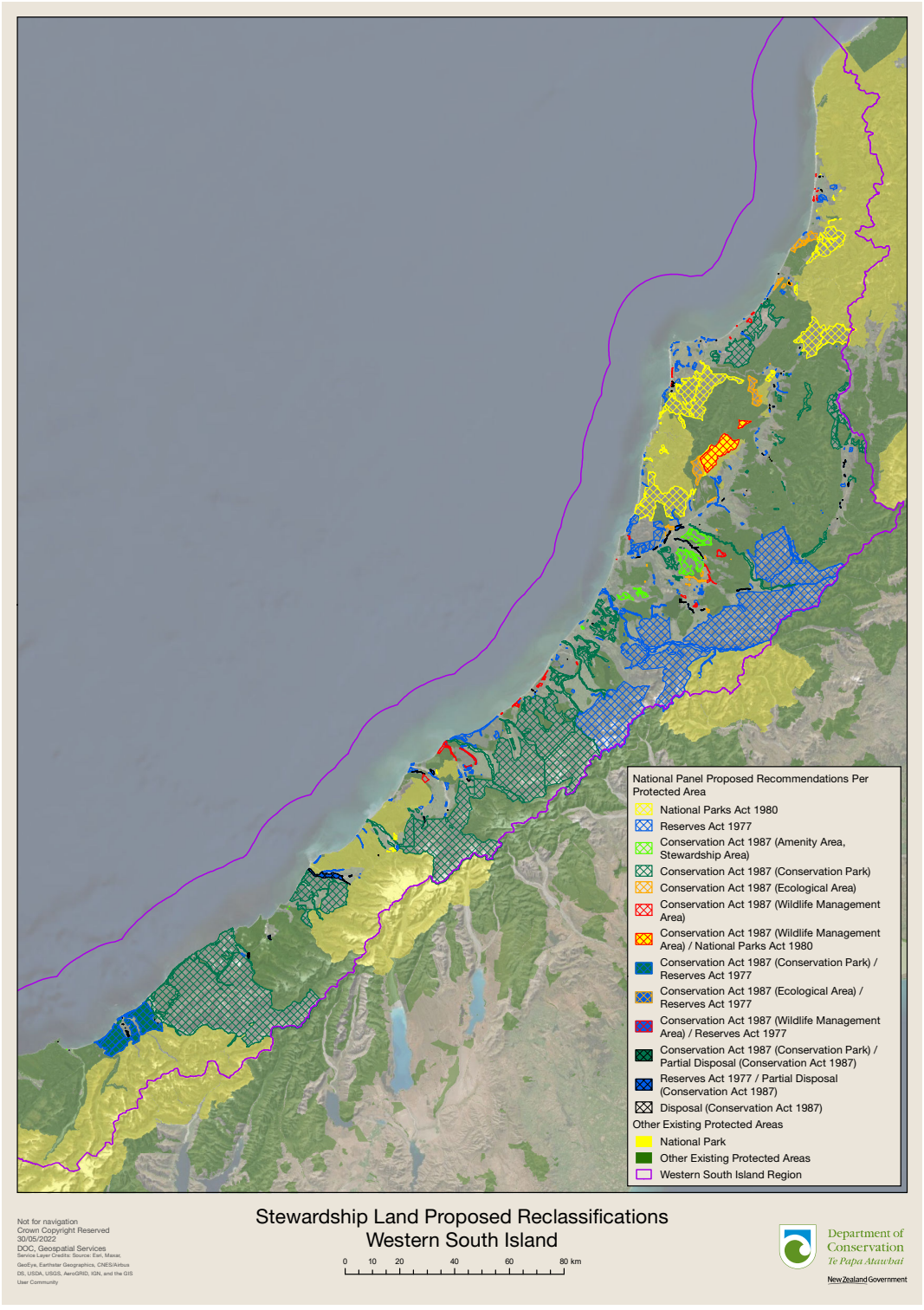

Submission

Reclassifying stewardship land on the West Coast
23 August 2022

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1.0 INTRODUCTION

The Institute thanks the Department of Conservation for the opportunity to offer feedback on the reclassification of stewardship land on the West Coast.

The Institute welcomes being part of the ongoing discussion about the future direction of conservation, the environment, biodiversity protection and climate change adaptation in Aotearoa New Zealand. This submission reflects the Institute's key initial observations, recommendations, and questions, however the large scale of this land reclassification project means there are details and elements that have not been investigated as thoroughly as they would have been with more time. As noted by other submitters, the time frame for these submissions, even with an extension, is inadequate for a reclassification project including 504 unique pieces of Aotearoa New Zealand's public conservation land.

The work of the National Panel for the Western South Island (the National Panel) and the Ngāi Tahu Mana Whenua Panel (Mana Whenua Panel) on this important, complex and large scale project is acknowledged and appreciated. The decisions made will have a significant, irreversible impact on future generations and the changing face of our country.

Stewardship land is home to some of Aotearoa New Zealand's most spectacular landscapes, including over 4,000 threatened plant and animal species.[1] Stewardship land is home to a variety of unique ecosystems and should therefore be reclassified to a higher status of protection and should remain under Department of Conservation Management.

The stewardship land for reclassification on the West Coast has a high conservation value and ecological importance, including unique and breathtakingly beautiful mountains, forests, and rivers. The land provided habitats for threatened species and ecosystems unique to Aotearoa New Zealand's West Coast environment, many of which are threatened and/or endangered.

It is relevant to consider this West Coast region is first in the national reclassification programme and therefore due process should be followed as it sets a precedent for the remainder of New Zealand's land reclassification. This process and outcome therefore has a heightened importance in establishing precedent for how all of Aotearoa New Zealand's stewardship land is reclassified and special care should be taken to make any potential conflicts of interest public.

The proposed reclassification is a good start, however it does not adequately protect the unique and interconnected ecosystems of the area, including natural landscapes, flora, and fauna. **It is of the Institute's opinion that in the face of the climate and biodiversity crises, stewardship settings should ensure Aotearoa New Zealand's natural estate receives the protection it deserves for current and future generations.**

1.1 Institute Contact Details & Submission Speaking Confirmation

Kindly note the Institute wishes to have the opportunity to speak in support of this submission.

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2.0 INSTITUTE RECOMMENDATIONS & FURTHER QUESTIONS

2.1 Institute Recommendations

Aotearoa New Zealand is facing the combined issues of a biodiversity crisis alongside a climate crisis, which will have wide-ranging impacts across society, as well as our native landscapes, rivers, plants and wildlife. In this pressing context, ensuring conservation land receives the right level of protection is of heightened importance.

The Institute stands alongside a number of organisations and experts, including conservationists and NGO's such as Forest & Bird and the Federated Mountain Clubs (FMC) to state that the majority of stewardship land should be protected and rehabilitated to help Aotearoa New Zealand prepare for and manage the impacts of climate change, including natural disasters and extreme weather.

As well as this, stewardship land should be protected to allow for habitat restoration and species protection amidst the current biodiversity crisis. Once land is disposed of or is used for private or commercial purposes, it cannot be retrieved and public access cannot be returned. The past few years have proven the future of the world and of our country is unpredictable, and the Institute is of the view that it is prudent to protect Aotearoa New Zealand's limited natural resources for future generations.

The Institute's recommendations include wider observations as well as land-specific recommendations. Below are the key high-level observations and questions relevant to this stewardship land reclassification.

KEY INSTITUTE RECOMMENDATIONS INCLUDE:

Increased Areas Receiving National Park Status

- Where possible, public conservation land should be rehabilitated to help deal with native reforestation, enhance ecological buffer zones and maintain ecological diversity.
- The Institute further supports all proposed additions to national parks and would like to see a greater number of areas adjacent to National Parks given a higher level of protection, including to make biological/eco corridors along the length of Aotearoa New Zealand (see below).

