settlement 2005. This report also highlights some parcels that could be considered in the future for inclusion (Appendix A). It is clear that should opportunities arise to add further parcels, a Joint Working Group of Te Roroa and DOC will need to be convened to consider any land parcels suggested as additions to the national park.

Overview of Public Consultation

In general, written submissions and the public meetings indicated conditional support for the proposal to establish a national park on the public conservation land in the Waipoua Forest. All people involved in the public notification process recognised that the Waipoua Forest ecosystem and the kauri are national taonga worthy of national park status.

Among concerns raised in the public notification process was the appropriateness of national park status as a protection mechanism, given the current legislation does not contain any

provision for co-governance or the addition of private lands. The public notification process also brought forward the desire that statutory protection of the kauri forest be undertaken in a way that guarantees that the kauri ecosystem can be restored; and that positive benefits should accrue to the economy and livelihoods of the people of the west coast of Northland from the establishment of a national park.

Co-governance

In terms of proposed park management, Te Roroa have proposed a co-governance arrangement, built upon the Te Tarehu protocol of the Settlement Act, and based on shared responsibility for the proposed park. Without co-governance, the cultural and social impacts are considered by Te Roroa to be so significant and detrimental to their people that they could not support the formation of a national park. Te Roroa's co-governance aspirations are outside the scope of this investigation, but are acknowledged.

Chapter 5: Current management context

The intent of this chapter is to identify policy provisions in place for the lands under investigation, along with key management programmes under way, including pest management. These create the current management context for the proposed kauri national park.

5.1 Current Conservation Management Strategy provisions

As discussed in 4.9, the 1999–2009 Northland CMS is still operative over the investigation area. Objectives of the strategy include ecosystem protection, species management, tourism management, animal and plant pest control, fire control, maintenance of recreational facilities, management of historic resources and customary use (objectives 5.2–14.0 Northland CMS).

Management approaches outlined in Appendix 1 of the 1999–2009 Northland CMS are to:

- maintain the key attractions to high quality standards and ensure visitors' basic needs are met: access, carparking, toilets, information and quality short walks
- innovatively educate visitors on the “kauri” experience
- until the Treaty claim over the Waipoua Headquarters and Kawerua is settled, provide low-key development and management⁵⁷
- the accommodation complex has potential to become a conference/outdoor education centre with accompanying facilities. Evaluate concession options.⁵⁸
- direct public access to big trees to Tāne Mahuta, Te Matua Ngāhere, the Four Sisters and the Yakas Kauri.
- assess alternative management for Trounson campsite accommodation and reserve and maintain facilities to high standards.
- manage the Waoku Coach Road as an historic accessway allowing low-impact opportunities and rationalise maintenance of the Mataraua – Waima track network.

Section 4.8 of the Northland CMS, including priority and longer-term actions, is reproduced in Appendix J. The primary vehicle for implementation of these objectives is the Rakau Rangatira (Big Trees) programme discussed in 5.4. Waoku Coach road is discussed in 5.5.

5.1.1 Pest and weed policies

The current 1999–2009 Northland CMS objectives for animal and plant pest control are:

5.4.1 ANIMAL PEST CONTROL

Objective

To remove or minimise the threat and impact of animal pests on native plants, animals and habitats.

Waipoua/Waima/Mataraua

Goats, possums, livestock

- Eradication or sustained control and limiting dispersal of known populations.
- Fencing to exclude domestic stock where practical

Trounson Kauri Park Scenic Reserve

Possums, rodents, mustelids, cats, dogs, livestock, pigs, horses

- Prevention, eradication or sustained control.
- Fencing to limit or halt dispersal where practical.
- Targetted recreational hunting.

⁵⁷ Settled by TRCSA in 2008.

⁵⁸ Now operated by Te Roroa under TRCSA.

5.5 PLANT PEST CONTROL

Objectives

To control weeds according to statutory obligations.

To control, and wherever possible, eradicate plant pests where they threaten significant natural and historic values.

To encourage other landowners and authorities to act on plant pest control and coordinate their actions where appropriate.

To prevent the introduction and invasion of potentially significant new plant pests wherever possible.

Waipoua/Waima/Mataraua

Kahili ginger, Mist flower, Mexican devil weed, Himalayan honeysuckle, Selaginella, Ivy, *Crococsmia x crocosmifolia*, *Aristea ecklonii*, Hakea, Wilding pines, Banana passion fruit, Cotoneaster, Pampas, African club moss, Montbretia, Climbing asparagus, Tutu

5.2 Ecological management

DOC undertakes extensive weed control along the length of the Waipoua River, a major pathway into the forest. SH12 is the other main pathway and the New Zealand Transport Agency employs contractors to control weeds along the margins of the road through the forest. The most serious weeds are:

- African clubmoss—groundcover (*Selaginella kraussiana*)
- Aristea—groundcover (*Aristea ecklonii*)
- Kahili ginger—perennial herb (*Hedychium gardnerianum*)
- Tradescantia/wandering willy—groundcover (*Tradescantia fluminensis*)
- Banana passionfruit vine (*Passiflora mollissima*)

Norwegian ship rats, goats, possums, stoats and pigs are the key animal threats to indigenous flora and fauna. Rats occur at some of the highest densities recorded anywhere in New Zealand. This is a major concern as rats have been shown to eat large quantities of native bird eggs, chicks, nesting female birds, plant seed, insects and reptiles. Rats also provide a food source for stoats, which not only feed on rats but also kiwi chicks and other bird species.

Possums are another serious threat, with monitoring indicating that possum densities are seriously detrimental to the health of the kauri ecosystem. Possum populations are either stable or increasing. Controlling possum numbers reduces damage to these ecosystems, promotes forest recovery and reduces possum migration from public conservation land onto private land.

In September 2011, DOC, in cooperation with Te Roroa, Northland Regional Council and adjacent landowners—Hancocks Forest Management Ltd, Waipoua Forest Trust, New Zealand Forest Trust and private landowners—undertook an aerial 1080 (sodium monofluoroacetate) operation over public conservation land in Waipoua and Mataraua Forests. Pest control for the Waipoua-Mataraua Forest tract is key priority in DOC's Areas Under Sustained Management (AUSM) long-term pest control programme. Previous 1080 operations were carried out in 1990, 1999 and 2005. The aim of the 2011 operation was to reduce possum and rat numbers to allow for the recovery of native plants and animals. Monitoring undertaken after the operation indicates rat numbers have been reduced by 98%. Monitoring results from the area of forest linking Waipoua and Mataraua, (where the nationally threatened kōkako lives) indicates possum numbers have also been severely reduced.

Goat control is carried out by contractors as part of the AUSM long-term pest control programme. DOC and Te Roroa are developing a long-term pig management strategy focused on a core area of 3324 hectares that contains areas of cultural and national significance, such as the Kauri Walks area (which is home to the giant kauri Tāne Mahuta, Te Matua Ngahere and the Four Sisters). Pigs are known to be common in this core area and there are concerns that they contribute to the spread of kauri dieback disease.

5.3 Kauri dieback disease—*Phytophthora taxon Agathis* (PTA)

Kauri dieback disease is caused by a pathogen that causes the debility and death of kauri trees of all ages. Provisionally known as *Phytophthora taxon Agathis*, it is also referred to as PTA. The fungus-like disease is believed to be spread through the movement of soil water, direct contact between root systems underground, and soil moved by humans (e.g. mud on shoes) and other animals (e.g. pigs). It is currently the focus of collaborative research by a number of agencies with the intention of managing either its spread or its effects on kauri forests. More information about PTA and the inter-agency response effort can be found at www.kauridieback.co.nz.

Kauri dieback disease is a serious threat to the health of the kauri. In late 2009, DOC re-routed the 500-metre tourist track from SH12 to Tāne Mahuta to specifically mitigate and minimise any disturbance to the kauri ecology and prevent the spread of PTA. In April 2010, a kauri tree within 500 metres of Tāne Mahuta was positively identified as being infected with PTA. The Yakas Track within the national park proposal has also been closed as a preventative measure to prevent the spread of PTA, and five large kauri trees exhibiting PTA symptoms are clearly visible in a stand next to the SH12 1 kilometre north of the Waipoua Forest Visitor Center. PTA has also been positively identified in Trounson Kauri Park Scenic Reserve.

Whether or not a national park is established, the large kauri trees—Tāne Mahuta, Te Matua Ngāhere and the Four Sisters, and those along the Yakas Track and in Trounson Kauri Park Scenic Reserve—will continue to be a major visitor attraction, with visitor use concentrated on these sites. While establishing a national park is expected to increase the number of visitors, it is likely these will mainly visit existing key sites; it is not likely to mean more people throughout the forest. PTA management already in place or planned (the Rakau Rangatira project (see 5.4), working closely with interagency Kauri Dieback Management Team) remains of critical importance in ensuring that visitor infrastructure is upgraded in ways that mitigates any effects increased visitor numbers may have on the spread of PTA.



Waipoua Forest vista. Photo DOC

5.4 Rakau Rangatira (Big Trees) project

Rakau Rangatira is a priority DOC capital expenditure project to upgrade visitor infrastructure at nine key visitor sites centered on the giant kauri in Waipoua Forest. It is described in 4.3, as part of the discussion on how potential recreational implications arising from the proposal will be managed and mitigated. The key foci of Rakau Rangatira are to:

- improve visitor experiences and upgrade visitor facilities (parking, convenience facilities, new tracks) in Waipoua Forest, particularly around the Rakau Rangatira kauri trees.
- ensure that visitor facilities improve protection of the iconic kauri trees from visitor impacts.
- ensure that the interpretation and stories associated with Waipoua are accurately portrayed with Te Roroa.

The project models a collaborative approach with other infrastructure and service providers, including the Far North and Kaipara District Councils, Northland Regional Council, Destination Northland, and the New Zealand Transport Agency.

A joint Te Roroa–DOC Steering Group has ensured that the Rakau Rangatira project is committed to an inclusive approach to interpreting Waipoua Forest’s rich heritage for visitors, including Māori, Dalmatian and European history. The upgrade of physical visitor infrastructure in the Rakau Rangatira project will cater for increased visitor numbers and also aim to minimise any negative effects these numbers may have on the delicate ecology of the kauri ecosystems, which are under threat from kauri dieback disease. The development of the Rakau Rangatira project is closely aligned with the PTA work particularly track location, construction and design.



Rakau Rangatira—current Tane Mahuta car park. Photo: DOC.

5.5 Trounson Kauri Park Mainland Island programme

Trounson is a 445 hectare mixed old-growth kauri-podocarp and broadleaf forest and is officially designated a Scenic Reserve. This forest was largely gifted to the Crown by James Trounson in 1921 at a time when much of the kauri dominated forest in the surrounding area had been felled.

This Reserve lies in the upper Kaihu River Valley, 150-300 metres above sea level and 8 kilometres from the west coast of Northland. It is 4 kilometres south of Waipoua Forest, and regarded as a significant outlying fragment. Forest fragments are typical of the modern Northland landscape.

This 'island' of native forest is surrounded by a 'sea' of farmland (c100 hectares Crown-owned leased farmland). The forest is divided into four areas: Main Block (294 hectares), North Block (100 hectares), East Block (26 hectares) and West Block (25 hectares). The East and West blocks are linked to the Main Block by narrow passages of forest. The North Block is separated from the other three blocks by the Trounson Park Road.

The non-treatment site for this programme is Kaitui Scenic Reserve (Kaitui); total area 315 hectares, and lying 5 kilometres west-north-west of Trounson Kauri Park Scenic Reserve. Kaitui Scenic Reserve adjoins regenerating forest owned by the Waipoua Forest Trust, which borders the southern limits of the Waipoua Sanctuary Area.

The research and management undertaken at Trounson Kauri Park Mainland Island increases understanding of forest fragments and their contribution to positive biodiversity outcomes, and this knowledge can also be applied to the management of larger kauri forest tracts, such as the Waipoua Forest.

One goal of the Trounson Kauri Park Mainland Island Habitat programme is to achieve integrated ecological management via multi-species pest management and monitoring. The vision is to restore the ecosystem by allowing the recovery of ecological processes, while developing tools and knowledge for managing introduced pests and predators.

Another goal is to showcase DOC's work to visitors. A public visitor track and boardwalk is located in one corner of the Main Block and attracts large numbers of visitors (15,000-25,000) each year. A local concessionaire operates a regular guided night walk, often providing the opportunity to sight kiwi beside the track. There is a DOC campground adjacent to the Trounson Field Base and it is open for the summer holiday period from late October to the end of May.

The past 16 years of intensive management of Trounson Kauri Park Mainland Island have created many positive biodiversity outcomes, including:

- Securing one of the densest populations of Northland brown kiwi (*Apteryx mantelli*) (on average 1 pair/6 hectares), making this one of the best places to see wild kiwi in the country.
- Securing populations of kauri snail—*Paryphanta busbyi*. Trounson Mainland Island is one of three sites in Northland where this species is managed as part of DOC's Optimising Threatened Species Recovery programme.
- Providing some of the most useful long-term monitoring datasets in the country for both pest numbers (rats and possums) and native species (kauri snail, kūkupa and kiwi).
- As one of the best examples of old-growth kauri forest in the country, being chosen as a site where this ecosystem type will be managed through DOC's Natural Heritage Management System (NHMS).
- One of the best and longest running examples of integrated pest management projects in the country, with all pests managed to as low a level as possible.
- Providing a place to trial a range of predator trap designs and pesticides and, through this, providing important operational knowledge to other pest control operations around

the country. For example, it was at Trounson Mainland Island where it was discovered that predator trapping to a certain standard allowed for the successful recovery of kiwi populations.

