

**Minutes of the seventy-third meeting of the Auckland Conservation Board held on 28 October 2004 in the Boardroom, Warkworth Area Office, Warkworth commencing at 1.00pm.**

**Present:**

Paddy Stafford-Bush (Chairperson), Steven Ching, Peter Crabb, Thomas de Thierry, Tomui Kaloni, Jenny Kirk, Estella Lee, Kathy Walsh, Denise Yates

**In Attendance:**

Rob McCallum (Conservator), Warwick Murray (Community Relations Manager), Rolien Elliot (Warkworth Area Manager), Rebecca Rush (Community Relations Officer-Board Support)

**Visitors:**

Suzi Phillips (Kaipara Forest & Bird), David Pattermore (Forest & Bird Northern), Dave Leggoe, Anne Northey, Piers Barney and Bernard Merwood (Grey Bach Group), Brett Rathe, Denise Didsbury (Rodney Times)

Thomas de Thierry offered a karakia.

## **1. Apologies/Welcome/Introductions**

Paddy welcomed everyone to the meeting, in particular visitors. Apologies were recorded from Tony Holman, Alan La Roche, Cath Tizard and Gregory McDonald.

**RESOLVED** that the apologies be accepted.

**STAFFORD-BUSH/YATES**

As it was the first meeting of the new Board, brief introductions were made by each Board member.

## **2. Public Forum**

Suzi Phillips gave a PowerPoint presentation about issues concerning the Kaipara branch of Forest and Bird (KF&B). She spoke first about the Atuanui Restoration Project, explaining that the Atuanui area features significant wetlands, threatened flora and fauna, and archaeological sites. In August KF&B held a public meeting to gauge community support for a restoration project at Atuanui. The meeting supported the project which would involve DOC, ARC, local iwi, farmers and the wider community.

The initial stages of the project would focus on pest control. Although both DOC and the ARC are currently undertaking pest control programmes for possums in the area there is still a significant pest problem with possums and other pests such as rodents, mustelids, deer and goats. She believes DOC has a responsibility under the Wild Animal Control Act to eradicate deer and goats. Other goals of the project include monitoring, and updating information, and taking part in the review of the CMS.

Suzi went on to talk about dune conservation. KF&B are especially concerned about Papakanui and the Tapora Peninsula. In these areas off-road vehicles are impacting on the rare and endangered dotterel and fairy tern, as well as native plants make up the dune ecosystem and help stop coastal erosion.

Aquaculture in the Kaipara Harbour is also an issue of concern to KF&B. The area is currently being investigated as a RAMSAR site and is an important area for marine mammals and bird roosting.

Questions raised by Board members included;

- How a site gained RAMSAR status. RAMSAR is a worldwide convention that doesn't confer any special protection but has recognition similar to World Heritage sites. To attain RAMSAR status 1% of the population of a breeding bird species must migrate to the area.
- Whether DOC has a responsibility for pest control at Atuanui. Warwick acknowledged that deer control was on both DOC and Board's agenda.
- What kind of aquaculture was proposed in the Kaipara. Current proposals were for mussels and oysters farms

Paddy thanked Suzi for her presentation, saying the Board appreciated the overview of Kaipara issues.

The Grey Bach Group (GBG) spoke next, with an update on progress made toward the management of the Grey Bach at Sunny Bay. Previously the bach was let to the public but after DOC's decision that the bach was no longer suitable for public use in 2001 the GBG came to the Board with a proposal to manage the bach.

Following advice from the Board earlier this year DOC made the decision to let GBG manage the bach on a number of conditions. One of these conditions was that the bach must be upgraded and maintained to a suitable standard. Rob explained that the key issue was the definition of 'suitable standard'. From DOC's point of view suitable standard is the building industry standard, the standard all buildings on public conservation land needed to be maintained to. GBG questioned whether the bach was maintained to this standard when managed by DOC. Rob replied that the standards had changed during the life of the bach and in effect had made it non-compliant.

DOC has recently had the bach independently assessed and the building report sent to GBG. GBG have prepared a draft response to the report and stressed that they were eager for a decision, even a conditional one, so they could progress with the restoration; they don't want the bach unoccupied for another summer season. Rolien advised that she would hold a meeting with the Grey Bach Group to formally respond to the report.

Rob explained that another condition of GBG taking over the management of the bach was that DOC had to be sure that GBG has the economic capacity to upgrade, maintain and manage the bach. He added that he could understand GBG's frustration at the lengthy process but the Department must see proof of the Group's ability to take on the project; they would not like to see a community group get into financial difficulty. It was suggested that GBG use the building report to cost out what is needed to get the bach to the building industry standard, taking into account things such as volunteer hours and sponsored materials.

