

Stephen Day

From: Stephen Day
Sent: Friday, 15 March 2024 8:11 am
To: [REDACTED]
Cc: info; Dot Dalziell
Subject: RE: OIA request and request to correct publication

Tēnā koe [REDACTED]

Official information request regarding the rāhui closing the Waitākere Ranges

Thanks for your email.

I refer to your request dated 14 March 2024 regarding the rāhui closing the Waitākere Ranges.

You have requested information on:

- whether a rāhui is closing the Waitakere ranges
- and the legal documentation or link to this information.

The article we wrote, which you reference, links to two sources that refer to a rāhui closing the Waitakere ranges.

The Tree Council, Waitakere Ranges Protection Society, Forest & Bird and the Friends of Regional Parks at <https://waitakererahui.org.nz/> state where the rāhui came from:

“Te Kawerau ā Maki have placed a Rāhui over the entire Waitākere Forest (Te Wao Nui o Tiriwa). For the health of the forest, they are asking people to stay away from the bush. The rāhui gives scientists time to develop a solution, and time for our forest to heal.”

And they continue:

“The Waitākere Rāhui only covers the forest, but within the forest all tracks are closed by the rāhui. The forest does not include: the roads, beaches, open space land adjacent to beaches, wetlands, lakes, dunes, paddocks, rocks, meadows, grass berms, cafes, the sea, golf courses, houses or surf clubs.”

Auckland Council <https://www.aucklandcouncil.govt.nz> says:

“To protect healthy and at-risk kauri, we have closed a number of forested areas and tracks around the region.

These closures include:

- *the forested areas of the Waitākere Ranges, with some exemptions*
- *a number of high-risk tracks in the Hunua Ranges, as well as in other parts of the Franklin Local Board area*
- *a number of high-risk tracks in the Kaipātiki Local Board area*
- *a few tracks on Waiheke Island.”*

We relied on these two sources when writing and publishing the article.

Nāku noa, nā

Stephen



Stephen Day

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From: [REDACTED]
Sent: Thursday, March 14, 2024 11:13 AM
To: info <info@herengaanuku.govt.nz>; Dot Dalziell <Dot.Dalziell@herengaanuku.govt.nz>
Subject: OIA request and request to correct publication

Dear Herengaanuku

I would like to raise concerns please about your article [5 outdoor spots off limits](#) relating to Waitakere where I live.

The article says

"It's a scene from science fiction – monstrous, ancient trees in the Waitākere Forest are under attack from killer microscopic spores. Due to this threat, the mana whenua of Waitākere, Te Kawerau ā Maki, have placed a rāhui over the forest to protect it. This is a form of tapu, a temporary restriction on access to the area, and it's all for a good cause - to preserve this beautiful and unique forest.

Kauri Dieback spores (*Phytophthora agathidicida*), which are killing NZ's iconic Kauri trees, are spread almost exclusively by people or animals disturbing the soil – the more disturbance, the greater the risk of spreading the spores closer to kauri trees.

So scientists are racing to find a cure to save our kauri while the rāhui is in place."

Issue one. I do not believe the Waitakere Ranges are closed due to a Rahui. The Te Kawerau a Maki Settlement Act 2015 Sup Part 3. **Whenua Rahui Area** is defined in schedule 2. as "Taumaihi (being part of Te Henga Recreation Reserve)" The Rahui area is not the entire Waitkaere Ranges Park and track network. Furthermore the Act requires that after declaring a Rahui they must

notify the Minister of Conservation who must notify in the Gazette the declaration and protection principles. I do not believe this has happened. I do not believe there is a Rahui. And it is misleading for governments to use this legal word when that is not how or why the park is closed.

OIA Can you please confirm if there is a Rahui closing the ranges and provide the legal documentation or link.

I believe the park is closed via a Public Safety and Nuisance Bylaw.

Issue two: PA is not killing NZ's iconic Kauri Trees. Kauri in Great Barrier where the spores were first found in 1970 are healthy. Kauri in the Waitakere's are largely healthy. [Gadgil in 1970](#) found PA under both healthy and unhealthy trees. Auckland Council has also found PA under both healthy and unhealthy trees. PC which also kills kauri is also found under healthy and unhealthy trees. It activates as a pathogen only during times of stress like poor drainage or drought.

PA is also genetically proven to be slightly different in different locations ([Winkworth](#)) Therefore it is ancient likely predating human arrival. And different in different places so not recently spread by footwear. But diversifying in isolation. It is also not along the track network. It is predominantly in coastal muddy flats (it is a watermould) Furthermore as per Watercares testing it is also found in streams. It travels by streams. The bait it in streams along with the many other phytophthoras that are native to our forest. Like Phytophthora Cinnamomi.

Issue 3 The outdoor access commission's role is to advocate for public outdoor access. The closure of the entire park by a nuisance bylaw is legally dubious.

Furthermore many of the closed tracks are legal paper roads. Particularly in the Cascades. They have misled the public by renaming the roads as tracks. Eg Long Road Track But they are legal roads. La Trobe Track.

They have not gone through the legal process to permanently close La Trobe Road. It is a road. They marked that it was permanently closed.

To legally close these roads they should notify the public and say when they are reopening.

There is no evidence that these closures are temporary. They are permanently closing our Regional Park. The park is largely gifted Auckland Centennial Memorial Park land which is scenic reserve and was gifted for the purpose of scenic beauty and public access.

Under OIA please confirm if there is a Rahui closing the Waitakere ranges.

Many Thanks

