

31 January 2007

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Director-General of Conservation
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**RE: RAKIURA MAORI LAND TRUST
Feedback on Stewart Island / Rakiura Conservation Management
Strategy Review and Rakiura National Park Management Plan
Preparation**

This submission contains the initial feedback from the Rakiura Maori Land Trust on matters to be included in the proposed Rakiura Conservation Management Strategy and the Rakiura National Park Management Plan. This is the first stage of the Trust's input into these proposed documents. It covers the status and role of the Rakiura Maori Land Trust, matters of process, matters relating to private land administered by the Trust, matters relating to the Rakiura National Park and other conservation lands, and matters relating to all Rakiura land (both public and private) and the surrounding islands.

1. RAKIURA MAORI LAND TRUST

Rakiura Maori Land Trust (RMLT) is an ahu whenua trust established under Te Ture Whenua Maori Act 1993. RMLT is responsible for the administration of the majority of private land on Rakiura and, as such, is the largest neighbour to the National Park and other conservation areas.

In the Deed of 9 October 1999 between the Crown and the Rakiura Maori Land Trust, the Crown agreed that members of the RMLT "*are the tangata whenua and beneficial owners with rights of ownership, possession and use of the SILNA sections*" and that the RMLT "*is the kaitiaki and registered proprietor of the SILNA sections*".

The Tutae-ka-wetoweto Forest Act 2001 also explicitly states that members of RMLT "*are the tangata whenua and beneficial owners*" of the Tutae-ka-wetoweto Forest and that RMLT "*is kaitiaki and proprietor*".

RMLT already has a formal relationship with the Department of Conservation (DOC) for the Tutae-ka-wetoweto forest conservation covenant and the associated management plan signed by the Minister of Conservation in 2003.

All of Rakiura and its surrounding islands are culturally significant to RMLT members, some of whom continue to maintain unbroken customary uses of resources such as the titi and the fishery.

2. MATTERS OF PROCESS

2.1. Consultation with RMLT during the preparation of the CMS and Mgt Plan

RMLT understands from correspondence and discussions with the Department of Conservation that it has the following opportunities for input into the development of the Rakiura Conservation Management Strategy (CMS) and Rakiura National Park Management Plan (Mgt Plan) through:

- The initial comments and suggestions contained in this submission

- Further comment during direct meetings with Department representatives (refer to email from Anke de Jong dated 9 January ... “*there will also be further opportunity to meet again to work through the issues and thoughts RMLT has with regard to Rakiura*”).
- Submissions on the draft strategy and plan.

RMLT intends to consult its members for their views on the CMS and Mgt Plan before closing off its comments to DOC.

2.2. Formal relationship with RMLT during the implementation of CMS and Mgt Plan

RMLT expects the CMS and Mgt plan to acknowledge that its members are *tangata whenua* and seeks an ongoing and active formal relationship with the Department of Conservation that reflects the Crown’s recognition of this status. Consultation alone is insufficient.

Furthermore, because RMLT administers most of the land neighbouring the National Park and other conservation lands on Rakiura, there are obvious practical and strategic benefits in establishing a formal relationship between DOC and RMLT. Such a relationship will have particular benefits in dealing collaboratively with cross boundary issues such as weed and pest control, protection of native fauna and flora, access, and managing human impacts on the land.

2.3. Te Tiriti o Waitangi

RMLT believes that a primary objective of both the CMS and Mgt Plan should be to give effect to the principles of the Tiriti o Waitangi/Treaty of Waitangi per Section 4 of the Conservation Act 1987 and because of the Deed of Settlement between Rakiura and the Crown and the Tutae-ka-wetoweto Forest Act 2001.

3. MATTERS DIRECTLY RELATING TO TUTAE-KA-WETOWETO FOREST COVENANTED LAND AND OTHER NEIGHBOURING RMLT LANDS

3.1. Status of RMLT

The CMS and Mgt Plan should acknowledge that RMLT is the kaitiaki of the Toitoti and Port Adventure blocks, and kaitiaki and proprietor of the Tutae-ka-wetoweto forest and the other RMLT lands at Rakiura.

