

Purpose of document

To provide guidance on the interpretation of land exchanges proposed under the Fast-track Approvals Act (FTAA). To meet the requirement in the Act to “enhance the conservation values of land managed by the Department of Conservation”.

This document outlines:

- The assessment criteria used by DOC to assess the conservation values of each area of land.

Background

What does the FTAA require?

Land exchanges under the FTAA must enhance the conservation values of land managed by the Department (now or in the future with restoration work). The wording for this test is based on the test for land exchanges under the Conservation Act¹:

Clause 29(2) of Schedule 6 of FTAA outlines the test:

The panel must not grant the approval unless the panel is satisfied that the land exchange (including any money that may be received under clause 30 and any conditions that the panel may impose in accordance with clause 32)) will enhance the conservation values of land managed by the Department of Conservation.

Key differences between FTAA land exchanges and those under other conservation legislation

Both processes require that conservation values² are enhanced. However, exchanges under the Conservation Act and the Reserves Act require that the exchange is like-for-like i.e., that the exchange must trade land for that with the same type of conservation values. The FTAA does not have such requirement i.e., biodiversity values can be traded against recreational values.

FTAA also enables the exchange of a wider range of land types (whereas under the Conservation Act, only stewardship land may be exchanged). While this creates greater flexibility for land exchanges to occur, it adds complexity to the conservation values assessment.

¹ Note: This also applies to land exchanges involving Public Conservation Land held under the Reserves Act.

² Note: While the test for the land exchange is whether it ‘enhances the conservation values’ it is important to note that conservation values are based on the significance derived from natural and historic resources. The values assessment must consider all attributes that make up the natural and historic resources (including the full suite of natural, historic, and cultural heritage values associated with the land) and assess the significance of these.

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Process under the FTAA

If an applicant seeks a land exchange, they will make a land exchange application to DOC outlining why they think the land exchange is appropriate and meets the tests in the FTAA (refer to information requirements in Schedule 6, Section 24). DOC will subsequently produce a report as to whether we agree with the assessment. The steps DOC must complete, and the types of information to be included in the report, are set out in sections 33-36 of the FTAA. DOC's report is then shared with the applicant (see section 35 of the FTAA).

Both assessments are provided to the Panel who makes the final decision on whether the proposed land exchange will enhance conservation values.

The Panel makes the final decision on whether the test has been met, taking into account DOC's advice and any other relevant information they receive.

If the Panel determines the threshold is not met for an exchange, the exchange cannot proceed, regardless of the anticipated benefits of the project (although the applicant might be able to apply for a concession to carry out the activity on the PCL, depending on the specifics of their project).

DOC's report

DOC produces a report on the values that must include:

'the conservation values of the land concerned, including how threatened or abundant they are, and a comparative assessment of the values that relate to each area of land concerned;' (Schedule 6, clause 26 (1)(a))

The conservation values below must be assessed in DOC's report. More detail on the specific values that must be considered is included in Attachments 1-4:

- Biodiversity values (Attachment 1)
- Freshwater values (Attachment 2)
- Recreational values (Attachment 3)
- Cultural and heritage values (including natural, scenic, archaeological, historical, biological, geological, scientific, educational, or community values that contribute to these) (Attachment 4).

These values must be summarised in the report comparison matrix (Attachment 5).

Attachment 1: Biodiversity assessment criteria

This attachment sets out the criteria for assessing the significance of indigenous terrestrial vegetation, ecosystems and habitats of indigenous fauna, including wetlands where they form a mosaic with terrestrial ecosystems. These criteria and their attributes are consistent with those in the National Policy Statement for Indigenous Biodiversity³. Each criterion will be assigned a score (High, Medium-High, Medium, Low-Medium or Low) based on the quantitative and qualitative assessments of their attributes. An overall score for ‘indigenous biodiversity value’ will be designated using the maximum score for any single criterion.

In its report to the Panel, DOC will consider whether an applicant has provided, where ecologically appropriate, an appropriate field-based assessment of biodiversity values, of both the public conservation land subject to the application and the proposed site(s) for exchange irrespective of whether the proposed exchange is like-for-like or not. This assessment will be used to inform the evaluation of attributes within the criteria. Where additional work/funding is proposed to enhance a site, DOC expects that an applicant demonstrates which ecological attributes and criteria are improved, by how much and over what time.