Biological/Eco Corridors

- Biological/eco corridors should be established along the length of Aotearoa New Zealand to connect National Parks. This will allow for species to travel freely between areas, improving species habitat, protecting biodiversity, and allowing native flora and fauna to thrive.
- Part of the Institute's work is on preparing Aotearoa New Zealand for the long-term future, including by establishing high areas of native forest. Conservation land could be used to restore native forest.
- To protect conservation land for the future, more areas should also be classified with the highest level of protection as increased additions to National Parks, including for biological corridors.

Consistency Across Land Reclassification

- As part of this land reclassification process, the panels are required to consider the classification(s) of adjacent and nearby public conservation land, enabling a 'landscape' approach to the reclassification work to be implemented.
- The Institute recommends, in this context, land next to National Parks, ecological areas, and other special status land should also receive high protection in order to preserve the high value land. This supports the extension to National Parks and the biological/eco corridor recommendations.

Increased Protection for Conservation Land

- Increased areas of special protection should be developed.
- An increased number of land areas should be recognised for their values and given classifications which provide higher protection than conservation park. This includes classifications of ecological areas, scenic reserves, wildlife management areas, or scientific reserves.

Caveats Placed on Land (especially regarding mining and public access)

- If land is reclassified as 'conservation park,' it should be determined whether mining will be permitted on that land. Where mining is not allowed, caveats should be placed on this land to prevent mining in the future.
- As discussed below, public access should be maintained and ensured by introducing caveats, where possible, to allow for recreational use of land.

Public Access Maintained (where possible)

- Land should be protected and, where possible, public access should be maintained so communities can use conservation land for non-harmful use.
- This could be developed through caveats or other legal protections.

Climate Change

- Where possible, it should be considered how conservation land can be used to restore native forest and meet the Climate Change Commission recommendations to Government, including creating 300,000ha of new native forest between 2021 and 2035.
- A staged process, along with a five year review and regular analysis of key dashboard metrics of each piece of land is required. This will ensure management and reclassification can be adapted to face the issues created by climate change and extreme weather events.

Disposal of Land, including the Disposal Process

- No stewardship land should not be 'disposed of' as it all has some conservation value, particularly in the context of climate change mitigation and adaption in the future of Aotearoa New Zealand.
- All land should be retained, protected, and rehabilitated to help deal with the impacts of climate change, the biodiversity crisis, and protecting Aotearoa New Zealand from other future shock events. In this context of future unpredictability and preparing Aotearoa New Zealand for the long term, the Institute believes it is prudent to preserve and protect the natural environment as much as possible.
- It should be defined what happens to land when it is 'disposed of,' including any commercial agreements, arrangements or first right to purchase offers. This must be managed following due process to ensure no potential or perceived conflicts of interest arise.

Five Year Review of Land Reclassification

- This process should be reviewed once a five year period has passed. This is the first land reclassification process of this scale in Aotearoa New Zealand, and a number of issues are likely to come to light once the process has been completed.
- As well as this, as noted above, climate change and a number of other high-impact events will also have an impact on how Aotearoa New Zealand classifies and uses land in the future. It is prudent to allow for this land to be reclassified if another use better fits the purpose of conservation.
- In this context, the Institute recommends any land reclassification decisions should be reviewed after a five year period. To help assist with this review, a dashboard of key metrics of each piece of land should be established and reviewed (refer below).
- It is also relevant to acknowledge a wider reassessment is required of how conservation land within Aotearoa New Zealand is classified and which classification categories exist. The Institute therefore recommends a review of this reclassification process after a five year period has passed to allow for any changes to the reclassification process to be incorporated.

Establish a Dashboard to Measure Key Metrics

- To assist with conservation, a dashboard of key environmental metrics should be established for each piece of land. This will allow for regular analysis of each piece of land and will also assist with the five yearly review of land reclassification (as mentioned above).
- These metrics should be agreed by an expert panel and should include specific and measurable indicators of the health of the land and the species within in (e.g. regularly measuring number of native flora and fauna present, pollution levels in rivers, and other ecological and environmental data) should be established and reviewed.
- If thresholds are breached, the land classification should be reconsidered, which could be part of the five year review (as mentioned above).

Staging the Land Reclassification Process

- This reclassification process should be staged to allow for adaptive management where required. This is the first reclassification process of its scale in New Zealand and as noted above, stewardship land includes approximately 30% of public conservation land and 9% of New Zealand.
- Species and habitat management may require a change as a result of climate change and a number of other factors. A staged approach would allow for reclassification to change, as required, to protect changing species habitats.

Increase DOC Funding

- As responsibility for managing the National Parks will fall upon DOC, they will require increased resources and funding.
- Additional funding should be provided to allow for pest control, maintenance, native reforestation, etc. of increased DOC land area.

2.2 Further Questions

The Institute is of the view that deeper analysis is required prior to making any 'final' decisions. This includes:

1. **What (if any) land has been assessed as 'highly productive' land?**
   As discussed above and below, the combined impact of climate change and the biodiversity crisis will have an irreversible impact on the way we use land, including how we produce and consume food. It is of the Institute's opinion in the future, New Zealand will benefit from the ability to produce enough food for our country. Food security is going to be an increasing concern over the future, an issue which will increase due to climate change and land may need to be repurposed into producing food.

2. **Have the Panels considered adding legal caveats to each piece of land?**
   This is particularly relevant to pieces of land where mining may occur. Adding legal protection will ensure the land is protected from uses that would interfere with the conservation value of the land.
   Another consideration is how legal protection could be put into place on certain environmental thresholds, particularly water quality, to ensure they are not exceeding high levels of pollution. If these thresholds are breached, the land classification could be reconsidered. Lastly, caveats may be a useful tool in ensuring public and iwi access is protected over the future.

3. **Have the Panels considered how technology can impact conservation in the future?**
   As noted above in the Key Institute recommendations, it is recommended the Panel considers reviewing their decisions and classifications after a period of five years has passed and in staging the reclassification process. Staging the process will allow for adaptions to be made to match improvements in technology. It will also allow for analysis of key metrics (this could be part of the land dashboard) to ensure the decisions are reviewed and land receives the conservation status recommended.

3.0 DISCUSSION: WHAT THE INSTITUTE THINKS

3.1 Wide Matters

a) The Wider Picture

How land is classified and used does not just have an impact on the piece of land itself but also on the wider complex system of interactions between species, waterways, lakes, rivers, oceans, air, and climate. Since the establishment of Tongariro National Park in 1894, formally protecting land has become part of Aotearoa New Zealand's culture. We do this through a range of different parks (national, conservation, etc.) and reserves (nature, scientific, scenic, historic, recreation, etc.).

Aotearoa New Zealand has been a world leader in this area, with Tongariro National Park being only the fourth national park in the world (at the time). As Aotearoa New Zealand's tourism industry grows, these reserves become even more important as a unique strategic asset. It is vital land is classified to protect and manage these areas for the benefit of future New Zealanders.[2]

One of the Institute's points of greatest leverage for the future has been to develop 'biological corridors' to connect our national parks. This would be a way of fostering a deeper understanding of the environment, especially among young people, and therefore would also be a legacy investment in New Zealand's long-term future. This idea stems from an initiative by the nation of Bhutan, nestled between India and China (with a population of 807,610 in 2017). Thanks to its protected forest areas, the whole country is carbon negative rather than just carbon neutral. This point is discussed further under biological/eco corridors below.

There is a provision in Bhutan's constitution stipulating that at least 60% of the country must be under forest cover and, as of 2016, forest cover was as high as 72%. The country's forest cover is connected with a network of 'biological corridors', allowing wildlife to move freely in their natural habitats throughout the whole country. This is part of why Bhutan is also a 'global biodiversity hotspot'. Bhutan also takes a holistic approach to development, using 'Gross National Happiness' as an index of success rather than GDP. As part of this, the government sets aside 'resources to help communities who live in those parks manage their forests, adapt to climate change, and lead better lives while continuing to live in harmony with Mother Nature'.

