



Royal Forest and Bird Protection
Society of New Zealand Inc.

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25 July 2017

BY EMAIL

Forest & Bird submission on the draft *Te Kawa o Te Urewera*

Please find enclosed the submission by the Royal Forest and Bird Protection Society of New Zealand Inc.

Please contact me in the first instance if you wish to discuss any of the matters raised in this submission.

Yours sincerely

Kevin Hague

Chief Executive

Kaiwhakahaere Matua



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Tena koutou Te Urewera, members of the Te Urewera Board and rau Rangatira o Tuhoe ma,

Forest & Bird submission on the draft *Te Kawa o Te Urewera*

Firstly, thank you all for the opportunity to comment on the draft of *Te Kawa o Te Urewera*.

Te Kawa o Te Urewera is an eloquent and visionary document that is both a disruptive and visionary framework that our country and the planet have needed for some time.

Te Kawa serves to disrupt the norm in that it raises hope for a renewed collective responsibility for our impact on the land and it foresees our disciplined response to those impacts. In articulating the Te Urewera identity it reaffirms the natural order that we live within and amongst all of Te Urewera – Papatuanuku. It gives land, water and nature - all the living and life giving processes we are part of - priority over 'business as usual'.

Te Kawa is a bold attempt to rediscover a vocabulary for the relationship that captures the subsidiarity of human beings to Papatuanuku. It speaks of liberating Te Urewera's identity from human speculation in order that nature and the natural world can return to its primal role, revered and served by those offspring she has given life to. This is also how most members of Forest & Bird see this relationship, but we seldom articulate it as well as Te Kawa has. Forest & Bird thanks you for articulating Te Kawa in this way.

Forest & Bird has supported Tuhoe and the Crown in taking the unique approach of protecting Te Urewera in perpetuity as a legal identity in of itself, inspiring people to commit to its care.

The journey that Te Kawa represents in establishing respectful relationships between all people and the whenua is an exciting one. Te Kawa looks to new possibilities for the way in which we all work together to maintain and restore the indigenous mauri of Te Urewera.

The shared obligation of care that Tuhoe and manuhiri have over Te Urewera is both profound and urgent.

Things are not as they should be - the indigenous mauri of Te Urewera is in trouble

From the 1870s the Crown empowered Acclimatisation Societies across the country to introduce animals (like possums, stoats, weasels, hedgehogs, deer) and plants from around the world. There have also been many accidental introductions (like rats and cats). We understand Ngai Tahu had no or little say in these introductions and were therefore unable to make full and informed decisions around their arrival, spread and long term effects. Regardless, the various impacts of these introduced species have been inherited by the ancient rainforest of Te Urewera and Tuhoë.

Now the very capacity of the rainforests of Te Urewera to regenerate is being constantly undermined. Young generations of seedlings that would otherwise be destined to become ancient forest giants of the future are eliminated before they even get to their teenage years, ia ra, ia po - year after year.

The climbing ability of goats is legendary and deer will stand on hind legs and ringbark their favourite trees (like raukawa), eat trees' leaves and their seedlings. For some species this eliminates them from anywhere within their reach. High pig densities prevent normal regeneration as pigs eat seed and seedlings. They can also cause serious erosion.

Some argue that these introduced browsers have taken up the place that was previously occupied by moa in the native forest ecosystem. However, the plant defences that evolved over millennia against the browsing of beaked moa are very different from the defences needed to withstand the toothed and long tongued browsing of the large mammals. This is why so many of our plants have such 'unusual' forms when compared to plants from regions of the world that are dominated by mammals. Research suggests that moa were also generally grazers of open landscapes and forest edges, rather than the deep forest.

Deer, goats and pigs are useful food sources and there is skill and thrill in hunting them, and because of this it can sometimes be easy to overlook the significance of the incremental but steady changes caused by these animals over human generations.

Two thousand years ago, goats were introduced into Greece. Year by year goats slowly turned Greece from a country once covered in a Mediterranean rainforests to a dry and eroded rocky country with a large loss of native species.

Here, it is not goats alone, but the behaviour and density of deer, goat and pig populations that together cripples native forests from regenerating in a natural way. And in Aotearoa it is humans that are these animals' only predators.

At the same time possums attack the ngahere in a different way by steadily consuming leaves across the tops of the tallest ancient trees to seedlings on the ground. Many native plants have not developed defences like producing natural toxins in their leaves so possums literally eat trees to death. The damage caused by possums can be seen in areas of Te Urewera. As these trees dying they will fall, and rot away prematurely.

