

Draft General Policy National Parks Act

AUGUST 2003

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You or your organisation are invited to make a written submission on this draft statement of General Policy.

The closing date for submissions is Friday 19 December 2003.

You are encouraged to make your submission using the submission form provided in the Fact Sheet on General Policy accompanying this draft statement. Please make your submission specific to particular policies if possible. Please send your submission to:

General Policy Project
Department of Conservation
PO Box 10-420
Wellington
or email to:
generalpolicy@doc.govt.nz

Please ensure that your submission on this draft statement applies to the National Parks Act General Policy. A separate draft statement of General Policy for the Conservation Act and related legislation has been released for public comment at the same time as this draft General Policy (see accompanying Fact Sheet). *If you wish to comment on **both** draft statements of general policy, you are encouraged to make separate submissions* to avoid any confusion about which draft statement you are referring to. If you wish to make the same submission on equivalent policies in each document, you should clearly indicate that that particular submission applies to both general policies. You can do this by repeating or cross-referencing the submission.

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Cover photos: (from left to right) Looking over South Crater, Red Crater and Blue Lake of Mt Tongariro from Mt Ngauruhoe, Tongariro National Park (Rob Suisted/Nature's Pic Images); edelweiss, Mount Aspiring National Park (DOC); trampers, Routeburn Track, Mount Aspiring and Fiordland National Parks (Richard Kennett/DOC); helicopter on Chancellor Dome, Fox Glacier, Westland National Park (DOC); Dolomite Point, Paparoa National Park (Les Molloy/DOC).

Foreword

Over the last eighteen months, the New Zealand Conservation has been working on a revision of the statement of General Policy for National Parks. That operative statement was approved in 1983. The Authority believes that it has worn well and so, in making the decision to work on a revision, it has tried to faithfully retain its intent. The operative statement is well-anchored on the provisions of the National Parks Act 1980 and reflects the special nature of the qualities preserved by national park status and valued by New Zealanders. It has provided a solid framework for the development of national park management plans.

However, since 1983 there have been some significant changes in the in the delivery of conservation in New Zealand. In particular the Crown's conservation management has been combined under one body – the Department of Conservation – and the Conservation Act 1987 has come into force. Additionally, the Crown's relationship with iwi based on the Treaty of Waitangi has evolved, and the demands placed on public conservation lands have changed significantly as tourism has grown and the New Zealand population has become more urbanised. These factors have all contributed to the decision to review the statement of general policy.

The Conservation Act created the planning instrument known as conservation management strategies. These strategies establish objectives for integrated management within the area covered by each strategy. This Act also provides for the establishment of statements of general policy to guide the interpretation and exercise of discretions contained in the Act. Until now such statements have not been developed. It is true to say that the lack of general policy other than for national parks was a hindrance to the efficient and consistent development of conservation management strategies and the cause of frustration for all involved in the development process.

Conservation management strategies have a ten-year life. In December 2001 the previous Minister of Conservation advised the Authority that she had asked the Director-General of Conservation to develop general policy to assist the review of conservation management strategies which will begin in 2004. She asked the Authority to undertake a concurrent review of the statement of General Policy for National Parks so that the scope for synergy between the two policies could be explored, the desired differences of approach reflective of the different legislative streams could be articulated, and both general policies could reflect the legislative and policy frameworks operative in 2003.

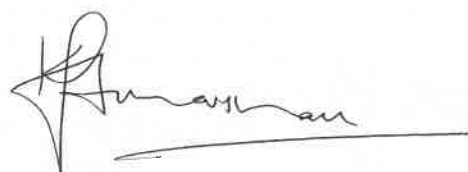
This draft statement of general policy reflects the main principles for the administration of national parks set out in section 4 of the National Parks Act. These are:

- parks are to be preserved "in perpetuity as national parks, for their intrinsic worth and for the benefit, use and enjoyment of the public" and "they shall be preserved as far as possible in their natural state"; and
- "subject to the provisions of this Act and to the imposition of such conditions and restrictions as may be necessary for the preservation of native plants and animals or for the welfare in general of the parks, the public shall have freedom of entry and access to the parks".

Another basic principle we have had to consider, relating to recognition of the Treaty of Waitangi, is imported from the Conservation Act. The principle is that the National Parks Act is to be so interpreted and administered as to give effect to the principles of the Treaty of Waitangi unless there is a clear inconsistency between the provisions of the Act and the principles of the Treaty, in which case the Act prevails.

Clearly the intention of the National Parks Act is that policies should be directed to ensuring an appropriate balance between the preservation of areas that are integral to New Zealand's heritage, and provision for public access to and enjoyment of areas that lend themselves to recreational use. Each park has its own mix of such areas, and in some of them there is greater need for setting apart areas, either to preserve natural values or to allow for public enjoyment. Wilderness and specially protected areas on the one hand and amenity areas on the other are at the extreme ends of the spectrum. The scope for public access and enjoyment of parks will be governed by the particular make-up of each park. However, if parks are to be maintained in perpetuity and added to from time to time, there must be clear public understanding of the reasons for and conditions of any restriction of public access and a constant educational process to stimulate public use and enjoyment of these national assets by keeping people fully informed as what they are and why they are being protected.

The policies that are set out in this statement are directed to the achievement of these broad objectives.



Kerry Marshall
CHAIRPERSON, NEW ZEALAND CONSERVATION AUTHORITY
August 2003

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1. Introduction

He aha ai te whakangungu?

He kura taiao i hokia

Na te Ariki ō Tuwharetoa i tōna wā arā nā Tukino Te Heuheu i tuku a Tongariro hai tuatahi o ngā *Tāpui Rohe whenua ā iwi mō Aotearoa*, āe rā mai i tērā wā ki tēnei, hihiko ana tē mīharo me te pārekereka mō enei tāonga tuku iho e manakotia nei e te maha tangata hai matanā mō te mātakitaki, me te hākinakina ā whatumanawa ā tapuwae. Tāpiri atu ki te mīharo, arā e kore e tāea te karo i te mahara ki ngā tikanga mō te tiaki i enei tāonga i ahu mai i ō tāua tīpuna i whakapapatia e rātou ki roto i te ngākau tangata hai pupuri i te mana, te mauri, me te wairua ō ngā aitanga ā *Te Ira Atua* hai tū hāngai atu ki te toi ō te *whakaute*, te *manaaki me te tiaki* i enei rawa mo inaianei ā mō ake tonu ake.

From the time Te Heuheu Tukino gifted Tongariro to the nation right up to the present, people venture into this and other special landscapes for many reasons. The Māori view of these journeys is the affirmation of the linkages between the natural landscapes, with the spirit, that is, with *tapu*, *mauri*, *mana*, and *wairua*. These components are the very essential elements for nurturing, conserving and protecting these most special of places.

Why preserve?

He kura taiao e hokia

'A treasured home will always be revisited'

We preserve and care for places and species because we value them. Their qualities are such that we may be inspired by their beauty, moved by a connection felt with lands or waters, animals or plants, or struck by the intricacies, power and enchanting qualities of living systems.

Many of our species of flora and fauna are unique to New Zealand. They are the inspiration for our national icons – like the kiwi and the koru – and shape our identity as New Zealanders. However, these islands are vastly changed places when compared with the times before the first humans arrived, and often, preservation has been necessary to prevent the irreparable loss of landscapes or unique flora and fauna. Our coastal and marine waters contain many taonga but are also changing in response to pressures from our own shores or beyond. Ultimately, the act of preservation is a proclamation of how highly we as New Zealanders value the outstanding diversity of treasures that still exist here – from the relatively commonplace to the extremely rare: from kereru to kahikatea forest, mudfish to mangrove, Milford Sound to remote seamount, and from hilltop pa to pioneer backcountry hut.

We also value our protected places by recreating in them. Enjoying public conservation lands and waters is a popular activity for many New Zealanders and overseas visitors, and outdoor recreation is perceived by many to be central to our identity and way of life.

By preserving places or species we are also asserting that nature has intrinsic value, the principle that nature has value in itself, quite separate from any value that humans may ascribe to it. Society is therefore declaring that there are places where nature should be left to continue without unnecessary human interference, modification and control, and that when we visit these places, it should be on nature's terms.

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Why preserve in national parks?

The intrinsic and long-held values of New Zealand's national parks are part of the heritage of all New Zealanders. For tangata whenua, the relationship developed during centuries of close interaction with New Zealand's natural resources continues to sustain the integrity, knowledge and values of their culture. Māori, as kaitiaki of the indigenous biodiversity within their rohe (tribal area), have a customary duty to protect and enhance these qualities. They are also holders of matauranga Māori (traditional knowledge).

National parks are among the most cherished and distinctive of the many areas conserved in New Zealand. By statute, national parks must be:

administer[ed] and manage[d] ... in such a manner as to secure to the public the fullest proper use and enjoyment of the parks consistent with the preservation of their natural and historic features and the protection and well-being of their native plants and animals. (National Parks Act, section 43)

People respond to particular national parks or their features in different ways, at different times in their lives, and experience their benefits differently. For some, the parks are settings for adventure where the sheer joy of physical activity and the deep satisfaction of meeting the challenges of nature on nature's terms can be experienced alone or in the company of friends. For others, they are places of natural quiet, of spiritual significance invoking thoughts of forebears or life forces. To many, the opportunity to see, hear or feel natural New Zealand in a national park is a reinforcement of their identity as a New Zealander, an aesthetic or sensual pleasure and a release from the stresses of life. The power of national park wilderness, scenery, or flora and fauna can inspire creativity in numerous ways. For others, who may no longer be capable of visiting them, there is nevertheless a philosophical or moral satisfaction in knowing that such places exist and will continue to exist.

The experiences that we gain when we visit a national park and other protected places say something to each of us about who we are: as individuals, as whanau or hapū, as families or communities. People of all ages, cultures and backgrounds value highly the opportunity to visit and enjoy national parks. We go to these places for a variety of reasons, whether it be for inspiration, enjoyment and challenge, or escape from the stresses of modern living.

National parks provide us with opportunities to learn about nature and about people's associations with nature; and they help to locate us in our country and connect us to a unique ecological past that pre-dates our time by tens of millions of years. Preserving and restoring such places, and the species within them, helps us to understand the transformation of New Zealand's environment and ecology by our ancestors, and at the same time fulfils a commitment to our children and the generations beyond.

National parks have existed in New Zealand since 1887, when Te Heuheu Tukino and Ngāti Tuwharetoa gifted the summits of the volcanoes of our first national park – Tongariro National Park – to the nation. Since that time national parks have grown in number, area and status. As a people, we look on these places as priceless areas representing our natural heritage, and part of the nation's birthright which must be protected for future generations to treasure and enjoy. This expectation is expressed in the purpose statement of the National Parks Act:

... preserving in perpetuity as national parks, for their intrinsic worth and for the benefit, use, and enjoyment of the public, areas of New Zealand that contain scenery of such distinctive quality, ecological systems, or natural features so beautiful, unique, or scientifically important that their preservation is in the national interest.
(National Parks Act, section 4)

New Zealanders are proud of their natural, cultural and historic heritage and see their national parks as vitally important in global terms. Indeed, national parks have a world-wide status, signifying those landscapes and natural ecosystems which a nation considers among its best. The World Conservation Union (IUCN) has always included the entity of 'national park' as one of the most important of its protected area categories, considering them to be relatively large natural areas of land or sea, with three main purposes:

- to protect the ecological integrity of indigenous ecosystems for future generations;
- to exclude exploitation and occupation harmful to these ecosystems; and
- to provide opportunities for spiritual, scientific, educational and recreational activities.

The IUCN lists more than 2,200 national parks in about 160 different countries. New Zealand's 14 national parks (in 2002) are highly regarded internationally for the quality of their natural features, the standard of their management, and for the commitment of the New Zealand public towards their protection.

1.1 WHY PREPARE A GENERAL POLICY?

Section 44 of the National Parks Act 1980 provides for the development of general policy that gives both direction and guidance to conservation managers and communities on how to preserve and protect these special protected areas and the species in them. In particular, the purpose of this statement of general policy is to implement the National Parks Act and to provide consistent national direction for national parks administration through conservation management strategies and individual national park management plans. It guides the interpretation of the National Parks Act to allow decision-makers and managers to reflect the Act's preservation purpose, to make balanced choices, and to evaluate the conflicting demands of users.

General policy has a very significant influence on national park management. Section 43 of the National Parks Act requires the Department of Conservation, subject to the Act, to administer and manage all national parks in accordance with any statement of general policy for national parks and any conservation management strategy and management plan in force in respect of a park. Those policy and planning documents have a hierarchy that derives from linked requirements in the National Parks Act and the Conservation Act 1987. Specifically:

- one of the principal purposes of a conservation management strategy is to implement general policies approved under (among others) the National Parks Act (section 17D(1), Conservation Act);
- a conservation management strategy cannot derogate (i.e. detract) from any such general policy (section 17D(4), Conservation Act); and
- in turn a management plan for a national park cannot derogate from any relevant conservation management strategy for the area in which the national park is located (section 44A(2), National Parks Act).

The effect of these requirements is that the management plan for a national park (which provides for the management of that park in accordance with the National Parks Act – section 45(2)) has to be consistent with the general policy for national parks. The plan cannot say anything which is contrary to the general policy. If a course of action is proposed or an issue arises on which a national park management plan is silent the general policy (as well as the Act and the conservation management strategy) will still need to be taken into account for any direction or guidance it gives on the matter.

The relationship between general policy, the National Parks Act, the Conservation Act and other conservation legislation, and other statutory and non-statutory policies and strategies, is shown diagrammatically in Figures 1 and 2.

This statement of general policy is a revision of existing general policy (dating from 1983) under the National Parks Act. It stands alongside and is consistent with general policy established separately under the Conservation Act and related legislation (see 1.2 below). Further discussion of the linkages between conservation management strategies and national park management plans is in 1.2 below.

The decision to revise the general policy for national parks was made by the New Zealand Conservation Authority (referred to as 'the Authority') in December 2001 under section 44 of the National Parks Act, which states that:

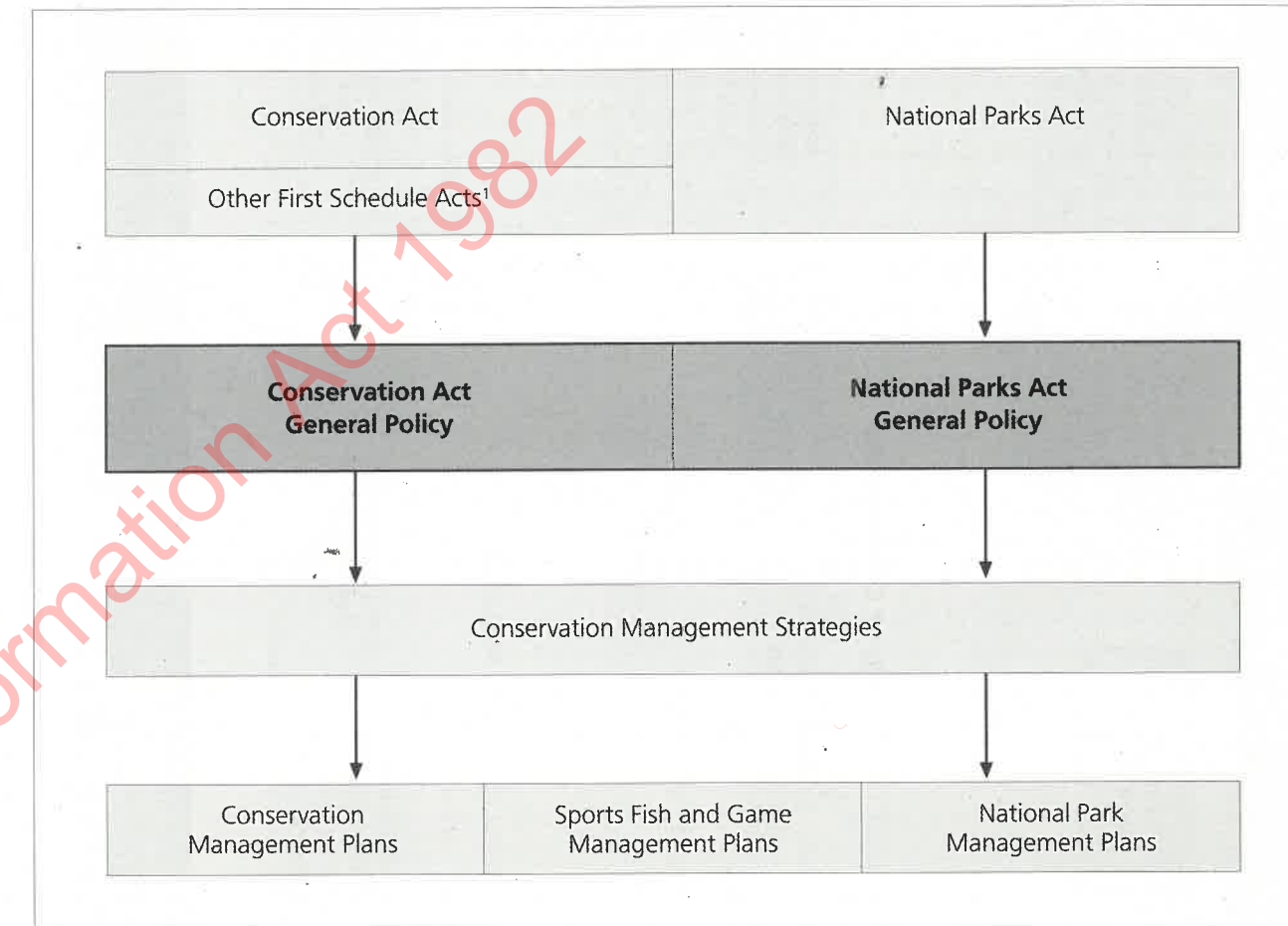
- The Authority may adopt statements of general policy for national parks and amend such statements so that they are adapted to changing circumstances or in accordance with increased knowledge (section 44(1)).
- Every statement of general policy shall be prepared initially in draft form by the Director-General of Conservation in consultation with the Authority (section 44(2)).

This statement of general policy retains the essence of the existing National Parks Act General Policy. It focuses on durable desired outcomes for the management of national parks. The general policy avoids undue prescription in terms of how those outcomes will be achieved so that managers can adjust their operations in light of new technology and resources. It sets broad priorities, while avoiding establishing specific timelines (given that the rate of achievement of priorities will depend on availability of resources and changes in technology).

The rest of this chapter describes:

- 1) the legislative and administrative context for this statement of general policy;
- 2) the framework for management for the general policy derived from functions set out in the main themes of the legislation;
- 3) an introduction to the unifying concept of integrated conservation management; and
- 4) a guide to the interpretation of policies.

Figure 1: General Policy Statutory Framework

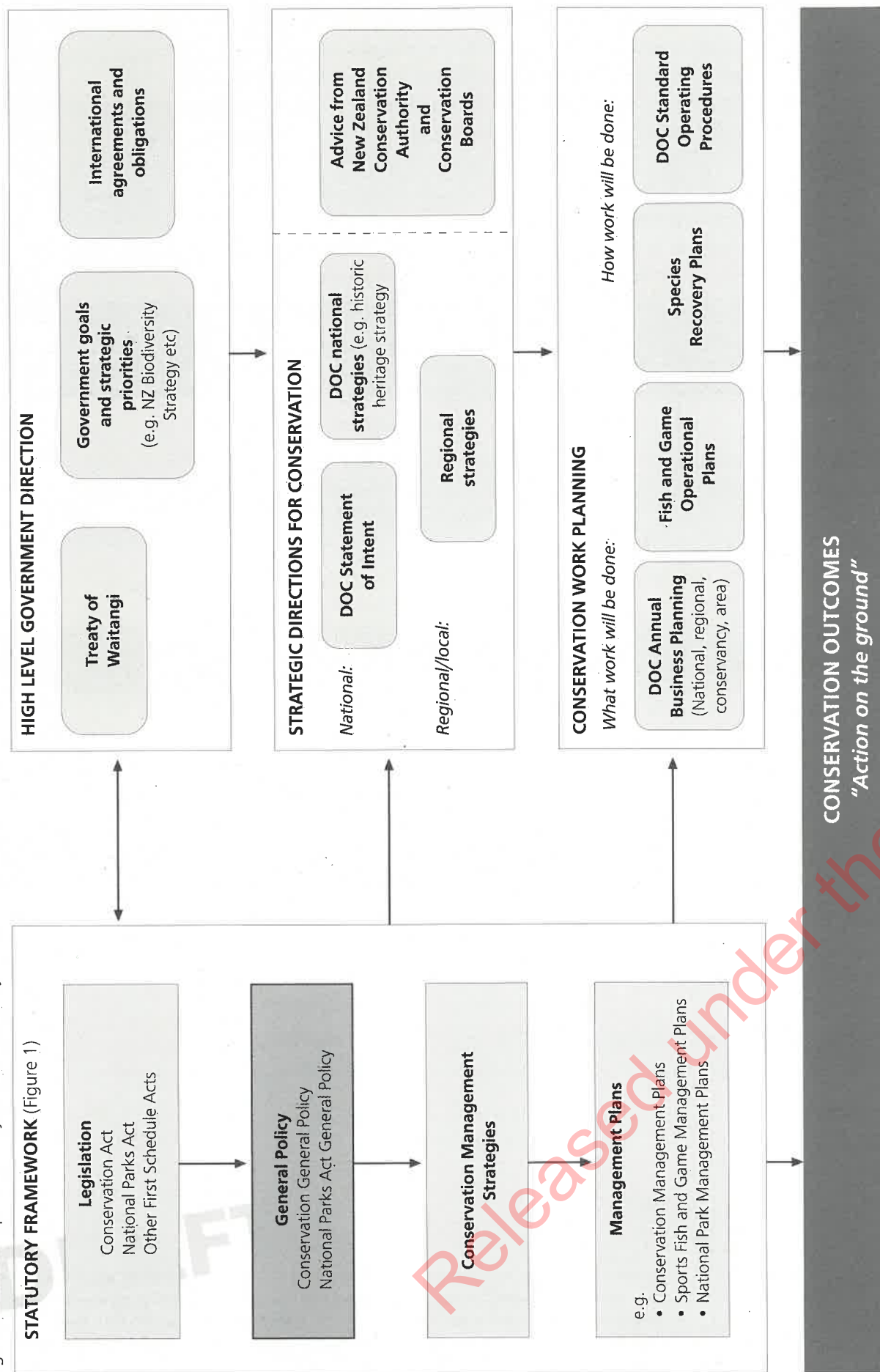


¹ As well as the National Parks Act, a number of the Acts listed in the First Schedule of the Conservation Act make provision for general policy and are covered by the draft statement of general policy for the Conservation Act. These Acts are: the Wildlife Act 1953, the Marine Reserves Act 1971, the Reserves Act 1977, the Wild Animal Control Act 1977 and the Marine Mammals Protection Act 1978. They are referred to in Figures 1 and 2 as 'Other First Schedule Acts'.

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Figure 2: Relationship of Statutory and Non-statutory Conservation Frameworks



1.2 LEGISLATIVE AND ADMINISTRATIVE BACKGROUND

New Zealand's first national park legislation was the Tongariro National Park Act 1894, which legally established the gifting in 1887 of the summits of the Tongariro volcanoes from Ngati Tuwharetoa to the Crown. The National Parks Act 1952 was New Zealand's first comprehensive national park legislation. It replaced the Public Reserves, Domains, and National Parks Act 1928, and consolidated several pieces of legislation on individual national parks and reserves (previously administered by a number of park boards and government departments). The 1952 Act provided for the establishment of national parks with a clear identity separate from other reserves. This Act was then replaced by the National Parks Act 1980.

The reform of environmental administration in 1986 and 1987 led to the passage of the Conservation Act 1987. This Act created the Department of Conservation (referred to as 'the Department'), which was allocated conservation functions, including the administration of national parks. The Conservation Act replaced some existing legislation, but the National Parks Act 1980 was retained. The general policy provisions of the National Parks Act were continued, along with the requirement for national park management plans. There is a hierarchical relationship between the national park general policy, conservation management strategies and national park management plans (see 1.1 above and Figure 1). Conservation management strategies implement general policies and establish integrated management objectives, while national park management plans provide for the management of parks in accordance with the National Parks Act.

Where the Conservation Act did not replace existing legislation such as the National Parks Act, it nevertheless provided an 'umbrella' under which the other legislation continued to operate. For example, the Conservation Act provision relating to giving effect to the principles of the Treaty of Waitangi (section 4) applies to all of the other Acts, provided those principles are not clearly inconsistent with the provisions of those Acts. Application of section 4 therefore enables the integration of Treaty considerations into much of the work of the Department, including the management of national parks under the National Parks Act.

The Authority and regional Conservation Boards are statutory bodies that provide advice to the Minister of Conservation and the Director-General of Conservation regarding the management of conservation areas (specifically including national parks), conservation policy, and the activities and responsibilities of the Department. Specific responsibilities of the Authority and/or Boards relate to the development, approval and implementation of general policy, conservation management strategies and management plans, including national park management plans. The activities of the Authority and Boards reflect the long-term practice in New Zealand of formalised public involvement in conservation, with membership of the Authority and Boards being largely on the basis of public nominations.

Other agencies have statutory management roles in national parks. Under the Resource Management Act 1991 regional councils and unitary authorities have responsibilities for the management of air, fresh and coastal waters, soil and natural hazards. These responsibilities also apply within national parks, but are not covered by this statement of general policy. Regional Fish and Game Councils (established under Part VA of the Conservation Act) have specific responsibilities to maintain, enhance and manage the sustainable use of sports fish and game species and to promote the maintenance and enhancement of the habitat on which those species depend. These responsibilities extend to national parks, subject to legislation and general policy.

Consistency between general policy statements

It is desirable for the Conservation Act and National Parks Act general policy statements to be consistent, subject to differences in the provisions of the legislation.

Several factors encourage this consistency:

- Conservation management strategies apply to all public conservation lands and waters within a region, including national parks.
- Conservation management strategies must implement general policies under both the Conservation Act and the National Parks Act, and may not derogate from either general policy. Similarly, conservation management plans must not derogate from general policy.
- A management plan must be prepared for each national park and must not conflict with the relevant conservation management strategy.
- Conservation Act and National Parks Act general policies, conservation management strategies and national park management plans are administered by a single agency.

1.3 FRAMEWORK FOR GENERAL POLICY

The following framework is derived from the legislation and guides the interpretation and implementation of this statement of general policy.

The *primacy of the overall preservation purpose* in the National Parks Act is expressed in the first statement below. The next two statements refer to *ways by which this purpose is achieved*. They refer respectively to the legislative requirement to give effect to the principles of the Treaty of Waitangi provided these principles are not clearly inconsistent with the provisions of the legislation, and to the need to actively seek public involvement in national park management. The next three statements refer more specifically to the *outcomes sought in national parks management*, in respect of natural, cultural and historic heritage, and people's enjoyment.

There is a hierarchy of these outcomes in the National Parks Act, with the preservation of native plants and animals and the welfare of the parks having primacy over people's enjoyment and use of national parks.

1. The overall purpose of national parks is preservation

Section 4(1) of the National Parks Act describes the purpose of national parks:

... the provisions of this Act shall have effect for the purpose of preserving in perpetuity as national parks, for their intrinsic worth and for the benefit, use, and enjoyment of the public, areas of New Zealand that contain scenery of such distinctive quality, ecological systems, or natural features so beautiful, unique, or scientifically important that their preservation is in the national interest.

2. Give effect to the principles of the Treaty of Waitangi

Section 4 of the Conservation Act provides that:

... this Act shall so be interpreted and administered as to give effect to the principles of the Treaty of Waitangi.

The Court of Appeal has held³ that section 4 of the Conservation Act 1987, and all the Acts listed in its First Schedule, must be interpreted and administered to give effect to the principles of the Treaty of Waitangi. Where, however, there is clearly an inconsistency

² Conservation Act, section 17D(4) (conservation management strategies); National Parks Act, section 44A(2) (national park management plans).

³ Ngāi Tahu Maori Trust Board v Director-General of Conservation [1995] 3 NZLR 553 (the "Whales" case).

between the provisions of any of these Acts and the principles of the Treaty, the provisions of the relevant Act will apply. This case is therefore relevant to the administration of the National Parks Act. Specific provisions in Treaty settlements and associated legislation may also be relevant. The consequence of the implementation of Treaty principles by the Department and other agencies with statutory powers under the Conservation Act and related legislation (including the National Parks Act), is that tangata whenua as a Treaty partner have an acknowledged role in statutory and administrative processes and an evolving range of partnership arrangements with the Department.

3. Involve the public in the management of national parks

Conservation legislation places emphasis on public involvement in policy development at all levels, and on the rights of the public to know and understand the policies that are being followed. Public involvement is augmented by statutory rights of submission and objection. Proposals for the establishment of new national parks, the setting aside of wilderness areas and amenities areas within national parks, and for significant additions to national parks, are all subject to public consultation processes. A public consultation process also forms part of the development of management plans for each national park. In addition, there are a wide range of opportunities by which the public can become involved in the on-the-ground management of national parks.

4. Nature conservation in national parks involves preservation in a natural state

The National Parks Act provides that, having regard to the general purposes (specified in 1 above), national parks shall be administered and maintained so that:

They shall be preserved as far as possible in their natural state. (section 4(2) (a))

and

Except where the New Zealand Conservation Authority otherwise determines, the native plants and animals of the parks shall as far as possible be preserved and the introduced plants and animals shall as far as possible be exterminated. (section 4(2) (b))

and

Their value as soil, water and forest conservation areas shall be maintained. (section 4(2) (d))

5. Preserve cultural and historic heritage

The National Parks Act provides that, having regard to the general purposes of national parks (specified in 1 above), national parks shall be administered and maintained so that:

Sites and objects of archaeological and historical interest shall as far as possible be preserved. (section 4(2) (c))

The relationship between 'sites and objects of archaeological or historical interest' and cultural and historic heritage is discussed in the introduction to Chapter 5.

6. Provide for people's benefit, use and enjoyment of national parks

The National Parks Act provides that, having regard to their general purposes (specified in 1 above), national parks shall be administered and maintained so that:

Subject to the provisions of this Act and to the imposition of such conditions and restrictions as may be necessary for the preservation of the native plants and animals, or for the welfare in general of the parks, the public shall have freedom of entry and access to the parks, so that they may receive in full measure the inspiration, enjoyment,

recreation, and other benefits that may be derived from mountains, forests, sounds, seacoasts, lakes, rivers and other natural features. (section 4(2)(e))

This requirement is reinforced by the function set out for the Department to:

... administer and manage all national parks in such a manner as to secure to the public the fullest proper use and enjoyment of the parks consistent with the preservation of their natural and historic features and the protection and well-being of their native plants and animals. (section 43)

There is, however, potential for different visitor benefits to be in conflict, particularly as visitor numbers increase. The desire to experience wilderness in natural quiet can conflict with the desire to make parks accessible to many people including those who need assistance in the form of motorised vehicles or air transport.

The resolution of these conflicting expectations is not easy. National park management will, at times, require the resolution of conflicting interests, while still protecting the special character and natural state of the national park overall. Zoning separate areas within parks, so that different kinds of visitor benefits and uses can be secured at different places, can provide some of the answer. More detailed policies on this issue are provided in the Visitor Benefit, Use and Enjoyment chapter (Chapter 8).

1.4 INTEGRATED CONSERVATION MANAGEMENT

Section 17D of the Conservation Act provides for conservation management strategies to implement general policies and to establish objectives for integrated management of natural and historic resources and for recreation, tourism and other conservation purposes.⁴ The National Parks Act does not use the term 'integrated conservation management' but section 4(2) of the Act refers to natural and historic heritage preservation, animal and plant pests, soil, water and forest conservation, and public use and enjoyment, all within the context of principles to be applied in national parks. This clearly provides a basis for integrated management within national parks that complements those Conservation Act provisions that apply in national parks.

By adopting an integrated conservation management approach within the purposes of conservation legislation, the Department seeks to ensure that all the outcomes sought by the legislation are achieved.

Integrated conservation management involves a number of key considerations:

- integration between different values in a specific place or area (e.g. historic conservation values, natural heritage values and recreational opportunity values), while also taking into account the different values held by stakeholders (e.g. the economic well-being of local communities or cultural values of local iwi);
- integration of management actions, so that one action can be designed to support more than one desired outcome, or several actions can be combined in ways which reduce the cost or increase the effectiveness of each individual action; and
- policies that reflect responsibilities relating to the principles of the Treaty of Waitangi (section 4 of the Conservation Act), provided those policies are not clearly inconsistent with the provisions of the legislation.

Within this statement of general policy, integration and consistency is provided by Policies 1 (a) and 1 (b). General policy provides for an integrated strategic overview to be taken of national parks nationally, as a context for the management planning of individual national parks.

⁴ In this document the concept of integrated management through conservation management strategies is referred to as 'integrated conservation management'.

1.5 INTERPRETATION OF POLICIES

Only policies 1 (a), 1 (b) and the policies set out in Chapters 2–12 have statutory significance under section 44 of the National Parks Act. Introductory text in Chapters 2–12 and this first chapter – apart from Policies 1 (a) and 1 (b) – are for explanatory purposes only.

The policies recognise the need to:

- ensure that the outcome of individual decisions is not pre-judged by restricting the possibilities provided for in the legislation;
- recognise the roles of the Minister of Conservation and the government of the day, and other decision-makers; and
- ensure that the interpretation and application of particular policies are consistent with other policies in this document, and other policies with a bearing on the management of public conservation lands and waters.

With these needs in mind, the following conventions, with respect to the Department implementing policy, have been used in this statement:

- policies where legislation provides no discretion for decision-making state that a particular action or actions 'will' be undertaken;
- policies that provide for strong guidance on decision-making without diminishing the roles of the Minister and other decision-makers state that a particular action or actions 'should' be undertaken; and
- policies specifically intended to allow flexibility in decision-making state that a particular action or actions 'may' be undertaken.

The level of detail included in different policy areas in this statement of general policy varies, depending on issues such as:

- how much direction is already provided in the legislation;
- whether the matter is best addressed at a national or a sub-national level (i.e. through general policy or through conservation management strategies or plans);
- whether the matter involves a statutory decision, or is entirely a management matter; and
- the degree to which providing clear policy is necessary to ensure good conservation outcomes.

In general, other policy, both statutory and non-statutory (Departmental strategies etc), has not been specifically referred to in the general policy. However, existing policy documents of this type that have been drawn on in this statement of general policy are listed in Appendix 1, and their consideration where appropriate is provided for in Policy 1 (b).

A key non-statutory policy is the New Zealand Biodiversity Strategy (NZBS)⁵ developed by the government as part of its commitments to the international Convention on Biological Diversity (1993). The strategy sets out an agreed government policy for the conservation of indigenous biodiversity and was developed after wide public consultation. The achievement of the NZBS's goals that are the responsibility of the Department of Conservation take place within the legislative framework of the Department. The NZBS's goals influence policy direction and priorities within the legislative framework. Some of the goals of the NZBS are cited specifically within this statement of general policy.

⁵ Department of Conservation and Ministry for the Environment 2000. *The New Zealand Biodiversity Strategy: Our Chance to Turn the Tide/Whakakohukihukitia Te Tai Roroku Ki Te Tai Oranga.*

POLICIES

- 1 (a) All policies in this statement of general policy will be interpreted and applied consistently with all other policies in the statement.
- 1 (b) All statutory and non-statutory policies with a bearing on the management of public conservation lands and waters should be considered and applied where appropriate.

2. Treaty of Waitangi Responsibilities

The Conservation Act 1987, and all the Acts listed in its First Schedule, including the National Parks Act, must be interpreted and administered so they give effect to the principles of the Treaty of Waitangi (section 4, Conservation Act). Where, however, there is clearly an inconsistency between the provisions of any of these Acts and the principles of the Treaty, the provisions of the relevant Act (e.g. the National Parks Act) will apply.⁶

Effective partnerships with tangata whenua can achieve enhanced conservation of natural and cultural values in national parks. Tangata whenua responsibilities to these values are embodied in the principle of kaitiakitanga. Kaitiakitanga is a spiritual and environmental ethos that governs tangata whenua responsibilities for the care and protection of mauri, the dynamic life principle that underpins all biodiversity. Kaitiakitanga includes components of protection, guardianship, stewardship and customary use. It is exercised by tangata whenua in relation to ancestral lands, water, sites, resources and other taonga. The focus of kaitiakitanga is manāki (care) and rahui (protection).

There has now been considerable jurisprudence on the Treaty of Waitangi and its principles, and the scope of the duties the Treaty imposes on the Crown. Interpretations continue to evolve. Recognising this, yet needing to be able to apply the principles of Treaty to its ongoing work, the Department has developed the following guiding principles which have been framed in relation to the areas and resources it administers.

- Partnerships which are appropriate to local circumstances and are based on reasonable co-operation and utmost faith are recognised and built.
- Conservation legislation is implemented and the Department works efficiently and effectively to achieve conservation outcomes for the benefit of all citizens.
- All citizens have equality of treatment and the privileges and responsibilities of citizenship in accessing natural, historical and recreational resources managed by the Department and in participating in the process of conservation management.
- The exercise by tangata whenua of traditional authority over their land, resources and other taonga is recognised.
- The exercise by tangata whenua of their customary duty as kaitiaki over their land, resources and other taonga according to tikanga is recognised.
- The interests of tangata whenua in the land, resources and other taonga managed by the Department or affected by the Department's work, are actively protected in co-operation with tangata whenua.
- Decisions are informed and have regard to the interests and needs of tangata whenua in respect to the land, resources and other taonga managed by the Department or affected by the Department's work.
- The Crown's duty to remedy past breaches is supported and actions which would create future Treaty breaches are avoided.

⁶ Ngai Tahu Maori Trust Board v Director-General of Conservation [1995] 3 NZLR 553 (the "Whales" case).

The way these guiding principles are applied will depend on the particular circumstances of each case including the statutory conservation framework and the significance to tangata whenua of the land, resource or other taonga in question. These guiding principles are closely inter-related and should not be considered in isolation.

POLICIES

The following policies implement these guiding principles, and apply as far as is consistent with the relevant conservation legislation in any particular case. The Department's management programmes, systems and methods should be consistent with its responsibilities under section 4 of the Conservation Act.

- 2 (a) Relationships for conservation outcomes will be sought and maintained with tangata whenua. They should be based on mutual good faith, co-operation and respect.
- 2 (b) Appropriate partnership arrangements for conservation outcomes should be sought with tangata whenua whose rohe encompasses any national park or part of a national park, to recognise mana and enhance the management of national parks. Such partnerships will be appropriate to local circumstances and may span a spectrum of forms.
- 2 (c) Where appropriate, protocols and agreements with tangata whenua should be negotiated and implemented to support relationships and partnerships.
- 2 (d) Consultative procedures with tangata whenua should be put in place. Tangata whenua views will be considered in formulating national park management policies and on specific proposals that involve areas or resources of spiritual, historical and cultural significance to them.
- 2 (e) Tangata whenua involvement and participation in conservation activities in national parks will be encouraged.
- 2 (f) The non-commercial customary use of traditional materials and indigenous plants and animals⁷ may be allowed, consistent with the management plan for the national park. The species involved and the ecological impact of use will also be considered in determining whether such use may be allowed. The views of tangata whenua should be sought and had regard to.
- 2 (g) Interpretive material and public information, in consultation with tangata whenua, should use Māori place and species names, make appropriate use of te reo Māori, and, where appropriate, draw attention to tangata whenua values.
- 2 (h) The Department will seek to avoid actions which would create a grievance or prevent the redress of Treaty claims. In relation to its statutory functions, powers and obligations, the Department will participate in and implement relevant Treaty claims settlements, and, in the case of possible Treaty breaches brought to its attention, will work with affected parties to seek solutions.

⁷ This excludes freshwater fish, which are dealt with separately in Chapter 4.3.5

3. Public Participation in National Parks

New Zealanders are strong advocates for, and supporters of, legislation and policies that protect New Zealand's natural, cultural and historic heritage, including national parks. This concern and active interest is recognised and protected in conservation legislation through various provisions for informing, consulting with and actively involving communities and interested individuals and organisations.

Communities, interested individuals and organisations all have knowledge, enthusiasm and commitment, as well as practical skills, which they are prepared to share to ensure the ongoing protection of national parks. This support is vital as the conservation task is large. Effective partnerships with communities can achieve enhanced conservation outcomes.

Those with a particular interest in national park management include Māori as the Crown's Treaty partner⁸, neighbouring landowners and managers, industry and business organisations, concessionaires, contractors, scientists, government agencies, local authorities, conservation and recreation groups, and a diverse range of visitors and volunteers.

Each of these groups has different perspectives, priorities and levels of interest. Their views need to be gathered and taken into account when formulating policies and plans and carrying out conservation activities in the field. Maintaining good working relationships is important for long-term conservation outcomes, even if specific interests cannot always be satisfied or all proposed projects supported.

Public participation in conservation decision-making occurs in a number of ways. Members of the public can nominate and be appointed as members of the Authority and conservation boards. These were established to provide, among other functions, an independent stream of advice to the Minister of Conservation and the Director-General. The public are also entitled to comment on draft statements of general policy for national parks, draft management plans for national parks, proposals for new national parks or park additions, some concession applications and a range of other draft conservation policies that may affect national parks.

Members of the public are also involved in a variety of voluntary practical roles in national parks, ranging from hut warden duties and restoration tasks, to fundraising. As well as the direct conservation benefits of these activities, this is a very effective way for many people to gain a greater understanding of conservation and conservation management.

General awareness and educational activities provide information that increases the knowledge and interest of the public in national parks, and support for their management.

⁸ As discussed in the previous chapter.

POLICIES

- 3 (a) Appropriate forms of public participation will be invited in statutory management planning processes.⁹ Relevant information will be made available to facilitate public input into planning processes.
- 3 (b) Interested or affected individuals, organisations and experts will, where appropriate, be approached directly for their views on specific proposals.
- 3 (c) Relationships for conservation outcomes should be developed and maintained with appropriate individuals and organisations.
- 3 (d) Partnerships with groups or individuals may be developed where appropriate to local circumstances.
- 3 (e) Active involvement and participation in conservation activities should be encouraged. All work carried out by volunteers will meet appropriate standards, and volunteers will be managed according to relevant legislative requirements.
- 3 (f) Volunteer work opportunities should include activities that are designed to increase awareness of conservation values, issues and management.
- 3 (g) Information, advice, and technical support may be provided to community groups wishing to undertake conservation projects within national parks. If proposed projects for which support is sought are considered to be of low priority, groups should be encouraged to undertake higher priority projects, or to look for alternative projects.

4. Nature Conservation

National parks are to be 'preserved in perpetuity' as:

... areas of New Zealand that contain scenery of such distinctive quality, ecological systems, or natural features so beautiful, unique, or scientifically important that their preservation is in the national interest. (National Parks Act, section 4(1))

These values of New Zealand's national parks are part of the heritage of all New Zealanders. The preservation of national parks for the purposes of the National Parks Act can be described as 'nature conservation'. Nature conservation is integral to the purposes of national parks, and a focus on intrinsic values and indigenous plants and animals is appropriate under the Act. This is narrower than the concept of 'conservation of natural resources' as defined in the Conservation Act and used in the statement of general policy under that Act.

Many of the natural features which give New Zealand an international reputation as islands of outstanding scenery, dynamic landforms and unique plants and animals lie wholly or in part within national parks – the volcanoes of Tongariro National Park, the Pancake Rocks near Punakaiki in Paparoa National Park, the great Alpine Fault and Southern Alps/Ka Tiritiri o te Moana in Westland/Tai Poutini National Park and the alpine flora of Fiordland National Park. Among our national parks, national reserves and other large protected areas that are of international conservation significance, three have been designated by UNESCO as natural World Heritage sites because of their 'outstanding universal value' for nature conservation. In 2002, New Zealand World Heritage Sites included Te Wāhipounamu (South-West New Zealand, incorporating Westland/Tai Poutini, Mount Cook, Mount Aspiring and Fiordland National Parks and other public conservation lands), Tongariro National Park, and the New Zealand subantarctic islands.

National parks are a very important part of New Zealand's terrestrial and freshwater protected areas network. The ecosystems in national parks benefit from a high level of protection and public commitment to their preservation. Because of their size and diversity they will always be key places where much of New Zealand's terrestrial and freshwater biodiversity is maintained.

Policies in this chapter apply principally to terrestrial and freshwater habitats, ecosystems and species. Historically, effort towards the conservation and protection of the marine environment has lagged far behind that of the terrestrial environment. There is no provision in the National Parks Act for protection of marine ecosystems. However, where national parks are adjacent to protected marine areas, the principles of integrated conservation management suggest that the full 'mountains to sea' range should be managed as far as practicable so that ecological systems and natural features in land, freshwater and marine environments are preserved.

⁹ Specific statutory requirements for public consultation are described in the Act.

Biodiversity conservation in national parks

National parks are to be 'preserved as far as possible in their natural state' (National Parks Act, section 4(2)(a)). Except where the Authority otherwise determines:

... the native plants and animals of the parks shall as far as possible be preserved and the introduced plants and animals shall as far as possible be exterminated. (National Parks Act, section 4(2)(b))

This means that the ecological values (terrestrial and freshwater) of the parks should be maintained and restored, and the threats to them should be eliminated, where possible. The New Zealand Biodiversity Strategy also addresses the conservation needs of those native plants and animals, the variety of which contributes to what is now commonly referred to as 'indigenous biodiversity'. National parks have a vitally important role to play in the implementation of the strategy.

For the great majority of species, it is not practicable to address their needs directly within individual species management programmes, particularly for the very large number of indigenous invertebrates and soil organisms. Consequently, the maintenance and restoration of a full range of natural ecosystems will be the prime means of conserving these species. The natural ecosystems protected within national parks provide an important part of this full range.

Scope of nature conservation policies

The policies that follow in 4.1 to 4.3 cover the range of nature conservation activities undertaken in national parks. These include:

- the preservation of geological and landform features and natural landscapes (4.1);
- maintaining ecosystem services (4.2); and
- ecological management, including the protection and management of terrestrial and freshwater ecosystems, and the indigenous species in these habitats, biosecurity and pest management (4.3).

Chapter 6 includes policies relevant to nature conservation in new national parks, additions to, and special areas within, national parks.

4.1 GEOLOGICAL FEATURES, LANDFORMS, SOILS AND NATURAL LANDSCAPES

National parks contain many significant geological, landform and soil features. As integral parts of the natural ecosystems of national parks these features provide the habitats in which plants and animals live. Additionally, geological features and landforms are important for nature conservation in their own right because they contain much information about the evolution of New Zealand's plants, animals, habitats and landscapes during millennia of geological and climatic fluctuations, while soils form the habitat of the largest part of our indigenous terrestrial biodiversity (a huge range of soil invertebrates, fungi and micro-organisms). New Zealand's geographic position at the juncture of two of the world's major crustal plates is responsible for its dynamic tectonic environment with spectacular and geologically youthful landscapes, in particular its mountains, volcanoes, geothermal phenomena and coastal landscapes.

National parks have been set aside to preserve in perpetuity, areas of New Zealand that contain scenery of such distinctive quality, or natural features so beautiful, unique or scientifically important that their preservation is in the national interest (National Parks

Act section 4(1)). Landform and scenic features are at the core of our identity as New Zealanders. Often it is the scenic values of the geological and landform features which attract visitors to national parks – for example features such as the volcanic cones of Tongariro and Egmont National Parks, the Fox, Franz Josef and Tasman Glaciers, the fiords of Fiordland National Park, the granite domes of Rakiura National Park on Stewart Island/Rakiura, and the bluffs of Maungapohatu and Panekiri in Te Urewera National Park. The scenic grandeur of national parks has international appeal and is fundamental to the success of the tourism industry.

Many of New Zealand's outstanding landforms in national parks (especially maunga) constitute part of the identity of iwi. Statutory instruments such as tōpuni have been put in place in some parks (such as Aoraki in Mount Cook National Park and Tititea in Mount Aspiring National Park), in recognition of the significance of landforms in particular places to tangata whenua.

Geopreservation is the preservation of geological, soil and landform features and the protection of processes that give rise to or maintain them. The objective of geopreservation under the National Parks Act (consistent with section 4 of that Act) is that geological, soil and landform features in national parks are preserved as far as possible in their natural state and, where appropriate, enjoyed by the public. Policies below refer principally to the protection and interpretation of scenic, geological, soil and landform features. Policies on managing the effects of facilities on such features are dealt with in Chapters 8 and 9.

POLICIES

- 4.1 (a) Scenic, geological (including geothermal), soil and landform features within national parks considered to be of international, national or regional significance should be identified and managed appropriately.
- 4.1 (b) Activities which diminish the quality of scenic, geological (including geothermal), soil and landform features within national parks should be prevented as far as possible.
- 4.1 (c) Recognition should be given to the cultural value of geological and landform features within national parks of significance to tangata whenua, who should be consulted on the management and interpretation of these features.
- 4.1 (d) A range of opportunities for the public to visit and enjoy geological and landform features within national parks should be provided where this does not compromise the natural, cultural or historic values of the park.

4.2 ECOSYSTEM SERVICES

The National Parks Act states that national parks shall be so administered and maintained that 'their value as soil, water and forest conservation areas shall be maintained' (section 4(2)(d)). Since the 1980s, a wider range of community benefits derived from natural ecosystems have come to be recognised.

Healthy natural ecosystems in national parks provide benefits to local and national communities, and to the economy, that are not well known and often undervalued. These benefits are sometimes referred to as 'ecosystem services'. Healthy natural ecosystems can have a positive role in mitigating climate change because of their ability to act as 'carbon sinks' for carbon dioxide, while natural landscapes provide amenity values and aesthetic qualities to both rural and urban communities. Healthy ecosystems also provide such services as clean water for a range of human uses, landscape stability, soil conservation, and reduced flooding and sediment generation.

POLICIES

- 4.2 (a) Activities which diminish the quality of ecosystem services in national parks should be avoided or otherwise minimised.
- 4.2 (b) Activities in national parks should be planned and managed in ways which enhance the quality of ecosystem services where practicable.
- 4.2 (c) Visitors and communities should be informed and educated about the benefits they receive from ecosystem services in national parks, and encouraged to assist and support the ongoing management effort that maintains or enhances these services.

4.3 MAINTAINING AND RESTORING ECOSYSTEMS, SPECIES, TERRESTRIAL AND FRESHWATER HABITATS

4.3.1 Natural habitats, ecosystems and species

The National Parks Act directs that in national parks, natural habitats, ecosystems and species should be preserved as far as possible in their natural state. National Parks do not contain a fully representative range of New Zealand's natural habitats and ecosystems, but do make a significant contribution to this range. The long-term goal for halting the decline in New Zealand's indigenous biological diversity (adapted from the New Zealand Biodiversity Strategy) is to:

- maintain and/or restore a full range of remaining natural habitats and ecosystems to a healthy functioning state; and
- maintain and/or restore viable populations of all indigenous species and subspecies across their natural range.

In national parks the nature conservation purposes of the National Parks Act, as well as the New Zealand Biodiversity Strategy's goal regarding ecosystems and species, will be achieved in two main ways. Ecosystems should be managed to prevent irreversible loss or decline, while threatened species will be managed to prevent extinction and maintain genetic diversity as far as this is possible within the habitats within national parks. Current national parks do not constitute a fully representative range of New Zealand's terrestrial

and freshwater habitats and ecosystems, and therefore policies in this section cannot fully meet the Biodiversity Strategy goal although they contribute significantly towards it. Chapter 6 deals with new national parks and additions to national parks, taking into account the desirability of better representation of New Zealand's natural habitats and ecosystems within national parks.

The following policies apply to both terrestrial and freshwater ecosystems and habitats in national parks. Further policies specific to freshwater habitats are in 4.3.4 and 4.3.5.