This case sets a precedent and is an example of how Aotearoa New Zealand can shape its future and protect the environment for future generations. As noted by NZ Forest & Bird,

> *"Making-up one third of New Zealand's conservation land, stewardship land contains 28% of our biodiversity priority sites…*
>
> *New Zealand's Climate Change Commission recommendations to Government included creating 300,000ha of new native forest between 2021 and 2035. For this to succeed it will be crucial to retain any degraded areas of public conservation land which could be restored to healthy native forest."* [3]

Relevant to this reclassification is the question – where we want Aotearoa New Zealand to be in the future?. It is important to establish what we want the country to look like and if there is a percentage of forest cover that we could set as a target for Aotearoa New Zealand to reach by the year 2058. The year 2058 relates to the Institute's Project 2058 – our flagship project that focuses work on Aotearoa New Zealand's long term future to the year 2058.

The Institute therefore believes each piece of land should not solely be considered on its individual merits and should be reclassified with consideration of the wider environmental, social, cultural and recreational implications on New Zealand's long term future.

Recommendation 1: The impact of each land reclassification on New Zealand as a whole should be considered, including the impact on the future of society, including on industries such as tourism and recreation. Due to the immensity of the scale and the complexity of the decisions on how to reclassify land, a deeper analysis of the West Coast as a whole should be considered. The implications of this decision will have a big impact on New Zealand as a whole and this will have heightened impacts on the West Coast community.

Where possible, it should be considered how conservation land can be used to restore native forest and meet the New Zealand's Climate Change Commission recommendations to Government including creating 300,000ha of new native forest between 2021 and 2035.

b) Consistency

Following on from taking into consideration the wider context of each piece of land, the Institute supports FMC's recommendation that, where applicable, land reclassifications should be consistent with the highest level of protection of the land surrounding it.

This will mean physically similar land adjacent to one another are treated equally and that a higher level of ecological protection is achieved by increasing the area of reserves. This creates consistency across the conservation landscape and also ensures higher status land, such as land surrounding national parks, remains protected.

Conservation requires a whole-of-landscape analysis due to the networks of biological processes and interconnected ecosystems.

As noted in one of the National Panel's recommendations for reclassification,[4] the wider context is critical:

> *"It is contiguous with multiple other public conservation and provides for landscape and natural character connectivity and continuity… Large parts of upland areas are in Outstanding Natural Landscape."*

The current piecemeal approach to land reclassification fails to reflect the interconnected nature of the environment and how people, animals, and plant species use it. Rivers in particular have been identified as a cause for concern and it is recommended all bodies of water and the land surrounding them are highly protected. Species that habitat and move between different areas of land depend on ecological and physical conditions and do not understand or care for legal boundaries. Furthermore, as climate change and extreme weather events occur, ecosystems, species, and their habitats will need to adapt and shift how they operate and the way land is used will change.

Any reclassification of land should take into consideration the impact the change will have on the environment surrounding it. For instance, land containing a river or waterway should include consideration of where the water will continue to flow, land considered for disposal should consider possible pollution impacts and land used for recreation value should include consideration of how the land will be accessed.

This review is the beginning of the process to reclassify all stewardship land in Aotearoa New Zealand. The Ministry of the Environment's 2021 Report *Our Land 2021* examines the state of Aotearoa New Zealand's indigenous biodiversity and ecosystems and establishes some relevant context to be considered in land reclassification:

- Native vegetation and wetlands continue to be removed in some regions, including the West Coast and Southland. From 1990 to 2012, 157 hectares of wetland were lost per year in Southland, mainly through conversion to pasture.
- The area of land covered with native ecosystems continues to shrink, mainly through conversion to agriculture or forestry. Some types of native land cover are more at risk. Scrub tussocks, wetlands, and lowland forests are particularly vulnerable because they are often located in accessible areas that are suitable for agriculture and housing.
- Scrub, shrubland, and tussock grassland have seen the greatest losses in recent decades but native forest continues to be removed in some regions including the West Coast and Southland.
- In 2010, 10 percent of wetlands remained compared to their original extent (Ausseil et al., 2011). In Southland, 157 hectares of wetland were lost per year between 1990 and 2012, mainly through conversion to pasture (Robertson et al., 2019).
- Native vegetation continues to be removed in some regions, including the West Coast and Southland.
- 94 percent of reptile species (116 of 124) are threatened with extinction or at risk of becoming threatened.
- Indigenous land cover area decreased by 12,869 hectares (between 2012 and 2018).[5]

Each piece of land should not be looked at in isolation, however it should be reclassified with consideration of the wider context of Aotearoa New Zealand's strategic goals for the future. Looking at each piece of land individually without consideration of the broader picture means the outcome of this process will be fragmented and lack strategic focus.

Please refer to discussion below on 'biological/eco corridors' for more detailed discussion on the benefits of creating larger and interconnected spaces for flora and fauna habitat and movement.

Recommendation 2: A consistent approach of land reclassification is required. Reclassifications of land should take into consideration the nature, value and classification of adjacent and nearby land. As part

of this land reclassification process, the panels are required to consider the classification(s) of adjacent and nearby public conservation land, enabling a 'landscape' approach to the reclassification work to be implemented. The Institute recommends, in this context, land next to National Parks, ecological areas and other special status land should also receive high protection in order to preserve the high value land.

c) Biological/Eco Corridors

Aotearoa New Zealand is internationally recognised as a centre of biodiversity due to a significant proportion of endemic plant and animal species. As stated by the Ministry for the Environment:

> *"New Zealand's landscapes are spectacularly diverse – sand dunes, active volcanoes, braided rivers, alps, and fiords. These landscapes allowed a huge range of land ecosystems to develop – 152 major classes and 71 rare ecosystems – all with distinct plants and animals (Singers & Rogers, 2014)."*[6]

Maintaining and improving biodiversity is important for the functioning of many ecosystems. The South Island, and the West Coast in particular, has an interconnected and wide eco corridor of natural public land which is highly biodiverse and spans from the north to the south.

Native species and ecosystems in Aotearoa New Zealand (and internationally) are under increasing stress from both existing and emerging pressures, including: invasive, introduced species, climate change, increased urbanisation, an increasing human population, and the loss, destruction, modification, and fragmentation of natural habitats.[7]

Ecological connectivity is the 'manner or extent to which species or resources disperse and interact across landscapes'. Maintaining and enhancing connectivity is crucial to protect native biodiversity and ensure the health and efficient functioning of ecosystems.[8]

The West Coast stewardship land for consideration includes a continuous and wide corridor which allows ecosystems and species to move from one area to one another without interruption. Reclassification of stewardship land could fragment these natural corridors, which would have an irreversible impact on species and their habitats.

Land areas considered for reclassification include ecological areas, scenic reserves, wildlife management areas and scientific reserves. Increasing the conservation status of land provides an important chance to protect and further develop Aotearoa's native forests to support biodiversity.

The stewardship land areas under review contain threatened flora and fauna, as well as high-priority ecosystems. Many of these species and their habitats are not completely understood and as noted above, once these delicate ecosystems are interrupted or species are threatened, it may be impossible to reverse. Furthermore, species of flora and fauna live and move around different altitudes and ecosystems throughout the year and these patterns will continue to change as the climate and weather change. This means interruption and fragmentation of this land may lead to local extinction.

Compared to its natural state, Aotearoa New Zealand has been fragmented into separate 'islands' or blocks of land divided by roads, farms, urban areas, mines, dams, etc. This interferes with the natural landscape and ecosystem. Fragmentation of habitats means smaller and more isolated areas have a lower number of species.

