



Federated Mountain Clubs of NZ

P O Box 1604

Wellington

administrator@fmc.org.nz

25/06/2015

Reg Kemper
Director Conservation Partnership
Hearing Panel Convenor for Director General
Email: rkemper@doc.govt.nz, cc: dbishop@doc.govt.nz

Dear Reg

Regarding: Ruahine Conservation Park Change of Status Hearing – further information

Thank you for the opportunity to respond to the further information provided by Martin Williams on behalf of the Hawkes Bay Regional Investment Company (HBRIC) on the 21st of May.

We are concerned at the legal argument put by HBRIC which attempts to weaken the statutory distinction between stewardship land and specially protected areas managed under Part 4 of the Conservation Act. These include: Conservation Parks, Ecological Areas and Wilderness Areas.

The legislative intent of the Conservation Act was to confine land exchanges to stewardship areas. To confuse the s18 (7) revocation process (as defined by the context of its legislation, accepted legal principles and the case law in *Buller Electricity Limited*) by invoking the s16A land exchange test stretches the law beyond its breaking point.

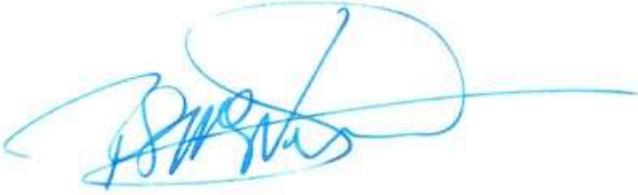
In contrast, we have read Forest and Birds initial submission to this proposal and have failed to find fault with their legal analysis (please reference in particular points 6 – 26). There must be a “good and proper purpose” for revocation of Conservation Park status before any proposed land exchange is considered. No such purpose has been identified.

We have also reviewed the Ruataniwha Water Storage Scheme Proposed Integrated Mitigation and Offset Approach. The Approach far from addresses our concerns on the detrimental effect on public access on a site identified by DOC as the second most important public access to the eastern Ruahine Forest Park

We are particularly unsatisfied at the lack of detail both regarding access arrangements with adjoining landowners and on proposed routes of the replacement access tracks on either side of the

proposed reservoir. This mitigation has not been planned to an appropriate standard in the context of a Conservation Park which the Department of Conservation is charged with managing to “facilitate public recreation and enjoyment”.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Robin McNeill', with a long horizontal flourish extending to the right.

Robin McNeill
FMC President