5.6 Waiku Coach Road

The Waiku Coach Road is an unformed legal road that intersects the national park investigation

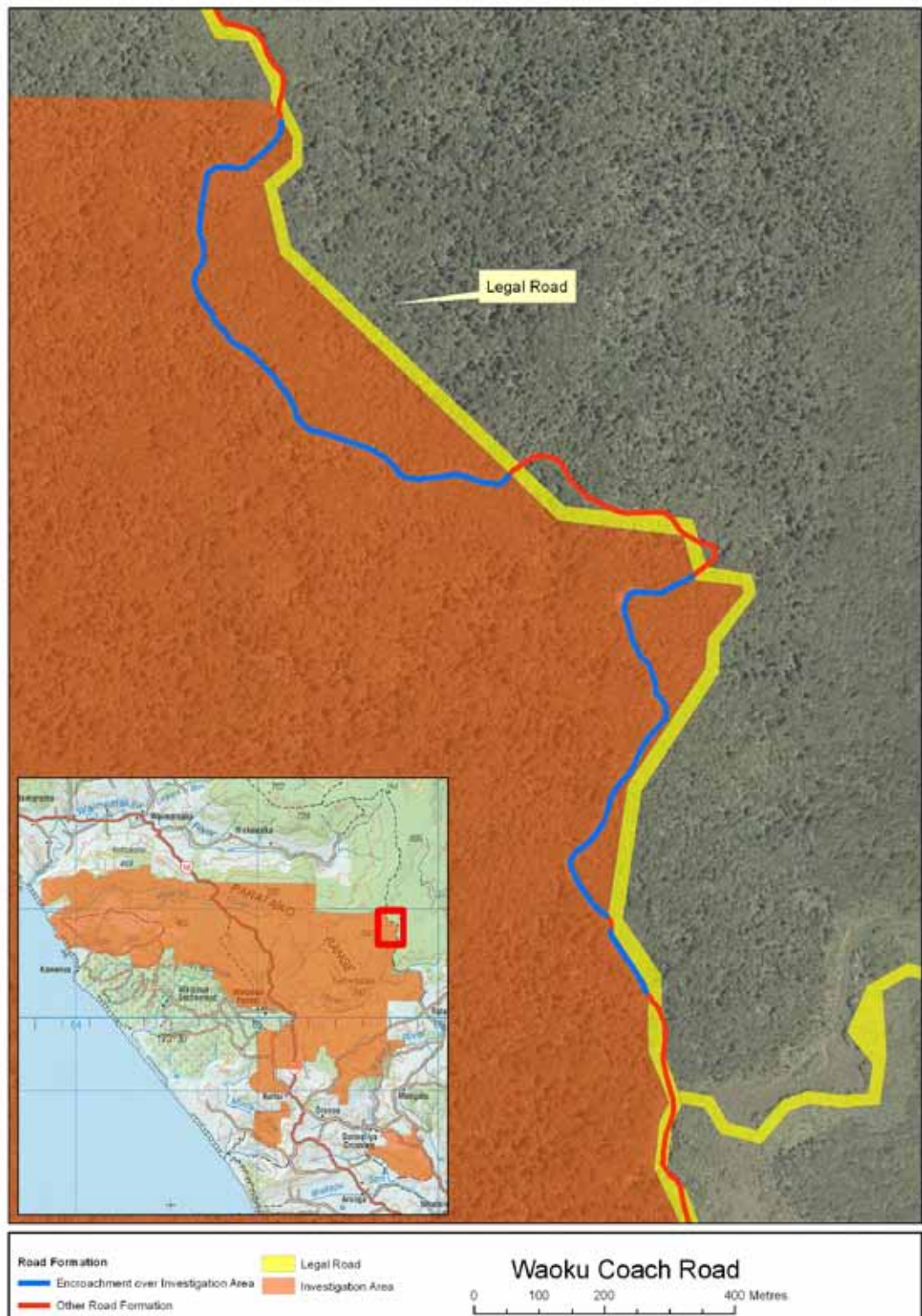


Figure 10. Waiku Coach Road

Chapter 6: Consultation

This chapter describes the responses and submissions received during public consultation on the Kauri National Park investigation. These came from central and local government, from individuals and groups, from iwi authorities and conservation organisations, from locals and from the South Island. The chapter provides an overview to who submitted and what the major issues were. The overview of submissions describes the main reasons for supporting or opposing the proposal, and the main themes raised for and against. Finally, it summarises the main issues and impacts.

The analysis contained in this chapter tries to make it clear which issues are in or out of scope of this investigation—however, both are provided to ensure the NZCA is well briefed for its own further consultations on the proposal. In particular, a feature of this investigation is Te Roroa’s aspirations for co-governance of the proposed Kauri National Park. This and some related matters fall outside the legislated scope of the investigation but, because they are a major issue for several parties, they are included in this analysis.

6.1 Specific notification/consultation required by the legislation and General Policy

As described in 4.5, the NZCA was required to notify the Ministers of Conservation and Energy. In a letter dated 22 April 2010 the Minister of Energy confirmed there was little mineral resource within the proposal and gave his support for the investigation.

6.1.1 Comments from central government agencies

The NZCA also sought comment from central government agencies, with the following responses:

Ministry for the Environment

No comment was received.

Ministry of Economic Development

The Ministry of Economic Development (MED) noted that it was ‘not convinced’ that the creation of a new national park in Northland would deliver significant economic benefits to the region or the country. MED noted it would prefer to see a detailed cost-benefit analysis of the proposal setting out the economic impacts (in addition to the social and environmental impacts as set out in the proposal) of a range of options—e.g. status quo, creation of a new national park, alignment of land protection status, etc.

The Ministry of Agriculture and Forestry and Ministry of Fisheries (now amalgamated into the Ministry for Primary Industries)

The Ministry of Agriculture and Forestry (MAF) made a neutral submission, raising the biosecurity concern: ‘that in light of known PTA infection there is potential for an increased risk posed by increased visitor numbers to the National Park’. MAF invited continuing close engagement with DOC on the Kauri Dieback Joint Agency Management Group as the national park proposal proceeds. With regards to fisheries, the Ministry of Fisheries (MFish) cautioned that the national park proposal should not erode any fisheries rights accorded to Te Roroa via the Fisheries Deed of Settlement.

New Zealand Transport Agency

The New Zealand Transport Agency, whilst neutral as to whether the national park proposal should proceed, indicated a willingness to work closely with DOC and local government, and the community, to address roading infrastructure issues.

6.1.2 Comments from regional and local government

The following responses were received from regional and local government agencies in Northland:

Northland Regional Council

The Environment Committee of the Northland Regional Council (NRC) was briefed on the Kauri National Park proposal on 19 May 2011, and Council staff and councillors attended public workshops in Whangarei on 13 June 2011 and Kaitia on 6 July 2011. In its written submission the NRC indicated its support for the proposal as having:

...real merit and presents a unique opportunity to further brand and showcase Northland both domestically and internationally, boosting tourism revenue and adding value to the region as a destination.

The NRC also noted that there were opportunities where the NRC and local government in general could complement and support national park objectives through existing programmes and by working closely with DOC and communities.

The NRC sought clarification on which areas of the coastal and marine area, especially parts of the Wairau and Ohae Rivers, are included in the national park proposal. The NRC also noted that, although the current national park investigation process did not have scope to consider co-management arrangements:

[It is] Council's view that the governance and co-management issues are not insurmountable and their resolution in a manner that protects kaitiaki relationships with the environment while achieving conservation and national park purposes in law would afford Northland and Northlanders with a great opportunity and ... associated benefits ...

And

Should a national park proceed, there is significant potential to do so on a co-governance/management basis agreed between both Te Roroa and the Department that acknowledges the commonality in approaches, reconciles differences and enhances outcomes for conservation, matauranga Maori and Northland generally. This park could provide an exemplar for the future.

Far North District Council

A briefing on the Kauri National Park proposal was provided to the Northland Intersectoral Forum (which included the Chief Executive Officer and Mayor of the Far North District Council (FNDC)). The FNDC did not provide a written submission to this investigation.

However, the FNDC Kaikohe-Hokianga Community Board and the FNDC Māori Reference Groups did provide written submissions.

The Kaikohe-Hokianga Community Board:

...supports the proposal for a Kauri National Park ... but would like to see the ongoing management of the National Park become a joint venture between Department of Conservation and local iwi Te Roroa.

The FNDC Māori Reference Group noted that its support for the proposal to establish a Kauri National Park in Waipoua Forest was conditional upon the resolution of the following issues:

...through appropriate engagement and consultation with Te Roroa and Far North District Council, namely:

- Co-governance, Community infrastructure and local resources; and*
- Protecting sites of cultural significance to Te Roroa'*

Kaipara District Council

The Kaipara District Council (KDC) provided a written submission supporting the proposal to establish a national park in Waipoua Forest:

This Council has long supported the establishment of a Kauri National Park around the Waipoua Forest. Congratulations on achieving this public milestone. Kauri is at the heart of Kaipara's history. Formal recognition in the form of National Park status will protect this valuable taonga in perpetuity and give it the mana it deserves.

KDC noted the 'sizeable opportunities for economic development in areas where before there had been very few', which the establishment of a Kauri National Park would bring. However, KDC also raised concerns about the 'double edged sword' that increased visitor numbers would bring, with pressure on visitor infrastructure and roading facilities. Of particular concern for KDC was the length of unsealed road between Trounson Kauri Park Scenic Reserve and Katui, and the necessity to upgrade Maitahi Road as well as the Trounson Park/Donnelly's Crossing/SH12 connection.

KDC also noted in its written submission support for co-governance of the national park:

The Council fully supports Te Roroa being an equal partner in a co-governance role. The Government has already recognised the significance of the Waipoua Forest to Te Roroa and is working in a partnership way on many issues. This is of critical significance to Te Roroa and it behoves the New Zealand Conservation Authority and the Northland Conservancy to make co-governance happen. The Conservation Act which established the Department of Conservation and the New Zealand Conservation Authority is to be interpreted and administered as to give effect to the principles of the Treaty of Waitangi. This injunction also governs the National Parks Act and the other statutes administered by the Department of Conservation.

6.2 Overview of submissions

This section describes who submitted, the main reasons for supporting or opposing the proposal, and the major themes raised. It includes themes that lie beyond the scope of this investigation, such as co-governance with Te Roroa, in order to help ensure the NZCA is well briefed when carrying out further consultation on the proposal.

6.2.1 Submitters in support of the proposal

Submitters who generally supported the national park proposal were:

- Black Sheep Touring Company
- Far North District Council Kaikohe-Hokianga Community Board
- Far North District Council Māori Reference Group
- Federated Mountain Clubs of New Zealand (Inc)
- Footprints Waipoua (Cophorne Hotel and Resort Hokianga/Kupe Hokianga Number One Limited)
- Hokianga Tourism Association
- Kaipara District Council
- Kauri Coast Four Wheel Drive Club—Dargaville
- Kauri Museum
- New Zealand Historic Places Trust
- New Zealand Institute of Forestry—Te Pūtahi Ngāhere o Aotearoa Inc.
- New Zealand Native Forest Restoration Trust (adjacent landowner)
- Northland Conservation Board
- Northland Fish and Game Council
- Northland Regional Council

- Forest & Bird—Upper Coromandel Branch
- Forest & Bird—Thames Hauraki Branch
- Russell Landcare Trust
- Straterra Incorporated
- Waipoua Forest Trust (adjacent landowner)
- West Coast Tai Poutini Conservation Board
- 17 individuals (9 from Northland; 5 from Auckland; 2 from the North Island; 1 from the South Island)

6.2.2 Submitters opposed to the proposal

Submitters who generally opposed the proposal, at least in its current format, were:

- Auckland University Tramping Club
- Ministry of Economic Development
- Nelson’s Kaihu Kauri (a business based on craft use of swamp kauri timber)
- New Zealand Deerstalkers’ Association Incorporated
- Forest & Bird—Northern Branch
- Forest & Bird—National Office
- Te Maara a Hineāmaru (Ngāti Hine)
- Te Rūnanga o Te Rarawa
- Te Roroa Manawhenua Trust (tangata whenua and adjacent landowner)
- Te Uri O Hau Settlement Trust
- Five individuals (4 from the Kauri Coast Area; 1 from Northland)

6.2.3 Neutral submitters

Submitters which were neutral were:

- Ministry of Agriculture and Forestry, and Ministry of Fisheries (now amalgamated as the Ministry of Primary Industries)
- Ministry for the Environment
- New Zealand Transport Agency

6.2.4 The following submitters also noted requested an opportunity to present their views in person to the New Zealand Conservation Authority regarding this national park proposal:

- New Zealand Deerstalkers’ Association Incorporated
- Hokianga Tourism Association
- New Zealand Native Forest Restoration Trust
- Royal Forest and Bird Protection Society of New Zealand - National Office
- Waipoua Forest Trust
- Kaipara District Council
- Northland Conservation Board
- Northland Fish and Game Council
- Northland Regional Council
- Te Roroa Manawhenua Trust

6.2.5 The main reasons for opposing the proposal

Fifteen written submissions opposed the establishment of a national park until issues such as co-governance; wider boundaries; dedicated funding for the national park; dedicated funding for infrastructure; concerns regarding kauri dieback (*Phytophthora taxon Agathis*); and protection of cultural heritage were resolved. These concerns were also reflected in all the public meetings with Whangarei and Kaitaia against the establishment of a national park until these issues were resolved.