The principle behind biological/eco corridors is the number of species declines where islands are smaller and further away from other islands. Developing a corridor or connected path is "considered to have high functional connectivity if it allows for a lot of individual dispersal and movement, and it supports ecological processes." [9]

Eco corridors exist throughout North America, as well as a number in Aotearoa New Zealand, particularly in the Wellington region. The science supporting this began in the 1960's where scientists discovered small islands have a smaller number of species than large islands. Islands closer to a mainland have a higher number of species and the number of species declines the further they are from the mainland.[10] **To ensure native Aotearoa New Zealand flora and fauna survive and thrive, large interconnected natural areas must be protected, prioritising size and connection for species to move.**

The country of Bhutan provides a case study on the benefits of natural corridors, which were developed in 1999 to connect the protected areas to provide free mobility for wild animals.

> *"Isolated populations of wildlife or plants are less genetically viable and at much greater risk than connected populations. Many species must migrate with seasons, roam to find mates, or change habitats to locate new sources of food. Fragmented populations are forced to inbreed, degrading their genetics. Fragmentation also halts plants that rely on animals to widely disperse their seeds and pollen."*[11]

The North Island and much of New Zealand has already been fragmented, and once public land has been 'disposed of,' privatised or commercialised, it is impossible (and/or very difficult and expensive) to take it back to its natural state and restore species habitat and public access. The connectivity of the South Island's natural estate, much of it included in this stewardship land reclassification, is rare and it should be protected.

> *"Maintaining connectivity, especially in increasingly fragmented landscapes, is crucial to ensure healthy and efficient functioning of ecosystems, and the provision of ecosystem services. Many of these ecosystems services depend on the movement of organisms and resources (Kukkala & Moilanen, 2017), such as facilitating dispersal and migration, pollination, gene flow, nutrient cycling, and also aid also movement and range shift in response to climate change (McRae et al., 2012). Increased connectivity typically increases the carrying capacity (K) of the landscape, effectively making reserves 'bigger' by linking them together and ensuring animals can reach different food resources, helping to prevent local (and potentially complete) extinction of species.*
>
> *There are two main ways to consider and evaluate ecological connectivity in a landscape: by examining structure and/or function (Hilty et al., 2012). Structural connectivity describes the physical presence, location, shape and dimensions of habitat and resource patches. Functional connectivity describes how easy it is for individuals or populations of a species (including both plants and animals thus incorporating a biological perspective), or the functioning of other specific ecosystem processes that require flow of certain elements around the landscape."*[12]

As noted by NZ Forest & Bird, the reasons for plant and animal species loss can be broad and include causes such as inbreeding, large weather events, weed or pest incursions, breeding failure, seasonal food shortage, vegetation change, climate change (can't move south), and many more. [13]

Species loss is less likely to happen in large areas where lost species may be able to migrate back to their habitat. Large areas also have more area compared to perimeter length so suffer less from edge effect, acting to protect the species within the area. More research shared by NZ Forest & Bird also establishes some general rules for ecological corridors, which should be considered in the reclassification process:

- Large reserves are better than small ones;
- A single large reserve is better than a group of small ones of equivalent total size;
- Reserves close together are better than reserves far apart;
- Round reserves are better than long thin ones; and
- Reserves connected with corridors are better than unconnected ones.[14]

Recommendation 3: One of the Institute's points of greatest leverage for the future is for the country to develop biological/eco corridors to connect our national parks. This would be a way of fostering a deeper understanding of the environment, especially among young people, and therefore would also be a legacy investment in Aotearoa New Zealand's long-term future.

Land adjacent to National Parks and other protected areas should maintain the highest level of environmental protection and protect species habitats. All land should be rehabilitated to help deal with native reforestation and to enhance ecological buffer zones and maintain ecological diversity. The Institute further supports all proposed additions to national parks and would like to see a greater number of areas adjacent to National Parks given a higher level of protection to allow for biological/eco corridors to be established.

d) Climate Change

Air New Zealand's latest annual report makes clear that in terms of air travel, Aotearoa New Zealand will become increasingly climate isolated. It notes in its climate-related disclosures section that there will be "[i]ncreasing frequency of extreme weather events resulting in greater disruption to flights and the wider network" and that "[s]ea level rise and coastal intrusion [are likely to cause risks such as] network disruption, loss of access to airports, other aviation support facilities, critical infrastructure and supply chains".[15]

Recent research into rogue waves indicates Aotearoa New Zealand may become more isolated by sea, as well. A study published in the journal Science Advances in June 2020 suggested that extreme wave conditions may increase by 15%. The research states that "high-latitude regions of both hemispheres are projected to have an increase in extreme significant wave height, while lower latitudes generally see a decrease" and "[t]he southern tip of South America is projected to experience an increase of approximately 20%, with the west coast of New Zealand and Tasmania experiencing an increase of 10 to 15%".[16]Although the research is still tentative, the implications for our economy, in particular our supply chain, are such that Aotearoa New Zealand needs to consider how become more antifragile in the face of these risks.

It is well established that protecting Aotearoa's natural environment is going to be a critical factor in mitigating the effects of climate change over the short and long term future. Stewardship land presents a unique opportunity to protect this land and the interests of future generations from the challenges of climate change. The stewardship land under reconsideration is a significant chance to develop native forest which can act as long-term carbon sinks and support biodiversity.

Changing the way land is categorized and used can reduce emissions and greenhouse gases that are already occurring in the atmosphere. As stated by the Ministry of the Environment:

> *"Rising temperatures on land and in the ocean will translate into effects on land and how it can be used (IPCC, 2019). The climate has always shaped the types of ecosystems and land use that are possible in a given place, but it will increasingly influence the range of possible land uses in a particular area (Mendelsohn & Dinar, 2009)."*[17]

Extreme weather events happening now and are continuing to increase in intensity and occurrence. These events will continue to impact all land in New Zealand, including how we value and use land. Humans, and all species, will have to adapt our lifestyles and change our habitats. The West Coast in particular is already significantly affected. As recently as August 18, 2022:

> *"A state of local emergency has been declared for the Nelson Tasman and West Coast regions as heavy rain continues to fall causing flooding, slips that have closed roads and the evacuation of more than 200 homes. Nelson mayor Rachel Reese described the flood as a "one-in-100-year event". It's the result of another "atmospheric river" weather event that experts say is likely connected to climate change."*[18]

Land which the Panel has determined to be of low conservation value and/or disposed of should be retained as it may prove important with a changing climate. The environment is going to suffer under pressure and as noted by NZ Forest & Bird, conservation land will be useful in protecting New Zealand from future climate shocks:

> *"Even the small amount of conservation stewardship land with low conservation value may be important areas for climate change mitigation and adaption. The recent IPCC report emphasised the mitigation potential of improved management and restoration of forests and other ecosystems. New Zealand's Climate Change Commission recommendations to Government included creating 300,000ha of new native forest between 2021 and 2035. For this to succeed it will be crucial to retain any degraded areas of public conservation land which could be restored to healthy native forest.*
>
> *There may also be areas of stewardship land which are degraded or former wetlands. New Zealand has lost 90% of its original wetland extent, and environmental organisations are calling for doubling of our area of wetlands. It is worth assessing whether any stewardship land under review could be restored as a wetland."*[19]

As reported in *Our Land 2021*, we will need to adapt as our environment and climate change around us.

> *"Changes in the magnitude and frequency of extreme weather events (like floods, droughts, and*

heatwaves) are projected to increase across much of the country. This will require us to adapt and make innovative responses (Ausseil et al., 2019a; Cradock-Henry et al., 2020; MfE, 2018). In many places, however, the changes will cause a threshold to be crossed where the current land use is no longer compatible with the new climate."[20]

As the climate changes and more extreme weather events occur, Aotearoa New Zealand will need untouched public land even more than at present. It is critical to protect this land, including the biodiversity that sits within it, for future generations. As defined in the Conservation Act 1987:

> ***"conservation** means the preservation and protection of natural and historic resources for the purpose of maintaining their intrinsic values, providing for their appreciation and recreational enjoyment by the public, and safeguarding the options of future generations."*[21]

Recommendation 4: No stewardship land should not be 'disposed of.' All land should be retained, protected and rehabilitated to help deal with the impacts of the climate and biodiversity crises.