3.2. Rights of ownership - SILNA lands

The CMS should acknowledge the rights conferred by the Crown when granting the RMLT administered lands under the South Island Landless Natives Act 1906 and the ongoing property rights of Maori under subsequent relevant legislation, including Te Ture Whenua / Maori Land Act 1993.

The CMS should record the right of the indigenous community at Rakiura to continued occupation and customary uses, and its right to continued economic development at a rate no less than what is reasonable for other New Zealanders.

The CMS should include a statement to the effect that the above rights will be taken into account when advocating for conservation at Rakiura.

3.3. Tutae-ka-wetoweto forest management plan

The CMS and Mgt Plan should not be in conflict with the covenant and management plan for the Tutae-ka-wetoweto forest. Many elements of the Tutae-ka-wetoweto forest management plan are relevant to the proposed National Park management plan – for example the collaborative relationship formalised between RMLT and DOC through the Minister of Conservation and the focus on monitoring and research to support management decisions.

RMLT is willing to discuss the use by DOC of information from the Tutae-ka-wetoweto forest management plan in the CMS and National Park Management Plan, including any issues of copyright that arise.

3.4. Partnership approach

The Maori lands on Rakiura provide an economic base for Maori and RMLT continues to explore ways to fully utilise these lands for the benefit of its members. However, RMLT is also well aware of the natural values inherent in these areas and, where appropriate, is prepared to work in partnership with DOC to ensure protection of flora and fauna on RMLT lands. However, to offset any land use restrictions necessary for the protection of these natural values, it may need to make more use of commercial opportunities on conservation areas (such as guided walking). In the spirit of this partnership approach to conservation on Rakiura, and mindful of the need to sustain the Rakiura community, RMLT would expect that DOC would not withhold concessions from RMLT to operate ventures appropriate to the national park, the existing reserves and other conservation areas. RMLT would like the CMS and Mgt Plan to reflect this philosophy.

3.5. Animal and plant pest management

Animal and plant pests do not respect property boundaries and for this reason it is important for neighbouring landholders to work together. RMLT favours a collaborative approach with DOC for managing plant and animal pests, for the benefit of the National Park and surrounding conservation and private lands. DOC should play the lead role but in a close working relationship with RMLT and its other neighbours. Central to this relationship should be the sharing of information and early discussion on intended control programmes, to enable coordinated and timely pest control where required. This will improve pest control effectiveness for all. For example, community initiatives for rat control in the township should be matched by a corresponding effort in neighbouring conservation areas (to practical boundaries where possible) to reduce the rate of re-infestation.

3.6. Access

The CMS and Mgt Plan should provide for consultation with neighbours, including RMLT, on the most appropriate access points and track routes to and through the National Park and other conservation areas. This approach will reduce the potential for unwanted impacts of public access.

RMLT is willing to discuss formal arrangements with DOC for public access across the lands under its guardianship.

3.7. Managing visitor impacts and other cross boundary issues

RMLT will welcome ongoing collaboration with DOC on how best to minimise visitor impacts on native flora, native fauna, and soil and water, on public and private lands, especially near shared property boundaries.

4. MATTERS RELATING TO RAKIURA NATIONAL PARK LAND AND OTHER CONSERVATION AREAS INCLUDING ISLANDS

4.1. Cultural values

RMLT wishes to see a strategy developed for the protection and management of cultural values and expects to be consulted along with runanga on the development of such a strategy.

The cultural values of the tangata whenua must be maintained and protected across all of Rakiura and the public encouraged to respect these values. Historic Maori sites should be managed by RMLT and the location of very sensitive sites should not be made public. However, where suitable, the Mgt Plan and CMS should provide for access to historic sites for the public and for culturally appropriate interpretive commercial tours.

RMLT must be specifically mentioned in all references to cultural values in the CMS and Mgt Plan.