Quantified assessments of biodiversity values are expected to:

- be ecologically robust and current
- quantify ecosystem type and extent and, where possible, indicators of ecological integrity, e.g. vegetation structure, community composition and species abundance
- use accepted best practice methods
- provide summarised and raw data

³ Rationale for adapting the NPSIB ecological significance criteria: The criteria have been developed, tested, and refined by a broad range of NZ ecological experts over and are widely used and understood. The criteria were included in NPSIB after rigorous and extensive negotiation among a broad range of stakeholders that included key industry representatives. They also have legal standing because the NPSIB has statutory weight under the RMA. These are therefore considered the current best practice or bench-mark criteria for the assessment of ecological significance and conservation values and are analogous to criteria used to identify significant inherent values on Crown Pastoral Leases. The criteria have been applied to large scale assessment programmes including recent work undertaken by DOC to assess the conservation value of Stewardship Land.

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- not involve qualitative biodiversity compensation models or similar approaches
- inform the assessment of criteria (where appropriate) in Attachment 1.

Examples of accepted best practice approaches include GIS measure of extent of each ecosystem or vegetation type; vegetation composition and structure for each ecosystem or vegetation type based on Recce plots

(https://nvs.landcareresearch.co.nz/Content/Recce_ExpandedManual_v5.pdf and/or Atkinson notation⁴; 5-minute bird counts.

(<https://www.doc.govt.nz/our-work/five-minute-bird-counts/resources/>)

Criterion	Definition	Key assessment principles	Assessment Attributes
Representativeness	The extent to which indigenous biodiversity is typical or characteristic of the natural diversity of the relevant Ecological District	<ul style="list-style-type: none"> • includes seral (regenerating) indigenous vegetation that is recovering following natural or induced disturbance, provided species composition is typical of that type of indigenous vegetation • Fauna habitat should be considered in terms of how well it supports the typical suite of indigenous animals that would occur in the present-day environment. Habitat of indigenous fauna may be indigenous or exotic • May include commonplace indigenous vegetation and the habitats of indigenous fauna, which is where most indigenous biodiversity is present. It may also include degraded indigenous vegetation, ecosystems and habitats that are typical of what remains in depleted 	<ol style="list-style-type: none"> 1. The degree to which indigenous vegetation has ecological integrity that is typical of the character of the ecological district 2. The degree to which habitat that supports a typical suite of indigenous fauna is characteristic of the habitat type in the ecological district and the species expected for that

⁴ Atkinson, I. A. E. (1985). Derivation of vegetation mapping units for an ecological survey of Tongariro National North Island, New Zealand. *New Zealand Journal of Botany*, 23(3), 361–378. <https://doi.org/10.1080/0028825X.1985.10425343>

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Criterion	Definition	Key assessment principles	Assessment Attributes
		<p>ecological districts. It is not restricted to the best or most representative examples, and it is not a measure of how well that indigenous vegetation or habitat is protected elsewhere in the ecological district</p> <ul style="list-style-type: none"> • When considering the typical character of an ecological district, any highly developed land or built-up areas should be excluded • Needs to consider indigenous vegetation and habitats that are representative of the full range and extent of ecological diversity across all environmental gradients in an ecological district, such as climate, altitude, landform, and soil sequences. The ecological character and pattern of the indigenous vegetation in the ecological district should be described by reference to the types of indigenous vegetation and the landforms on which it occurs 	<p>habitat type in the ecological district</p>
Diversity & Pattern	The extent to which the expected range of diversity and pattern of biological and physical components within the relevant ecological district is present	<ul style="list-style-type: none"> • Diversity of biological components is expressed in the variation of species, communities, and ecosystems. Biological diversity is associated with variation in physical components, such as geology, soils/substrate, aspect/exposure, altitude/depth, temperature, and salinity. 	<ol style="list-style-type: none"> 1. The degree of diversity of indigenous species, vegetation, habitats of indigenous fauna or communities in the context of the ecological district 2. The quality of indigenous ecotones, complete or

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Criterion	Definition	Key assessment principles	Assessment Attributes
		<ul style="list-style-type: none"> • Pattern includes changes along environmental and landform gradients, such as ecotones and sequences. • Natural areas that have a wider range of species, habitats or communities or wider environmental variation due to ecotones, gradients, and sequences in the context of the ecological district, rate more highly under this criterion. 	<p>partial gradients or sequences.</p>
Rarity & Distinctiveness	The presence of rare or distinctive indigenous taxa, habitats of indigenous fauna, indigenous vegetation or ecosystems	<ul style="list-style-type: none"> • Rarity is the scarcity (natural or induced) of indigenous elements: species, habitats, vegetation, or ecosystems. Rarity includes elements that are uncommon or threatened. • The list of Threatened and At Risk species is regularly updated by the Department of Conservation. Rarity at a regional or ecological district scale is defined by regional or district lists or determined by expert ecological advice. The significance of nationally listed Threatened and At Risk species should not be downgraded just because they are common within a region or ecological district. • Depletion of indigenous vegetation or ecosystems is assessed using ecological districts and land environments. 	<p>The degree to which:</p> <ol style="list-style-type: none"> 1. an area provides for habitat of an indigenous species that is listed as Threatened or At Risk (declining) in the New Zealand Threat Classification System lists 2. an indigenous vegetation type or an indigenous species occurs that is uncommon within the region or ecological district