It is not only nga rakau tuakana (like northern rata, kamahi) which are dying and disappearing, nga manu tuakana (titi, hihi, tieke and kakapo) have disappeared and other native birds are greatly

diminished compared to the experiences of many generations nga tupuna. The main offenders are introduced rats, stoats, ferrets, weasels, feral cats and possums. A lot of the damage happens unseen at night when possums, rats and cats hunt and eat eggs, chicks and adult birds along with weta and lizards. Over time what happened to the rainforests of Greece has happened to the birds, bats, lizards and bugs of these islands, so we now live in times of residual and usually small and dwindling populations.

Native forests across these islands, including Te Urewera, were also once the most sophisticated carbon sinks of the whenua. They locked in carbon from the tallest rata and rimu, through the vines of kareao and tataramoa, tree ferns, shrubs and an extensive root-web of all.

But in areas without sustained and comprehensive pest control, where the introduced animals have killed and are killing nga rakau tuakana, the dying trees have become carbon emitters that feed climate change and the diversity of life within Te Urewera will slowly become reduced to a forest of only the plants that deer, goats, possums and pigs won't eat.

It is all these factors combined that Forest & Bird sees all this as the greatest challenge for Tuhoe and manuhiri: the indigenous mauri of Te Urewera is in deep trouble.

Of course there has been impressive work by Tuhoe and the Department of Conservation to hold ground and turn the tide within Te Urewera with a mainland island kiwi project and the impressive pest control work to turn around the collapse of native forest and keep Te Urewera kokako alive and expanding their population over a large area.

But sadly, much of Te Urewera is on this downward spiral. This is clearly not the future of a healthy Te Urewera that Te Kawa envisions.

How to respond to this slowly unravelling ecological disaster?

How well the impacts of these introduced animals are managed will have a significant influence on the future health of Te Urewera. This will particularly determine the level of resilience Te Urewera will have facing the impacts of climate change and more extreme weather events. It will also determine the range of options that will be available to future generations of Tuhoe with regard to the sustainability of traditional harvest, from kereru to pikopiko.

Te Kawa states: 'Nature wills that there is no end to life'. Forest & Bird agrees - the mauri of the planet endures. These sentiments are shared in this whakatauki:

Ina mate mai he tetekura
Aro mai ano he tetekura

When a fern frond dies
another rises to take its place

However, when a tree dies because of possums, or a bird species becomes extinct, what comes to take its place?

With little or no animal and plant pest control in many areas of Te Urewera, the decision is being made by default: possums, rats, stoats, goats, cats and weeds colonise and replace what has been there for thousands - if not millions of years. They take over.

The indigenous mauri of Te Urewera has significantly changed. Ancient ngahere that were once full of feathers have by and large become forests full of introduced fur. The forest's natural regeneration cycles of budding, flowering, pollination, seeding that leads to a new generation growing up, have been undermined and in some places broken. Nga rakau tuakana, nga manu tuakana are no longer as robust and abundant as in times gone by.

But Tane Mahuta wants to live. This is evident whenever the introduced animal numbers are kept as low as possible: nga tuakana rakau that are dying come back to life, the numbers of birds, bats, bugs and lizard explode. Lost species can be returned, and organic matter can again be locked into the living system to build resilience for the expected future challenges of climate change. This is the future of Te Urewera that Te Kawa envisions and that Forest & Bird also embraces.

With this in mind Forest & Bird feels that some key principles around making a priority of protecting and restoring the indigenous mauri of Te Urewera is key to establishing a management regime that will improve the health and potential, the indigenous mauri, of Te Urewera and of its Tuhoe people.

This is the context for Forest & Bird's more detailed comments that follow on the draft Te Kawa o Te Urewera.

Te Kawa o Te Urewera

Forest & Bird applauds the statement in the Introduction that "Te Kawa is about the management of people for the benefit of the land". We believe Te Kawa also needs to specifically address some key issues and principles that relate to the management of land and flora and fauna, both indigenous and introduced.

That is because the purpose of the Te Urewera Act is to establish and preserve in perpetuity a legal identity and protected status for Te Urewera for its intrinsic worth, its distinctive natural and cultural values, the integrity of those values, and for its national importance, and in particular to—

- (a) strengthen and maintain the connection between Tuhoe and Te Urewera; and
- (b) preserve as far as possible the natural features and beauty of Te Urewera, the integrity of its indigenous ecological systems and biodiversity, and its historical and cultural heritage; and
- (c) provide for Te Urewera as a place for public use and enjoyment, for recreation, learning, and spiritual reflection, and as an inspiration for all.

Forest & Bird's particular interests lie most closely with part (b) of the Act's purpose and Te Kawa's response to it.