POLICIES

- 4.3.1 (a) The full range of remaining natural habitats and ecosystems within national parks should be identified using the best information available.
- 4.3.1 (b) Decline in that full range caused by human-induced impacts should be prevented.
- 4.3.1 (c) Natural habitats and ecosystems should be managed to maintain their ecological health, focusing on key ecological processes and key characteristics of ecosystem structure and composition. Management priorities will be identified, taking into account the need to:
 - (i) maintain, and where necessary restore, representative examples of the full range of remaining natural habitats and ecosystems; and
 - (ii) maintain, and where necessary restore, natural habitats and ecosystems with special values, including those sustaining native plants and animals.
- 4.3.1 (d) For indigenous species within national parks identified as threatened using agreed national criteria and methodology, overall priority should be given to preventing extinction and to maintaining genetic diversity, while maintaining viable populations of other indigenous plants and animals existing within national parks where possible. Security of the species in time and space should be progressively increased, along with their range and population size.
- 4.3.1 (e) Care will be taken in restoration programmes to ensure that whenever possible the genetic integrity of local species and populations is maintained.
- 4.3.1 (f) Tangata whenua should be involved in the restoration of species of cultural significance to them.
- 4.3.1 (g) Relevant communities of interest should be involved in appropriate ways in the restoration of natural habitats, ecosystems and species within national parks.

4.3.2 Biosecurity and pest management

Many introduced plants and animals pose serious threats to the functioning of natural ecosystems and the survival of indigenous species in national parks. Plant and animal pest problems are increasing in both number and distribution and, if unchecked, will become a pervasive obstacle to the preservation of indigenous biodiversity and ecosystem functions in New Zealand's national parks.

The management of pest impacts will vary in different places depending on the species involved and the characteristics of the place. The policies below put a strong emphasis on comprehensive biosecurity and pest management planning and on timely and, where appropriate, rapid intervention to prevent the introduction or spread of introduced plants and animals that pose the most serious risks to national park values. This includes the evaluation of biosecurity risks from all national park operations (e.g. machinery brought into a national park), as well as the direct threats from existing introduced plants and animals. As well as the pest management provisions of the National Parks Act and other conservation legislation, interpreted by the policies below, the Biosecurity Act 1993 provides a variety of tools for use in the exclusion, eradication and control of pests and unwanted organisms.

POLICIES

- 4.3.2 (a) Biosecurity and pest management priorities should be identified, based on the relative risks posed by plant and animal pests and diseases to natural habitats and ecosystems and indigenous species.
- 4.3.2 (b) When developing and undertaking national park biosecurity and pest management programmes (including risk assessment, preparedness, contingency planning and the planning of all national park management and operations), priority should be given to (in the following order):
- preventing introduced plants and animals becoming established in parks;
 - eradicating new incursions of introduced plants and animals where practicable and appropriate;
 - containing and reducing the range of and, where practicable and appropriate, eradicating established introduced plants and animals; and
 - controlling widespread introduced plants and animals at priority sites or through priority programmes, where this is necessary to maintain and restore ecosystems or species, or to maintain scenic and landform values, and where eradication is not practicable.
- 4.3.2 (c) Pest management programmes at particular places within national parks should take an integrated approach across all pest species to maximise benefits for natural habitats and ecosystems and indigenous species.
- 4.3.2 (d) Cooperation and coordination should be sought, and joint working programmes developed with other agencies and land managers on the periphery of national parks, in order to achieve concerted action against introduced plants and animals.
- 4.3.2 (e) Subject to controls to ensure public safety, hunting to reduce wild animal numbers should be permitted, especially where this complements other forms of pest control.

- 4.3.2 (f) The ecological effects of pest control management within national parks should be monitored. In particular, the effectiveness of control methods, the impact on indigenous non-target species, and the possibility of detrimental off-site effects should be evaluated.
- 4.3.2 (g) The eradication priority of policy 4.3.2 (b) should not be applied to any organism (or its progeny) introduced into a national park under section 5A of the National Parks Act, unless otherwise determined by the Authority subsequent to the release of the organism.
- 4.3.2 (h) New Zealanders and international visitors should be educated about the effects of plant and animal pests and diseases on national park values, and about ways that all park visitors and residents can avoid their introduction and spread.

4.3.3 Fire control

Fire control is a legislative responsibility of the Department under the Forest and Rural Fires Act 1977. Furthermore, wildfires have the potential to pose a serious threat to terrestrial and freshwater biodiversity in New Zealand's national parks. Effective fire management and the maintenance and restoration of natural fire regimes are both key parts of an integrated approach to risk management and ecosystem protection. This approach may include, for example, prescribed burning to maintain indigenous biological diversity and enhance habitats across their natural range, or to reduce fuel loadings in some circumstances.

POLICIES

- 4.3.3 (a) Fire management may include the use of prescribed burning as a tool to:
- manage fuel loadings where this addresses a significant risk and is ecologically sustainable; or
 - to maintain, restore, or enhance natural ecosystems and maintain indigenous biodiversity, where justified by the balance of scientific evidence.
- 4.3.3 (b) A capacity to suppress wildfires threatening public conservation land will be maintained, but if the balance of scientific evidence indicates that a wildfire is consistent with a natural fire regime and can be allowed to burn without risk to people or property this option may be considered by a Fire Officer as an alternative to attempting fire suppression.

4.3.4 Freshwater ecosystems and habitats

Fresh water is of fundamental importance to all New Zealanders, not only for sustaining life and for economic and recreational uses, but also for the intrinsic values of its ecosystems and biota. Tangata whenua have strong links to water. Rivers, lakes and wetlands protect wāhi tapu and provide valuable resources (e.g., mahinga kai).

The Department's freshwater ecosystem and habitat management responsibilities in national parks include:

- preserving national parks (including park waters) in their natural state as far as possible (National Parks Act, section 4(2)(a)); and
- maintaining the contribution of national parks (including national park waters) towards water, soil or forest conservation functions (section 4(2)(d)).

In addition, the New Zealand Biodiversity Strategy's objectives for freshwater habitats should be noted:

- the protection of freshwater habitats from the adverse effects of land and/or water use;
- the protection of a full range of remaining freshwater ecosystems and habitats using a range of appropriate mechanisms; and
- the restoration of areas of degraded or scarce natural freshwater habitat, or freshwater ecosystems that are priorities for indigenous biodiversity.

Regional councils have responsibilities under the Resource Management Act for freshwater ecosystems and habitats through management of water quantity and quality.¹⁰ Fish and Game councils have responsibility under the Conservation Act for sports fisheries and game bird resources, including the maintenance and enhancement of habitat for sports fish. Because of these responsibilities, and the reality that the Department seldom manages entire catchments, the Department needs to work collaboratively with all these agencies to achieve appropriate freshwater ecosystem management in national parks.

Over 60% of New Zealand's indigenous freshwater fish species migrate between freshwater and the sea as part of their life-cycles. This migration cycle underscores the importance of preserving the natural character of entire river systems including areas in national parks. Maintaining or restoring connections to wetlands, and preventing or removing barriers to indigenous fish migration to and from the sea, are key considerations in freshwater management.

POLICIES

Freshwater ecosystem policies below are additional to those described above in 4.3.1 and 4.3.2.

- 4.3.4 (a) Water bodies (including wetlands), riparian areas and groundwater within national parks should be managed to ensure that freshwater ecosystems and habitats (including geothermal and estuarine ecosystems) are preserved in or restored to a natural state.
- 4.3.4 (b) Priority should be given to safeguarding indigenous fish migration and passage in national parks.

¹⁰ This section dealing with agency responsibilities will be updated after the passage of Resource Management Amendment Act.

4.3.4 (c) Facilities and waste disposal systems within national parks should be located and managed so as to avoid or otherwise minimise adverse effects on natural surface and underground waters.

4.3.5 Freshwater species

The Department's species management responsibilities include preservation of indigenous freshwater flora and fauna in national parks. This responsibility includes control of the transfer and/or release of all species of aquatic life and the control of noxious fish and unwanted freshwater organisms under the Conservation Act, Freshwater Fisheries Regulations 1983, the Wildlife Act and the Biosecurity Act. Fish and Game councils have a statutory responsibility for the management of sports fish species. This responsibility should be recognised in the development of national park management plans and consideration of proposals for new national parks or additions to existing national parks.

Some national park waters do not support some native species because of geographical isolation or for biological reasons, and in other cases native fish are surviving because of the absence of introduced species. Strict controls on the release of fish into park waters are therefore required.

Customary eel fishing by Māori has historically occurred in some water bodies within national parks. Eel fisheries are managed by the Ministry of Fisheries under the Fisheries Act, but access to those fisheries in national parks is controlled by the Department. No person is allowed to disturb, trap, take, hunt or kill any animal, including fish, that is indigenous to New Zealand within a national park without the prior consent of the Minister (National Parks Act, section 5(2)). Any consent given for customary fishing must be consistent with the management plan for the park.

POLICIES

These policies direct the management of: protected species of aquatic life; sports fish, whitebait and non-commercial indigenous fisheries; noxious fish and unwanted aquatic organisms; and access to commercial fishing in national parks. They should be read in conjunction with policies in 4.3.1 and 4.3.2.

- 4.3.5 (a) The natural geographic range of indigenous freshwater species within national parks should be maintained or re-established, where possible.
- 4.3.5 (b) Populations of invasive freshwater plant and animal pest species should be contained, excluded or eradicated where there is likely to be a significant benefit to indigenous freshwater fisheries, wildlife or ecosystems.
- 4.3.5 (c) If an illegal introduction of a non-indigenous fish species into national park waters has been made, fishing for that species of fish may be prohibited or restricted where this would facilitate eradication and control, or create an effective deterrent to future unlawful attempts to establish populations of aquatic life.
- 4.3.5 (d) Work should be carried out with other management agencies to prevent or decrease illegal introductions and transfers of freshwater plant and animal pest species.

- 4.3.5 (e) The introduction of non-indigenous species of freshwater fish into waters of national parks where currently only indigenous fish species are present, should only be allowed where necessary for ecological restoration.
- 4.3.5 (f) In water bodies containing nationally important indigenous freshwater aquatic life or communities that are threatened by introduced species, the eradication or control of non-indigenous fish should be undertaken to remove that threat.
- 4.3.5 (g) Customary fishing for indigenous species within the waters of national parks, where there is a tradition of such fishing, may be permitted where this does not have a long-term adverse effect on the population structure of indigenous species and is provided for in the relevant management plan.
- 4.3.5 (h) Access for commercial fishing within the waters of national parks should not be permitted unless shown to have been legally occurring prior to the establishment of the national park.
- 4.3.5 (i) Where there is an established tradition of commercial or recreational fishing for eels or whitebait in waters within land taken into a national park, fishing for these species may be allowed provided that there is provision in the national park management plan and such fishing does not have an adverse effect on other species or the values of tangata whenua.

5. Cultural and Historic Heritage

National parks contain a rich cultural and historic heritage for all New Zealanders – places of exploration, settlement, natural resource use and protection, warfare, communication, and ongoing spiritual and cultural associations. Such places provide us with a link between the present and the past and between ourselves and those who came before us.

The National Parks Act provides that sites and objects of archaeological and historical interest shall as far as possible be preserved (section 4(2)(c)). It is an offence to interfere with or damage the historic features of any park (section 60(1)(k)).

There is much overlap between the concepts and terms 'cultural heritage' and 'historic heritage'. This statement of general policy generally refers to 'cultural and historic heritage', specifically including 'sites and objects of archaeological and historic interest' as referred to in the National Parks Act. A close inter-relationship exists between natural, cultural and historic heritage; integrated conservation management does not consider them in isolation.

The Historic Places Act 1993 provides criteria for the assessment of the significance of historic places and areas (section 23). The Act also defines wāhi tapu as a place sacred to Māori in the traditional, spiritual, religious, ritual or mythological sense.

Tangata whenua have a partnership relationship with the Crown, deriving from the Treaty Of Waitangi, which includes duties to protect sites of significance to Māori.

Tangata whenua have cultural knowledge about and have a customary duty towards their cultural and historic heritage. They have a particular interest in the preservation of sites of significance to them. The Crown, as Treaty partner, also has responsibilities for the protection of such sites. Some sites of significance are known only to tangata whenua and are not identified publicly, in order to protect them.

The management of cultural and historic heritage under the National Parks Act should take account of advice provided by the Ministry for Culture and Heritage and tangata whenua. The Ministry is the Crown's principal adviser for cultural heritage policy.

The management of cultural and historic heritage under the National Parks Act is also subject to the statutory roles of the New Zealand Historic Places Trust/Pouhere Taonga, under the Historic Places Act. The Trust is an independent non-Crown agency with the leading national role to promote the identification, protection, preservation and conservation of the historic and cultural heritage of New Zealand. Authority from the Trust is required for any proposed destruction, damage, modification or investigation of archaeological sites.

The requirements of the Archives Act 1957, the Antiquities Act 1975 and the Building Act 1991 also apply. Public records may contain important historical information about historic places in national parks.

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Released under the Official Information Act 1982

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POLICIES

5.1 General

- 5.1 (a) Sites and objects of archaeological, cultural and historic interest in national parks should be managed in the context of integrated conservation management and consistently with the values identified as being important to that place, particularly tangata whenua values.
- 5.1 (b) Public awareness of cultural and historical heritage should be increased and support for the conservation of historic heritage encouraged.

5.2 The interests of tangata whenua

- 5.2 (a) Tangata whenua should be consulted whenever a proposed action affects their cultural heritage in national parks.
- 5.2 (b) Associations between tangata whenua and their cultural heritage in national parks should be acknowledged and respected.
- 5.2 (c) Protocols or guidelines will be fostered with tangata whenua where appropriate, to cover the active management of wāhi tapu and other places of cultural significance to them consistent with tikanga Māori and matauranga Māori.
- 5.2 (d) Participation by tangata whenua in the management of sites of significance to them should be encouraged and supported where consistent with the legislation and conservation priorities.

5.3 Other relevant communities of interest

- 5.3 (a) Participation in cultural and historic heritage management by relevant communities of interest should be encouraged and supported where consistent with the legislation and consistent with conservation priorities.

5.4 Cultural and historic heritage management

- 5.4 (a) Cultural and historic heritage in national parks will be defined and its significance will be assessed in accordance with the Historic Places Act 1993 and national procedures developed by the Historic Places Trust.
- 5.4 (b) Cultural and historic heritage in national parks will be protected from avoidable harm as far as possible.
- 5.4 (c) Where conflicts arise between the preservation of natural, cultural and historic heritage in national parks, the natural, cultural and historic heritage values should be fully assessed. Options to resolve the conflicts which respect the relative values of the resources should then be developed, before management decisions are made and implemented.
- 5.4 (d) Where cultural and historic heritage in national parks is subject to unavoidable damage or destruction, significant information about that heritage that would otherwise be lost will be recorded.
- 5.4 (e) Non-invasive introduced trees or other plants of historic or scientific significance may be retained at the discretion of the Authority where there are no significant adverse effects on natural, cultural or historic heritage.

- 5.4 (f) Sites with high historic, physical and/or cultural values in national parks may be actively managed (including restoration) where this is necessary to protect natural, cultural or historic values, avoid deterioration and to meet agreed service standards.

- 5.4 (g) Conservation planning and conservation work will be guided by the principles of the International Council on Monuments and Sites (ICOMOS) New Zealand Charter 1993.

- 5.4 (h) A range of information and interpretation may be provided on the people and events that have played an important part in the history of national parks.

- 5.4 (i) Historic buildings in national parks should, where practicable, be used in ways compatible with their significance and that contribute to their preservation and to the benefit and enjoyment of the public.

5.5 Interpretation of cultural and historic heritage

- 5.5 (a) Interpretation of cultural and historic heritage should be provided where this would enable visitors to gain inspiration and increase their knowledge, understanding, appreciation and enjoyment of national parks and not conflict with the natural, cultural and historic significance of the resource.
- 5.5 (b) Interpretation will reflect current historical research and the range of relevant perspectives, including the tangata whenua perspective.

6. New National Parks, Additions to Parks, Boundaries and Special Areas Within Parks

New national parks, and additions and changes to the boundaries of existing national parks, are made by recommendation from the Authority to the Minister of Conservation after consultation with the relevant conservation board(s).

New Zealand has an existing network of national parks, but it is expected that the national park network will, over time, be extended to include other areas with national park values. The Authority seeks to promote the concept of national parks and other protected areas that separately or together encompass a continuum from the mountains to the sea. Equally, the Authority aspires to broaden its vision of national parks over time, and to broaden the range of ecological systems, natural features and scenery types represented within the national parks network, especially if areas outside national parks become more degraded over time. Section 8 of the National Parks Act provides a mechanism for the Authority to investigate the creation of new national parks.

Areas recommended for national park status will contain, for their intrinsic worth and for the benefit, use and enjoyment of the public, the following:

- a) scenery of such distinctive quality that its preservation is in the national interest; and/or
- b) ecological systems or natural features so beautiful, unique or scientifically important that their preservation is in the national interest.

The creation of a new national park can have social, recreational, cultural and economic implications for local, regional and national communities. The Authority recognises that tangata whenua may have historical or spiritual ties to areas within national parks. While national parks are established in the national interest, the Minister needs to be aware of the spectrum of implications when making decisions. Any investigation report should outline those implications.

The National Parks Act provides for three types of areas which, because of their particular qualities or functions, require special management: specially protected areas (section 12), wilderness areas (section 14 and 14A) and amenity areas (section 15). Not all parks will have representatives of all or any such areas in them. Wilderness areas need to be identified in a conservation management strategy or management plan, and amenities areas identified in a management plan before they can be set aside.

The use and management of land adjoining national parks can complement, enhance or detract from national park values. In setting boundaries for national parks the Authority and the Department will seek to mitigate adverse effects on those national parks from adjoining areas. The Authority has a mandate under the Conservation Act to advocate in support of national park values, including where they may be affected by activities taking place on areas adjoining national parks. Policies in Chapter 7 of the draft Conservation General Policy provide for advocacy for those values.

POLICIES

- 6 (a) Areas recommended for new national park status should be relatively large, preferably in terms of thousands of hectares, and preferably comprised of contiguous areas or related areas; and should be natural areas. Predominantly natural areas may be considered, if they:
 - i) contain modified areas which can be restored or are capable of natural regeneration, in particular those which are examples of ecosystems which are generally severely depleted; or
 - ii) contain features which have no equivalent in an unmodified area in a national park and which are so beautiful, unique or scientifically important that they should be protected in a national park; or
 - iii) have regard to the goal of a representative range of ecological systems, natural features and scenery types to be included in the national parks network.
- 6 (b) In considering a proposal to create an entirely new national park, the Authority will advise the Minister of Conservation of its intention before asking the Director-General to undertake an investigation under section 8 of the National Parks Act.
- 6 (c) The Authority should seek the views of the conservation board(s) within whose area of jurisdiction the area proposed for national park is located when considering an investigation into the potential of areas for national park status under section 8.
- 6 (d) The Authority should seek the views of tangata whenua when considering an investigation into the potential of areas for national park status under section 8.
- 6 (e) The Authority should ascertain the views of the relevant regional council before proceeding with an investigation into the potential of foreshore for national park status under section 8, where the foreshore is under the control of a regional council.
- 6 (f) Investigation reports prepared under section 8 of the National Parks Act should contain an assessment of the likely social, cultural and economic implications (at the local, regional or national levels) of the creation of a national park, and include a public consultation process.
- 6 (g) Before making a recommendation to the Minister on the creation of a new national park, the Authority will consult with the conservation board within whose area the national park will lie and should have regard to the views of tangata whenua.
- 6 (h) The Authority may recommend additions to a national park without requesting a section 8 investigation in some circumstances including the following:
 - i) the area to be added has been purchased for national park purposes;
 - ii) the addition would create a boundary that more closely follows natural features;
 - iii) the area to be added is contiguous with the park or largely surrounded by the park, with the same or complementary natural values;

- iv) the national park values have already been investigated and/or are already well-documented;
 - v) consultation with tangata whenua indicates that the addition is unlikely to have significant adverse effects on tangata whenua values; or
 - vi) the addition is considered unlikely to have significant adverse effects on communities beyond the boundaries of the park.
- 6 (i) The following should be considered when fixing the boundaries of new parks, additions to existing parks and changes to existing boundaries:
- i) ecosystems within the park should be able to withstand pressures from environmental change on lands adjacent to the park;
 - ii) adjacent land uses should not detrimentally affect or dominate park values;
 - iii) boundaries should encompass, where possible, complete landscape units;
 - iv) boundaries should, where possible, follow readily identifiable physical features;
 - v) boundaries should be convenient for the efficient management of the park; and
 - vi) boundaries should enable the public to have freedom of entry and access at designated places consistent with the need to preserve park values.
- 6 (j) The protection of natural ecosystems and maintenance of natural, cultural and historic values adjacent to, or impacting upon, national parks should be advocated.
- 6 (k) In national parks that adjoin the coast, the inclusion of foreshore should be sought wherever practicable as the foreshore is ecologically part of the park and its inclusion would allow for better integrated management of the national park.
- 6 (l) The inclusion in national parks of the beds of lakes and rivers vested in the Crown within the boundaries of the park should be sought wherever possible as these areas are ecologically part of the adjoining land areas within the park and their inclusion would allow for better integrated management of the park.
- 6 (m) The Authority may consider recommending exclusion of land from an existing national park if:
- i) the land to be excluded does not have national park values; or
 - ii) a boundary more consistent with policy 6 (i) is created; or
 - iii) the land is required for safety upgrades to an existing legal road.
- 6 (n) Proposals to exclude land from a park should normally be identified in the relevant national park management plan. If not, then where the Authority considers the proposed exclusion may be controversial, public comment should be sought before making any recommendation to the Minister.
- 6 (o) Specially protected areas should possess indigenous plant or animal life, or ecological, geological, archaeological or historical features or cultural associations of such significance that they should be preserved intact with the minimum of human interference.

- 6 (p) Wilderness areas should be large enough and sufficiently remote and buffered to be unaffected by human influences, except in minor ways.
- 6 (q) New amenities areas should only be identified in management plans where the development and operation of recreational and public amenities appropriate for public use and enjoyment of the park cannot be located outside the park.
- 6 (r) Where an amenities area is provided for in a management plan, the amenities and services to be provided should be identified, along with the design and building standards to be met. The aim of this policy is to ensure that any development is appropriate for the public use and enjoyment of the park and does not have a detrimental effect on the scenery and/or the natural, cultural and historic values of the park generally, or on adjacent areas of the park in particular.

7. Natural Hazards

Natural hazards, such as earthquakes, landslides, avalanches, volcanic eruptions, tsunamis, floods, storms and fires are part of the natural environment of New Zealand's national parks. They can, however, also have significant effects on habitats and species populations and threaten human safety and property. Management of hazards and risks may be necessary in some circumstances. Two key considerations underlie decisions on the management of the risks.

The first consideration is to accept that the processes giving rise to these hazards are natural, such as extreme climatic and geomorphic events. Frequently, the hazards arising from these natural processes cannot be managed without interfering with the natural ecological functioning that is an integral part of the key principles to be applied in national parks. On the other hand a further key consideration is the Department's responsibility for human safety, especially of visitors to public conservation land prone to natural hazards (this is also addressed in Chapter 8).

The National Parks Act provides that national parks shall be so administered and maintained that they are preserved as far as possible in their natural state (section 4 (2)). The key to the effective management of natural hazards and improvement of public safety in national parks is a better understanding of the hazards and their associated risks. For example, more research into earth deformation is likely to lead to an improved ability to predict earthquakes. Similarly, ongoing research is required to improve our understanding of when eruptions and avalanches may occur. An understanding of natural systems and processes is also, therefore, a cornerstone of ecosystem management and the preservation of the values of national parks.

The goal for the Department is to ensure that natural processes (which may lead to a potential hazard) can continue to function unhampered, while managing unacceptable risks to the public and conservation values which may ultimately arise from them. Management may involve mitigating either the likelihood or consequences of a known hazard, for example by siting visitor facilities away from a high risk area or reinstating appropriate indigenous species after a catastrophic event.

POLICIES

Policies in this chapter should be considered in conjunction with policies on nature conservation and cultural and historic heritage conservation (Chapters 4 and 5), especially those in 4.1.

- 7 (a) National parks will, as far as possible, be preserved in their natural state. If a hazard or its associated risks needs to be managed, then every practicable effort should be taken to ensure that:
- (i) natural processes and cultural and historic values will not be interfered with;
 - (ii) the special qualities of parks will be conserved, parks will be protected from outside influences; and
 - (iii) the special values of quietness, isolation, natural beauty and scenic grandeur, where present, will be preserved.

- 7 (b) When a high level of risk from a natural hazard has been identified, decisions on management actions should take account of all relevant circumstances, including:
- i) the need to conserve natural systems and processes, both within and outside the national park;
 - ii) the nature and scale of the natural hazard (including an assessment of whether it is within the ability of the Department or other working agencies in concert with the Department to manage it in any effective way); and
 - iii) the safety of people and the protection of property, both within and (in the case of the natural hazard event originating in the national park) beyond the boundaries of the national park.
- 7 (c) Natural hazard risk assessment will be a key component of planning in the location and construction of all facilities in national parks. Risks arising from natural hazards should be minimised where practicable, consistent with the purpose of national parks and with policy 7 (a).
- 7 (d) Where practicable, preference will be given to hazard mitigation solutions that do not require structures to be built inside the national park.
- 7 (e) Public awareness of natural hazards in national parks should be fostered, and visitors encouraged to take responsibility for their safety.

8. Visitor Benefit, Use and Enjoyment

New Zealanders and international visitors value highly the opportunity to visit and enjoy national parks. People of all ages, cultures and backgrounds go to these places for a variety of reasons, whether it be for inspiration, enjoyment and challenge, or escape from the pressures of our everyday lives.

People are attracted to national parks by the scenery, unique features, sights and sounds of wild nature, and the qualities of solitude, remoteness, peace and natural quiet. National parks provide opportunities for people to experience solitude and a different sense of space and time, and also to explore, enjoy and learn about new and natural places, to maintain active, healthy lifestyles and to be adventurous.

The purpose of the National Parks Act, to 'preserv[e] in perpetuity ... national parks, for their intrinsic worth and for the benefit, use, and enjoyment of the public', explicitly provides for the benefit, use and enjoyment of national parks by visitors. People who visit and recreate in national parks can achieve a more intimate and first-hand understanding and appreciation of the values of the parks. They are therefore more likely to place greater value on those attributes that provide for their enjoyment and contribute to their protection.

Visitors and the activities they undertake can, however, also have an adverse impact on the natural, cultural and historic values of national parks. This can include wildlife disturbance or habitat damage or destruction, pollution, the introduction of unwanted species and disturbance to wāhi tapu and historic sites. The quality and enjoyment of visitor experiences can be diminished by some visitor activities, facilities and services, noise, overcrowding and loss of solitude. Some species valued for recreation can have adverse impacts on natural ecosystems and indigenous species. All these activities require careful management to minimise adverse impacts and potential conflicts.

Section 4(2) requires that native animals, including fish, are to be preserved as far as possible in national parks, and park waters are required to be kept as free as possible from introduced species. The presence of domestic animals and pets is not generally consistent with the values of national parks, although specific exceptions may be provided for in national park management plans. In the case of hunting dogs, traditionally associated with the hunting of gamebirds and wild animals, the detailed provisions of Part VA of the National Parks Act also apply.

Salmonid fish were introduced to park waters before most national parks were established, and continue to provide a recognised recreational resource for visitors. Similarly, though less commonly, gamebirds are present in some parks.

For the purposes of this statement of general policy, recreation includes the range of activities undertaken by visitors and the experiences that they gain from these activities. Careful management is needed to provide recreational opportunities and associated visitor facilities and services, whilst ensuring that the natural, cultural and historic values of national parks and the quality of visitor experiences are not compromised.

Historically, buildings and other facilities have been erected in national parks to provide accommodation for the public and members of recreation clubs, as provided for in section 50 of the National Parks Act. Buildings used exclusively for private accommodation are

not appropriate in national parks.¹¹ However, where recreation club or education buildings fulfil their intended use, are for activities appropriate to an area, are generally available for public use (including club-owned tramp and ski lodges with open membership policies) and do not have adverse effects on natural and historic values, they may remain.

Other facilities and services may be provided, where appropriate, to enable visitors to participate in the range of activities available at various places. Commercial tourism takes place where visitor facilities and services are provided by concessionaires. This enables a range of recreational opportunities to be enjoyed by a wider range of people and also reflects the importance of national parks to the tourism industry. The policies on concessionaires below describe under which conditions commercial tourism may be allowed.

Under the National Parks Act, national parks are set aside 'for their intrinsic worth and for the benefit, use and enjoyment of the public'. The principles in section 4 of the Act state that national parks 'shall be preserved as far as possible in their natural state'. At the same time, the principles state:

... the public shall have freedom of entry and access to the parks, so that they may receive in full measure the inspiration, enjoyment, recreation, and other effects that may be derived from mountains forests, sounds, sea coasts, lakes, rivers, and other natural features (subject to the provisions of this Act and to the imposition of such conditions and restrictions as may be necessary for the preservation of the native plants and animals or for the welfare in general of the parks).

Structure of visitor benefit, use and enjoyment policies

Policies in 8.1 set out the basic principles for the planning and management of opportunities for visitor benefit, use and enjoyment. Policies in 8.2 to 8.7 then apply these principles to the planning and management of visitor information and interpretation, visitor accommodation, facilities and services, sports fishing and recreational hunting, vehicle use, and domesticated animals respectively.

POLICIES

8.1 Visitor management

- 8.1 (a) A range of appropriate recreational opportunities should be provided in different settings for visitors with different capabilities, skills and interests.
- 8.1 (b) Recreational opportunities and associated visitor activities, accommodation, facilities and services (including those provided by concessionaires) information and interpretation should:
- i) be compatible with the purposes for which the area is held; and
 - ii) enable visitors to gain inspiration and increase their knowledge, understanding, appreciation, safety and enjoyment of national parks and their values; and

¹¹ The Department, acting under delegated authority from the Minister, may authorise appropriate accommodation facilities according to the provisions of the National Parks Act, in accordance with Part IIIB of the Conservation Act. Environmental, public health and safety requirements also apply to these facilities under the Resource Management Act 1991, the Occupiers' Liability Act 1962, the Health and Safety in Employment Act 1992, and the Building Act 1991.

- iii) be compatible with and managed to protect, and to minimise adverse effects (including cumulative effects) on, natural, cultural and historic values and their intrinsic worth; and
 - iv) be managed to avoid adverse effects on wāhi tapu; and
 - v) be managed to protect, and to minimise adverse effects on, the qualities of solitude, remoteness, wilderness, peace and natural quiet, where these qualities are present; and
 - vi) enable the free access of the public to their heritage, while being managed to avoid compromise to the above criteria and to the experiences of different types of visitor; and
 - vii) be monitored for compliance with standards and conditions and to enable the identification and control of adverse effects, including unanticipated and cumulative effects.
- 8.1 (c) Management plans should identify the outcomes sought in different places. They should identify what, if any, recreational opportunities, visitor activities, information and interpretation, accommodation, facilities and services (including those provided by concessionaires) are appropriate in those places, and to what extent. Outcomes should be identified in the light of 8.1 (b) above and also considering all the following factors:
- i) current recreational opportunities provided;
 - ii) uniqueness of some current recreational opportunities;
 - iii) contribution to, and compatibility with, the wider network of recreational opportunities; and
 - iv) current and projected levels of visitor use.
- 8.1 (d) Concessionaires will be responsible for the safe conduct of their operations, setting appropriate safety standards to meet all legal requirements and complying with these standards.
- 8.1 (e) Visitors will be responsible for their own decisions on the risks they are prepared to take in national parks, and for ensuring that they, and those in their care, have the level of skill and competence required to cope with these risks.

8.2 Visitor information and interpretation

- 8.2 (a) A range of visitor information and interpretation should be provided including information and interpretation on kaupapa and tikanga where appropriate.
- 8.2 (b) Information and interpretation should be of high quality, accurate, effectively communicated and accessible.
- 8.2 (c) Information and interpretation should be linked, where practicable, to broader conservation issues that will assist visitors to make informed and environmentally responsible decisions.

8.3 Visitor accommodation, facilities and services

- 8.3 (a) Visitor accommodation, facilities and services and extensions to accommodation, facilities and services (including those provided by concessionaires) should be compatible with the outcomes sought in different places as set out in policies 8.1 (a) and (b). They should complement and not unnecessarily proliferate existing visitor accommodation, facilities and services.
- 8.3 (b) Visitor accommodation, facilities and services (including those managed by concessionaires) should be located, designed, constructed and maintained to meet all legal requirements and standards of relevant legislation, and address safety management issues.
- 8.3 (c) New buildings for exclusive permanent private use should not be permitted.
- 8.3 (d) Buildings may be allowed in national parks for public recreation, educational and community services where natural, cultural and historic values are not adversely affected, where public enjoyment and recreation opportunities at a place are enhanced, the facility is generally available for public use and the activity cannot be located beyond the national park. Tramping and ski club lodges with open membership policies should be regarded as generally available for public use.
- 8.3 (e) All existing facilities pursuant to section 50(4) of the National Parks Act should be formally authorised and should be charged an appropriate rental.
- 8.3 (f) Visitor accommodation and facilities should be of an appropriate scale and harmonise with the landscape and seascape.
- 8.3 (g) Public access to national parks will be free of charge. Charges may be made for the use of visitor accommodation, facilities and services.

8.4 Sports fishing and gamebird hunting

- 8.4 (a) Access to recreational fishing for sports fish legally present in the waters of national parks should be facilitated in a manner that minimises adverse effects on natural resources from either the access facilities, the fishing equipment or the angling activity itself.
- 8.4 (b) Hunting introduced gamebirds in national parks should be authorised:
- i) subject to controls to ensure public safety; and
 - ii) where such use is provided for in the national park management plan; and
 - iii) where such use does not have an adverse effect on national park values or on populations of indigenous species.

8.5 Recreational hunting

- 8.5 (a) Where consistent with the protection or restoration of indigenous biodiversity and subject to controls to ensure public safety, recreational hunting for wild animals should be permitted.

8.6 Vehicle and transport use

8.6 (a) Vehicle use and any other forms of transport should be compatible with the outcomes sought in different places.

8.6 (b) Vehicle use and other forms of transport should be actively discouraged in those places where it is not provided for in management plans.

Powered aircraft (including, but not limited to, fixed-wing, ultra-light, helicopters, gyrocopters and model airplanes):

8.6 (c) Management plans may provide for the issue of a concession for landing, hovering and take-off of aircraft, where this is compatible with the outcomes planned for a place and subject to conditions on their use to minimise adverse effects.

Powered watercraft (including, but not limited to, runabouts, launches, cruisers, personal watercraft (e.g. jet skis), and powered sailing craft):

8.6 (d) Jet skis and other personal watercraft should not be taken into national parks.

8.6 (e) Management plans may provide for other powered watercraft, where this is compatible with the outcomes planned for a place and subject to conditions on their use to minimise adverse effects.

Powered vehicles (including, but not limited to, two-wheel drive, four-wheel drive, motorcycles, motorised bicycles and trail bikes, beach vehicles, and hovercraft):

8.6 (f) Powered vehicles should not be taken into national parks except on areas designated for the use of such vehicles.

Aerial cableways (including, but not limited to, gondolas):

8.6 (g) Aerial cableways should not be erected in national parks outside defined amenities areas.

Non-powered vehicles (including, but not limited to, all cycles and mountain bikes):

8.6 (h) Non-powered vehicles should not be ridden in national parks except on formed roads and associated designated areas.

Non-powered aircraft (including, but not limited to, gliding, hang-gliding, parapenting, hot-air ballooning, model gliders and kites):

8.6 (i) Management plans may provide for non-powered aircraft, where this is compatible with the outcomes planned for a place and subject to conditions on their use to minimise adverse effects.

Non-powered watercraft (including, but not limited to, sailing boats of all types and sizes, windsurfers or sailboards, waka, mokihi, rowboats, canoes, kayaks (including sea-kayaks) and rafts):

8.6 (j) Management plans may provide for non-powered watercraft, where this is compatible with the outcomes planned for a place and subject to conditions on their use to minimise adverse effects.

8.7 Domesticated animals

8.7 (a) Domestic animals and pets (including all horses and hunting dogs) should not be taken into a national park unless they have been specifically authorised in management plans.

9. Non-Recreation Uses

While the overall purpose of national parks is the preservation of natural, historical and cultural values of the parks, there are uses within national parks which are not related to their preservation or to the enjoyment of parks by the public. A variety of non-recreation uses are considered and managed, most frequently as concessions under section 49 of the National Parks Act and Part IIIB of the Conservation Act. Other uses are subject to authorisations such as easements, leases and licences. In considering whether to recommend a concession, the Department has to consider whether to recommend a concession, the Department has to consider whether the proposal is consistent with the national park management plan or conservation management strategy, and that there will be no significant adverse effects on national park values. For authorisations involving structures and facilities section 17U(4) of the Conservation Act gives direction on Ministerial discretion.

9.1 GRAZING

Section 51 of the National Parks Act provides for the granting of concessions for grazing in parks for land that, in the public interest, should continue to be grazed.

Grazing is not compatible with the requirement of the National Parks Act to preserve national parks as far as possible in their natural state. However, because there are areas within parks which have been grazed for many years (some areas traditionally and others for management purposes), the relevant management plan may make provision for existing grazing under specified terms and conditions.

POLICIES

9.1 (a) The following criteria should be applied when considering renewals of existing grazing concessions over park land:

- i) land will be in existing pasture already under grazing;
- ii) there should be no risk of erosion induced by grazing;
- iii) wāhi tapu should not be detrimentally affected;
- iv) park values or public use should not be detrimentally affected;
- v) grazing animals should be kept out of waterways and not detrimentally affect wetlands and riparian areas;
- vi) grazing animals should be effectively controlled, by fencing if necessary;
- vii) stock limitations, including stock type, may be imposed in the interests of park management;
- viii) public access across the land will be maintained;
- ix) grazing concessions should normally be for terms of no more than five years;
- x) the potential of sites for restoration; and
- xi) existing agreements and transitional arrangements.

- 9.1 (b) The management plan may make provision for continuation of grazing as a management tool where the balance of evidence has shown this to be appropriate to protect particular park values, indigenous species or important habitats.
- 9.1 (c) Monitoring of the effects of grazing may be required as a condition of a concession.

9.2 UTILITIES AND COMMUNICATION FACILITIES

Utilities, communications facilities and easements include, but are not limited to: telecommunication sites and lines, hydrological and weather stations, water supply pipelines, sewerage systems, transmission lines and associated structures and accessways (roads and tracks).

Communication facilities and easements may be approved in national parks in accordance with national park management plans and the concession provisions under section 49 of the National Parks Act.

The presence of utilities and development of new roads is generally incompatible with the preservation of national parks in a natural state. It is considered that there is sufficient roading in national parks and that further roads are not desirable. There may be circumstances when location of facilities within national parks will be unavoidable and in the public interest. The effects of any facilities and access to them should be minor.

POLICIES

- 9.2 (a) The preservation of scenery and the natural state of national parks will be the primary consideration in the assessment of changes to existing utilities and applications for new utilities, including roads and communication facilities. The establishment of utilities and communication facilities may be considered where:
- i) their purposes are essential for the public good and they cannot be reasonably located outside the national park; and
 - ii) their provision, uses and the means of access to them is not inconsistent with the recreational uses and opportunities of the site; and
 - iii) they have minimal impact on ecological values or the qualities of solitude, remoteness, wilderness, peace and natural quiet where these qualities are present.
- 9.2 (b) In considering applications for construction or extension of utilities and communications facilities, cultural values should be taken into account and wāhi tapu should not be detrimentally affected.
- 9.2 (c) Public access to national parks should be preserved, except in exceptional circumstances where access conflicts with public safety or the security of the facility.
- 9.2 (d) Co-siting of telecommunications and associated facilities should be encouraged to reduce the effects of the facilities and the access to them.
- 9.2 (e) Utilities that are redundant should be removed from the park and the site restored as far as possible to a natural state.

- 9.2 (f) When new facilities are installed or existing facilities upgraded, equipment and technology that reduces the visual and other environmental effects should be required.
- 9.2 (g) No new roads should be made over or through a national park except with the consent of the Minister given in accordance with the management plan for a park.

9.3 MINING AND REMOVAL OF SAND/SHINGLE

The Crown Minerals Act 1991 restricts mining in those national parks in existence as at 1 October 1991. Only those matters set out in section 61(1A) can be subject to an access arrangement. All national parks created, or additions to national parks after this date, which include Kahurangi and Rakiura, are subject to the access arrangement provisions set out in section 61(2) of the Crown Minerals Act.

The Ngāi Tahu (Pounamu Vesting) Act 1997 granted rights to the mineral pounamu to Ngāi Tahu. Access arrangements with the Department are still required to remove the mineral from any national park and access may be permitted in those circumstances described in section 61B of the Crown Minerals Act. In addition to an access arrangement with the Department, anyone wishing to disturb, remove or recover pounamu from the lands administered by the Department must have the authorisation of the kaitiaki runanga of Te Runanga o Ngāi Tahu.

Removal of Crown-owned minerals from national parks by the Department or any lessee of land in a national park for use in a national park for any reasonable domestic, road-making, or building purpose is allowed under section 8(2) of the Crown Minerals Act. Removal of sand, shingle, or other natural material from the bed of a lake or river or foreshore is covered by section 13 of the Resource Management Act and will require a resource consent from the relevant territorial authority. A concession under the National Parks Act will also be required.

POLICIES

- 9.3 (a) The preservation of natural and historic values in their natural state in national parks will be the primary consideration in assessing mining activities.
- 9.3 (b) Management plans for national parks which are not fully covered by section 61(1A) of the Crown Minerals Act 1991 will set out the values of the park with sufficient clarity to enable the effects of mining on those values to be identified.
- 9.3 (c) Management plans for national parks will set out the circumstances when removal of sand/shingle and rock may not be incompatible with the preservation of natural, cultural and historic values and public access and enjoyment.

9.4 COMMERCIAL FILMING AND PHOTOGRAPHY

New Zealand's spectacular scenery has attracted commercial filming and photography to some national parks. The effects of commercial filming in national parks should not be incompatible with the principles of section 4 of the National Parks Act and not have adverse effects on natural, cultural and historic values, the enjoyment of the public or sites of significance to tangata whenua.

Alternative sites outside national parks may meet the needs of commercial filming, although they may not be so well known to the industry.

POLICIES

- 9.4 (a) Commercial filming and photography within national parks should be subject to the same conditions as other uses (such as the landing and hovering of aircraft, the use of off-road vehicles and animals and the construction of facilities), and be consistent with recreational uses and opportunities and restricted to existing access, to minimise effects on other users and the park.
- 9.4 (b) Particular care should be taken to ensure that commercial filming and photography activity does not detrimentally affect the values of sites of significance, including those of significance to tangata whenua.

9.5 MILITARY TRAINING EXERCISES

The Department and the New Zealand Defence Force are parties to a Defence Training Agreement signed in March 1990. The agreement provides for military training on State areas, as defined by the Forest and Rural Fires Act 1977, and includes land administered by the Department subject to conditions to protect natural and historic values and the experience of visitors. The military has provided assistance to the Department with wilding tree clearance as well as with replacing structures and with fire fighting.

Military training exercises are generally considered to be incompatible with the natural values of national parks. Military training exercises can also be incompatible with the recreational experiences available in a national park. However, occasions may arise where it is important for the wider national interest that areas within national parks are available for training in particular skills, such as climbing.

POLICY

- 9.5 (a) Military training exercises in national parks will be carefully managed to protect natural, cultural and historic values and recreational opportunities. Where military training exercises occur they should comply with the 1990 Defence Training Agreement or any successor to it.

10. Knowledge and Information Needs

Successful management of national parks is always underpinned by a sound understanding of the patterns and processes of the natural world. To achieve this understanding requires scientific research, mātauranga Māori, robust information, integrated data management, integrated decision-making processes and systematic monitoring of natural processes, as well as information on public use patterns and needs, and on the physical and social effects of visitors on national park values.

Research and information gathering is also needed to solve specific problems related to park management, use and development. For example, research into the effects of plant and animal pests provides a basis for assessing both needs and control measures. Geological and soil information is needed to plan secure visitor facilities. Research into volcanic, earthquake and glacial activity may be needed to promote public safety. Social science research is required to assess and manage problems of crowding and carrying capacity.

Research relevant to the management of national parks may be conducted by the Department of Conservation, tangata whenua, individuals, Crown Research Institutes, museums, universities, and other national or international science providers. There is a considerable element of goodwill in the dealings between these agencies and important collaborative research relationships will continue to be fostered. Research carried out within national parks will usually have direct relevance to its successful interpretation and management but will sometimes span other areas for comparative purposes or to better understand species, habitats and ecological processes which cross boundaries.

Monitoring is a key type of information-gathering necessary for the long-term effective management of national parks. Systematic monitoring undertaken at appropriate time intervals provides usable information on specific sites, specific national parks and the whole national park network. This enables reporting on national park management and review and re-focus of management actions, and informs further research to fill critical information gaps.

POLICIES

- 10 (a) Research and monitoring in national parks which informs management or interpretation or which assists understanding of the social aspects of park use and enjoyment will be encouraged and supported by collaborative arrangements where appropriate.
- 10 (b) Mātauranga Māori and Māori interests in science and research relating to national parks should be recognised. Collaborative research relationships with tangata whenua will be encouraged and supported where appropriate.
- 10 (c) Research in national parks should seek to better support management and should not have significant adverse effects on natural, cultural or historic values, should not pose an unacceptable risk (e.g. a biosecurity risk or risk of weed dispersal) and should not adversely affect recreational opportunities.

- 10 (d) Research and collection of specimens and samples in national parks, other than that carried out by the Department in the exercise of its statutory functions, will require authorisation. Approval to conduct such research or to collect specimens or samples should take into account the potential adverse effects, the views of tangata whenua, the knowledge and intellectual property to be gained and the need for the research to be undertaken within a national park.
- 10 (e) The collection of specimens of indigenous plants and animals (or parts thereof), including fossilised plant or animal material, soils, rocks and any other geological materials for approved educational or scientific research purposes may be authorised, under the following criteria:
- i) collection is consistent with statutory requirements and management plans;
 - ii) collection is essential for management or research purposes, or desirable for educational purposes;
 - iii) the amounts to be collected are small in relation to the abundance of the species;
 - iv) the effects of collection are considered to be insignificant; and
 - v) any property rights including intellectual property rights are safeguarded.
- 10 (f) Applications for collection of indigenous plants and animals (or parts thereof), including fossilised plant or animal material, from national parks for investigation for subsequent commercial use will be considered on a case by case basis. Criteria for such consideration include but are not limited to:
- (i) collection is consistent with statutory requirements and management plans and the Department's Treaty responsibilities;
 - ii) the amounts to be collected are small in relation to the abundance of the species;
 - iii) the effects of collection are considered to be insignificant; and
 - iv) any property rights including intellectual property rights are safeguarded.
- 10 (g) Recovery of authorisation processing costs for research, collection or educational activities in national parks may be waived or reduced where:
- i) the research or collection makes a direct contribution to the management of a national park; or
 - ii) the research or collection contributes to the Department's conservation goals and strategies and will deliver actual and quantifiable management benefit to the Department and/or quantifiable knowledge on matters which underpin the Department's management functions; or
 - iii) educational activities are non-commercial and result in public good.
- 10 (h) Results of research and monitoring in national parks should be made publicly available where appropriate.
- 10 (i) Monitoring and evaluation of management actions in national parks, including actions guided by this statement of general policy, should be undertaken at appropriate intervals, guided by approved systems, conservation management strategies, national park management plans and appropriate regional and local strategies.

11. National Park Management Plans

Each national park must have a management plan to provide for the management of the park in accordance with the National Parks Act (section 45). National park management plans are prepared by the Director-General in consultation with the relevant conservation board, while final approval is given by the Authority.

National park management plans provide a framework for use and management of the park. National park management plans cannot conflict with the provisions of the relevant conservation management strategy. National park management plans should also include some consideration of the attributes and role of the national park in relation to those of other national parks and other parts of the wider protected area network, as for example provided for in Chapter 4.3.1.

Because national parks are important public assets, formal public participation processes are followed when national park management plans are being developed or reviewed. The Department has responsibilities to give effect to the principles of the Treaty of Waitangi when administering national parks, provided these principles are not clearly inconsistent with the provisions of the National Parks Act. Providing for tangata whenua and public input and interaction is an important way of building support for conservation activity and strengthening co-operative relationships for the preservation of national parks and their natural, cultural and historic values.

POLICIES

- 11 (a) During the development and statutory consultation phases of park management plans, the Department and conservation boards will seek a wide range of views and provide a range of opportunities for comment appropriate to tangata whenua and the wider community.
- 11 (b) The Department will consult with conservation boards on major policies and issues relevant to the interpretation and implementation of park management plans within the jurisdiction of each board. Conservation boards will be given an annual report on the implementation of these plans.
- 11 (c) National park management plans will identify the natural, historic, cultural and recreational values of the national park in such a way that the separate and cumulative effects of activities, including any proposed concession activities, on those values can be assessed.
- 11 (d) Each national park management plan should consider the attributes of, activities and opportunities within, and risks to the national park, in relation to those comparable factors for other national parks and other public conservation lands and waters, with a view to providing an integrated conservation management framework across the national park network.
- 11 (e) Park management plans should clearly establish an order of preference or priorities where objectives are potentially conflicting.

- 11 (f) Park management plans will outline the need or justification for creating any new wilderness or amenities areas.
- 11 (g) Proposed amendments to national park management plans will be subject to public comment unless the conservation board and the Director-General consider that the amendment would not materially affect the objectives or policies in a plan. Examples are where:
 - i) an amendment corrects a factual error;
 - ii) an amendment reflects changes in legislation; or
 - iii) an amendment provides clarification of a policy.

12. International Agreements

New Zealand has a long history of involvement in international conservation as part of a global community with an interest in the conservation of the earth's natural resources. New Zealand experts have been actively involved in the programmes of the World Conservation Union (IUCN) for many years.

New Zealand's commitment to the international effort to conserve global biodiversity was confirmed by the ratification of the Convention on Biological Diversity in 1993. New Zealand also participates in other international organisations and processes relevant to the management of national parks. These include the Convention on Wetlands (the 'Ramsar' Convention) and the World Heritage Convention.

International agreements serve to raise the profile of New Zealand's national parks. For example Te Wāhipounamu (South-West New Zealand) and the Tongariro National Park are inscribed as World Heritage Sites under the World Heritage Convention. Some international agreements recognise the conservation-related interests of indigenous peoples and provide for their inclusion in international and national processes.

POLICIES

- 12 (a) International obligations related to national park management deriving from international agreements which have been ratified and recognised in domestic law and policy will be taken into account in the implementation of policy.
- 12 (b) Where international recognition has been given to areas or resources within one or more national parks, the recognised values of those areas or resources will be identified in management plans and will be preserved, and appropriate linkages between management plans made.
- 12 (c) Active participation in international conservation forums will be maintained to promote the protection of biological diversity and the ideals and principles of national park management.
- 12 (d) The interests of tangata whenua in international conservation conventions and agreements and their implementation in national parks will be recognised.

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APPENDIX 1: CURRENT NON-STATUTORY POLICY DOCUMENTS WHICH HAVE BEEN DRAWN ON IN THE PREPARATION OF THIS STATEMENT OF GENERAL POLICY

(SOP = Standard Operating Procedure)

Department of Conservation 1986. *New Zealand Wetlands Management Policy*.

Department of Conservation 1995. *Historic Heritage Strategy*.

Department of Conservation 1995. *Marine Reserves Information Paper*.

Department of Conservation 1995. *Taupo Sport Fishery Management Plan*.

Department of Conservation 1996. *Visitor Strategy*.

Department of Conservation 1997. *Kaupapa Atawhai Strategy*.

Department of Conservation 1997. *Protocol Agreement between the Ministry of Fisheries and the Department of Conservation* (including specification of which freshwater species are to be administered under fisheries or conservation legislation, respectively).

Department of Conservation 1998. *SOP for Categorisation of Protected Areas* (NH1027).

Department of Conservation 1999. *Revocation of Conservation Management Plans SOP* (NPPM C1298).

