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Talk to the Walking Access Commission: Monday 26 March 2012

Crown Forests – Public Recreational Access is being lost to and through these important former public forests
Dr Hugh Barr, Secretary, CORANZ

1 Background:

New Zealand Forest Service (NZFS) ran much of New Zealand's forests from 1919 to 1987, when all its native forest lands were transferred to the then-new Department of Conservation (DOC). It was also largely responsible for planting exotic pine plantations that have now replaced native forest logging as New Zealand's source of wood and fibre.

These exotic forests, as with all forests, have a range of community and recreational values, as well as their commercial wood and fibre values. However in the conservation/commercial split between DOC and the NZ Forestry Corporation in 1989, these forests were leased for 30-year rotations to commercial forestry companies, many of them foreign-based, under the Crown Forest Assets Act. The area of these forests was some 700,000 Ha, a significant amount of usually lowland roadable land.

All of them were covered by a public access covenant giving the public significant access rights to these Crown-owned lands. The land remained Crown-owned, subject to the long-term lease. Section 26 of this Act, Variation and cancellation of easements allows for changes in access. LINZ administers these forests.

These access rights included walking access during daylight hours anywhere in the forests, as well as daylight access along some specified forest roads. They were subject to prohibition if there were dangers to the public, eg logging burnoffs, extreme weather storms etc or danger to the forest eg high fire danger. But generally the access covenants should have worked well for the public and the forest owners.

2 Recreational value of these forests:

New Zealanders, as people who revel in the outdoors, see exotic forests generally as areas with many recreational values – for many groups including 4WD clubs, deerstalkers and pig-hunters, car rally drivers, fishers, canoeists, rafters, gamebird hunters, mountain-bikers, horseriders, trailbikers, paintball enthusiasts etc.

2.1 Public access through and to Crown Forests:

For example, the NZFS practice of clearing lowland forests and planting pines meant that the Crown Forests had to be gone through before trampers, deerstalkers etc could get to their

recreational areas on the ranges and native forests behind. Some roads were available, and during the 1987 Crown Land carve-up, recreational and conservation national bodies fought to maintain adequate public access. Sometimes we were successful. But not with Kaingaroa, to the detriment of the community, who now is forced to detour round it, to get to recreational areas.

In the enormous 189,000 Ha Kaingaroa Forest between Rotorua and Taupo, nothing happened, even though new public roads through this massive area would have been very much in the public interest. This can be seen as a tribute to the incompetence and lack of foresight of the NZ Government bureaucracy. The same problem exists to a lesser extent in other Crown forests. These public access issues still exist today; over 20 years after these logging rights were granted. Similar public access right issues through Crown Forests for fishers canoeists and rafters access to rivers, lakes and streams still exist especially in Kaingaroa.

2.2 Woodhill Forest, (near Muriwai Beach & South Kaipara Head)

This forest had Fallow deer transferred from a Hauraki Gulf island to it in the 1950s by NZFS. However there was no recognition of this recreation-related activity in the Crown Forest licence. A Hunter management group manages this small deer herd in the Northern third of the forest. There are similar potential for activities in all Plantation forests near large cities eg Riverhead forest near Auckland.

2.3 Recreational hunting Access:

Deerstalkers, pighunters and gamebird hunters face major barriers in hunting on private or leased lands, because they require the land occupier's permission to hunt there. Hunting groups therefore have made significant progress in getting forest owner co-operation to hunt these forests. Employees who hunt have helped, no doubt. The Tokoroa Pighunting Club, with 1200 members hunts in the Tokoroa Exotic Forests, and helps the forest manager Hancocks manage deer, pigs and possums there.

Another former NZFS forest, the Blue Mountains in South Otago, is a recreational hunting area under the Conservation Act. The pine forest part of it was bought by Ngai Tahu as part of their Treaty Claim settlement in 1998. It is still managed with their agreement, as a recreational hunting area.

There are deer in many exotic forests, partly because they are accessible by deer from adjacent native forests, and the helicopter wild animal recovery operators can't go there without the occupier's permission. Hence the attraction to deerstalkers of such exotic forests, eg Kaingaroa.

2.4 Forest Manager obligations:

Many exotic forestry managers have web-based processes for recreational hunters wanting to stalk their forests, regardless of whether they are Crown Forests or not. They consider it good public relations to do this.

Forestry companies who are Forest Stewardship Council (FSC) certified (managing a sustainable forest) have responsibilities to local communities to allow them to share in the non-wood products of their forests, including harvesting wild animals. They are required to offer some public access to their forests, and to keep records of access applications, and their responses to them. Almost all exotic forests in New Zealand are FSC Certified.

On the other hand, other companies make it difficult for the public to have access, claiming, for instance that a fire risk always exists, or that there is always danger for the public in their forests.

2.5 Wharerata Crown Forest, Gisborne:

This forest is leased by Juken Nisho, and includes angling rivers, a community memorial to a flood disaster, and a public road. Juken Nisho is unsympathetic to public access, and to date, although public access to a local tramping club has been provided, obtaining it has been difficult. The Forest is to be transferred to the local iwi in a Treaty Claim settlement that is not yet finalised.

3 Treaty Claims and gifts to iwi are now gobbling up Crown Forests:

It appears to have become a tradition to offer iwi Treaty claimants ownership of Crown Forests in their neighbourhood. This is probably because they are cheap, and because through the Crown Forest Assets Trust, a massive slush fund for treaty claimants has been created. However, the public access covenant agreements, which are with the lessee, should continue. It is not clear that this will be the case.

3.1 Kaingaroa Former Crown Forest:

The Labour government transferred this massive forest and seven other smaller forests to a consortium of Central North Island tribes in 2008 under the Central North Island Forests Land Collective Settlement Act. The consultation on this settlement was a sham. Submissions went to the Treasury Department and were never seen again, and did not influence the Act. Presumably the public access agreements on the lessee still applies. But there seems no enforcement.

3.2 Information on public access to Crown Forests a State secret:

Given the area of exotic forest that Crown Forests cover, where they are and what the conditions of public access are would seem an important matter. So I Google searched for Crown Forests – Public Access. LINZ's website told me very little.

Equally the Walking Access Commission told me nothing. Presumably there is no mention at all on their website.

So, what is the reason for silence by State agencies? Is it top-secret that there is public access to Crown Forests? The information available in my view is inadequate.

4 Needed: Confirmation that the public access agreements for these forests are permanent :

Given the State veil of secrecy about public access to Crown Forests, it is important that WAC and LINZ give them a higher profile.

The Crown did use public money to buy the land and establish these forests. Because of this they are our birthright, and often the native forest that formerly occupied the land was cut down. They are also an important recreational asset, that New Zealand communities can enjoy, at little or no cost to the forest owner.

CORANZ urges the Walking Access Commission to take up the challenge of making this access free, certain, enduring and practical.

Appendix: Access to Crown Forest Land – Google Searches:

1 LINZ Website: [Access to Crown Forest Land](#)

You may be able to access certain Crown forest land for recreational or other purposes. There are public access easements over some Crown forest land and opportunities to access other parts of the land, but you may need permission. Entering land where commercial forestry / harvesting operations are underway could also be dangerous so you are advised to contact the licensee to seek approval to access the land.

You can [obtain a copy of the Crown forestry licence](#) from LINZ.

2 Walking Access Commission: A search produced NO data.