6.2.6 The main reasons for supporting the proposal

Thirty-eight submissions supported the establishment of a Kauri National Park in Waipoua Forest. Like submissions that opposed the park's establishment, those in support were conditional on the resolution of the same issues identified above – co-governance; wider boundaries; dedicated funding for the national park; dedicated funding for infrastructure; concerns regarding kauri dieback disease; and protection of cultural heritage. The Dargaville public meeting was in favour of a national park, but the preceding concerns were also raised.

6.3 Major themes raised in submissions

This section includes at its end four themes that lie outside the scope of the investigation. They are provided to help ensure the NZCA is well briefed on all issues raised during its own further consultations on this proposal.

6.3.1 Major themes within scope and supporting the national park proposal

Natural, historical and cultural values and scenic quality

Consistent feedback from the public meetings and the 56 written submissions was that Waipoua Forest was of national and international importance, and that the national park investigation had been a 'long time coming'. The iconic kauri, the rich biodiversity of the proposal, and the historical and cultural values were all considered taonga of national importance.

Two official submitters, three conservation organisations, five individuals and the tangata whenua meetings specifically drew attention to the rich cultural, historical, archaeological and wāhi tapu values of the proposal, which they felt had not been properly acknowledged in DOC's public discussion paper.

Tourism and economic benefits

Twelve written submissions noted the positive flow-on effects that increased visitor numbers would have for the community and the wider region, with an increase in demand for visitor services—accommodation, restaurant and catering, retail, transport and tour guiding.

6.3.2 Major themes within scope and opposing the national park proposal

Funding for pest control and conservation management

Twenty-five written submissions, and the three public meetings in Dargaville, Kaitaia and Whangarei, raised concerns about securing funding specifically for pest control and conservation management in the national park proposal. Concerns were raised at the perceived insufficient funding allocated to manage the conservation values of the Waipoua Forest area.

During the public notification period (20 May–18 July 2011) restructuring and funding cuts for DOC were announced (24 June 2011). In this context, these submissions raised concerns as to whether DOC:

...would be given the necessary resources to establish and maintain a national park with its likely increased visitor numbers and ecological impacts. (Federated Mountain Clubs of New Zealand, written submission, 13 July 2011)

Tourism and economic benefits

The Ministry of Economic Development, Te Roroa Manawhenua Trust, two individual submissions and the public meetings in Whangarei and Kaitaia raised concerns that no detailed analysis of the economic and tourism benefits (and also the social, cultural and recreational impacts) of the national park proposal was provided in the public discussion paper.

Visitor impacts (including infrastructure)

Eleven written submissions and the Dargaville, Whangarei and Kaitaia meetings expressed concern over the increased impacts from visitors on the environment, visitor facilities and the area's historic and cultural values. Many people felt that national park status would serve as a magnet for domestic and international tourists, which would have both positive and negative effects. Serious concerns were raised about the:

- capacity of the narrow and winding SH12 road network (with two limited visibility single-lane bridges within the proposal), which would have to cope with increased traffic volumes
- impact increased visitor numbers would have on the spread of PTA
- inadequacy of the current visitor facilities to deal with increased visitor numbers—toilets, sewage disposal, parking, signs, interpretation, rubbish and waste collection
- increased potential for fossicking and trespass on culturally sensitive sites, both within the national park proposal and on adjoining land, particularly around Kawerua.

Process

Some people at the public meetings felt that the proposal was politically motivated and were disappointed at perceptions that it was being 'rushed through.' Four official submitters, three conservation submitters and four individual submitters specifically noted that the national park should not be rushed until the model was right. As noted by the New Zealand Native Forests Restoration Trust

It is better to delay the formation of the park a little while to ensure the foundation is right (fits upper North Island needs) and resources are available than to rush in to a solution that does not have inter iwi and community support. (3 August 2011)

DOC's response to the major management planning issues raised

As noted above, many submissions mentioned issues to be given specific recognition in any management plan—wāhi tapu/wāhi taonga, including special protection areas, PTA and pest management. Each of these is expanded upon below.

Wāhi tapu/wāhi taonga

Te Roroa Manawhenua Trust, the New Zealand Historic Places Trust (NZHPT) and individuals wanted to see active protection of historic and cultural sites within the proposed national park area. Te Roroa Manawhenua Trust specifically requested that: 'all wahi tapu sites, and sites of cultural importance to Te Roroa be removed from the proposal to the satisfaction of Te Roroa'.

NZHPT noted its post-treaty settlement relationship with Te Roroa and Te Roroa's special historical, cultural and archaeological taonga, which exist within the proposal. NZHPT submitted that Section 4(2) of the National Parks Act, which mentions the preservation of sites and objects of archaeological and historical interest, should also be included as criteria for the investigation, and that 'where necessary access should be restricted to preserve sites'. NZHPT further noted

that the unique historic and cultural qualities meet the criteria for the establishment of a new national park.

NZHPT specifically highlighted the Kawerua Conservation Area; the historic Waoku Coach Road, part of which is inside the proposal; and the archaeological site PO7/36, a large and significant gumdiggers camp, in the vicinity of the Maitahi Wetland Scientific Reserve as areas of significant historical and cultural importance warranting further investigation and protection.

Two schools of thought emerged throughout the public notification process:

- As the national park proposal is rich in archaeological, cultural, wāhi tapu and historical taonga, there was a need to further protect these taonga (fence off, signs) from active ‘fossicking’ which may occur with increased numbers of tourists.
- A wish for more educational material and information to be provided on these historical, cultural and archaeological taonga (promote, publicise).

DOC’s response:

As part of the Rakau Rangatira project, DOC is working closely with Te Roroa to identify appropriate cultural and historical heritage that is available for public interpretation around the main stands of kauri. Further work will be undertaken with both Te Roroa and the NZHPT to find appropriate ways to protect and enhance cultural, archaeological and historical heritage within the proposal.

Some of the cultural and heritage values are very sensitive. Section 12 of the National Parks Act and Policy 6(m) of the General Policy provide for ‘Specially Protected Areas’ to be established to preserve, amongst other things: ‘... natural features, or sites and objects of archaeological or historical and cultural interest of such significance that public access should be restricted.’

Kauri dieback disease/PTA (Phytophthora taxon Agathis)

Concerns were raised, including by the Ministry of Agriculture and Forestry, that the increase in visitor numbers would lead to: ‘potential for an increased risk posed by increased visitor numbers to the National Park’. Kauri dieback disease is a serious threat to the health of the kauri.

DOC’s response:

A key focus of the Rakau Rangatira project is to ensure that the upgrade of visitor facilities (boardwalks, new track layout) improves protection of the iconic kauri trees. This work is integrated closely with the Kauri Dieback Management Team.

Conservation Management and Pest Control Funding

Serious concerns were raised about DOC’s ability to fund necessary conservation work if a national park is established, and also about its current ability to fund necessary work in the Waipoua Forest—regular pest control, maintenance and upgrades of visitor infrastructure, habitat restoration work, species optimisation work. This issue was also raised in the 1992 investigation.

DOC’s response:

A number of the areas in the proposed park are already identified as priority areas for DOC, including iconic visitor destinations (Waipoua Forest) and high priority ecosystems (Trounson, Waipoua and Maitahi). This high priority status will ensure that these areas are managed to protect key values, and that visitor facilities, such as car parks, toilets and walking tracks, are maintained to a high standard.

If additional funding was allocated as part of establishing the park, this would enhance existing work programmes and help make the new park a national conservation showcase close to Auckland.

6.3.3 Major themes that lie outside the scope of the investigation

Co-governance of the national park

Although outside the scope of the current national park investigation, the inclusion in the discussion document of Te Roroa's aspirations to share governance and management of the national park with DOC was a key theme commented on in this national park investigation.

One written submission from a conservation organisation was opposed to the idea of co-governance of the national park due to concerns that co-governance with DOC should not be '*...played out for the first crucial time ... in the development of a national park*'; and also because of concerns about Te Roroa's ability to manage and govern the Waipoua Forest.

One of the 12 official submitters noted that until proper engagement with iwi was factored into the design of any national park, including co-governance, a Kauri National Park 'cannot be dealt with'.

Te Rūnanga o Te Rarawa also specifically noted that:

*The National Park kaupapa cannot be dealt with until the matter of co-governance with mana whenua has been properly sorted out. We believe that the kaupapa will be enhanced when proper engagement of iwi is factored into its design.*⁵⁹

Twenty-five written submissions, and both the Whangarei and Kaitaia meetings, strongly supported co-governance for the national park because it:

- '*...behoves the New Zealand Conservation Authority to make it happen.*'⁶⁰
- would provide opportunities for community buy-in and potential investment in the national park.

Three conservation organisation submissions also noted that the National Parks Act is currently out-of-date as it relates to both inclusive tenure (including private land) and inclusive management of national parks. These submissions also noted that co-governance should also include conservation interests, alongside DOC and iwi.

Alternatives to national park status

One official submitter suggested that a conservation park under section 19 of the Conservation Act would be appropriate status for the area under investigation because of its emphasis on protecting natural and historic resources; as opposed to national park status which was: 'created to protect natural values, and for public enjoyment of the same'.

Three conservation organisation submitters suggested a more appropriate land status for the proposal would be some form of national reserve under section 13 of the Reserves Act 1977. National reserve status would allow for the addition of private land, including that under conservation covenants, to the national reserve, which would provide 'catchment and landscape integrity' and 'lowland habitat balance'.

Wider boundaries for the proposed Kauri National Park

Nineteen written submissions, and specific comments in the public meetings, noted a wish to see all of Northland's remaining kauri forest ecosystems included in a national park. Most of these submissions noted that: 'Provision should be made to allow other conservation areas in Northland to be added to the Kauri National Park in due course as other Treaty claims are settled.'

⁵⁹ Te Runanga o Te Rarawa, public meeting comment and email submission, 6 July 2011.

⁶⁰ Kaipara District Council Submission to Kauri National Park Investigation, 22 June 2011.

WAI 262

Three official submitters and one conservation organisation and the Kaitaia meeting (6 July 2011) referred to the recommendations of the Waitangi Tribunal in the WAI 262 “Ko Aotearoa Tēnei: A Report into Claims Concerning New Zealand Law and Policy Affecting Māori Culture and Identity” which was released on 2 July 2011. Although it expressed the view that *‘national parks should be available for return of title and shared management with iwi if the circumstances of alienation and the ongoing strength of kaitiakitanga warrant it’* the Report made no specific recommendations regarding national parks.

6.4 Conclusion

A feature of this investigation is Te Roroa’s (and other iwi’s) aspirations for co-governance. Along with some other related matters, this falls outside the legislated scope of this investigation but has been included to ensure the NZCA is briefed in the full breadth of issues raised.

In general, both written submissions and the public meetings indicated conditional support for the proposal to establish a national park on the public conservation land in the Waipoua Forest. All people involved in the public notification process recognised that the Waipoua Forest ecosystem and the kauri are national taonga worthy of protection. However, there were concerns as to the appropriateness of the national park as a protection mechanism, given the current legislation does not contain any provision for co-governance or the addition of private lands. The public notification process also brought forward the concerns that statutory protection of the kauri forest be undertaken in a way that guarantees that the kauri ecosystem can be restored; and that positive benefits should accrue to the economy and livelihoods of the people of the west coast of Northland from the establishment of a national park.

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Appendix A: Considerations for future inclusions in the proposed national park, and unformed legal roads

During the analysis of the investigation, a number of small parcels were considered that offer future potential to the proposed Kauri National Park. Te Roroa has stated that they support the opportunity to add further components of land in the future as treaty settlements progress. This appendix provides a summary of three small parcels of land, should they be considered for addition to the national park at some future time:

- Kawerua Marginal Strip #2
- Waimamaku Domain Recreational Reserve
- Parataiko Conservation Area

It is the understanding of the investigation team that any future additions to or deletions from the National Park will require the convening of a Joint Working Group in adherence to the Te Roroa Claims Settlement Act 2008.

This appendix also includes a list of historic unformed legal roads within the proposal which require further work. Other unformed roads have already been stopped and incorporated into adjoining public conservation lands.

Kawerua Marginal Strip #2

The Kawerua Marginal Strip #2 was originally excluded by the Joint Working Group but may be worthy of further exploration with Te Roroa in the future.

Figure A shows the boundary options overlaid on the Landcover Database 2 (LCDB2). The extent of cutover is highlighted. The Kawerua Marginal Strip #2 is shown in red. Option (a) is the inland side of this line; option (b) is the seaward side; and option (c) is the blue dotted line. Orange indicates other boundaries of the current proposal.

Neither the cutover nor the marginal strip are Te Tarehu. Nonetheless, addition of the marginal strip Kawerua Marginal Strip #2 to the proposal would need be carried out in consultation with Te Roroa.



Figure A. Options for the Kawerua Marginal Strip #2

Waimamaku Domain Recreational Reserve

There is an alternative way to obtain representation of coastal vegetation and landscapes which are less severely modified. Immediately to the north lies the Waimamaku Domain Recreation Reserve, a Crown-owned reserve vested in trust to the Far North District Council, and the Waimamaku River Conservation Area. The Conservation Area forms a significant landscape boundary, which highlights the integrity of the Waimamaku Domain Recreation Reserve and the proposal (Figure B). This area is also very significant for managing the impacts of recreational use on park values and adjoining landowners (discussed further below).

The Waimamaku Domain Recreation Reserve is not Te Tarehu. Nonetheless, its addition to the proposal would need to be carried out in consultation with Te Roroa, and would require further discussion with the Far North District Council and the local community.