Department of Conservation 2000. *Consultation Policy and Guidelines*.

Department of Conservation 2000. *Draft National Heritage Strategy*.

Department of Conservation 2000. *Grass Carp SOP* (NH1248).

Department of Conservation 2000. *Koi Carp Policies* (NH1190).

Department of Conservation 2001. *Conservation Management Strategy Implementation Advice SOP* (NPPM C1290).

Department of Conservation 2001. *Ecological Inventory and Monitoring Handbook*.

Department of Conservation 2001. *Ngā Akiakitanga Nuku Kaupapa Māori o Te Papa Atawhai* (Kaupapa Maori Strategic Policy Initiative, Working Draft).

Department of Conservation 2003. *Conservation with Communities Strategy*.

Department of Conservation 2002. *Freshwater Strategic Action Plan* (in prep).

Department of Conservation 2001. *Policy Statement on Deer Control*.

Department of Conservation and Ministry for the Environment 2000. *New Zealand Biodiversity Strategy*.

Department of Lands and Survey 1983. *Wilderness Policy*.

ICOMOS New Zealand 1993. *Charter for the Conservation of Places of Cultural Heritage Value*.

Ministry for the Environment 1998. *Flow Guidelines for In-stream Values*.

Ministry of Tourism 2001. *New Zealand Tourism Strategy*.

Te Rūnanga o Ngāi Tahu, 2002. *Te Rūnanga o Ngāi Tahu Pounamu Resource Management Plan*. Ōtautahi/Christchurch.

GLOSSARY

Abiotic

Relating to physical resources that do not include plants, animals or micro-organisms.

Active management

Used in reference to a planned programme of work that is required to maintain the values of specific places or objects.

Amenities area

Any area of a park set aside for the development and operation of recreational and public amenities and related services appropriate for the public use and enjoyment of the park.

Authorisation

Collective term for all types of approvals provided for in a statutory process and issued by the Department of Conservation.

Biodiversity

The variability among living organisms from all sources including, *inter alia*, terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are part; this includes diversity within species, between species and of ecosystems.

Biosecurity

The protection of people and natural resources, including biodiversity, from unwanted organisms capable of causing harm.

Biota

All plants, animals and micro-organisms at a place.

Building

Has the same meaning as it has in section 2 of the Building Act 1991 or any Act that replaces it.

Communities

- (1) Social – groupings of people who share geographic locations or common interests.
- (2) Biological – an association of populations of plants and animals which occur together in a common environment.

Concession

A lease, easement, licence or permit granted to enable the carrying of a trade, occupation or business on areas managed by the Department of Conservation.

Conservation

The preservation and protection of natural and historic resources for the purpose of maintaining their intrinsic values, providing for their appreciation and recreational enjoyment by the public, and safeguarding the options of future generations.

Conservation Boards

There are 14 conservation boards, each comprising up to 12 appointed members. Their functions include oversight of the preparation of the conservation management strategies and national park management plans for their areas, approval of conservation management plans (e.g., for forest parks), and advice to the Authority or the Department on regional conservation matters, including the implementation of conservation management strategies and management plans.

Conservation management plan

A plan for the management of natural and historic resources and for recreation, tourism and other conservation purposes which implements the conservation management strategy and establishes detailed objectives for integrated management within any area or areas specified in a conservation management strategy.

Conservation management strategy

A strategy which implements general policies and establishes objectives for the integrated management of natural and historic resources and for recreation, tourism and other conservation purposes. The strategy is reviewed every ten years.

Consultation

A genuine invitation to give advice and genuine consideration of that advice. To achieve consultation, sufficient information must be supplied and sufficient time allowed by the consulting party to the consulted to enable it to tender helpful advice. It involves an ongoing dialogue. It does not mean acceptance of the other party's view, but enables informed decision-making by having adequate regard to those views.

Convention on Biological Diversity (CBD)	An international agreement on biological diversity that came into force in December 1993. The objectives of the Convention are: the conservation of biological diversity; the sustainable use of its components; and the fair and equitable sharing of the benefits arising out of the utilisation of genetic resources.
Cultural heritage	Possessing historical, archaeological, architectural, technological, aesthetic, scientific, spiritual, social, traditional or other special cultural significance, associated with human activity.
District plans	Prepared and changed by the territorial authority according to the requirements of the Resource Management Act 1991 for the purpose of sustainable management of natural and physical resources. District plans control the use of land within the district.
Easements	Rights owned by one person over the land of another.
Ecosystem	A functioning community of organisms together with their physical environment, interacting as an ecological unit. Ecosystems can be small and short-lived, for example water-filled tree holes or rotting logs on a forest floor, or large and long-lived such as forests or lakes.
Ecosystem services	A wide range of conditions and processes through which natural ecosystems, and the species that are part of them, help sustain and fulfil human life.
Fire officer	A person appointed as a Rural Fire Officer pursuant to the Forest and Rural Fires Act 1977.
Formed road	Excludes any path, walking track, tramping track or route (and any bridge, culvert and ford forming a part of any of them) marked on a map published by the Department of Conservation.
Gamebirds	All game birds specified in the First Schedule of the Wildlife Act 1953.
Genetic material	All or part of the DNA of a genome or all or part of an organism resulting from expression of the genome.
Genetic resources	Genetic material of plants, animals or micro-organisms (including modern cultivars and breeds, primitive varieties and breeds, landraces and wild or weedy relatives of crop plants or domesticated animals) that has value as a resource for people or future generations.
Geographic range	The limits of the geographical distribution of a species or specified taxonomic grouping.
Geopreservation	The preservation of geological, soil and landform features and the protection of processes that give rise to or maintain them.
Habitat	The place or type of area in which an organism or group of organisms naturally occurs.
Hapū	Sub-tribe of the iwi that is tangata whenua for a particular rohe.
Healthy ecosystem	An ecosystem which is stable and sustainable, maintaining its organisation and autonomy over time and its resilience to stress. Ecosystem health can be assessed using measures of resilience, vigour and organisation.
Historic heritage	Land-based historic heritage as defined by the Historic Places Act 1993. This includes historic buildings, places and areas, archaeological sites, wāhi tapu and wāhi taonga areas.
Indigenous freshwater fisheries	Stocks or populations of freshwater fish or other aquatic life that occur naturally in the waters in which they are found.
Indigenous species	A plant or animal species which occurs naturally in New Zealand. A synonym is 'native'.
Integrated conservation management	The management of activities, existing or potential, in a manner which ensures that each is in harmony with the other and that priorities are clear.

Interpretation	Conveying information about the origin, meaning or values of national or cultural heritage via live, interactive or static media. It occurs in the vicinity of the subject and is designed to stimulate visitor interest, increase understanding and promote support for conservation.
Intrinsic value	This is a concept which regards the subject under consideration as having value in its own right independent of any value placed on it by humans. Elements of intrinsic value with respect to ecosystems include but are not limited to their integrity, form, uniqueness, functioning inter-relationships and resilience (see also biodiversity).
Invasive species	An animal pest or weed that can adversely affect indigenous species and ecosystems by altering genetic variation within species, or affecting the survival of species or the quality or sustainability of natural communities. In New Zealand, invasive animal pests or weeds are almost always species that have been introduced to the country.
IUCN	International Union for Conservation in Nature (also called the World Conservation Union).
Iwi	Tribe, people.
Kaitiakitanga/kaitiaki	The exercise of guardianship/guardians. In relation to a resource this includes the ethic of stewardship based upon the nature of the resource itself.
Kaupapa	An abstract word with many meanings. Within the Department of Conservation it is generally used in the sense of vision, philosophy, cause, idea or theme.
Mana	Dignity, status, power, influence, respect.
Manaakitanga	Show respect, kindness, hospitality.
Matauranga Māori	Māori traditional knowledge.
Maunga	Mountain.
Mauri	Essential life force, the spiritual power and distinctiveness that enables each thing to exist as itself.
Mokihi	Traditional Māori canoe or raft, made from raupo (bulrushes) and harakeke (flax).
Natural fire regime	The pattern of fires occurring naturally in an ecosystem. The main elements of variation in the fire regime are the frequency, seasonality and intensity of fires.
Natural processes	Do not include the human-accelerated components of processes such as sedimentation, eutrophication, erosion and fire.
Natural quiet	Natural ambient conditions in a natural area; the sounds of nature.
Nature Heritage Fund	(formerly known as Forest Heritage Fund) A contestable fund under the jurisdiction of the Minister of Conservation, established in 1990 to protect indigenous forests and other ecosystems that represent the full range of natural diversity originally present in the New Zealand landscape.
Nature conservation	The preservation and protection of natural resources of New Zealand having regard to their intrinsic values and having special regard to indigenous flora and fauna, natural ecosystems and landscape.
New Zealand Biodiversity Strategy	A government-approved national strategy (2000) providing an integrated response to New Zealand's declining indigenous biodiversity, prepared in part to meet a commitment by New Zealand under the Convention on Biological Diversity.

New Zealand Conservation Authority	A national body of 13 appointed members established under section 6A of the Conservation Act 1987. Amongst other functions, it has the statutory responsibility for approving general policy, conservation management strategies, and plans and national park management plans.
Ngā Whenua Rahui	A contestable fund to assist Māori landowners to protect indigenous forests and other habitats and ecosystems.
Noxious fish	Those species of fish specified in the Third Schedule of the Freshwater Fisheries Regulations 1983.
Order-in-Council	Means an order made by the Governor-General in Council.
Park lands	All land included in a national park where land may include the foreshore and the bed of the territorial sea, and the bed of a stream, river or lake. It is a matter of legal fact in the case of each park whether or not 'park lands' include foreshore and bed areas; not all foreshores and beds surrounded by or adjoining a park will be 'park lands.'
Park waters	Includes all waters within the boundary of a national park, such as rivers and their tributaries, tarns and lakes and other permanent water bodies, such as peat bogs, wetlands and tidal waters that flow through that area of a park within the coastal marine area.
Pest management	Pests are any organisms capable of causing unwanted harm to people, the environment or the economy including animals, weeds and diseases. Pest management covers actions aimed at avoiding or mitigating unwanted harm from pests that are established in the country.
Pounamu	New Zealand greenstone/jade.
Preservation	In relation to a resource, means the maintenance, so far as is practicable, of its intrinsic values.
Prescribed burning	The controlled application of fire, under specified conditions, to achieve a fire of required intensity and rate of spread to attain planned management objectives.
Protection	In relation to a resource, means its maintenance, so far as is practicable, in its current state; but includes: (a) its restoration to some former state; and (b) its augmentation, enhancement, or expansion.
Protected area network	A network or system of protected areas. The principal criteria for New Zealand's protected area network are: • comprehensiveness: the degree to which the full range of ecological communities and their biological diversity are incorporated within protected areas. • representativeness: the extent to which areas selected for inclusion in the protected area network are capable of reflecting the known biological diversity and ecological patterns and processes of the ecological community or ecosystem concerned, or the extent to which populations represent or exemplify the range of genetic diversity of a taxonomic unit.
Protected Natural Area (PNA)	A legally protected area, characterised by indigenous species or ecosystems or landscape features, in which the principal purpose of management is retention of the natural state.
Protected Natural Areas Programme (PNA)	A programme to identify and protect areas that represent the full range of indigenous biological and landscape features in New Zealand, thereby helping to maintain the distinctive character of the country. The PNA Programme is as much about the protection of biological and landscape features that are common or extensive within an ecological district as about protection of the district's unique or special features.

Public conservation lands and waters	Land and water areas administered by the Department of Conservation. For the purposes of this statement of general policy, reserves administered by other agencies are not included in this definition.
Rahui	Protection of a place or resource by forbidding access or harvest.
Ramsar Convention	An international convention to protect internationally important wetlands. It was agreed in 1971 and signed by New Zealand in 1976.
Restoration	The active intervention and management of degraded biotic communities, landforms and landscapes in order to restore biological character, ecological and physical processes and their cultural and visual qualities.
Rohe	Geographical territory of an iwi or hapū.
Species	A group of organisms capable of interbreeding freely with each other but not with members of other species. (See also Biodiversity).
Sports fish	Every species of freshwater fish that the Governor-General may declare, by Order in Council, to be sports fish for the purposes of the Conservation Act.
Sports fish and game management plans	Plans approved by the Minister of Conservation under section 17M of the Conservation Act.
Sustainable use	The use of components of biological diversity in a way and at a rate that does not lead to the long-term decline of biological diversity, thereby maintaining its potential to meet the needs and aspirations of present and future generations
Takiwa	Place or territory used by or associated with an iwi, hapū or whanau.
Taonga	Valued resources, assets, or prized possessions, both material and non-material.
Te reo Māori	The Māori language.
Tikanga/tikanga Māori	Customary correct ways of doing things, traditions.
Tōpuni	A redress instrument used in the Ngāi Tahu Claims Settlement Act 1998. It provides a Crown acknowledgement of the Ngāi Tahu values in relation to the area covered by the tōpuni and sets out specific principles that are directed at the Minister of Conservation avoiding harm to Ngāi Tahu values.
UNESCO	United Nations Educational, Scientific and Cultural Organisation.
Unwanted aquatic life	Any species (including subspecies, hybrids, and variations of that species) listed in the Third Schedule to the Freshwater Fisheries Regulations 1983; or Any species of fish, aquatic life, or seaweed that is determined by a chief technical officer under the Biosecurity Act 1993 to be an unwanted organism.
Unwanted organism	Any organism capable of causing unwanted harm, including animal pests, weeds and diseases. (This is a wider definition than sometimes used in New Zealand, for example as in the Biosecurity Act 1993.)
Vehicle	Has the same meaning as it has in section 2(1) of the Land Transport Act 1998.
Visitor facilities	Facilities that enable visitors to enjoy a range of recreational opportunities including (but not limited to): visitor and information centres, camping areas, tracks and walkways, bridges, backcountry huts, roads, carparking areas, toilets, picnic area, signs and interpretation panels, viewing platforms, wharves and boat ramps.

Wāhi tapu	Specific sites, general locations, or wider areas recognised as being of special importance to tangata whenua. Wāhi tapu may be: • urupa or ana; • sites associated with birth or death; • sites associated with rituals, ceremonies or pilgrimage; • places imbued with the mana of chiefs, tupuna, iwi or hapu; • battle sites or other places where blood has been spilled; • pa or kainga sites (former and current); • places associated with traditional or religious events or movements; • other places of cultural importance to tangata whenua. Wāhi tapu may have one or more of these attributes.
Waka	Canoe, vehicle.
Wetlands	Permanent or intermittently wet areas, shallow water or land-water margins. They include swamps, bogs, estuaries, braided rivers, and lake margins.
Whakapapa	Recounting of genealogical lineage.
Whanau	Family groups.
Wilderness Areas	Any part of a national park set apart as a Wilderness Area under section 14 of the National Parks Act 1980.
World Heritage Site	A site designated under the UNESCO World Heritage Convention as being of outstanding universal value as a site of cultural or natural heritage.

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Released under the Official Information Act 1982

**GENERAL POLICY
BRIEFING MATERIAL FOR NZCA MEMBERS AND DOC
STAFF PARTICIPATING IN THE NATIONAL BRIEFING
ROUND, AUGUST – NOVEMBER 2003.
As at 3 September 2003**

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INTRODUCTION

The following material provides detailed briefing notes for NZCA members and DOC staff at the national round of briefing meetings for the draft statements of general policy under the National Parks Act and the Conservation Act and related legislation.

Detailed notes on the roles of NZCA members and DOC staff at the briefings are provided in the consultation project plan.

It is important to note the roles of NZCA members and DOC staff in terms of the statutory processes for preparing general policy.

In particular NZCA members have an approval role for the National Parks General Policy. This role could potentially be compromised by members taking an advocacy role for or against the policies at briefings. The letter of the NZCA Chairman to NZCA members of 18 August 2003 is relevant to this point. He states:

“The submission stage is a time for listening and receiving the perspectives of others. We have given it our best collective shot and it is the turn of others to tell us what they think of the drafts— whether we are clear in our intentions, whether the philosophy and approach has general support, whether we have overlooked something or got something just plain wrong. In short it is the time for others to make comment...

It would be inappropriate in my view, for any member to enter into a dialogue which could be perceived or construed to be a negotiation or an undertaking to change anything in the policy. Any changes will be made by the NZCA collectively after we have heard the whole range of opinion, perspective and argument at the end of the submission process.”

The briefings are not hearings. They do not provide a process for debating and judging the merits of policies (even though valuable discussion of this nature will inevitably take place at these meetings). Rather, they present an opportunity for explaining the content and the context for the policies. Comments should be confined to this role, and encouraging stakeholders (including Conservation Board members) to make written submissions on the draft statements.

Although DOC staff do not have a decision-making role on the policies, the same comments largely apply. The role of DOC staff is to present information about the draft statements, answer questions on points of detail, and generally to facilitate public and stakeholder participation in making written submissions.

DRAFT GENERAL POLICY: PROCESS FOR NATIONAL BRIEFING ROUND

1. Context and Purpose of Meetings

The Department of Conservation wishes to receive written submissions on two draft conservation policy documents: General Policy for the National Parks Act and General Policy for the Conservation Act and related legislation.

A series of meetings is being scheduled in each conservancy over the next few months. The purpose of the meetings is to provide an opportunity for Conservation Boards, iwi, Department staff and the public, particularly those members of each group engaged in the translation of policy into conservation management planning, to be briefed by DOC Head Office staff involved in the development of the General Policy.

Head Office staff will be available in each conservancy for up to two days to allow time for combined or separate briefings to each of the four key groups. Conservancies will decide how many meetings will be required.

In addition to the meetings to be held in each conservancy, it is envisaged that several other briefings will also be scheduled for late September through to early October. These will include briefings for Fish and Game New Zealand (Sep. 20/21), Royal Forest and Bird Protection Society, other major environmental N.G.O's, and major industry groups (e.g. recreation and tourism, concessionaires and infrastructure/utility providers).

The purpose of this document is to assist all those involved in the consultation process in achieving a successful outcome; i.e. the acquisition of a representative range of submissions from all interested parties by 19th December.

2. What Happens Next

In January and February 2004, all submissions received will be analysed and summarised, following which both statements of draft General Policy will be revised during the period March to May 2004.

The Director-General of Conservation (for the Conservation General Policy) and the NZCA (for the National Parks General Policy) may each decide on a final policy or choose to re-notify the respective revised drafts for further submissions and supporting hearings.

Final approval of the statements of General Policy is expected before the end of 2004.

3. Meeting Format

Each meeting will follow a similar format:

- For Team A, GM CPD will deliver the opening remarks and introductions
- For Team B, this will be done by the RGM present
- Team members will deliver a 30 minute presentation (Powerpoint or overheads depending on facilities available). The presentation is in three sections:
 1. General section on intent and framework of the policies: presented by the GM
 2. Section on the General Policy for National Parks, presented by the NZCA member present
 3. Section of further detail on the policies (mainly Conservation General Policy), presented by the GM or a DOC team member
- Up to one and a half hours will be available for questions/discussion

Team members should decide before the meeting whether to try and give the whole presentation before questions and discussion, allow brief interruptions for clarification, or allow the discussion to proceed freely throughout the presentation

Presentations to iwi may be tailored to address specific aspects of interest to Maori.

It is envisaged that where separate meetings are held for Department staff and Conservation Boards they may be more flexible: probably shorter in duration for staff, longer for conservation boards, and again addressing specific aspects of interest.

4. Roles and Responsibilities

RGM:

- opening remarks and introduction of presenters
- given familiarity with the presentation, may also choose to deliver part of presentation personally

GM CPD - opening remarks and introduction of presenters
- delivery of first and third part of presentation

NZCA Lead Member:

- delivery of National Parks part of presentation

Team Members:

- CT, NP, PB - delivery of part of presentation
 - determine protocols for answering questions
 - deal with detailed questions on policy
- CT - liaison with NZCA members
- NP - liaison with conservancy key contacts
 - schedule briefings
- PB - printed materials distribution
- Joanne Gilbert - assist with distribution

Conservator:

- Organise additional briefings as required
- Agree format/number of briefings with board chairperson

Conservancy Contact:

- main liaison between conservancy and team members
- organise briefings

Other NZCA Members:

- attend meetings, if available, in 'home' and/or liaison conservancy

Attendees:

- Conservation Boards
- Iwi representatives who deal with CMS/planning issues
 - May attend a separate hui; or
 - May be invited to the Board meeting
- Staff (Conservator, KAM, CRM, Planner, Rec. Planner, TSM, CAS, Concessions staff)
 - May be invited to the Board meeting or
 - May attend the hui or public meeting or

- May attend a separate meeting
- Public (in particular stakeholders who would be consulted on CMS – CRM's and Planners to provide guidance)***
 - Board Chair and Conservator to decide whether this meeting is required
 - May be invited to the Board meeting or
 - May attend a separate meeting or
 - Conservancy can organise as part of the regular Conservator – stakeholder meetings

*** Note: Head Office staff will organise briefings for national stakeholder groups. All other conservancy briefings would need to be organised by the conservancy. Conservator to be responsible for this. Regional Fish & Game representatives (regional staff or councillors) should be specifically invited

Media:

- It is not expected that conservancy contacts would normally be inviting media to attend. However this may be justified if media contact conservancy for details beforehand. The conservator should make this decision.

Overall Co-ordination:

- NP for team members
- Conservator (through conservancy contact?)
- Conservancy board chairperson

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5. Risk Management

Risk: discussion on General Policy will be sidetracked by other conservation issues (e.g. foreshore and seabed, aquaculture, Marine Reserves proposals, public access, recreation facilities).

Action: risk should be mitigated by maintaining focus on the nature of the General Policy; i.e. wider, overarching policy which does not change the status quo but seeks to interpret current legislation. Also, point out, where appropriate, that many of these other issues are the subject of consultation or parliamentary processes.

Risk: discussion on General Policy will be sidetracked by questions on national policy statement on indigenous biodiversity.

Action: managed by explaining that it is a separate process being managed by MfE.

Risk: a single issue of concern to a group or individual in the audience becomes the dominant focus of discussion, crowding out other issues.

Action: Work with chair to ensure that all attendees get opportunities to ask questions or raise issues.

Risk: Apathy; key people/groups don't notice the policies initially then make a late run! (possibly post the briefings round)

Action: Publicise the round well to key stakeholders. Put out further mid-briefing round media statements. Reconsider process if apathy continues.

6. Other Requirements Checklist

- No. of copies of documents required
- Copies distributed
- Copy of documents on website
- Copies of factsheet and supplementary material distributed
- Powerpoint presentation on laptop
- Compaq projector
- Overheads
- Overhead projector
- Projection surface (portable screen, white wall)

7. Schedule [to be progressively updated: Nigel Parrott will have up-to-date details]

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FREQUENTLY ASKED QUESTIONS

Rationale for the policies

Q. Why are you doing this policy?

A. To provide a consistent basis for decision-making in conservation management on all public conservation lands and waters, including national parks, and to help to improve the quality of conservation management. It will define standards of care for all types of public conservation lands and waters.

Q. What was wrong with the old national parks policy? What's changed to require a revision?

A. There is nothing wrong with the old General Policy for National Parks. It has stood the test of time well. But a lot has changed in the 20 years since it was prepared. For example, we now have a single agency, the Department of Conservation, which must apply an integrated approach to places and species it is responsible for, including in national parks. The department operates under the Conservation Act which was not in force at the time the old policy was prepared. New concepts in biodiversity conservation and historic and cultural heritage management also needed to be reflected in new general policy, as well as the Crown's relationship with tangata whenua based on the Treaty of Waitangi (through section 4 of the Conservation Act), which had evolved in the last 20 years.

Q. Why is the Conservation general policy being prepared only now?

A. The main catalyst has been the forthcoming review of conservation management strategies which is due to start in 2004. A review team led by the Department of Conservation in 2001 concluded that the lack of up-to-date General Policy had hindered the preparation of the first round of conservation management strategies. The review highlighted the desirability of having a comprehensive suite of general policies in place before conservation management strategies are reviewed. This review led to a decision by the Minister of Conservation to prepare a Conservation General Policy statement for the Conservation Act and related legislation.

Q. What legislation does General Policy cover?

A. The General Policy for National Parks covers the National Parks Act only. The Conservation General Policy covers:

- The Conservation Act 1987
- The Wildlife Act 1953
- The Marine Reserves Act 1971
- The Reserves Act 1977
- The Wild Animal Control Act 1977
- The Marine Mammals Protection Act 1978

These are the conservation-related Acts that provide for general policy. However, note that reserves under the Reserves Act that are administered by agencies other than the Department of Conservation (e.g. local authorities), are NOT covered by this draft Conservation General Policy.

Q. *What about the Walkways Act?*

A. There is an existing General Policy for walkways, approved in 1995. That is not being reviewed. It is called the New Zealand Walkways Policy.

Q. *Isn't this just DOC tightening its grip on our land, or trying to ratchet up protection on all conservation land to national parks standards?*

A. The objective set out in the Conservation Act is integrated management. Both the department and the Authority want more coherent conservation management and policy to achieve that objective. This doesn't mean that all land will be managed to the same standard. Indeed, a principle running right through the Conservation General Policy is for lands and waters to be managed consistently with their protection status. (Many policies have a criterion for decision-making that relates directly to this principle.) This means that some areas, e.g. nature reserves and wildlife sanctuaries, will be managed to very high standards for nature conservation (even more so than in national parks, for example, by restricting public access). Other areas, e.g. recreation reserves and local purpose reserves, will be managed more for their recreation values or to maintain a local use or purpose; in those cases protection of natural values is to a lower standard.

Q. *Will the policies help provide a national system which is lacking at the moment?*

A. They will help to do this by providing a nationally consistent basis for the review of conservation management strategies which cover all conservation management issues within a conservancy. They will still require DOC to liaise effectively with a range of public and private agencies and organisations at a local level, and to consult with tangata whenua and the public.

Q. *What is integrated conservation management?*

A. Integrated conservation management is simply the term we use to describe our conscious effort to manage the complex issues of conservation management in an integrated way. For example:

- To integrate *actions between places* so they achieve more than one desired outcome or can be combined in a more cost-effective way; or
- To integrate actions *at one place*, so they achieve more than one desired outcome at that place.

[Give a local example]

DOC's responsibilities under section 4 of the Conservation Act also serve to integrate conservation management. The department is required under section 4 to give effect to the principles of the Treaty of Waitangi, provided those policies are not clearly inconsistent with the provisions of the conservation legislation. This responsibility applies across the whole range of functions under the legislation, not just some.

Until now we haven't had the policy tools to integrate between the different purposes of different conservation legislation.

Process

Q. Why a separate process for the two policies?

- A. The National Parks Act provides for a separate National Parks General Policy and there is already a well-proven National Park General Policy. The need for separate statements of General Policy also reflects different processes for developing and approving General Policy. The NZCA adopts National Parks General Policy after considering the views of the Minister of Conservation on the draft, as well as public comments. The Minister of Conservation approves the Conservation General Policy after considering the views of the NZCA on the draft, as well as public comments.

However, there is a close relationship between the National Parks General Policy, the Conservation General Policy, and conservation management strategies and management plans. National park management plans, conservation management plans and sports fish and game management plans cannot derogate (detract) from a conservation management strategy. A conservation management strategy in turn cannot derogate from any General Policy. [This is shown in the diagram on page 2 of the Fact Sheet.] Given these relationships and the forthcoming reviews of conservation management strategies, it makes sense to develop the two statements of General Policy at the same time. We have tried to achieve coherence between the processes as far as is provided for in the legislation.

Q. Will there be hearings on these submissions? What happens after the submission process is finished?

- A. Not on this round of submissions. All submissions will be independently summarised and analysed, and the summary of submissions will be published. Depending on the extent of revision required, the Director-General of Conservation may choose to re-notify the respective revised drafts for further public comments. Persons or organisations making submissions on the revised draft would have the opportunity to be heard in support of their submissions.

Q. How long will it take before the general policies are operational?

- A. Final decisions on the statements of General Policy will be made by the Minister of Conservation (for the Conservation General Policy) and the NZCA (for the National Parks General Policy). This could occur either after the first (current) round of submissions, or after a second round of submissions and subsequent amendments. Final approval of the statements of General Policy is expected before the end of 2004.

Q. Does the dept take notice of these general policies now or only when they are agreed to?

- A. The general policies will only take effect after they are finally approved by the Minister and adopted by the Authority, respectively.

Q. Why is this not a consultation meeting/hui?

- A. We are constrained by the two statutory processes we are running, which are parallel but not the same. We are being careful to stick to the letter of these processes. They do not provide for consultation, and we felt the best we could do

*In the dialogue sense only the
notification & submission sense* 11

was to run these meetings to brief stakeholders and tangata whenua on both draft policy statements.

Treaty of Waitangi responsibilities

Q. Do these policies relate to Maori?

A. Yes. An important feature of both general policy statements is that they clarify and interpret the department's responsibilities stemming from section 4 of the Conservation Act. This states that the Conservation Act, and all the Acts listed in its First Schedule, must be interpreted and administered so they give effect to the principles of the Treaty of Waitangi. Where, however, there is clearly an inconsistency between the provisions of any of these Acts and the principles of the Treaty, the provisions of the relevant Act will apply. Policies in various sections of the draft statements apply this provision to conservation management.

Q. Do these policies transcend other relationships with Maori or public groups or agreements in conservation?

A. No, they will not replace any existing agreements. The policies provide for a range of relationship and partnership arrangements between tangata whenua and DOC, similar to those applying at the moment. The policies do not extend this range, but they probably help to clarify and emphasise these relationships and to facilitate their consistent application around the country. Both existing relationships and any new ones arising after general policy is confirmed will of course be fully consistent with the provisions of conservation legislation.

Q. Does the General Policy differ from the draft policies in Nga Akiakitanga?

A. Nga Akiakitanga is more detailed and more internally focussed than general policy. Nga Akiakitanga is still in draft form. However, development of the draft general policy statements and the revision of Nga Akiakitanga have occurred in parallel over the last year, and the final versions of both should be fully consistent.

Q. What do the statements of general policy say about customary take of indigenous species?

A. Policy 2(f) in both drafts state that applications for non-commercial customary take will be considered on a case-by-case basis. The criteria for consideration differ in accordance with the legal classification of the plant or animal to be taken and, in some cases, the area from which the take is to occur.

Q. Will the Department still consult designated tangata whenua (e.g. kaitiaki roopu) when it gets requests for customary take?

A. Policy 2(f) provides for that to happen. Processes will be developed, usually on a conservancy basis, which endeavour to accommodate both the department and tangata whenua.

Q. Do the policies allow for joint management by the Department and tangata whenua?

A. Policy 2(b) (both draft statements) provides for partnership arrangements to be developed appropriate to local circumstances. These will span a variety of forms.

Public participation

Q. Do the policies allow for meaningful public participation in conservation management?

A. Yes, that is the intention. Public participation envisaged by general policy will span a variety of forms appropriate to particular situations and different types of decision-making. The policies for public participation are, in most cases, comparable to those applying to tangata whenua.

Q. Why have you used different headings in the two policies – Nature Conservation in the GPNP and Conservation of natural resources in the other GP?

A. The difference is reflective of the language in the NPA on the one hand and the CA on the other.

Other Questions that may be asked

Nature Conservation/Conservation of natural resources

What are you doing about freshwater recreational fish that are pests?

What are you doing about hunted animals (deer, thar, goats, etc) that are pests?

Is the general policy trying to get more marine reserves through the back door?

What is the policy on keeping animals in captivity?

Cultural and Historic Heritage

Protected Area network

Conservation beyond public lands and waters

Is DOC trying to extend its jurisdiction?

Natural hazards

Do the policies neglect public safety?

Do the policies put valuable infrastructure at risk from hazards?

Visitor benefit, use and enjoyment

Do the policies maintain free access to conservation areas?

Why don't you distinguish between international tourists and New Zealanders recreating?

Will the policies allow unrestricted tourism and recreation to wreck the joint?

What are the policies for mountain biking in national parks and other conservation lands? What does "roads and associated designated areas" mean (National Parks General Policy)?

Do the policies restrict adventure tourism?

Will tourism/recreation accommodation and facilities be allowed in national parks and conservation lands?

Will scenic flights over conservation areas be allowed to continue?

Will recreational fishing be restricted in national parks and conservation waters?

Will recreational hunting be restricted in national parks and conservation lands?

Non-recreation uses

Will the policies allow grazing concessions to continue?

Will the policies allow mining concessions to continue?

Will the policies allow essential infrastructure in national parks and conservation lands?

Knowledge and information needs

Will researchers be charged for working in conservation areas?

Will the policies allow bioprospecting?

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DIFFERENCES BETWEEN NATIONAL PARKS AND CONSERVATION DRAFT GENERAL POLICY STATEMENTS

Introduction

- GPNP has section on special features of national parks

Treaty of Waitangi responsibilities

Policy 2(g) re use of Maori place and species names:

- NPPG uses “should”; CGP uses “will”

2(f) re customary use:

- NPGP provides for consistency with NPMP; CGP provides for legal status of land and species as criteria for decision-making

Public participation

No differences

Nature Conservation/Conservation of natural resources

Introduction

- Significant differences reflecting emphasis under NPA and CA, as reflected in the different titles
- Preservation of indigenous species ethic of the NPA is expressed as nature conservation. Also emphasises outstanding features of national parks in the protected area network.
- Conservation of natural resources in the CGP has a wider scope which includes plants and animals of all kinds. Specifically includes sports fish and game birds and provides for Fish & Game's role. Also includes actions under other Acts.
- Both drafts affirm DOC's central role as being conservation of indigenous biodiversity.

Cultural and Historic Heritage

- Generally, wider scope under CGP, including reference to provisions of Reserves Act and the Historic Places Act.
- Policies 5.1 (b) and (c) CGP provides for protection and management of cultural and historic heritage on all public conservation lands (to the extent compatible with the legislation)
- Policy 5.4(b) CGP anticipates a wider range of threats to cultural and historic heritage on public conservation lands.
- Policy 5.4(h) CGP refers to monuments and plaques specifically. NPGP refers to a range of information and interpretation.
- Policy 5.4(i) CGP anticipates a wider range of uses for buildings on public conservation land, under different statutes.

Protected Area network/New national parks, additions boundaries & special areas

The former is only in the CGP, dealing with different land categories. However, both are interested in networks of protected areas to protect a full range of ecological systems and

natural features. Policies set out priorities for adding to or adjusting the network, in accordance with the relevant statutes.

Conservation beyond public lands and waters

Conservation GP only

Natural hazards

Similar basic approach but NPGP has additional policy material to back up the NPA requirement for national parks to be maintained as close as possible in a natural state. NPGP Policy 7(a) recognises this specifically (in more detail than corresponding policy CGP 8(a)), and also an additional policy NPGP 7(d) guides a preference for hazard mitigation that prefers structures to be built outside national parks.

Visitor benefit, use and enjoyment

Policies are worded very similarly. The most significant difference is that vehicle and transport use is much more detailed and prescriptive in NPGP section 8.6 than in the corresponding CGP section 9.6. Some detail in NPGP 9.3(d) on private accommodation is specific to CGP and some in 8.3(e) is specific to NPGP.

In general, although the policies are worded similarly the place-based ROS approach means that the effects of GP visitor policies on many places in national parks could be quite different to that in some types of other protected areas.

Non-recreation uses

Grazing: A different presumption. In CGP the presumption is that grazing leases can be granted if they are consistent with certain criteria to manage their effects. In NPGP the presumption is that grazing is incompatible with national park values. But the NPA makes provision for existing grazing to continue if it is in the public interest and the GP therefore specifies stringent criteria under which grazing may *continue* (no new grazing leases envisaged).

Utilities: More stringent criteria in the NPGP for applications to establish utilities and communication facilities (e.g. their purpose should be *essential* for the public good).

There is also a policy of no new roads in national parks – this policy is not in the CGP.

Mining: Only in the NPGP, to cover national parks created since 1991. Otherwise all mining is covered by the Mining Act 1991 and no new provisions were considered necessary.

Commercial filming: Similar provisions.

Military training: Similar provisions.

Knowledge and information needs

Similar provisions

Management plans

Different scope. CMS provisions are only in the CGP. CGP is less detailed on management plans: NPGP makes more detailed provision for NPMPs.

DIFFERENCES BETWEEN 1983 NATIONAL PARKS GENERAL POLICY AND NEW DRAFT NATIONAL PARKS GENERAL POLICY

1983 GP SECTION	1983 POL & PAGE	SECTION IN CURRENT DRAFT	COMMENT ON CURRENT TREATMENT
Introduction	1 p5	1	Longer section; material on special character of NPs integrated conservation management; GP framework etc.
Public participation	2 p8	3	- Expanded to include partnerships, volunteers, information/advice, attending public meetings. - Expansion beyond statutory minimum not included as this is covered in detail by DoC consultation policy guidelines. - no longer provides for the public to be involved in policy development CT - Reduction in attention to relationships with other land administering and statutory bodies CT
Relationship with other land admin & stat bodies	3 p10	6	Significant changes in allocation of Crown land and number and functions of statutory bodies has made 1983 policies redundant , but new policies cover need for advocacy re park values and effect of adjacent activities and specific reference to consulting with others re specific matters. E.g. inclusion of foreshore and beds of lakes and rivers, consultation with tangata whenua.
Finance	4 p12		Dropped
Management planning	5 p14	11	Language used in introduction is less emphatic /less legalistic. More comprehensive set of policies, including one policy previously in section 6. Need to add ref. to Board role. amplified on old chapter 5 but no longer appendix A - this will be replaced by the CMS SOP work being undertaken in SRO (Herb

			Familton) in which the NZCA is involved.
Specially protected areas, wilderness areas and amenities areas	6 p16	6	No longer separate chapter. Amalgamated with former section 7. One para. in place of previous 4 which repealed provisions of the Act and included references to sections since repealed. Now focuses on “what” and deletes the “how” which will be in the management plan itself. New policy re advocacy related to impacts on the national park from outside the park. E.g. - tens of thousands now thousands - contiguous areas now contiguous and related areas - new criteria for "predominantly natural areas" - additional policy for new parks - new additions criteria where no s8 requested - new deletions criteria - reduction is consultation with regional or unitary authorities New consultation criteria with tangata whenua. Not sure that 6.2 (old policy) has been carried through in chapters 8, 9 and 10 but possibly is in chapter 11(c) - Nigel?
Selecting new parks and park boundaries	7 p20	6	Does not identify “who can initiate” nor that consultation will be undertaken wider than tangata whenua and local authorities. Also board role. Greater guidance provided in terms of whether or not to initiate a S8 investigation and with regards to consultation with tangata whenua. Exclusion criteria clarified.
Protecting NP resources	8	4.1, 4.3.1, 7, 10(d)(e)	Old section broken into several new sections. Emphasis on maintaining natural processes in several sections. Some old policies not carried through because more at operational level eg. 8.10, 8.8. Not easy to tell if all of old chapter 8 is covered.
Introduced plants and animals	9	4.3.2	Old 9.1 not carried through. Should be covered by 4.3.2 (b) and (d). Old hunting policies (9.4, 9.5) not carried through – this will be one of the most contentious aspects of new GP. Old 9.7 covered by 4.3.2 (d)
Domestic animals	10	8.7a	Because of the level of detail in the Act, this is covered at a very broad level.
Fish, fishing and game birds	11	4.3.4, 4.3.5	Tightened. Old 11.3 dropped, old 11.4.11 tightened (new 4.3.5 (f) and (g). Policies 4.3.5 (b)(c)(d) are tighter. These will be contentious.

Grazing	12	9.2	The policies have been retained with additions to the criteria for assessment. Additions are: waahi tapu an waahi taonga, keeping animals out of waterways, potential of sites for restoration and existing agreements. Sunset clauses would be fettering decision makers.
Park waters	13	4.3.4, 4.3.2	Old policy 13.4 dropped
Fire control	14	4.3.3	Takes Forest and Rural Fire Act as basis (does not repeat) and balances this with ecological considerations (natural fire regimes)
Research	15	10	Closely follows sentiments of old policy with some amplifications and updating. Adds ref. to social sciences and Maturanga Maori and Maori interests. Deletes policy about grants and scholarships. New guidance to decision makers on collection of specimens whether or not for possible future commercial gain. New policy about monitoring and evaluation of management actions.
Education and interpretation	16	8.2	Summarises information section of the Visitor Strategy
Historic significance	17	17	S.5 applies. Has greatly expanded focus on cultural and historic heritage history. Includes explanation of history of national parks use in introduction. Movement of historic heritage management into context of integrated conservation management. Policy states that persons of exceptional importance in conservation history may be acknowledged in monuments.
Foot access	18	8.3 a/d	Covered as part of visitor facilities and services
Vehicle access	19	8.6	Covered in more detail than current GP.
Access for disabled	20	8.3c	Covered
Aircraft & airspace	21	8.6 c/i	Covered in less detail than current GP.
Aerial cableways	22	8.6 g	Covered by linking to amenity areas
Boating	23	8.6 d/e/j	Covered
Facilities & services	24	8.3 a/b	Covered in a less specific way
Buildings & accomm	25	8.3 a/b	Covered as part of visitor facilities & services

Commercial concessions	26	8.4 a-c	Covered to reflect current regime
Skifields & skiing	27	8.3 a/b	No specific mention of skifields, covered as part of visitor facilities & services.
Visitor safety & public health	28	8.5 b 7	Covers Visitor Safety The 1983 policies have an operational focus and are now covered by 8.3.(iii) in Visitor Facilities and Services. Emphasis on visitors taking responsibility for their own safety re natural hazards has been retained.
Minerals	29	9.1	Retained the policy that mining is generally incompatible with national park values, and reflected the change in legislation re mining in national parks and ownership of pounamu.
Electricity generation	30	9.3	More detail on matters to be considered in assessing uses and changes made to reflect the changes in legislation
Communication facilities & power trans	31	9.3	New policies less focussed on detail and reflect changes in the legislation related to concessions. Emphasis on avoiding location in parks, reducing impacts of existing facilities where possible. No mention of undergrounding as a means of reducing impacts.
Military manoeuvres	32	9.6	Focus in new policies on military training and the 1990 Defence Training Agreement.
Bioprospecting		10(f)	New policy considered restrictive but allows same applications to be considered
Biocontrols		4.3.2(d) 4.3.2(e)	4.3.2(e) is new
Biosecurity		4.3.2	4.3.2(a) – (d) considered comprehensive, covering DoC's operations.

CONSERVATION AUTHORITY

TE POU ATAWHAI TAIAO O AOTEAROA

AGENDA ITEM 9.1.2

19 December 2003

General Policy Project
Department of Conservation
P O Box 10420
WELLINGTON

Draft statement of General Policy – Conservation Act and related legislation, other than the National Parks Act.

The New Zealand Conservation Authority has confined its comments to perceived gaps, omissions and confusions, and areas where the difference between the draft statement for national parks and this document needs changing.

1) Omissions and gaps

Policies needed:

To favour indigenous species over introduced species where a trade-off is necessary

to address natural processes such as succession and climate change (4.1)

on captive management (4.3.1)

to provide for and promote walking access, both in chapter 9 and chapter 7

to foster the use of natural and historic resources for recreation (off estate)

on waste, including human bodily waste, commercial waste, litter

to mirror NPGP 8.3 (e) (unauthorised facilities or facilities not paying appropriate rentals)

to permit commercial hunting in chapter 10 (subject only to [high season] safety considerations)

to cooperate with other agencies to achieve pest control on public conservation land (Chapter 7 is off conservation land)

to achieve sustainable fishing for eels as well as whitebait

to address the threat of dogs to ground-nesting birds (page 50)

to prevent the release of grass carp in conservation areas

to provide for the “export” of introduced animals e.g wallabies to Australia, Himalayan tahr

to provide for media and educational filming on the same terms as other commercial filming re use of vehicles, aircraft etc

to eradication of all pests where practical and appropriate (currently confined to newly established pests)

to clarify the situation re customary fishing from stewardship land. (4.3.5(h)) refers to “public reserves” – reserves are a specific status)

to provide for marine mammals other than whales and dolphins e.g. seals and sea lions (4.4.2(i))

to resolve conflicts between natural, historic and recreation be resolved e.g. seals basking on historic graves

on the relative priority, when allocating funding, to be given to non-commercial recreation options versus those assisted by commercial operators? .

Also need:

Statement on stewardship land – often regarded by third parties as of lower conservation quality than conservation land of specific status e.g. national park, reserve, wildlife refuge, but it is often of very high conservation value

A framework to allow for limitation of public use, including visitors

to provide for alternative reporting regimes adopted by some Boards in 12 (h) e.g. those who have an on-going “rolling” reporting system. To read: “at least an annual report...”

to explicitly anticipate future growth in visitor numbers in Ch 12 (a)

to identify how conflicts or competing priorities between two indigenous species be resolved, especially threatened species – is intervention possible, how and under what criteria?

to identify the relative value of endemic species to other indigenous species

reference to conservation management plans in 9.1(c)

to support and promotion in general of covenants for conservation purposes (reference in Chapter 7 is limited to DOC negotiation).

inclusion of geothermal ecosystems everywhere appropriate e.g. in Chapter 7

Confusions:

12 (a) (iv) needs to be absolutely clear that each CMS must reconcile conflicts – delete “where possible”

Use of word appropriate – obscures intent of policy and likelihood that national consistency will be achieved.

Use of will/should/may – sometimes in the decision-making sense; sometimes not.

Combinations of will, should or may with appropriate, where practicable, or qualifying adjectives

Reference to “priority” and “key” what is the implication of those adjectives. No definition provided. Does it mean the rest will receive much lower attention or no attention?

“Full range” could mean either recognition of environmental complexity and subtlety or simply a single kauri forest, a single beech forest etc.

Use of the words place, area, sites. Seem to be used interchangeably. Need to standardise on one term or check for consistency of usage and add definitions to glossary

Reference to “consistency” (Chapter 1). Examples given do not require consistency.

“Natural resources” and “nature conservation” – not the same – see definitions in CA – and cannot be construed to be (p23).

(1(b) Relative value and purpose of statutory and non-statutory policies

Landform and landscape – are they always used appropriately and consistently?

14(d) NZ advocacy should be for protection of indigenous biodiversity.

Top arrow page 11. Should possibly be one way to the east with the west arrow pointing down to general policy

4.3.5(h) should be checked for legal correctness.

9.1(a) Ambiguous. Does it mean that in each setting a range of recreational opportunities should be provided to visitors with different capabilities, or that the range of recreational opportunities should be spread across the range of settings?

“Unwanted organism” (p29) Is this used in the specific legal sense or a generic sense? Needs to be defined.

“protected area network” (p24) Is this the same as the phrase used elsewhere “public conservation lands, waters and resources”. Needs to be reconciled and defined.

Pest management section – lack of clarity of coverage because “pest” has a specific connotation. Are all introduced animals, other than sportsfish, classified as “pests”?

Chapter 4 – inconsistencies of style and coverage between sections

Freshwater sections, in particular

The phrase “open membership policies”. Needs to be defined and in such a way that there is no ability to operate what is in effect a closed membership policy achieved through e.g. the level of joining or annual or other fees, necessary qualifications or compulsory membership requirements of an unusual or burdensome nature incompatible with the intent of policy 9.3.(e).

Phraseology such as “subject to legislation” or “consistent with the relevant statute” (the difference is in itself confusing) is both “obvious” and opaque.

Problems with Definitions:

All definitions need to be legally sound and referenced to Conservation Act or other Acts to which the GP relates where defined therein

Need to align glossary definitions in the two general policy statements but only include in each glossary words and phrases used in each

Use of the word kaitiaki in text compared with definition e.g. p 34 – should be confined to tangata whenua

Formed road – is this term used in the CAGP? Does the Dept. publish maps of all conservation areas? What about unformed 4WD tracks for management purposes? Refer to work being undertaken by the Department in the context of the CLR Bill.

Ecosystem services – is defined in terms of sustaining and fulfilling human life only. Should recognise importance to other organisms and intrinsic worth (even where no direct or limited direct benefit to human beings).

Need definitions of

Appropriate Suggest: means consistent with the preservation and protection of natural values and features and their maintenance in a natural state.

endemic

heritage

wairua

mahinga kai

Cultural (as in cultural significance and cultural values)

Indigenous Suggest: refers to plants and animals which have established in New Zealand without the assistance of human beings (including vessels and aircraft) and includes species which are unique to New Zealand (endemic) as well as those that may be found elsewhere in the world.

Site , area. Place

Historic resource, natural resources, indigenous fish, preservation, protection – all as per section 2 of the CA

Relativities between the draft general policies for national parks and conservation (i.e. are there any differences between the two that do not seem right?)

Both documents need very careful checking of language use to ensure that they are true to the legislation they are interpreting. There are instances of CA wording (eg reference to “natural resources” and “conservation”) in the draft GPNP which are not appropriate. The GPNP should have a stronger focus on preservation of native plants and species and preservation of the intrinsic worth. On the other hand there are instances in the draft CA policy which do not reflect the range of legislative status and therefore the different expectations of the Parliament as to performance are not clearly acknowledged.

14(c) “preserved” (national park policy word) to read “given appropriate protection”.

No new buildings for private use are to be permitted and existing private buildings are to be phased out in the CGP but the GPNP is more favourable as well as ambiguous – should be the same.

7) General:

4.3.1. Can this be changed from a bottom of the cliff to a top of the cliff approach?

The different use of language in the three sections makes it difficult to make assessments as to whether there is a consistency of approach to the three strands of departmental management and the likelihood of general policy facilitating integrated conservation management.

A greater clarity of language is preferred.

P54 10 2 (b) Change 'cultural' to 'tangata whenua'

Typo 12(h) delete "and", to read: :....management plans within the jurisdiction...."

Typo 14(b) words seem to be missing at end of policy

A handwritten signature in black ink, appearing to read 'Kerry Marshall', with a long horizontal line extending to the right.

Kerry Marshall
Chairperson

Released under the Official Information Act 1982

Draft General Policy Conservation Act and Related Legislation [Policies 9.3(c) and 9.3(d)] and Lower Selwyn Huts and Lake Alexandrina Hut Settlements.

Introduction

The purpose of this paper is to advise Head Office and the Draft General Policy process of the situation in Canterbury with respect to three hut settlements.

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Hut settlements in Canterbury

Historically, Canterbury has had a large number of coastal river side and lakeside hut settlements established on Crown and Reserve land. In most cases establishment of these settlements occurred in the 1920s and 30s and was encouraged (often through the passing of local Acts) by the Crown. Hut settlements were established at Waikuku, Leithfield and Amberley beaches along the North Canterbury Coast, and lake side settlements at Greenpark, Lower Selwyn, and Lake Alexandrina and Lake Clearwater. In addition there were settlements along or at the mouth of some of the major rivers, eg Selwyn River, Rakaia mouth, Rangitata Mouth, Ashburton mouth, Waitaki Mouth, Upper Pareora River. Some of these were established on reserve or freehold land controlled by Local Authorities.

In terms of the settlements administered directly by the Crown the north Canterbury beach settlements were freeholded as a block to the local authorities in the 1980s by the Lands and Survey department. The land was then subdivided by the Council and freeholded to lessees. To be fair these areas had long ceased to be ‘hut settlements’ and had become urban subdivisions with reticulated water, sewer etc and a level of housing far beyond the humble holiday home. Greenpark passed to Ngai Tahu as part of the Ngai Tahu settlement, and apart from Lower Selwyn and Lake Alexandrina, the rest are on freehold land or reserve controlled by local authorities.

Lower Selwyn Huts

The Lower Selwyn Huts occupy conservation area (Reserve 4100; DOC conservation unit M36 473) at the southern edge of the Selwyn River delta projecting into Te Waihora / Lake Ellesmere. Reserve 4100 was part of an 1894 subdivision of land around the lake and shortly afterward the Commissioner of Crown Lands authorised some local residents to build fishing huts on the land. By 1922 there were 15 huts, licensed on a yearly basis. The number of sites increased to 40 in 1935 and 59 in 1946. Tenure moved from annual licences to 5 year licences in 1954 and then to a 9 year lease in 1990. The 58 remaining huts are used, under the terms of their leases, for temporary recreational accommodation by fishers and game shooters and their families.

