

Carving up the country

by Gerard Hutching



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Public land is in danger of being lost to the public by transfer to government corporations, either in error or as the result of secret deals between officials.

THE NEW CORPORATIONS Landcorp and Forestcorp look to be the winners and the people of New Zealand the losers in the Government's recent division of crown land.

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In two weeks from April 16 when the Government first made public maps of the divisions, Dunedin researcher Bruce Mason probed into land allocations covering just three of the country's 12 regions. Contrary to government policy and as a result of errors and secret deals, title to at least 600,000 ha of New Zealand's mountain ranges, riverbeds,

native forest and wetlands in those regions was zoned for transfer to either Landcorp or Forestcorp.

Some of the allocations seemed obvious errors. They leapt off the transfer maps: 518 ha of the new Whanganui National Park; 250,000 ha of Canterbury mountain ranges including the Craigieburn, Two Thumb and Ben Ohau ranges; the Lower Waitaki, Tasman and Jollie riverbeds; much of the 26,000 ha of steeppland beech forest in Southland's Dean, Rowallan and Longwood forests.

For other allocations it was clear the Department of Conservation had drawn the short straw in official deals and lost public land with very high nature heritage values. Landcorp was allocated the

Nearly 30,000 hectares of western Southland; Dean, Rowallan and Longwood State Forests is to go to Forestcorp, at least until current logging contracts expire in mid-1988. The Government has promised to review the allocation in early 1988 because the logging is uneconomic and scientists consider forests vital for the seriously threatened kaka, parakeet and yellowhead. By allocating title to the new corporation, the state will be forced to buy back the forest areas needed for protection.

2469 ha Arawata Valley, 80% of which is native forest and riverbed running 40 kilometres into the heart of Mt Aspiring National Park; thousands of hectares of native forest in the Marlborough Sounds; virgin and regenerating native forest blocks in the broken Wanganui River hinterland; and the scenic 25,000 ha Walter Peak special lease near Queenstown, most of which is steep eroded mountain land, which elsewhere has been destocked and surrendered from pastoral leases under government policy.

It almost seemed like a bad joke. After all, what did Landcorp and Forestcorp want with parts of national parks, whole riverbeds and huge tracts of mountainous country when they were set up to farm sheep, cattle and trees? A recent statement from Landcorp's chief executive, George McMillan, highlighted the seriousness of the situation, however. If any of the land transferred to the corporations was later found to have high conservation or recreation value, the Government would have to buy it back, McMillan warned.

Immediately Mason had assembled his information, he sent it off to the Public Lands Coalition head offices in Wellington. The coalition, initially set up to safeguard natural and recreational values in the 2.7 million hectares of South Island high country pastoral leases, comprises the Royal Forest and Bird Protection Society, Federated Mountain Clubs and the Acclimatisation Societies.

There was little time to lose. The coalition wrote to Deputy Prime Minister Geoff Palmer, chairman of the Cabinet committee overseeing establishment of the new state-owned enterprises, asking him to postpone the May 1 deadline set by his committee for finalising the transfer of the lands. Palmer, accustomed to finding himself in a mediating role over this and numerous other matters affecting government policy, replied that the Mason research deserved "thorough consideration". He decided at the end of April to delay the transfers until late May, while a special official's inquiry was carried out into the contested allocations.

Meanwhile, the New Zealand Maori Council Court of Appeal case was proceeding. There were marked similarities between the Maori Council case and the Public Lands Coalition concerns. Both recognised the "common property" character of crown lands and other assets and the finality of transfer of such assets to corporations which would be free to dispose of them in the marketplace to the highest bidder.

To Dr. Gerry McSweeney (conservation director, Royal Forest and Bird Protection Society), Bryce Johnson (executive director, Acclimatisation Societies) and Dr Hugh Barr (Federated Mountain Clubs), the crown land carve-up was a "nightmare". Two years of intense lobbying had aimed to create a Conservation Department, to ensure that South Island pastoral leases and Molesworth remained in crown ownership, and had pressed for a Conservation Act that did not allow the Conservation Department to log native trees. Land allocation had initially seemed straightforward.