Figure B. The Waimamaku Domain Recreational Reserve

Detailed considerations

The small size of the proposal makes its boundaries all the more important. In addition, the detailed provisions of the Te Roroa settlement mean that this is the best time to address some of the boundary issues and considerations which have arisen during consultation and during the writing of this report.

The site with greatest potential to create issues for both park management and for Te Roroa is the Waimamaku Domain Recreation Reserve, which is likely to become at least a *de facto* activity node for any park established. Managing the effects of that use will fall to Far North District Council unless the Waimamaku Domain Recreation Reserve is managed together with, or becomes part of, the park.

It needs to be noted that the Waimamaku Domain Recreation Reserve is not public conservation land. It is probable that the Far North District Council would need to enter a lease agreement with DOC for the land to be considered.

Identifiable natural features

The northern escarpment, the coastline and the southern approaches are large features contributing primarily to landscape values. Legal boundaries are based on historical forestry value with little regard for other interests. The options are:

- (a). Where the Kawerua Marginal Strip #2 adjoining the cutover pine forest is excluded. Options relating to this block as a whole are discussed above.
- (b). The boundary along the Ohae Stream, the existing legal boundary is neither clear nor rational. If the cutover block is included in the proposal, options for this boundary (between the Ohaua Road and the coast) are:
 - include the streambed with a standard 20 metre riparian buffer on the south bank. While the boundary could be easily identified, this option would result in adjoining strips of land with different status, which is also inefficient
 - include the streambed but trim the coastal part of Kawerua Conservation Area and/or the inland 'tongue' of Waipoua Forest, to maintain a riparian buffer on the south bank (see map)
 - exclude the streambed with the boundary following the north bank. This boundary would be the easiest to identify, at the cost of catchment protection, although the Ohae has the lowest fishery values of the main catchments. This option may be preferred by Te Roroa.

This boundary is not Te Tarehu but changes would have to be carried out in consultation with Te Roroa as the adjoining landowner, and because of its fisheries interests.



Figure D. Ohae Stream

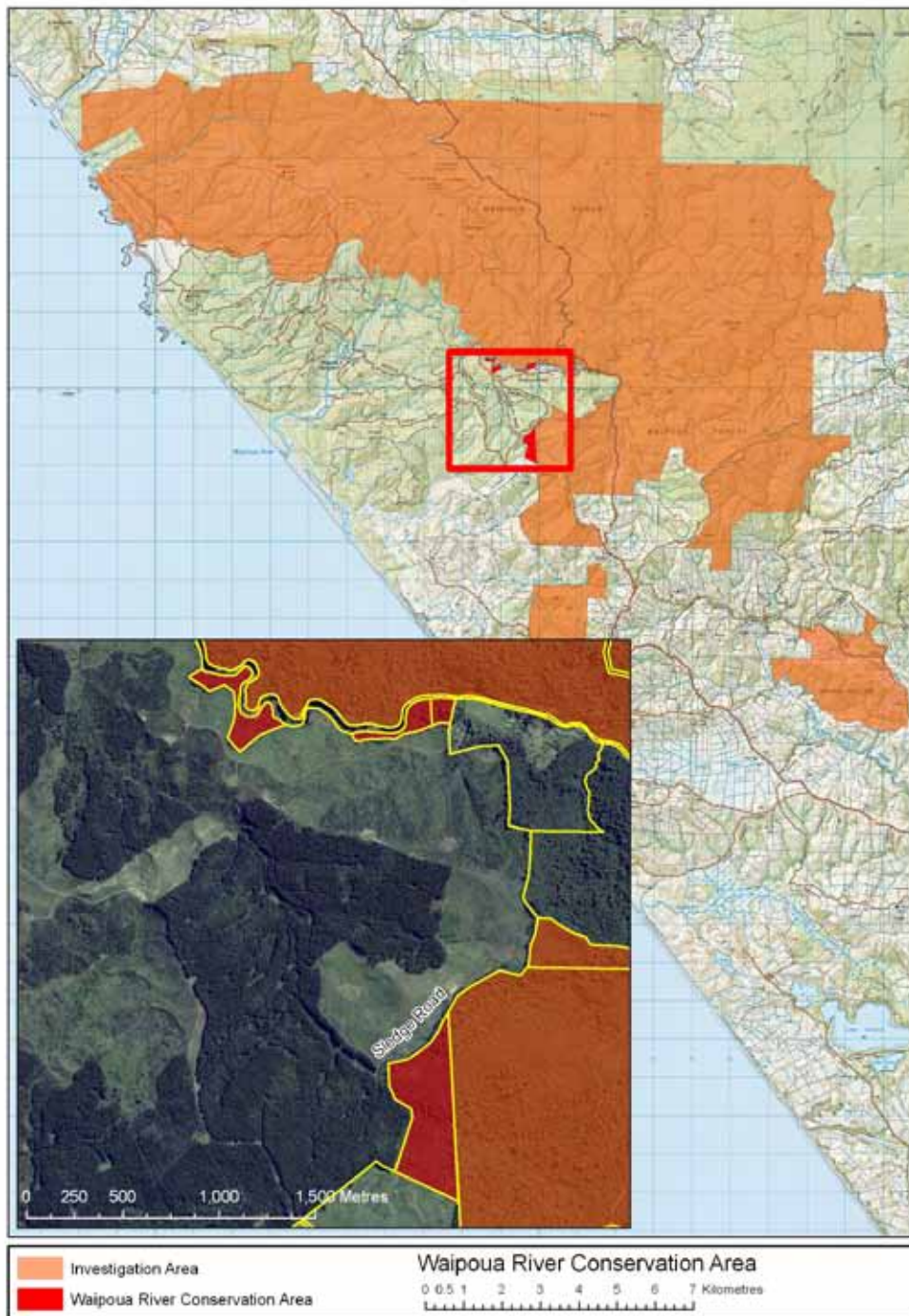


Figure E. Waipoua River Conservation Area, Sledge Road boundary

(c). Inland at Sledge Road, where part of the Waipoua River Conservation Area adjoins the proposal. Its inclusion would allow the stream to be used as a boundary rather than the invisible straight line proposed. Note that the investigation map includes the Te Tarehu portion of this block. As most of this area is Te Tarehu, its addition to the proposal must be carried out in consultation with Te Roroa.

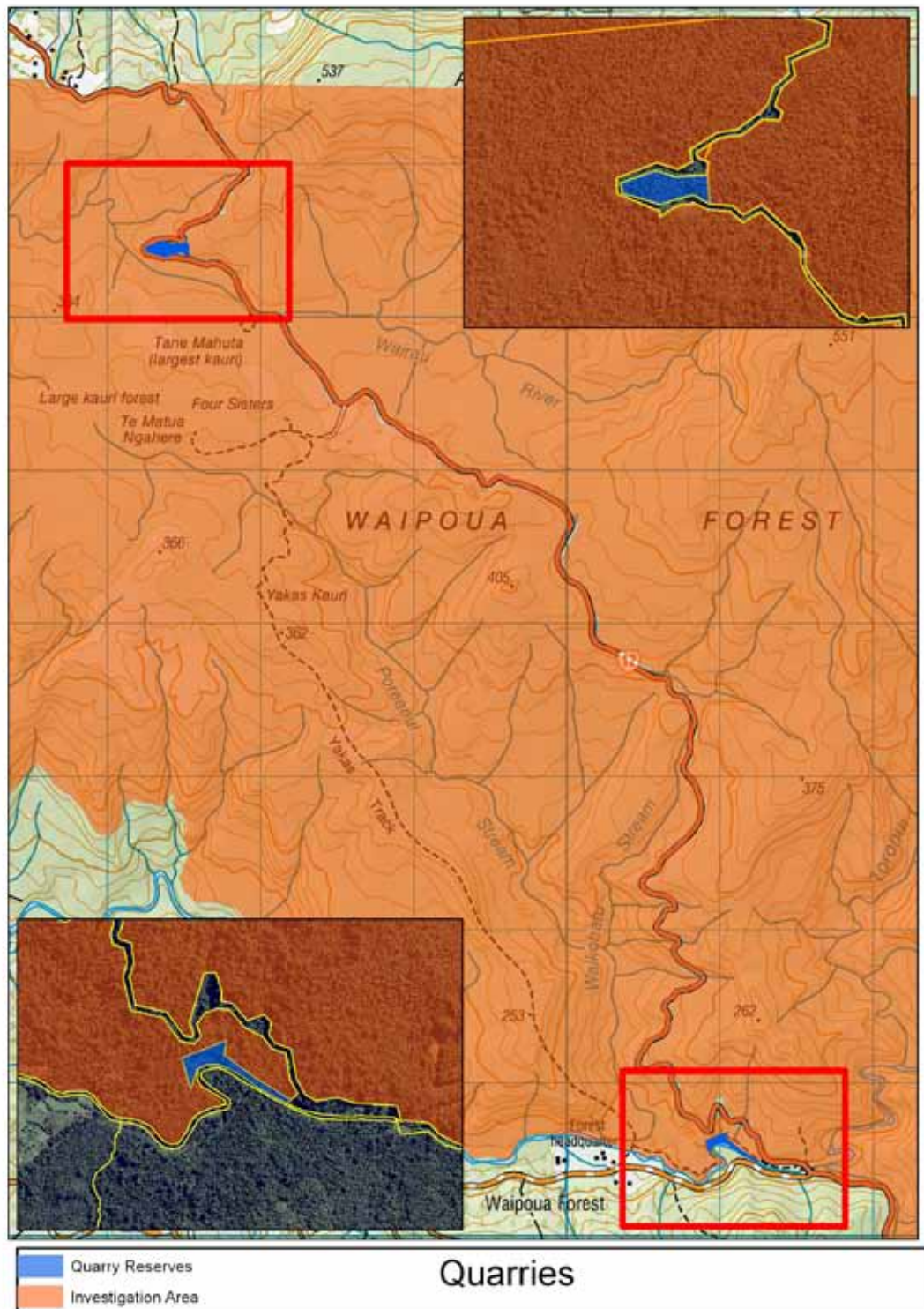


Figure F. Quarry reserves within investigation area

Quarry Reserves

Two other sites where more efficient boundaries should be sought are:

- the New Zealand Transport Agency quarry reserve near Tāne Mahuta on SH12
- the former quarry reserve adjacent to the Waipoua River.

Access options

Currently most public access to and into the Waipoua Forest tract is concentrated on four general areas: two sites along SH12, one site on the northwest on the coast, and one in the east.

(a). The New Zealand Transport Agency quarry reserve near Tāne Mahuta may provide a further access option in the future. The quarry reserve is Te Tarehu and its addition to the proposal would require consultation with Te Roroa.

(b). Addition of the former quarry reserve (adjacent to the Waipoua River) may also provide another future access option. The quarry reserve is Te Tarehu and its addition to the proposal would require consultation with Te Roroa.

Unformed legal roads

Unformed legal roads within the proposal are:

Waoku Coach Road

The Waoku Coach Road is a public road that intersects the national park investigation area in two places in the north-eastern corner of the investigation area. The two portions of the road, which run into the investigation area, are under the administration of the Kaipara District Council. This road has been identified by the Kaipara District Council for development as part of the Kauri Cycle Trail. This road is also used for access by walkers and landowners.



Figure G. Waoku Coach Road

Access - State Highway 12

There is an ongoing project to rationalise the boundary of the SH12 road reserve. Former road reserve could be incorporated into the proposal through negotiation with the New Zealand Transport Agency. This is Te Tarehu, and its addition to the proposal would require consultation with Te Roroa.