In the 1987 land allocations Reserve 4100 was originally allocated to Landcorp; however the land was reallocated to the Department in 1989 because:

- (a) it wasn't considered a sufficiently commercial asset by Landcorp,
- (b) all Crown lands at and around Te Waihora had been identified by the *Ellesmere Crown Land Investigation* (1986) for a Crown Land Management Area
- (c) of the strategic conservation importance of the location in terms of down-stream effects on the lake and
- (d) it was considered to have a limited long-term life and had underlying conservation value as lakebed.

A similar hut settlement at Greenpark Huts on the eastern lake-shore also passed to the Department at the same time, but has subsequently passed to Ngai Tahu as part of their Settlement.

Through a hut owners/DOC/Fish & Game/District Council/Regional Council working party process in 2002-2004 the huts leases have been reviewed and are about to be reissued with tighter conditions on building size and design, sewage and grey-water disposal, occupation periods, animal control etc. The licences are to be for 5 years with three 5-yearly review periods, a central issue to be considered at review time being any changes in lake levels and its effect upon the settlement. Being on the delta the settlement land is occasionally (approximately 9 times since 1950) inundated by high lake-levels, although all hut floor levels are above the water level. Inundations may increase in the future as the lake levels respond to predicted sea level rises and a possibly changed lake opening regime currently under resource consent consideration. It could, however, be several decades before the settlement would either need flood-protection bunding or total removal.

The options of granting freehold title to the settlement or passing control to Selwyn District Council have been considered but neither are favoured; the first because eventually the settlement may have to be removed and the land become part of the surrounding conservation area lake-bed, and the second because the Council does not want it. The small size of the sections, the requirements for survey and the flood prone nature of the settlement mean that freeholding will never be an option.

The Canterbury CMS recognises the need to look at the status and tenure of the site - *"This will involve liaison with hut owners, North Canterbury Fish and Game Council, Selwyn District Council, Canterbury Regional Council and other interested groups"*. The Working Party process has addressed these issues and has recommended the granting of long term leases. Continued leasing of the settlement is also supported by the DOC/Ngai Tahu prepared Te Waihora Joint Management Plan.

Lake Alexandrina Settlements

The two Lake Alexandrina settlements occupy reserve land being Reserves 4512 and 4513 (DOC conservation units I37011, I37019) at the southern and eastern sides of Lake Alexandrina. They are adjoined by legal road, recreation reserve and conservation area. The settlements arose from concern in the 1940s about fishing huts being erected illegally on the Domain (recreation reserve) and legal road. The two settlements were created from Crown Land *"...to be Reserves for Fishing Purposes and control vested in the Acclimatisation Society with authority to lease camping sites"*

and permit the erection of huts thereon such sites to conform to an ordered plan on such definite portion of the areas as shall be approved by the Honorable the Minister.” (L&S DO file 13/126 folio 115)

The history of this action and subsequent management is set out in the *Lake Alexandrina Study 1980 A Public Discussion Document*. Suffice to say, from the date the fishing reserves were proposed and gazetted the Acclimatisation Society undertook a management action outside its legal functions and yet continued to have its actions condoned by the Department of Lands and Survey.

Huts continued to be licensed on an annual basis by the Society until 1990 when Fish and Game Councils were established under an amendment to the Conservation Act 1987. Subsequent legal advice was that the ‘control and management’ function of the former Acclimatisation Societies did not pass to the Fish and Game Councils, and control of the reserve effectively reverted to the Crown (DOC)

The reserves were classified local purpose (fishing settlement) reserves in 2002 to reflect their predominant use.

A bach owners/DOC/F&G/District Council/Regional Council working party through 2000-2003 negotiated building size and design, sewage and grey water disposal standards that are now being implemented. In part the 1980 *Study* was triggered by the erection of a large, all amenities, holiday home / permanent residence in the place of a former small lake-edge hut. Since then several other ‘hut’ upgrades have occurred and without the recently negotiated standards the settlement would rapidly convert to large holiday homes / permanent residences trading as high-priced, prime lake-shore titles. While the eastern (“outlet”) settlement has gravel road access and electricity connections and hence a collective ‘huts’ value likely to be in the millions, the southern settlement has hut owner-maintained vehicle track access and no electricity connection and is thus still more hut-like and of lower collective value.

Discussions are presently under way with the Mackenzie District Council with a view to vesting the land in the Council. If vesting proceeds it will be dependant on Council agreeing to a number of conditions relating to future management of the land.

The Canterbury CMS states that the Conservancy will “*action reserve classification and concession applications for the Lake Alexandrina reserves huts in accordance with developed hut settlement management guidelines*” These processes are partly completed with the reserves now being classified, the development of an agreed set of building guidelines, and discussions on leasing options

Draft General Policy Implications

Not permitting new and phasing out existing private accommodation buildings within the above three settlements, other than for reasons of significant lake-level rise in the case of the Lower Selwyn Huts, would be a significant reversal by Government of the reason for the settlements’ original legal purpose. The three settlements described above were established with the consent of the Crown and have been held under some form of tenure for 60 to 80 years.

While it is possible that removal may benefit conservation values through considerations such as landscape and public access improvement, the same would be true for many other legally established settlements. In Canterbury alone, there are at least 6 similar bach/hut settlements on reserve lands managed by district councils or the South Canterbury Fish and Game Council.

The recently negotiated building and waste disposal standards will mean that the potential excesses of holiday home expansions will be avoided (several expansion plans have already been stymied), the settlements will blend better with their environment and wastes will not contaminate the adjoining lakes.

A phasing out process would be very contentious politically and would involve litigation, especially for Lake Alexandrina. Given the Crown's approval to establish the settlements in the first place, the long tenure they have enjoyed and the amount of capital development involved (especially at Lake Alexandrina) it is difficult to see how this could be achieved.

There is the option of 'avoiding' the General Policy by removing the settlements from Department administration (e.g. by transfer to councils or freeholding). However this is not supported for the Lower Selwyn Huts as potentially they may be phased out, depending on the as yet uncertain predictions for sea level rise effects. For the Lake Alexandrina settlements freeholding is not considered a good option as it would only leave the RMA and district plan controls to protect what is a significant lake edge landscape. However, district council control is currently being investigated.

Options & Implications

1. Implement the policy as it stands and enforce the 'phase out' of huts at Lower Selwyn and Lake Alexandrina. Clearly this is the strategy that exposes the Department to the most risk, given that :
 - both settlements have been legitimately established for many years (more than a century in terms of the Lower Selwyn huts) with Crown consent and in Canterbury they reflect a legitimate historic use of Crown land.
 - neither is established on land of any particular inherent conservation significance, (although the landscape significance of the Alexandrina reserves is acknowledged).
 - Both have been subject to a lengthy Working Party process over a number of years with clear indications from the Department that they could continue to occupy and lease the hut sites.
 - That the 'accident of their administration' ie by DOC rather than a Council should not determine whether they stay or go.
 - There would be significant legal challenges to overcome in such a process.
2. Ignore the policy and continue to administer the hut settlements as before. Not an option that the Department could accept as a responsible administering authority, and it continues to leave the issue in a state of uncertainty.
3. Amend the policy to allow the continuation of legitimately established hut settlements on public conservation land:

- where these could be shown to have minimal effects on natural, historic or landscape values.
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Conclusion

It has to be remembered that the Department administers a diverse range of lands encompassing the spectrum of natural values, from gravel reserves and bits of farmers' paddocks to areas of international scientific and ecological significance. It is to be expected then, that policies cannot be a "one size fits all", and good policy should account for and reflect such regional and functional differences.

Under the circumstances it is our view that the baches policy should allow for these legitimately established hut settlements to remain on public conservation land on the conditions outlined above. It is our view that to do otherwise will expose the Department to significant risk.

section 9(2)(a)

Community Relations Manager
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section 9(2)(a)

Management Planner

and

section 9(2)(a)

Statutory Land Management Officer

Community Relations Division

Canterbury Conservancy

**MEMO FOR DIRECTOR-GENERAL
GENERAL POLICY FOR CONSERVATION ACT
AND RELATED LEGISLATION
BIG ISSUES TO BE CONSIDERED FOR REVISION
28 April 2004**

Purpose

This paper discusses the major issues arising from submissions on the draft general policy for the Conservation Act and related legislation, to be considered before your decision whether to re-notify the draft general policy.

Background

Revision of the draft statements of General Policy for the Conservation Act and related legislation (CGP) and for the National Parks Act (NPGP) has been going on over the last six weeks, following completion of the summary of submissions. The initial stages of revision has concentrated on the "big" issues identified from analysis of the policies and the submissions. The criteria used for identifying these were as follows:

'Big' Issues: Those in which options for changes would result in a significant change in the overall intent of the section of general policy (criterion 1).

'Medium' issues: Those in which options for changes would probably not result in a significant change in the overall intent of the section of general policy, but which are significant according to one of the other criteria.

This paper separates "big" from "medium" issues and concentrates on analysis and identifying options for the "big" issues, rather than detailed response to submissions or analysis of "medium" issues. This will enable discussion of options and resolution of the re-notification question. The analysis of medium issues and response to submissions is proceeding simultaneously. Your final agreement on a fully revised text for final adoption or re-notification (depending on your decision on re-notification) would not occur until later this year.

For this paper, the next section provides a checklist of the big issues and then the medium issues. Several of the big issues are related to others, and the groupings and relationships are shown in the checklist. Each of the big issues is then discussed under the sections "Specific section", "Issue", "Options", "Comment" and "Recommendation" (the last section is shaded).

A similar format was used for an analysis of big issues for the NPGP and discussed by the New Zealand Conservation Authority (NZCA) at their April 2004 meeting. Where relevant, the interim decision of the NZCA on each big issue is also included.

Big issues checklist

Nine "big issues" have been identified for the CGP. Most of these are similar to those considered by the NZCA relating to the NPGP – although some of these, naturally, involve differences in policy details in comparison with the NP Act. There are two main areas where there are big issues that differ from the NPGP: Conservation responsibilities beyond conservation lands and policies for private accommodation. Conversely the issue of use of mountain bikes in national parks only occurs for the NPGP.

1. Should there be a generally higher level of prescription in the policies and is this legally possible? [related issue in NPGP]
2. What is the status of non-statutory policy in the general policy [Policy 1(b)]? [Broadly same as for NPGP]
3. Extent of recognition given to Maori in relation to that given to public participation
 - a. How should the Treaty principles be used and described
 - b. Do we take the same approach to Maori participation and that of the general public or do we provide for differences in approach?
 - c. Should policies in Chapter 2 be strengthened or weakened (in the sense of putting greater or lesser emphasis on Maori concerns)?[Broadly same as for NPGP]
4. Extent that introduced species are recognised and can be actively managed in public conservation lands and waters [related issue in NPGP]
 - a. Balance between natural heritage conservation and recreation
 - b. Emphasis on protecting indigenous rather than introduced species
 - c. Defining pests: unwanted populations vs unwanted species [Section 4.3.2]
5. Should the general policy provide more guidance as to the circumstances when the Department would dispose of land
6. DOC's responsibilities in relation to land outside the public conservation estate [largely restricted to CGP]
 - a. Should there be further policy about the Department working co-operatively with adjoining landholders and their landholder responsibility to adjoining properties – especially with respect to plant and animal pests
 - b. Should general policy provide specific priorities in respect of DOC's advocacy function?
 - c. How to manage uncertainties relating to the foreshore and the beds of rivers and lakes, and their inclusion in public conservation lands
7. How tightly can and should recreational and tourism activities, impacts and numbers of people be controlled [related issues in NPGP]

- a. Controlling the numbers and impacts of people visiting public conservation lands and waters
- b. The relative emphasis given to recreation and tourism
- c. Is the policy on phasing out private accommodation on public land too inflexible? [largely restricted to CGP]
8. How should grazing policies differ between national parks and other conservation lands? [related issue in NPGP]
9. Framework for defining outcomes at places in conservation management strategies [Broadly same as for NPGP]

Medium issues

As noted above, most of the medium issue are similar to those considered by the NZCA relating to the NPGP – although some of these involve differences in policy details in comparison with the NP Act.

1. Are there too many qualifiers and ‘weasel words’ (eg “appropriate”) [Broadly same as for NPGP]
2. Application of general policy to DOC management activities [Broadly same as for NPGP]
3. Is the interpretation of the Whales case in general policy correct? [Broadly same as for NPGP]
4. Definitions of key terms such as relationships and partnerships [Broadly same as for NPGP]
5. Scope of interested parties: “Me too...” desire of stakeholder groups to be specifically recognised in participation, including both national and local groups [Broadly same as for NPGP]
6. Improve consultation processes for conservation work [Broadly same as for NPGP]
7. Working with tangata whenua on nature conservation [Broadly same as for NPGP]
8. Appropriate status of non-statutory recovery plans and programmes. [Broadly same as for NPGP]
9. Providing sufficient recognition for abiotic diversity (geo-diversity) of high value in protection of natural heritage [Broadly same as for NPGP]
10. Role of prescribed and natural fires in ecosystem management, including restoration programmes [Broadly same as for NPGP]
11. Providing adequate criteria for decision-making under the Wildlife Act. [largely restricted to CGP]
12. DOC’s role in managing species that are threatened but are also QMS fisheries species (particularly long-finned eels) [related issue in NPGP]
13. Promotion or consideration of adjacent marine and terrestrial protected areas [related issue in NPGP]
14. Is the scope and definition of cultural and historic heritage too narrow? [Broadly same as for NPGP]

15. Status of existing uses when land changes tenure into public conservation lands and waters [related issue in NPGP]
16. Should there be more flexibility in policies to allow for interference with natural processes in the course of hazard monitoring or emergency management [Broadly same as for NPGP]
17. Should there be more stringent control of aircraft flights and landings within public conservation lands [Broadly same as for NPGP]?
18. Does there need to be more flexibility for management of dogs (eg for hunting, guide dogs, search and rescue, management) [largely restricted to CGP]
19. Concessionaires as a stakeholder group would like more involvement with the department especially in interpretation [Broadly same as for NPGP]
20. Should utilities policies more or less specific to allow for emergency, hazard management and energy development.
21. Should there be more or less prescriptive control of mining exploration and activity in public conservation lands and waters?
22. Should there be a policy specifically covering commercial hunting?
23. Should there be policy directing less new roading or more local decision making over new roading in national parks? [policy 10.2(g)] [related issue in NPGP]
24. Should there be more encouragement of basic research in public conservation lands and waters which is not necessarily directed at national park management? [related issue in NPGP]
25. Monitoring of conservation activities against policy and management objectives [Broadly same as for NPGP]
26. Better providing for an integrated conservation management framework across the protected area network, through conservation management strategies [related issue in NPGP]

Analysis of key issues

1. Should there be a generally higher level of prescription in the policies and is this legally possible? [Related to issues in NPGP]

Issue: Many submitters have sought a higher degree of prescription and control of the policies, mainly through changing the word “should” to “will” or “may” to “should”. The reasons advocated for this change vary, but the two most common are to direct a higher level of protection for national parks, or to give a greater level of certainty to planners and users and decrease the amount of departmental discretion. The draft general policy is seen as not prescriptive in a number of areas. The lack of certainty is seen to be exacerbated by the over-use of qualifying phrases in policies (such as “where appropriate” or “where possible/practicable”).

Options:

1. Status quo: only changes between “will”, “should” and “may” in response to agreed submissions or problems with specific policies, with no trend towards greater prescription.
2. Increased prescription up to the maximum allowable extent under the current interpretation of Ministerial discretion, by using “will” at all times where legally possible and “should” in all other cases unless more discretion is specifically required; and also by cutting out qualifiers to a minimum.
3. Explaining the “will/should/may” hierarchy more prominently and emphatically, and relating it more closely to legislative provisions, and developing a formal interpretive policy in Chapter 1 to express the statutory weight of these terms in subsequent policies.

Comment:

Opportunities for developing option 2 are limited because of the legislative driver of the use of “will”. However, a more rigorous use of “will” whenever legally possible, combined with less use of qualifying phrases, would, cumulatively, have an overall effect of somewhat greater prescription. For example, there should (in hindsight) be very few if any circumstances in which the combination “should...where appropriate” should be used: either something “should” be done, without qualification, or it “will” be done where appropriate/possible.

Option 2 could have significant resourcing implications because of less opportunity for departmental discretion. This may result in differences between the CGP and NPGP, with more discretion for managers in the former than the latter.

There do not appear to be any barriers to implementation of option 3, which need not be mutually exclusive to either of options 1-2.

NZCA interim decision for GPNP:

- Option 2: strengthen all policies where possible within current interpretation of Ministerial discretion, unless there was a specific desire by the Authority at the time of drafting to retain discretion

- Take all unnecessary weasel words out
- Investigate formal category of “will where appropriate/possible” or similar wording

Draft Recommendations for CGP

- Modified option 2: Some “targetted” increase in prescription, coupled with deletion of unnecessary qualifiers.
- Generally, attempt to reserve departmental discretion for important and expensive operational matters that are not crucial for heritage conservation outcomes.
- Explain the “will/should/may” hierarchy more prominently and emphatically, and relating it more closely to legislative provisions, and developing a formal interpretive policy in Chapter 1 to express the statutory weight of these terms in subsequent policies.

Big Issue 2: What is the status of non-statutory policy in the general policy ?

Specific section: Policy 1 (b). The current wording of 1(b) is:
All statutory and non-statutory policies with a bearing on the management of public conservation lands and waters should be considered and applied where appropriate.

Issue:

A number of submissions express concern at the inclusion in this policy of the requirement to consider “non-statutory policies”

Those submitters who have expressed a view on this matter argue either for the removal of the “non statutory policies” or for the establishment of a hierarchy with statutory policies being given a higher priority. They say this should occur because non-statutory policies have not been through a public consultation process, or the public process was different to that provided for general policies, or the public process was unsatisfactory from the submitter’s perspective (usually referencing the Deer Policy Statement).

Options include:

1. Retaining the existing wording
2. Removing the reference to non-statutory policies
3. Modifying the wording to reflect greater importance being placed on statutory policies.
4. Modifying the wording to reflect greater importance being placed on statutory policies, and/or a hierarchy of importance for non-statutory policies.

Comment

Care needs to be given before removing the reference entirely. Non-statutory policies can still be of considerable significance even though they have not gone through a statutorily-defined process. Examples include the NZ Biodiversity Strategy, species and area recovery plans and the visitor strategy. The department’s annual Statement of Intent does not appear to qualify as statutory policy.

The draft policy does qualify the use of these policies. The requirement is to consider them and apply "where appropriate."

If a hierarchy were to be attempted, general policies established under the Act would be pre-eminent. Other factors affecting the ranking would be how extensive a public consultation process had been followed and who made the final decision: the whole Cabinet (in the case of the NZ Biodiversity Strategy), the Minister (the Visitor Strategy and the Deer Policy Statement), the Director General (Freshwater Strategy) or a General Manager (species recovery plans).

A hierarchy could be created but it may be more effective to provide discretion in the way the policies are used – to add some further description to the "where appropriate."

NZCA interim decision for GPNP:

- ***Possible re-worded policy:*** "All statutory policies with a bearing on the management of national parks will be considered and applied where relevant. Non-statutory policies may also be used [to provide guidance]."
- Try to provide a feeling for a further hierarchy of relevance within non-statutory policy if possible (get legal advice)
- Investigate possibility of further policy stating primacy of general policy and conservation legislation – only policy that is consistent with goals of conservation legislation should be applied.

Recommendation:

A re-drafted policy is suggested as:

"All statutory policy with a bearing on the management of public conservation lands and waters should be considered and applied where appropriate. Non-statutory policies may also be used to provide guidance where relevant."

Chapter 2 Treaty of Waitangi responsibilities

Big issue 2: The extent of the recognition to be given to Maori interests in conservation

The main issue arising from the Treaty of Waitangi chapter (and also its intersection with the chapter dealing with public participation) can be summarised as the extent of recognition given to Maori interests in conservation.

There are three questions that contribute to this issue:

- 2a. How in the general policy to use or describe the principles of the Treaty?
- 2b. Do we take the same approach to Maori participation and that of the general public or do we provide for differences in approach?
- 2c. Should the policies in Chapter Two be strengthened or weakened (in the sense of putting greater or lesser emphasis on Maori concerns)?

Big Issue 2a: How to use or describe the Treaty principles

Specific Section or Sections: Introductory text but with potential to impact policies.

Comment: The introductory texts in the consultation drafts note the continuing evolution of the interpretation of Treaty principles and points out that the guiding principles set out in the text have been developed by the Department in relation to what the Department administers. This followed the approach taken with the Tongariro/Taupo CMS and in the Nga Akiakitanga policies. These guiding principles have been criticised by a number of submitters (including Ngai Tahu) because, in effect, they have been made specific to the work of DoC, and they are elevating non-statutory interpretations to statutory status.

Options: These include:

1. Deleting the principles and retaining the policies
2. Retaining a conservation-specific version of the principles
3. Inserting a generic set of principles (either the 1990 version or a new version to emerge from the process of reviewing Treaty clauses in legislation and Treaty principles being led by the Minister of State Services).

Discussion

Option 1, Deleting the Principles, risks leaving the policies exposed. It may not be clear where the policies had been derived from.

The choice between Options 2 and 3 (a conservation-specific or generic set of principles) may involve animated discussion but be academic in terms of changes to the policies. Generic configurations exist. The Attorney General, speaking in April 2002, referred to the 1989 Government version of the principles of the Treaty of the government being able to govern, Maori self-management, equality of citizenship, reasonable cooperation and redress. In November 2002 the Prime Minister encapsulated the principles as relating to partnership, protection and redress.

Reviewing the policies in Chapter 2 in the light of these versions of Treaty principles it is not obvious that any of the policies would need to be adjusted to conform to these different expressions of the principles. However, we will need to keep a watching brief on where the Government review of Treaty principles in legislation is getting to and be prepared to modify this conclusion accordingly.

If conservation-specific principles are retained there would probably need to be further text which explains why DoC has and needs these particular guiding principles (i.e. not just because they're in the Treaty but because they are useful/necessary in our particular work).

NZCA preliminary decision:

Retain conservation-specific principles, but need to provide narrative linkage to 1989 Cabinet-endorsed principles.

Recommendations for CGP:

- Agree to retain the general direction of the policies (subject to discussions on issues set out below).
- Discuss with the Minister of Conservation ways forward regarding the expression of the principles in the relevant chapters.

Big Issue 2b: Do we take the same approach to Maori participation and that of the general public or do we provide for differences in approach?

Chapters: 2&3 - Treaty of Waitangi responsibilities and Public Participation
Specific Section or Sections: Introduction and all policies in Chapters 2&3

Comment: The draft of both policies provide for somewhat stronger policies for engagement with tangata whenua than with the range of interests provided for under the heading "general public". A number of submitters have argued that it is inappropriate to provide more specifically for tangata whenua participation than for that of the general public.

Section 4 of the Conservation Act provides a strong requirement for the Department to give effect to the principles of the Treaty in carrying out its work. Even in the absence of such a specific statutory requirement, the Department would still need to be working closely with the tangata whenua both to achieve its conservation aims and because the courts have established an expectation, through a number of decisions, that where the tangata whenua have a particular and identifiable interest in a particular place then that interest will be identified and clearly taken account of in the decisions made about that place or resource.

Options: These include:

1. Equalising the approach taken to policies for tangata whenua and those for the general public
2. Retaining the current emphasis given to providing for the participation of tangata whenua in conservation management
3. Retaining the particular provisions for tangata whenua but collapsing chapters 2 & 3 into one chapter with a separate subsection relating to the Treaty of Waitangi and policies relating to tangata whenua
4. Reversing the order of chapter 2 and 3.

Discussion:

There is a distinction between the policies in the Treaty responsibilities chapter and that dealing with public participation. In the case of Treaty responsibilities the policies deal with tangata whenua, people who, by definition, have a strong connection with particular places managed by the Department. In the case of the public participation chapter, the policies cover people who have strong connections to places managed under these

policies and people with much weaker connections but still with interests in how these places are cared for. Because the public participation chapter covers a wider front its policies will inevitably be less hard-edged because they need to cover a wider variety of circumstances than those in the Treaty chapter. One approach to this would be to retain the current emphasis (Option 2 above). Another approach would be to produce one chapter to cover both situations and include strong relationship and partnership policies for tangata whenua and others with whom the Department has partnerships. Maori have a very strong view of the importance of tangata whenua being recognised as the Crown's Treaty partner. A move to reduce tangata whenua to another stakeholder or members of the general public will be viewed very unfavourably by tangata whenua.

Rather than combining the chapters a further option may be to reverse their order. The rationale being that participation for all (including Maori) is required in the implementation of conservation objectives. Within the ambit of participation there is a relationship of particular significance, i.e. the treaty relationship that involves special statutory obligations.

NZCA preliminary decision for NPGP:

Adopt option 2 – retain current emphasis

Recommendation for CGP:

Retain policies that recognise the importance of tangata whenua participating strongly in the management of places that are of importance to them.

Big Issue 2c: Should policies in Chapter 2 be strengthened or weakened (in the sense of putting greater or lesser emphasis on Maori concerns)?

Specific Section or Sections: Policies 2(a) – 2(h).

Comment:

In general, those who are concerned about the emphasis given to tangata whenua participation in Chapter 2 have also argued that the specific policies should be modified. Most commonly these suggestions amount to reducing the heft of the policies: where there is a “will” make it a “should”; where there is a “should” make it a “may”. These recommendations are softened somewhat by those who suggest the removal of the word “appropriate” in policies 2(b), (c) and (g).

Maori submitters and some conservation boards argue, on the other hand, that these provisions should be strengthened with the upgrading of “mays” to “shoulds” and “shoulds” to “wills”.

Options:

1. Retaining the weighting of these policies much as they are.
2. Strengthen the effects of these policies by carefully toning up qualifying terms used.

3. Downgrade the strength of these policies by carefully toning down the qualifying terms used.

NZCA preliminary decision for NPGP:

Do not downgrade Treaty policies, but strengthen specific public participation policies (chapter 3) to allow for more effective participation, especially by taking out weasel words. Provide for public participation at local and national levels to cover a range of stakeholders.

Recommendation for CGP:

- *As a general direction, retain the weighting of these policies much as they are (while addressing specific wording issues raised in submissions).*
- Ensure that effective public participation is enabled and provide for public participation at local and national levels to cover a range of stakeholders.

Chapter 4 - Conservation of Natural Resources

Big Issue 4a. Emphasis on nature conservation over recreation

Comment: Chapter 4 provides introductory text outlining the Conservation Act's direction to conserve natural resources. It outlines the policy background and framework for carrying out conservation work in relation to these resources. A number of submissions were received seeking changes to policies in the subsections on natural habitats, ecosystems and species to better recognise the importance of recreation and tourism, especially recreational values associated with experiencing the public conservation estate and the values associated with hunting or fishing as part of New Zealand's history and culture. Submissions asserted that this chapter was overly weighted to conservation outcomes over recreational or tourism ones.

Options: These include:

1. Reorient the policies in chapter 4 to provide for greater recognition of the value of recreation and tourism and achieve better balance between natural resource conservation and recreational and tourism interests.
2. Retain the current emphasis on conservation in chapter 4.

Discussion

The Conservation Act was established to promote the conservation of natural and historic resources. In administering this act, DOC is charged with a range of functions including natural and historic heritage conservation, conservation advocacy, conservation promotion, fostering of recreation and allowing tourism. These functions provide scope for enabling recreational and tourism opportunities to be made available to New Zealanders and it is this range of functions that submitters on this issue believe is not adequately balanced in this chapter. The range of functions undertaken by DOC in administering this Act is reflected in the GP chapter headings. Chapter 4 focuses on conservation of natural resources and restricts its policies and discussion to conservation

of these resources. Chapter 9 is dedicated to specifying the ways in which recreational and tourism interests will be provided for through conservation management under the CAct. This appears consistent with s6 (e) of the CAct which provides for recreation and tourism as long as this is not inconsistent with conservation. It would appear appropriate, given this priority in the CAct of natural resource conservation over recreational and tourism interests, to maintain the draft policy's approach to natural resource conservation in this chapter and leave management of recreation and tourism interests to be specified in a separate chapter. Both chapter contain policies relevant to recreational hunting and cross reference between these policies will provide appropriate linkages.

NZCA interim decision for GPNP: NA

Recommendations for CGP:

- Agree to retain the general direction of the policies in their primary focus on biodiversity conservation in chapter 4;
- Ensure that policies in chapter 9 – Visitor Benefit, Use and Enjoyment - provide sufficient recognition of recreational and tourism interests through enabling opportunities to undertake recreational or tourism experiences in places specifically identified for this purpose
- Cross-link relevant policies

Big Issue 4b. Protecting indigenous rather than introduced species

Big Issue 4c. Defining pests: unwanted populations vs unwanted species

Comment: Chapter 4 provides introductory text outlining the Conservation Act's direction to conserve natural resources. The policies in this section relating to species primarily focus on protection and/or recovery of indigenous species. Policies seek to ensure that threatened species do not go extinct, and their genetic diversity is maintained. For other plant and animal species, policies seek to maintain or enhance populations of these in space and time.

A number of submissions were received seeking changes to policies in the subsections on natural habitats ecosystems and species and on biosecurity and pest management to recognise the value of introduced species. These submissions on the CGP reflect similar submissions on the NPGP. They refer to the CA definition of "natural resources" to include "plants and animals of all kinds". Their main thrust is to change the policies to recognise the value of introduced species for recreational hunting or fishing and as part of New Zealand's history and culture. Changes to reference to pest species are suggested to also recognise this. It was also suggested that these changes should be made to bring greater consistency across the National Parks Act and Conservation Act general policies.

Options: These include:

3. Reorient the policies to provide for greater recognition of the value of exotic species
4. Retain the current emphasis on protection and preservation of indigenous species

Discussion

The Conservation Act does not have the same emphasis as the National Parks Act on the protection and preservation of indigenous species, as natural resources are defined in the CA as including "plants and animals of all kinds". However, this Act does place priority on the preservation of the intrinsic value of natural resources and these values are often ascribed to indigenous biodiversity. The Reserves Act generally provides an emphasis on the preservation of natural ecosystems, except for class B Scenic Reserves, Historic and Government Purpose Reserves. Those Acts in the 1st schedule of the CA relating to wildlife protection, particularly Wildlife Act 1953 and the Marine Mammals Protection Act 1978, are particularly oriented to the protection of indigenous species, with most introduced species mostly remaining unprotected. However, game species are scheduled to be protected outside of a controlled hunting season. The submissions however argue for increased recognition of the non commercial value introduced species and particularly those targeted as game or sports species.

It may be possible to redefine pests and pest management to recognise that "pestiness" is an attribute of populations rather than species, without diluting the overall priority for indigenous species. Policies 4.3.2(b)(iii) and (iv) would be changed, whereby 4.3.2(b)(iii) would not refer to eradication and 4.3.2(b)(iv) would not refer to eradication and would refer to controlling *populations of* pests and unwanted organisms.

NZCA interim decision for GPNP: (note: related but different policy considerations in reaching this decision)

Retain current emphasis (option 2 above), but:

- Confirm whether specific GPNP policy needed to prohibit re-stocking of national park waters with salmonids
- Establish whether there is any special statutory relationship with Fish & Game, or legislative clauses which may make a special case for status of trout in national park waters and engagement with F&G.
- Case study of Fish & Game influence re establishment of national parks
- Test existing policies against current national parks.

Recommendations for CGP:

- Agree to retain the general direction of the policies in their support of protection and preservation of indigenous plants and animals.
- Agree to ensure that the policies provide recognition of the non commercial value of introduced species through facilitating opportunities for people to hunt or fish for exotic species where this activity, or the presence of exotic species does not detract from protection and preservation of indigenous species, habitats or ecosystems.
- Agree to investigate redefining pests and pest management to recognise that "pestiness" is an attribute of populations rather than species, without diluting the overall priority for indigenous species.

Big Issue 5: Should the general policy provide more guidance as to the circumstances when the Department would dispose of land

Comment

Submissions raised a range of issues in relation to policy 6(e) about the circumstances where a review of the classification of conservation lands would occur, including possible disposal. Submitters who advocated for this process to be made easier, suggested that an additional criteria of "the actual values of the land are not consistent with the classification of the Land" be added to the policy. Other submitters against land disposal requested that all land disposal follow a process of public notification, where public access to adjoining conservation land was guaranteed in perpetuity, that the land was not sold to individuals or commercial interests with mining or forestry interests or that the phrase "including to allow for possible disposal" be deleted.

Options

1. Develop criteria which outline the circumstances when the department should consider the disposal of land.
2. Delete the phrase "including to allow for possible disposal" from policy 6(e)
3. Retain policy as written.

Discussion

The purpose of policy 6(e) was to provide policy guidance to the department as to when a review of a protected areas land classification should be undertaken. The policy as written was intended to recognise that in some cases reclassification may be undertaken to allow disposal of land. Such disposal might be contemplated where there are areas of land which the department owns which are not adjoined to other conservation areas, or provide public access to rivers, lakes or the coast and have low, or no conservation, recreational and heritage values. However, the policy should clarify between criteria for a comprehensive review of land classification – as per the current 6(e) - and criteria for individual proposals for land disposal

Section 26 of the Conservation Act sets out the process for the disposal of stewardship areas. The Reserves Act also provides a process for disposal. As the Acts provide for land disposal Option 2 is not applicable.

The policy as written already is focused on the circumstances in which classifications might be changed, and an intention to dispose is one valid circumstance. The legislation provides criteria for deciding whether disposal is appropriate, which varies between statutes. It would be inappropriate to attempt to change the criteria in the legislation through the policy.

The recommendation below is made in the knowledge that further legal opinion should be sought. There are specific prohibitions in the Conservation Act on the disposal of certain categories of land, and currently a Ministerial instruction that inhibits the department from being proactive in declaring any land surplus to enable disposal.

However there are also circumstances where land disposal is judged to be favourable for the department's overall responsibilities.

NZCA interim decision for GPNP: Not applicable

Draft Recommendation for CGP

Retain current policy 6(e).

Add a policy that gives guidance on the circumstance in which land disposal could be considered, emphasising that any disposal options must be consistent with purpose for which the land is held and the heritage values of the land.

Big Issue 6. DOC's responsibilities in relation to land outside the public conservation estate

6a. What guidance can the General Policy provide on the Department's advocacy under the Resource Management Act

6b. Should there be policies on working co-operatively with adjoining landholders and the Department landholder responsibility to adjoining properties – especially re weed and animal pests?

Comment:

Submissions were concerned that the General Policy as written does not provide significant guidance on the Department's advocacy under the Resource Management Act. In particular, both Federated Farmers and Environment Waikato wanted stronger policies about the department working co-operatively with other agencies. The submission from ECO listed a number of prescriptive criteria of which issues the department should advocate for under Resource Management functions. Federated Farmers were also critical of the term "appropriate action" as it is a very subjective term, and does not indicate which actions would be used.

Options

1. Define what is meant by the term "appropriate action"
2. Add a policy about working with other agencies, including landholders on public education and awareness of the value and threats to indigenous biodiversity and actions people can take to avoid damage to natural values and actively protect them.
3. Retain policies as written, but amend explanation to clearly state that the Resource Management Act is the primary piece of legislation which manages the protection of indigenous biodiversity on private land.

Discussion

Option 1: Environment Waikato and Federated Farmers both noted that the "appropriate actions" seemed to be buried in paragraph 4 on page 44 and have not be transferred into the policies. The General policy is unable to specify the methods and while the term "appropriate actions" is uncertain it does give the Department the flexibility necessary to

respond to individual situations. (The notion of “working cooperatively” is also a subjective one.)

Option 2: While policy 7(a) goes some way to resolve Option 2, it could, however, be reworded to make it a more positive statement, and include elements of education and awareness-raising and options for cooperative management with other agencies, including specific reference to the statutory instruments of pest management strategies.

Option 3: Introductory test such as paragraph 4, page 44 should be re-written to emphasise that the RMA is the primary legislative mechanism for DOC’s advocacy function.

NZCA interim decision for GPNP: Not applicable

Draft Recommendation for CGP

- Rephrase policy 7(a) so it reads:

“The Department should work co-operatively and develop strong working relationships with landowners, central government agencies, tangata whenua, communities and local government and non-governmental agencies to protect natural ecosystems and habitats and raise awareness of the values and threats to indigenous biodiversity and actions people can take to avoid damage to natural values”.

- Add a policy such as:

“The Department will acknowledge its responsibilities to be a good neighbour and will work with regional councils in the development of regional pest management strategies”.

- Re- write paragraph 4, page 44 so it reads:

“The Resource Management Act is the primary legislation which manages the protection of indigenous biodiversity on private land. Under that the RMA the department may use a range of statutory and non-statutory methods to protect indigenous biodiversity including, sharing information, advocacy for conservation values in the preparation of local authority plans, working co-operatively with landowners and other groups on restoration and environmental education projects and negotiating covenants of land purchase. The Department also contributes to processes under the Local Government Act.”

Chapter 9 Visitor Benefit, Use and Enjoyment

Big issue 7: How tightly can and should recreational and tourism activities, impacts and numbers of people be controlled

Overall there was a strong call for clearer and tighter controls on the activities of people enjoying national parks. There was a related counter point that the focus should be on outcomes and impacts and avoid the prescriptive controls in the NPGP. There were three main parts to this issue:

- 7a Controlling the numbers and impacts of people visiting public conservation lands and waters [related issue in NPGP]
- 7b The relative emphasis given to recreation and tourism [related issue in NPGP]

7c. Is the policy on phasing out private accommodation on public land too inflexible? [largely restricted to CGP]

The first two issues are similar to those for the NPGP. It is difficult to balance between desire for more prescription and the pressure to continue providing open access for recreation and tourism. Controlling the numbers of people enjoying public conservation lands and waters, their activities and their impacts is one of the most important subsets of the concerns about the level of prescription that should be in the general policy. Submissions request both more specific guidance in the policies and also less specific policies that provide more general guidance for management planning to enable it to respond to future developments. However, there are currently few acute pressure points outside of national parks.

The policies in 9.1 could be strengthened to recognise the outcomes sought (experience and impact) and to recognise the possibility of instituting controls on visitor numbers. More direction can be given in Chapter 12 to the need to specify the outcomes sought through planning processes, and for a wider view to be taken to ensure integrated management.

There was a range of concerns over the language used in this chapter, the failure to clearly differentiate between recreation and concessionaire use, and the balance between them. More objective definitions could be developed in which tourism would be a commercialised subset of recreation and “recreational use, benefits and enjoyment” could be the title and “visitor” could be dispensed with. Some useful definitions were offered for distinguishing between the New Zealand public and tourists, and recognising that sometimes, by using commercial services, New Zealanders can also be ‘tourists’.

More fundamental is the question as to whether recreation and tourism should be treated separately, in a new chapter or a new policy section within the current Chapter 9. A separate section on “concessions” or tourism could be included. There would be some sense in ‘bundling’ policies relating to concessionaire activities in a new policy section to provide clarity for concessionaires and staff managing concessions. This section could either be a section in the current “visitor use” chapter (as previously discussed during development of the draft general policy), or alternatively a section of the next chapter (currently called “non-recreation uses), which could then deal with policy for concessions of all kinds.

The use of the term ‘visitor’ can easily be removed, or replaced with ‘Tourist’ or ‘New Zealander’ without losing the intent of this chapter. While there was some favour with the idea of ‘user’, this term can also refer to non-recreational users. By specifying more clearly the values that the policies seek to retain for experiences, and the natural or historic values that need to be protected from the impact of people, the policies will provide better direction for management planning. It is not appropriate to refer to specific management tools, but the policies need to provide certainty that opportunities will be provided while impacts on natural, historic and experiential values are avoided or minimised.

In making these changes it would be important to be clear that these represented a re-organisation of policies rather than a lot of new policy.

NZCA preliminary decision for GPNP

1. Change terminology: “visitors” to “people”
2. Separate section on concession activities, but do not define or separate between tourism and recreation
3. Make explicit reference to controlling numbers
4. Further explore possibility of explicit reference to zoning as control mechanism.
5. Further emphasise role for planning at specific places, possibly in the new policy below.
6. Add policy for active planning role. Suggested policy is:
“Management plans will impose such conditions and restrictions as may be necessary (including zoning) for the preservation of native plants and animals, the protection of the values of places being managed, and for the welfare in general of the national parks.”
Check that the section continues to be balanced overall with the provision of opportunities for people to enjoy recreating in national parks.

Recommendation for CGP

As for GPNP with appropriate wording changes for public conservation lands and waters. However, further investigation is needed whether there should be explicit reference to controlling numbers.

Big Issue 7c: Is the policy on phasing out private accommodation on public land too inflexible?

Issue:

Policy 9.3(d) currently reads: “Private accommodation on public land will be phased out”. There is significant opposition by bach owners to a blanket phasing out. Further submissions express support for the policy, but some of these submissions also suggest discretion in its application. Submitters supported a case-by-case approach, and made some specific suggestions about criteria that could be used.

Options:

- i Retain policy
- ii. Provide for more discretion by changing “will” to “should”.
- iii Allow for exceptions according to strict criteria
- iv. Allow for exceptions according to the status of land: eg baches only on special purpose reserves.

Discussion:

The essential principle is that *permanent, exclusive, private* occupation of public land is not an option. This suggests that the policy is sound. However, there is significant opposition by bach owners, from a number of bach communities, to this policy on the following grounds:

- Baches are on land with little or no conservation value
- Baches are on land that was transferred to DOC,
- Bach owners provide significant support for conservation and safety
- Baches have in themselves heritage values
- In some places there is an existing understanding/agreement between bach owners and conservancies that is contrary to this policy.

Criteria for exceptions would include

- Compliance with appropriate building codes and buildings well maintained
- Fair rental paid
- Natural, cultural and historic values not adversely affected
- No expansion or replacement
- No interference with access to conservation lands/water

Draft Recommendation for CGP

- The policy should re-iterate the principles involved and indicate that baches and cribs will be phased out, subject to the following possible exception:
- Investigate allowing for exceptions according to the status of land: eg baches only on special purpose reserves.

Big Issue 8 – How should grazing policies differ between national parks and other conservation lands

Specific Section

10.1(a) *Grazing concessions may be granted where:*

- grazing is necessary in order to fulfil the conditions of a management agreement, including transitional arrangements*
- grazing will protect or enhance the management of particular natural or historic values; or*
- the resources are of low conservation value*

Fencing may be required as a condition of a grazing concession in particular around riparian and wetland areas.

10.1(b) *Wahi tapu should not be detrimentally affected by grazing.*

10.1(c) *Monitoring of the effects of grazing may be required as a condition of a concession.*

Comment

A number of submitters requested that the policies on grazing be strengthened. In particular, submissions (deerstalkers and private individuals) were concerned at the use of the phrase “the resource of low conservation value”. Another submitter (high country accord) was critical that the policy was unduly restrictive.

Submissions from regional councils (Southland and Canterbury) wanted to include a requirement for stock to be excluded from waterways, as well as riparian and wetland areas.

As with submissions received on the General Policy for national parks, submitters requested that the requirement to monitor grazing concessions be strengthened.

Options

- (i) re-write policies to tighten the circumstances as to when grazing is appropriate
- (ii) retain the policies as written
- (iii) re-write the policies so they are more general to address practical management realities and also the different values for which land which is currently grazed has been formally protected.

Discussion: In developing policy on conservation lands there are a number of practical and legal considerations to take into account. In relation to stock entering waterways it is difficult, both in terms of cost and practicality, to maintain stock proof fences, especially in dynamic riverine systems.

Monitoring of grazing concessions can also be expensive for concessionaires. However, the Department should work with the concession holders to adapt simple and non-expensive methods for grassland monitoring.

Except for national parks, where the purposes of the National Parks Act require the preservation of the natural values, each Act establishes different categories of protected area for which a concession to graze can be granted and the specific criteria that apply. For example in some urban or rural reserves such as farm parks, historic, recreation and government purpose reserves grazing may not be incompatible with the values of the area, and may also be a practical management tool for maintain the primary values protected, e.g, sheep grazing sometimes essential to prevent scrub establishing on historic sites.

NZCA preliminary decision: (somewhat different policy considerations)

- Strengthen criteria for considering renewals of existing grazing concessions
- Add new policy

"Management plans should provide for the objective of phasing out of all existing grazing agreements and transitional arrangements by negotiation."

Provided this is not adequately covered by current draft policy (legal check required)

Recommendation for CGP:

- Retain policies as written to recognise practicalities and different criteria which different acts apply when determining whether grazing is an appropriate management tool in conservation lands.
- Delete 10.1(a) (iii) and replace with the following:
"is not consistent with the values for which the land was formally protected".
- Further investigation of whether comprehensive monitoring is required in all cases.

Big issue 9: Framework for defining outcomes at places in conservation management strategies [Broadly same as for NPGP]

Comment

Submissions have noted a lack of consistency in the approach, structure and terminology in conservation management strategies and management plans. They note the need for an ecological approach as the basis for management planning. Suggestions include providing a model plan as an appendix to the general policy. Other internal departmental comments and submissions also noted that outcome at places is mentioned only in Chapter 9 in relation to recreational opportunities and is not in Chapter 4 Nature Conservation or Chapter 5 Cultural and Historic Heritage.

Options

1. Rewrite policy 12(a) to give more guidance as to how integrated can integrate ecological, cultural, historic and recreational outcomes at places.
2. Add an additional policy to emphasise integration of ecological, cultural, historic and recreational outcomes into conservation management strategies and plans.
3. Insert similar policies inserted in chapter 4 and 5 as to those stated in policy 10.1(c).

Discussion

The role of the management plan is to integrate outcomes across all functional areas at places. Incorporating an ecological approach as the basis for heritage management appears logical but depends on further work on the department's Ecological Management Framework and the Natural Heritage Management System.

NZCA interim decision for GPNP:

- Agreed with rec. Change "should" to "will" in policy 8.1(a)
- Provide equivalent policies to 11(c) in chapters 4 and 5 *to emphasise place-based heritage management*
- Also partly covered by suggested policy for issue 7a.

Recommendation for CGP

As for NPGP

**Draft General Policy for National Parks Act
Draft General Policy for Conservation Act and
Related Legislation**

Submissions Analysis

Overview Report

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Department of Conservation

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1 Introduction

1.1 Background to Report

In August 2003 the two draft General Policy documents [National Parks Act, and Conservation Act and Related Legislation] were released for public submission by the Chairperson of the NZ Conservation Authority and the Minister of Conservation respectively.

Submissions on these documents closed on the 19th December 2003.

The total number of submissions received and accepted was 1649, of which 1643 were formally recorded in the following submissions analysis – the other 6 submissions being more in the nature of statements that could not be specifically related to any particular part of the two documents.

A number of submitters – 370 – provided submissions on both documents.

The following Table provides a summary overview of submissions received on the two draft General Policy documents [**“the GP documents”**] by general category of submitter – including submissions from within the Department of Conservation [principally from the conservancy offices].

In the following Table, the column “Non-Gov Stat” represents the New Zealand Conservation Authority, Conservation Boards, and Fish and Game Councils.

	A	B	C	D	E	F	G	H	I
1	Coarse Category Analysis								
2									
3	General Policy	Individual	Govt Orgs	DOC	Commercial sector	Community/ Non-Govt	Non-Govt Stat	Maori Orgs	Total
4									
5	NP Only	1075	5	2	12	32	2	0	1128
6									
7	CA Only	101	6	5	12	14	6	2	146
8									
9	Dual	136	48	22	44	78	36	6	370
10									
11	Totals	1312	59	29	68	124	44	8	1644
12									

A full listing of all submitters included in this analysis is shown in section 3.3 and 3.4. A full record of submissions made on text and policies of the two GP documents has been compiled as part of this submissions summary and should be referred to for the detail. A summary record showing which submissions commented on which sections and specific policies is included for both draft GP documents in sections 3.1 and 3.2 of this report. The full schedule of submitters needs to be referred to in order to identify specific submitters by their shorthand numerical references in those appendices.

This brief overview report does not attempt to provide the detail of those 1643 submissions – many of which are extensive. Its purpose is to pick up some of the key messages emerging through the submissions – although the selection and grouping of those messages is the author's license.

1.2 General Themes

Many of the submissions to both GP documents sought particular wording changes. While there is a measure of quite fundamental difference in some "blocks" of submitters – and this is discussed below – on many sections there is little fundamental disagreement. For example there is broad agreement that public and community participation is essential to the development of public conservation estate, and that historic heritage is worthy of further sustained effort.

The devil is in the detail. And this applies to one of the more challenging areas of the GP documents – the Treaty of Waitangi Responsibilities section. While not attracting a large number of submissions directly [i.e. 41 and 57 submitters respectively to this section of the National Parks Act and the Conservation Act and Related Legislation General Policy], many other submissions contained within them clear messages about the extent to which preferential arrangements based on the Treaty relationship or Maori cultural values should be recognised. Any hint of apparent exclusivity or privilege in the policy, particularly with respect to National Parks – and not only with respect to Treaty interests – hits a raw nerve, exposed at many points in submissions. An over-riding message might be – this is our heritage, let us all be equal parties to it.

A number of general themes can be seen to emerge from the submissions on both GP documents. These are discussed in the following sections.

1.2.1 Direction versus Process

When developing policy there is always a tension between providing clear, essentially prescriptive direction on the one hand or setting up processes for determining direction on the other. In other words, between telling people what to do as opposed to telling them how to go about deciding what to do. Another way of putting this is the difference between seeking certainty of outcome [i.e. the clear specification of what is being *sought*, the outcome to be *achieved*], and seeking certainty of process [i.e. the specification of *how* outcomes will be determined]. Many submitters commented on this tension.

Whether the submitter broadly agrees with the present direction of the Department or not seems to trigger a request for more or less open processes. The other consideration appears to be whether the submitter has confidence in the managerial and decision making of departmental conservancy staff. The major submissions about mountain biking, recreational hunting, community

partnerships, and the Treaty of Waitangi responsibilities, for example, certainly straddled this theme.

Issues identified with respect to this issue included:

- **Use of qualifiers:** Many submitters opposed the extensive use of qualifiers. Phrases using words like “*appropriate*”, “*should*”, “*relevant*”, “*significance*” and “*may*” are frequently challenged as being too vague, and leaving too wide a discretion with the decision maker. The interpretative conventions noted in section 1.5 of both GP documents are not explicitly endorsed. For example, in the policies relating to Public Participation for both GP documents submitters express concern that matters such as who is to be consulted, or which organisations are appropriate for the development of conservation relationships, are left unstated, and no criteria by which these decisions will be made are offered for submission. Greater certainty of policy direction and less managerial interpretative discretion is sought by a broad spectrum of submitters.
- **Fettered discretion:** A similar issue to the use of qualifiers is the matter of the extent to which general policy can or should limit [i.e. fetter] the discretion of the Minister or the Department. Many submitters wanted greater certainty and therefore less discretion in the application or interpretation of policy. This was a particular issue raised in connection with concessions [where issues such as helicopter noise and landings were raised], network utilities, and generally with respect to management plans and strategies. A number of submitters rhetorically asked what the point of general policy is if it cannot set definite limits and can be over-ridden by political or managerial decision. By implication a number of submitters argue that because the general policy is being established through an open process, discretion can be fettered.
- **Conservation Management Strategies and Management Plans:** The third element in this suite of concerns about the exercise of discretion is the perceived inability of management strategies or plans to control certain substantive matters - such as concessions in situations where submitters think these should not occur - despite these instruments undergoing formal public processes of submission and hearing. This situation still leaves significant matters open to further internal determination. Submitters generally would prefer these planning instruments to be more prescriptive so that the conservation outcomes are clearer. In addition, a number of submitters sought legislative reform to provide an appeal stage, similar to that available to regional and district plans under the Resource Management Act 1991.
- **Further consultation:** A number of submitters sought a further round of consultation on the revised draft general policies, considering this essential because, unlike Resource Management Act processes with which many have become accustomed, there is otherwise little opportunity to review the outcome. This is an outcome that could stand for an indefinite time period because there is no statutory review period requirement under either Act. No submitters provide details as to how any such further round should be conducted or the extent of any such consultation.
- **Hearings:** A number of submitters sought formal hearings on the submissions, seeing this as an essential part of the public process –

comparable to hearings on district and regional plans etc under the Resource Management Act 1991.

