



Department of  
Conservation  
*Te Papa Atawhai*

## Internal Correspondence

Our ref: PAL-06-23-01-04

Date: 22 September 2015

To: Lou Sanson, Director-General of Conservation (as delegate for the Minister of Conservation)

From: Reg Kemper, Director Conservation Partnerships & Hearing Convenor (as delegate for the Director-General of Conservation)

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Subject: **Report and Recommendations from Hearing Convenor  
-for Ruahine Conservation Park change of status proposal**

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### A. Executive Summary

1. The Hawke's Bay Regional Investment Company Limited (the Company) has proposed an exchange of 22 hectares (ha) of the Ruahine Forest Park (the RFP land) for 146 ha which is part of an area of private land known as Smedley Station containing pasture, regenerating native shrub lands and intact beech forest (the Smedley land). The RFP land is necessary for the Company to construct and operate the proposed Ruataniwha Water Storage Scheme (RWSS).
2. You should note that the RFP land is currently held as deemed conservation park. An exchange of deemed conservation park involves a number of statutory steps. These are, first, declaring the deemed conservation park to be held for conservation purposes pursuant to s 7(1) of the Conservation Act 1987 (the Act); secondly, revoking the conservation park status that is the product of that declaration; and thirdly authorising an exchange pursuant to s 16A of the Act. The revocation of conservation park status provides for public notice, objections, submissions and opportunity for the public to be heard which would not otherwise apply to an exchange of stewardship land for private land.
3. Late last year, the Minister's delegate at that time formed an intention to revoke the conservation park status of the RFP land. The decision was to facilitate, and was conditional on, the land exchange being progressed.
4. The intention to revoke the conservation park status of the RFP land was publicly notified, the purpose of which was to obtain the views of the public and community of interest to the change of status of the RFP land through revocation, and the associated land exchange proposal. Two submissions in support and seven objections against the proposal were received. As six of the objectors wished to be heard in support of their objection, a hearing was required to be held.

5. A hearing was held in March 2015, and I was appointed as hearing convenor. As a result of issues raised in the objections and the hearing, I commissioned the Department's Science and Capability team to undertake further work including an in-depth evaluation of the RFP land and the Smedley Land, and a comparative evaluation of those sites, together with an overall recommendation as to whether from an ecological perspective, the conservation values of land managed by the Department would be enhanced by the proposed Exchange.
6. I have visited the Dutch Creek and Makaroro parcels three times, and the Conservation Boards required to be consulted on the proposed exchange have each visited the site once.
7. I am now required to report to you under s 49 of the Act with a summary of the objections and submissions, and recommendations as to the extent to which you should allow or accept them, together with a recommendation on whether to proceed with the revocation proposal. The summary and recommendations are set out in this report.

**B. Recommendations**

8. It is recommended that you:

(a) <b>Note</b> the summary of objections and comments received, as set out in the table at the end of this report;	Yes/ <del>No</del>
(b) <b>Note</b> that DOC has completed section 4 Conservation Act consultative requirements with Treaty partners, with outcomes of this reported in the Department's submission to you;	Yes/ <del>No</del>
(c) <b>Note</b> my view that the proposed exchange would enhance the conservation values of land managed by the Department, and would promote the purposes of the Act;	Yes/ <del>No</del>
(d) <b>Accept</b> my recommendations as to the extent to which the objections and submissions should be accepted or allowed, as set out in the table near the end of this report;	Yes/ <del>No</del>
(e) <b>Note</b> that if you intend to revoke the status of the RFP land to progress the exchange proposal you would first need to declare the RFP land to be held for conservation purposes pursuant to s 7(1) of the Act;	Yes/ <del>No</del>
(f) <b>Accept</b> my recommendation that you revoke the conservation park status of the RFP land (if you wish to progress the exchange proposal) subject to declaring the land as aforesaid.	Yes/ <del>No</del>

  
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**Reg Kemper**  
 Panel Convenor

Date: 24/9/2015

  
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**Lou Sanson**

Director-General of Conservation  
 acting under a delegation from the Minister of  
 Conservation pursuant to s 57 Conservation Act 1987  
 Date: 5/10/2015