Where possible, it should be considered how conservation land can be used to restore native forest and meet the Climate Change Commission recommendations to Government including creating 300,000ha of new native forest between 2021 and 2035.

As noted in the Institute's questions in Part 2 of this Submission, it should be investigated what sections of land are 'highly productive' as any productive land may be required to assist with food security in the future. The productivity of any stewardship land should be relevant as climate changes impacts how New Zealand, and the world, produce and consume food.

e) The UNESCO Te Wāhipounamu South West New Zealand World Heritage Area

The Te Wāhipounamu World Heritage Area is an internationally recognised UNESCO World Heritage site. It should receive the highest level of environmental protection in order to be preserved for future generations and protected from mining and commercial activities in the future.

The Te Wāhipounamu World Heritage Area was inscribed in 1990 following the New Zealand Government's nomination, which was written by the Department of Conservation and supported by Forest and Bird and Ngāi Tahu. The inscription honours and preserves the outstanding universal value of the natural landforms and intact native forests of South Westland and Fiordland.

It is an obligation to protect this area under the World Heritage Convention. Conservation General Policy provides that the Department of Conservation will implement its ratified international conservation agreements.

As the Te Wāhipounamu World Heritage Area deserves the highest level of protection, extractive industry activity and other activity which interferes with preservation of the outstanding universal value of the environment should not be allowed to occur. Conferring classification/s allowing extractive activity and low-intensity conservation management within the UNESCO inscription could lead to confusion in management and decision-making, and may put the area's UNESCO status at risk.

Please note this is discussed in more detail in the 3.0 area-specific recommendations below.

Recommendation 5: The Institute supports the recommendation of FMC and a number of other organisations and NGOs that stewardship land within the UNESCO Te Wāhiponamu South West New Zealand World Heritage Area must be included in Schedule 4 of the Crown Minerals Act or through highly protective status provided outside Schedule 4. This would also connect with the Institute's biological/eco corridor recommendation above.

This area should receive the highest level of environmental protection in order to be protected from mining activities and caveats on the land should be considered to protect the land from being used for mining activities in the future.

f) Land Classification

It is noted the National Panel and a number of other reviewers and members of the public, including Iwi, FMC, NGOs and other organizations, have identified a deeper issue with this reclassification process as there is no land classification available to fulfil the complex variety of requirements for each piece of land.

The high level of protection achieved by National Park status does not allow for some use of land by recreationalists and Iwi that are non-harmful to the flora and fauna present on the land. It is recommended land classification is created where commercial activities including mining are not allowed, however caveats should protect Iwi and public access rights for recreational activities.

Recommendation 6: Where relevant, caveats should be placed onto land to protect from activities, such as mining, and to ensure Iwi and public access are protected in the future. It is acknowledged a wider reassessment is required of how conservation land within Aotearoa New Zealand is classified and which classifications exist.

The Institute therefore recommends a review of this reclassification process after a five year period has passed, which will ensure the reclassification process has appropriate checks and balances in place and will also allow for reclassification to be reassessed with any new categories incorporated.

To assist with this review process and of land management, a Dashboard of Key Metrics should be established to ensure important indicators of land health are managed. This should be measured and compared as part of the five year review.

g) Disposal of Land

The Conservation Act 1987, Part 5 section 26 states the policy for stewardship land to be disposed of is that it must have 'no or very low conservation value'.[22] The Institute is of the view that there is no conservation stewardship land in the West Coast that meets this definition as each piece of land offers a benefit to conservation in the area.

The stewardship land for reclassification on the West Coast has a high conservation value and ecological importance, including mountains, forests and rivers. The land provided habitats for threatened species and ecosystems unique to Aotearoa New Zealand's West Coast environment.

As stated by NZ Forest & Bird;

> *"Even the small amount of conservation stewardship land with low conservation value may be important areas for climate change mitigation and adaption. The recent IPCC report emphasised the mitigation potential of improved management and restoration of forests and other ecosystems. New Zealand's Climate Change Commission recommendations to Government included creating 300,000ha of new native forest between 2021 and 2035. For this to succeed it will be crucial to retain any degraded areas of public conservation land which could be restored to healthy native forest.*
>
> *There may also be areas of stewardship land which are degraded or former wetlands. New Zealand has lost 90% of its original wetland extent, and environmental organisations are calling for doubling of our area of wetlands. It is worth assessing whether any stewardship land under review could be restored as a wetland."*

The Institute understands where land has been classified as stewardship land, it must be managed for 'conservation purposes.' Where stewardship land is being proposed for disposal and/or reduction in the level of protection, the Panel has departed from the intention of the Conservation Act 1987.

The 2015 High Court Royal Forest and Bird v Minister of Conservation at [57], supports this:

> *"The High Court's reasoning in Buller Electricity Ltd v Attorney-General is related to the question here but was addressing a different question. Doogue J there considered that, examining the Act as a whole:*

… it is apparent that the objective of the Act is to ensure that land which has been reserved for conservation purposes should be so reserved unless there is a good and proper basis for uplifting the protection which has been placed upon the land. This is supported by the title of the Act, the definitions, the functions of DoC that are tied by s 6 to managing land "for conservation purposes", and the holding of land under ss 7 and 18 "for conservation purposes"…

Recommendation 7: Stewardship land should not be 'disposed of' as it all has some conservation value, particularly in climate change mitigation and adaption. All land should be retained, protected and rehabilitated to help deal with the impacts of climate change, the biodiversity crisis and protecting Aotearoa New Zealand from other future shocks. In this context of future unpredictability, the Institute believes it is prudent to preserve the natural environment as much as possible.

As noted above in Part 2 of this submission, the potential productivity of the land should be considered as this may assist New Zealand in dealing with food security issues (arising from climate change) in the future.

If land is 'disposed of,' this process must be managed carefully and due process must be followed, including any potential first right of refusal options and potential or perceived conflicts of interest.

h) Precautionary Principle

It is acknowledged the future is unpredictable, with large and wide-reaching events like pandemics, wars, climate change and other natural disasters increasing in intensity and occurrence. In this context, the Institute understands the Panel has had a difficult job in reclassifying land for the future.

Stewardship areas are:

"… 'conservation areas' under the Conservation Act which are managed to protect the natural and historic values present on the land. Stewardship areas do not have to be reclassified for their conservation values to be managed and protected."

The global environment is consistently degraded by varying forms of development and pollution, as well as increasing extreme weather and natural disasters. If Aotearoa New Zealand can maintain high levels of environmental protection and establish a strong reputation for its environmental quality, we will be one of the leading countries in the world. It is vital that stewardship land is classified to protect and manage these areas for the benefit of future New Zealanders.

Once stewardship land is disposed of and/or developed, it cannot be reversed. In the context of global environmental degradation, this means precaution is required where environmental protection is being removed. The future is undetermined and thus having a large bank of protected land is a prudent option for the government to have.

Recommendation 8: Stewardship land should be rehabilitated and protected to help deal with future shocks including climate change, extreme weather, natural disasters, food scarcity and the biodiversity crisis. Conservation land may assist with food production or A long term approach is required here as this reclassification will have a significant impact on the future of Aotearoa New Zealand.

As mentioned above, the Institute recommends any land reclassification decisions should be staged and reviewed after a five year period to allow for adaptive management to ensure conservation. To help assist with this review, a dashboard of key metrics of each piece of land should be established and reviewed. It is also relevant to acknowledge a wider reassessment is required of how conservation land within Aotearoa New Zealand is classified and which classification categories exist. The Institute therefore recommends a review of this reclassification process after a five year period has passed to allow for any changes to the reclassification process to be incorporated.

i) Mining

The Emission Reduction Plan (ERP) specifically refers to "working with nature" to help reduce emissions as part of solving the climate crisis. It is noted, the Cabinet paper on this process gives panels direction in the interim to prioritise "the assessment of reclassification of any stewardship land where applications are sought for mining access arrangements."