1.2.2 Primacy

Various claims are made in submissions as to what should have primacy in guiding the development and consideration of general policy. The enthusiasm with which the submission champions a particular statute or document for primacy appears to be directly related to the extent to which that same statute or document is in fact adopted or not in the respective general policy. The main contenders for primacy include:

- **Legislation** - statutory versus non-statutory policy: Many submitters contend that the particular legislation – i.e. the National Parks Act or the Conservation Act itself - [and any specified purpose, principles or their statutory section 2 interpretations] should remain the primary driver of policy – rather than political or departmental policy for example which can “dilute” the purpose of the legislation. For those who argue this it tends to be the protection and preservation emphasis of the statutes, in the main, that submitters find inadequately expressed in the general policy. This is evidenced in concerns about such matters as customary / traditional take, scientific research, commercial take of species such as eel, and the growth in commercial tourism.
- **Government policy:** A number of submitters expressed concern at the way current government policy – for example the cross-agency NZ Biodiversity Strategy [“the NZBS”] – is imported into general policy that will probably outlast any particular government initiative. While submitters are not generally critical of the NZBS, some do point out that such strategies, being pragmatic across-agency strategies, incrementally set the conservation sights ever lower. This effectively devalues the more “inspirational” aspects of the primary legislation in the search for acceptable solutions across Ministers and departments most of whose driving legislation is not conservation orientated. The thrust of these submissions is that general policy should essentially be non-political – while recognising that everyday politics will determine particular issues.
- **Departmental policy:** Many submitters indicate a concern at the way in which internal departmental policy is seen to influence the interpretation and application of general policy. It is suggested that inconsistency in decision making and decision-making processes between conservancies reveals this. Few examples are specified although the management of iwi relationships and its professed Treaty of Waitangi responsibilities are frequently cited in other contexts.
- **Preservation / Protection versus Use:** Submitters had quite divergent views on the “proper” relationship between preservation or protection and use. This is most evident in those parts of general policy dealing with access, visitor management, scientific research, customary use/take, and tourism and recreation. Not surprisingly those who advocate for greater use of the conservation estate, which includes tourism, energy, and mining interests, argue that the current balance of concern is inappropriate – and generally that more use, with appropriate controls, will increase both the range of people able to experience the estate and public support for conservation, as well as returning national benefits. Those submitters who wish to see greater emphasis on ecosystem protection/preservation, with recreation and tourism

for example carefully controlled to that end, tend to argue that the lack of conservation outcome certainty discussed above gives serious cause for concern that activity controls will not be effective. As the two GP documents were issued separately, few submitters have taken a comparative perspective on this issue. That is, to consider for example ways in which general policy on use in non-National Park estate should be deliberately different and encouraged in comparison with and compensation for tighter controls within National Parks.

- **Recreation versus Tourism:** The tension between non-commercial recreation, commercial recreation and tourism is a significant refrain. There is a general continuum apparent in expressed preferences with non-commercial recreation at one end and “bulk” tourism at the other. Within this continuum lies the debate over motorised /non-motorised vehicle use on the conservation estate [a particular dimension captured in the general policy]. The single issue that stands apart from this rather neat typology is that of mountain bike use (see below). Accommodation, particularly the vexed issue of private baches/cribs/huts, provides a further point of difference. A further, subtle distinction is drawn by some between commercial recreation [for example, as between the individual hire of kayaks or mountain bikes with or without guides] and more ordered “group” packaged tourisms]. This distinction can be seen to reflect the “soft” edge between “more acceptable” commercial activities and “less acceptable” commercial activities where pressures for controls are emerging.

A strong plea is made by a number of submitters for general policy giving greater weight to a consideration of tourism-related activities and opportunities. Enhanced access for a greater number and diversity of people is a common refrain in these submissions – including explicit reference to NZ’s Disability Strategy. As would be expected from such a complex issue, no clear pattern emerges from submissions – indeed the extent of the complexity is further developed by the exception taken by some submitters to being referred to as “visitors” in and on their own land.

- **Take – Customary and/or Commercial – versus No Take:** Submitters show a broad concern about the principle and effect of any “take” policy – unless of course they have an interest for which they advocate in submissions such as eel fishers, big game hunters, or iwi. Generally the concern is one of in-principle protection tied back to the purpose of the respective legislation. In National Parks this is an argument about the sanctity of life – at least as far as indigenous or endogenous ecosystems and species are concerned. Certainly there are no overt advocates for the Department to establish any species farm management or species harvesting plans. The over-riding plea is that any such policy is guided by very strong ecosystem and species protection policy – which is not seen to be evident at this point by these submitters. However, a number of submitters clearly prefer an absolute no-take policy to avoid any prospect of encouraging a creeping commercial or traditional/customary take “market”.

The contrary argument from commercial submitters is that species management makes sense, and active, sensible intervention need not be deleterious, while providing direct economic benefits to both the Department and individual entrepreneurs. The customary take argument is quite different in that it is usually expressed in submissions in terms of Treaty “rights” without any necessary “take” – although this latter is presumed. This argument is complicated in some submitters’ minds by the fact that in some

arenas, for example aquaculture, iwi are arguing that customary and traditional take and use was not limited to non-commercial activities. Some submitters who are aware of these debates express concern at the prospect of “creeping” increase in take if general policy pursues this option. Conservation Boards, for example, are broadly supportive of policy that positively recognises customary use and take but would generally not support commercial exploitation based on that premise.

- **Extractive uses - energy and minerals [including oil] – versus prohibition:** Whether extractive uses should be permitted under any circumstances, particularly in National Parks, is addressed in a number of submissions. The importance of considering the national benefit of energy and mineral development is argued by industry, in particular. Submitters point out that substantial conservation mitigation packages are and have been provided as a consequence of such activity within the public conservation estate, and argue that modern techniques can substantially mitigate long-term adverse effects. Contrary submissions argue that such activity is essentially in conflict with the purpose of National Park legislation, in particular. This is an instance where submitters on both “sides” call for clear policy to avoid conservancy-based local policy differences.
- **Treaty-based or Iwi/hapu-based policy:** Submissions generally support a Treaty-based general policy approach with respect to iwi/hapu issues. This is strongly advocated by the few Maori submissions received. However many of the general public submissions express concern about a perceived emerging “two-tier” citizen band with respect to rights to and in National Parks. A few submissions take significant issue with this objecting that the conservation estate is for all New Zealanders and once National Parks, for example, are established there should be no special relationships. More widespread concern is expressed about the specifics of the principles of the Treaty of Waitangi - what they are, what they mean, and what they imply – and seek greater specification of this in general policy.

1.2.3 Conservation Objective / Outcome

Many submitters raise the question as to what an appropriate general policy outcome for conservation should be in the 21st Century. Options proposed range from recreating the ecological baseline that existed at the time of the Treaty signing in 1840, through the more pragmatic approach adopted in the NZ Biodiversity Strategy, to an undefined outcome that recognises the ecological realities of the present, especially in terms of what are alleged to be non-pest introduced species such as game animals such as deer, and tahr. No obvious agreement or consensus emerges from the submissions; however, all wanted a much clearer specification of the conservation outcomes sought so that general policy is firmly anchored with a purpose. Whether such an outcome would then be held by submitters to be contrary to the argument that general policy should not detract from statutory intent, remains to be seen.

1.2.4 Language

Many submitters comment on the use of “coded” language in the general policy. For example submitters variously object to the use of “RMA-speak” [the language of the Resource Management Act that requires users to *avoid, remedy or mitigate* significant adverse effects] or Treaty of Waitangi terms, where these are imprecise and leave significant room for uncertainty as to how a policy might be interpreted or used.

The matter of vagueness and qualification has been addressed above. However, a plea for plain English in this regard is frequently made in conjunction with an expressed desire for more strongly worded directions.

1.2.5 Other Matters for Direction

There is common cause among many submitters that the GP documents lack sufficient wording precision and direction for the purpose of clarity as to the relationship between policy and outcome. In addition to the matters discussed above, a number of issues are raised in submissions for which explicit pleas for greater direction are made. These include:

- **Limits and Capacity:** submitters frequently request more direction on limits to use and capacity constraints – particularly on popular tracks and walks. Generally such suggestions are made in the interests of ensuring that the perceived quality of the experience is not continually and steadily downgraded. Natural quiet is regularly mentioned in this regard. A sub-theme to a range of submitters is the ratio of New Zealanders to overseas visitors. Submissions have an undercurrent of a perception that New Zealanders are losing touch with the conservation estate as the tourism initiatives designed to attract increasing numbers of visitors to New Zealand, based quite heavily on natural features, take effect. No evidence is provided for this but it is clear in the submissions advocating limits and capacity constraints that these are not proposed as restraints to New Zealanders. Methodologies advocated include the currently used Recreation Opportunity Spectrum [ROS], Limits of Acceptable Change [LAC], and Visitor Experience and Resource Protection [VERP].
- **Partnership / Relationship:** These terms are frequently used in the general policies but the operational meanings and implications of such arrangements are not elaborated. Many submitters suggest that this should be done at a general policy level rather than leaving them to be individually defined through management plans or lower order arrangements, where matters of consistency will probably arise. The main concern seems to be over the loss of conservation control to groups that the interested public has little opportunity to influence. Submitters express concern about all such relationships – that is, this is not just a matter of concern with respect to Treaty relationships but all special relationships which are not publicly negotiated. Submitters are not generally expressing opposition to such arrangements, rather seeking discussion on the criteria to be used to determine situations when such arrangements might be considered, and the basis upon which candidates for any such arrangements will be chosen. Many submissions note that statutory freedom of access may be inconsistent with special partnership arrangements.
- **Historic heritage:** A number of submitters express the opinion that insufficient guidance is given in the general policy on historic heritage protection. The conditional nature of such policy – that is, conditional upon practicability, finance etc – is seen to leave such heritage protection without any clear sense of priority.

1.2.6 Controversial Issues

A number of matters are clearly controversial in terms of general policy – and attracted particular attention. The most frequently submitted on were:

- **Mountain bikes:** Access by mountain bike users to the public conservation estate, and in particular the more restrictive policy contained in the National Parks GP, attracted significant submission. This was predominantly but not exclusively from mountain bike users, although once it was clear that a “campaign” was afoot, contrary submissions from those opposed to extending mountain biker usage began to emerge. Frequently material was included with submissions purporting to discount the presumption of adverse impacts from usage – especially with respect to physical impacts on tracks and features and safety concerns relating to the risks of accident with trampers.

In addition to arguments countering the presumption of adverse physical and safety impacts, submitters also argued the importance of allowing less walking-mobile New Zealanders access to places they might otherwise not be able to get to or see. A number of self-confessed older submitters noted that they were seasoned trampers in their youth but without the opportunity to traverse areas by bike, they would effectively be shut out of areas they have enjoyed, and wished to continue to enjoy. Advocate submitters generally argue that it is the person not the vehicle or means that determines behaviour – suggesting that seasoned trampers converting to mountain bikes will carry and maintain a proper etiquette of track usage. Most pro-mountain bike submitters stress that the irresponsible element is very small – particularly because the effort to get to and use tracks rules out “casual” users [who by implication form the irresponsible element]. The policy suggestion that mountain bikes should be restricted to formed roads, accepted by most submitters who are not enthusiastic about mountain bikes, is not accepted by pro-mountain bike submitters.

- **Status of Deer etc and Recreational Hunting:** A number of submitters argue that the current policy emphasis on the eradication of non-indigenous species is misplaced since many of these have been in place for significant periods of time and have found an equilibrium with their environment. Typically this argument is made in favour of so-called “big game” rather than mustelids and other accepted “pests” – going as far as suggestions for a new section entitled *Valued Introduced Species*. This argument is made in submissions to both GP documents. The specific argument is advanced that the concept of “pest” should be redefined to exclude certain categories of introduced animals. From this position, the place of recreational hunting as a legitimate long-term activity on public conservation estate – not solely a wild animal management control method – is advocated by interested submitters. This argument is made *in addition* to the assertion of a statutory right of access for the purpose of recreational hunting. Any suggestion that stocks of deer, chamois or tahr should be eradicated from areas is strongly resisted by these submitters – often with the argument that such stocks have been in harmony with their present environments for some considerable time now even though they are introduced animals. Furthermore it is noted that the revenue from recreational and/or tourist game hunting is significant [both directly and in terms of economic multipliers] and this is an important opportunity for the Department. The impact of poisoning regimes on game meat is raised as a matter of relevant concern.

- **Private facilities - baches / cribs / huts:** The continued existence of private facilities – particularly private baches / cribs – seems in general to be more of an issue for those in danger of losing any such privilege. That is, the draft general policies covering this issue are largely unremarked except by those with an existing proprietorial interest in the issue. Having said that, one can intuit a measure of silent agreement with the proposed policy as many

submissions express the general opinion that private interests are inconsistent with public estate management. The exception to this "sentiment" is probably existing skifield accommodation where club huts are distinguished from private lodges – although a number of submissions express opposition to any significant extensions of existing facilities and areas.

- **Treaty partnership:** This matter has already been mentioned above and is included here because there is a sense of unease in submissions about the balance that is being reached in terms of Treaty-based arrangements on public conservation land. In particular submissions are concerned about the essentially closed-shop nature of these agreements, arising from within the machinery of government with virtually no public input. A number of submitters are very aware that the public conservation estate comprises the most readily available potentially resource for settlement. A number of the Maori submissions note that customary rights and interests are not solely non-commercial and that this must be reflected in any partnership arrangements. The concept of genuine co-management of or over resources is raised in a number of submissions.

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2 Submissions Overview

2.1 Introduction

As noted in section 1, a total of 1638 “usable” submissions were examined, covering both draft General Policies. A number of these submissions covered both General Policies.

2.2 National Parks Submissions

Submissions were received from 1313 persons and organisations on the draft National Parks General Policy. Of those 1313 submissions – many of which made submissions on more than one section of the draft GP – 185 provided submissions on both GP documents.

To show the general areas of concern – that is those sections of the draft General Policy that attracted most comment - the following table “allocates” the submissions on the basis of points noted in the detailed submissions analysis [3,899 submission points in total at an average of 3 per submission] was as follows:

Section	Number of Submission Points
General comments	77
1. Introduction	136
2. Treaty of Waitangi Responsibilities	129
3. Public Participation in National Parks	201
4. Nature Conservation	828
5. Cultural and Historic Heritage	136
6. New National Parks, Additions and Areas	174
...	
7. Natural Hazards	58
8. Visitor Benefit, Use & Enjoyment	1710
9. Non-Recreation Uses	215
10. Knowledge and Information Needs	100
11. National Parks Management Plans	95
12. International Agreements	19
Appendix	4
Glossary	16
Annex	1

With respect to Section 8: Visitor Benefit, Use & Enjoyment, 1137 submissions were made on the single draft policy 8.6(h) relating to the use of mountain bikes in National Parks.

From this, and by reference to the relevant Appendix table in section 3.1, it can be seen that every policy, introductory section and companion text attracted at least one submission.

Apart from the handful of “big” issues discussed above in section 1.2, many of the submissions sought detailed changes to the wording or the addition of clarifying or extending policies rather than wholesale rewriting. Having said that, the “big” issues are fundamental and constitute the nub of the overall draft policy direction – and for that reason this overview concentrates on them.

2.2.1 Other Issues Raised

Most of the issues raised in terms of the GP for National Parks Act are covered in the discussion under section 1.2 above. Other issues that attracted the author’s attention because they were commented upon by numbers of submitters were:

- **Freshwater species – sports fishing:** a number of submissions found the intent of this issue unclear, although this may be due to the ambiguity over whether sports fish are only salmon and trout. Other submitters disagreed that introduced fish species should be accorded special status within National Parks. The merits of stocking and restocking National Parks waterways/bodies was discussed from the point of view of maintaining viable populations of sports and other freshwater fish for recreational fishing purposes. Other submitters expressed opposition in principle to artificially maintaining recreational stock populations in National Parks for the sole or express purpose of recreational fishing.
- **Consideration of effects on adjoining landowners:** Submissions from landowners often commented on the desirability of boundary management agreements, negative impacts such as animal and weed pest incursions from public conservation land, longer term impacts on the economic viability of adjoining land arising from matters such as the use of agrichemicals, and the need to engender particular relationships with adjacent landowners.
- **4 Wheel Drive activities:** 4WD activities are mentioned in very few submissions to the National Parks GP – being more of an issue for Conservation Act activities. However, 4WD submitters note that the use of such vehicles can be effective both in a volunteer capacity and also for search and rescue work.
- **Kayaking:** Submitters note that kayak use and behaviour is changing quite quickly as this mode of recreation diversifies and becomes more popular across age groups. Accordingly submitters suggest that greater policy flexibility is merited to respond to and, as necessary, accommodate this changing behaviour.
- **Domestic animals:** Submitters note that working animals – primarily dogs and horses – are an essential part of recreational hunting and some aspects of search and rescue [among other activities] and therefore require more flexible policy.
- **Commercial filming:** Industry submissions note that this is a growing opportunity and that more flexible arrangements are both necessary and

warranted – particularly since innovative work management practices have been demonstrated with recent movies such as “Lord of the Rings” that should reduce some of the impact concerns previously stated.

- **Research:** A number of submissions argue that research should only be permitted and conducted in National Parks where there is direct management benefit – and where the research is not able to be conducted outside of National Parks. These submitters were opposed to any further discretion. Opposing submitters, often from research institutions, argued the merits of research and knowledge as an end in itself and sought wider access in principle.
- **Abiotic diversity:** Submissions from the geological “sector” note that abiotic diversity is not explicitly recognised in the general policy. Submitters argue that fossils, fossil formations, and geological landscape elements such as kaarst and dunes should be explicitly recognised and protected.
- **Consistency with local government policies and plans:** A number of submissions from local government argue for processes to ensure National Park management planning consistency with relevant statutory plans and policies – such as pest management strategies and land use plans.
- **Private partnerships:** Encouraging greater use of or co-operation with private partnerships is raised in a few submissions. These are seen as particularly beneficial joint ventures in extending existing areas such as breeding programmes. Opportunities for bioprospecting developments are also discussed. This argument was made for both GP documents.

2.3 Conservation Act and Related Legislation Submissions

Submissions were received from 331 persons and organisations on the draft Conservation Act and Related Legislation General Policy - many of which made submissions on more than one section of the draft GP. 185 submitters made submissions on both GP documents.

To show the general areas of concern – that is those sections of the draft General Policy that attracted most comment - the following table “allocates” the submissions on the basis of points made [3,440 submission points in total at an average of 10.4 per submission] as follows:

Section	Number of Submission Points
General Comments	115
1. Introduction	176
2. Treaty of Waitangi Responsibilities	167
3. Public Participation in Conservation Management	172
4. Conservation of Natural Resources	963
5. Cultural and Historic Heritage Conservation	194
6. Protected Area Network	112
7. Conservation Beyond Public Conservation Lands and Waters	190
8. Natural Hazards	60
9. Visitor Benefit, Use & Enjoyment	680
10. Non-Recreation Uses	259

11. Knowledge and Information Needs	126
12. Conservation Management Strategies and Management Plans	117
13. Conservation of Antarctica / Ross Dependency	11
14. International Agreements	32
Appendix	28
Glossary	38

From this, and by reference to the relevant Appendix table in section 3.2, it can be seen that every policy, introductory section and companion text attracted at least one submission.

This GP did not attract such a single issue “skew” in submission points as the draft GP for National Parks Act – the largest single issues for the draft GP Conservation Act and related legislation being:

- Continued presence of the private bach/crib;
- The status of introduced animals and the consequential opportunities for recreational hunting.

These two issues were discussed in section 1.2, and are discussed further below.

2.3.1 Other Issues Raised

Most of the issues raised in terms of the GP for the Conservation Act and Related Legislation are covered in the discussion under section 1.2 above. Other issues that came to the attention of the author because raised by a number of submitters were:

- **Submission and Hearings Processes:** Submitters argued for a more open process of submission and hearing on matters affected by these statutes. Generally argument was made that management strategies and plans, concessions, etc should follow the standard RMA process and not be a “closed-shop” process administered and controlled by the Department. Submitters who are generally comfortable with the Department’s internal procedures tended not to pursue this line too far – some pointing out that the Conservation Act and Resource Management Act are deliberately different so that difference should be maintained.
- **Process for changing General Policy:** A number of submissions note that there is no formal statutory process by which individual policies can be changed [i.e. amended or revoked or added to]. The statutes seem to anticipate either complete review and revision or none at all. Submitters suggest the need for policy change mechanisms akin to those for RMA plan changes.
- **Conservation versus recreation:** A significant number of recreationalist submissions took issue with the policy presumption that conservation necessarily had priority over recreation in the Department’s exercising of its roles and responsibilities. This argument was particularly evident in the debates regarding game hunting and “private” facilities. Non-commercial recreationalists argue that, for general policy purposes, they should be regarded quite differently from commercial recreationalists and tourists.

- **Outcome monitoring:** Submitters note that monitoring and evaluation of specified policy outcomes is insufficient and are either not undertaken or not publicly reported in useful ways. These submitters wish to see more deliberate and appropriately resourced policy monitoring.
- **Value of introduced animals:** A number of submitters argue that the value of introduced animals should be recognised rather than lumping all such under a “pests” category. This is argued both in “recognition” that some of these species are now well established within ecosystems, and also that extermination of some of these wide-ranging species is no longer feasible. Submissions supportive of recreational big game hunting generally advocate the “scientific” management of game animals rather than the blind application of “indigenous species” policy.
- **Intrinsic values:** A number of submitters argue that the concept of intrinsic values is unduly problematic – because there is no general agreement as to what it might mean – and leads to non-transparent decision-making. These submitters advocate its removal from the statute.
- **Conservation Act boundary:** a number of submitters note that the Act covers a much broader range of activities than merely the public conservation estate – and that these wider relationships are not necessarily given due weight in the general policy. Particular areas of overlap include local authority jurisdictions [such as pest management strategies and district/regional planning], private land and neighbour relations / management practices. This argument is often developed in terms of integrated management across public conservation estate boundaries.
- **Neighbouring land owners:** Many submissions comment on the need for consistent and constant consultation by the Department with neighbouring landowners on initiatives that may affect adjacent land – and not to treat neighbours as if they were simply part of the wider community.
- **Geo-conservation:** A few submitters argue for greater recognition of geo-conservation in general policy [many seem not to like the term geo-preservation], and argue for more policy precision with respect to fossils, geomorphology and geological features. Submitters also argue that the cultural [and this is not meant to imply only Maori] value of these features should also be recognised in policy. The explicit inclusion of geothermal ecosystems was sought by a few submitters, as was the development of a geodiversity policy.
- **Significant landscapes:** Many submissions raise the issue of protecting significant landscapes and providing clearer policy direction on this matter. In many cases this is with the purpose of preventing forms of use that “creep” into a situation where the “base” values are compromised. Some submitters argue that this should be extended to include freshwater and submarine landscapes.
- **Fire control:** A number of submissions broadly support the fire control policies but seek to ensure that ecosystem management and endangered species protection are the driving policy priorities rather than ease of fire management.
- **Indigenous freshwater fisheries:** A number of submissions expressed concern about the state of New Zealand’s indigenous freshwater fisheries and

wanted more control and intervention by the Department – including more action to eradicate/control introduced pest fish species. The eel and whitebait fisheries were particularly mentioned by submitters. These submission points were generally supported by the various local Fish and Game Council submissions, with the additional request that they be closely involved in discussions on the nature, extent and solution to identified problems.

- **Marine areas and species protection:** Many submissions noted the tentative nature of the marine protection policies – acknowledging that the indeterminate state of the relevant proposed legislation made this area particularly difficult to draft. A number of submissions called for this section to be redrafted once the legislation on marine protected areas and the policy on foreshore and seabed are defined. Absolute protection of marine mammal species was advocated by a number of submitters – supported in principle by marine mammal watching interests.
- **Heritage protection:** Submitters generally encouraged a more active role for the Department with respect to historic heritage. Maori submitters sought much closer consultation over the identification of heritage matters of significance; other submitters sought a broader recognition that cultural and social heritage go beyond Maori interests.
- **Access:** A number of submitters expressed concern at the perceived increasing difficulty in gaining access across private land to public esplanade reserves, etc. Some submitters identified walkways policy as needing a rethink. Some submitters also seek clarification in policy on the public's right of entry onto public conservation estate and the basis upon which this may be restricted.
- **Hazard and personal risk:** Many submitters raised concerns about the extent to which legislative policy has sought to remove the concept of personal responsibility for risk on public conservation estate. These submitters argue for more information / signage / etc to advise the public about such matters rather than seeking to “inoculate” activities against risk, thereby “dumbing down” recreational opportunities. Multi-lingual signs were advocated by a number of submitters.
- **Users / recreationalists / visitors / tourists:** As discussed above in section 1.2, the general theme of the proper balance of activities and terminology for conservation estate users received widespread submissions.
- **Private huts, baches and cribs:** As discussed above in section 1.2, the benefits of retaining existing private accommodation structures is strongly argued by interested submitters – who often draw their own distinction as far as commercially operated premises are concerned, suggesting that non-commercial, historical / existing private facilities are in a more acceptable category. The opposing submitters – i.e. those who advocate the phasing out of such facilities – generally argue from a public property right position, expressing opposition in principle to special arrangements that have not been approved through, for example, the notified concession application process.
- **Minerals and energy:** Mining and energy interests argue against sterilising resources just because they are on land managed for conservation purposes. They seek a policy requiring minerals and energy attributes to be determined – particularly before changes in land status [for example from a scenic reserve to a scientific reserve] are proposed.

- **Net conservation gain:** Many submissions recommended adopting [and refining] the concept of “net conservation gain” or “net conservation benefit” as the criterion against which to assess options and opportunities. There is support for this across the values-spectrum – presumably because those who wish to advance commercial opportunities, for example, are confident they can offset and adverse effects / impacts by mitigation options, while those who might be considered opposed to the same opportunities are equally confident that this will provide the necessary perceived threshold test.

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3 Appendices – Overview and Submitter Tables

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3.1 Draft General Policy National Parks Act [August 2003] - Submissions Analysis

In the following Tables submissions were categorised as either long submissions [i.e. more than 5 pages] or short submissions [i.e. less than 5 pages]. This was done for contract administration purposes and does not reflect the weight accorded or significance of individual submissions.

Readers should refer to the lists in sections 3.3 and 3.4 to identify the corresponding names of submitters.

SECTION	POLICY	# LONG SUBMISSIONS	# SHORT SUBMISSIONS
General submission / unspecified policies/comments only			
		91,461,704,734,772,835,913,943,944,964, 965, 1034, 1035,1043,1046,1051,1143,1162,1175,1180, 1183, 1188,1204,1206,1216,1245,1251,1258,1261,1280, 1283,	1,3,252,270,315,452,517,662,706,709,722,728,733,820,907,910,919, 932,1045,1047,1155,1157,1174,1206,1210,1217,1221,1228,1232,1235, 1240,1249,1250,1259,1262, 1269,1270,1272,1273,1274,1286,1287, 1288,1293,1309
Foreword		1187,	
1 Introduction			
		934, 1046, 1086, 1051, 1162, 1165, 1180, 1187, 1244, 1245,1276,1280,	187,935, 1174, 1232, 1233, 1240, 1259,1260,1293,
1.1		692,802, 934, 944, 1042, 1051, 1086, 1143, 1180, 1244,	65,933,1150, 1240,1288
1.2		692,772,802, 1051, 1086, 1190,1247, 1283,	
1.3		692,771,802,827,934, 1042, 1051, 1051, 1086, 1143, 1162,1180, 1187, 1245, 1247, 1275, 1276, 1283,	268,933,1203, 1240,
1.4		1049, 1051, 1086, 1258, 1264,	1240,
1.5 Interpretation of Policies			
	General	692,772,802,827,944,1035, 1051, 1086, 1143, 1180, 1187, 1247, 1258, 1275, 1276,	933, 1263, 1290,
	1(a)	1199, 1258,	1227
	1(b)	458,771,772,827,944, 1034, 1043, 1143, 1199, 1251, 1258, 1264, 1265, 1275,	138,141,164,177,190,192,219,242,243,252,265,275,299,431,737,756, 1181, 1227,1230,1232, 1241,1251,1256,1262, 1270,1272, 1286, 1305, 1306
2. Treaty of Waitangi Responsibilities			
		461,692, 772,802, 913,943,1042, 1043, 1086, 1162, 1244, 1245, 1247, 1280, 1284,	252,270,912, 1287,
	2(a)	704, 1035,1042, 1162,1183, 1187, 1206, 1245,	907, 919,1153, 1227, 1246,
	2(b)	704,944,1035,1042, 1183, 1199, 1204, 1258,	322, 919,1153, 1227, 1246,

SECTION	POLICY	# LONG SUBMISSIONS	# SHORT SUBMISSIONS
	2(c)	704, 944,1035,1042, 1183, 1199, 1204, 1258,	322, 919,1153, 1227, 1246,
	2(d)	704, 944,1035,1042, 1183, 1187, 1199, 1204, 1206, 1258	322,706, 919, 1151, 1153, 1227, 1246,
	2(e)	944,1042, 1187, 1199, 1206, 1244, 1280,	919,1153, 1227, 1246,
	2(f)	461,771,772,827, 944,1035,1042, 1187, 1199, 1204, 1244, 1258,	322, 919,1153, 1227, 1246, 1273,
	2(g)	704, 913, 944,1042,1187,1199,1204,1206,1280, 1284,	322, 919,1153,1227,1246,
	2(h)	704, 944, 1187, 1199, 1280,	439, 919,1153,1246,1306
3. Public Participation in National Parks			
General		461,692,802,827,934,943,964, 1046, 1051, 1086, 1143, 1162, 1199, 1206, 1216, 1227, 1245, 1247, 1261, 1280, 1283,	912,1172, 1210, 1223, 1232, 1233, 1240, 1241, 1262, 1270,1272,
	3(a)	461,827, 944,964, 1034, 1035, 1043, 1143, 1180, 1190, 1199, 1204, 1227, 1264, 1280, 1283,	933, 1174, 1274, 1306
	3(b)	304,461,771,827, 944, 964, 1034, 1035,1043, 1046,1051, 1143, 1180, 1183, 1190, 1204, 1227, 1261, 1280, 1283,	322, 919, 933, 1045, 1047,1137, 1153, 1155,1174, 1237, 1246, 1274, 1285, 1306
	3(c)	304,461,771,827, 944, 964, 1034, 1035,1043, 1046, 1051, 1143, 1180, 1190, 1199, 1204, 1227, 1258, 1261, 1264, 1265, 1280, 1283	919, 937, 1045, 1137, 1153, 1174, 1246, 1273, 1274, 1306
	3(d)	304,771,827, 944, 964, 1034, 1043, 1051, 1143, 1162, 1180, 1183, 1190, 1199, 1204, 1206,1227, 1258, 1264, 1265,	919, 933, 1045, 1047, 1151, 1153, 1155, 1174, 1246, 1274, 1285, 1306
	3(e)	304,461,771,827, 964, 1043, 1143, 1180, 1199, 1204, 1206, 1227, 1258,	933, 1174, 1274, 1285, 1306
	3(f)	827, 1043, 1143, 1180, 1199, 1204, 1227	322, 937, 1174, 1274, 1306
	3(g)	458,827, 1043, 1143,1164, 1180, 1187, 1199, 1204, 1206, 1227, 1283,	322,439, 933, 1137, 1151, 1274, 1285, 1306
4. Nature Conservation			
		692,771,772,802,943, 1046, 1051, 1187, 1244, 1245, 1247, 1258, 1275, 1283,	1240, 1250,
4.1 Geological Features, Landforms, Soils and Natural Landscapes			
	General	1043, 1187, 1199,1257, 1283	1306
	4.1(a)	461,704,771,827, 913, 944, 965, 1034,1035, 1043, 1143, 1164, 1180, 1199, 1204, 1216, 1244, 1258, 1276,	849, 1085, 1147, 1227, 1306

SECTION	POLICY	# LONG SUBMISSIONS	# SHORT SUBMISSIONS
	4.1(b)	304,461,692,771,772,802,827, 913,943, 944, 1034, 1035, 1043, 1086, 1143, 1199, 1204, 1216, 1244, 1257, 1258, 1276, 1280,	849,907,1137, 1174, 1227, 1274,
	4.1(c)	704,943, 944, 964, 1034, 1035, 1199, 1204, 1216, 1244, 1258, 1276,	322,706, 907, 1227, 1285,
	4.1(d)	827, 913, 944, 1034, 1043, 1051, 1143, 1162, 1199, 1204, 1244, 1245, 1275, 1276,	322, 1174, 1227, 1285,
4.2 Ecosystem Services			
	General	461,1143, 1187, 1199, 1204, 1258, 1276, 1283	1250, 1260, 1274,
	4.2(a)	913,943,944, 965, 1034, 1035, 1046, 1143, 1190, 1199, 1204, 1216, 1244, 1247, 1258, 1264, 1276, 1280,	849,907,935, 1250, 1273, 1274,
	4.2(b)	913, 944, 1034, 1035, 1046, 1049, 1199, 1204, 1216, 1244, 1247, 1251, 1258,1265, 1275, 1276,	907, 1137, 1157, 1250, 1260, 1306
	4.2(c)	944, 964, 1034, 1199, 1204, 1247, 1258,	935, 1250,
4.3 Maintaining and Restoring Ecosystems, Species, Terrestrial and Freshwater Habitats			
	General	704, 1046, 1051, 1187, 1206, 1251, 1276, 1283,	1043,1137, 1174, 1231, 1232, 1260, 1274, 1306
	4.3.1 Natural habitats, ecosystems and species	1164, 1180, 1199, 1258,	252,303,322,1043,1151, 1231, 1232, 1260, 1289,
	4.3.1(a)	303,304,771, 913, 944,965,1035, 1164, 1199, 1204, 1258, 1276, 1280,	439,801, 1043,1227, 1274,
	4.3.1(b)	303,771,827, 913, 944, 1035, 1143, 1199, 1204, 1257, 1258, 1276, 1280,	439, 919, 1043,1147, 1153, 1227, 1246,1269,
	4.3.1(c)	303,304,771,772,827, 913,943, 944, 1035, 1143, 1199, 1204, 1216, 1258, 1276,	439,849, 1043,1147, 1227, 1250, 1273, 1274, 1289
	4.3.1(d)	303,304, 458,461, 913, 944, 1043, 1199, 1204,	439, 1043,1227, 1273, 1289,
	4.3.1(e)	303,772, 913, 944, 1199, 1204, 1276,	1043,1227,
	4.3.1(f)	772, 913, 943, 944, 1035, 1199, 1204, 1206, 1216, 1247, 1258, 1276,	322, 1043,1227, 1269, 1274, 1289
	4.3.1(g)	772,913, 944, 964, 1035, 1199, 1204, 1216, 1258, 1276,	1043,1147, 1227, 1289
	4.3.2 Biosecurity and pest management	91,734,771,772, 1035, 1046, 1086, 1143, 1180, 1187, 1251, 1275,	252,268, 912, 952, 1043, 1145, 1149, 1156, 1172,1202, 1205, 1210, 1212, 1217, 1221, 1230, 1231, 1232, 1233, 1240, 1241, 1249, 1250, 1253, 1256, 1259, 1260, 1262, 1270,1272, 1273, 1274, 1286, 1289, 1305
	4.3.2(a)	304,461,704,827, 913, 944,965, 1035, 1143, 1180, 1199, 1204, 1247, 1258, 1275, 1276,	1043, 1210, 1212, 1217, 1227, 1231, 1232, 1233, 1259, 1262, 1270,1272, 1286,

SECTION	POLICY	# LONG SUBMISSIONS	# SHORT SUBMISSIONS
	4.3.2(b)	771,772,827, 913, 944,965, 1035, 1046, 143, 1180, 1187, 1199, 1204, 1247, 1258, 1275, 1276, 1284,	322,356,849, 1137, 1210, 1212, 1217, 1227, 1231, 1232, 1233, 1250, 1259, 1260, 1262, 1270,1272, 1274, 1286, 1289, 1306
	4.3.2(c)	461,704, 913, 944, 1035, 1043, 1143, 1180, 1187, 1199, 1204, 1247, 1258, 1275, 1276,	1137, 1210, 1212, 1217, 1227, 1230, 1231, 1232, 1233, 1235, 1259, 1262, 1270,1272, 1286,
	4.3.2(d)	304,461,704,771,772,827, 913, 944,965, 1035, 1143, 1180, 1190, 1199, 1204, 1247, 1251, 1258, 1275, 1276, 1280,	322, 919, 1043,1137, 1153, 1210, 1212, 1217, 1227, 1230, 1231, 1232, 1233, 1246, 1256, 1259, 1262, 1270,1272, 1286,
	4.3.2(e)	458,692,771,772,802,827, 913, 944, 1035, 1046, 1086, 1143, 1180, 1187, 1199, 1204, 1247, 1251, 1258, 1275, 1283,	4,322,952, 1043, 1137, 1184, 1210, 1212, 1217, 1227, 1230, 1235, 1240, 1250, 1274,
	4.3.2(f)	458,461,692,704,802,827, 913, 944, 965, 1035, 1086, 1143, 1180, 1190, 1199, 1204, 1244, 1247, 1258, 1275, 1276, 1283,	1043, 1210, 1212, 1217, 1227, 1274,
	4.3.2(g)	913, 943, 944, 964, 1035, 1143, 1180, 1187, 1199, 1204, 1206, 1247, 1258, 1275, 1276,	1043, 1210, 1212, 1217, 1227, 1274,
	4.3.2(h)	458, 913, 944, 1035, 1180, 1199, 1258, 1275, 1276,	1043, 1137, 1210, 1212, 1217, 1227,
4.3.3 Fire control		461,704, 1143, 1190, 1283	1043, 1223,
	4.3.3(a)	944, 1143, 1199, 1276, 1283,	407, 963, 1043, 1137, 1227, 1289,
	4.3.3(b)	913, 944, 1199, 1276, 1283,	919, 963,1043, 1153, 1227,1246, 1289,
4.3.4 Freshwater ecosystems and habitats		458,461,704, 913, 943, 1051, 1180, 1247, 1258, 1283,	1043, 1085, 1273,
	4.3.4(a)	944, 965, 1034, 1199, 1204, 1216, 1258,	1043, 1227, 1274,
	4.3.4(b)	771,772, 944, 1034, 1199, 1204, 1257, 1258, 1280,	439,849, 1043, 1227,
	4.3.4(c)	913,943, 944, 965, 1187, 1199, 1204, 1258,	1043, 1227,
4.3.5 Freshwater species		704, 913,1046, 1180, 1187, 1258,1283	322,338,489,805,907, 1043, 1250, 1306
	4.3.5(a)	913,944, 1199, 1204, 1216, 1276, 1280,	1043, 1157, 1274, 1289
	4.3.5(b)	771, 944,1034, 1143, 1187, 1199, 1204, 1247, 1276,	439,849, 1043, 1157, 1274, 1289
	4.3.5(c)	304, 458,771,943, 944,1143, 1199, 1204, 1276, 1280,	1043, 1137, 1157, 1288,
	4.3.5(d)	458,943, 944,1199, 1204, 1276,	1043, 1137, 1157, 1274,
	4.3.5(e)	304,771,827,943, 944,1035, 1143, 1187, 1199, 1204, 1258, 1276,	1043, 1137, 1157, 1250, 1288,
	4.3.5(f)	771, 913, 943, 944,1035, 1143, 1199, 1204, 1258, 1276,	439, 1043, 1157, 1289,
	4.3.5(g)	827, 913,943, 944,1035, 1143, 1187, 1199, 1204, 1216, 1258, 1276,	1043, 1157, 1293,
	4.3.5(h)	304,771,772,827, 944, 1035, 1143, 1180, 1199,	1043, 1137, 1157, 1293,

SECTION	POLICY	# LONG SUBMISSIONS	# SHORT SUBMISSIONS
		1204, 1258, 1276,	
	4.3-5(i)	304,771,827, 913,943, 944, 1143, 1187, 1199, 1204, 1258, 1276, 1284,	1137, 1157, 1289, 1293,
5. Cultural and Historic Heritage			
		461, 913,934,943, 1051, 1086, 1162, 1175, 1245,	935,1182, 1189,
5.1 General			
	General	1175,1247, 1258,	
	5.1(a)	913, 1276, 1199, 1258	706, 935,1227,
	5.1(b)	1199, 1204, 1258,1276,	935,1227, 1273, 1285,
5.2 The Interests of Tangata Whenua			
	General	1190, 1247, 1258,	
	5.2(a)	943, 1190, 1199, 1204, 1258, 1276,	322, ,907, 935,1227,
	5.2(b)	704, 943,1199, 1204, 1258, 1276,	322, 907, 935, 1227,
	5.2(c)	704, 943, 1199, 1204, 1258,	935,1227,
	5.2(d)	943, 1190, 1199, 1204, 1258, 1276,	322, 935, 1227,
5.3 Other Relevant Communities of Interest			
	General	1247,	
	5.3(a)	1199,1206,125, 1276,	935,1227,
5.4 Cultural and Historic Heritage Management			
	General	1162, 1175,1247,	1243
	5.4(a)	1162, 1199, 1245,	706, 935, 1227,1306
	5.4(b)	1199, 1204,	935,1227,
	5.4(c)	1199, 1276,	909,935,1227,
	5.4(d)	1199,	935,1227,
	5.4(e)	934,1199,	322, 935,1227, 1288,
	5.4(f)	1164, 1199, 1204,	935,1227, 1243,
	5.4(g)	1199,	935,1227,
	5.4(h)	1199,	706, 935, 1227,
	5.4(i)	1187, 1199, 1276,	935,1227, 1288,
5.5 Interpretation of Cultural and Historic Heritage			
	General	943, 1247,	
	5.5(a)	304, 827, 1204, 1276,	935,1227,
	5.5(b)	1204,1244	935,1227,
6. New National Parks, Additions to Parks, Boundaries and Special Areas within Parks			
		916,918,934,943,1187,1204,1264,1265,1276,1283,	933,1137, 1154, 1178, 1210,1250, 1293,
	6(a)	304,461, 1187, 1199, 1204,	930,933, 1274, 1288,

SECTION	POLICY	# LONG SUBMISSIONS	# SHORT SUBMISSIONS
	6(b)	1199,	
	6(c)	461, 1035, 1046, 1199, 1258, 1276,	322, 933, 1174,
	6(d)	461, 1035, 1199, 1258, 1276,	322, 933,
	6(e)	461,772, 1035, 1046, 1187, 1190, 1199, 1247, 1258, 1276, 1283,	1178, 1302
	6(f)	91,304,734,827, 916,1034, 1046, 1162, 1187,1199, 1204, 1245, 1258, 1276,	448,488, 1145, 1302
	6(g)	304,704, 916,1199, 1204,	322,448,488, 933,
	6(h)	91,734, 916,918, 1034, 1187, 1199, 1283,	448,488,909, 933, 1288, 1290, 1302
	6(i)	461, 913, 934, 943, 1034, 1184, 1187, 1190, 1199, 1276,1257, 1283,	933,1290,
	6(j)	771, 934, 944, 1187, 1199, 1276,	933
	6(k)	704,934,943, 944, 1178, 1187, 1199, 1276,	933, 1137, 1145,1178
	6(l)	461,704, 944, 1034, 1199, 1261, 1276,	933, 1147, 1290,
	6(m)	91,734, 1190, 1199, 1204,	909, 1145, 1288, 1302
	6(n)	1199, 1276,	
	6(o)	1199, 1276,	
	6(p)	1043, 1199,	933,1154,
	6(q)	934,1187, 1199, 1276,	934,1154
	6(r)	934, 1035, 1043, 1187, 1190, 1199, 1257, 1276,	933,934
7. Natural Hazards			
		304,563,827, 1187, 1258,1276,1283,	402, 933,1184, 1227, 1288,
	7(a)	692,802, 1043, 1086,1199,	402, 1274, 1285, 1288,
	7(b)	563,704, 965, 1043, 1190, 1187,1199, 1276,	402, 1274, 1285,
	7(c)	563, 1043, 1199,	402, 1274, 1285, 1288,
	7(d)	934, 1043, 1199,	1274,
	7(e)	304,563, 944,1043, 1187, 1190, 1199, 1204, 1276,	10,402, 933, 1174, 1274, 1285,
8. Visitor Benefit, Use and Enjoyment			
		461,692,704,772,802,913,934,944, 1046, 1051,1051, 1086, 1162, 1165,1180, 1206,1245, 1247, 1251, 1261,1275, 1276,1280, 1283, 1298	252,276,322, 933,1181, 1213,1220, 1227, 1256,1259, 1274, 1288, 1293,
8.1 Visitor Management			
	General	916,934,964,1043,1165,1187,1199,1245,1251,1280	1227,1248,
	8.1(a)	771,827,913,934, 1035, 1043, 1051, 1162, 1180, 1183, 1199, 1245, 1251, 1275,	11,138,141,164,177,190,192,219,242,243,265,299,431,662,737, 746, 756,801, 1184, 1220, 1227, 1266, 1285,
	8.1(b)	461,704,771,772,827,913,964,1035,1043,1045,	356,517,662,746, 849, 1155, 1184, 1220,1227, 1269, 1273, 1285,

SECTION	POLICY	# LONG SUBMISSIONS	# SHORT SUBMISSIONS
		1051, 1162,1165,1183,1187,1190,1199,1216,1245,1276,	
	8.1(c)	827, 913, 1035, 1043, 1045,1051, 1162, 1165, 1183, 1199, 1245, 1251, 1258, 1261, 1275, 1276,	356,694, 933, 1047,1155, 1174, 1220, 1237, 1263, 1266, 1285, 1290,1304
	8.1(d)	913,964, 1045, 1162, 1183, 1199, 1245, 1284,	933, 1047, 1155,
	8.1(e)	461,704, 964,1043,1051, 1162, 1187, 1199, 1245, 1247, 1258, 1283,	10,187,276, 746, 1220, 1269, 1285, 1293,
8.2 Visitor Information and Interpretation			
	General	913,1051, 1199, 1206	1137, 1227,
	8.2(a)	913, 1043, 1051,1162, 1245, 1276, 1280,	187,801, 933,
	8.2(b)	1043, 1051,1162, 1190, 1204, 1245, 1276,	322,
	8.2(c)	461,704, 913,934, 964,1043,1051, 1162, 1165, 1199, 1245, 1276, 1280,	933,
8.3 Visitor Accommodation, Facilities and Services			
	General	771,772, 934, 1051, 1180,1162, 1199, 1216, 1245, 1251, 1275,	952, 1221, 1227,
	8.3(a)	771, 913,1035, 1043, 1162, 1199, 1245, 1276,	1047,
	8.3(b)	913,964,1035, 1190, 1276,	489,
	8.3(c)	461,704, 913, 964,1034, 1035, 1043, 1051,1162, 1199, 1244, 1245, 1258,1275,1276,	322,735, 933,1243, 1285, 1290,
	8.3(d)	827, 913, 1043, 1051,1187, 1199, 1204, 1276,	276, 1025,1033,1145, 1273, 1285,1304
	8.3(e)	913, 1162, 1199, 1245, 1276,	
	8.3(f)	771, 913, 964,1045, 1180, 1199, 1276,	746,1036,1047, 1137, 1155,
	8.3(g)	304, 913,944, 1043, 1162, 1165, 1187, 1199, 1245, 1247, 1280,	276,322, 933,1220, 1243,
8.4 Sports Fishing and Gamebird Hunting			
	General	1046,1146, 1187, 1280,	1210,1227,1259
	8.4(a)	461,772,913,1199, 1276,	322,1157, 1203,
	8.4(b)	304,771,913,1204, 1276,	65, 1137, 1203,
8.5 Recreational Hunting			
	General	1046,	906,1148,1156,1158, 1184,1202,1203, 1210, 1212, 1217, 1227,1231,1232, 1249,1250, 1262, 1272
	8.5(a)	461,913,914, 934, 1043, 1162, 1199, 1244, 1245, 1247, 1251, 1258, 1275, 1276, 1280,	4,9,65,138,141,164,177,190,192,219,242,243,265,275,299,431,612, 737, 756, 1181, 1213,1230, 1235, 1270, 1273, 1286,
8.6 Vehicle and Transport Use			
	General	908,916,944,1180,1245,1261,1276,	1044,1115,1155,1220,1227,1267
	8.6(a)	13,461,704,771,913, 934, 1035, 1043, 1045, 1199,	12,322, 1047, 1137, 1184, 1266,

SECTION	POLICY	# LONG SUBMISSIONS	# SHORT SUBMISSIONS
		1258, 1276,	
	8.6(b)	461,704,771, 913,934, 1035, 1043,1045, 1187, 1199, 1261, 1276, 1280,	322,367,907, 933,1047, 1115, 1155, 1184, 1230, 1237, 1266, 1304
	8.6(c)	91,734,827, 913,934, 1035, 1045, 1162, 1276,	746, 933, 1047, 1137, 1237, 1269, 1293, 1302,1304
	8.6(d)	91,734,827, 934, 1187,1199, 1204, 1244, 1258, 1276,	10, 907, 1137,1138, 1220,1237, 1269,1302,1304
	8.6(e)	827, 913,934, 1199, 1204,	1174, 1269,1292,
	8.6(f)	771,772,827,913, 934, 1187, 1199, 1216, 1258, 1276,	907, 1137, 1174, 1292, 1306
	8.6(g)	13,91,772, 913, 934, 943, 1043, 1162, 1199, 1204, 1245, 1258, 1276,	12,448,488,1137, 1145, 1155, 1243, 1273, 1288,1304,1306
	8.6(h)	2,13,771,772,827,834, 908, 913,916, 934, 1043, 1162, 1187, 1199, 1204, 1245, 1258, 1276,	5,7,8,12,14,15,16,17,18,19,20,21,22,23,24,25,26,27,28,29,30,31,32,33, 34, 35,36,37,38,39,40,41,42,43,44,45,46,47,48,49,50,51,52,53,54,55,56,57,58, 59,60,61,62,63,64,66,67,68,69,70,71,72,73,74,75,76,77,78,79,80,81,83,84,85,86,87,88,89,90,92,93,94,95,96,97,98,99,100,101,102,103, 104,105,106, 107,108,109,110,111,112,113,114,115,116,117,118,119,120,121,122,123,124,125,126,127,128,129,130,131,132,133,134,135,136, 137,139,140,142, 143,144,145,146,147,148,149,150,151,152,153,154,155,156,157,158,159, 160,161,162,163,165,166,167,168,169,170, 171,172,173,174,175,176,178, 179,180,181,182,183,184,185,186,188,189,189,191,193,194,195,196,197,198,199,200,201,202,203,204,205, 206,207,208,209,210,211,212,213,214,215,216,217,218,220,221,222, 223, 224, 225,226,227,228,229,230,231,232,233,234,235,236,237,238,239, 240, 241,244,245,246,247,248,249,250,251, 253,254,255,256,257, 258,259, 260, 261,262,263,264,266,267,269,270,271, 272,273,274,277, 278,279,280,281,282,283,284,285,286,287,288,289,290,291,292,293, 294,295,296,297,298,300,301,302,305,306,307,308,309,310,311,312, 313,314,316,317,318,319,320,321,323,324,325,326,327,328,329,330,