Paddy thanked the members of the Grey Bach Group for their update.

### **3. Review and Confirmation of Minutes**

#### 3.1. Minutes of the Meeting of 24 June

The unconfirmed minutes were included in the agenda. These were reviewed page by page.

**RESOLVED** that the minutes of 26 August 2004 be confirmed as a true and correct record.

**STAFFORD-BUSH/KIRK**

## 4. Reports

### 4.1. Conservator's Report

Items discussed included;

- Hector's dolphins. Both the official report with details of the operation of the tagging trial and the scientific report will come to the Board. **Action**
- Rangitoto baches. The descendents of leaseholders have been asked to vacate baches on Rangitoto. The Conservancy has offered to help bach leasees move their possessions with the Hauturu, although some items will remain on the island and be handed to the Rangitoto Trust.
- Cycling on Rangitoto and Motutapu Islands. It is proposed that during the CMS review process cycling on Rangitoto and Motutapu will be debated. Mountain biking has become dramatically more popular since the CMS was written so the Conservancy believes it is time to review this issue. A similar debate has been suggested by the NZCA approval of cycling options in national parks.
- Motutapu Restoration Trust (MRT) and Motutapu Outdoor Education Centre (MOEC) concession applications. Rob detailed the background for the benefit of new Board members, explaining that when the CMS was written only one Trust, MOEC, was operational on the island. Both Trusts have applied for concessions on Motutapu and there is an element of competition in their applications. To resolve this issue a planning process for Motutapu will be undertaken by DOC, as well as an economic analysis of the capacity of outdoor education camps in the Auckland region. DOC hoped the Trusts would put their applications on hold until after the planning process was completed but after consultation with the Trusts MRT still wants to proceed with their application. The Board has been asked to provide comment on both applications by November 15. **Action**.

**RESOLVED** that the report be accepted.

**STAFFORD-BUSH/KIRK**

### 4.2. Chairperson's Report

- Golden Raindrop Chinese Television Conference. Paddy was a speaker at the inaugural conference. Estella commented that it was successful but slightly disappointing as so few Chinese delegates attended.
- Board workshop. The workshop on 1 September resulted in four key priorities for the Board to focus on; CMS, RMA, Marine and Pests.
- Mount Roskill Cycleway. The Board is still involved in consultation on this issue. **Bring up**

## 5. Major Items

### 5.3.1. Great Barrier Island marine reserve proposal

Formal submissions to the proposal closed in October. Currently these submissions are being summarised and loaded into a database, after which a response will be provided to submitters. A summary report will be provided to the Board. **Action**

A report will then be presented to the Minister who will go on to seek an independent report. If any of the objections are upheld, the proposal will either be rejected or modified; if no objections are upheld, the Minister will make his final decision after determining whether the proposal meets the requirements of the Marine Reserves Act.

Of the submissions received 2100 are in support and 1200 in opposition with about 20 conditional submissions. Rob stressed again that it is not a numbers game as a lot of the submissions came by way of form emails, both for and against. The reasons for objections include;

- There is no evidence the area needs protection/the area is self-protected.
- There are better places for marine reserves.
- The area will not be able to be policed easily.
- It is an imposition on a person's right to fish.
- Commercial fishing is the problem, not recreational fishing.
- It is the main safe fishing zone in the area.
- The reserve proposal omits the military and cable zones; these areas should be included.

The Department is still in consultation with Ngati Rehua and Ngati Whatua as affected parties.

## 4. Reports (cont)

### 4.3. Warkworth Area Issues

Rolien gave an update on issues Warkworth Area is currently dealing with. Questions raised by Board members included;

- **Tiritiri Matangi.** The Board questioned why weed teams were needed on Tiritiri as the Supporters of Tiritiri Matangi ran their own 'Weedbusters' programme. Rolien responded that the Supporters paid for the weed work but the Department designed weed programmes and employed people to carry out the work.

## 5. Major Items (cont)

### 5.1.2. Te Uri o Hau

Rolien gave a PowerPoint presentation on the Te Uri o Hau (TUOH) treaty claim. She explained that TUOH had presented their claim to the Waitangi Tribunal in 1997, following which they entered into negotiations with the Crown. In 2002 the TUOH Claims Settlement Act was passed and a protocol was issued by the Crown regarding DOC's interaction with TUOH on specific issues. A working plan was developed in 2003/2004.

The protocol was set up to assist both TUOH and DOC to exercise their respective responsibilities with cooperation in order to achieve conservation policies, actions and outcomes sought by both. The working plan was set up to identify who is responsible for what and to set a clear direction as to how the obligations of the protocol can be met.