"We thought the Government would stick by its September 16, 1985, promise in launching environmental restructuring that only those forests and lands *primarily* used for forestry or farming would go to the corporations," says Johnson.

beds, mountain ranges (3) misallocations that resulted from secret deals between officials — where, for example, regenerating native forest, a wetland or tussockland has been lost to the corporation because no information was available on its conservation value.

McSweeney hopes there will be few problems in politicians sorting out the first two categories. The third, though, raises anxieties, as both the Government and those officials who acted last year on behalf of the Conservation Department approved the transfer of these areas to the corporations. Now the burden falls on the Public Lands Coalition and the Conservation Department's new staff to reopen the issue and make the conservation case for this category of land.

"It might be a wetland or a small patch of regenerating bush which some official has decided is of little conservation or recreation value. We are going to have to be extremely vigilant to get these back," McSweeney says.

A question which arises from the initial allocations revolves around the role of the corporations. Set up to be hard-nosed, commercial, limited liability companies, they are nevertheless supposed to take account of the public interest. Clause 4(c) of the State-Owned Enterprises Act states that the corporations shall "exhibit a sense of social responsibility by having regard to the interests of the community"

Is it the public interest being served if Landcorp works to take as much land as possible, knowing that hundreds of thousands of hectares are used largely for hunting, climbing and tramping and not for sheep, and if it advises it will only return that land to the Crown if the taxpayer pays for it?

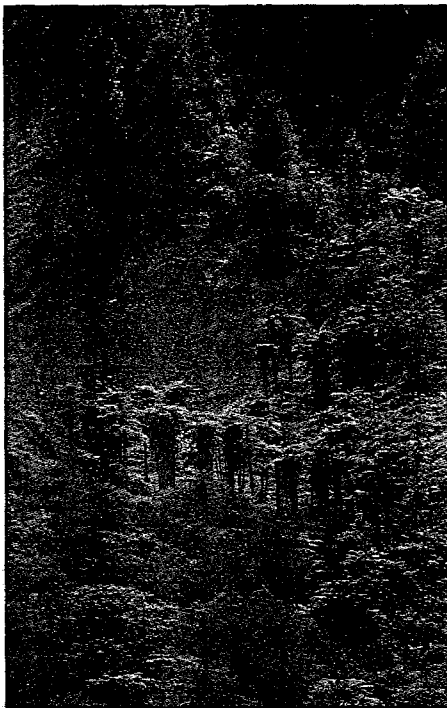
McSweeney believes that such questions only arise because the evidence shows the corporations fought tooth and nail for such land. Indeed, letters written by Landcorp chief executive George McMillan to his Minister, Koro Wetere, and State Services Commission secretary Darryl Dunn in early April reveal Landcorp's hard-line attitude. To Dunn, McMillan writes that Landcorp is "totally disconcerted" that there should be a further review of allocations.

"The situation is that we have been subjected to a continuing rash of never-ending claims and it is having a very serious effect on our ability to finalise our asset base, our staffing levels and various other aspects.

"What has to be appreciated is that it is all a one-way business. The Department of Conservation and conservation groups seem unable to accept that the stage has been reached where decisions have been made," writes McMillan.

His letter to Koro Wetere notes that conservation groups have been publicly decrying the decision to allocate natural lands to Landcorp. He also claims that approaches to Landcorp by the Department of Conservation arise out of the conservation groups' pressure. The letter ends: "At what stage is all this going to finish?"

McMillan, who refused to be interviewed for this article, was both acting director-general of the now defunct Lands and Survey Department and interim chief executive of Landcorp in 1986 while much of the land allocation was occurring. Questions of the appropriateness of one person fulfilling both functions have been raised by Federated



In rugged inland Taranaki, next to the new Whanganui National Park; a vast expanse of native forest and shrubland rich in kiwis is zoned for Landcorp despite further farm development here being economic nonsense.