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Criterion	Definition	Key assessment principles	Assessment Attributes
		<ul style="list-style-type: none"> Distinctiveness includes distribution limits, type localities, local endemism, relict distributions, and special ecological or scientific features. 	<ol style="list-style-type: none"> an indigenous species or plant community at or near its natural distributional limit occurs indigenous vegetation is present that has been reduced to less than 20 per cent of its pre-human extent in the ecological district, region, or land environment indigenous vegetation or habitat of indigenous fauna occurs in naturally uncommon ecosystems the type locality of an indigenous species occurs a distinctive assemblage or community of indigenous species occurs

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Criterion	Definition	Key assessment principles	Assessment Attributes
			8. a special ecological or scientific feature occurs
Ecological Context	<p>The extent to which the size, shape, and configuration of an area</p> <p>within the wider surrounding landscape contributes to its ability to maintain indigenous biodiversity or affects the ability of the surrounding landscape to maintain its indigenous biodiversity</p>	<ul style="list-style-type: none"> • Includes the characteristics that help maintain indigenous biodiversity (such as size, shape, and configuration) in the area • Includes the contribution the area makes to protecting indigenous biodiversity in the wider landscape (such as by linking, connecting to or buffering other natural areas, providing ‘stepping stones’ of habitat or maintaining ecological integrity) 	<p>The degree to which an area:</p> <ol style="list-style-type: none"> 1. has a robust size and a compact shape 2. is well-buffered 3. provides an important full or partial buffer to, or link between, one or more important habitats of indigenous fauna or significant natural areas 4. is important for the natural functioning of an ecosystem relative to remaining habitats in the ecological district.

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Example of comparative reporting of criteria assessment

Ecological Criterion	PCL	Land offered
Representativeness	M – indigenous ecosystems have moderate ecological integrity compared with their equivalents remaining in the ecological district. Moderate representation of indigenous avifauna expected for the ecological district	L-M – indigenous ecosystems have low-moderate ecological integrity compared with their equivalents remaining in the ecological district. Low diversity of indigenous avifauna expected for the ecological district
Diversity & Pattern	H – intact altitudinal sequence of ecosystems from coastal to alpine zones and high diversity in landforms and substrates reflected in vegetation types	M – Sequences of indigenous ecosystems over a narrow altitudinal range (lowland to montane), some variation in landforms and substrate.
Rarity & Distinctiveness	H – habitat for a critically threatened taxon and a critically threatened glacial outwash ecosystem	M – habitat of two At Risk-Naturally Uncommon taxa, no threat category for ecosystems
Ecological Context	M-H – well buffered on 80% of the boundary	L – Isolated remnant surrounded by developed land
Overall	H	M

Attachment 2: Freshwater assessment

- a. Locate site in ArcReader. Note a site (assessment unit) may be one or several polygons.
- b. Go through 8 assessment steps below
- c. Make brief text comment on each of 4 ecological significance criteria, where relevant (see table below).
- d. Make overall assessment of significance (High, Medium, Low) *. Apply the highest significance from the evaluation of each criterion. *Do not reduce significance assessment made by Terrestrial experts (but can increase)*
- e. If necessary, make comment on the quality of information

*Note: Low rank if no FW systems or values present or predicted, and small parcel size.

Ecological significance criteria	Data/Resources to assess	ArcReader layers to open	What to look for
Representativeness	1. Check for wetland, lake, river or estuary presence	<ul style="list-style-type: none"> • Aerial imagery • Topo50_SI • REC1 -> RC_Classification • FENZv1 wetlands current typology • Estuaries -> NZ coastal hydrosystems classification 	Are any freshwater systems present that need to be evaluated, and if so, what type?
	2. Check for wetland, lake, river or estuary significance in Ecological District	<ul style="list-style-type: none"> • Management -> Boundaries -> Ecological districts 	Are the FW systems a good example of 'natural state' environment for that region? Are there many others like it in that region? Natural wetlands are rare (nationally) so if they are present they are significant.