SECTION	POLICY	# LONG SUBMISSIONS	# SHORT SUBMISSIONS
			331,332,333,334,335,336,337,339,340,341,342,343,344,345,346, 347, 348,349,350,351,352,353,354,355,357,358,359,360,361,362,363, 364, 365, 366,367,368,369,370,371,372,373,374,375,376,377,378,379,380, 381,382, 383,384,385,386,387,388,389,390,391,392,393,394,395,396, 397,398,399,400,401,403,404,405,406,408,409,410,411,412,413 ,414, 415,416,417,418, 419,420,421,422,423,424,425,426,427,428, 429,430, 432,433,434,435,436, 437,438,440,441,442,443,444,445,446, 447,448, 449,450,451,453,454,455,456,457,459,460,462,463,464, 465,466,467, 468,469,470,471,472,473,474, 475,476,477,478,479,480,481,482,483, 484,485,486,487,488,490,491,492,493, 494,495,496,497,498,499,500, 501,502,503,504,505,506,507,508,509,510, 511,512,513,514,515,516, 518,519,520,521,522,523,524,525,526,527,528,529,530,531,532,5 33, 534,535,536,537,538,539,540,541,542,543,544, 545, 546,547,548,549, 550, 551,552,553,554,555,556,557,558,559,560,561,562, 564,565,566, 567,568,569,570,571,572,573,574,575,576,577,578,579,580, 581,582, 583,584,585,586,587,588,589,590,591,592,593,594,595,596,597, 598, 599,600,601,602,603,604,605,606,607,608,609,610,611,613,614 , 615, 616,617,618,619,620,621,622,623,624,625,626,627,628,629,630, 631, 632,633,634,635,636,637,638,639,640,641,642,643,644,645,646 , 647, 648,649,650,651,652,653,654,655,656,657,658,659,660,661,663, 664, 665,666,667,668,669,670,671, 672,673,674,675,676,677,678,679,680, 681, 682, 683,684, 685,686,687,688,689,690,691,693,694, 695,696,697, 698,

SECTION	POLICY	# LONG SUBMISSIONS	# SHORT SUBMISSIONS
			699,700,701,702, 703,707,708,710,711,712,713,714,715,716, 717, 718,719,720,721,723,724, 726,727,729,730,731,732,736,738, 739,740, 741,742,743,744,745,746,747,748,749,750,751,752,753,754,755,75 7, 758,759,760,761,762,763,764,765,766,767,768,769,770,773,774,7 75, 776,777, 778,779,780,781,782,783,784,785, 786,787,788,789,790,791, 792,793,794,795,796,797,798,799,800,803,804,805,806,807,80 8,809, 810,811,812,813,814,815,816,817,818,819,821,822, 823,824,825,826 ,828,829,830,831,832,833,836,837,838,839,840,841,842, 843,844,845, 846,847,848,850,851,852,853,854,855,856,857,858,859,860, 861,862, 863,864,865,866,867,868,869,870,871,872,873,874,875,876,877 ,878, 879,880,881,882, 883,884,885,886,887,888,889,890,891,892,893,894, 895,896,897,898,899, 900,901,902,903,904,905,907,908,911,916,920, 921,922,923,924,925,926,927,928,929,931,936,937,938,939,940 ,941, 942,945,946,947,948,949,950,951,953,954,955,956,957,958,959, 960, 961,962,966,967,968,969,970,971,972,973,974,975,976,977,978, 979, 980,981,982,983,984,985,986,987,988,989,990,991,992,99 3,994, 995,996,997,988,999,1000,1001,1002,1003,1004,1005,1006,100 7, 1008,1009,1010,1011,1012,1013,1014,1015,1016,1017,1018,1019, 1020,1021,1022,1022,1023,1024,1026,1027,1028,1029,1030,1031 , 1032,1036,1037,1038,1039,1040,1041,1048,1050,1052, 1053,1054, 1055,1056,1057,1058,1059,1060,1061,1062,1063,1064,1065, 1066, 1067,1068,1069,1070,1071,1072,1073,1074,1075,1076,1077,1078, 1079,1080,1081,1082,1083,1084,1087,1088,1089,1090,1091,109 2, 1093, 1094,1095,1096,1097,1098,1099,1100,1101,1102,1103,1104,

SECTION	POLICY	# LONG SUBMISSIONS	# SHORT SUBMISSIONS
			1105,1106, 1107,1108,1109,1110,1111,1112,1113,1114,1116,1117, 1118,1119,1120, 1121,1121,1122,1123,1124,1125,1126,1127, 1128, 1129,1130,1131,1132, 1133,1134,1135,1136, 1137,1139,1140, 1141, 1142,1144,1152, 1159,1160,1166,1167,1168,1169,1170, 1171,1173, 1174,1176,1177,1179,1185,1186,1191,1192,1193,1194,1195, 1196, 1197,1198,1200,1201,1207,1208,1209,1211,1214,1215,1218, 1220, 1222,1224,1225,1226, 1227,1229,1234,1236, 1237,1238,1239,1242, 1243,1252,1254,1255,1268, 1273,1277,1278,1279,1281,1282, 1285,1291,1293,1294,1295,1296,1297,1299,1300,1301,1302,1303, 1304,1306,1307,1308,1310, 1311, 1312, 1313
	8.6(i)	13, 913,934,	12,82, 1271,
	8.6(j)	913,934, 1199, 1261,	1237, 1271,
8.7 Domesticated Animals			
	General	1046, 1180, 1245,1251, 1275,	1157,1212, 1227,
	8.7(a)	771,772,827, 913,934,1162, 1199, 1258, 1276, 1283,	1137, 1210,1217, 1259, 1270,1272, 1232, 1286,1304
9. Non-Recreation Uses			
		461,692,704,771,802,964,1162,1162,1165,1251, 1284,	
9.1 Grazing			
	General	913, 1086, 1247,	1046, 1157, 1227, 1293, 1304
	9.1(a)	458,461,771,772,827, 934, 944, 965, 1035, 1046, 1148, 1162, 1187, 1199, 1204, 1216, 1244, 1245, 1258, 1276, 1283, 1283,	10,322,517, 1137, 1223, 1243,
	9.1(b)	944, 1035, 1162, 1199, 1245, 1258, 1276,	1137,
	9.1(c)	458, 944, 1035, 1148, 1162, 1199, 1204, 1245, 1258, 1276,	517,
9.2 Utilities and Communications Facilities			
	General	1163, 1190, 1257,	1243, 1288,
	9.2(a)	771, 913,934,943, 1034, 1043, 1051, 1162, 1163, 1187, 1190, 1199, 1204, 1245, 1257, 1283,	917,919,1137, 1147, 1153, 1227, 1246,
	9.2(b)	771, 1162, 1163, 1199, 1245, 1258, 1276, 1283,	1137,
	9.2(c)	1043, 1163, 1187, 1199, 1258,	1137,
	9.2(d)	91,734, 1034, 1043, 1162, 1163, 1187, 1199, 1245, 1257, 1258, 1276,	1137, 1174, 1302
	9.2(e)	1163, 1187, 1199, 1257, 1258, 1276,	1137,
	9.2(f)	91,734, 1043, 1163, 1199, 1276,	1137, 1147, 1302

SECTION	POLICY	# LONG SUBMISSIONS	# SHORT SUBMISSIONS
	9.2(g)	827, 944, 1034, 1043, 1163, 1199, 1276,	11, 1137, 1288,
9.3 Mining and Removal of Sand / Shingle			
	General	943, 1035, 1187, 1276,	1137, 1227, 1288,
	9.3(a)	704, 827, 943, 1043, 1049, 1162, 1199, 1244, 1258, 1264, 1265,	65, 909, 1178, 1243,
	9.3(b)	827, 918, 1049, 1244, 1258, 1264, 1265,	
	9.3(c)	827, 1199, 1258,	
9.4 Commercial Filming and Photography			
	General	1051, 1187, 1188, 1206,	1137, 1227,
	9.4(a)	461, 704, 772, 1035, 1045, 1187, 1188, 1199, 1244, 1276,	322, 907, 1184,
	9.4(b)	1045, 1188, 1199, 1276,	322, 907, 1184,
9.5 Military Training Exercises			
	9.5(a)	1085, 1187, 1199, 1276,	1137, 1227, 1304
10. Knowledge and Information Needs			
		827, 934, 943, 964, 1051, 1180, 1258, 1283, 1298	933, 1161, 1206
	10(a)	964, 1165, 1199, 1206, 1244, 1258,	1161, 1227,
	10(b)	772, 1199,	1227,
	10(c)	1165, 1187, 1199, 1244, 1276, 1283,	706, 1161, 1227,
	10(d)	771, 943, 1187, 1199, 1244, 1276,	489, 1227,
	10(e)	458, 461, 704, 771, 1187, 1199, 1216, 1244, 1250, 1283,	322, 1085, 1161, 1219, 1227,
	10(f)	458, 1187, 1199, 1216, 1244, 1283,	933, 1161, 1219, 1227,
	10(g)	1165, 1199, 1244	933, 1161, 1227,
	10(h)	461, 1199, 1206, 1244, 1251, 1257, 1275, 1276,	919, 933, 1210, 1212, 1217, 1232, 1241, 1153, 1227, 1246, 1256, 1259, 1262, 1270, 1272,
	10(i)	1199, 1244, 1276,	322, 933, 1227,
11. National Park Management Plans			
		827, 913, 934, 964, 1051, 1258,	1227, 1243, 1286,
	11(a)	913, 943, 1043, 1051, 1162, 1187, 1190, 1199, 1204, 1245,	705, 919, 1153, 1210, 1212, 1217, 1227, 1241, 1246, 1251, 1259, 1266,
	11(b)	1043, 1046, 1162, 1187, 1199, 1204, 1275,	322, 1174, 1227,
	11(c)	913, 943, 1043, 1162, 1187, 1199, 1204, 1244, 1257, 1264, 1265,	322, 1147, 1227, 1243, 1290,
	11(d)	1043, 1162, 1187, 1199, 1204, 1216, 1244, 1245, 1258, 1276, 1284,	1147, 1174, 1227, 1290,
	11(e)	772, 1043, 1162, 1187, 1199, 1258, 1276,	1227, 1243, 1273,

SECTION	POLICY	# LONG SUBMISSIONS	# SHORT SUBMISSIONS
	11(f)	1043, 1187, 1199,	1227,
	11(g)	913, 1162, 1187, 1199, 1216,	919, 1153, 1227, 1246,
12. International Agreements			
		704,	906, 1230,
	12(a)	1187, 1199, 1245	1227
	12(b)	913, 1199, 1245	1227,
	12(c)	1199, 1245	1227, 1285,
	12(d)	772, 1199, 1245	1227,
Appendix			
		913, 1251, 1275,	706,
Glossary			
		771, 772, 774, 913, 934, 1199, 1204, 1244, 1245, 1250, 1251, 1274, 1275,	322, 706, 1287,
Annex			
		934	

3.2 Draft General Policy Conservation Act and Related Legislation [August 2003] - Submissions Analysis

SECTION	POLICY	# LONG SUBMISSIONS	# SHORT SUBMISSION
General Comments / Non-specific policy / etc			
		14,58,95,122,144,145,148,151,154,162,170,171,182,188, 195, 199, 201, 202, 209, 210, 217, 235, 237, 239, 242, 243, 247, 250, 254, 259,274,275,277,283,285,288, 292,293, 295, 296, 297, 304, 307, 310, 311, 313, 314,320,323	2,5,10,25,27,28,29,34,44,84,91,98,111,117,118,121,127,133,136,139,141,142,143,163,180,189,194,198,200,204,206, 207, 211, 214, 219, 222, 226, 230, 233, 238, 241, 244, 251,253, 256, 260, 262, 266, 267, 269, 270, 271,272, 273, 281, 290, 291, 301, 305, 308, 312, 316, 317, 321, 327, 330
1 Introduction			
		122,148,154,203, 231, 275, 282, 307, 309, 311, 314, 320,	1,166, 215, 218, 241,
1.1		14,95,209,237, 275, 288, 297,299, 307, 323,314,	13,111, 271, 288, 299, 317,
1.2		55,119,145,153,162,165,204, 278, 283, 297, 299,302, 313	13,111
1.3		12,55,119,145,153,162, 199, 203, 204, 209, 235, 237, 247, 276, 278, 282, 297, 302, 309, 313	15, 16, 17, 18, 20, 21, 22, 23, 24, 26, 27,31, 54, 97, 99, 108,117,187,238, 241, 265, 271, 312
1.4		14,55,95,119,145,153,162,201,203,204,235,247,278,292,302, 323	27,111,166
1.5 Interpretation of Policies			
	General	14,55,95,119, 145, 153,162, 170,183, 204, 209, 237, 243, 275, 276, 278, 282, 302, 307, 309, 323	29,109, 111, 241, 299
	1(a)	12, 111,171,264, 276	
	1(b)	12,45, 111,144,148,153,171,183,188,195,209, 250, 264, 282, 295, 296, 309	15,16,17,18,20,21,22,23,24,26,31,54,97,99,108,187, 238,328
2. Treaty of Waitangi Responsibilities			
		12,45,55,57,111,119,122,144,145,152,154,162,170,195, 204, 235, 243, 275, 276, 278, 292, 302, 304, 310, 311, 314	25,27,42,120,134,194
	2(a)	33,217,239, 243, 247,252,254, 264, 277, 297	42,194, 241
	2(b)	33,58,144,154,217, 239, 247, 250, 252, 264, 277, 288, 297	35,42,177,194, 327
	2(c)	33,58,144,153,154,217, 239, 247, 250, 252, 264, 277, 288, 297	35,42,194
	2(d)	217, 239, 247, 250, 254, 264, 277, 288, 297, 299, 304	120,194, 241
	2(e)	33,58,111,154,217, 247, 252, 264, 277, 288, 297, 304, 311	35,42,120,194, 241
	2(f)	33,111,153,209,217,247,250,252,259,264,275,277,288,297,299	35,42,120,194, 207, 241, 308
	2(g)	33,58,111,144,217, 247, 250, 252, 254, 264, 277, 297, 311, 314	42,194,281
	2(h)	33,57,58,144,217, 247, 250, 252, 264, 277, 297, 307, 311	42,43, 328

SECTION	POLICY	# LONG SUBMISSIONS	# SHORT SUBMISSION
3. Public Participation in Conservation Management			
		55,119,122,145,153,154,162,165,170,182, 203, 204, 205, 209, 210, 243, 247,254,274, 276, 278, 293, 299, 302, 307, 313, 314	42,166, 271, 328
	3(a)	12,111,144,171,182,195, 204, 209, 237, 243, 245, 250, 252, 264, 274, 288, 297, 299, 304, 307, 311, 313	42,177
	3(b)	144,152,153,182, 203, 204, 209, 217,237, 239, 243, 245, 250, 252, 264, 274, 276, 277, 288, 297, 299, 307, 311, 313	35,42, 198, 200, 219, 315
	3(c)	33,144,152,154,182, 203, 204, 209, 217, 237, 243, 245, 250, 252, 264, 274, 276, 277, 288, 295, 296, 297, 307, 311, 320	42, 308
	3(d)	33,144,152,154,182, 203, 204, 209, 217, 237, 239, 245, 250, 252, 254, 264, 274, 276, 277, 288, 295, 296, 297, 299, 307, 320	7, 198, 200, 219, 315
	3(e)	144,182, 204, 209, 237, 250, 252, 254, 264, 274, 288, 297, 307	42, 281, 315
	3(f)	33,154, 204, 209, 237, 250, 252, 264, 274, 288, 297, 307	35
	3(g)	45, 204, 229,237, 250, 252, 254, 264, 275, 276, 288, 297, 299, 307, 313	35,43,53, 281, 315
4. Conservation of Natural Resources			
		12,55,57,111,119,122,144,145,162,182, 199, 275, 282, 283, 285, 288,292, 299, 302, 307, 310, 313	15,16,17,18,20,21,22,23,24,26,27,31,42,54,97,99,110,120,166, 189,222,238, 271,308
4.1 Geological Features, Landforms, Soils and Natural Landscapes			
	General	58,148,170, 203, 204, 205, 235, 264, 275, 276, 283, 285,287,297, 299	35,37,110,140
	4.1(a)	12,33,58,111,144,153,183,195, 196, 212, 229,237, 239, 243, 250, 252, 259, 274, 275, 285, 288, 296, 299, 304, 320	42,53,110,123
	4.1(b)	58,60,144,153,154,195, 243, 250, 259, 274, 275, 276, 288, 304, 307, 311, 314	35,42,109,110,140,166, 315
	4.1(c)	144,182,195, 197, 203, 250, 274, 275, 276, 282, 288, 304, 309	315
	4.1(d)	55,145,162, 197, 204, 250, 264, 274, 275, 288, 297, 299, 302	312,
4.2 Ecosystem Services			
	General	111,165, 276, 285, 285, 288, 297	42
	4.2(a)	12,45,55,119,144,145,153,154,162,183,195, 204, 243, 245, 250, 274, 275, 278, 285, 288, 295,296, 302, 307, 311	109,110,117,122, 308
	4.2(b)	12,45,55,119,144,145,153,162,201, 204, 250, 252, 259, 274,	53, 328

SECTION	POLICY	# LONG SUBMISSIONS	# SHORT SUBMISSION
		275, 278, 288, 296, 302	
	4.2(c)	12,55,119,145,162,182, 204, 278, 288, 299, 302	281
4.3 Maintaining and Restoring Terrestrial and Freshwater Ecosystems, Habitats and Species			
			327
4.3.1 Ecosystems and species		32,58,111,144,148,170,229, 237, 254, 282, 285, 283, 288, 297, 299, 309, 319	25,109,120, 227, 312, 328
	4.3.1(a)	14,32,33,95,111,144,153,154,183, 196, 219, 243, 250, 252, 285, 288, 304, 311, 320, 323	27,43,110,117,327
	4.3.1(b)	14,33,45,58,95,111,144,152,195, 196, 209, 212, 243, 250, 252, 259, 277, 283, 287, 288, 292, 304, 311, 323	42,43,110,120
	4.3.1(c)	32,33,58,111,144,153,170, 209, 212, 243, 250, 252, 259, 264, 274, 282, 283, 287, 288, 295, 299, 304, 307, 309, 314, 319, 320	42,43,53, 308
	4.3.1(d)	32,33,58,144,154, 243, 250, 252, 276, 288, 304, 319	42,43,53, 301, 308, 318
	4.3.1(e)	32,144,153, 250, 276, 282, 288, 299, 309	120
	4.3.1(f)	55,111,119,144,145,171, 204, 210, 250, 254, 259, 259, 278, 282, 288, 302, 304, 307, 309, 319	
	4.3.1(g)	12,144,171,182, 212, 250, 259, 259, 264, 275, 276, 282, 309, 319	116
4.3.2 Biosecurity and pest management		55,111,119,145,162,171, 199, 205, 209, 210, 237, 265, 276, 282, 283, 288, 297, 299, 310, 313, 314, 319	9,25,167,180,214,224,227, 230,240,269, 308, 312, 327
	4.3.2(a)	14,45,58,95, 111,144,153,154,183, 196, 204, 209, 210, 243, 250, 275, 276, 278, 283, 285, 288, 302, 304, 320	42,53,110,122, 325
	4.3.2(b)	12,45,58, 111,144,153,154,183,195, 204, 209, 243,250, 274, 275, 278, 285, 288, 299, 302, 304, 307, 314	35,42,110, 236, 241, 325, 327
	4.3.2(c)	58, 204, 250, 265, 275, 278, 288, 302, 314	29,42,110, 207, 325
	4.3.2(d)	45,58, 111, 204, 199, 245, 252, 265, 274, 278, 282, 283, 288, 302, 304, 309, 311	3,27,35,42,110,177, 207, 241, 271,325, 327
	4.3.2(e)	58,144,152,183, 204, 209, 217,243, 250, 265, 276, 277, 278, 283, 288, 302, 304, 307, 313	35,180
	4.3.2(f)	45,58,144,154,183, 204, 209, 245, 250, 278, 285, 288, 299, 302, 304, 307, 313	42
	4.3.2(g)	144,154,182,204,209,250,254,276,278,288,299,302,304,307	42, 207
4.3.3 Fire control			38
	General	58,144,153, 205, 245, 250, 285, 288, 297, 299, 307, 313	42,181,329
	4.3.3(a)	144, 209, 217, 250, 288, 299, 313, 319, 320	181, 207

SECTION	POLICY	# LONG SUBMISSIONS	# SHORT SUBMISSION
	4.3.3(b)	144,152,171,217,250, 274, 277, 299, 313, 319	109,181, 207
4.3.4 Freshwater ecosystems and habitats		55,58,119,145,162,170, 203, 278, 283, 285, 288, 292, 297, 299, 302, 310, 313	27, 36, 42, 117,318
	4.3.4(a)	144,153,154,183,243,250,282,285,287,288,297,304,307,309,314	53,109,110
	4.3.4(b)	144,153,170,195, 199, 250, 274, 285, 287, 288, 297, 311, 314	36,110, 207, 317, 327
	4.3.4(c)	144,153,154,170,171,183,195, 250, 264, 288, 297, 299	47,109
	4.3.4(d)	144,154,170,182,183,195, 199, 250, 259, 276, 288,289, 297, 299, 307, 311, 314	7,35,43,109,110,122, 207, 281
4.3.5 Management of freshwater species		12,58,111,148,170,183,199,237,250,264,283,288,289,297,313	35,42, 207,301, 317, 318,325
	4.3.5(a)	144,154, 250, 282, 285, 288, 289, 299, 307, 309, 311, 319	
	4.3.5(b)	55,119,144,145,153,154,162,188, 204, 209, 250, 278, 288, 302, 304, 307, 319	177, 207, 302
	4.3.5(c)	12,45,144,153,154, 199, 250, 288, 289, 311, 319	7,109,123,222, 317
	4.3.5(d)	33,45, 199, 209, 250, 288, 289, 299, 307, 319	7,109,110,123, 241, 301
	4.3.5(e)	170, 250, 288, 289	317
	4.3.5(f)	12,170,183, 209, 250, 288, 299	109,110, 207, 327
	4.3.5(g)	199, 250, 252, 259, 288, 289	36,222, 327
	4.3.5(h)	33,111,144,148,153,170,195, 209, 250, 288	177, 318
	4.3.5(i)	111,144,153,170, 199, 250, 289, 319	110, 207, 222, 318, 327
	4.3.5(j)	57,111,144,170, 250, 274, 297, 299, 304	109, 301, 327
	4.3.5(k)	58,153, 250, 275, 276, 282, 288, 289, 299, 309	42,109,117
4.4 Marine Indigenous Biodiversity			
		14,95,111,170, 203, 276, 287, 299, 310, 319, 323	60, 241, 279, 327
4.4.1 Marine protected areas			
	General	57, 250, 252, 264, 274, 285,288,299	134,147, 207, 279
	4.4.1(a)	14,57,95,144,170, 210, 229, 245, 250, 274, 297, 323	35,147
	4.4.1(b)	57,144, 245, 250, 254, 274, 299	
	4.4.1(c)	57,144,153,170, 245, 250, 274, 299	53
	4.4.1(d)	111,154, 250, 274, 288	35
	4.4.1(e)	57, 250, 274, 283, 285, 288	7,35, 279
	4.4.1(f)	45,57,144,170, 250, 274, 288	7
	4.4.1(g)	33,45,57, 250, 252, 274, 275, 288, 299	126
	4.4.1(h)	33,57,144, 250, 252, 274	43,147
	4.4.1(i)	14,33,95,111,182, 196, 203, 250, 254, 323	35
4.4.2 Protecting indigenous		14,95,111, 264, 285, 288, 297	110,120,134, 327

SECTION	POLICY	# LONG SUBMISSIONS	# SHORT SUBMISSION
marine species in other ways			
	4.4.2(a)	57, 239, 250, 275	
	4.4.2(b)	33,57,111, 250, 252	42,110, 327
	4.4.2(c)	154, 250, 288, 314	35
	4.4.2(d)	144,171, 203, 239, 250, 252, 283	35,281,318
	4.4.2(e)	144,153, 239, 250, 283, 304	35, 327
	4.4.2(f)	250, 275, 297, 299	
	4.4.2(g)	144,154, 250, 252, 314	
	4.4.2(h)	153,154, 250, 275	109
	4.4.2(i)	148, 250, 274, 275, 288, 304	123, 207
	4.4.2(j)	57,154, 250, 289	318,324
5. Cultural and Historic Heritage Conservation			
		12,55,119,122,144,145,151,162,165,170, 199, 203, 205, 235, 274, 276, 278, 283, 297, 302	42,60,164,166,189,233,244, 321
5.1			
	General	204, 235, 250, 264	
	5.1(a)	33,144,149, 252, 297, 304	
	5.1(b)	122,144,149,170,171, 274, 297, 304	312, 315, 321
	5.1(c)	58,144,149,151,154,229, 264, 274, 275, 304, 314	312
	5.1(d)	111,144,171,182, 274	
5.2 The Interests of Tangata Whenua			
	General	58,122, 204, 210, 250, 264, 288	
	5.2(a)	58,144,154,170, 245, 288, 314	35
	5.2(b)	58,144,149,153,154,170, 288	35,321
	5.2(c)	33,58,144,170, 252, 288, 314	60
	5.2(d)	33,144,149,153,154,170,195, 245, 252, 314	60
5.3 Other Relevant Communities of Interest			
	General	288, 204, 250	
	5.3(a)	122,144,195, 250, 254, 264, 297, 314, 320	281
5.4 Cultural and Historic Heritage Management			
	General	149,154, 204, 235, 250, 264, 297	60
	5.4(a)	122,144,149, 274, 275, 288, 297	60
	5.4(b)	122,144,149,154, 288	109, 318
	5.4(c)	122,144,149,154, 288	
	5.4(d)	122,149,153, 297	
	5.4(e)	122,149,153, 235, 250, 299	189, 317
	5.4(f)	111,144,149,154,229, 288	

SECTION	POLICY	# LONG SUBMISSIONS	# SHORT SUBMISSION
	5.4(g)		60,166
	5.4(h)	195, 250	
	5.4(i)	144, 250, 288	317
5.5 Interpretation of Cultural and Historic Heritage			
	General	170, 204, 209, 250, 264,297	
	5.5(a)	33,144,149,154,182, 252, 297, 299	
	5.5(b)	144,154,195, 275	
6. Protected Area Network			
		12,58,122,145,151,153,162,171,188, 205, 212, 274, 275, 285, 293, 295, 296, 299, 313, 320	60,120,141,164, 230,240
	6(a)	14,33,95,144,151,170,183,195, 210, 229, 243, 250, 252, 264, 275, 283, 297, 299, 307, 313, 319, 320, 323	35,141, 230, 318
	6(b)	14,33,45,95,144,149, 210, 243, 250, 252, 264, 283, 288, 297, 313, 320, 323	35,60
	6(c)	144, 250, 252, 264, 276, 297	
	6(d)	122,144, 243, 250, 252, 264, 275, 297	
	6(e)	14,33,55,95,119,144,145,154,162,183, 196, 204, 250, 252, 264, 274, 276, 278, 287, 297, 299, 302, 314, 320, 323	60
7. Conservation Beyond Public Conservation Lands and Waters			
		111,122,144,148,149,152,171,182, 199, 196, 202, 205, 217, 231, 235, 247, 254, 264, 274, 282, 283, 285, 287, 292, 297, 299, 309, 310, 313, 314	19,27,35,42,110,120,164,177,189,224,227, 230, 281, 324, 327
	7(a)	45,57,144,149,152,153,154,182,195, 196, 202, 217,229, 243, 245, 250, 274, 276, 277, 288, 307, 313	53,110, 301, 312
	7(b)	45,111,144,152,154, 196, 212, 217,243, 250, 252, 259, 264, 274, 277, 288, 297, 299, 307, 313, 320	27,109,110, 230
	7(c)	45,111,144,152,153,154, 196, 212, 217, 243, 250, 259, 274, 275, 277, 288, 299, 307, 313	27,110, 236
	7(d)	33,45,144,149,152,153,154,170, 196, 199, 202, 217,229, 250, 252, 259, 274, 277, 288, 307, 313, 319	27,109, 281, 318
	7(e)	33,45,49,57,144,152,153,154, 196, 202, 217, 250, 252, 259, 274, 275, 277, 289, 292, 307, 313, 319	27,110, 207, 301
	7(f)	111,144,149,152,153,154,195, 196, 202, 217,235, 250, 259, 274, 275, 277, 288, 307, 313	60, 312
8. Natural Hazards			
		49,55,111,119,122,145,162,183, 196, 199, 204, 264, 274, 278, 288, 302, 313	42,164, 240, 312

SECTION	POLICY	# LONG SUBMISSIONS	# SHORT SUBMISSION
	8(a)	199, 250, 252, 297	222, 315
	8(b)	58,183, 196, 210, 245, 250, 252, 275, 276, 297	241
	8(c)	144, 250, 252, 297	177, 315
	8(d)	111,144,154,195, 245, 250, 252, 276, 288, 297	7,109,177, 241, 281, 315
9. Visitor Benefit, Use and Enjoyment			
		12,14,55,95,111,119,144,145,148,154,162,165,172,182, 199, 203, 204, 209, 231, 264, 275, 276, 278, 282, 302, 309, 309, 310, 311, 313, 320,322, 323	25,30,42,85,87,88,101,102,103,104,105,113,117,128, 129,130, 131, 132, 137, 146, 155, 156, 157, 158, 159, 160, 161,164,169, 173,176,177,190,191,192,193, 206, 208, 213, 214, 216, 220,221, 241, 256, 258, 262, 266, 267,272, 273,286,290,294, 303, 305, 306, 312,316
9.1 Visitor Management			
	General	58,145,162,195, 203, 231, 250, 264, 265, 282, 297, 309, 311	35,47,110,263,280, 308,331
	9.1(a)	144,148,171,195, 203, 209, 210, 237, 239, 250, 252, 264, 274, 275, 282, 288	8,15,16,17,18,20,21,22,23,24,26,31,54,97,99,108,110,120,136, 177,187, 238,298, 315
	9.1(b)	12,14,33,58,95,111,144,149,153,154,182,195, 203, 209, 210, 231, 239, 245, 250, 252, 259, 264, 274, 276, 288, 304, 304, 323	109,110,117,120,136,138, 241, 315
	9.1(c)	14,95,111,144,148,154,195, 203, 209, 231, 239, 250, 252, 259, 275, 282, 288, 293, 309, 311, 323	100,120,136,198, 200, 207, 219,270, 298, 312, 315
	9.1(d)	144,154,182, 203, 239, 250, 252, 274, 275	100, 198, 200,219,221
	9.1(e)	45,55,58,111,119,145,162,182, 199, 204, 250, 252, 274, 276, 278, 289, 302, 304	42,100, 207, 241, 312, 315
9.2 Visitor Information and Interpretation			
	General	144, 203, 231, 250,254, 264, 274, 297, 304	19,117
	9.2(a)	111,144,154, 203, 250, 252, 275, 311	
	9.2(b)	111,144,154,195, 203, 245, 250, 252, 274	35
	9.2(c)	58,144,165,182,195, 203, 231, 250, 252, 275, 311	42,164, 281
9.3 Visitor Accommodation, Facilities and Services			
	General	199, 250, 264, 297	30, 262
	9.3(a)	144, 209, 205, 252, 304	110, 200
	9.3(b)	144,182,195, 245, 250, 252	47
	9.3(c)	14,33,58,95,111,144,149,153,182, 197, 203, 209, 210, 243, 250, 252, 274, 275, 288, 323	35,37,46, 207, 312, 315
	9.3(d)	14,45,51,58,86,89,90,95,107,112,114,144,154,165,170,172,174, 182, 199, 197, 203, 209, 210, 243, 250, 274, 275, 276, 282, 309, 323	8,35,37,39,40,41,46,50,52,62,63,64,65,66,67,68,69,70, 71,72,73, 74, 75, 76,77,78,79,82,83,85,87, 88,92,93,96,101,102,103,104, 105,106,113,115,125,129,130,131,132, 135,137,138,150,155,

SECTION	POLICY	# LONG SUBMISSIONS	# SHORT SUBMISSION
			156, 157, 158, 159, 160, 161, 169, 173, 176, 177, 178, 184, 185, 186, 190, 191, 192, 193, 208, 216, 221, 222, 234, 248, 249, 269, 315, 331
	9.3(e)	111, 144, 148, 210, 250, 252, 275, 276	241, 308
	9.3(f)	144, 182, 195, 209, 237, 250, 252, 275, 288	123, 198, 200, 219
	9.3(g)	33, 144, 165, 231, 250, 252, 275, 278, 289, 311	30, 35, 100, 164, 207, 218, 241
9.4 Sports Fishing and Gamebird Hunting			
	General	297	318
	9.4(a)	144, 154, 199, 250, 252, 275, 289, 311	35, 222, 240
	9.4(b)	33, 199, 250, 252, 259, 275, 304	207, 222, 240, 318
9.5 Recreational Hunting			
	General	111, 199, 210, 282, 297, 309, 311	94, 124, 223, 251, 256, 258, 266, 267, 268, 269, 272, 273, 294, 303, 305, 306, 316, 326
	9.5(a)	12, 45, 55, 119, 144, 145, 154, 162, 165, 195, 204, 250, 252, 265, 278, 282, 302, 304, 309, 311	3, 6, 13, 15, 16, 17, 18, 20, 21, 22, 23, 24, 26, 29, 31, 54, 97, 99, 108, 110, 177, 180, 187, 207, 232, 238, 258, 260, 290, 308, 317
9.6 Vehicle and Transport Use			
	General	58, 111, 149, 205, 209, 237, 265, 275, 289, 297, 299, 304	42, 56, 136, 179, 206, 207, 213, 255, 300, 308
	9.6(a)	58, 144, 153, 252, 275, 299	11, 35, 37, 110, 198, 200, 219, 298
	9.6(b)	45, 58, 144, 154, 209, 210, 250, 252, 274, 275, 293, 311	11, 35, 37, 56, 123, 136, 179, 198, 200, 219, 255, 270, 298
9.7 Domesticated Animals			
	General	264, 297, 299, 313	312
	9.7(a)	33, 45, 144, 149, 154, 199, 209, 250, 252, 275, 282, 299, 309	123, 213, 290
10 Non-Recreation Uses			
		14, 55, 58, 95, 119, 144, 148, 182, 231, 243, 274, 276, 278, 299, 320, 323	109
10.1 Grazing			
	General	144, 145, 162, 170, 171, 182, 209, 264, 297, 299	133, 213, 236
	10.1(a)	111, 144, 165, 183, 199, 210, 252, 259, 304, 313	7, 35, 60, 109, 110, 207, 230, 241, 318
	10.1(b)	144, 153, 250, 275	207
	10.1(c)	45, 144, 153, 252, 313	7, 213
10.2 Utilities and Communications Facilities			
	General	14, 95, 154, 165, 182, 188, 203, 209, 228, 264, 275, 288, 297, 313, 323	35, 241, 257, 281, 300
	10.2(a)	58, 144, 152, 153, 154, 170, 188, 195, 196, 203, 210, 217, 228, 243, 245, 250, 259, 274, 275, 277, 299, 313	35, 42, 80, 81, 241, 257
	10.2(b)	144, 148, 153, 154, 228, 250, 275, 313	207
	10.2(c)	144, 154, 228, 250	241

SECTION	POLICY	# LONG SUBMISSIONS	# SHORT SUBMISSION
	10.2(d)	14,95,144,188, 196, 195,228, 250, 287, 323	241
	10.2(e)	144,154,188,228, 250, 287, 304	166, 241
	10.2(f)	14,144,154,228, 250	109
10.3 Mining			
	General	55,119,144,145,154,162,165,170,182,204,209,264,275,288,297, 302	118,133,141, 207, 241
	10.3(a)	14,33,58,95,151,170,183, 196, 197, 210, 250, 252, 259, 275,295, 295, 296, 299, 304, 323	35,42,118,141,201, 236
	10.3(b)	14,58,95,144,151, 196, 197, 210, 243, 250, 252, 275, 299	118,141,201, 281
10.4 Commercial Filming and Photography			
	General	58,144,182, 203, 209, 254, 264, 288, 297, 299, 320	42, 198, 207, 240, 241,263, 281, 300
	10.4(a)	14,111,153,154, 209, 242, 250, 274, 275, 299, 304	110
	10.4(b)	144,153,154, 209, 242, 250, 275, 299	35
10.5 Military Training Exercises			
	General		207
	10.5(a)	250, 288, 297	241, 317
11. Knowledge and Information Needs			
		14,95,165,170, 196, 203, 205, 209, 237, 252, 254, 264, 274, 274, 276, 285, 297, 313, 322	42,164, 241, 318
	11(a)	33,144,182, 231, 243, 252, 254, 275, 285	60,225, 281
	11(b)	111,144, 250, 285	35
	11(c)	231, 243, 250, 275, 285, 299, 313	37,60,109,225, 241
	11(d)	153,170, 250, 274, 275, 276, 285	37,47,120, 241,284
	11(e)	58,144,153,154,188, 250, 259, 274, 275, 299, 313	35,120,225, 241,261,284
	11(f)	58,144,153,154, 250, 259, 274, 275, 299, 313	109,110,120,225, 241,261, 308
	11(g)	111,144, 231, 250, 275, 285	225
	11(h)	144,152,171,217,243, 250, 254, 275, 277, 282, 287, 299	109, 207
	11(i)	144, 250, 275, 285, 320	35, 318
12. Conservation Management Strategies and Management Plans			
		59,95,119,144,151,153,165,182, 199, 203, 205, 209, 252, 274, 282, 283, 285, 288, 297, 309, 323	37,120,164, 240, 290
	12(a)	55,119,144,145,148,162,183,195,201, 204, 243, 245, 250, 265, 274, 275, 276, 283, 302	166, 198, 200, 219, 241,298, 308
	12(b)	195, 250	
	12(c)	170,201,250	315
	12(d)	144,170,195, 243, 250, 274, 275, 295, 295, 299	35,164
	12(e)	144,152,170,195,217,243, 250, 277, 282, 292, 295, 309	27

SECTION	POLICY	# LONG SUBMISSIONS	# SHORT SUBMISSION
	12(f)	149,154,170, 250	35
	12(g)	144,145,152,154,170, 199, 203, 204, 217, 250, 277, 282, 302	
	12(h)	144,148, 199, 250, 252, 282, 299	35,109,177
	12(i)	188, 210, 250, 259	164, 298
13. Conservation of Antarctica / Ross Dependency			
		57, 252, 297, 299, 310	13
	13(a)	144, 250	
	13(b)	250	
	13(c)	144, 250	
14. International Agreements			
		58,149,165, 209, 252, 283, 297, 310	233, 312
	14(a)	57, 209, 250	241
	14(b)	148, 209, 250	60
	14(c)	148,170, 209, 250	
	14(d)	148, 250	60, 246
	14(e)	250	
	14(f)	144,170, 250, 313	109
Appendix 1			
		144, 282	15,16,17,18,20,21,22,23,24,26,31,54,97,99, 238, 256, 260, 286, 294, 303, 305,306, 309,316,326,330
Glossary			
		12,33,111,122,144,148,149,154,170, 199, 235, 243, 252, 259, 275, 275, 276, 282, 299, 307	35,60,177,222,233,244, 256, 260,267, 271, 273, 286, 290, 303, 305,306, 312, 316

3.3 National Parks Act General Policy – Submitters List

Number	Name	Organisation
NP-1	s9(2)(a)	Kahurangi Guided Walks Ltd
NP-2		Ngatiawa Manawhenua (Central & Southern) Trust
NP-3		Department of Conservation
NP-4		
NP-5		
NP-6		Ministry of Defence
NP-7		Nelson-Waimea Tramping Club
NP-8		Golden Bay Alpine & Tramping Club
NP-9		
NP-10		Waikato Conservation Board Member
NP-11		
NP-12		
NP-13		Bush and Beyond Guided Treks
NP-14		
NP-15		
NP-16		
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NP-28		Rotorua Leisure Cyclists
NP-29		
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NP-42		Funky Green Voyager Backpackers
NP-43		
NP-44		
NP-45		Hokitika MTB Club
NP-46		
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Number	Name	Organisation
NP-54	s9(2)(a)	
NP-55		
NP-56		
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NP-61		
NP-62		
NP-63		
NP-64		Diprose Miller Limited
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NP-91		West Coast Regional Council
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NP-106		
NP-107		
NP-108		Latitude Nelson

Number	Name	Organisation
NP-109	s9(2)(a)	
NP-110		
NP-111		
NP-112		
NP-113		
NP-114		
NP-115		
NP-116		
NP-117		
NP-118		
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NP-121		Underground Cycles
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Number	Name	Organisation
NP-165	s9(2)(a)	
NP-166		
NP-167		
NP-168		
NP-169		
NP-170		Southstar Adventures Ltd
NP-171		
NP-172		
NP-173		
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NP-187		Rotorua District Council
NP-188		
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NP-192		NZDA
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NP-200		Marlborough Multisports Club
NP-201		
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Number	Name	Organisation
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s9(2)(a)

Taranaki Regional Council

NZ Deer Stalkers Assn Inc, Golden Bay Branch
Rotorua Tramping & Skiing Club

Number	Name	Organisation
NP-277	s9(2)(a)	Annesbrook Mountainbikes
NP-278		
NP-279		
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NP-321		Otago Conservation Board
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Number	Name	Organisation
NP-333	s9(2)(a)	
NP-334		
NP-335		
NP-336		
NP-337		
NP-338		Taupo Fishery Advisory Committee
NP-339		
NP-340		
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NP-358		Natures Highway NZ Ltd
NP-359		
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NP-365		Turangi Rock n Road Cycling Club
NP-366		
NP-367		Gore District Council
NP-368		
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NP-372		Motueka Tramping Club
NP-373		
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Number	Name	Organisation
NP-388	s9(2)(a)	
NP-389		
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NP-393		
NP-394		National Association of Adventure & Expedition Pursuits Inc
NP-395		
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NP-408		National Rural Fire Authority
NP-409		
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NP-431		National Rifle Assn of NZ
NP-432		
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NP-439		Northland Conservation Board
NP-440		
NP-441		
NP-442		
NP-443		Dunedin City Council

Number	Name	Organisation
NP-444	s9(2)(a)	
NP-445		
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NP-461		National Council of Women of NZ
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NP-489		Ministry of Health
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Number	Name	Organisation
NP-500	s9(2)(a)	
NP-501		
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NP-505		
NP-506		Manawatu Adventure Club Inc
NP-507		
NP-508		
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NP-510		
NP-511		New Zealand Unicycling Federation
NP-512		
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NP-517		Waikato Tramping Club
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NP-554		Victoria University of Wellington
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Number	Name	Organisation
NP-556	s9(2)(a)	
NP-557		
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NP-563		Ruapehu District Council
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NP-572		Tasman District Council
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Number	Name	Organisation
NP-612	s9(2)(a)	
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NP-617		Manawatu Mountain Bike Club
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NP-661		Bike Taupo Advocacy Group
NP-662		Royal Forest & Bird Protection Society, Kapiti Mana Branch
NP-663		Hauraki District Council
NP-664		
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Number	Name	Organisation
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s9(2)(a)

Hokitika Mountain Bike Club

Taranaki / Whanganui Conservation Board
Concessions Review Project Team
Science and Research Unit

the Official Information Act 1982

Number	Name	Organisation
NP-724	s9(2)(a)	West Coast Whitebaiters Assoc Inc
NP-725		
NP-726		
NP-727		NZ Deer Stalkers Assn Inc, Bay of Plenty Branch
NP-728		
NP-729		
NP-730		
NP-731		
NP-732		Venture West Coast
NP-733		
NP-734		
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NP-740		
NP-741		Waimea Tramping Club Inc
NP-742		
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NP-750		Taupo Mountain Bike Club
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Number	Name	Organisation
NP-780	s9(2)(a)	
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NP-801		Royal Forest & Bird Protection Society, North Taranaki Branch
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NP-827		Royal Forest & Bird Protection Society, Tauranga Branch
NP-828		
NP-829		
NP-830		Wellington Tramping & Mountaineering Club
NP-831		Auckland Mountainbike Club
NP-832		Nelson City Council
NP-833		

Number	Name	Organisation
NP-834	s9(2)(a)	Christchurch City Council
NP-835		
NP-836		
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NP-849		Royal Forest & Bird Protection Society, Marlborough Branch
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NP-890	s9(2)(a)	
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NP-913		Nelson/Marlborough Conservancy
NP-914		New Zealand Deerstalkers Assn, Ruahine Branch
NP-915		Pau2 Industry Association
NP-916		Mountain Bike NZ Inc.
NP-917		
NP-918		Ministry of Economic Development
NP-919		Crown Forestry, MAF
NP-920		
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NP-930		Auckland Conservation Board
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NP-932		Tongariro Taupo Conservation Board
NP-933		Tongariro Taupo Conservation Board
NP-934		Tongariro Taupo Conservation Board
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NP-943		Te Runanga o Ngai Tahu
NP-944		Environment Southland
NP-945		

Number	Name	Organisation
NP-946	s9(2)(a)	
NP-947		
NP-948		
NP-949		
NP-950		
NP-951		Mt Egmont Alpine Club
NP-952		
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NP-963		Forest & Rural Research Programme
NP-964		Tourism Industry Assn of NZ
NP-965		Environment Canterbury
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NP-999		Middle Aged Men in Lycra
NP-1000		
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Number	Name	Organisation
NP-1002	s9(2)(a)	
NP-1003		
NP-1004		
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NP-1034		Meridian Energy Ltd
NP-1035		Royal Forest & Bird Protection Society, North Shore Branch
NP-1036		
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NP-1043		Federated Mountain Clubs of New Zealand
NP-1044		Jet Boating NZ
NP-1045		Magic Memories Milford Ltd
NP-1046		Fish & Game NZ
NP-1047		Port of Call Accommodation & Steward Island Water Taxi & Eco-guiding
NP-1048		
NP-1049		GRD Macraes Limited
NP-1050		
NP-1051		Real Journeys
NP-1052		
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Number	Name	Organisation
NP-1056	s9(2)(a)	
NP-1057		
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NP-1065		Tarawera Medical Centre
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NP-1085		Waikato Conservancy
NP-1086		New Zealand Deerstalkers Assn
NP-1087		
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NP-1093		Canterbury Mountain Bike Club
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Number	Name	Organisation
NP-1112	s9(2)(a)	
NP-1113		
NP-1114		
NP-1115		Combined 4WD Clubs Inc, Christchurch
NP-1116		
NP-1117		New Zealand Recreation Assn
NP-1118		
NP-1119		
NP-1120		
NP-1121		
NP-1122		
NP-1123		
NP-1124		
NP-1125		
NP-1126		
NP-1127		
NP-1128		
NP-1129		
NP-1130		
NP-1131		
NP-1132		
NP-1133		
NP-1134		
NP-1135		
NP-1136		
NP-1137		Royal Forest & Bird Protection Society, Golden Bay Branch
NP-1138		Pegasus Bay Recreational Jet Ski Club
NP-1139		
NP-1140		
NP-1141		
NP-1142		
NP-1143		Royal Forest & Bird Protection Society
NP-1144		
NP-1145		Westland District Council
NP-1146		Fish & Game NZ, Southland Region
NP-1147		St Arnaud Community Assn
NP-1148		Royal Forest & Bird Protection Society, Wairarapa Branch
NP-1149		Wellington City Council
NP-1150		Auckland Harbour Users Assn
NP-1151		Otorohanga Zoological Society Inc
NP-1152		
NP-1153		New Zealand Forest Owners' Assn Inc
NP-1154		Skotel Alpine Resort Ltd
NP-1155		Tourism Milford Ltd, Milford Track Guided Walks, Routeburn Guided Walks Ltd, Aoraki Mt Cook Hermitage
NP-1156		
NP-1157		Fish & Game NZ, Otago Region
NP-1158		Mid Southern Tracks Ltd
NP-1159		
NP-1160		
NP-1161		
NP-1162		
NP-1163		Transpower New Zealand Ltd
NP-1164		Environment Bay of Plenty
NP-1165		Lincoln University
NP-1166		

Number	Name	Organisation
NP-1167	s9(2)(a)	
NP-1168		
NP-1169		
NP-1170		
NP-1171		
NP-1172		
NP-1173		
NP-1174		Southland Conservation Board
NP-1175		New Zealand Historic Places Trust
NP-1176		
NP-1177		
NP-1178		Land Information New Zealand
NP-1179		
NP-1180		Royal Forest & Bird Protection Society, Otago Branch
NP-1181		
NP-1182		ICOMOS New Zealand
NP-1183		Wakatu Incorporation
NP-1184		Fiordland Aviation User Group
NP-1185		
NP-1186		
NP-1187		Tararua Tramping Club
NP-1188		Film NZ and the Screen Producers & Development Assn
NP-1189		ICOMOS New Zealand
NP-1190		Transit New Zealand
NP-1191		
NP-1192		
NP-1193		
NP-1194		
NP-1195		
NP-1196		
NP-1197		
NP-1198		
NP-1199		Royal Forest & Bird Protection Society, North Canterbury Branch
NP-1200		
NP-1201		
NP-1202		
NP-1203		
NP-1204		East Coast - Hawkes Bay Conservation Board
NP-1205		
NP-1206		DOC - External Relations Division
NP-1207		
NP-1208		
NP-1209		
NP-1210		
NP-1211		
NP-1212		
NP-1213		
NP-1214		
NP-1215		
NP-1216		East Coast Hawkes Bay Conservancy
NP-1217		Safari Club International NZ Chapter
NP-1218		
NP-1219		NZ Institute for Crop & Food Research Ltd
NP-1220		Sport & Recreation NZ
NP-1221		

Number	Name	Organisation
NP-1222	s9(2)(a)	Cycle Aware Wellington
NP-1223		Rural Women NZ
NP-1224		
NP-1225		
NP-1226		
NP-1227		Victoria University of Wellington Tramping Club
NP-1228		
NP-1229		
NP-1230		NZ DeerStalkers Assn Inc, Hutt Valley Branch
NP-1231		
NP-1232		
NP-1233		
NP-1234		
NP-1235		NZ DeerStalkers Assn Inc, Southland Branch
NP-1236		
NP-1237		
NP-1238		
NP-1239		
NP-1240		
NP-1241		
NP-1242		
NP-1243		Buller Tramping Club
NP-1244		West Coast Tai Poutini Conservancy
NP-1245		West Coast Tai Poutini Conservation Board
NP-1246		NZ Forest Managers Ltd
NP-1247		
NP-1248		
NP-1249		
NP-1250		Environment Waikato
NP-1251		The Game & Forest Foundation of NZ Inc
NP-1252		
NP-1253		
NP-1254		
NP-1255		
NP-1256		
NP-1257		Genesis Power Ltd
NP-1258		Waikato Conservation Board
NP-1259		Central Otago Deerstalkers Club
NP-1260		Fish & Game NZ, Eastern & Hawke's Bay
NP-1261		New Zealand Canoeing Assn
NP-1262		
NP-1263		Southland Conservancy
NP-1264		Solid Energy NZ Ltd
NP-1265		Pike River Coal Company Ltd
NP-1266		New Zealand Four Wheel Drive Assn
NP-1267		Queenstown/Milford User Group
NP-1268		
NP-1269		
NP-1270		NZDA & Rec Hunters NZ, Southern Lakes Branch
NP-1271		Hutt Valley Canoe Club
NP-1272		
NP-1273		
NP-1274		Canterbury Aoraki Conservation Board
NP-1275		NZ Commonsense Conservation Council
NP-1276		
NP-1277		

Number	Name	Organisation
NP-1278	s9(2)(a)	
NP-1279		
NP-1280		Council of Outdoor Recreation Assns of NZ
NP-1281		
NP-1282		
NP-1283		Federated Farmers of NZ Inc
NP-1284		Wanganui Conservancy
NP-1285		New Zealand Alpine Club
NP-1286		
NP-1287		
NP-1288		Tongariro Taupo Conservancy
NP-1289		DOC - Central Regional Office
NP-1290		Otago Conservancy
NP-1291		New Plymouth Tramping Club
NP-1292		
NP-1293		Royal Forest & Bird Protection Society, Nelson-Tasman Branch
NP-1294		
NP-1295		
NP-1296		
NP-1297		
NP-1298		Tourism New Zealand
NP-1299		
NP-1300		
NP-1301		
NP-1302		Buller District Council
NP-1303		
NP-1304		
NP-1305		Fiordland Wapiti Foundation Inc
NP-1306		
NP-1307		Nelson/Marlborough Conservation Board
NP-1308		
NP-1309		Local Government New Zealand
NP-1310		
NP-1311		
NP-1312		
NP-1313		
NP-1314		New Zealand Business Round Table – not included in summary: submission comprised previously published NZBRT material.