4.2. Ulva Island

Ulva Island is a taonga for all to enjoy and its current management by the Ulva Island Trust Committee is to be commended. There should be no restrictions on access to the island by those interested in native flora and fauna. If necessary, the historic Roger Bay – Snuggery Track could be opened up to cater for increased visitor numbers.

4.3. Masons Bay

Masons Bay should be left in its natural state and managed as it is at present. Concession activity is appropriate but it is important to manage visitor impacts on kiwi. The concept of commercial lodges is supported.

4.4. Pegasus

Pegasus should be maintained in its present state with a close watch kept on visitor impacts including grey water, sewage and rubbish from vessels. Visitor numbers should not be restricted unless there is no alternative; limiting the development of facilities should help to limit unsustainable increases in visitor numbers.

4.5. Concessions/commercial activity

Internationally it has been found that, to be sustainable, national parks rely on sustainable communities in mutually supportive relationships. To enable this on Rakiura, there must be adequate opportunities for the Rakiura community, including RMLT, to develop sustainable commercial activities not only around the Patterson Inlet area but also in other parts of the island.

The CMS and Mgt Plan should allow for the full spectrum of guided and independent day and multi-day recreational/educational activities and associated facilities for domestic and international visitors. These will help to increase the accessibility of Rakiura's conservation areas to a wider group of visitors while also enabling the Rakiura community to continue to sustain itself with environmentally sensitive and culturally appropriate ventures.

The CMS and Mgt Plan must record that, where potential concession activities require access across RMLT land and conservation lands, the Department of Conservation will grant RMLT first rights to such concessions. The CMS and Mgt Plan must also record that, if RMLT decides to waive such rights, the Department will not grant a concession to any other party until that party has first gained formal approval from RMLT for the use of its land.

For some time the Department of Conservation has been seeking formal agreement with RMLT for access on certain walking tracks over RMLT lands. RMLT has corresponding interests in access across conservation lands. Where RMLT requires access across conservation lands in order to take advantage of the commercial opportunities of its own lands (such as guided walking, cultural/historic/educational visits to RMLT lands) DOC should not unreasonably decline concessions for this purpose. This is a matter that RMLT wishes to discuss further with the Department during the preparation of the Draft CMS and Draft Mgt Plan, including the issue of preferential rights to such concessions.

Although only the SILNA sections in the Tutae-ka-wetoweto forest are under covenant, RMLT is equally committed to the protection of its other lands. Commercial activities on RMLT land and conservation areas will play an important role in supporting RMLT efforts to preserve taonga, native flora and fauna on Rakiura, particularly on RMLT lands outside the Tutae-ka-wetoweto forest covenant area.

4.6. Huts

RMLT supports the provision of multi-purpose huts where appropriate to meet public demand, reduce visitor impacts and to encourage deer hunting pressure where required.

4.7. Aircraft

Aircraft landing sites in conservation areas are acceptable provided there are controls to ensure a balance between commercial activity and public use and enjoyment of the land.

4.8. Dogs

Only guide dogs, research dogs and search and rescue dogs should be allowed on to Rakiura conservation areas under the correct protocol when required.

4.9. Weeds

DOC's weed control focus should be on those species that pose the greatest threat to natural values, including marine weeds.

5. MATTERS RELATING TO ALL OF RAKIURA AND SURROUNDING ISLANDS

5.1. All Rakiura lands are taonga

All of Rakiura and its outlying islands are valued taonga to RMLT, including Crown lands.

5.2. Indigenous species

The preservation of all indigenous species is paramount in all areas, regardless of tenure. The goal should be the eradication of the main introduced predators – cats, rats and possums, even if this goal may not yet appear to be achievable with current knowledge and technology.

DOC should commission and encourage research into valued indigenous species such as the Kiwi, Stewart Island Robin and Titi.

The greatest risk to the natural values of Rakiura is associated with human travel to and from the island. RMLT believes that the Rakiura community and the Crown should work together to develop a joint biosecurity strategy to reduce the potential for the introduction of unwanted species by visitors from the mainland or from overseas.