Conservation boards have a role in this settlement, as set out in the TUOH Claims Settlement Act. Their role relates to the approval of any CMS, CMP or NPMP. Boards must have particular regard to TUOH values in relation to the Kirihipi overlay area, described as an area which has Crown ownership but it is administered by TUOH. A Kirihipi overlay area occurs when TUOH have a special interest in the land but because of the outstanding conservation values of the ownership of the land has been retained by the Crown. Okahukura Peninsula is an example of this in the Auckland Conservancy.

Questions raised by Board members included;

- **Funding.** Rolien explained funding for the implementation of the claim had to come from an existing budget. Currently, as only one claim is being implemented in the Auckland Conservancy, it is a matter of the amount of time the Area Manager had to commit to the implementation. However, as there are likely to be

numerous claims implemented in the future, DOC is formulating a bid to Treasury for extra funds for treaty settlements.

- Employment opportunities. Rolien explained that currently there was a lot of information sharing between TUOH and DOC, and TUOH were being given opportunities to upskill and gain knowledge in the Department work which would put them in good stead when employment opportunities arose.

### 5.2.2. Northern Gateway Alliance

Dave Slaven from the Northern Gateway Alliance, a virtual company set up to manage the project made up of seven other companies including Transit, gave a PowerPoint presentation to the Board on the ALPURT B2 extension to the Northern motorway. He began by saying that the Board, as well as DOC, is recognised as a major partner in this project.

Dave showed detailed slides of the motorway route while giving background information on the ecology surrounding the ALPURT B2 route. Major items discussed included;

- RAP 21. This area of bush is considered the best example of manuka gumland within the Rodney Ecological District. It hosts a viable population of fern bird.
- Freshwater habitat. RAP 21 also includes the Nukumea and Otanerua streams and headwaters. ARC considers these streams to be amongst the best examples of this kind of habitat in the region because of their intact catchments, good water quality, healthy aquatic insect communities and diversity of native freshwater fish, including the giant kokopu, a threatened species.
- Tunnels and viaducts. Dave explained that both the tunnel and viaducts have been introduced to minimise adverse effects on the environment, and provide a corridor for fern bird to use to cross beneath the motorway.
- Re-vegetation. At the end of construction the footprint of the road will be re-vegetated. Vegetation and seed will be eco-sourced. NGA is currently working with Landcare to determine and trial the best method for re-vegetation.
- Reptiles. Reptiles will be translocated prior to construction seasons and relocated as close to where they were found once construction is finished.

Questions asked by Board members included;

- Nukumea stream. The north Nukumea is the main arm with deeper pools and larger streams. The south is a grassy wetland area with habitat suitable for smaller freshwater fish. A culvert in the south arm will cater for fish passage. Although the South Nukumea wetland, a man-made wetland, will be lost, the wider stream ecosystem will not be.
- Subdivision. The district plan suggests there will be intensive development along the eastern side of the motorway, with the western side being less developed.
- Heads of Agreement. Dave asked the Board to provide comment on anything they needed further clarification or consultation on. **Action**
- Toll road. Dave said the decision whether to toll the road is expected to be made at the last meeting of cabinet in 2004.

### 5.1.1. CMS Implementation Monitoring – Key Area 13: Motuora Island

Additions to the performance indicators are as following;

- Species Protection; ‘Numbers and diversity of invertebrates – trend upwards’.
- Public Awareness; ‘Joint initiatives with the Motuora Restoration Society’, and ‘The Department is satisfied with the relationship with Motuora Restoration Society’. **Action**

**RESOLVED** that 1) the new key performance indicators and monitoring methods be adopted as amended and 2) the report be received.

**KIRK/YATES**

#### 5.1.4. Sunde Site, Motutapu Island

Warwick explained that the Sunde site is a site of very early Maori occupation on the northwest coast of Motutapu. Human and dog footprints are found in what would have been soft ash, dating the occupation to around the time Rangitoto erupted. As the site is subject to coastal erosion DOC has investigated various proposals for its protection, but these proposals have not been implemented as they proved expensive. The ARC has indicated they would be willing to fund the restoration of this site and a presentation from the ARC is proposed for a future meeting. **Bring up**

#### 5.4. Pests

There was no discussion of this priority issue. This issue will be updated at the December Board meeting.

### **6. Statutory Actions**

#### 6.1. Resource Consents Applications by the Department of Conservation

There were no new resource consent applications by the Department.