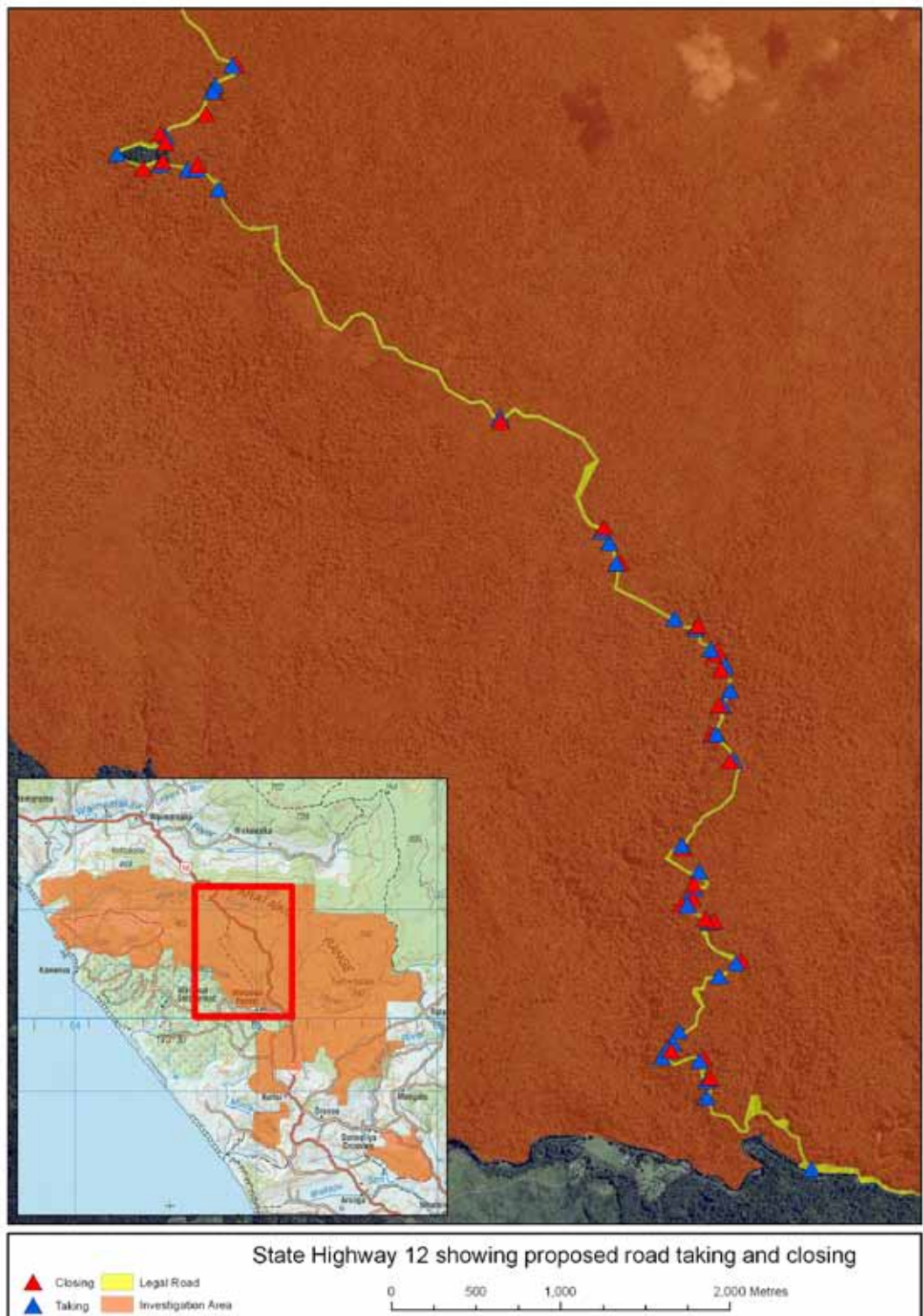


Figure H. State Highway 12 encroachments

Access - Marlborough Road

Part of Marlborough Road (Kaipara District Council) encroaches in to the Waipoua Sanctuary Area, while its road reserve forms the legal boundary. This should be rationalised before establishment and the unformed legal road incorporated into the proposal. This is also Te Tarehu and its addition to the proposal would require consultation with Te Roroa.

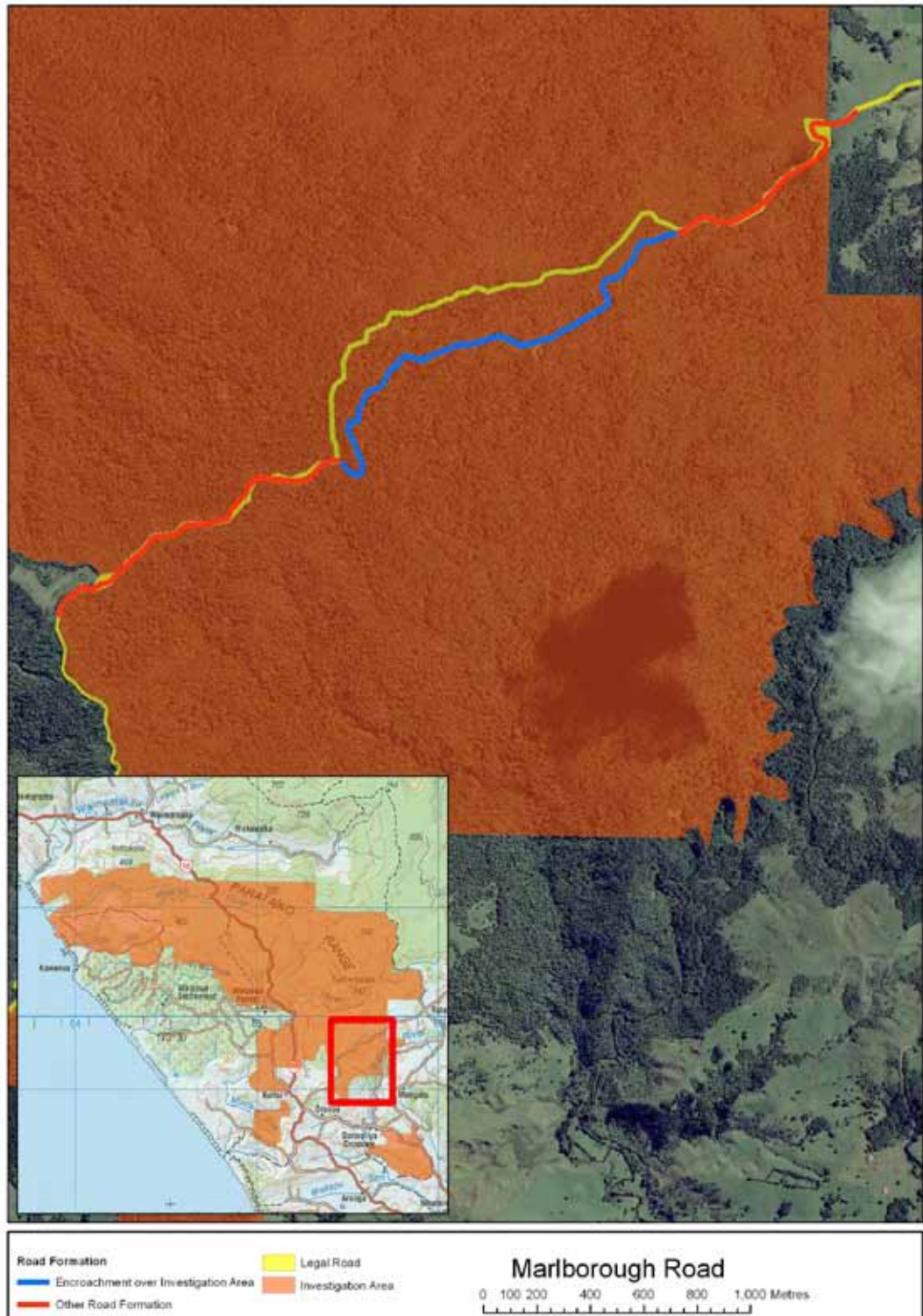


Figure I. Marlborough Road encroachment

Appendix B: Te Tarehu protocol

I: RELATIONSHIP REDRESS: TE TAREHU

TE TAREHU

1. Description of Area

1.1 The area over which Te Tarehu is created is part of the area known as the Waipoua Forest as shown A on SO 354589.

2. Preamble

2.1 Pursuant to section [] of the [Settlement Legislation] (clause 8.15.2 of the Deed of Settlement), the Crown acknowledges the statement by Te Roroa of their cultural, spiritual, historic and/or traditional values relating to Waipoua Forest, as set out below.

2.2 For the avoidance of doubt, the DOC Protocol (clause 8.1 of the Deed of Settlement) applies in relation to Te Tarehu. Where the provisions of the DOC Protocol and Te Tarehu are inconsistent, the provisions of Te Tarehu prevail.

3. Te Roroa Values

3.1 Waipoua Forest is a taonga and wahi tapu to Te Roroa of fundamental cultural, ecological and religious significance, parts of which were regarded by Te Roroa tupuna as “wahi tino tapu, whenua rahui”.

3.2 In the Waipoua Valley, the settlement pattern encompassed three zones: the pa on the high ridges, the fertile lower slopes and river terraces, and the coastal flats. Topographical features were made more indelible by stories of tupuna involved in naming the many places.

3.3 The isolation of Waipoua has been a contributing factor to the unassailed position Te Roroa has held in respect of their manawhenua, manamoana and manatupuna.

3.4 Waipoua Forest contains specific taonga and wahi tapu including the kauri trees, urupa and kainga tupuna, as well as traditional resources.

3.5 Te Roroa are the kaitiaki of Waipoua Forest and everything in it and assert that they maintain tino rangatiratanga over the Forest.

4. Protection Principles

4.1 The following Protection Principles are directed at the Minister of Conservation avoiding harm to, or the diminishing of, the Te Roroa Values related to Te Tarehu:

4.1.1 Protection of wahi tapu, indigenous flora and fauna and the wider environment within Waipoua Forest;

4.1.2 Recognition of the mana, kaitiakitanga and tikanga of Te Roroa within Waipoua Forest;

4.1.3 Respect for Te Roroa tikanga within Waipoua Forest;

4.1.4 Encouragement of respect for the association of Te Roroa with Waipoua Forest;

4.1.5 Accurate portrayal of the association of Te Roroa with Waipoua Forest; and

4.1.6 Recognition of the relationship of Te Roroa with wahi tapu, and wahi taonga.

5. Actions by the Director-General of Conservation in relation to specific principles

5.1 Pursuant to clause 8.15.11 of the Deed of Settlement, the Director-General has determined that the following actions will be taken by the Department of Conservation in relation to the specific principles.

5.2 Information

5.2.1 Departmental staff, contractors, conservation board members, concessionaires and the public will be provided with information about the Te Roroa Values and the existence of the Tarehu Overlay Area and will be encouraged to respect the Te Roroa association with Waipoua Forest;

5.2.2 The Department will work with Te Roroa on the design and location of new signs to discourage inappropriate behaviour, including fossicking, the modification of wahi tapu sites and disturbance of other taonga;

5.2.3 The public will be informed that the removal of all rubbish and wastes from Waipoua Forest is required;

5.2.4 Te Roroa's association with Waipoua Forest will be accurately portrayed in all new Departmental information and educational material; and

5.2.5 Te Roroa Governance Entity will be consulted regarding the provision of all new Departmental public information or educational material, and the Department will only use Te Roroa's cultural information with the consent of the Governance Entity.

5.3 Land and forest management

5.3.1 Significant earthworks and disturbances of soil and/or vegetation will be avoided wherever possible;

5.3.2 Where significant earthworks and disturbances of soil and/or vegetation cannot be avoided, Te Roroa Governance Entity will be consulted and particular regard will be had to its views, including, those relating to koiwi (unidentified human remains) and archaeological sites; and

5.3.3 Any koiwi (human remains) or other taonga found or uncovered by the Department will be left untouched and Te Roroa Governance Entity informed as soon as possible to enable Te Roroa to deal with the koiwi or taonga in accordance with their tikanga, subject to any procedures required by law.

5.3.4 The Department will work with the Governance Entity when drafting a section of the Northland Conservation Management Strategy (CMS) that applies to the Waipoua Forest, including:

(a) identification of the effects (including adverse and cumulative effects) of different uses of the forest (including concessions);

(b) how any adverse effects will be managed or minimised (e.g. through the identification of thresholds and limits for different uses of the forest); and

(c) the care and management of wahi tapu and Te Roroa taonga within the forest.

5.3.5 If the CMS requires the preparation of a Conservation Management Plan for Waipoua Forest, the Department will work with Te Roroa when drafting that Plan.

5.4 Concessions

5.4.1 The Department will:

- (a) provide to the Governance Entity copies of all applications or renewals of applications in the Tarehu Overlay Area;
- (b) seek the input of the Governance Entity when assessing all applications or renewals of applications in the Tarehu Overlay Area by:
 - providing for the Governance Entity to indicate within five Business Days whether applications have any impacts on Te Roroa’s cultural, spiritual and historical values; and
 - if the Governance Entity indicates that an application has an impact on Te Roroa’s cultural, spiritual and historical values, allowing a reasonable specified timeframe (of at least a further 15 Business Days) for comment;
- (c) have regard to the potential impact of any concession application on the Te Roroa Statement of Values and the Protection Principles and take reasonable steps to avoid or minimise any impact
- (d) prior to a concession being publicly notified, provide separate written notification to the Governance Entity;
- (e) prior to the Minister of Conservation or his/her delegated representative issuing concessions to carry out activities on land managed by the Department within the Waipoua Forest, and following consultation with the Governance Entity, take all reasonable steps to ensure that the concessionaire is informed of Te Roroa tikanga and values;
- (f) when the Minister of Conservation or his/her delegated representative issues concessions giving authority for other parties to carry out activities on land administered by the Department, the Department will recommend to the Minister of Conservation or his/her delegated representative to include within the terms of the concession provision for the concessionaire to carry out the activities according to the standards of conservation practice outlined in the ICOMOS New Zealand Charter 1993;
- (g) if requested by the Governance Entity, provide an explanation of the factors recommended to the Minister of Conservation or his/her delegated representative that were taken into account in reaching a decision on any particular concession application; and
- (h) if Te Roroa and the Department are unable to agree on a specific concession application, the Conservator will, if requested by Te Roroa, consider Te Roroa’s views before the Minister of Conservation or his/her delegated representative makes a decision on the application.

5.5 Cultural Materials

5.5.1 Unless there are special circumstances agreed to by both parties, the Governance Entity shall have access to all cultural materials that become available as a result of departmental operations such as track maintenance or clearance, or culling of species, or when materials become available as a result of roadkill or otherwise through natural causes.

