

SALE OF THE CENTURY

NEW ZEALAND CROWN LAND CARVE-UP

By Gerry McSweeney Conservation Director

The Government's 16 September 1985 decision to restructure environmental administration in New Zealand caused momentous changes in the management of our public lands.

Those lands and forests principally used for commercial farming or forestry were to be vested in a Forestry Corporation and a Land Corporation. Parks and reserves and the Crown's natural and culturally important lands were to be administered by the Department of Conservation (DoC). DoC was also given responsibilities for marine and freshwater ecosystems.

The ink was hardly dry on the Cabinet decision before the scramble for public lands began. Apparently there was standing room only in the annex where the press release was prepared announcing the Cabinet decision. Prospective heads of the new corporations jostled to ensure the wording favoured land allocations to the corporations.

Allocation Process Hindered

Confusion between Cabinet decisions and subsequent re-interpretation of those decisions by officials in press statements, departmental memos and even in papers to the Cabinet Policy Committee on issues as

shrublands in Golden Bay and Taranaki and the Far North were allocated for sale to Landcorp.

The two greatest problems with the initial carve-up of the Crown estate were the absence of allocation criteria and of any public participation. In late 1985 the Government made the decision to exclude the public from the land allocation process. Soon after this it scrapped its proposed Crown Estates Commission designed to oversee the process – before the Commission had even met. A further problem compounding both the other two was the lack of time and Treasury.

Ministers and their officials were insistent that the carve-up could be done quickly. Associate Finance Minister Richard Prebble went so far as to claim he could sit down with Lands Minister Koro Wetere and sort out any land carve-up problems in an evening!

Public Excluded

From September 1985 onwards staff in the Lands and Survey Department and the Forest Service prepared shadow land allocations. Belatedly in July 1986, staff of the DoC Establishment Unit were invited to object to those shadow allocations. They were expressly forbidden by Ministers to consult the public in this review process and were given a ludicrously short time – particularly at the regional level – to assess the allocations and lodge objections.

For the rest of 1986 and in early 1987, DoC staff negotiated with Corporation staff over contested allocations in a process mediated by a Ministerial Committee chaired by Geoffrey Palmer. Finally, on the 17th March 1987, DoC and Corporation officials signed schedules confirming the final allocation of Crown lands. Soon after, in mid-April 1987, Palmer announced that land allocation schedules and explanatory maps were available for public scrutiny and comment by the end of April.

Public Relations Disaster

His announcement was followed by howls of public protest from throughout the country when people discovered many of the maps and schedules were either incomplete or unavailable. For example, not until 26 May 1987 were the allocation maps of much of Northland publicly available.

The lack of maps as well as the absurdly short time for comment incensed conservation and recreation groups. Worse still was the discovery that many of the maps contained mistakes. Parts of the Wanganui and Tongariro National Parks were found to be allocated to the Corporations, as were riverbeds, lakes, pastoral lease mountain land and even private farmland (including a portion of freehold land owned by our Waikato Forest and Bird Chairperson!). The entire Arawata Valley, in the heart of our proposed South West NZ World Heritage area, was scheduled for sale to Landcorp as was the 25,000 hectare Walter Peak station – a

special lease identical to pastoral lands which the Government had resolved would stay in Crown ownership.

Early on, conservation and recreation groups had realised the process was going awry. During 1986 we had been embroiled in a debate over the future allocation of the 2.4 million hectares of pastoral leasehold high country and of the native production forests of North Westland. Both of these issues were resolved by a special procedure.

In August 1986 I was appointed on a part-time basis as a consultant to the DoC Establishment Unit and much of my time was occupied with land allocation issues. Nevertheless, like all other staff in the unit, I had been sworn to secrecy on land allocation issues.

Molesworth a Test Case

Word did however leak out. A Federated Mountain Clubs-Forest and Bird group that met the Establishment Unit in October 1987 chanced during a tea break upon an allocation map of the 182,000 hectare Molesworth Station in Marlborough. The entire station – 82 per cent of which is high mountainland unsuitable for grazing – was scheduled for sale to Landcorp.

"It is not a question of whether we trust Land Corporation or not. But it is a question of whether certain lands are retained in Crown ownership or whether they go into Corporation ownership, which means they effectively become private land. A certificate of title could be issued and they could be sold on the open market."

– Philip Woollaston, Associate Minister for the Environment – (NZ Farmer 11/5/1988)

diverse as West Coast forests, high country pastoral lease and riverside reserves hindered the land allocation process for the next two and a half years.

Significantly, Deputy Prime Minister Geoffrey Palmer found it necessary at the height of the public debate over land allocation in May 1987 to resurrect the original wording from the 16 September 1985 decision when advising Government MPs how to respond to mounting public concern over land allocation.

Landcorp, for example, was supposed only to get "lands primarily used for farming purposes". However, shadow land allocations drawn up within the Lands and Survey Department interpreted this very loosely to include any land used for farming, with farming potential or even without any farming value but acquired as part of a broader package of farmland. Hence huge blocks of unfarmable mountains in Molesworth, the Eyre Mountains of Southland,

Dr Hugh Barr, vice-president of FMC, pushed the panic button and for the next three months a debate raged over Molesworth's future. In many ways it symbolised the principles involved in the Crown land carve-up.

Acquired by the Crown in the 1930s after it was wrecked by overgrazing and rabbit infestations, Molesworth had been restored through careful conservation management by the Crown. By the 1980s however there was increasing recognition of its ecological importance and recreational value.

Soil and water protection, scenery, historical sites, nature conservation and recreation were all tentatively recognised in a 1986 Molesworth strategy plan as having equal if not more importance than cattle