The draft Te Kawa invites "tanata whenua and manuhiri, acting in unity to manage our impact on Te Urewera with the sense of responsibility it is due". Te Kawa will guide the Board and be given effect through the operational plans, annual priorities, budgets and allowed activities and use terms, among others, described in Te Urewera Act.

Forest & Bird understands and appreciates the imperative to have a management planning document aligned with Tuhoetanga. As stated in the introduction to this submission, Forest & Bird considers that the new journey that Te Kawa represents in establishing respectful relationships between all people and the whenua, and the way Te Kawa looks to new possibilities for how we work together to maintain and restore the indigenous mauri of Te Urewera, is an exciting one.

However, we are concerned that the draft Te Kawa is in many cases not specific enough to provide clarity for tangata whenua and manuhiri about how decision making will be guided to implement the purpose, as well as the specific requirements, of Te Urewera Act.

Section 45 of the Act establishes the purpose of Te Urewera management plan [Te Kawa] as:

- (a) to identify how the purpose of this Act is to be achieved through the management of Te Urewera; and
- (b) to set objectives and policies for Te Urewera.

Section 46 then sets out what the contents of Te Urewera management plan [Te Kawa] should be. These include:

- the statement of objectives and policies,
- the identification of relevant values at places within Te Urewera, and the outcomes planned for those specified places;
- explanation of how any conflicts between planned outcomes will be resolved;
- explanation of how adverse effects will be minimised;
- identification of the need to create specially protected areas;
- identification of what regular monitoring and evaluation of Te Urewera should be undertaken; and
- any other matters relevant to achieving the purpose of the Act.

These matters that are covered by s.46 are only described at the highest level within the draft of Te Kawa. Forest & Bird acknowledges that the hardest aspect of caring for Te Urewera will involve making the decisions that resolve the conflicts between planned outcomes, which is why it is so useful to identify in Te Kawa the principles and criteria for decision making in respect of Te Urewera¹.

Below are some broad ideas that could feed through to Te Kawa's key principles, and from there into the year by year operational plans.

The Principles:

The values of Te Urewera are referred to in several places in the draft of Te Kawa but these are not specifically defined. Forest & Bird acknowledges that Tuhoe will be aware of what these are, but they may not be clear to manuhiri who also want to collaborate to manage their impact on Te

¹ S.46(1)(h) of the Act

Urewera with the sense of responsibility it is due. Greater clarity would give people a better understanding of where they stand in certain aspects.

With this in mind Forest & Bird would like to see Te Kawa express clearer principles (and policies) that will guide the management response and help resolve any potential conflicts of management in order to maintain, restore and enhance the indigenous mauri of Te Urewera.

For example the Papatuanuku: Landscape principle - which speaks to balance - could more clearly articulate draft Te Kawa's idea that;

“nature and the natural world must return to its primal role, revered and served by those of her children she has given life to”.

The prioritised action or policy that could flow from that principle could be that:

‘We will work to maintain and restore Te Urewera’s indigenous mauri by undertaking comprehensive pest control and restoring the natural ecosystems and abundance of indigenous species that remain, and also returning those indigenous species that have been lost.’

Identifying Special Places

Forest & Bird recommends that one of the sub policies that would flow from the principle of *maintaining and restoring the indigenous mauri of Te Urewera*, could be that places that already have had ongoing pest control and restoration be established as “Special Places” under sub-part 3 of the Act.

For example we would suggest that the former Northern Te Urewera Mainland Island Restoration Project could be established as a special area and that it be again properly resourced to protect the benefits of the previous work and continue the success of restoring the indigenous mauri.

Forest & Bird understands the desire to keep Te Kawa at a high ‘principle’ level. However, we consider that there needs to be some levels of specificity in Te Kawa to establish the basis of future management and that this is a good example.

To determine which issues may need greater clarity in Te Kawa and to also inform discussion for the content of operational plans it may be useful to consider the following three broad themes / questions.

1. How did te Taiao o Te Urewera used to be?

- What has been lost (e.g. tuatara, whekau, piopio, huia, moho, kakapo, matuhi, moa), and why have they gone?
- What are the clues to the past in the place names of Te Urewera that give insights to what once was? For example a short look at a map of Te Urewera shows place names that raise questions about the past relationships between people and place and Te Urewera’s many lifeforms:
 - Ruataiko (a hill/mountain 517m)

- **Tieke** Stream (that runs into Tauranga River, near Matahi)
- **Wairata** Stream (that flows out to Redpath Road) and nearby **Wairata** settlement
- **Waioweka**/Waioeke Gorge
- **Ahititi** Stream, near Ruatahuna
- **Okahuata** (a peak 958m)
- **Moanui** Road
- **Huiarau** Range
- **Makahikatoa** Stream
- **Kahikatea** Range
- **Kokako** settlement near Waimako Pa/Marae and the power station
- **Miromiro** a place named near Kokako
- **Kaitawa** (near Tuai)
- **Pukehinau** and **Rakautapu** - both peaks in the Ikawhenua Range

There will be many stories, waiata, moteatea, whakatauki and other places that weave native plants and animals within Tuhoe traditions.