Mountain Clubs with the State Services Commission. By contrast, the former director-general of the Forest Service, Andy Kirkland, ceased that job immediately he was appointed interim chief executive of the forestry corporation.

Johnson says that the debate could have been avoided if the Government had stuck by its original September 1985 decision to retain a Crown Estates Commission (CEC) to review publicly the contentious allocations. Instead they ruled that the carve-up was to be done in secret, and abolished the CEC before it even had its first meeting. The bungles and horsetrading are the result, along with an issue which has become more polarised and hence harder to resolve.

In the Public Lands Coalition's eyes, Landcorp is directly going against the public interest in pressing to stop further discussions over allocations when it knows that it has prime natural and recreation areas such as mountain ranges in its hands. Only the non-contentious land should cross to the corporations, while the clear conservation and recreation areas are identified and transferred to the Conservation Department. A moratorium should be placed over the remainder, which would be held with the residue Department of Lands until deci-



New Zealand's rarest native waterfowl, the brown teal, has been caught in the middle of the land division. About 90% of the birds live on Great Barrier Island, many of them in the Whangapoua wetland on Okwi Station, parts of which are destined to pass into the hands of Landcorp.

sions can be made after careful evaluation of the competing conservation and commercial cases.

One of the basic hitches the coalition discovered in early May was the lack of a full set of maps in Wellington. As late as mid-May, one month after the public was first invited to scrutinise the allocations, and a week before the closing date for comment, maps had still not been produced for North Auckland or the West Coast, areas with high conservation values. And while the Government on the one hand welcomed the coalition's entry into the debate, on the other, its new economic policies provided some unexpected stumbling blocks. Each set of maps for New Zealand cost \$3500. For the coalition's research to proceed, this needed to be complemented by a complete set of topographic maps, costing \$1200. The coalition is pleading to have the total bill of \$4700 waived.

Bruce Mason, who boasts a fair knowledge of the South Island, realised early on that the large areas would be the easy ones to identify. A more intractable problem was the hundreds of parcels of land so small that only local knowledge could elevate them. Each of Forest and Bird's and Federated Mountain Clubs' local organisations would have to search out the maps of their region and investigate them for mistakes. In some cases this has meant hurried trips into the field to evaluate areas under dispute. Ideally, the local public groups and Conservation Department staff would like to do field inspections of all these areas, but the impossibly tight timetable has precluded virtually all such "ground proofing".

By the end of May the coalition was more optimistic about its prospects of stopping conservation and recreation land going to the corporations. Newspaper columns and ministerial mailbags were full of protests about the lack of time given to the public and the unavailability of maps. In response, Geoffrey Palmer extended the deadline for public comment beyond the end of May. He also promised that any problems would be carefully examined, and any areas that could not be quickly agreed on would remain in the neutral Department of Lands.

At stake is a larger issue than conservation and recreation, says the coalition. As its name suggests, it is anxious that as much land as possible remains in public ownership. The issue is one of social justice, it contends.

Johnson says that land issues are close to the hearts of many New Zealanders, both Maori and Pakeha. He recalls the famous quote of the American writer F Schumacher: "Study how a society uses its land, and you can come to pretty reliable conclusions as to what its future will be." The sale of public land in New Zealand to private interests arouses far more intense passions than, for example, the sale of BNZ shares.

"Our ancestors came to New Zealand to escape from societies where ordinary people were shut out from huge areas of natural land. Access to these there was the privilege of a small elite," Johnson says.

"Do we want our children and our children's children to inherit a New Zealand where wealth will dictate whether they can tramp, fish, hunt or climb? That's not the future the coalition — and, I'm sure, a lot of New Zealanders — view with much enthusiasm." ■