3.4 Conservation Act and Related Legislation General Policy – Submitters List

Number	Name	Organisation
C-1	s9(2)(a)	
C-2		Ngatiawa Manawhenua (Central & Southern) Trust
C-3		
C-4		Ministry of Defence
C-5		Golden Bay Alpine & Tramping Club
C-6		
C-7		Waikato Conservation Board Member
C-8		
C-9		
C-10		Auckland Harbour Users Association
C-11		Bush and Beyond Guided Treks
C-12		
C-13		
C-14		West Coast Regional Council
C-15		
C-16		
C-17		
C-18		
C-19		Rotorua District Council
C-20		
C-21		NZDA
C-22		
C-23		
C-24		
C-25		Taranaki Regional Council
C-26		
C-27		Carter Holt Harvey
C-28		
C-29		NZ Deer Stalkers Assn Inc, Golden Bay Branch
C-30		Rotorua Tramping & Skiing Club
C-31		
C-32		
C-33		
C-34		
C-35		Otago Conservation Board
C-36		Taupo Fishery Advisory Committee
C-37		Gore District Council
C-38		National Rural Fire Authority
C-39		Waita Hutowners Association
C-40		Poerua Bach Owners
C-41		
C-42		National Council of Women of New Zealand
C-43		Northland Conservation Board
C-44		
C-45		
C-46		
C-47		Ministry of Health
C-48		Waikato Tramping Club
C-49		Ruapehu District Council
C-50		
C-51		
C-52		
C-53		Rodney District Council

Number	Name	Organisation
C-54	s9(2)(a)	
C-55		
C-56		
C-57		Hokitika Mountain Bike Club
C-58		The NZ Seafood Industry Council
C-59		Taranaki / Whanganui Conservation Board
C-60		Concessions Review Project Team
C-61		Science and Research Unit
C-62		
C-63		
C-64		
C-65		
C-66		
C-67		
C-68		
C-69		
C-70		
C-71		
C-72		
C-73		
C-74		
C-75		
C-76		
C-77		
C-78		
C-79		
C-80		
C-81		
C-82		
C-83		
C-84		
C-85		
C-86		
C-87		
C-88		
C-89		
C-90		
C-91		
C-92		
C-93		
C-94		NZ Deer Stalkers Assn Inc, Bay of Plenty Branch
C-95		Venture West Coast
C-96		
C-97		
C-98		
C-99		
C-100		Waimea Tramping Club Inc
C-101		
C-102		
C-103		
C-104		
C-105		
C-106		
C-107		
C-108		
C-109		Royal Forest & Bird Protection Society, Rotorua Branch

Number	Name	Organisation
C-110	s9(2)(a)	
C-111		
C-112		
C-113		
C-114		
C-115		
C-116		
C-117		Royal Forest & Bird Protection Society, North Taranaki Branch
C-118		New Zealand Minerals Industry Assn
C-119		
C-120		Chatham Islands Conservation Board
C-121		
C-122		
C-123		Royal Forest & Bird Protection Society, Marlborough Branch
C-124		
C-125		
C-126		Friends of Banks Peninsula Inc
C-127		Kuaotunu Peninsula Track Group Inc
C-128		
C-129		
C-130		
C-131		
C-132		
C-133		Taupo Tramping Club
C-134		Te Rawhiti Maori Committee - Hapu Kaitiaki
C-135		
C-136		
C-137		
C-138		
C-139		Saddle Hill Community Board
C-140		Saddle Hill Community Board
C-141		West Coast Commercial Gold Miners Assn Inc
C-142		
C-143		
C-144		Nelson/Marlborough Conservancy
C-145		New Zealand Deerstalkers Assn, Ruahine Branch
C-146		
C-147		Paua2 Industry Association
C-148		New Zealand Conservation Authority
C-149		
C-150		
C-151		Ministry of Economic Development
C-152		Crown Forestry, MAF
C-153		
C-154		Auckland Conservation Board
C-155		
C-156		
C-157		
C-158		
C-159		
C-160		
C-161		
C-162		NZ Deerstalkers Assn, Nelson Branch
C-163		Tongariro Taupo Conservation Board
C-164		Tongariro Taupo Conservation Board

Number	Name	Organisation
C-165	s9(2)(a)	Tongariro Taupo Conservation Board
C-166		
C-167		Tahr Farmers
C-168		Waikato Conservancy
C-169		
C-170		Te Runanga o Ngai Tahu
C-171		Environment Southland
C-172		
C-173		
C-174		
C-175		
C-176		
C-177		Southland Conservation Board
C-178		
C-179		Mountain Biking New Zealand Inc.
C-180		Friends of Banks Peninsula Inc
C-181		Forest & Rural Research Programme
C-182		Tourism Industry Assn of NZ
C-183		Environment Canterbury
C-184		
C-185		
C-186		
C-187		
C-188		Meridian Energy Ltd
C-189		Auckland Regional Council
C-190		
C-191		
C-192		
C-193		
C-194		
C-195		Federated Mountain Clubs of New Zealand
C-196		Grey District Council
C-197		
C-198		Magic Memories Milford Ltd
C-199		Fish & Game NZ
C-200		Port of Call Accommodation & Steward Island Water Taxi & Eco-guiding
C-201		GRD Macraes Limited
C-202		National Organisations for Fruit & Vegetable Growers
C-203		Real Journeys
C-204		New Zealand Deerstalkers Assn
C-205		Combined 4WD Clubs Inc
C-206		Inbound Tour Operators Council of NZ
C-207		Royal Forest & Bird Protection Society, Golden Bay Branch
C-208		
C-209		Royal Forest & Bird Protection Society
C-210		Westland District Council
C-211		Fish & Game NZ, Southland Region
C-212		St Arnaud Community Assn
C-213		Royal Forest & Bird Protection Society, Wairarapa Branch
C-214		Wellington City Council
C-215		Auckland Harbour Users Assn
C-216		
C-217		New Zealand Forest Owners' Assn Inc
C-218		Skotel Alpine Resort Ltd
C-219		Tourism Milford Ltd, Milford Track Guided Walks, Routeburn

Number	Name	Organisation
C-220	s9(2)(a)	Guided Walks Ltd, Aoraki Mt Cook Hermitage
C-221		
C-222		Fish & Game NZ, Otago Region
C-223		Mid Southern Tracks Ltd
C-224		Marlborough District Council
C-225		
C-226		
C-227		Hawke's Bay Regional Council
C-228		Transpower New Zealand Ltd
C-229		Environment Bay of Plenty
C-230		QEII Trust
C-231		Lincoln University
C-232		
C-233		ICOMOS New Zealand
C-234		
C-235		New Zealand Historic Places Trust
C-236		Land Information New Zealand
C-237		Royal Forest & Bird Protection Society, Otago Branch
C-238		
C-239		Wakatu Incorporation
C-240		Fiordland Aviation User Group
C-241		Tararua Tramping Club
C-242		Film NZ & The Screen Producers & Development Assn
C-243		
C-244		ICOMOS New Zealand
C-245		Transit New Zealand
C-246		The Ornithological Society of New Zealand
C-247		New Zealand Institute of Forestry
C-248		
C-249		
C-250		Royal Forest & Bird Protection Society, North Canterbury Branch
C-251		
C-252		East Coast - Hawkes Bay Conservation Board
C-253		
C-254		DOC - External Relations Division
C-255		
C-256		
C-257		New Zealand Aluminium Smelters Ltd
C-258		
C-259		East Coast Hawkes Bay Conservancy
C-260		Safari Club International NZ Chapter
C-261		NZ Institute for Crop & Food Research Ltd
C-262		
C-263		
C-264		Victoria University of Wellington Tramping Club
C-265		NZ DeerStalkers Assn Inc, Hutt Valley Branch
C-266		
C-267		
C-268		
C-269		NZ DeerStalkers Assn Inc, Southland Branch
C-270		
C-271		
C-272		
C-273		

Number	Name	Organisation
C-274	s9(2)(a)	Wellington Conservation Board
C-275		West Coast Tai Poutini Conservancy
C-276		West Coast Tai Poutini Conservation Board
C-277		NZ Forest Managers Ltd
C-278		
C-279		
C-280		
C-281		BOP Community Relations conservancy
C-282		The Game & Forest Foundation of NZ Inc
C-283		Environment Waikato
C-284		
C-285		New Zealand Ecological Society
C-286		
C-287		Genesis Power Ltd
C-288		Waikato Conservation Board
C-289		Royal Forest & Bird Protection Society, Nelson-Tasman Branch
C-290		Central Otago Deerstalkers Club
C-291		Fish & Game NZ, Eastern & Hawke's Bay
C-292		Centre for Resource Management Studies
C-293		New Zealand Canoeing Assn
C-294		
C-295		Solid Energy NZ Ltd
C-296		Pike River Coal Company Ltd
C-297		Nga Potiki Hapu
C-298		New Zealand Four Wheel Drive Assn
C-299		Bay of Plenty Conservation Board
C-300		Queenstown/Milford User Group
C-301		Eel Enhancement Company Ltd
C-302		
C-303		
C-304		
C-305		NZDA & Rec Hunters NZ, Southern Lakes Branch
C-306		
C-307		Canterbury Aoraki Conservation Board
C-308		
C-309		NZ Commonsense Conservation Council
C-310		ECO
C-311		Council of Outdoor Recreation Assns of NZ
C-312		Wellington Conservancy
C-313		Federated Farmers of NZ Inc
C-314		Wanganui Conservancy
C-315		New Zealand Alpine Club
C-316		
C-317		Tongariro Taupo Conservancy
C-318		Otago Conservancy
C-319		DOC - Central Regional Office
C-320		High Country Accord
C-321		
C-322		Tourism New Zealand
C-323		Buller District Council
C-324		Conservation Services Programme
C-325		
C-326		Fiordland Wapiti Foundation Inc
C-327		Wellington Conservancy
C-328		

Number	Name	Organisation
C-329	s9(2)(a)	Ashburton District Council
C-330		Local Government New Zealand
C-331		New Zealand Business Round Table – not included in summary: submission comprised previously published NZBRT material.
C-332		

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section 9(2)(a)

From: section 9(2)(a)
Sent: Wednesday, 28 July 2004 11:09 a.m.
To: section 9(2)(a)
Subject: FW: Draft NPGP - Chapter 9

Woops- I've changed NPGP to NPMP in the 1st para below.

-----Original Message-----

From: section 9(2)(a)
Sent: 28 July 2004 10:30
To: section 9(2)(a)
Subject: RE: Draft NPGP - Chapter 9

Essentially I don't think we should have policies that merely summarize statutory provisions. It's a wee rash, not confined to this chapter. Reason: unless we do it accurately it's dangerous but restating the Act is not policy anyway. We may of course be able to put in some "shoulds" for additional factors. In this specific case the Minister would be able to consider them under section 61(2)(c) either under the NPGP direct or in the specific NPMP flowing from it.

My point is that reference to the statutory background is the function of the introduction.

In this case the introduction attempts to do this but again I'm nervous about the reference to section 61(2). I'm no expert on this (we need a legal check) but it seems to me clear that the section sets out mandatory criteria for Ministerial consideration of proposed access arrangements to, inter alia, national parks generally...not as the intro applies only new ones and additions after 1/10/91. Put another way I don't think "Crown land" is defined to exclude the Schedule 4 exceptions. See also comment at the beginning in the later version of my email below. But maybe I've overlooked something because the intro and the policies are consistent on this point.

secti

-Original Message-----

From: section 9(2)(a)
Sent: 27 July 2004 21:06
To: section 9(2)(a)
Subject: RE: Draft NPGP - Chapter 9

Your point 11 - it is trying to reflect section 61(2) of the Crown Minerals Act (once again rather dangerous paraphrasing)viz:

(2)In considering whether to agree to an access arrangement in respect of Crown land, the appropriate Minister shall have regard to-

(a)The objectives of any Act under which the land is administered; and

(b)Any purpose for which the land is held by the Crown; and

(c)Any policy statement or management plan of the Crown in relation to the land; and

(d)The safeguards against any potential adverse effects of carrying out the proposed programme of work; and

(e)Such other matters as the appropriate Minister considers relevant.

Setting aside the desirability fo accurately reflecting the Act, do you think that there is no need to mention both

(a) and (b) above? Perhaps a paraphrase of (a) to (c) along the lines of reference to "the purposes of national parks, this statement of general policy and the management plan for the park" together with any safeguards against potential adverse effects. How do we deal with (e) above or don't we?

section

-----Original Message-----

From: **section 9(2)(a)**

Sent: Monday, 26 July 2004 4:04 p.m.

To: **section 9(2)**

Cc: **section 9(2)(a)**

Subject: Draft NPGP - Chapter 9

secti

Please fax to **section 9(2)(a)**

> **secti**

>

> I have reviewed the revised chapter in conjunction with the submissions analysis. My comments follow.

> 1. Introduction. In the first line substitute > "> may be> "> for > "> maybe> "> . In the second line I suggest deleting > "> and Part IIIB of the Conservation Act> "> because section 49 refers to those provisions. The second sentence when read with the first implies that easements, leases and licences are not concessions. That is incorrect so the two sentences should be rejigged. The next sentence summarises section 49(2) of the National Parks Act but takes liberties which make it inaccurate. If it is not quoted verbatim (preferable) I suggest substituting > "> concession> "> for > "> authorisation> "> and > "> rights> "> for > "> fights> "> . Further, the reasons for establishing the park are an inaccurate summary of consistency with section 4 of the NPA, the other limb of section 49(2). In the final sentence substitute > "> concessions> "> for > "> authorisations> "> .

> 2. Policy 9.1 Grazing > -> Introduction. Section 51 technically also applies to farming other than grazing. It may be useful to mention this.

> 3. Policy 9.1(a). Query whether paragraphs xi and xii are > "> criteria> "> .

> 4. Policy 9.1(c). Is > "> may be required> "> strong enough? I would prefer > "> should> "> .

> 5. Policy 9.2 - Introduction. The final (new) paragraph looks more like a policy.

> 6. Policy 9.2(a)i. Grammar.

> 7. Policy 9.2(a)iii. Substitute > "> and> "> for > "> or> "> in the first line.

> 8. Policy 9.2(g). This reflects the requirement of section 55(2) of the NPA. But that requirement is mandatory. Therefore > "> will> "> has to be substituted for > "> should> "> in the policy.

> 9. Policy 9.3 > -> Introduction. In the second paragraph substitute > "> Takiwa> "> for > "> Tikawa> "> . Also reference is made to a > "> Pounamu Resource Management Plan> "> . Query whether there is a need to refer to this non-statutory document here.

> 10. Policy 9.3(a). In the first line substitute > "> national> "> for > "> natural> "> .

> 11. Policy 9.4(c). With reference to the criterion > "> the purpose for which the national park was established> "> , does this add anything to the previous > "> objectives of the National Parks Act> "> ? I was not aware that a particular purpose was stated when a national park was established.

> 12. Policy 9.4(a). I still have considerable sympathy with submissions 461 and 704. Yes, the Department should not control content but what if the content demeans the intrinsic values of the national park directly (e.g. adverse statements made by the actors about the surroundings). Consider also the possibility of this happening by doctoring of the film image. I don> 't think either this policy or Policy 9.4(b) is strong enough to protect this aspect. For consistency substitute > "> a national park> "> for > "> national parks> "> and > "> of the park> "> for > "> of park> "> . Turning to the new subparagraph iv, does this add anything to the opening three lines of the policy; they would appear to cover all such values?

> I hope these comments are of assistance.
> Cheers, **sect**
>

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Item 9

section 9(2)(a) HEAD OFFICE

From: section 9(2)(a)
Sent: Wednesday, 28 July 2004 3:47 p.m.
To: section 9(2)(a)
Subject: Re: Daft notes on Chapter 9 teleconference

A couple of amendments and comments in the attached - Thanks, section

----- Original Message -----

From: section 9(2)(a)
To: section 9(2)(a)
Sent: Tuesday, 27 July 2004 21:42
Subject: Daft notes on Chapter 9 teleconference

Attention:

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28/07/2004

Present: **section** (convenor), **section 9(2)**

Changes proposed and further work required:

Introductory text needs to be more comprehensive as to range of authorisations required for non-recreation commercial use e.g. concessions, permits, access arrangements. It also needs to be inclusive of activities not currently covered in chapters 8, 9 or 10 and provide cross references to those chapters. The third sentence does not accurately the Act. Suggest replace with

“In considering whether to grant an authorisation, the Minister shall be satisfied that it can be granted without permanently affecting the rights of the public in respect of the park and that it is not inconsistent with section 4 of the National Parks Act”.

Include an additional policy to apply to all commercial users (regardless of chapter and which may need to be repeated in chapters 8 and 12 or be cross-referenced.) This is suggested as

1. The presence of commercial, business and industrial-type activities, including transport systems, not provided for in this general policy is considered generally incompatible with the preservation of national parks in their natural state, and should be discouraged. (LC email post-teleconference)

2. New activities of a commercial, business or industrial type not provided for in this General Policy should not be permitted unless they

- (i) promote the protection and effective management of the values of the park
- (ii) protect the values set out in 8.1 (b) ~~are not adversely impacted~~
- (iii) do not diminish public access, enjoyment and recreation opportunities
- (iv) cannot be located/provided beyond the national park
- (v) any structures (incl buildings?) should be of such a scale, design and colour that harmonises with the landscape and seascape
- (vi) any structures do not unnecessarily proliferate the built environment in the park
- (vii) the use does not contribute to unacceptable cumulative effects (LC- email post teleconference)

Do aircraft need a separate section in this chapter; not only used for “benefit, use and enjoyment” in the chapter 8 sense? Would need a cross-ref to chapter 8 definition and policy if they were. 29A Civil Aviation Act provides for restrictions on aircraft in the public interest. Would like to see reference to such advocacy similar to that in the operative GP Policy 21.1, especially in favour of wilderness and specially protected areas.

Intro. Line 1 change “maybe” to “may be”

Line 2 delete “and Part IIIB” as section 49 refers to Part IIIB

Second sentence when read with the first implies that easements, leases and licences are not concessions but they are so rephrasing is needed.

Third sentence – see above

Fourth sentence – change “authorisations” to “concessions”.

9.1(a) reinstate the deleted statement about grazing not being compatible

9.1(a) s51 also refers to farming. While not aware of any current farming in national parks, should the policy also make reference to farming?

9.1(a) reinstate original wording for (v) and delete redraft

Separate out (xi) and (xii) into a separate policy and change wording of (xi) to read "renewals should not normally be issued for more than 5 years".

9.1(b) reinstate deleted draft policy and delete redraft

9.1(c) change "may" to "should"

9.2 Add "roads" to the heading

line 4. replace "accessways (roads and tracks)" with "access".

Reinstate deleted statement "It is considered....." and delete second sentence para 2

Para 2 now considered to be repetitious

Para 2, sentence 3 was discussed but retained but identified a need to identify policy options for maintenance and upgrading park roads as there is no policy.

Para 3 reads like a policy – change to a new policy?

9.2(a) break into two policies as follows:

9.2 (a) is proposed as a stand alone policy which says

The preservation of scenery and the natural state of national parks will be the primary consideration in the assessment of changes to existing utilities and applications for new utilities, including roads and communications facilities. (LC email post-teleconference)

9.2 (aa) Subject to 9.2(a) the establishment of.....(as per existing policy except that (i) reverts to original draft and

(iii) becomes and/or

Recommend new text in introduction to chapter 8 drawing attention to the requirement for a permit to enter a specially protected area and the prohibition on domestic animals, buildings, machinery, vehicles, motorised vessels and aircraft, and the construction of tracks, roads and trails in wilderness areas.

9.2(g) NPA s15 prohibits construction of new roads, tracks and trails in wilderness areas and should be reflected either in the policy or the introductory text.

9.2(g) change "should" to "will"

Consideration was given to whether criteria should be given for guiding provision in a management plan as per a submitter suggestion but was decided against.

9.2 (h) should be a generic policy for all Chapter 8,9 and 10 concession and permit etc holders except that it should relate to impacts of the activity rather than the application.

9.3 s50(2) NPA refers to "stone, gravel and similar substances". What is the relationship to "sand, shingle and other natural material" RMA language?

Catherine advised that Manager Legal Services had a number of concerns about this section and would be providing recommendations for change. The group decided to wait for his recommendations before spending more time on the whole section.

9.4[sic](a) (checking with John)

9.4(a) for consistency change "national parks" to "a national park" and "of park" to "of the park"

9.4(a)(iv) This was a separate policy in the draft. It duplicates the coverage of (i) Check with Edward whether he considers its retention is necessary

9.5 add end of first para "and such co-operation should be encouraged in the future"

Item 10

section 9(2)

HEAD OFFICE

From: section 9(2)(a) HEAD OFFICE
Sent: Thursday, 29 July 2004 2:08 p.m.
To: section 9(2)(a)
Cc: section
Subject: Chapter 9 - comments by section 9(2) on revised text

Note - section 9(2)(a) has not received the record of the NZCA subgroup teleconference when he prepared these comments. These are the result of his own peer review of the revised draft. They cover many if not all the major matters that the sub-group felt it needed more work on but legal advice before it could. In particular see the extensive comments on the mining section. These comments will be given direct to the overview group.

I will fax this to section 9(2)(a)

Extract from General comments

- Chapter 8 and chapter 9 of the draft do not fit well together. The focus of chapter 8 on "benefit, use and enjoyment" must be with reference to "the benefit use and enjoyment of the public" as set out in section 4(1) of the Act. It seems, to me, self evident that there is a distinction to be drawn between the benefit, use and enjoyment of the public as visitors (non paying) and the benefit use and enjoyment of clients who pay commercial operators in order to undertake certain activities in a national park.
- Chapter 9 is a mishmash of concession type activities and non concession type activities. They do not sit well together and should be separated into their constituent parts.
- There would seem to be a whole host of commercial style activities that have not been addressed at all within the draft, eg bee-keeping, aircraft operators etc.

Chapter 9. Non Recreation Uses

- I have already provided general comment on this chapter. It seems to be confused since it contains some concession related activities and some non concession related activities.
- The third sentence should read as follows "In considering whether to grant a concession the Minister must be satisfied that it can be granted without permanently affecting the rights of the public in respect of the park and is not inconsistent with the principles set out in section 4 of the Act."
- I would delete the last sentence.

Chapter 9. 9.1 Grazing

- The heading should be "Farming and Grazing" to reflect the matters dealt with by section 51 of the Act.

Chapter 9. Policy 9.1(a)

- Paragraph ix is problematic since some current leases or licences may be perpetually renewable or at least have rights of renewal for longer periods than five years. It might be better to reword this paragraph to read as follows:

"Renewals should, where possible, be issued for a period not exceeding 5 years".

Chapter 9. Section 9.2

- The subheading should include reference to "roads".

Chapter 9. Policy 9.2(a)

- It is difficult to see why the primary consideration in assessing applications for new utilities is limited to the preservation of scenery and the natural state of national parks. Section 4(1) also contains, as a primary principle, the benefit use and enjoyment of the public. Furthermore, it is unclear what the phrase “natural state” means. This is another example of inconsistent terminology. Is it national park values?
- The reason for the inclusion in paragraph (i) of “clear public benefits to operators” is uncertain. It does not appear to be provided for in the National Parks Act. Under section 17U of the Conservation Act (which deals, among other things, with structures) some of the matters the Minister needs to consider are that:
 - The structure could reasonably be undertaken in another location that is either outside the national park or is in another area of the national park where the potential adverse effects would be significantly less.
 - The activity could reasonably use an existing structure or facility.
- Where a lease is involved the Minister must not grant it unless he is satisfied that exclusive possession is necessary for the protection of public safety or the protection of the physical security of the activity concerned or the competent operation of the activity concerned. The latter phrase includes the necessity for the activity to achieve investment and maintenance.

Chapter 9. Policy 9.2(e)

- The second sentence should begin “removal of underground structures by concessionaires ...”

Chapter 9. Policy 9.2(h)

- Line 2 should read “and monitoring of any concession that is granted”.

Chapter 9. Section 9.3

- The second sentence in the first paragraph should read as follows:

“Only those matters set out in section 61(1)A can be subject to an access arrangement in those parks. These are: emergency exit or service shafts; complete stripping of vegetation over certain areas; permanent adverse impact on the profile or surface of the land; a minimum impact activity; gold fossicking; and demonstrating historic mining methods”.
- The next sentence should read “All national parks created, or additions to national parks, after 1 October 1991 (including Kahurangi and Rakiura) are subject to the access arrangement provisions set out in section 61(2) of the Crown Minerals Act. These are: the objectives of the National Parks Act, the purpose for which the land is held, any relevant policy statement or management plan in relation to the land, the safeguards against any potential adverse effects of carrying out the proposed work; and such other matters as the Minister considers relevant.
- Certain parts of the second paragraph need amending as follows:

“The Ngai Tahu (Pounamu Vesting) Act 1997 vested in Ngai Tahu ownership of all pounamu occurring in its natural condition in the Takiwa of Ngai Tahu Whanui and in adjacent parts of the territorial sea and its seabed and sub soil.

Access within national parks to minerals not owned by the Crown must be the subject of access arrangements under section 61B of the Crown Minerals Act. Where anybody wishes to disturb, remove or recover pounamu from lands administered by the Department, that person must not only have an access arrangement from the Minister but must also have the authorisation of the Kaitiaki runanga of Te Runanga O Ngai Tahu. Te Runanga O Ngai Tahu has promulgated a Pounamu Resource Management Plan dated ... that sets out its policies for the protection, collection and extraction of pounamu."

- The third paragraph should read as follows:

No permit under the Crown Minerals Act is required for the removal of Crown owned minerals from national parks by the Department or any lessee of land in a national park for use in a national park for any reasonable agriculture, pastoral, domestic, road making, or building purpose. A lessee, however, may require a concession under the National Parks Act. Where sand, shingle, or other natural material is to be removed from the bed of a lake, river or foreshore that is part of a national park, a resource consent will be required under s.13 of the Resource Management Act 1991 unless expressly allowed by rule in the regional plan and in any relevant proposed regional plan. In addition, a concession under the National Parks Act will also be required (except where the material is required for management purposes).

Chapter 9. Policy 9.3(a)

- This policy seems to promote archaeological and historic features over and above the benefit use and enjoyment of the public. Sites and objects of archaeological and historical interest are secondary to preserving national parks in perpetuity for the benefit use and enjoyment of the public etc.

Chapter 9. Policies 9.3(b) and (c)

- These need to be rewritten as follows (although it is questionable whether less would be better)

"9.3(b) – Proposed access arrangements for mining activities in parks or part of parks in existence prior to 1 October 1991 will be restricted to the matters set out in section 61(1A) of the Crown Minerals Act. These are:

the placement of emergency exits or service shafts which does not result in wide spread stripping of vegetation or permanent adverse impact on the profile or surface of the land; activities that do not result in complete stripping of vegetation over an area exceeding 16 square metres, or any permanent adverse impact on the profile or surface of the land; a minimum impact activity; gold fossicking; and the demonstration of historic mining methods. The impacts of such mining activities will be taken into account in considering whether to grant an access agreement and should include mitigation and restoration provisions where appropriate.

9.3(c) – Proposed access arrangements for mining activities and parks created after 1 October 1991 or additions to existing parks since that time will be considered on a case by case basis and will take into account the objectives of the National Parks Act, the purpose for which the land is held, the policy statement or management plan for the park, the safeguards against any potential adverse effects of carrying out the proposed work; and such other matters as the Minister

considers relevant.

Chapter 9. Policies 9.4(a)(i)

- After “recreational” insert “and commercial”.

Chapter 9. Policy 9.4(a)(iv)

- Is the word “detrimentally” the appropriate word? What sort of values do you mean? National park values?

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DRAFT GENERAL POLICY

CONSERVATION ACT AND RELATED LEGISLATION

Written statement explaining the proposed amendments to the draft General Policy notified in August 2003.

October 2004

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Introduction

Submissions on the draft general policies made a number of comments regarding both the detailed wording of individual submissions, but also on the overall approach to writing a general policy.

On reviewing the draft in light of these submissions, it became apparent that there was a mixture of high level policies and detailed operational guidance. There was also considerable duplication of policies between chapters, and the initial redrafting incorporated extensive cross-referencing. There was also inconsistent reference to Conservation Management Strategies.

The purpose of the General Policy is primarily to guide the development of Conservation Management Strategies and Plans, the proposed amendments give more explicit guidance as to what needs to be considered in these documents. Consequently much of the operational detail from the notified drafts has been omitted from this now high-level Policy. The detailed information will be made available for incorporation in Standard Operating Procedures and Operational Guidelines.

Policies referring to priorities have mostly been removed as priority setting is part of the Department's annual business planning process. Explanations or justifications for or within the policies have been removed as this is caused considerable confusion.

There was considerable repetition in the notified draft. The addition of further policies to chapter 1 including specific instruction that all policies are to be read together has enabled that repetition to be significantly reduced.

New policies have been drafted where submitters or policy analysts identified omissions in the notified draft.

Other changes made for consistency throughout the Policy are:

Notified Draft	Proposed Amendments
visitors	people
public land	public conservation lands and waters
historic resources	historical and cultural heritage
should, where practicable,	may; or should
various listings of groups and organisations	people and organisations

The following table identifies:

- the policies in the draft General Policy notified in August 2003;
- proposed amendments to those policies; and
- an explanation for the proposed amendments.

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Notified Draft	Proposed Amendments	Explanation
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Notified Draft	Proposed Amendments	Explanation
1(a) All policies in this statement of general Policy will be interpreted and applied consistently with all other policies in this statement. 1(b) All statutory and non-statutory policies with a bearing on the management of public conservation lands and waters should be considered and applied where appropriate.	1 (a) All policies in this General Policy will apply to all lands, waters and resources administered by the Department of Conservation, excluding national parks. 1 (b) Only the policies in this General Policy (identified by being placed in boxes) will have the effect of General Policy. 1(c) Each policy should be considered in conjunction with all other policies in this General Policy. 1(d) The words 'will', 'should' or 'may' have the following meanings: • policies where legislation provides no discretion for decision-making or a deliberate decision has been made by the Minister to direct decision-makers, state that a particular action or actions 'will' be undertaken; • policies that carry with them a strong expectation of outcome without diminishing the constitutional role of the Minister and other decision-makers, state that a particular action or actions 'should' be undertaken; and • policies intended to allow flexibility in decision-making, state that a particular action or actions 'may' be undertaken. 1(e) All policies in this General Policy will be applied consistently with the objectives of the relevant legislation and, where applicable, any statutory purposes for which the place is held under that legislation. 1 (f) Interpretation of the policy guidance in this General Policy will not derogate from the provisions of the relevant legislation.	The new policies are taken from the introductory text of the notified draft to correct their omission from statutory policy Te reference to non-statutory policy in 1(b) is deleted in response to submissions. Other points are picked up in the new policies..

Notified Draft	Proposed Amendments	Explanation
2 (a) Relationships for conservation outcomes will be sought and maintained with tangata whenua. They should be based on mutual good faith, cooperation and respect.	2 (a) Relationships will be sought and maintained with tangata whenua to enhance conservation. These relationships should be based on mutual good faith, cooperation and respect.	Policy has been reworded to improve clarity.
2 (b) Appropriate partnership arrangements for conservation outcomes should be sought with tangata whenua whose rohe encompasses any area or resources administered under conservation legislation, or iwi or hapu who otherwise have customary access to a marine area. Such partnerships will recognise mana and enhance conservation management. They will be appropriate to local circumstances and may span a spectrum of forms.	2 (b) Partnerships to enhance conservation and recognising mana should be sought and maintained with tangata whenua, whose rohe covers any place or resource administered by the Department. Such partnerships will be appropriate to local circumstances.	Policy has been reworded to avoid using the word 'appropriate' and to improve clarity. Reference to partnerships with those who have customary access to marine areas is removed as incorrect, as this is a relationship, not partnership
2 (c) Where appropriate, protocols and agreements with tangata whenua should be negotiated and implemented to support relationships and partnerships.	2 (c) Protocols and agreements may be negotiated and implemented to support relationships and partnerships, by mutual consent between tangata whenua and the Department.	Wording has been changed to more accurately acknowledge that both DOC and tangata whenua need to agree to enter into formal arrangements.
2 (d) Tangata whenua involvement and participation in the conservation of natural and historic resources will be encouraged.	2 (f) Tangata whenua involvement and participation in conservation on public conservation lands and waters will be encouraged and may be supported with information and technical advice.	The addition of the second sentence aligns the policy more closely to 3(f)
2 (e) Consultative procedures with tangata whenua should be put in place. Tangata whenua views will be fully considered when formulating conservation management policies and on specific proposals that involve areas or resources of spiritual, historical and cultural significance to them.	2 (d) Tangata whenua will be consulted when developing statutory planning documents. Information will be made available to facilitate their contributions.	Wording has been changed for clarity and to distinguish between general consultative processes and statutory processes.
	2(e) Tangata whenua will be consulted on specific proposals that involve areas or resources of spiritual or historical and	This new policy is split off from 2(e) for consistency with 3(e).

Notified Draft	Proposed Amendments	Explanation
	cultural significance for them.	
2 (f) The non-commercial customary use of traditional materials and indigenous plants and animals may be allowed. The legal status of the land and species involved and the ecological effect of use will be considered in determining whether such use may be allowed. The views of tangata whenua should be sought and had regard to.	2 (g) The non-commercial customary use of traditional materials and indigenous species may be allowed on a case by case basis, where there is an established tradition of such use and where it is consistent with all relevant Acts, regulations, conservation management strategies and plans. The purposes for which the land is held, the species involved and the effect of use will be relevant when determining the level of any such use. The views of tangata whenua should be sought and had regard to.	The wording of the first sentence is made consistent with 4(e).
2 (g) Interpretive material and public information, in consultation with tangata whenua, will use Maori place and species names, make appropriate use of te reo Maori, and, where appropriate, draw attention to tangata whenua values.	2 (h) Public information and interpretation, developed in consultation with tangata whenua, may include Māori place and species names, make appropriate use of te reo Māori, and explain tangata whenua values.	Wording has been changed for clarity.
2 (h) The Department will seek to avoid actions which would create a grievance or prevent the redress of Treaty claims. In relation to its statutory functions, powers and obligations, the Department will participate in and implement relevant Treaty claims settlements, and, in the case of possible Treaty breaches brought to its attention, will work with affected parties to seek solutions.	2 (i) The Department will seek to avoid actions which would create a grievance between the Treaty partners.	This policy has been broken into two for clarity as there are two quite distinct elements: • implementation of the settlement of historic breaches, and • the responsibility to avoid creating new grievances through present actions. The draft had unsatisfactorily tried to combine these.
	2 (j) The Department will participate in and implement relevant Treaty claims settlements consistent with its statutory functions.	Refer 2(i)
3 (a) Appropriate forms of public participation in statutory conservation management processes will be invited. Relevant information will be made available to facilitate public input into policy	3 (d) People or organisations interested in public conservation lands and waters will be consulted when developing statutory planning documents.	The order of the Chapter 3 policies is changed to reflect the order of Chapter 2 policies. Wording has been changed for clarity, to avoid "appropriate" and

Notified Draft	Proposed Amendments	Explanation
decisions.		consistency with 2(d).
3 (b) Interested or affected individuals, organisations and experts will, where appropriate, be approached directly for their views on specific proposals.	3 (e) People or organisations interested in public conservation lands and waters may be consulted on specific proposals which have significance for them.	Wording has been simplified and changed to avoid "appropriate" .
3 (c) Relationships for conservation outcomes should be developed and maintained with appropriate individuals and organisations.	3 (a) Relationships should be developed to enhance conservation with people or organisations interested in public conservation lands and waters. These relationships should be based on mutual good faith, co-operation and respect.	Wording has been changed for clarity, to avoid "appropriate" and consistency with 2(a).
3 (d) Partnerships with groups or individuals may be developed where appropriate to local circumstances.	3 (b) Partnerships may be developed to enhance conservation with people or organisations.	Wording has been changed for clarity, to avoid "appropriate" and consistency with 2(b).
	3 (c) Agreements may be negotiated and implemented to support relationships and partnerships.	Policy added to correct an omission.
3 (e) Active involvement and participation in conservation activities by the public should be encouraged. All work carried out by volunteers will meet appropriate standards, and volunteers will be managed according to relevant legislative requirements.	3 (f) People or organisations should be encouraged to participate in conservation and may be supported with information and technical advice where this increases skills for and understanding of conservation.	The second sentence is deleted as it is operational policy detail.
3 (f) Volunteer work opportunities should include activities that are designed to increase awareness of conservation values, issues and management.		Deleted as operational detail.
3 (g) Information, advice and technical support may be provided to community groups wishing to undertake conservation projects. If proposed projects for which support is sought are considered to be of low priority, groups should be encouraged		Support is incorporated in 3(e). Reference to priority outcomes is deleted as not appropriate for general policy.

Notified Draft	Proposed Amendments	Explanation
to undertake higher priority projects, or to look for alternative projects.		
	3 (g) Education and information should be provided, and events arranged, to promote awareness and active support for conservation.	This policy corrects the lack of an education/awareness policy.
4.1 (a) Significant landscape, scenic, geological (including geothermal), soil and landform features on public conservation land should be appropriately identified and protected.	4.7 (a) Conservation management strategies and plans should identify the full range of remaining landscapes, landforms, and geological features. 4.7 (b) Activities which reduce the quality of landscape, landform, geological features and soil on public conservation lands and waters should be avoided.	Policies relating to landscape and geological features are summarised in these two policies, and the reference to CMS's added for consistency.
4.1 (b) Recognition should be given to the cultural value of geological and landform features within public conservation lands of significance to tangata whenua, who should be involved in the management processes and interpretation of these features.		Covered by 2(e) and 2(h)
4.1 (c) A range of opportunities for the public to visit and enjoy geological and landform features within public conservation lands should be provided where this does not compromise the natural, historic or cultural values of the protected area.		Covered by 9.1(a) and incorporated in 4.7(b)
4.1 (d) Where earthworks, mining and roadworks undertaken on public conservation lands provide opportunities for earth sciences research and education, they should be managed to maximise such opportunities where practicable and where they do not increase the environmental impact of such activities.		Covered by 3(g) and 13(c)

Notified Draft	Proposed Amendments	Explanation
4.2 (a) Activities which diminish the quality of ecosystem services in public conservation lands and waters should be avoided or otherwise minimized where practicable.	4.8 (a) Activities on public conservation lands and waters should be planned and managed in ways which avoid adverse effects on the quality of ecosystem services.	Policy reworded for clarity.
4.2 (b) Activities in public conservation lands and waters should be planned and managed in ways which enhance the quality of ecosystem services where practicable.		Incorporated in 4.2(a)
4.2 (c) Public awareness of the benefits from ecosystem services provided from public conservation lands and waters should be fostered. Visitors and communities should be encouraged to assist or support the ongoing management effort that maintains or enhances these services.		Covered by 3(g)
4.3.1 (a) The full range of remaining natural habitats and ecosystems should be identified using the best available information.	4.1 (a) Conservation management strategies and plans should identify: i. the full range of remaining indigenous species, sports fish and introduced gamebirds, habitats and ecosystems, using the best information available. ii. the desired conservation outcomes for indigenous species, sports fish and introduced gamebirds, habitats and ecosystems at places including: a. prevention of the loss of, or decline in, the full range of indigenous species, habitats and ecosystems; b. maintenance of representative examples of the full range of remaining indigenous species, habitats and ecosystems; c. maintenance of indigenous species, habitats and ecosystems with unique values;	Covered by 3(g) This policy summarises, for clarity and to avoid repetition, 4.3.1(a-c), 4.3.4(a), 4.3.5(b)

Notified Draft	Proposed Amendments	Explanation
	d. restoration of indigenous species, including genetic integrity and diversity, habitats and ecosystems.	
4.3.1 (b) Irreversible loss of, or decline in, that full range caused by human-induced impacts should be prevented.		Incorporated in 4.1(a).
4.3.1 (c) Priority natural habitats and ecosystems should be managed to maintain their ecological health, focusing on key ecological processes and key characteristics of ecosystem structure and composition. Management priorities will be identified taking into account the need to: i) maintain, and where necessary restore, representative examples of the full range of remaining natural habitats and ecosystems; and ii) maintain, and where necessary restore, natural habitats and ecosystems with unique values.		Incorporated in 4.1(a) except for the reference to prioritisation. This is removed as it is the business of the statement of intent to determine priorities.
4.3.1 (d) For species identified as threatened using agreed national criteria and methodology, overall priority should be given to preventing extinction and maintaining genetic diversity. Security of species in time and space should be progressively increased, along with their range and population size, as resources and opportunities permit.		Deleted as operational policy
4.3.1 (e) Care will be taken in restoration programmes to ensure that whenever practicable the genetic integrity of local species and populations is maintained.		Deleted as operational policy
4.3.1 (f) Tangata whenua should be involved in the restoration of species identified as having cultural significance to them.		Covered by 2(e)

Notified Draft	Proposed Amendments	Explanation
4.3.1 (g) Relevant communities of interest should be involved in appropriate ways in the restoration of ecosystems and species identified as having local significance.		Covered by 3(e)
	4.1 (b) Absolutely protected wildlife as identified in the Wildlife Act 1953 may be held in captivity only where there is a clear benefit for conservation, either direct or indirect.	New policy, corrects an omission.
4.3.2 (a) Biosecurity and pest management priorities should be identified, based on the relative risks posed by weeds, animal pests and diseases to natural habitats and ecosystems and indigenous species.	4.2 (a) Conservation management strategies and plans should identify the threats posed by pests to indigenous species, habitats and ecosystems at places.	Policy is simplified and referenced to CMS's.
4.3.2 (b) When developing and undertaking biosecurity and pest management programmes (including risk assessment, preparedness, contingency planning and the planning of all conservation management), priority should be given to (in the following order): i) preventing pests and unwanted organisms becoming established; ii) eradicating newly naturalised pests and unwanted organisms where practicable and appropriate; iii) containing and reducing the range of and, where practicable and appropriate, eradicating pests and unwanted organisms that are established but not widespread; and iv) where eradication is not practicable and appropriate, controlling widespread pests and unwanted organisms at priority sites or through priority programmes, where this is required to maintain and restore ecosystems or species	4.2 (b) Biosecurity and pest management programmes should: i. cover multiple pest species at places to maximise the benefits of management for indigenous species, habitats and ecosystems; and ii. take account of regional pest management strategies; and iii. give priority to: i. preventing pests becoming established, including illegal and inadvertent transfers; ii. eradicating newly naturalised pests at places where practicable; iii. where practicable, containing and reducing the range of or , eradicating pests that are established but not widespread; and iv. where widespread eradication or containment of pests is not practicable, controlling those pests at priority sites or through priority programmes	Policy is edited for clarity and to acknowledge regional pest management strategies. Clause (iii) is not prioritised for pragmatic reasons.

Notified Draft	Proposed Amendments	Explanation
4.3.2 (c) Pest management programmes at particular sites should take an integrated approach across all pest species to maximise benefits for natural habitats and ecosystems and indigenous species.		Covered by 1(c)
4.3.2 (d) Subject to controls to ensure public safety, hunting to reduce wild animal numbers should be permitted, especially where this complements other forms of pest control.	4.2 (c) Recreational and commercial hunting should be encouraged to assist with the control of wild animals.	Public safety covered in 9.3(b)
4.3.2 (e) Co-operation and coordination with other agencies and land managers should be sought and joint working programmes developed to achieve concerted action against plant and animal pests.		Covered in 7(b)
4.3.2 (f) The ecological effects of pest control management should be monitored. In particular, the effectiveness of control methods, the effect on non-target species, and the possibility of detrimental effects should be evaluated.		Covered in 11(f)
4.3.2 (g) Visitors and users of conservation lands and waters, as well as other groups of New Zealanders, should be educated about the effects of plant and animal pests and diseases on conservation values and about ways visitors, users and residents can avoid their introduction and spread.		Covered in 3(h)
4.3.3 (a) Fire management may include the use of prescribed burning as a tool to: i) manage fuel loadings where this addresses a significant risk and is ecologically sustainable; or ii) to maintain, restore, or enhance natural ecosystems and maintain indigenous biodiversity, where justified by the balance of scientific evidence.	4.3 (a) Conservation management strategies and plans should make provision for fire management covering fire risk, fire protection, fire control, fire ecology, fire regimes, and the use of prescribed burning for ecosystem management.	Policy references CMS's and the complexity of fire management.
4.3.3 (b) A capacity to suppress wildfires threatening public conservation land will be maintained, but if a wildfire is consistent with a	4.3 (b) Wildfires may be allowed to burn where the Fire Officer considers that the risks to people, places and property can be managed.	Edited for clarity.

Notified Draft	Proposed Amendments	Explanation
natural fire regime and can be allowed to burn without risk to people or property this option may be considered by a Fire Officer as an alternative to attempting fire suppression.		
4.3.4 (a) Water bodies (including wetlands), riparian areas and groundwater within public conservation lands should be managed to ensure that priority freshwater ecosystems and habitats (including geothermal and estuarine ecosystems) are maintained in or restored to a natural state, consistent with the purposes for which the land or water area is held.	4.4 (a) Conservation management strategies and plans will identify all indigenous freshwater fisheries, recreational freshwater fisheries and their habitats.	Rewritten to reference CMS's, and for consistency in style with 4.1(a), 4.2(a) and 4.3(a).
4.3.4 (b) Priority should be given to safeguarding indigenous and sports fish migration and passage in public conservation waters.	4.4 (b) Freshwater species, habitats and ecosystems should be managed to preserve as far as is practicable all indigenous freshwater fisheries and to protect recreational freshwater fisheries including: i. the maintenance and restoration of the natural geographic range of indigenous freshwater fisheries; and ii. the maintenance of fish passage and, where practicable, its restoration, except where this would result in the introduction of non-indigenous species into indigenous freshwater fisheries; and iii. the prevention, eradication, containment or exclusion of invasive species in collaboration with other management agencies (including the use of species not currently present where the species will not itself become a problem or adversely affect any indigenous organism or have a negative impact on any habitat or ecosystem).	The freshwater policies are rewritten for clarity. Reference to other agencies is made to enable integration of objectives and methods for improved implementation. Policy summarises 4.3.5(a-e), and is rewritten for clarity and to reduce repetition.

Notified Draft	Proposed Amendments	Explanation
4.3.4 (c) Facilities and waste disposal systems within public conservation lands should be located and managed so as to avoid or otherwise minimize adverse effects on natural surface and underground waters.		Removed as operational policy
4.3.4 (d) Concessions should not be granted (including grazing licences and leases) where they are likely to have a significant detrimental effect on riparian areas, waterbodies and groundwater within priority ecosystems. Any such privileges will be regularly reviewed and monitored to ensure that any use does not compromise the ecological natural character of the freshwater ecosystems and habitats. Fencing to exclude stock from wetlands and water margins may be required.		Covered by 11.1
4.3.5 (a) The natural geographic range of indigenous freshwater species should be re-established where practicable.		Incorporated in 4.4(b)(i)
4.3.5 (b) Populations of invasive freshwater plant and animal pest species should be contained, excluded or eradicated where there is likely to be a significant benefit to indigenous freshwater fisheries, sports fisheries, wildlife or ecosystems.		Included in 4.1(b)(ii)
4.3.5 (c) If waterbodies containing nationally important indigenous freshwater aquatic life or communities are significantly threatened by introduced species, the eradication or control of non-indigenous species in that waterbody may be undertaken to remove the threat to populations of indigenous species.		Incorporated in 4.4(b)(iii)
4.3.5 (d) If an illegal introduction of a non-indigenous fish has been made into public conservation lands watersheds, fishing for that species of fish may be prohibited or restricted where this would facilitate eradication and control,		Included in 4.4(b)(iii)

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or create an effective deterrent to future unlawful attempts to establish populations of aquatic life.		
4.3.5 (e) Work should be carried out with other management agencies to prevent or decrease illegal introductions and transfers of freshwater plant and animal pest species.		Included in 4.4(b)(iii)
4.3.5 (f) The introduction of non-indigenous species of freshwater fish into waterways where currently only indigenous species are present should only occur where necessary for ecological restoration.	4.4 (c) No introduced species of freshwater aquatic life will be released into waters where currently only indigenous fish species or aquatic life are present or indigenous fish have not been recorded, except where required for the preservation of indigenous freshwater fisheries or where such releases are provided for in a sport fish and game management plan approved by the Minister of Conservation.	Policy is rewritten for clarity and to reflect Section 6ab of the Conservation Act.
4.3.5 (g) The Taupo Fishery should be managed with the goal of maintaining and improving the sports fishery while preserving the indigenous freshwater fishery, and in accordance with an approved sports fish management plan.	4.4 (d) The Taupo fishery will be managed by the Department of Conservation to maintain and enhance the sports fish resource in the recreational interests of anglers, while protecting the recreational freshwater fishery and habitat and while preserving the indigenous freshwater fishery.	Wording amended to reflect sections 53(3) and 26Q(1) of the Conservation Act.
4.3.5 (h) Customary fishing for indigenous species within the waters of public reserves may occur where it does not have a long-term adverse effect on the population structure of indigenous species and is provided for in the relevant conservation management plan and subject to section 50 of the Reserves Act.	4.4 (f) Non-commercial customary fishing for indigenous species within lands and waters in public reserves administered by the Department may be authorised on a case by case basis where i. it is consistent with all Acts and regulations; and ii. there is an established tradition of such fishing; and iii. the preservation of the indigenous freshwater fisheries is not affected; and iv. it is provided for in the relevant conservation management strategy or plan.	This policy now makes more explicit the controls that can be placed on waters within the ambit of the Reserves Act. No controls are possible in waters held under the Conservation or Wildlife Acts, or on freehold land.

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4.3.5 (i) Where introduced species of fish are already present within the waters of public conservation lands, the release of additional fish of the same species should be authorised where this is consistent with the purposes for which the area is held and provided for in a sports fish management plan approved by the Minister of Conservation or, in the absence of such a plan, a Fish and Game Council's approved operational work plan.	4.4 (g) The release of sports fish into waters should only be authorised where: i. sports fish of the same species are already present ii. the release enhances the interests of anglers; and iii. the preservation of the indigenous freshwater fisheries and habitat is not affected; and iv. the protection of the freshwater recreational fishery is not affected; and v. such releases are provided for in a sports fish management plan approved by the Minister of Conservation.	Policy is rewritten for clarity.
4.3.5 (j) When land is acquired as public reserve where there is an established tradition of commercial or recreational fishing for eels or whitebait, fishing for these species should be allowed provided that such fishing is consistent with the reserve classification, there is provision in the conservation management strategy or conservation management plan and the fishing does not have an adverse effect on other species or the values of tangata whenua.	4.4 (e) Fishing for whitebait and eels may be authorised on a case by case basis, provided that: i. it is consistent with all Acts and regulations; and ii. the preservation of the indigenous freshwater fisheries is not affected; and iii. it is provided for in the conservation management strategy or plan.	Reference to tangata whenua values covered by 2(d).
4.3.5 (k) Whitebait fisheries should be sustainably managed through harvest controls, habitat protection and enhancement and implementation of the fish passage regulations, to prevent declines in abundance and range.		Incorporated in 4.4(f) and 4.4(b)
4.4.1 (a) Marine reserves will be established to protect distinctive, rare, nationally or internationally important or unique marine areas as well as representative samples of all communities and ecosystems within the marine environment. [Note:	4.5 (b) Marine reserves will be established to preserve and protect in their natural state for current and future generations, marine areas that: i. are representative of the full range of marine communities and ecosystems that are common or	Policy redrafted to reflect the Marine Reserves Bill.