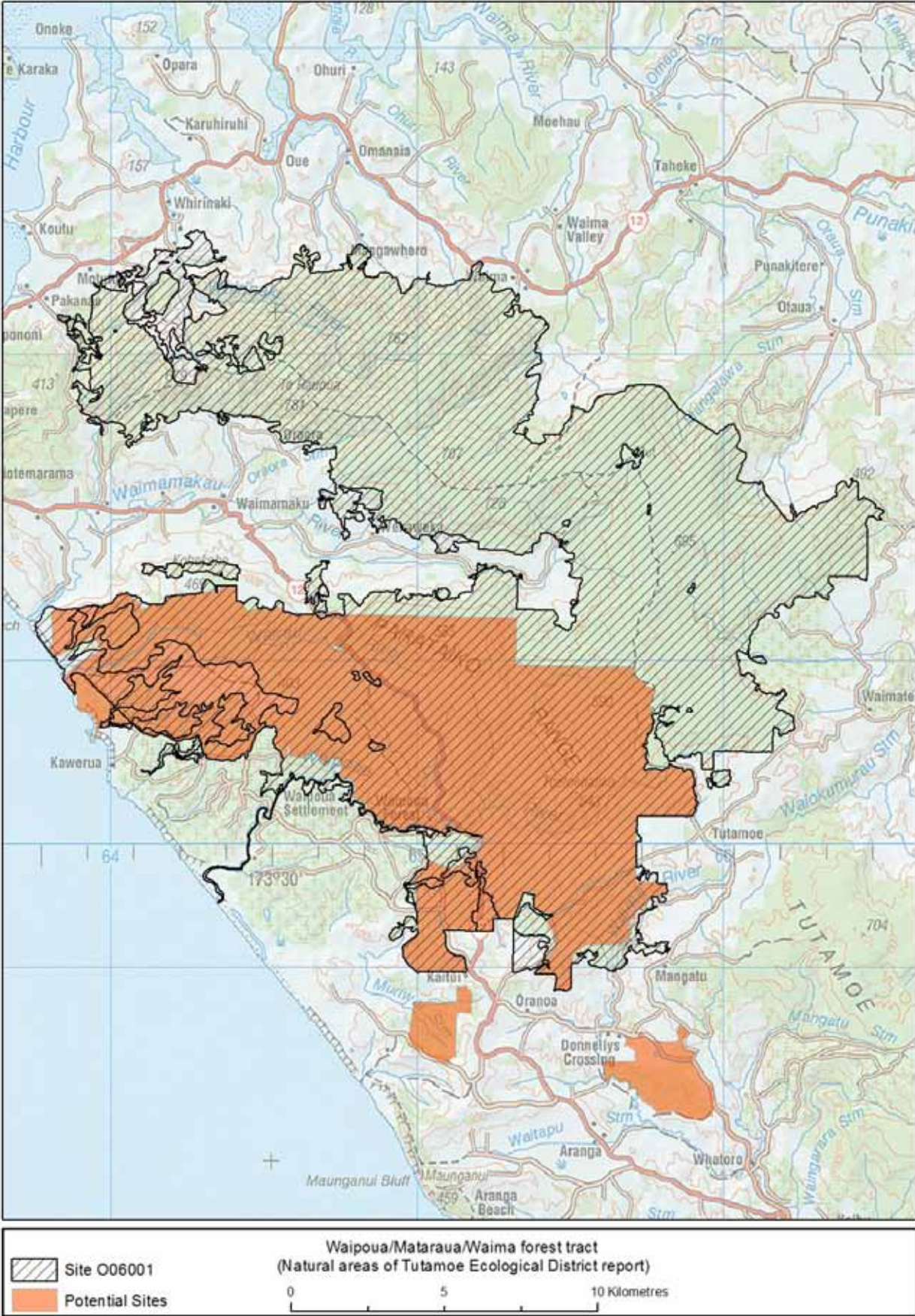
5.5.2 After discussion with the Governance Entity, the Department will consider an authorisation under section 30(2) of the Conservation Act to collect certain plants, or a recommendation to the Minister of Conservation for a concession

application under Part 3B of the Act, for the Governance Entity to collect other materials of cultural significance on an ongoing basis (e.g. for five year periods), with any terms and conditions necessary to protect conservation values.

5.6 Kauri National Park

- 5.6.1 The Department will immediately inform the Governance Entity of any work by the Department towards changing the legal status of land within the Waipoua Forest, including for the purposes of a National Park (for example, immediately upon the commencement of any work by the Department leading to a recommendation under section 7(2) of the National Parks Act 1980 or any investigation or re-confirmation of an earlier investigation requested by the NZCA under section 8 of that Act).
- 5.6.2 If the Department is requested by the Minister, the NZCA or the Northland Conservation Board to provide a recommendation with regard to any change of land status or new management body for Waipoua Forest, it will convene a working group comprised equally of the Department and the Governance Entity (with other members to be co-opted as may be agreed) to draft a report (including recommendations) to the Director-General.
- 5.6.3 If the status of the Waipoua Forest changes (e.g. to a National Park) the Department will work with the Governance Entity when developing any new management plan (or equivalent document).

Appendix C: Map of Waipoua/Waima/Mataraua Forest Continuum



Appendix D: Letter from New Zealand Conservation Authority to Director General of Conservation, dated 12 February 2010

NEW ZEALAND

CONSERVATION AUTHORITY
TE POU ATAWHAI TAIAO O AOTEAROA

12 February 2010

Al Morrison
Director-General
Department of Conservation
PO Box 40-120
Wellington

Dear Al,

RE PROPOSED KAURI NATIONAL PARK

I am writing to advise you that the New Zealand Conservation Authority resolved at its meeting on 11 February 2010 to request you to undertake an investigation into the suitability of certain public conservation land in Northland for national park status.

The Authority has selected for investigation those areas that have been agreed between the Department and Te Iwi o Te Roroa, and fall within the rohe of Te Roroa. These areas are shown on the enclosed map *Te Roroa/DOC Investigation Team October 2009*.

After its December 2009 meeting the Authority wrote to Te Roroa Manawhenua Trust, Northland Conservation Board, Fish & Game Northland and affected local and regional authorities to advise them of its intention and to seek their views before a final decision was made. All parties advised their support in principle for the proposal.

Attached for your information and appropriate action is a letter received from Robert Parore, Te Kūihi Claimant & Spokesperson opposing the establishment of the Kauri National Park.

Yours sincerely



Don Ross
Chairperson

Appendix E: Statutory process for this national park proposal

The statutory process for this investigation, as modified by the Te Roroa Claims Settlement Act 2008, is as follows:

Step 1

Before requesting an investigation, the New Zealand Conservation Authority (NZCA) advises the Minister of Conservation, and seeks the views of the Northland Conservation Board, tangata whenua, the Northland Fish and Game Council and territorial authorities (policy 6(d) of the General Policy for National Parks 2005 (the General Policy)).

In respect of the Waipoua Forest—Te Tarehu—the NZCA consults with the trustees of the Manawhenua Trust and has particular regard to Te Roroa values in relation to Te Tarehu, and the protection principles (sections 54 and 55 of the Te Roroa Claims Settlement Act 2008 (the Settlement Act)).

Step 2

The NZCA advises the Minister of Conservation of its intention to request an investigation and report on the national park proposal (section 8(1) of the National Parks Act 1980 (NPA)).

Step 3

The NZCA requests the Director-General of Conservation to investigate and report to it on the proposal (section 8(1) NPA).

Step 4

The Department of Conservation convenes a working group comprised equally of the Department and the Manawhenua Trust to report to the Director-General in respect of the proposal and Te Tarehu (section 59 of the Settlement Act and Schedule 1, clause 5.6.2 of the Te Roroa Deed of Settlement).

Step 5

The Director-General considers the joint working group report and prepares a public discussion document.

The Director-General gives notice of the proposal and investigation to the Minister of Energy (section 8(3) NPA).

Step 6

The Director-General investigates the proposal, including:

- publishing the discussion document and inviting public suggestions
- consulting with tangata whenua
- holding hui and public meetings
- preparing a summary of submissions
- assessing the social, recreational, cultural and economic implications for tangata whenua, local and regional communities, and the nation generally
- commissioning expert advice where necessary
- preparing an investigation report for the NZCA, having regard to the views of interested people and organisations (policies 6(e) and 6(f) of the General Policy).

Step 7

The Director-General sends the investigation report and summary of submissions to the NZCA for its consideration (section 8(1) NPA and policy 6(g) of the General Policy).

Step 8

The NZCA consults with the Northland Conservation Board, which gives its advice (sections 7(2) and 30(1) NPA, and policy 6(g) of the General Policy).

In respect of the Waipoua Forest—Te Tarehu, the NZCA consults with the trustees of the Manawhenua Trust and has particular regard to Te Roroa values in relation to Te Tarehu, and the protection principles (sections 54 and 55 of the Settlement Act).

Step 9

The NZCA considers the investigation report in terms of the criteria and considerations set out in policy 6 of the General Policy, having particular regard to Te Roroa values in relation to Te Tarehu, and the protection principles (section 54 of the Settlement Act).

The NZCA makes recommendations on the proposal to the Minister of Conservation (section 7(2) NPA).

Step 10

The Minister of Conservation refers the proposed name of the proposed national park to the New Zealand Geographic Board for review (section 7(2A) NPA).

The Minister of Conservation makes recommendations on the proposal to the Governor-General (section 7(1) NPA).

The Ministers of Conservation and Transport may, jointly with the consent of the Northland Regional Council, recommend the addition of foreshore in the proposal to the national park (sections 7(1) and 7(6) NPA).

Step 11

The Governor-General makes an Order in Council declaring a national park (section 7(1) NPA).

Appendix F: Relevant sections of the National Parks Act 1980

Sections 4, 7 and 8 of the National Parks Act 1980 are relevant to this investigation.

4 Parks to be maintained in natural state, and public to have right of entry

(1) It is hereby declared that the provisions of this Act shall have effect for the purpose of preserving in perpetuity as national parks, for their intrinsic worth and for the benefit, use, and enjoyment of the public, areas of New Zealand that contain scenery of such distinctive quality, ecological systems, or natural features so beautiful, unique, or scientifically important that their preservation is in the national interest.

(2) It is hereby further declared that, having regard to the general purposes specified in subsection (1) of this section, national parks shall be so administered and maintained under the provisions of this Act that -

- (a) they shall be preserved as far as possible in their natural state:
- (b) except where the Authority otherwise determines, the native plants and animals of the parks shall as far as possible be preserved and the introduced plants and animals shall as far as possible be exterminated:
- (c) sites and objects of archaeological and historical interest shall as far as possible be preserved:
- (d) their value as soil, water, and forest conservation areas shall be maintained:
- (e) subject to the provisions of this Act and to the imposition of such conditions and restrictions as may be necessary for the preservation of the native plants and animals or for the welfare in general of the parks, the public shall have freedom of entry and access to the parks, so that they may receive in full measure the inspiration, enjoyment, recreation, and other benefits that may be derived from mountains, forests, sounds, seacoasts, lakes, rivers, and other natural features.

8 Investigation of proposals to add to parks or establish new parks

(1) The Authority may, after having advised the Minister of its intention to do so, request the Director-General to investigate and report to it on any proposal that land should be declared to be a park or part of a park, or acquired for national park purposes.

(2) Unless the Authority otherwise agrees, the Director-General shall, on receiving any such request -

- (a) give notice of the proposal under investigation by advertisement published in daily newspapers circulating in the cities of Auckland,

Hamilton, Wellington, Christchurch, and Dunedin, and in the area affected; and

- (b) in that notice invite persons and organisations interested to send to the Director-General written suggestions on the proposal under investigation.

(3) The Director-General shall, on receiving any such request, give notice to the responsible Minister of the Crown of the proposal under investigation.

7 Constitution of other national parks and addition of land to national parks

(1) Subject to subsections (2) to (6), the Governor-General may from time to time, by Order in Council made on the recommendation of the Minister, -

- (a) declare that any land of the Crown described in the order, being -
 - (i) any conservation area; or
 - (iii) any land subject to the Tourist and Health Resorts Control Act 1908 or the Tourist Hotel Corporation Act 1974; or
 - (iv) any reserve vested in Her Majesty subject to the Reserves Act 1977; or
 - (v) any land acquired by the Crown for national park purposes, - shall be a national park subject to this Act:

(2) The Minister shall not make any recommendation under subsection (1) except on the recommendation of the Authority made after consultation with the appropriate Board (if any).

(2A) Before making a recommendation under subsection (1)(d), the Minister must refer the proposed name to the New Zealand Geographic Board Ngā Pou Taunaha o Aotearoa under section 27(2) or 30 of the New Zealand Geographic Board (Ngā Pou Taunaha o Aotearoa) Act 2008, as the case may be.

(4) No land subject to the Tourist and Health Resorts Control Act 1908 or the Tourist Hotel Corporation Act 1974 shall be declared to be a park or to be added to any park, except on the joint recommendation of the Minister and the Minister of Tourism.

(6) No foreshore shall be declared to be a park or to be added to any park, except on the joint recommendation of the Minister and the Minister of Transport, and, where the foreshore is under the control of a regional council under the Resource Management Act 1991, except with the consent of that body.

Note: In relation to subsection (6), the Coastal Marine Areas (Takutai Moana) Act 2011 imposes further requirements (the conservation permission right) where an iwi or hapū has obtained customary marine title over foreshore within the common marine and coastal area (section 71 et seq.)

Appendix G: Relevant sections of the Te Roroa Claims Settlement Act 2008

Key sections of the Te Roroa Claims Settlement Act 2008, relevant to this investigation, are 50, 51, 52, 53, 54, 55 and 59.

50 Declaration of Te Tarehu

That part of the Waipoua Forest shown marked “A” on SO 354589 is Te Tarehu.

51 Crown’s acknowledgement of Te Roroa values

The Crown acknowledges the statement by Te Roroa of Te Roroa values in relation to Te Tarehu.

52 Purposes of Te Tarehu

(1) The only purposes of the declaration as Te Tarehu under section 50 and acknowledging Te Roroa values under section 51 in relation to Te Tarehu are to -

- (a) require the New Zealand Conservation Authority and relevant Conservation Boards to have particular regard to Te Roroa values and the protection principles as provided in sections 54 and 55; and
- (b) require the New Zealand Conservation Authority to give the trustees of the Manawhenua Trust an opportunity to make submissions as provided for in section 56; and
- (c) enable the taking of action under sections 57 to 61.