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	3. Check for wetland, lake or river naturalness	<ul style="list-style-type: none"> • Aerial imagery • Species -> Macroinvertebrates -> Predicted Invertebrate MCI -> Contemporary Invertebrate MCI 	<p>Are the FW systems in their natural state or are they modified based on aerial photography?</p> <p>Are the FW systems in their natural state based on predicted MCI score = higher MCI = high naturalness for streams.</p>
Diversity and Pattern	4. Check for ecosystem/habitat diversity and pattern	<ul style="list-style-type: none"> • Aerial imagery 	Do the FW ecosystems in the land parcel support a range of habitat types?
	5. Check for species diversity	<ul style="list-style-type: none"> • Fish -> NZFFD • Fish -> spawning sites • Threatened invertebrates • Species -> Water birds 	<p>Would you expect the FW ecosystem to support relatively good species diversity?</p> <p>If no species records in the parcel, look in similar habitats nearby, and upstream and downstream in the catchment and similar catchments for migratory species. Supply species list here (diversity)</p>
Rarity and distinctiveness	6. Check for threatened freshwater/land environments and rare ecosystems	<ul style="list-style-type: none"> • Terrestrial -> LENZ Threatened environments classification • Naturally Uncommon Ecosystems 	<p>Are the FW ecosystems situated in a region of highly threatened habitat?</p> <p>Are any of the FW ecosystems a Naturally Rare/Uncommon ecosystem type in NZ?</p>
	7. Check for actual or predicted threatened species presence	<ul style="list-style-type: none"> • NZFFD • Threatened invertebrates 	Threatened species present = high ranking. High proportion of known distribution of at risk species in parcel or several at risk species present = high ranking.

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<p>Ecological context (size, shape, connectivity, buffering)</p>	<p>8. Evaluate ecological context</p>	<ul style="list-style-type: none"> • Aerial imagery • Other public conservation land • Nga Awa -> DOC Nga Awa sites • EMUs • Wetland, River, Lake Estuary mapping • Community restoration • Nga Whenua (Māori covenant/protected areas) 	<p>Look at the catchment and management context. Does the area provide an important ecological buffer, or connectivity, that supports the ecological health of adjacent or downstream FW ecosystems?</p> <p>E.g. If within a Nga Awa catchment, supports connectivity for fish passage, or has important role in buffering downstream wetlands, lakes or estuary = high ranking.</p>
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Attachment 3: Criteria for recreational assessment

For both the Public Conservation Land, and the land offered, consider the elements in the table below, and provide brief commentary on each.

Land that has of lower relative recreational value is likely to reflect some or all of the following:

- Site of low biological or/and cultural, or/and landscape or/and geological values
- Low level of alignment with strategic objectives/visitor network strategy
- Low level of social license for retaining/acquiring and high level of social license for exchanging/not acquiring
- Site is highly modified with low ecological and/or heritage values
- The location has low use including by local community
- Non-legal access or informal access

	PCL	Land offered
Alignment with strategic objectives/visitor network strategy		
Social license – for PCL, social license for exchanging away the land, and for the land offered, social license for acquiring the land		
Rarity of experience within the region		
Use level (for PCL)/anticipated use level (for land offered)		
Level of access (eg tracks)		
Natural hazard/climate risk		
How do any heritage or biodiversity values affect the visitor experience (for land offered, how might heritage or biodiversity values affect the visitor experience?)		

Attachment 4: Criteria for cultural and heritage values assessment

Assessment of cultural and heritage values will depend on the sites in question and what (if any) knowledge may be held about that area/site. In some instances, further assessment will be required e.g. by a consultant or through conversations with local Iwi and/or communities.

Conservation of a place should be based on an understanding and appreciation of all aspects of its cultural heritage value, both tangible and intangible. All available forms of knowledge and evidence provide the means of understanding a place and its cultural heritage value and cultural heritage significance. Cultural heritage values include any scientific or educational value ascribed to a site.

Cultural and heritage values should be understood through consultation with connected people, systematic documentary and oral research, physical investigation and recording of the place, and other relevant methods. All relevant cultural heritage values should be recognised, respected, and, where appropriate, revealed, including values which differ, conflict, or compete.

Places of cultural heritage value would in general, have:

- (i) have lasting values and can be appreciated in their own right;
 - (ii) inform us about the past and the cultures of those who came before us;
 - (iii) provide tangible evidence of the continuity between past, present, and future;
 - (iv) underpin and reinforce community identity and relationships to ancestors and the land;
- and
- (v) provide a measure against which the achievements of the present can be compared.

For sites having a particular heritage or cultural scientific or educational value, a description of the value and its significance is required (e.g. geological/ landform).

For more info: [ICOMOS NZ Charter](#)

For geological importance, the Geopreservation Inventory should be looked at - [MAIN Trust Maps](#)

Attachment 5: Proposed comparison matrix for report

	Land offered	Public conservation land
Biodiversity values	High/medium/low Rationale	High/medium/low Rationale
Freshwater values	High/medium/low Rationale	High/medium/low Rationale
Recreational values	High/medium/low Rationale	High/medium/low Rationale
Cultural and heritage values	High/medium/low Rationale	High/medium/low Rationale

These ratings must be supported by a clear narrative/explanation as to why this rating has been assigned.