As stated in the media release by Greenpeace:

> *"Any disposals for mining will automatically compromise later assessments of conservation values for surrounding land, resulting in weaker classifications. This could pave the way for fragmentation of ecosystems at the margins of conservation land like Kahurangi, Paparoa and Westland/Tai Poutini national parks.*
>
> *In South Westland, any weak classifications, or disposals for mining within the world heritage area Te Wāhipounamu/South-West New Zealand would endanger its very status.*
>
> *In our view, this could undermine the very conservation values the reclassification process is supposed to protect. It would also allow for even more mining on conservation land, decisively ending the 2017 Labour/New Zealand First government's policy of "no new mines on conservation land".*
>
> *The current proposals would also cement the ouster of conservation boards and the NZCA, and shorten public consultation time frames. The combined effect of these proposals is that the public will have less say on the fate of large swathes of public land."*[23]

It is of concern that some reclassification categories, including "conservation park", still allow for mining under existing legislation, unless the government moves to ban mining on public conservation land generally. In order to minimise the risk of mining access and protect the environment, stewardship land should be reclassified as an ecological area.

In assessing the reclassification of any piece of land, it is relevant to note it is significant to Aotearoa New Zealand's role in decreasing global emissions as the plateau contains significant coking coal reserves. Mining operations would be opencast, would require removing the unique sandstone capping, would change the landscape forever, and would release significant amounts of methane. They would also require substantial amounts of fossil fuels to be used for mining and transport of the coal to export markets.

Recommendation 9: The Institute recommends the reclassification process does not allow for any new mines on conservation land and places caveats, where relevant, on land to protect from future mining operations. As well as compromising the land in question, allowing mining on locations means the surrounding land will also be compromised.

As noted above, reclassification should take into consideration the impact of land as a whole and not each land parcel individually. Allowing mining access on some areas of land will impact conservation value of the surrounding land and negatively impact the interconnected ecosystems and species habitats the Conservation Act 1987 has been designed to protect.

j) Conflicts of Interest

As noted from other submitters, including the Environmental Law Initiative and FMC, there have been concerns regarding how conflicts of interest have been managed during the reclassification process. Panellists include a number of well-qualified conservation experts, however it is important to acknowledge there are some panellists who have interests in mining that have not been appropriately disclosed. The chair of the Mana Whenua Panel is also the director of a mining company that wanted to expand operations on the Denniston Plateau (which consists of a majority of stewardship land).

As reported in the media outlet Newsroom:

> *"The mana whenua panel is led by Francois Tumahai, of Te Rūnanga o Ngāti Waewae. Tumahai, who's married to Ngāi Tahu kaiwhakahaere Lisa, is paid $90,000 a year to be a director of listed coal mining company Bathurst Resources Ltd.*
>
> *Tumahai's 2021 appointment letter to the Australian stock exchange describes him as "an ardent supporter of the mining industry and a board member of the New Zealand Institute for Minerals to Materials Research".*[24]

Recommendation 10: The Institute suggests any person with a perceived or declared conflict of interest should not partake in involvement with the recommendation for that particular area in order to ensure the reclassification process is a fair and open process. This is in order to ensure due process is maintained.

4.0 Institute Recommendations by Area

These have been listed in order of the table of proposed recommendations provided. Note there are some parcels of land where the Institute has not provided comment at this stage, however there may be further comments as a result of deeper analysis.

Importantly, the Institute recommends a thorough investigation and review of all land where disposal is recommended as reclassification.

a) Hokitika

HOK_01, 03, 19 Kumara – Wardens Road (2809268), Taramakau Riverbed (2809263), Kawhaka Forest (2805715), Taramakau River / Ōtira River (2806316), Wanganui / Otira Catchments (2805713)

Proposed Tarahanga e Toru Historic Reserve

The largest proposed reserve would be known as Tarahanga e Toru Historic Reserve. The Institute disagrees with the Panels' recommendations and suggests that this area should receive National Park status as the areas have high values for biodiversity and recreation.

As noted by the FMC submission:

> *"The area both panels have recommended for historic reserve from the Grey River to the Whitcombe River is 182,000 hectares, more than four times the size of Paparoa National Park (42,900 hectares) and two and a half times the size of Aoraki-Mt Cook National Park, (72,100 hectares). It adjoins Arthurs Pass National Park along its eastern border and shares many of the same natural, historic, and recreational values as that park. The proposed historic reserve contains about 60 kilometres of the Southern Alps, numerous peaks over 2,000 metres, many small remnant glaciers, 300-400 kilometres of river, about 60 backcountry huts, and over 200 kilometres of backcountry tracks. With this large network of tracks and huts, the area has high recreational values and a long established history of multi-day backcountry tramping, mountaineering and hunting trips."*[25]

The area contains rivers with interconnected waterways that deserve special consideration in land reclassification due to their directly interconnected nature. As noted above under biological/eco corridors (section 2.1 of this submission), land parcels should not be treated individually but as corresponding with the surrounding environment to protect biodiversity as much as possible.

The 'historic reserve' classification provides inadequate protection for the area proposed to become Tarahanga e Toru Historic Reserve. Conservation and recreation (including public access and camping) values should be protected. Some specific archaeological areas should be protected as historic reserve, however the remainder of land surrounding should be classified with a higher and more appropriate level of protection.

Recommendation 11: The Institute recommends the area should receive National Park status, which would acknowledge the areas' human history, unique biodiversity and landscape value. The conservation and landscape values present are those of a national park and it is in the national interest to provide the highest level of protection. This would also connect with the Institute's biological/eco corridor recommendation above.

It is noted the panels disagreed, with the Mana Whenua Panel recommending the proposed reserve is vested in Ngāi Tahu, with Ngāi Tahu also exercising decision-making powers usually exercised by the Minister of Conservation. The Reserves Act also provides for the ability for a managing authority to charge for access to historic reserves. The Institute is of the opinion if such an event were to occur, public and Iwi access alongside conservation preservation should be protected with covenants.

The Institute supports the recommendation of reclassification as a historic reserve where it applies to sections of the Taramakau riverbed/river mouth that contain physical evidence of the history on site, consistent with the Reserves Act Guide, as well as the nohoanga site and the full Deed of Recognition area.

(HOK_01: Conservation Areas – Kumara, Kumara- 12 Wardens Road, Taramakau Riverbed and HOK_03: Conservation Area – Taramakau River / Ōtira River)

The Institute does not support the panels' recommendation for classifying the rest of the area proposed in the Tarahanga e Toru Historic Reserve as a 'scenic reserve' it would not adequately protect the very high landscape, biodiversity, recreation and cultural/historic values present. (MAW_09: Conservation Areas – Granville Forest, Grey River/Māwheranui, Otira-Kopara Forest, Robinson River, Crane Creek-Haupiri Road; MAW_53: Hōhonu Forest and HOK_19: Conservation Area – Kawhaka Forest, Wanganui / Otira Catchments).

HOK_09 – Stafford, Stafford – High Street

The Institute does not support the Panel recommendations for Conservation Areas in Stafford to be disposed of.

These areas should be protected as they contain small sections of secondary growth indigenous forest, including indigenous vegetation, regenerating forest and shrubland species. It is also noted by the Panel that *'the forest that remains and the stream running through the largest of the areas may hold biodiversity values and provide a habitat stepping stone for taxa such as birds, lizards, and invertebrates to move across the modified landscape.'*

As noted above, in the midst of climate and biodiversity crises, conservation land should be protected for indigenous species to thrive and to safeguard the environment from extreme weather and other future issues. As well as this, land surrounding the area recommended to be 'Waimea Conservation Park' should be considered as part of the park.

Recommendation 12: This land should not be disposed of, and should receive conservation park status at a minimum. All land should be retained, protected and rehabilitated to help deal with the impacts of climate change and the biodiversity crisis as noted in the Disposal of Land point above.