(2) This section does not limit sections 53 to 66.

53 Agreement on protection principles

(1) The trustees of the Manawhenua Trust and the Crown may agree on, and publicise, protection principles that are directed at the Minister of Conservation and aim to—

- (a) avoid harm to Te Roroa values in relation to Te Tarehu; or
- (b) avoid the diminution of Te Roroa values in relation to Te Tarehu.

(2) The protection principles set out in paragraph 4 of Part 2 of Schedule 1 of the Deed of Settlement are to be treated as having been agreed by the trustees of the Manawhenua Trust and the Crown under subsection (1).

(3) The trustees of the Manawhenua Trust and the Crown may agree in writing any amendments to the protection principles.

54 New Zealand Conservation Authority and Conservation Boards to have particular regard to Te Roroa values

When the New Zealand Conservation Authority or a Conservation Board approves or otherwise considers any conservation documents (including draft documents), or a proposal or recommendation for a change of status in relation to Te Tarehu, it must have particular regard to -

- (a) Te Roroa values in relation to Te Tarehu; and
- (b) the protection principles.

55 New Zealand Conservation Authority and Conservation Boards to consult with trustees of Manawhenua Trust

Before approving a conservation document or making a proposal or recommendation for a change of status in relation to Te Tarehu, the New Zealand Conservation Authority or a Conservation Board must consult with the trustees of the Manawhenua Trust and have particular regard to their views as to the effect of the conservation document or proposal or recommendation for a change of status on -

- (a) Te Roroa values in relation to Te Tarehu; and
- (b) the protection principles.

59 Actions by Director-General

(1) The Director-General must take action in relation to the protection principles, including the actions set out in paragraph 5 of Part 2 of Schedule 1 of the Deed of Settlement. [Note: This refers to Te Tarehu - see Appendix 4]

(2) The Director-General retains complete discretion to determine the method and extent of the action to be taken under subsection (1).

(3) The Director-General must notify the trustees of the Manawhenua Trust of what action the Director-General intends to take under subsection (1).

(4) If requested in writing by the trustees of the Manawhenua Trust, the Director-General must not take action in respect of the protection principles to which the request relates.

Appendix H: Letter from Office of Hon Gerry Brownlee, Minister of Energy and Resources, to Director General, Department of Conservation, 22 April 2010



Office of Hon Gerry Brownlee

MP for Ham

Minister for Economic Development
Minister of Energy and Resources

Leader of the House
Associate Minister for the Rugby World Cup

ERGB 09-10/1915

22 APR 2010

Alastair Morrison
Director General
Department of Conservation
P O Box 10420
WELLINGTON

Director-General's Office: 26.4.10

Attn: *Devi Jometa*

For Draft Reply

For Comments

For Appropriate Action

For Record

cc *Chris Jelvis*

Dear Mr Morrison

Thank you for your letter dated 18 February 2010 notifying me of the proposal to investigate the establishment of a National Park based on the Kauri Forests of Waipoua in Northland.

I am aware that the Northland Kauri Forests are the largest remaining tract of native forest left from the once extensive kauri forests of northern New Zealand. These forests are home to some splendid examples of kauri and should be provided with an appropriate level of protection, such as reclassification to a National Park.

As Minister of Energy and Resources, my interest centres primarily on the mineral prospectivity of the area and access to any mineral resources that may be present. I note that reclassification of the land to National Park status would likely make mineral access more difficult, particularly if the land ultimately gets added to Schedule 4 of the Crown Minerals Act 1991.

I am advised that little modern exploration has been undertaken over the land concerned to identify any mineral deposits that may be present. However, officials note that while the subject land is prospective for volcanic massive sulphide mineralisation, other land in close proximity, but outside of the proposed park boundaries, exhibits higher prospectivity with better potential to host valuable mineral deposits of interest.

Thank you for notifying me of the proposal.

Yours sincerely

Hon Gerry Brownlee
Minister of Energy and Resources

Appendix I: Vegetation types identified in a Waipoua Forest ecological survey, 1984–1985

Introduction

The Waipoua Forest Ecological Survey 1984–1985, undertaken by Eadie, Burns and Leathwick, is an authoritative source of information on the vegetation within the Waipoua Forest. This appendix references material from this study.

Vegetation types

Waipoua Forest is characterised by tall trees, including kauri emerging from a dense upper stratum of foliage. Tree ferns are a common feature in the variable sub-canopy and shrub layer. In places the ground layer may be open, with leaf litter dominating, yet in others filmy ferns and bryophytes form a green carpet. Distinct tiers are often poorly defined within the forest structure as each forest type merges into another, as is often the case in rainforests.

Lianes and epiphytes are important components of the forest structure. The most prominent liane is supplejack (*Ripogonum scandens*). In places, especially wet areas it forms a dense, almost impenetrable entanglements; its leafy shoots extending to the sunlit tiers above. Ratas (*Myrtaceae* family) are a common sight on the tall emergent podocarps. Kiekie (*Freycinetia banksii*) is also very common, often forming dense entanglements on the forest floor, while still capable of climbing into the upper tiers.

The high moisture levels in Waipoua Forest provide an ideal environment for epiphyte development. Liliaceous species and filmy ferns are commonly present. The former more commonly occur on the boughs of a canopy and emergent trees, while filmy ferns can form a dense mat or cover over the bark of a tree, or enshroud the caudex of a tree fern (especially at higher altitudes).⁶¹ Other fern species can be seen from the lower ground tiers to 40 or 50 metres up, perched on tree branches. A number of woody species are also commonly epiphytic, often starting their life on the caudex of a tree fern, or on the trunk of a rotting log on the forest floor. The pure weight of epiphytes can cause branches to snap.

The complex mosaic of vegetation patterns in the proposal has been shaped by geology, climate and evolution over millions of years. Some of the Waipoua Forest, including within the Waipoua Sanctuary Area has been logged, as have the Katui, Gorrie, Donnelly's Crossing and Marlborough Road Scenic Reserves. The most modified areas included in the proposal are the persistent shrublands and former pine forest towards the coast.

Eadie et al identify a number of forest and associated vegetation types within the proposal.

Type 1: Mamangi (Tree coprosma/Coprosma arborea) – mapou (*Myrsine australis*)

⁶¹ Thickened, usually underground, base of the stem of perennial herbaceous plants from which new leaves and flowering stems emerge.

– kanuka (*Kunzea ericoides* var. *ericoides*) forest

This is a coastal lowland forest type found on the alluvial terraces in the Wairau River Valley area at the north-east of the proposal. Eadie et. al note that this vegetation pattern occurs in areas which were possibly only lightly affected by the 19th century gumland fires; or that have arisen on alluvial flood deposits. This vegetation pattern may also be associated with clearing for agriculture by early Māori. The dense canopy is dominated by mamangi-mapou-kanuka (up to a height of 14 metres) and nikau (*Rhopalostylis sapida*) and hangehange (*Geniostoma ligustrifolium* var. *ligustrifolium*) dominate the understory. A number of plant species including *Rytidosperma* spp, NZ buttercup (*Ranunculus acaulis*), and the lowland coastal taxa—northern rata (*Metrosideros robusta*), pohutukawa (*M. excelsa*), *Olearia albida*, large-seeded coprosma (*Coprosma macrocarpa*), kowhai (*Sophora chathamica*) and wharangi (*Melicope ternata*).

Type 2: Taraire/kohekohe (*Dysoxylum spectabile*) – karaka (*Corynocarpus laevigatus*) – nikau forest

This also occurs within the lowland river valley mosaic. Again its position suggests an element of disturbance either through logging, fire, or early agriculture. The dense upper layer of broadleaved trees is dominated by taraire, kohekohe, nikau and mahoe (*Meliccytus ramiflorus*) Kahikatea (*Dacrycarpus dacrydioides*), maire-tawake (*Syzygium maire*) and pukatea (*Laurelia novae-zelandiae*) often emerge through the canopy on more poorly drained sites. Nikau and hangehange dominate the understorey; although karaka is common on poorly drained higher altitude sites. New Zealand gloxinia / taurepo (*Rhabdothamnus solandri*) is a locally abundant shrub, particularly on steep rocky sites and on river terraces.

Type 11: Kauri-mamangi – kanuka-towai forest

This is a minor lowland type of forest. It occurs on well drained ridges and faces within the northern slopes of the Waipoua River valley, a portion of which is included in the proposal. The mean height of this forest type is relatively low at 17 metres. The floristic structure of this forest type varies considerably. It differs from the taraire/kohekohe-karaka-nikau forest in the presence of species such as kanuka, tanekaha, kauri and horoeka/lancewood (*Pseudopanax crassifolius*); and absence of coastal and river terrace species such as nikau, karaka and taurepo. In the understory ponga (*Cyathea dealbata*) replaces nikau. There are no commonly occurring epiphytes or lianes which may also be an indication of the early developmental stage of the type, or simply that there are no suitable epiphyte surfaces.

Type 3: Taraire-towai/kohekohe forest

This fourth low altitude type (occurring 160 metres above sea level) forms large areas of the lowland forest. It occurs on well drained faces. The dense canopy is dominated by taraire and towai with scattered emergent kauri. Kohekohe and ponga dominate the sub-canopy with mapou and hangehange common on disturbed and/or rocky sites and mahoe on wetter sites and stream banks.

Type 4: Taraire/kohekohe forest

This is probably the most extensive type in the proposal. It occurs primarily at mid-altitude (264 metres above sea level) although it extends over a range of altitudes (95–500 metres above sea level). There are two forms of this type—one that occurs primarily in gullies and generally more fertile sites, and the other on seepage and convex slopes. A wide variety of emergents can occur, although kauri is notably absent even though the type is well within kauris altitudinal range. Podocarps and rata more commonly occur in moist gullies and disturbed ridge sites. Rewarewa (*Knightia excelsa*) is locally abundant on exposed ridges and steep and/or rocky sites. Taraire and kohekohe dominate the canopy and sub-canopy throughout the type, with taraire often overtopping kohekohe. Tawa is more common at higher altitude and nikau at

lower altitudes. Nikau tend to be a sub-canopy species. Gullies and wetter sites commonly have mahoe, pukatea, makamaka (*Ackama rosifolia*), and supplejack in the upper tiers and the drier sites species such as totara and miro (*Prumnopitys ferruginea*). Ponga is a prominent sub-canopy species on mid-low altitude sites with broken/uneven canopies. Wineberry (*Aristotelia serrata*) is abundant on what appear to be disturbed sites. The ground cover varies greatly in composition and density, although on wetter higher altitude site drooping filmy fern/piripiri (*Hymenophyllum demissum*) often forms dense clumps.

Type 10: Kauri/taraire forest

This is a widespread mid-altitude type. It occurs in pockets on well drained seepage and convex creep slopes and the upper portions of faces, forming an arc tending north-east to south-west through the forest. The outer limits of this arc follows the upper altitudinal limit of the Waipoua clay. This suggests a fertility boundary with kauri not present on the more fertile high altitude soils.

Kauri can form a dense cover and on more open sites shows sign of regenerating. Of the podocarps, kahikatea is common on more poorly drained sites and miro on shallower soil more associate with ridge tops. Halls totara (*Podocarpus cunninghamii*) is locally abundant. Taraire and towai (and to a lesser extent rewarewa, rata and tawa, and tanekaha) combine with kauri and the podocarps to form an often dense cover. Tawa is more common at higher altitudes. The ground tier is dominated by kauri grass, kiekie, *Gahnia xanthocarpa* and juvenile ponga in order of importance. These species often form dense entanglements.

Type 9: Taraire forest

Taraire forest occurs at mid-altitude on broad ridge tops. The distribution of it closely follows that of the kauri/taraire forest although the range is greater occurring at higher altitudes. It is found from the Toetoehatiko trig in the east of the proposal to the lower Wairau Valley in the west. Typically as with kauri/taraire forest, scattered emergent podocarps and/or kauri, overtop an uneven dense taraire dominated canopy. Miro and Halls totara tend to occur on ridge top soils or in areas where canopy disturbance has been noted (e.g. cutover and windfall areas.) The sub-canopy varies greatly in structure and composition although taraire and towai are nearly always present. Dense entanglements of kiekie dominate the shrub tier. *Blechnum fraseri* is common where maturing or mature kauri are prominent, and on other well drained sites. Although similar kauri/taraire forest and taraire forest types occur at a similar altitude, nikau, tanekaha, kauri and mingimingi occur less frequently in this type, and higher altitude species such as soft tree fern (*Cyathea smithii*), makamaka, tawari (*Ixerba brexioides*) and *Dicksonia lanata* are more common.

Where taraire forest occurs amid the high altitude forest, the structure differs. The canopy tends to be more open with scattered taraire, tawari, narrow-leaved maire (*Nestegis montana*), and lancewood over a very dense layer of *Gahnia xanthocarpa*, kauri grass and kiekie. Climbing white rata (*Metrosideros albiflora*) is also present. All these species, apart from the taraire, are rare in the surrounding forest types. These pockets tend to occur in the better drained knolls and ridges.

Type 12: Kauri/kanuka-miro-Halls totara

This forest formation occurs in small pockets at mid-altitude (276 metres above sea level). It occurs on the northern slopes of the Waipoua River valley. It appears to be found on sandy soils suggesting good, or possibly excessive drainage. These soils are similar to those found under today's coastal shrublands hence suggesting that this type may be similar to the forest type that once covered the coastal area.

