

Forest and Bird Succeeds With Legal Appeals

Biodiversity has been given a boost in two regions following recent successful legal appeals by Forest and Bird.

An appeal lodged on the Carterton District Plan has resulted in the addition of goat-farming restrictions to the plan. This was successfully negotiated between the Carterton District Council and Forest and Bird without having to go to court. The changes mean a resource consent is required for any new goat farms within a two-kilometre buffer adjoining the Tararua Forest Park and the 403-hectare Rocky Hills Sanctuary southeast of Masterton. Applicants will need to install goat-proof fencing and to earmark their goats. The Council can also consider effects on the environment when assessing goat farm applications.

The Department of Conservation has been spending \$95,000 a year on goat control in Tararua Forest Park only to have the park re-infested when goats escape from nearby farms. The goats cause significant damage to indigenous vegetation and can contribute to erosion. As the agency responsible for issuing land-use consents, the Carterton District Council will be helping prevent goat re-infestation of the conservation estate. This decision will hopefully encourage other district councils to include similar measures in their plans.

Linda Conning (Forest and Bird Executive member) and Basil Graeme (former Tauranga-based field officer) appeared in the second case at the Environment Court in Gisborne, supported by Gisborne Forest and Bird. Linda was the Society's

advocate and Basil our expert witness. Forest and Bird and the Department of Conservation appealed a decision by Gisborne District Council to allow a landowner to clear 77 hectares of regenerating forest that formed an integral part of a larger Recommended Area for Protection.

This area represents one of the largest remaining areas of indigenous vegetation in the Waiapu Ecological District. Basil Graham's evidence showed that the forest was regenerating vigorously and was important for the future biodiversity of the district, containing a variety of indigenous species including rewarewa, kamahi, and five finger. The forest is in good condition with few pests or weed species.

The court found it was not

possible to mitigate the adverse effects of the clearance on the ecology of the site and of the district, and revoked the Council's decision.

This decision establishes an important legal precedent providing protection for Recommended Areas of Protection from clearance. It also demonstrates the importance of DoC exercising its statutory advocacy role to help protect natural areas. The familiarity of the DoC witness, Chris Ward, with the ecology of the district was of inestimable value in making the case.

Both of these cases are examples of the ways Forest and Bird uses the Resource Management Act to protect the environment and encourage better land management practices.

— Helen Fraser.

New Look for Old Tunnel

The pedestrian underpass beneath the railway was a dark, unpleasant place before Tauranga Forest and Bird decided to brighten it up. Graffiti defaced the walls and school children hastened through it.

Tauranga Forest and Bird commissioned local artist and Society member Sharon O'Callaghan to design a mural. As the underpass joins the new walkways bordering the Matua salt marsh reserve, she chose a saltmarsh theme, with a pukeko leading a trail of

chicks, and a large eel. District Council contractors cleaned and undercoated the tunnel and provided the paint. Then Sharon, helped by branch members and local children, painted the mural. The difference is astonishing and delights the many walkers who use the underpass.

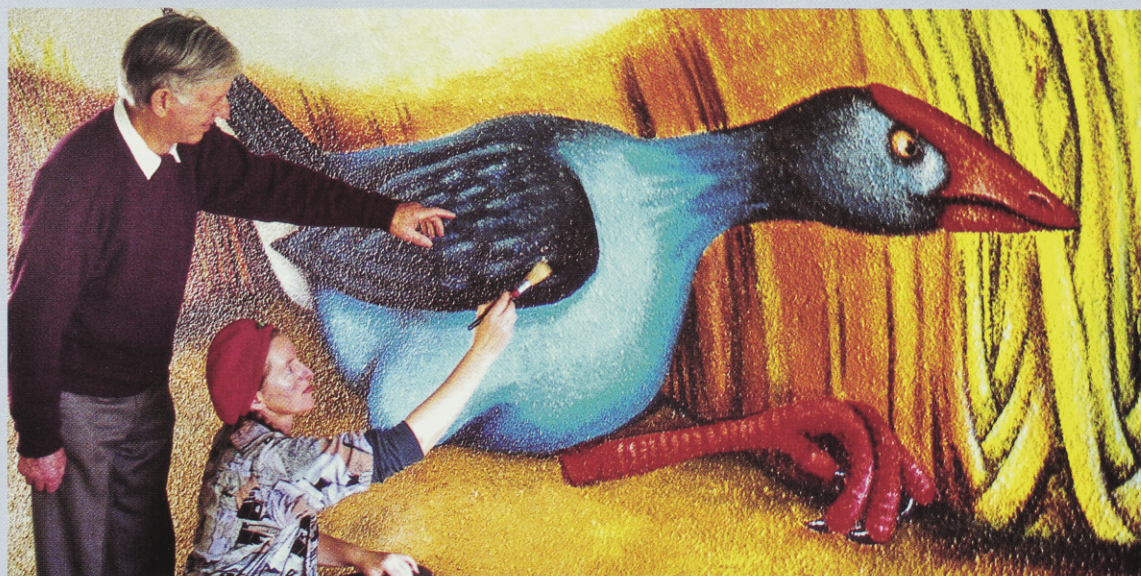
— Ann Graeme.

Tauranga member and artist Sharon O'Callaghan paints the underpass mural with branch chair Eddie Orsulich.

◀Dunedin Forest and Bird members co-ordinated local residents and environmental groups opposing a Dunedin City Council plan to fell a group of mature rimu and miro trees just minutes from the city centre. Dunedin branch chairman and former national president, Prof Alan Mark (on right) led the protest. The development of the Mount Grand water reservoir site has been put 'on hold' pending further investigation by the Otago Regional Council, following the public outcry.



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ANN GRAEME