HOK_19, 21, 33 – Hokitika – Kokatahi riverbeds, Wanganui-Otira Catchments (part), Butlers

The Institute does not support the Panels' recommendations to classify Conservation Area – Wanganui Otira Catchments (part) as a conservation park because it does not provide adequate protection over the area.

The Institute recommends the Wanganui Otira Catchments (part) is reclassified as part of the Westland National Park due to the area's high landscape and conservation values. It is also recommended this area is combined with the Conservation Area – Waitaha Forest to protect the entire area.

The Conservation Area – Wanganui Otira Catchments (part) contains a section of the Southern Alps, Ivory Lake, upper Waitaha River as well as extended kilometres of pristine and unmodified waterways. There are high landscape, recreation, conservation and cultural values which require protection. This area provides habitat of a significant number of taonga species, including many that are threatened and at risk of extinction.

The conservation values report highlights the area's historic and cultural values, however, as noted in FMC's submission, the area also has high recreational values including canyoning and whitewater kayaking. The area contains nationally significant river systems and canyons as well as a wide range of backcountry tracks, huts and experiences important to hunters and trampers.

Recommendation 13: The Wanganui Otira Catchments (part) is reclassified as part of the Westland National Park due to the area's high landscape and conservation values. It is also recommended this area is combined with the Conservation Area – Waitaha Forest to protect the entire area. To preserve the landscape and conservation, the Institute recommends this area should be combined with the Waitaha Forest as a large National Park area, which is in alignment with the Biological / Eco Corridors Recommendation.

Waitaha River

The middle sections of the Waitaha River are pristine and remote, with high landscape and conservation values that require protection.

As noted by the FMC submission,

> *"The catchment is home to many at-risk or threatened native species including whio, found throughout the river's length and in its tributaries, and kea in the subalpine and forest environment. Powelliphanta have been found in the upper reaches and Kiwi Flat, just upstream of Morgan Gorge, is a stronghold for long-tailed bats. Other threatened bird species in the Waitaha include the New Zealand falcon, grey duck and South Island kaka as well as South Island pied oystercatcher, black shag, long-tailed cuckoo, South Island fernbird and New Zealand pipit."*[26]

The current recommendations will split the Waitaha River in half with the upper and lower portions of the catchment split between two proposed conservation parks.

Recommendation 14: The Waitaha catchment has national park conservation and landscape values. The Waitaha Forest Conservation Area and the Wanganui-Otira Catchments Conservation Area should be combined to manage conservation and better protect at-risk or threatened native species. This would also connect with the Institute's biological/eco corridor recommendation above.

HOK_52 – Waitaha Forest

The Institute does not support the national panel's recommended classification of conservation park for this area or the mana whenua panel's recommendation that it should remain as stewardship land as it contains a high ecological value and requires protection.

The Institute recommends the Waitaha Forest receives a higher level of protection than recommended due to its high ecological status. Furthermore a threat is hydrogeneration and it requires protection from this use in order to protect the environment.

As context, it is relevant to understand the Waitaha River had an application for a run-of-river hydro scheme which was declined in 2019 by Minister for the Environment Hon David Parker as:

> *"The area is largely unmodified by humans. It is near to pristine and yet is accessible for recreation. The area is valued for its natural beauty and wilderness qualities for recreation. The proposal would have significantly undermined the area's intrinsic values which people experience when they tramp and kayak there."*

This is relevant because after the panel's shared their recommendations for this area, Westpower in alignment with Ngāi Tahu announcing they would seek a reconsideration of Minister Parker's decision. The Mana Whenua Panel's recommendation for the land to remain classified as stewardship (the lowest conservation value) shows this alignment and is in direct contrast to protection of the high natural and recreational values of the area. This potentially has the appearance of a conflict of interest, and should be identified as such.

Recommendation 15: The Institute recommends Waitaha Forest receives national park status and is an addition to Westland National Park. It is also recommended this area is combined with Conservation Area – Wanganui-Otira Catchments to protect the entire catchment, due to its interconnected nature.
It should be considered how this land can be used to restore native forest and meet the New Zealand's Climate Change Commission recommendations to Government including creating 300,000ha of new native forest between 2021 and 2035. This would also connect with the Institute's Consistency and Biological / Eco Corridor recommendations above.

Hok_35,43,47 – Totara-Mikonui Forests (2806269), Tarleton Falls (2806245), Mikonui River (2805512), Mine Creek (2809720), McLeods Road (2805513)

The Institute does not support the National Panel's recommendation for the *Conservation Area – Totara-Mikonui Forests (Hok_43)* to be classified as a conservation park.

The area contains high levels of natural landscapes, such as mountains and canyons. It includes a large network of backcountry huts and tracks with significant areas such as the three-star nationally significant Red Granite Creek canyon. As stated in the FMC submission, it is an important place for white-water kayaking, tramping and hunting.

This area is adjoined to the Upper Totara Ecological Area and has corresponding landscape and conservation values. The interconnected nature of the landscape means it should be classified under the same protection status.

Recommendation 16: Due to high ecological and recreational values, Conservation Area – Totara-Mikonui Forests (Hok_43) should be classified as an ecological area at minimum, with higher reclassification recommended. This would also connect with the Institute's biological/eco corridor recommendation above.

b) Kawatiri

KAW_10 – Waimangaroa – Granity

The Institute does not support the recommendation this land should be classified as a conservation park as the National Panel recommends, or retained as stewardship land as the Mana Whenua Panel recommends.

As the executive summary states, the area contains "high ecological values, and is described as being overwhelmingly natural and largely intact. It contains a suite of rare and distinct flora and fauna, including the last habitat fragment of the threatened large land snail..."

Recommendation 17: This area should be reclassified as an ecological area at minimum, to protect the high ecological value of rare flora and fauna. This would also connect with the Institute's biological/eco corridor recommendation above.

KAW_17 – Mount Rochfort (2808235)

The Institute does not support the National Panel or Mana Whenua Panels' recommendations.

The National Panel have recognized the very high values present and the need for protection, however it is recommended Denniston become a conservation park, which would give it a low level of protection compared with other potential classifications. The Mana Whenua panel recommended it remain as stewardship land.

As reported in Newsroom, the area has high ecological, landscape and recreational values:

> *"The area, which borders the Orikaka Ecological Area and the Denniston and Buller Gorge scenic reserves, is described as having high landscape values, high ecological value, and high recreation values. A landscape values report says much of the conservation area has been deemed an outstanding natural landscape. While the plateau's gentle terrain is marked by various mining disturbances, a technical report says it's still highly natural in character, with high-value forests, and a "high diversity of habitats and species".*
>
> *The Denniston also holds a major place in this country's coal mining history – something mentioned multiple times – and is home to heritage and archaeological sites, historic walks, tramping, cycling and 4WD trips.The Western South Island national panel says the area "contains a mosaic of high conservation values", and a diversity of habitats supporting "numerous common, threatened and at-risk flora and fauna", in cluding the threatened land snail, Powelliphanta patrickensis. Yet it is recommended to be a conservation park – the lowest protection in the hierarchy of conservation statuses.*
>
> *The mana whenua panel's view is it should remain as stewardship land. Mt Rochfort is adjacent to land being considered for "mine remediation" by government agencies, led by Treasury, the panel says. "Therefore reclassification should not occur at this time."*[27]

There is a significant threat to Denniston is from opencast coal mining. It is critical to note that the proposed new classification would provide little if any additional protection from mining. For example, the Oceana Gold Globe Progress opencast gold mine (now in rehabilitation stage) and Aotearoa New Zealand's Coal's Echo mine are both in Victoria Forest Park which is classified as conservation park.

In assessing the reclassification of the plateau, it is relevant to note it is significant to Aotearoa New Zealand's role in decreasing global emissions as the plateau contains significant coking coal reserves. Mining operations would be opencast, require removing the unique sandstone capping, change the landscape forever, and release significant amounts of methane. They would also require substantial amounts of fossil fuels to be used for mining and transport of the coal to export markets.