#### 6.2. Concession Schedules

Items discussed included;

- Drury Stewardship Area concession application. The details of this concession application were questioned. Details will be provided at a later date. **Action**
- Lake Ototoa. Although the CMS states that the Department has regulatory control of the lake, there is still a question as to who administers the lake, DOC or the Rodney District Council. **Bring up**
- Motuihe and Browns Islands. It was questioned why the grazing concession was on hold. The Motuihe Restoration Trust will be undertaking replanting on Motuihe so grazing will very soon become uneconomic. As the concessionaires have other concessions on the island, options for their future are still being considered.
- Grazing questions. It was confirmed that grazing concessions included conditions for things such as riparian protection, fencing and weed control.
- Iwi consultation. Whether there could be more information on the concession schedules regarding iwi consultation was questioned. Statutory Land Management are currently reviewing the format of concession schedules. **Action**

**RESOLVED** that the report and schedules be received.

**YATES/KIRK**

#### 6.3. Triggered Concessions

There were no new triggered concession applications.

### **7. Subcommittee Reports**

#### 7.1. Planning/Concessions

**RESOLVED** that comments be made on the MRT and MOEC triggered concession applications by 15 November.

**KIRK/STAFFORD-BUSH**

#### 7.2. Marine

##### 7.2.1. Marine Farming Forum

As Cath Tizard was unable to attend the meeting no report was given on the Marine Farming Forum.

### 7.2.2. Hauraki Gulf Forum

Denise attended the last Forum meeting. A report on how the Forum was functioning was discussed. The general consensus was that it was not functioning as well as it could, partly because it had no base document to work from. It was agreed there needed to be better governance and more engagement with the community as well as more understanding of the Forum's role. Another report, the State of the Environment of the Hauraki Gulf will be discussed by the new Forum.

Rob told the Board that the Minister of Conservation would be attending the next Forum meeting, to be held on 1 December.

Denise suggested the Board obtain copies of Keir Volkering's reports on the Maori perspective on environmental issues. **Action**

## **8. Board Business**

### 8.1. Subcommittee Membership

With a new Board it was decided it was an opportune time to review subcommittee membership and it was suggested new subcommittees be formed in line with the four priority issues, plus a Maori members subcommittee. Members present volunteered for the following subcommittees;

CMS: Peter Crabb, Tomui Kaloni, Jenny Kirk, Paddy Stafford-Bush, Denise Yates.

Marine: Peter Crabb, Estella Lee, Paddy Stafford-Bush, Kathy Walsh.

Maori: Thomas de Thierry, Paddy Stafford-Bush, Kathy Walsh.

Pests: Jenny Kirk, Estella Lee, Paddy Stafford-Bush, Denise Yates.

RMA: Thomas de Thierry, Tomui Kaloni, Paddy Stafford-Bush, Denise Yates. **Bring Up**

### 8.2. Schedule of Meetings

A draft schedule was circulated. Dates and times were discussed and it was agreed to continue with meetings on the fourth Thursday of every second month. It was decided meetings should start at 1.00pm until further notice.

Inspections were also discussed with Warwick advising the Board to target areas relating to the Board's four priority issues. He said that inspections could be decided at a later date based on current issues but suggested that because of the number of current issues surrounding Rangitoto and Motutapu, a field trip to these islands was a possibility for the February inspection. **Bring Up**

**RESOLVED** that the report be received.

**KIRK/CRABB**

## **9. Minutes – New Zealand Conservation Authority and Neighbouring Conservation Boards**

There was no discussion.

## **10. Liaison/Representation**

### Auckland Regional Council Pest Liaison Meeting

Estella reported that pest issues discussed included the Tawharanui Mainland Island Project, Waitakere weed control and Biosecurity. Meeting frequency was also discussed. It was agreed there would be benefits in holding meetings more often than the current three times a year.

David Benson-Pope's Presentation on the RMA

Kathy reported that although it was too early for submissions on the changes to the RMA Benson-Pope indicated any suggestions were welcome. She voiced concerns about more compliance for tangata whenua and shorter time frames for response. Board members discussed whether suggestions should be sent to the Minister.

**RESOLVED** that 1) notes be prepared in regard to the presentation on the RMA and 2) draft comments be circulated to the Board for approval.

**YATES/KIRK**

Auckland Regional Council's Coastal Plan Celebration

The celebration was a positive experience and the completion of the plan is a good example of the Department and the ARC working together.

## **11. Correspondence**

There was no discussion.

## **12. Other Business**

Denise brought up the issue of how the Board interacts with the community on issues which are local authority based, and offered to bring a paper to the December meeting on this issue. **Action**

Kathy voiced her concerns that each regional council will have its own scientist dealing with aquaculture applications. She feels that a national standard or code of practice is needed.

## **13. Date and Venue for the Next Ordinary Meeting**

Thursday 9 December at the Auckland Conservancy Office.

The meeting closed at 5.30.