- Are the species embedded in these traditions still around and in similar abundance to the past?
- What kind of abundance of kereru, kaka, titi and other species were there in previous times?
- What does it mean for Tuhoe if some of these species are no longer around or their abundance has been significantly reduced?
- What information from historic wildlife surveys can Western science contribute?
- And we ask respectfully: what happens to the mana of a place named after a lifeform that is no longer present or is slowly disappearing?

2. How is the health of Te Urewera today?

- What are the natural indicators of good and bad health of the ngahere/ the indigenous mauri o Te Urewera?
- The Act envisions “regular monitoring and evaluation of Te Urewera”². What information can matauranga Maori and Western science contribute to this aspect of Te Urewera’s management to inform discussion on what action needs to be taken?

3. How can Te Urewera be in the future?

- What can be done to maintain and improve those species that are presently in decline?
- What preparation will be needed in order to be able to safely return lost species back to Te Urewera and allow them to prosper?
- What kinds of actions could be taken to allow the best resilience to cope with new threats such as myrtle rust and the various impacts of a changing climate?
- What work with neighbouring hapu and iwi would help return some of what is lost? (e.g. working with neighbouring coastal tribes on the return of seabirds)

² S.46(1)(i)

“Providing for” and “consistency with” Te Kawa

The Act requires that many activities must be “provided for” or “consistent with” Te Kawa (the management plan), for example:

- Section 58 of the Act sets out activities that must not be undertaken in Te Urewera unless they are authorised by an activity permit issued by the Board. The criteria in 6.1.1 of Te Kawa are helpful for assessing concession applications, however, Te Kawa does not establish any boundaries or limits for any activity, or explain “how any conflicts between planned outcomes will be resolved”³
- Sections 84-6 of the Act address the issue of dog control, requiring that regard must be had to the management plan. Forest & Bird believes that it will be desirable for Te Kawa to include some reference to how the Wildlife Act and Dog Control matters will be managed, given these are high priorities for kiwi to survive and return to the dense populations of the past, and that decisions on both will often be controversial.
- Schedule 3 of the Act requires that the granting of activity permits for the taking or destroying of any plants and animals (whether indigenous or exotic), recreational hunting, and establishing accommodation, roads and farming or grazing - must also be provided for, or consistent with, Te Kawa.
- Clause 8(5) of the schedule does allow the Board to consider applications for activities not provided for in the management plan. However, the construction of the Act makes it clear that this situation is not appropriate for general use as it creates uncertainty for the majority of people who would wish to apply for an activity permit.
- Clause 13 (3) requires the Board to decline an application if it is inconsistent with the management plan and Clause 15 requires conditions of a concession to include consistency with the management plan, as do clauses 118 and 120 regarding activities in specially protected zones.

Other examples of activities that require being provided for within or consistent with Te Kawa include:

- issuing of leases (s.62);
- Introduction of biological control organisms (s.63(3)(b)) ;
- Establishment of bylaws (s.70(3));
- Removal of land (s.111);
- Recommendation to establish special areas in Te Urewera s.113);
- Management of specially protected areas (s.113);
- Activities in wilderness areas including release of indigenous species (s.120)
- Annual operational planning (Part 3 s.24)

The above provisions further highlight the case for Te Kawa setting out as clearly as possible what activities are, or are not, appropriate in Te Urewera.

³ S.46(1)(d) of the Act

Where to from here for Forest & Bird's ongoing relationship?

Forest & Bird wish to take up Te Kawa's exciting challenge and make our shared contribution to Te Urewera. We respectfully offer our good will and contributions to help maintain and restore the indigenous mauri of Te Urewera for all.

We would be happy to discuss and elaborate on any of the points we have raised in this submission. However, beyond this submission we believe that there may be other opportunities to discuss or wananga to assist the Board to progress the implementation of Te Kawa and its operational plans. Forest & Bird looks forward to future opportunities to do this.

Nga mihinui ki a koutou,

A handwritten signature in blue ink, appearing to read 'Kevin Hague', with a stylized flourish at the end.

Kevin Hague, Kevin Hackwell, Dean Baigent–Mercer, Jennifer Miller

Forest & Bird team

The Society would welcome the opportunity to discuss our submission with the Board.