The presence of pole kauri, (rickers) tanekaha and podocarps, and kanuka in the canopy infers past disturbance (future emergents are often still in the canopy). Kanuka remnants

occur on some sites. Kauri is dominant on most sites, sometimes occurring as mature trees. The physiognomy of the middle tiers varies considerably, suggesting not only environmental differences, but possible differences in developmental stages. Kauri grass dominates the ground tier forming dense thickets. The climbing rata (*Metrosideros albiflora*) is especially common in areas of mature or maturing kauri and/or podocarps. Other notable species are filmy fern/piripiri neinei (*Dracophyllum latifolium*), toatoa (*Phyllocladus toatoa*) and monoao (*Halocarpus kirkii*) – all have their highest importance values in this type of forest. This forest type is also noticeable for the virtual absence of taraire (a common forest species) and the presence of *Dracophyllum sinclairii* and Rawlings strap fern (*Grammitis rawlingsii*) neither of which occur in any other forest type.

The mountainous sector of the forest forms a separate mosaic of four types. Their basic structure and composition are very similar. Scattered emergent podocarps, primarily rimu (*Dacrydium cupressinum*), overtop a dense canopy of towai, tawa, taraire, and makamaka, occurring in various proportions. Pukatea, maire-tawake and supplejack are common on wetter sites. The sub-canopy is diverse, although tree-ferns are widespread. Kiekie is common in lower tiers, often forming dense entanglements. At higher altitude epiphytes, both vascular and non-vascular, increase in prominence.

Type 8: Towai-tawa forest

This is similar to taraire forest in composition and topographic preference. The prime difference lies in altitude with Towai-tawa forest occurring at a mean of 431 metres above sea level, as opposed to taraire forest occurring at 330 metres above sea level. With the higher altitudinal preference there is a shift in species composition. Species such as taraire, ponga, kohekohe, mapou, kauri and Halls totara decrease in prominence while raukawa (*Raukawa edgerleyi*), tawari, soft tree fern, rimu and towai increase.

Scattered emergent podocarps overtop an often very dense, even broadleaf canopy. Tawari, raukawa and hinau (*Elaeocarpus dentatus*) feature prominently in the sub-canopy on more poorly drained sites. Towai is a common sub-canopy species where the canopy is open, and climbing rata *Metrosideros albiflora* in large emergent podocarps. Local concentrations of *Gahnia xanthocarpa*, kauri grass and *Dicksonia lanata* are often interspersed amongst kiekie; especially the former two at lower altitudes.

Towai-tawa forest occurs in pockets on the eastern Parataiko range at the east of the proposal. The physiognomy and floristics of the type in this area differs greatly from the surrounding rimu/towai forest. The upper tiers are more open and the epiphyte cover is visually less obvious. These are possibly related factors with the more open canopy resulting in a lower humidity level; less suitable to the epiphyte *Gahnia xanthocarpa*, and kiekie, and to a lesser extent *Dicksonia lanata*. Common shrubs and small trees are mingimingi, neinei, narrow-leaved maire, toro (*Myrsine salicina*), tawari, and lancewood. All are rare in the surrounding forest apart from kiekie and tawari.

Type 6: Rimu/towai forest

Type 5: Rimu (Northern rata)/taraire-towai forest

Type 7: (Rimu)/towai-tawa-taraire forest

These three forest types are high altitude variants of one another. The most frequently occurring high altitude forest type in the (high altitude) eastern part of the proposal is Type 6 – Rimu/towai forest. Type 6 vegetation covers large areas of the Parataiko Range and merges into the upper Waipoua River valley vegetation. Taraire decreases in abundance as altitude increases and hence is virtually absent from Type 6 forest except for very well drained areas. Makamaka and kiekie are common sub-canopy species in this forest type. *Hymenophyllum* spp. forms the common ground

cover and standing living and dead vegetation is covered in a dense mat of bryophytes and filmy ferns.

Type 13: (Kauri) *Gahnia tussockland*

This type of vegetation association has been found in only two areas of the proposal—an area to the north of the Pawakatutu trig, and in the Ngaruku bog, an area to the west of Te Matua Ngahere. Logging has occurred in both areas to varying extents and in some cases, burning. These factors plus the overall flatness of the sites, may explain the very poor drainage noted. However, the Ngaruku bog was present at the time of Cockayne's report (1908) and at that time existed as much as it does today, despite logging which occurred in these areas until the Sanctuary was established in 1952. Major logging did not start in Waipoua (outside the Sanctuary) until 1943.

In these two areas kauri is always emergent although often in poor health, as indicated by its straggly appearance and small crown size. Dead kauri spars are common throughout. Rimu is present on the more poorly drained sites and in some areas forms sapling and/or pole thickets. Manuka dominates portions of the swamp. The ground is covered in extremely dense *Gahnia xanthocarpa* with the occasional *Dicksonia lanata* and kauri grass. Wet pockets of this area are dominated by *Baumea* spp. Eadie et al suggest this area could be an important site for palynological (pollen analysis) studies.⁶²

Persistent shrublands and scrub

Towards the coast is a historically more modified landscape, some of which has been burnt many times by Māori and then gum-diggers, and extensively dug for kauri gum. It includes the former Wairau Kauri Gum Reserve and Waipoua Kauri Research and Management Area. A rich mosaic of vegetation types includes extensive forest of several formations (Type 1, Type 3) but also large areas of persistent shrubland (mānuka and *Dracophyllum*) on very poor soils. Seven Four types with differing mixtures of *Gleichenia-Baumea-manuka-Dracophyllum-towai* and rewarewa (depending on soil type and topography) have been identified.⁶³

Before human settlement, it is likely that very little if any shrubland existed in the Waipoua area. Eadie et al⁶⁴ suggest that forest similar to kauri/kanuka-miro-totara forest (type 12) may have existed in these areas as this forest type is found today on sandy, well drained soils similar to those present under the coastal shrubland. Hayward states that this podzolisation confirms that the coastal heathland around Kawerau was once covered in mature kauri forest.⁶⁵

Coastal vegetation

Kawerau Strip No 1 and the coastal habitat associated with Kawerau Conservation Area is defined by coastal dune vegetation which would consist of species such as spinifex/kowhangatara (*Spinifex sericeus*), pingao (*Ficinia spiralis*) and wiwi (*F. nodosa*) which typify the Waipoua coastline.

62 Eadie, E.; Burns, B.; Leathwick, J. 1987: Waipoua Ecological Survey 1984-1985. Department of Conservation, Auckland, and Forest Research Institute, Rotorua. p 46.

63 Bellingham, M. 1985: Proposed Western Extension to the Waipoua Forest Sanctuary. Unpublished, Royal Forest and Bird Society of New Zealand, Wellington. p 3.

64 Eadie et al. 1987. p 49.

65 Hayward, B.W. 1978: A note on the former extent of Waipoua Kauri Forest around Kawerau. Tane 24. N.Z. Geological Survey, Lower Hutt. 2 p

Appendix J: Section 4.8 of the Northland Conservation Management Strategy

4 Priority Areas for Integrated Management

4.8 WAIPOUA / WAIMA / MATARAUUA

Description

The Waipoua / Waima / Mataraua forest tract and associated coastal reserves to Maunganui Bluff and Trounson. Tangata whenua are Te Roroa and Ngapuhi. Areas administered by the Department include Waima Forest, Mataraua Forest, Waipoua Forest Sanctuary, Tahamoana Scenic Reserve, Katui Scenic Reserve, Muriwai, Kawerua, Trounson Kauri Park Scenic Reserve, and Maunganui Bluff Scenic Reserve.

Why Is This A Priority Area?

The Waipoua / Waima / Mataraua forest is the largest intact area of high altitude, kauri, and coastal forest associations in Northland. It spans a full altitudinal sequence from the coast to the highest points in Northland (Te Raupua 781m, Ngapukehau 762m and Mt Misery 728m). The coastal belt with extensive rocky reefs features several dune lakes and wetlands and vigorously regenerating shrubland of manuka/kanuka/towai and scattered mature kauri remnants. These grade into dense, largely unmodified conifer/broadleaf/kauri forest associations which contain the largest mature kauri in the world. High altitude swamp towai and swamp maire forest occurs on the Mataraua plateau. Numerous threatened plants include *Olearia waima*, *Coprosma waima* and red mistletoe (*Peraxilla tetrapetala*) at its northern limit. Wildlife includes a small number of kokako and the largest population of kiwi in Northland.

The unique archaeological landscape of the Waipoua River valley features many rock heaps, pa, middens, pits, terraces, urupa and wahi tapu. Aspects of historic interest include: gumdigging along the coast, attempts at farming, early road transport over the Waoku coach road and through the sanctuary, and crucial historical conflicts over protection of mature kauri forest.

High numbers of national and international visitors are attracted to the area, especially to Tane Mahuta and Te Matua Ngahere, the largest kauri trees. A wide range of other recreation opportunities and facilities are available including short and long walks, a New Zealand Walkway along the coast, lookout points, picnic sites, a campground, lodges, and a visitor centre.

This priority area forms part of the proposed Northland Kauri National Park.

Management Issues

- The impacts of possums, goats and other wild animals on the forest
- Invasion of plant pests especially into the Waipoua Forest Sanctuary
- Impacts of visitors, provision of new facilities and upgrade of State Highway 12
- Access to Waipoua coast and impacts on kaimoana
- Protection of wahi tapu sites, their survey and control by tangata whenua
- Telecommunication facilities at Maunganui Bluff
- Encroachment of the New Zealand Walkway on wahi tapu and private land
- Proposed traditional and archaeological reserve

- Waitangi Tribunal claim negotiation and resolution
- Illegal hunting of kukupa/New Zealand pigeon

Priority Actions

- 1 Seek to expand the area of protected forest and shrubland according to priorities established in Section 5.2 using methods identified in Appendix One. [5.2]
- 2 Carry out sustained control of possums, goats and dogs. Fence forest boundaries to exclude stock and goats. [5.4.1]
- 3 Carry out intensive sustained control of all plant and animal pests within Trounson Kauri Park to create a mainland island for threatened species, including reintroduced species. [5.4.1, 5.5, 5.11]
- 4 Eradicate plant pests in key areas especially along State Highway 12, the headquarters area, tracks, the Waipoua and other rivers, and kahili ginger, mist flower, pampas, African club moss and Mexican devil weed in forest and coastal shrublands. [5.5]
- 5 Survey the full extent of historic resources and establish the proposed Waipoua historic and traditional (archaeological) reserve. Assess the architectural values of the former Kawerua hotel. [5.7]
- 6 Provide for the vesting and management of discrete wahi tapu sites and areas by tangata whenua and the conservation of high value historic sites. [6.12]
- 7 Provide interpretation at key big kauri trees and at the visitor centre. Rationalise tracks and upgrade where necessary to cope with high visitor numbers. Upgrade the toilet system at Tane Mahuta carpark. [7.9, 7.16, 7.19, 7.28]
- 8 Ensure businesses operating in the forests are authorised concessionaires. [7.6]
- 9 Establish a loop track through forest to high standards. Manage public access to Waipoua coast in consultation with Te Roroa. [7.15, 7.16]
- 10 Assist the Office of Treaty Settlements in resolution of the Waitangi Tribunal claim and avoid any actions which may adversely impact on claim resolution or options for resolution. Consult with claimants and tangata whenua before taking any significant management action. [10.0, 11.0]
- 11 Carry out compliance and law enforcement, and liaise with iwi, to stop illegal hunting of kukupa/New Zealand pigeon. [5.11, 13.0]

Other Areas

The Waipoua/Waima/Mataraua priority area forms the bulk of the Tutamoe ecological district. Not included within this priority area but of national significance in terms of the Northland Kauri National Park proposal are the forests of Marlborough and Kaihu. Marlborough occupies a gently sloping plateau covered in modified kauri/podocarp/broadleaf forest with a central core of intact forest. It retains relics of old logging operations but is untracked through its interior. Kaihu Forest to the south is a distinctive high altitude plateau rising to Mt Tutamoe and is covered in dense swamp forest with emergent rimu, northern rata, pukatea and maire. Its lower slopes contain regenerating shrubland and the relics of early kauri logging. Mt Tutamoe is a significant site for Ngati Whatua and can be reached by a New Zealand Walkway to the summit. The Kaiwi lakes, administered by the Kaipara District Council, are a significant natural feature containing populations of endangered native freshwater fish. The lakes are also a locally important trout fishery and recreational asset.

Priority actions are:

- develop a concept plan for visitor management at Waipoua and promote opportunities and accommodation
- address additional and existing opportunities for tramping in the track strategy
- work closely with tangata whenua to address concerns on the Waipoua Coastal Walkway. Assess options for an aerial walkway and a time scale walk
- investigate concession option for Trounson campsite.

Longer Term Actions are:

- assess opportunities for improving access from Waipoua to the coast
- assist with the investigation and development of a “Great Walk”
- a visitor management development plan is needed at Waipoua. Existing management of facilities such as the visitor information centre do not maximise visitor experiences due to the centre’s poor location and dated displays
- address the main requirements, which are:
 - capacity of facilities for carparking, toilets;
 - access for disabled to Tane Mahuta and adjoining services;
 - linking the main trees via a high quality loop walking track;
 - environmentally sound waste disposal;
 - information and interpretation; and
 - alleviating visitor impacts around the attractions
- seek control of the Waoku Coach Road sections through conservation lands and protect historic and recreational values
- consider improving surface and water runoff on the Waoku Coach Road Walkway
- improve quality of visitor facilities at Trounson (signposting, picnic areas, interpretation).

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