
CONSERVATION AUTHORITY

TE POU ATAWHAI TAIAO O AOTEAROA

New Zealand Conservation Authority (NZCA) feedback on the Parliamentary Commissioner for the Environment's Report: *Not 100% - but four steps closer to sustainable tourism*

General Comments

1. The Authority agrees that the path New Zealand tourism is currently on is not sustainable with regards to both the natural environment, and the impacts on New Zealand society. Real change is needed.
2. The Authority agrees that tourism, as a sector, is not environmentally benign, especially with regard to greenhouse emissions associated with long distance travel.
3. The Authority agrees that a critical reset for tourism is needed, and this must happen now, within the window of opportunity that exists. Covid-19 and closed borders offer a good, but fleeting, opportunity to reset tourism in Aotearoa.
4. The Authority acknowledges the importance of the Treaty/Te Tiriti partnership in this reset, particularly with regards to the Department of Conservation's (the Department) responsibilities under section 4 of the Conservation Act 1987, and the Supreme Court's decision in *Ngai Tai ki Tamaki*.
5. The Authority agrees that the four proposals put forward by the PCE will help to address environmental pressures, but that these are only some of the actions needing to be taken.
6. The Authority agrees with the principles informing debate on future specific tourism policy proposals:
 - Tourism should be treated much the same as any other sector of the economy.
 - The wishes of mana whenua and communities should be a key input into decision-making about tourism developments.
 - Tourists and tourism businesses should pay for the cost of services they use and their environmental impacts.

Addressing tourism-related aviation emissions

Proposal 1 - Introduction of a distance-based departure tax

7. The Authority supports the recommendation to introduce a distance-based departure tax to account for the environmental cost of flying.
8. The Authority recommends that consideration is given to incorporating the International Visitor Levy (IVL) into the proposed departure tax, in order to reduce the costs associated with administering the tax.

9. The Authority recommends that the IVL is extended to include currently excluded nationalities (Australians and Singaporeans), which would result in increased revenue for New Zealand conservation and tourism infrastructure.
10. The Authority supports a distance-based departure tax applying to all outbound travellers, including New Zealanders departing Aotearoa. However, departing New Zealanders should not be charged for the IVL portion of any combined tax, as New Zealanders already fund conservation and tourism infrastructure via general taxation.
11. The Authority supports using revenues from the proposed departure tax to invest in the research and development of low-carbon aviation technology, and to support our Pacific neighbours in adapting to the impacts of climate change.
12. The Authority advocates for consideration to be given to ensuring investment in research and development is primarily targeted at New Zealand-based, rather than international, initiatives.

Proposal 2 – Plurilateral agreement

13. The Authority supports New Zealand taking a leadership role in establishing a coalition of other countries willing to take an ambitious approach to addressing emissions from international air travel.

Government tourism funding through a sustainability lens: Introducing environmental and social conditionality

14. The Authority agrees that, in the past, Government funding of tourism has been focused on accommodating tourism growth and improving the visitor experience, rather than on addressing community or environmental concerns. This needs to change.
15. The Authority supports the proposal that any future government funding of tourism related infrastructure should be conditional on:
 - Meeting high environmental performance standards, including in terms of design and procurement.
 - Alignment with the vision of tourism that residents, mana whenua and local businesses have expressed through genuine community-owned and developed destination management plans.
16. The Authority agrees that international visitors should make a greater contribution to the infrastructure that supports them (including on public conservation land), and to the protection of the environment that attracts them to Aotearoa. New Zealanders should not be subsidising the services used by international visitors or the environmental costs they impose.
17. The Authority agrees that past efforts to better accommodate tourism growth through seasonal spread of tourist arrivals, attracting a larger percentage of higher value tourists, and dispersal of tourists from hotspots, have been of debatable efficacy.
18. The Authority is concerned that efforts to disperse tourists to reduce social and environmental pressure at popular locations and for regional development, has spread the burden of tourism elsewhere without mitigating the social and environmental costs

in any meaningful way. Spreading the load geographically may also mean that it takes longer for effects on the environment to be noticed.

19. The Authority strongly advocates that consideration needs to be given now to determining what number of international visitors New Zealand wants in the future and what proportion of our economy should be generated by the tourism sector. The Authority supports Aotearoa undertaking such mahi now to determine a desired cap on tourist numbers, recognising the environmental externalities associated with resource use, emissions, noise generation and crowding.
20. The Authority supports consideration of whether the Government should continue to fund tourism marketing campaigns aimed at attracting visitors to Aotearoa, or whether such funds should be diverted to messaging around visitors helping to care for and protect Aotearoa's unique natural and cultural heritage.
21. The Authority supports development of community-owned destination management plans as a useful way of determining what tourism is wanted locally and to address environmental and social concerns.
22. The Authority strongly supports the enforcement of limits where they exist in statutory plans (e.g. Milford Sound daily limits).
23. The Authority does not support the over-allocation of concessions on the conservation estate by the Department where quantitative caps have been determined.