The high-value conservation stewardship land on the Denniston Plateau remains under threat from coal mining, the stunning and wild Waitaha River is under threat by an application for a hydro-electric power scheme, and gold-mining threatens numerous areas, including biodiversity priority sites and lowland forest. As stated by Greenpeace, the area is full of natural qualities that require protection:

> *"The Denniston Plateau contains a unique sandstone plateau and rare wetlands, full of endangered and endemic creatures like our giant snail and the unique Avatar Moth, found nowhere else in the world. Also present are the great spotted kiwi and fern birds, and a rare skink found nowhere else, along with a giant snail. Experience in this part of the world shows us that any claims by a coal company that they will "rehabilitate" the land after mining are empty promises. These unique areas would be destroyed, the streams polluted, and the animals in them gone."*[28]

Some reclassification categories, including "conservation park", would still allow for mining under existing legislation, unless the government moves to ban mining on public conservation land generally. For the current consultation, the greatest risk to future mining would be if land were classified as National Park (where mining is effectively prohibited) and, to a certain extent, if stewardship land is reclassified as ecological area.

There have also been reports of conflicts of interest as the chair of the Mana Whenua panel recommending the land remains as stewardship land is also the director of a mining company that wishes to expand its operations on the Denniston Plateau, an area that is largely stewardship land.[29]

In the wider context of the West Coast reclassification process, it is relevant to note areas nearby with inferior conservation and landscape values have been given a higher level of ecological protection.

Recommendation 18: The Institute supports the FMC submission and recommends the old Denniston School Site be classified as an historic reserve, that the Denniston Plateau itself be classified as a scientific reserve, with the remainder of the area be classified as an ecological area to reflect the surrounding landscape that contains similar values, aligning with the recommendation to improve consistency in the reclassification process. This would also connect with the Institute's biological/eco corridor recommendation above.

Any conflicts of interest should be declared and dealt with immediately to ensure due process is followed.

c) Mawhera

d) Paparoa

e) Te Wahi Pounamu

TWP_05 – Waitangi Forest (2809665), Okarito Forks (2805302), Ferguson Creek (2805654), Waitangitahuna (2809661, 2809662)

The Institute does not support the recommendation that *The Conservation Area – Waitangi Forest (Perth/Whataroa catchments)* should be reclassified as conservation park due to the significant natural and recreational values of the area.

This area should be classified as a National Park due to the area's context, including being surrounded by highly classified national parks, its world heritage status, significant work undertaking predator control (allowing native species to thrive), the outstanding landscape and flora and fauna. The area is described in the Panel technical report as containing "vast expanses of moderate to steep slopes in river valleys covered in indigenous forest, steep subalpine and alpine areas and, at the higher altitudes, glaciers and alpine environments (many high peaks)."

The Perth and Whataroa river catchments cover a significant area of mountain terrain, including peaks that are part of the Southern Alps and over 20 glaciers. This includes Ice Lake, a significant glacial-carved lake which provides a destination for trampers. The area is home to vast native forests with unique bright blue rivers sitting alongside dramatic gorges. As noted in the FMC submission, the area is utilised and prized for unique whitewater rafting and packrafting. It is also full of trans-alpine tramping and contains a number of mountaineering opportunities.

The area borders highly protected areas including the Westland Tai Poutini National Park(to the south), Aoraki-Mt Cook National Park (to the east) and the Adams Wilderness Area (to the north). Approximately half of this area is within the Te Wāhipounamu - South West New Zealand UNESCO World Heritage Area and should receive a higher level of conservation protection as a National Park.

It is also very relevant to consider the millions of dollars spent by Zero Invasive Predators (ZIP), who have worked in conjunction with DOC on eradicating predators since 2018 from the 12,000-hectare block of the Perth River Valley. It has been a significant task and has been successful in eliminating possums, rats and stoats to allow native flora and fauna to flourish. Detection counts of kea, kakaruai (robins) and ngirungiru (tomtits) more than doubled in the area between March 2019 and March 2021. Yellow-crowned kākāriki and kākā were also seen and heard regularly in the valley, as well as flocks of up to 80 kererū. [30] In 2021, ZIP expanded by an additional $45 million and is now Aotearoa New Zealand's largest predator project. This predator elimination project means conservation of the area is even more critical as native species habitats thrive, improving biodiversity and providing improved recreation opportunity.

Recommendation 19: The Conservation Area – Waitangi Forest (Perth/Whataroa catchments) should receive a higher classification as National Park and should be added to the Westland Tai Poutini National Park. It is also recommended the suitable parts of this land parcel should be incorporated into the Adams Wilderness Area. This would also connect with the Institute's biological/eco corridor recommendation above.

TWP_36 – Cook River/Weheka to Haast River (2804986), Mahitahi Riverbed (2804993, 2804993), Paringa Bridge (2804994)

The Institute does not support the recommended classification of conservation park as it will not give this land the protection it requires.

The Institute supports the FMC submission, with a unique environment that requires high levels of protection:

> *"The Cook River/Wekeha to Haast River area is located in the Te Wāhipounamu - South West New Zealand UNESCO World Heritage Area. It contains some of the highest value public conservation land on the Coast including vast, remote areas of native forest, large wetlands, hundreds of kilometres of pristine river, numerous glaciers, and a large portion of the Southern Alps. Tawharekiri Lakes, just north of Haast, is listed in the West Coast Tai Poutini Conservation Management Strategy as an internationally significant wetland. Portions of this area would even make a worthy addition to the Hooker/Landsborough Wilderness Area.*
>
> *If the pastoral area of the Conservation Areas 'Mahitahi Riverbed' and 'Paringa Bridge' are considered for disposal, DOC should ensure an easement or marginal strip is put in place to ensure access to the backcountry is maintained."*[31]

Recommendation 20: The area should be added to the Westland Tai Poutini National Park due to its high natural and recreational values. This land should be used to restore native forest and meet the New Zealand's Climate Change Commission recommendations to Government including creating 300,000ha of new native forest between 2021 and 2035. This would also connect with the Institute's biological/eco corridor recommendation above. Some suitable areas of land should be added to the Hooker/Landsborough Wilderness area.

TWP_43 - Okuru-Waiatoto (2800930), Okuru – Turnbull River (2800941), Grassy (2800935), Collyer (2800947) & Nolans creeks (2800946)

The Institute does not support the reclassification into conservation park. The land has higher conservation values which mean it should be protected with national park status.

The area has extremely high ecological, landform and landscape values which is part of the Te Wahipounamu World Heritage Area. If this area is reclassified to National Park status and added to Mount Aspiring National Park, it will allow for consistent management of species habitat and will encourage biodiversity to thrive.

The Institute supports FMC's submission:

> "*The Haast coastal plains, along with those north of the Haast River, and South of the Waiatoto River, make up the greatest area of unmodified wetland remaining in mainland New Zealand. Large areas of podocarp forest still cover the coastal plain. In addition to high conservation values there are equally high recreational values including walks and kayaking. We would note, further, that the area provides access to the Okuru and Turnbull Rivers in Mount Aspiring National Park. There are also tramping opportunities on the western end of the Marks and Selbourne Range included within this area."*

Recommendation 21: It is recommended the area is added to Mount Aspiring National Park so it receives the protection required to protect species habitat and improve biodiversity. This land should be used to restore native forest and meet the New Zealand's Climate Change Commission recommendations to Government including creating 300,000ha of new native forest between 2021 and 2035. This would also connect with the Institute's biological /eco corridor recommendation above.

Endnotes

[1] See Forest & Bird. (November 2018). *Stewardship Land Report: Treasured Land at Risk*. Retrieved 23 August 2022 from https://www.dropbox.com/s/k9axq7aqnjbmdfr/StewardShipLand_Report_Nov2018.pdf?dl=0

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