5.3. Mataitai / marine reserve and other marine areas

A particular biosecurity risk arises in marine areas when vessels, especially foreign-flagged vessels, moor in all areas of Rakiura, especially the marine reserve and mataitai area where the fishery may also be threatened.

RMLT seeks a more active role in decisions on the management of the mataitai in Patersons Inlet.

It is important to monitor the other special areas in Rakiura's marine environment such as Pegasus, Lords River, Port Adventure, Mason Bay and Easy Harbour.

5.4. Nature reserve

The 'buffer zone' in the mid-eastern island is currently designated as Nature Reserve under s.20 Reserves Act 1977. The restrictions on access to a Nature Reserve are not appropriate to the location and nature of this buffer zone, which provides access to the National Park and which has itself long been used by the indigenous Rakiura community and more recently by the wider public. A hunter camp adjacent to the Lords River in this buffer zone serves an important role in helping to maintain hunter pressure on deer. It may become desirable to erect a hut at this site and other sites to help to minimise public and commercial visitor impacts on the reserve and to encourage increased hunting pressure for the benefit of native flora and fauna.

For the above reasons, RMLT considers that the Minister of Conservation, if the Minister has not already done so, should use his powers under section 57 Reserves Act 1977 to declare that access to the Nature Reserve, including boat access, is permitted without a permit at any time. Furthermore, the CMS should note that the Department of Conservation is prepared to use its powers under section 57 Reserves Act 1977 to allow huts to be built within the Nature Reserve if they contribute to the protection, preservation and well-being of the indigenous flora and fauna and other features of the reserve.

An alternative to the above measures is to take steps to change the designation of the buffer zone from Nature Reserve to a more appropriate classification.

5.5. Cats

All domestic cats on the island should be micro-chipped for identification and neutered.

5.6. Marine farming

The CMS should not seek to limit the continued development of appropriately designed and sustainable marine farms around Rakiura.

5.7. DOC/Community relationship and cross boundary sites

It is of the utmost importance that the Department of Conservation and its staff maintain an honest, sincere and cooperative relationship with the Rakiura community in all aspects of managing Rakiura and the surrounding islands. This will help to win the community trust that is essential to building positive and cooperative working relationships.

RMLT supports DOC's concept of an integrated approach with the Department working alongside Environment Southland, the Southland District Council and RMLT - guardian of the vast majority of Rakiura land outside the conservation estate. Without RMLT members' participation as kaitiaki and tangata whenua, the approach would not be truly 'integrated'.

5.8. Research – animal impacts

Although monitoring the density and distribution of animals such as deer and possums is important in association with control programmes, it is even more important to understand animal impacts. Because the impacts of particular

introduced mammals on Rakiura's native flora and fauna are not well understood, it is hard to justify decisions on whether to control, or not control a particular introduced species. These management decisions are made more complex given the high value placed by a significant proportion of the public and the Rakiura community, on the continued existence of whitetail deer, especially on public lands. Such decisions cannot be taken lightly on Rakiura.

RMLT has been investigating how best to determine the differential impacts of deer, possums and rats in the Tutae-ka-wetoweto forest. The few exclosure studies conducted in New Zealand to date have not produced definitive results. This means that if vegetation monitoring reveals that ground level browsing is causing a serious deterioration in the condition of podocarp-hardwood and coastal forests for example, it is not possible to determine which browsing animals are to blame. Without this information it is difficult to respond with targeted and sustained control programmes, hard to justify the necessary funding, and impossible to predict and monitor their long-term effectiveness.

The Department of Conservation is familiar with this dilemma and has already shown interest in RMLT investigations. Research to determine the relative impacts of browsing animals are very much in the public interest and the associated management implications are highly relevant to the management of the National Park and other conservation areas on Rakiura. RMLT therefore proposes a joint research effort between DOC and RMLT across RMLT and conservation lands, with significant public good funding from the Crown, for the benefit of all native flora and fauna on Rakiura.

The Rakiura Maori Land Trust looks forward to meeting representatives from the Department of Conservation soon to further discuss the proposed Rakiura Conservation Management Strategy and the Rakiura National Park Management Plan.

Yours sincerely

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