Protecting wilderness and natural quiet in public conservation lands and waters

24. Conservation legislation already exists that both enables and mandates the Department to protect the taonga species, natural and cultural heritage, and intrinsic values of the national parks and public conservation land of Aotearoa. The implementation of this conservation legislation, including the protection of wilderness and natural quiet, is the primary concern of the Authority. The proposed actions to address loss of wilderness and natural quiet will be vital to ensuring the Department is fulfilling its mandate.
25. The Department's prioritisations are clearly relayed in section 6(e) of the Conservation Act 1987. The Department is mandated to administer the Act "to the extent that the use of any natural or historic resource for recreation or tourism ***is not inconsistent with its conservation***" [emphasis added]. The functions of the Department are clear, to manage PCL for conservation purposes, fostering use and allowing for tourism where these activities are in harmony with conservation. The Authority recommends that the Department sincerely assess its management of public conservation land in line with its mandate.
26. The Authority supports the view that the Department needs to re-engage with both the letter and spirit of the legislation that governs management of conservation lands and waters. The planned reform of conservation legislation will offer opportunities to better account for cumulative effects and explore access limits.
27. The Authority strongly encourages the Department to better understand and utilise the full range of existing tools at its disposal. Implementation and enforcement of existing tools should be non-negotiable, especially considering that, in many cases the Department has a legal obligation to do so.

Proposal 1 – Concessions

28. The Authority agrees that when granting concession applications, the Department should use its ability to prevent, limit or impose conditions on activities that generate significant noise pollution and detract from the tranquillity and wildness of a place.
29. The Authority supports the need for more stringent environmental conditions being applied to concessionaires.
30. The Authority agrees the Department needs to be open to the possibility that some activities (individually or in cumulation) are simply inconsistent with the values that require protection.
31. The Authority agrees tourism concessionaires should pay a fair market rate for operations on public conservation lands and waters. The Authority considers that some concessionaires, including those sizable and well-established operators, are continuing to pay less than market value. This needs to change.
32. The Authority supports a review of the process for allocating concessions, taking into account recent legal challenges. The option to consider tenders for concessions should be part of this review and, in principle, the Authority supports the use of tender processes as an effective means of ensuring fair market return.
33. The Authority notes that, while effective, tender processes may be inconsistent with section 4 of the Conservation Act 1987 in some cases, particularly following the Supreme Court's decision in *Ngāi Tai ki Tamaki*.
34. In addition, where tourism operations require high investment in buildings and infrastructure, and involve resource management consents in addition to concessions, other means of establishing fair market return than a tender process may be required when reviewing concessions.
35. The Authority agrees that amendments should be made to the Civil Aviation Act 1990, requiring the Minister of Transport to take into account requests from the Authority, the Department, or Conservation Boards for controls on scenic overflight activity above conservation lands and waters. The Department currently has little influence in this space, despite its role in protecting wildness and natural quiet.

Proposal 2 – Rationing

36. The Authority considers that the rationing of access to public conservation lands and waters will require an organisational and cultural shift, both internally and externally to the Department.
37. The Authority agrees that the Department needs to make greater use of the demand management tools already in existence to ensure that visitor numbers in popular locations are consistent with the preservation of a sense of wildness and natural quiet.
38. The Authority agrees the Government should seek specific amendments to conservation legislation to clarify the Department's ability to limit visitation and to develop a set of tools the Department can use to ration access to protect the environment and visitor experience.
39. The Authority supports rationing access through implementing booking systems where this is needed to protect the environment and quality of the visitor experience.
40. The Authority supports free access for New Zealanders to conservation lands and waters *to the extent that it is not inconsistent with its conservation*.

41. The Authority agrees with charging for use of facilities on the conservation estate and differential charging for domestic and international visitors.

Stronger requirements for self-contained freedom camping and improved oversight of certification

42. The Authority supports the Government review of legislation governing freedom camping and introducing stronger requirements for self-contained vehicles.
43. The Authority agrees with the introduction of national oversight of a strengthened certification process and the setting up of an accessible online database.
44. The Authority agrees more attention needs to be given to the inadequate toilet facilities that are present in some vehicles certified as self-contained and that they should have separate holding tanks for both grey and black water. Improper disposal of grey water can cause significant damage to fragile ecosystems and leads to increases in rodent populations.
45. The Authority supports the development of enforcement tools available to councils and the Department, that provide an effective deterrent to undesirable camping behaviour and enable an effective mechanism for the recovery of penalties for non-compliance. Enforcing compliance will be required to make a significant difference.
46. The Authority supports requiring vehicle rental agencies to play an expanded role in the collection of fines.
47. The Authority will be making a submission on the changes to freedom camping legislation proposed in the MBIE discussion document: *Supporting sustainable freedom camping in Aotearoa New Zealand*.