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policy subject to Marine Reserves Bill currently before select committee].	widespread; and ii. contain outstanding, rare, unique, or internationally or nationally important marine communities and ecosystems.	
4.4.1 (b) The Department will work co-operatively with other agencies to promote and establish a network of marine protected areas, using a range of tools that will include representative samples of the full range of New Zealand's marine biodiversity.	4.6 (g) The Department, should work with other agencies and interests to protect marine species and to promote and develop a marine protected areas network, including marine reserves, wildlife reserves, sanctuaries and other protective mechanisms.	Policy simplified. Second part incorporated in 4.5(b).
4.4.1 (c) As part of promoting and developing a marine protected areas network, the Department, alongside other agencies, will contribute significantly to including where appropriate, marine reserves, wildlife reserves, sanctuaries and other protective mechanisms.		Incorporated in 4.5(a)
4.4.1 (d) Tangata whenua, in their role as kaitiaki, should play a key role in the planning, establishment and management of marine protected areas.	4.5 (c) Tangata whenua, as kaitiaki, will be invited to participate in the planning, establishment and management of marine reserves.	This policy is strengthened to recognise the particular interests of tangata whenua in marine reserves, consistent with the Marine Reserves Bill. The Department does not have responsibility for marine protected areas other than marine reserves.
4.4.1 (e) Locating marine protected areas in areas adjacent to protected terrestrial areas will be considered to enable a more comprehensive 'mountains to sea' approach to conservation management.	4.5 (e) The establishment of marine reserves adjacent to public conservation lands and waters will be encouraged where it benefits both places.	The policy is rewritten for clarity and consistency.
4.4.1 (f) The identification and establishment of areas of customary fishing interest adjacent to fully protected areas will be encouraged where	4.5 (d) The establishment of mataitai or taiapure adjacent to marine reserves will be encouraged where it benefits both places.	The policy clarifies that customary fishing areas are mataitai or taiapure.

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appropriate to benefit both areas through buffering, enhancing marine life and to aid research and enforcement.		
4.4.1 (g) The nature and extent of marine area protection required to protect representative samples of the full range of New Zealand's marine biodiversity will be determined.	4.5 (a) Marine habitats and ecosystems and the nature and type of protection required should be identified, in consultation with other people and organisations.	Policy rewritten for consistency.
4.4.1 (h) Marine reserves will be actively managed where necessary to maintain in, or to restore marine areas to, a healthy functioning state, including managing biosecurity threats.	4.5 (f) Marine reserves will be managed to be maintained, or to be restored to a natural state as far as possible.	
4.4.1 (i) Opportunities will be provided for stakeholders such as recreational and commercial fishers, other commercial interests, other recreational users, environmental interests, local communities and science and research interests to provide advice to government agencies on the establishment and ongoing management of marine protected areas.		Incorporated in 4.5(a)
4.4.2 (a) Protected marine species will be managed to provide for their long-term viability and recovery throughout their natural range.	4.6 (a) Protected marine species should be managed to provide for their long-term viability and recovery throughout their natural range.	
4.4.2 (b) Where unprotected marine species are identified as threatened, consideration will be given to amending the Wildlife Act schedules to declare such species absolutely protected.	4.6 (b) Where threats to marine species are identified, options should be developed to mitigate the threat.	A wider approach provides more flexibility and allows consideration of more than schedule amendments.
4.4.2 (c) Tangata whenua, as kaitiaki, should have a key role in the conservation of protected indigenous marine species of special significance to them.	4.6 (c) Tangata whenua, as kaitiaki, will be i. invited to participate in the protection of marine species of cultural importance to them; ii. provided with access to the remains of dead marine protected species for cultural use, including those	Policy is rewritten to provide identify specific issues of particular interest to tangata whenua.

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	incidentally caught in commercial fishing, consistent with relevant legislation and agreed protocols; iii. provided with immediate notification of strandings where practicable; and iv. invited to be involved in the management of stranded marine mammals, where practicable.	
4.4.2 (d) Marine mammal tourism will be managed in a way that ensures adverse effects on populations are avoided.	4.6 (e) Human interactions with marine mammals and other protected marine species should be managed to protect the species.	Policy extended to recognise interactions people have with all protected marine species and in all circumstances, not just tourism.
4.4.2 (e) Areas where marine mammal tourism should be restricted or prohibited will be identified, especially where these steps are required for adequate protection of the species.		Incorporated in 4.6(e)
4.4.2 (f) Carcasses of stranded marine mammals may be left unburied if they are lying in remote areas or places where there is no risk to human health.	4.6 (d) Carcasses of stranded marine mammals may be left unburied if they are lying in remote places where there is no risk to human health.	
4.4.2 (g) Given the special significance of marine mammals to tangata whenua, they, as kaitiaki, will be fully involved where practicable in the management of marine mammal strandings, and provided with immediate notification of strandings.		Incorporated in 4.6(c)(iii)
4.4.2 (h) Access may be provided to tangata whenua to remains of dead marine protected species for cultural use, including access to specimens incidentally caught in commercial fishing, consistent with relevant legislation and agreed protocols. Information about these remains will be provided to tangata whenua.		Incorporated in 4.6(c)(ii)
4.4.2 (i) Indigenous whale and dolphin species	4.6 (f) Marine mammals and other protected marine species	Policy is broadened to reflect the

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should not be held in captivity anywhere in New Zealand, except for purposes essential for the protection of the species.	may not be held in captivity in New Zealand, or exported to be held in captivity, except where this essential for the protection of the species.	Marine Mammals Protection Act.
	4.6 (g) Marine mammals and other protected marine species currently held in captivity in New Zealand may continue to be held for the rest of their life or, if possible, rehabilitated and released to the wild.	New policy corrects an omission
4.4.2 (j) Work under the Conservation Services Levy (CSL) will be prioritized towards reducing adverse effects of commercial fishing on protected species by: i) detecting incidental capture of protected species in commercial fisheries; ii) assessing or quantifying the effect of incidental capture or adverse effects on protected species and populations; and iii) developing and implementing measures to reduce the effects of incidental capture or other commercial fishing activities on these species.		Policy deleted as it was inconsistent with legislation and too specific in reference to cost recovery-funded research. Intent of policy incorporated in 4.6(a)
5.1 (a) The cultural and historic heritage programme of the Department will focus on the management of cultural and historic sites held under the Conservation Act 1987 and Acts in the First Schedule. Management should take place in the context of integrated conservation management and, where applicable, consistent with tangata whenua values.		Covered by 1(c) and 2(e)
5.1 (b) Cultural and historic heritage on public conservation lands should be managed and protected to the extent compatible with the particular statute or classification under which the resource is held and, where applicable, consistent		Covered by 1(e)

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with local tangata whenua values.		
5.1 (c) The identification, protection and management of cultural and historic heritage should be encouraged on public conservation lands.	5.1 (a) Conservation management strategies and plans should identify: i. historical and cultural heritage on public conservation lands and waters: ii. the required conservation outcomes for historical and cultural heritage	Policies 5.1(a-c) are simplified, referenced to CMS's.
5.1 (d) Public awareness of cultural and historic heritage should be raised and support for the conservation of historic heritage encouraged.		Covered by 3(g)
5.2 (a) Tangata whenua should be consulted whenever a proposed management action or programme may affect their cultural heritage within public conservation lands and waters.	5.1 (c) Tangata whenua, as kaitiaki of their historical and cultural heritage, should participate in the identification, preservation and management of that heritage on public conservation lands and waters.	Policy is rewritten for consistency with 4.5(c) and 4.6(c)
5.2 (b) Associations between tangata whenua and their cultural heritage in public conservation lands should be acknowledged and respected.		This is now incorporated in 5.1(c)
5.2 (c) Protocols or guidelines will be fostered with tangata whenua, where appropriate, to cover the active management of wahi tapu and other places of cultural significance to tangata whenua in public conservation lands, consistent with tikanga Maori and matauranga Maori.		This is covered by 2(c)
5.2 (d) Participation by tangata whenua in the management of sites of significance to them in public conservation lands should be encouraged and supported where this is consistent with the relevant statute or classification and conservation priorities.		This is covered by 2(e)
5.3 (a) Participation in the management of cultural and historic heritage by relevant communities of		Covered by 3(f)

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interest will be encouraged and supported where this is consistent with the relevant statute or classification and conservation priorities.		
5.4 (a) Cultural and historic heritage will be defined and its significance should be assessed in accordance with the Historic Places Act 1993 and the national procedures developed by the Historic Places Trust. Historic, physical and cultural values will be assessed.	5.1 (b) Historical and cultural heritage on public conservation lands and waters assessed as having high significance should be actively managed (including restoration where this is necessary).	The policy is rewritten for consistency with the new government Policy (issued from Ministry of Culture and Heritage) on the management of heritage properties by Government departments. Operational details are omitted.
5.4 (b) Cultural and historic heritage on public conservation lands should be protected from avoidable harm as far as practicable. Where cultural and historic heritage is under threat, including threats from management proposals or adjoining activities, alternative solutions should be developed and assessed with a view to avoiding the threat.		Deleted for consistency with the approach to 'avoidable harm' taken in Chapter 4.
5.4 (c) Where conflicts arise between the preservation of natural, cultural and historic heritage on public conservation lands, the natural, cultural and historic heritage values should be fully assessed. Options to resolve the conflicts which respect the relative values of the resources should then be developed, before management decisions are made and implemented.		Covered by 13(c)
5.4 (d) Where cultural and historic heritage on public conservation lands is subject to unavoidable damage or destruction, significant information about that heritage that would otherwise be lost will be recorded.	5.1 (d) Significant information should be recorded where historical and cultural heritage on public conservation lands and waters is threatened by unavoidable damage or destruction.	Reworded for clarity
5.4 (e) Non-invasive introduced trees or other plants of scenic, historic, or scientific significance may be retained. This may occur in historic reserves, and elsewhere if there are no significant adverse		Covered by 5.1(b) and 13(c)

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effects on natural or cultural and historic heritage.		
5.4 (f) Heritage resources with high historic, physical and/or cultural values may be actively managed (including restoration where this is necessary) to protect natural, cultural or historic values, avoid deterioration and to meet agreed service standards.	5.1 (d) Historical and cultural heritage assessed as having high significance should be actively managed (including restoration where this is necessary).	Policy is strengthened and simplified.
5.4 (g) Conservation planning and conservation work will be guided by the principles of the International Council on Monuments and Sites (ICOMOS) New Zealand Charter 1993.		Deleted as this is operational policy and is now referenced in the introduction.
5.4 (h) Persons, traditions or events of exceptional importance in New Zealand history or conservation may be acknowledged by means of monuments or plaques which will be sited where historically and culturally justifiable.	5.1 (h) Monuments, pou whenua, plaques or other memorials may be sited in places associated with people, traditions or events of exceptional importance in New Zealand or conservation history. They should be consistent with the character of the place and should not be attached to or engraved into natural features.	Policy is elaborated for clarity.
5.4 (i) Historic buildings on public conservation lands should, where practicable, have uses compatible with their significance that contribute to their preservation and to the benefit and enjoyment of the public, consistent with the particular statute or classification under which the building is held.	5.1 (f) Historic buildings and structures on public conservation lands and waters should be used in ways that: i. enable their preservation, ii. are in keeping with their assessed significance, iii. provide opportunities for the public to appreciate them.	Wording has been restructured for clarity and consistency with the National Parks General Policy.
	5.1 (g) Collections of antiquities and artefacts may be held and managed by the Department where it is important to preserve their association with places or for information purposes, if it complies with the provisions of the Antiquities Act.	This new policy corrects an omission.

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5.5 (a) Interpretation of cultural and historic heritage on public conservation land should be considered where this would raise public awareness and not conflict with the natural, cultural and historic significance of the resource.		This policy is deleted as it duplicated policy 9.2(a) and is covered by 9.2(a) and (c)
5.5 (b) Interpretation, where present, should reflect current historical research and the range of relevant perspectives, including the tangata whenua perspective.		This policy is deleted as it duplicated policy 9.2(a)
6 (a) Land acquisition or exchange should be undertaken for one or more of the following reasons: i) to provide protection of, or public enjoyment of, important heritage values; ii) to improve the overall viability of the protected area network, and reduce liabilities and costs of administration; iii) to achieve an allocation and administration of the Crown's land assets appropriate for management of the natural, cultural and historic values of that land.	6 (a) Land acquisition or exchange (including boundary changes) may be undertaken to protect natural resources, historical and cultural heritage or for the benefit and enjoyment of the public (including public access), where the land has international, national or regional significance, or it will: i. improve representativeness of public conservation land; or ii. improve the natural functioning and integrity of places; or iii. improve the amenity or utility of places; or iv. prevent significant loss of natural resources or historical and cultural heritage; or v. improve the natural linkages between places; vi. secure practical walking access to public conservation lands and waters, rivers, lakes or the coast vii. achieve any other purpose allowed for under the relevant Acts	This policy is revised to make clearer the criteria for acquisition or exchange. The costs of administration deleted as an operational detail and a requirement of the Public Finance Act.
6 (b) The highest priority for legal protection effort for nature conservation purposes will be given to sites with values facing uncontrolled imminent threats, and which: i) represent ecosystem types which are at significant		Incorporated in 6(a)(i-iii). Priority references removed as prioritisation is the business of the Statement of Intent.

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risk of loss and are unrepresented or virtually unrepresented within the protected area network; or ii) contain habitats of threatened species where active management of the habitat is a high priority recovery action necessary to achieve long-term security for the species; or iii) are sites or represent processes whose management is essential in order to achieve the ecological management objectives for the above sites; or iv) areas where legal protection will significantly increase the ecological integrity of priority ecosystems.		
6 (c) The highest priority for the legal protection of cultural and historic resources will be for historic resources of exceptional importance where protection is necessary to prevent an irreversible loss and where the protection provisions of conservation legislation are appropriate to the circumstances of the case.		Incorporated in 6(a)(iv). Priority references removed as prioritisation is the business of the Statement of Intent.
6 (d) The highest priority for the protection of geological, soil and landform features will be where the site is considered to be of international or national significance (and in some cases of regional importance) and the site is highly vulnerable to irreversible loss.		Incorporated in 6(a)(iv). Priority references removed as prioritisation is the business of the Statement of Intent.
6 (e) Highest priority for reviewing the protected area classification of public conservation lands (including to allow possible disposal) will be those areas where a change in classification will: i) improve the overall viability of the protected area network; or ii) reduce liabilities and costs of administration; or iii) facilitate the protection and management of the heritage or recreational values of those areas, by	6 (b) The classification of public conservation lands may be reviewed to ensure that places are held i. to give appropriate protection and preservation for their natural resources, and historical and cultural heritage, or ii. for their educational, scientific, community, or other special features, for the benefit of the public, and	Policy is reworded for consistency with 6(a). Reference to disposal is removed as this is an option for only some types of land, and reclassification is a necessary precursor.

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changing the legal provisions relating to the land, or changing public attitudes to necessary conservation or management measures.	iii. to provide for access and enjoyment by the public where that is appropriate.	
7 (a) Co-operative and effective working relationships should be sought with central government agencies, tangata whenua, landowners, communities and local government and non-governmental agencies to protect significant terrestrial, freshwater, marine and coastal natural ecosystems and habitats of indigenous plants and animals.	7 (a) The Department should work co-operatively to develop effective working relationships with people and organisations to protect natural resources, historical and cultural heritage and public access.	The policy is simplified
	7 (b) The Department when managing public conservation lands and waters should work co-operatively with its neighbours to seek mutually satisfactory solutions to cross-boundary issues.	New policy corrects an omission
7 (b) Appropriate actions should be advocated to protect, maintain and/or restore terrestrial ecosystems and habitats that are important for safeguarding indigenous biodiversity, and in particular, actions that: i) avoid further fragmentation, degradation or loss of significant natural resources; ii) avoid the degradation of significant natural landscapes with a high indigenous biodiversity component; iii) safeguard the habitat of protected species, and in particular those that are threatened; iv) avoid adverse effects on land administered by the Department of activities taking place on adjoining and/or connected areas.	7 (c) The Department should undertake statutory advocacy to protect natural resources and historical and cultural heritage and for the benefit and enjoyment of the public, including public access where: i. there is international, national or regional significance; or ii. there is natural character in the coastal environment and the margins of lakes and rivers; or iii. marine and freshwater habitats and ecosystems are threatened; or iv. further loss or degradation, or fragmentation is likely; or v. representation can be maintained or improved; or vi. important linkages between places can be maintained or improved; or vii. walking access to rivers, lakes or the coast and public	Draft policies 7(b) – 7(f) are summarised and simplified in 7(c). The detailed operational policies have been omitted. Reference to public access is added to recognise the provisions of the Reserves Act.

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	viii. conservation lands and waters can be improved; or activities proposed on places adjoining public conservation lands and waters could have adverse effects on them.	
7 (c) Appropriate action should be advocated to maintain and protect geological, soil and landform features where: i) the site is highly vulnerable to irreversible loss; or ii) the site is considered to be of international or national significance (and in some cases of regional importance).		Incorporated in 7(c).
7 (d) Appropriate action should be advocated to protect, maintain and/or restore the integrity of freshwater natural ecosystems and habitats, and in particular, actions that: i) maintain and where necessary enhance freshwater habitats important to the survival of freshwater fisheries and wildlife, including habitats important for access for migratory species; ii) safeguard the natural character of wetlands, lakes and rivers and their margins; iii) avoid the adverse effects of activities on adjoining and/or connected areas on freshwater natural ecosystems within land administered by the Department; iv) promote and support the development by others of programmes for the protection of freshwater ecosystems and habitats.	7 (d) The Department may support the protection efforts and conservation advocacy of other people and organisations.	Policy is based on (vi) and has been generalised to cover the wider range of values covered in this chapter.. Remainder of draft policy is incorporated in 7(c).
7 (e) Appropriate actions should be advocated to protect, maintain and/or restore natural marine and coastal ecosystems, habitats and species where this is important for safeguarding indigenous biodiversity, and in particular, actions that: i) ensure that the natural values of marine protected		Incorporated in 7(c).

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areas are not diminished by the adverse effects of activities in areas adjoining or connected to those marine protected areas; ii) protect the quality of water flowing into marine protected areas; iii) safeguard the habitat of threatened and protected marine species to ensure no human-induced extinctions and that these species have security within their natural range; iv) ensure that fishing and other human activities do not adversely affect protected species or prevent the recovery of threatened species to a less threatened status, in particular by reducing the incidental capture of these species during fishing as far as possible, consistent with their absolute protection status; v) avoid the adverse effects of activities on areas of the marine and coastal environment that are distinctive or rare, or on marine protected areas that are representative of the range of marine and coastal ecosystems; vi) enhance community and resource user awareness of the marine environment and marine protected areas, and promote protection of marine biodiversity.		
7 (f) Appropriate action should be advocated to: i) protect cultural and historic heritage values on public conservation lands and waters from adverse effects of activities taking place on adjoining and/or connected areas; and ii) prevent irreversible loss of cultural and historic values of exceptional importance and avoid further degradation or loss of these areas where they are a high priority for protection under conservation legislation.		Incorporated in 7(c).

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8 (a) Public conservation lands should be managed with minimal interference to natural processes and natural, cultural and historic values, recognizing that these processes may give rise to natural hazards and risks.	8 (a) Management for natural hazards on public conservation lands and waters i. should be undertaken with minimal interference to natural processes, natural resources, and historical and cultural heritage and be consistent with the purpose for which the land is held, and. ii. will include an assessment of the risks to people, places and property.	Policy is rewritten for consistency and style.
8 (b) When a high level of risk from a natural hazard has been identified, decisions on management actions should take account of all relevant circumstances, including: i) the nature and scale of the natural hazard (including an assessment of whether it is within the ability of the Department or other agencies in concert with the Department to manage it in any effective way); ii) the safety of people and the protection of property, both within and (in the case of the natural hazard event originating on public conservation land) beyond the boundaries of the public conservation land; iii) the need to conserve natural systems and processes, both within and outside public conservation lands; and iv) the particular statute or classification under which the land is held.	8 (b) When a high level of risk to people, places or property from a natural hazard has been identified on public conservation lands and waters a hazard and risk management plan will be developed identifying options to address risks, and interested people and organisations will be informed of any proposed actions.	The policy omits operational detail.
8 (c) Natural hazard risk assessment will be a key component of planning in the location and construction of all facilities on public conservation lands, such as huts and other buildings, roads, tracks, bridges, ski-tows, etc. Risks arising from		Policy is deleted as operational detail.

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natural hazards should be minimised where practicable, consistent with the purpose for which the land is held and with Policy 8(a).		
8 (d) Public awareness of natural hazards on public conservation lands should be fostered, and visitors encouraged to take more responsibility for their own safety.	8 (c) The Department should provide information to enable people to assess the risks from natural hazards that may occur on public conservation lands and waters. 8 (d) People will be responsible for their own decisions on risks from natural hazards that they are prepared to take in public conservation lands and waters.	Policy is split into two parts for clarity.
9.1 (a) A range of appropriate recreational opportunities should be provided in different settings for visitors with different capabilities, skills and interests.	9.1 (a) Recreational opportunities should be provided on public conservation lands and waters, consistent with outcomes sought in different places.	Policy is simplified. Skills and capabilities are incorporated in 9.1(c).
9.1 (b) Recreational opportunities and associated visitor activities, accommodation, facilities and services (including those provided by concessionaires), information and interpretation should: i) be compatible with the purposes for which the area is held; ii) enable visitors to gain inspiration and increase their knowledge, understanding, appreciation and enjoyment of public conservation lands and waters and their values; iii) be compatible with and managed to protect, and to minimise adverse effects (including cumulative effects) on, natural, cultural and historic values and their intrinsic worth; iv) be managed to avoid adverse effects on wahi tapu; v) be managed to protect, and to minimise adverse	9.1 (e) Recreational opportunities at places should be managed to minimise any adverse effects (including cumulative effects) on: i. natural resources and historical and cultural heritage where required by the relevant Act; and ii. the qualities of peace and natural quiet, solitude, remoteness and wilderness; and iii. the experiences of other people.	The policies of 9.1 are rewritten and reorganised for greater clarity and to recognise different land classifications. Monitoring is covered by 12(f). Wahi tapu is covered by the phrase "cultural heritage".

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effects on, the qualities of solitude, remoteness, wilderness, peace and natural quiet, where these qualities are present; vi) enable the free access of the public to their heritage, while being managed to avoid compromise to the above criteria and to the experiences of different types of visitor; and vii) be monitored for compliance with standards and conditions and to enable the identification and control of adverse effects, including unanticipated and cumulative effects.		
9.1 (c) Conservation management strategies should identify the outcomes sought in different places. They should identify what, if any, recreational opportunities, visitor activities, information and interpretation, accommodation, facilities and services (including those provided by concessionaires) are appropriate in those places, and to what extent. Outcomes should be identified in the light of 9.1 (b) above and also considering all the following factors: i) current recreational opportunities provided; ii) uniqueness of some current recreational opportunities; iii) contribution to, and compatibility with, the wider network of recreational opportunities; and iv) current and projected levels of visitor use.	9.1 (b) The recreational opportunities and the outcomes sought in different places will be identified in conservation management strategies and management plans, and will be consistent with the statutory purposes for which the land is held. 9.1 (c) Identification of the outcomes sought at different places and the range of recreational opportunities available should include an assessment of the following: i. quality and characteristics of the experience to be maintained; and ii. access and current recreational opportunities available; and iii. uniqueness of some current recreational opportunities; and iv. contribution to, and compatibility with, the wider network of recreational opportunities; and v. suitability for people with different capabilities, skills and interests; and vi. current and projected levels of use.	The policies of 9.1 are rewritten and reorganised for greater clarity and to recognise different land classifications.

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	9.1 (d) Conservation management strategies should identify what, if any, access, recreational opportunities, activities, information, accommodation, facilities and services (including those provided by concessionaires) are suitable in different places and to what extent.	
	9.1(f) Public access to public conservation lands and waters will be free of charge.	Policy separated from draft 9.3(g) for clarity.
9.1 (d) Concessionaires will be responsible for the safe conduct of their operations, setting appropriate safety standards to meet all legal requirements and complying with these standards.		Incorporated in 10.1(d).
9.1 (e) Visitors will be responsible for their own decisions on the risks they are prepared to take in public conservation lands and waters, and for ensuring that they, and those in their care, have the level of skill and competence required to cope with these risks.	9.3 (a) People are responsible for their own decisions on risks they are prepared to take in public conservation lands and waters and for ensuring that they have the level of skill and competence and the equipment required to cope with these risks.	
	9.3 (b) Recreational activities that create hazards for other people will be managed to mitigate the risk of harm.	New policy added to include safety aspects of deleted draft policies 9.5(a) and 9.4(b)(ii) and to generalise the policy beyond hunting and shooting.
9.2 (a) A range of visitor information and interpretation should be provided including information and interpretation on kaupapa and tikanga where appropriate.	9.2 (a) A range of accurate information should be provided to i. encourage and assist people in understanding, appreciating, enjoying and protecting public conservation lands and waters ii. enable people to assess the risks from natural hazards that may occur on public conservation lands and waters	Reference to risks form hazards included to correct omission. Reference to kaupapa and tikanga is covered by 2(h).

Notified Draft	Proposed Amendments	Explanation
9.2 (b) Information and interpretation should be of high quality, accurate, effectively communicated and accessible.		Incorporated in 9.(a)
9.2 (c) Information and interpretation should be linked, where practicable, to broader conservation issues that will assist visitors to make informed and environmentally responsible decisions.		Covered by 3(g)
	9.2 (b) Boundaries, entrances, tracks and features of particular interest may be signposted or interpreted.	New policy added to correct omission.
	9.3 (c) Signs and interpretation panels should be located and of such a scale, design and colour as to harmonise with the landscape and seascape, except where, for safety reasons, they should be clearly visible.	New policy added to correct omission. Worded for consistency with 10.4(v).
	9.2 (d) Road signs should be consistent with signage requirements of road controlling authorities.	New policy added to correct an omission.
	10.1 Accommodation and related facilities on public conservation land and waters may be allowed for public recreation, educational and community services.	The policies relating to accommodation and facilities have been separated into a new chapter for clarity. It applies to those provided by the department, by concessionaires and other people or organisations.
	10.2 Accommodation and related facilities owned and occupied on public conservation lands and waters by people and organisations, other than the Department, will require a concession.	New policy clarifies that this section applies to all organisations.
	10.3 Any application for a concession will need to comply with, or be consistent with, the objectives of the Act, the statutory purposes for which the place is held, and any conservation management strategy or plan.	New policy to correct omission.
9.3 (a) Visitor accommodation, facilities and	10.5 All accommodation and facilities including replacements,	This policy summarises 9.3(a , b,f) and

Notified Draft	Proposed Amendments	Explanation
services and extensions to accommodation, facilities and services (including those provided by concessionaires) should be compatible with the outcomes sought in different places as set out in policies 9.1 (a) and (b). They should complement existing visitor accommodation, facilities and services without unnecessary proliferation.	additions and extensions on public conservation lands and waters should: i. be compatible with the outcomes sought in different places; ii. minimise adverse effects on natural resources, and historical and cultural heritage, and the benefit and enjoyment of the public, including public access; iii. complement and, wherever possible, be located close to existing accommodation and related facilities ; iv. be located, designed, constructed and maintained to meet all legal requirements and standards; v. be of such a scale, design and colour that they harmonise with the landscape and seascape; and vi. provide for disabled people in places where this is practicable; and vii. be available for public use, including any club accommodation.	is rewritten for clarity.
9.3 (b) Visitor accommodation, facilities and services (including those managed by concessionaires) should be located, designed, constructed and maintained to meet all legal requirements and standards of relevant legislation and address safety management issues (see also Policy 8 (c)).		Incorporated in 10.4
	10.6 The Department and all concessionaires should monitor the impacts on natural resources, and historical and cultural heritage, and the benefit and enjoyment of the public, including public access, to inform future management decisions.	New policy added for consistency with 11.1(c)

Notified Draft	Proposed Amendments	Explanation
9.3 (c) New buildings for exclusive private use should not be permitted.	10.7 New accommodation and facilities, including campgrounds for exclusive private use should not be permitted.	Campgrounds added to correct omission.
9.3 (d) Existing private accommodation on public conservation lands will be phased out.	10.8 Existing private accommodation and facilities, including encampments, on public conservation lands and waters should be phased out, except where recognised in legislation, in accordance with the conditions and timeframes set out in any relevant concession or conservation management strategy or plan. They should be removed at the end of the phase-out period, unless retained by the Department for public use.	Policy amended to recognise legal provisions for some existing private accommodation, and the negotiated timeframes established in current CMS's and plans.
9.3 (e) Buildings may be allowed on public conservation lands for public recreation, educational and community services where natural, cultural and historic values are not adversely affected, where public enjoyment and recreation opportunities at a place are enhanced, the facility is generally available for public use and the activity cannot be located beyond public conservation lands. Tramping and ski club lodges with open membership policies should be regarded as generally available for public use.	10.4 Any application will be considered only where the accommodation and related facilities: i. cannot reasonably be located outside public conservation lands and waters; or ii. cannot be built elsewhere on public conservation lands and waters where the potential adverse effects would be significantly less; or iii. cannot reasonably use or share an existing structure or facility or the existing structure or facility without an addition.	Tramping huts and ski lodges incorporated in 10.5(vii)
9.3 (f) Visitor accommodation and facilities should be of an appropriate scale and harmonise with the landscape and seascape.		Incorporated in 10.5(v)

Notified Draft	Proposed Amendments	Explanation
	10.9 A ground rental should be charged for existing private accommodation and facilities, including campgrounds on public conservation lands and waters.	New policy corrects an omission.
9.3 (g) Public access to public conservation lands and waters will be free of charge. Charges may be made for the use of visitor accommodation, facilities and services.	10.10 Charges may be made for the use of accommodation and facilities.	Free access provisions covered in new 9.1(f)
	10.11 The Department should consult conservation board on all proposals for departmental accommodation and facilities including replacements, additions and extensions, on public conservation lands and waters.	New policy added to correct omission.
9.4 (a) Access to recreational fishing for sports fish legally present in public conservation waters should be facilitated in a manner that minimises adverse effects on natural resources from either the access facilities, the fishing equipment or the angling activity itself.	9.4 (a) Fishing for sports fish legally present in public conservation waters will be allowed where it is provided for in a conservation management strategy or plan or a sports fish and game management plan and a valid fishing licence issued is held.	Policy is redrafted to recognise legal requirements and CMS's. The other aspects of fishing activities are covered by 9.1(e)
9.4 (b) Hunting gamebirds in public conservation lands should be provided for where such use: i) is consistent with the purposes for which the area is held; ii) is subject to controls to ensure public safety; and iii) is provided for in the relevant conservation management strategy and does not have an adverse effect on populations of protected indigenous species.	9.4 (b) Hunting gamebirds on public conservation lands may be permitted where i. provided for in a conservation management strategy or plan or a sports fish and game management plan; and ii. a valid hunting licence is held.	Policy is redrafted to recognise legal requirements. Public safety covered in 9.3(b). Adverse effects covered in 9.1(e)
9.5 (a) Where consistent with the protection or restoration of indigenous biodiversity and subject to		Covered by 4.2(c) and 9.3(b)

Notified Draft	Proposed Amendments	Explanation
controls to ensure public safety, recreational hunting for wild animals should be encouraged.		
9.6 (a) Vehicle use and any other forms of transport should be compatible with the outcomes sought in different places.	9.5 (a) The use of vehicles and any other forms of transport should be compatible with the statutory purposes for which the land is held.	Rewording recognises different land classifications.
9.6 (b) Vehicle use and other forms of transport should be actively discouraged in those places where it is not provided for in conservation management strategies.	9.5 (b) Conservation management strategies and plans will identify where the use of vehicles and other forms of transport may be allowed and any conditions for use.	Policy is reworded for consistency and clarity.
	9.5 (c) The Department should work with roading and aviation controlling authorities to minimise the adverse effects of vehicles and aircraft on public conservation lands and waters and the public enjoyment of these places.	New policy corrects an omission
9.7 (a) Domestic animals and pets (including hunting dogs and all horses) should not be taken into public conservation lands and waters unless they have been specifically authorised in conservation management strategies.	9.6 (a) Animals (including pets) should not be taken into public conservation lands and waters unless they have been specifically authorised by the relevant Act, or provided for in conservation management strategies or plans.	Policy is corrected to recognise different land classifications.
	11.1 (a) Any application for a concession or a permit must comply with, or be consistent with the objectives of the Act, the statutory purposes for which the place is held, and any conservation management strategy or plan. 11.1 (b) All activities on public conservation lands and waters which require a concession or other authorisation should minimise adverse effects on natural resources, historical and cultural heritage, and on the benefit and enjoyment of the public, including public access. 11.1 (c) The Department and all concession and permit	These new policies bring together those relating to concessions in general. It creates an overarching set of policies which apply across the functions and activities of the department and removes the need to replicate these in each section.

Notified Draft	Proposed Amendments	Explanation
	holders should monitor the impacts of the activity on natural resources, historical and cultural heritage, and the benefit and enjoyment of the public, including public access, to inform future management decisions. 11.1 (d) Concessionaires will be responsible for the safe conduct of their operations, including the safety of staff, clients and contractors, and compliance with relevant safety standards and legal obligations. 11.1 (e) The policies below for the activities specified will need to be considered in conjunction with policies 10.1 (a) to 10.1 (d).	
10.1 (a) Gazing concessions may be granted where: i) grazing is necessary in order to fulfil the conditions of a management agreement, including transitional arrangements; ii) grazing will protect or enhance the management of particular natural or historic values; or iii) the resources are of low conservation value. Fencing may be required as a condition of a grazing concession in particular around riparian and wetland areas.	11.2 (a) The following criteria should be applied when considering grazing and farming concessions: i. the land is in existing pasture or farming use; ii. the number and type of stock are suitable for the location and land type; iii. grazing animals can be effectively controlled; iv. the effects of stock on waterways, wetlands and riparian zones can be minimised; v. there are no adverse effects on wahi tapu; vi. there is no risk of erosion caused by grazing or farming; vii. the need to use grazing for management purposes; viii. the potential for restoration is not compromised; and public access is maintained.	The policy is redrafted to improve wording and to rectify omissions.
	11.2 (b) Grazing concessions should, where possible, be issued for a period not exceeding five years, market rentals should be paid and there should be no implied right or expectation of renewal.	New policy in response to requests for the grazing provisions to be tightened.

Notified Draft	Proposed Amendments	Explanation
10.1 (b) Wahi tapu should not be detrimentally affected by grazing.		Incorporated in 11.2(a)(iv)
10.1 (c) Monitoring of the effects of grazing may be required as a condition of a concession.		Incorporated in 11.1(c)
10.2 (a) The protection of natural and historic values and the maintenance of the quality of recreational experiences on lands administered by the Department should be the primary consideration in the assessment of applications for utilities, communication facilities and easements. Utilities and communication facilities may be provided for in public conservation lands and waters where: i) they cannot be reasonably located outside public conservation lands and waters; ii) their provision and the means of access to them is not inconsistent with the recreational uses and opportunities of the site; and iii) their effects are minor and can be avoided, remedied or mitigated.	11.3 (a) Utilities and communication facilities may be provided for in public conservation lands and waters where they cannot be reasonably located outside public conservation lands and waters, unless specifically provided for in the purposes for which the land is held.	Wording is changed to improve precision, clarity, and to correct an omission. (ii) and (iii) are incorporated in 11.1(c).
10.2 (b) In considering applications for construction or extension of utilities and communications facilities, cultural values should be taken into account and wahi tapu should not be detrimentally affected.		Incorporated in 11.1(a)
10.2 (c) Public access to public conservation lands and waters should be preserved, except in exceptional circumstances where such access conflicts with public safety or security of the utility.	11.3 (c) Public access to utilities and communication facilities may be denied where necessary for the protection of public safety or the security or competent operation of the activity concerned.	'Policy is rewritten for clarity and consistency with 9.3© and 10.5(v)
10.2 (d) Co-siting of telecommunications and associated facilities should be encouraged to reduce	11.3 (d) Utilities and communication facilities should wherever possible be located in or added to an existing structure or	The policy is qualified to recognise practical limitations that can arise.

Notified Draft	Proposed Amendments	Explanation
the effects of the facilities and the access to them.	facility and use existing access options.	
10.2 (e) Utilities that are redundant should be removed from public conservation lands and waters and the site restored as far as practicable to a natural state.	11.3 (e) Utilities and communication facilities that are redundant should be removed from public conservation lands and waters and the site restored as far as practicable to a natural state to minimise effects on the landscape.	
10.2 (f) When new facilities are installed or existing facilities upgraded, equipment and technology that reduces the visual and other environmental effects should be required.	11.3 (b) When new utilities and communications facilities are installed or existing utilities and facilities upgraded, they should be of such a scale, design and colour as harmonises with the landscape and seascape.	Policy is rewritten for clarity and consistency.
10.3 (a) The protection of natural and historic values and the maintenance of the quality of recreational experiences available on public conservation lands should be the primary considerations in assessing mining activities.		This is covered by all policies dealing with identification of values for CMS's and plans.
10.3 (b) Conservation management strategies and plans will set out the values of the land they relate to with sufficient clarity to enable the effects of mining to be identified.		This is covered by all policies dealing with identification of values for CMS's and plans.
	11.4(a) Access arrangements for the removal of pounamu from public conservation lands and waters will be considered only where the applicant has authorisation for collection from the kaitiaki runanga of Te Runanga o Ngai Tahu.	This new policy corrects an omission.
	11.4 (b) Conservation management strategies and plans will identify the criteria for the removal of sand/shingle or rock to prevent	This new policy corrects an omission.

Notified Draft	Proposed Amendments	Explanation
	i. disruption of natural processes including fish migration, ii. reduction of public enjoyment, or iii. removal of materials which are unique or of special character.	
10.4 (a) Commercial filming and photography activities should be subject to the same conditions as other uses (such as the landing and hovering of aircraft, the use of off-road vehicles and animals, the construction of facilities) and be consistent with recreational uses and opportunities in order to reduce effects on the public.		Covered by 11.1
10.4(b) Particular care should be taken to ensure that commercial filming and photography activity does not detrimentally affect the values of sites of significance, including those of significance to tangata whenua.		Covered by 11.1
10.5 (a) Military training exercises on public conservation lands and waters will be carefully managed to protect natural, cultural and historic values and recreational opportunities. Where military training exercises occur they should comply with the 1990 Defence Training Agreement or any successor to it.	11.5 (a) Military training exercises on public conservation lands and waters will only be allowed where they comply with the 1990 Defence Training Agreement or any successor to it.	Protection of conservation values are covered by 11.1
11 (a) Research and monitoring in public conservation lands, waters and resources administered under conservation legislation which informs conservation management or interpretation, or which assists understanding of the social aspects of the use and enjoyment of public conservation land and waters, will be encouraged	12(a) Research and monitoring on public conservation lands and waters should be allowed where it: i. informs either management, or interpretation; ii. has no adverse effect on the statutory purposes for which the land is held;	The policy is rewritten for clarity and consistency with the National Parks General Policy

Notified Draft	Proposed Amendments	Explanation
and supported by collaborative arrangements where appropriate.	iii. has no adverse effect on the enjoyment by the public; iv. does not pose unacceptable risks to natural, historical and cultural heritage.	
11 (b) Matauranga Maori and Maori interests in science and research relating to conservation lands and waters, species and resources should be recognised. Collaborative research relationships with tangata whenua will be encouraged and supported, where appropriate.	12 (b) Matauranga Māori and tangata whenua interests in research and monitoring on public conservation lands and waters, species and resources should be recognised.	Collaborative relationships are covered by 2(f).
11 (c) Research in public conservation lands and waters should seek to better support management and should not have significant adverse effects on natural, cultural or historic values, should not pose an unacceptable risk (e.g. a biosecurity risk or risk of weed dispersal), and should not adversely affect recreational opportunities.		This policy is now covered by the redrafted 12(a)
11 (d) Research and collection of specimens and samples in public conservation lands and waters, other than that carried out by the Department in the exercise of its statutory functions, will require authorisation. Approval to conduct such research or to collect specimens or samples will take into account the benefits and potential adverse effects, the views of tangata whenua and the management of any knowledge and intellectual property to be gained.		Covered by 12(c)
11 (e) The collection of specimens of indigenous plants and animals (or parts thereof), including fossilised plant or animal material, soils, rocks, fossils and any other geological materials for approved educational or scientific research purposes may be authorised, under the following criteria:	12 (c) Applications for the collection of material (whether for commercial or non-commercial use) including, but not limited, to indigenous species (or parts thereof), fossilised plant or animal material, soils, rocks and any other geological materials from public conservation lands and waters will be considered	This policy is merged with 11(d) and (f) to create the new 12(c). The reference to property rights separated into a new policy.

Notified Draft	Proposed Amendments	Explanation
i) collection is consistent with land and species status, statutory requirements and management plans; ii) the amounts to be collected are small in relation to the abundance of the species; iii) the effects of collection are considered to be insignificant; and iv) any property rights including intellectual property rights are safeguarded.	on a case by case basis. Criteria include: i. collection is consistent with legislation, conservation management strategies and plans and the Department's Treaty responsibilities; ii. collection is essential for either management, or understanding, interpretation or educational purposes; iii. the amounts to be collected are small in relation to the abundance of the material; iv. whether collection could occur outside or elsewhere within public conservation lands and waters where the potential adverse effects could be significantly less; v. the adverse effects of collection are minimal; and	
	12 (d) Any property rights, including intellectual property rights, should be safeguarded for the benefit of the Crown, on behalf of the people of New Zealand.	Policy separated from 11(f) for clarity.
11 (f) Applications for collection of indigenous plant material or animals (or parts thereof), including fossilised plant or animal material, from public conservation lands and waters for investigation for subsequent commercial use will be considered on a case by case basis. Criteria for such consideration include but are not limited to: i) collection is consistent with land and species status, statutory requirements and management plans and the Department's Treaty responsibilities; ii) the amounts to be collected are small in relation to the abundance of the species; iii) the effects of collection are considered to be		Incorporated in 12(c)

Notified Draft	Proposed Amendments	Explanation
insignificant; and iv) any property rights including intellectual property rights are safeguarded.		
11 (g) Recovery of authorisation processing costs for research, collection or educational activities in public conservation lands and waters may be waived or reduced where: i) the research or collection makes a direct contribution to the management of the area; or ii) the research or collection contributes to the Department's conservation goals and strategies and will deliver actual and quantifiable management benefit to the Department and/or quantifiable knowledge on matters which underpin the Department's management functions; or iii) educational activities are non-commercial and result in public good.	11 (d) Recovery of authorisation costs for research, collection or educational activities may be waived or reduced where: i. research or collection makes a direct contribution to management; or ii. research or collection supports departmental priority outcomes; or iii. research or collection is for Maori customary use; or iv. educational activities are non-commercial.	New criteria (iii) is added to include the waiver/reduction for non-commercial cultural purposes.
11 (h) Results of research and monitoring in public conservation lands and waters should be made publicly available as appropriate.	11 (e) Results of research and monitoring on public conservation lands and waters should be made publicly available unless withheld for good reason under the Official Information Act 1982.	Reference to OIA corrects an omission.
11 (i) Monitoring and evaluation of management actions in areas administered under conservation legislation, including actions guided by this statement of general policy, should be undertaken at appropriate intervals, guided by approved systems, conservation management strategies and relevant management plans and regional and local strategies.	11 (f) Management actions should be monitored and evaluated at regular intervals to assess their effectiveness and inform future management decisions.	Wording is simplified for clarity.
12 (a) In aiming for integrated management at and between sites: i) natural, cultural and historic values should be identified; ii) recreational values should be identified;	13 (b) Conservation management strategies and plans should: i. identify natural resources, historical and cultural heritage, and recreational opportunities, at specific	Amendments to this policy recognise that there are different types of tenure of public conservation land, the links with other policies and the relevant statutory and non-statutory plans of

Notified Draft	Proposed Amendments	Explanation
iii) site objectives should be formulated consistent with the applicable legislation and general policies; iv) potential conflicts between the conservation of natural and cultural and historic and recreational values and the use of public conservation lands and waters for cultural, recreation, tourism or commercial purposes should be reconciled where possible; and v) all conservation management activities should be directed at meeting the site objectives referred to in 12 (a) iii) above.	places; ii. identify outcomes for specific places consistent with the purposes for which the public conservation land and waters are held; iii. identify potential conflicts between conservation objectives at specific places and explain how these will be resolved; iv. identify the effects (including cumulative) of different uses and explain how these effects will be minimised; v. have regard to relevant territorial authority statutory planning documents; vi. identify objectives for departmental advocacy relating to conservation outside public conservation	other agencies.
12 (b) The conservation management strategy objectives will promote integrated management by following the framework set out in policy 12 (a). These objectives may apply to more than one site where site values are similar.		Incorporated in 13(b).
12 (c) Objectives for the management of public conservation lands and waters adjoining national parks should be consistent with or complementary to national park management plan objectives.	13 (a) Objectives for integrated management on public conservation lands and waters adjoining national parks should be complementary to and not inconsistent with national park management plan objectives.	Minor wording change to emphasise integrated management.
12 (d) Conservation management strategies and plans will identify the natural, cultural and historic and recreational values of public conservation land in such a way that the effects (including cumulative effects) of any concession or mining activities on those values can be assessed.		Incorporated in 13(b)(iv).
12 (e) Conservation management strategies should include objectives for the Department's guidance relating to significant natural and historic resources		Incorporated in 13(b)(vi)

Notified Draft	Proposed Amendments	Explanation
outside public conservation lands and waters. 12 (f) Conservation management strategies may indicate that a conservation management plan is to be prepared if one, or more, of the following factors apply to a specific area: i) there are special issues which cannot be covered by the conservation management strategy in sufficient detail or cannot be resolved by consultation or other processes; ii) the natural and historic values have a high profile or have particular significance to the community or sectors of the community; iii) the rate and scale of change on the natural and historic resources or public conservation land are significant and a conservation management plan is needed to establish detailed objectives for integrated management.	13 (c) Conservation management strategies may require that a conservation management plan is prepared for places of national or international importance, where detailed objectives need to be identified, in consultation with the public, for effective management.	Policy is simplified and is more closely tied to the legislation. CMS's provide sufficient detail for management of sites of regional significance.
12 (g) During the development and statutory consultation phases of management strategies and plans the Department will seek a wide range of views and provide a range of opportunities for comment appropriate to tangata whenua and local communities.	13 (d) Conservation boards, people or organisations interested in public conservation lands and waters, and tangata whenua, will be consulted when developing or reviewing conservation management strategies and plans.	Policy is rewritten for consistency with 2(d) and 3(d). Conservation Boards are separately identified because of their statutory roles.
12 (h) Conservation Boards will be consulted on major policies and issues relevant to the interpretation and implementation of conservation management strategies and conservation management plans and within the jurisdiction of each Board. Conservation Boards will be given an annual report on implementation of these strategies and plans.	13(e) Conservation boards will be consulted on matters relevant to the implementation of conservation management strategies and plans, including applications for a concession requiring an interest in land.	Reporting obligations are separated into a new policy for clarity.
	13 (f) The Department will provide conservation boards with a report (at least annually) on the implementation of conservation management strategies and plans.	Reporting obligations are separated into a new policy for clarity.

Notified Draft	Proposed Amendments	Explanation
12 (i) Proposed amendments to conservation management strategies and plans will be subject to public comment unless the Conservation Board and Director-General consider that the amendment would not materially affect the objectives or policies in a conservation management strategy or plan. Examples are where an amendment: i) corrects a factual error; ii) changes the names or classification of places following reclassification in accordance with the relevant legislation; iii) reflects changes in legislation; iv) provides clarification of an objective or policy; or v) deletes reference to a conservation management plan that has been revoked.	13(g) Proposed amendments to conservation management strategies and plans will not be subject to public comment where the amendment: i. corrects a factual error; ii. updates information on protected areas managed by the Department; iii. changes the names or classification of places following reclassification in accordance with the relevant legislation; iv. reflects changes in legislation; v. provides clarification of an objective or policy; or vi. deletes reference to a conservation management plan that has been revoked.	Addition of (ii) corrects an omission.
13 (a) The Department will co-operate with other agencies in ensuring the comprehensive protection of the environment of the Ross Dependency and the Antarctic region as a natural reserve²⁴ and where it is able to, provide necessary related expertise. This may include provision of advice to the Ministry of Foreign Affairs and Trade on appropriate conservation measures, the potential environmental effect of proposed activities in Antarctica over which New Zealand will exercise its jurisdiction under the Antarctica (Environmental Protection) Act 1994, the monitoring of compliance with the conditions of permits issued under the Act, input into conservation of historic huts and marine protected areas proposals.	14 (f) The Department will work with other agencies to ensure the protection of the Ross Dependency and Antarctica generally as a natural reserve.	Policy is simplified and operational detail removed.
13 (b) The Department, in working with other agencies to develop Antarctic policy, will advocate for the conservation of Antarctic resources.	14 (g) The Department, when working with other agencies to develop policy for the Ross Dependency and Antarctica, will advocate for the conservation of natural and historic	Minor wording amendment.

Notified Draft	Proposed Amendments	Explanation
	resources.	
13 (c) Where appropriate, the Department will provide relevant expertise to assist in the promotion of the conservation of natural and historic resources of Antarctica by the New Zealand government in international flora.		Incorporated in 13(g) and 14(c)
14 (a) International obligations related to conservation management, deriving from international agreements which have been ratified and recognized in domestic law and policy will be taken into account in the implementation of policy.		Incorporated in 14(a)
14 (b) The government's obligations to identify and nominate sites that merit recognition under international agreements will be administered.	14 (a) The Department will implement international agreements relevant to conservation which have been ratified or have legal standing in New Zealand.	Policy rewritten to more accurately reflect the department's obligations.
14 (c) Where international recognition has been given to areas or resources held or managed under conservation legislation, the recognised values of those areas or resources will be identified in management strategies and plans and will be preserved.	14 (b) Conservation management strategies and plans should identify and protect places and resources that have been recognised by international agreements.	Policy is redrafted for clarity and simplicity.
14 (d) Active participation in international conservation forums will be maintained to promote the protection of biological diversity and the ideals and principles of conservation management.	14 (c) The Department will participate in international fora and work with other countries to promote cooperation on matters relating to conservation.	The policy is generalised to correct the omission of cultural and historical heritage.
14(e) The conservation of habitats and species which exist partly within and partly outside New Zealand will be advocated internationally.	14 (d) The Department will advocate internationally for the protection of indigenous species and habitats which exist partly inside and partly outside New Zealand.	This policy is tightened to restrict international advocacy just to indigenous species.

Notified Draft	Proposed Amendments	Explanation
14(f) When acting as the lead agency and considering international action, the Department will identify whether an issue or agreement is of interest or relevance to tangata whenua and establish the appropriate degree and nature of their involvement based on the nature, degree and strength of tangata whenua interest.	14 (e) The Department, when working internationally as the lead agency for New Zealand, should identify whether the project is of interest or relevance to tangata whenua or other agencies and should establish the appropriate degree and nature of their involvement.	The policy is expanded to recognise the interests of other departments and agencies.

Released under the Official Information Act 1982

Item 13

section 9(2) [REDACTED] HEAD OFFICE

From: section 9(2)(a) [REDACTED]
Sent: Wednesday, 20 October 2004 4:15 p.m.
To: section 9(2)(a) [REDACTED]
Cc: section 9(2)(a) [REDACTED]
Subject: Comments on General Policy 18 Oct version

Hi all

I really do think this is much improved.

The attached file includes suggestions for redrafting for improved readability as well as articulation of policy.

Big picture concerns

1. Definition & discussion of Place – not quite there yet. As defined, it does not convey the essence of our discussions that a track could be a place.

Really it comes down to the ecological values and discrete geographical areas that may be managed for a common purpose (outcomes at places) such as intensive management for species restoration (e.g. Otamatuna), or outstanding scenic areas managed for visitor use (the Routeburn track).

Determinations – I am still concerned that 4.1 (f) could encourage a flurry of applications. Following Hugh's comments, I would like to see the phrase 'in exceptional circumstances' used, particularly for determinations outside of GP, CMS or NPMP processes ^{if} this is legally possible.

3. Freshwater section, especially introduced species

There are too many overlapping policies for the introduction of introduced species – they should only be provide for under 4.2 (d) as a biocontrol or 4.3 (h) approved restocking of salmonids already present. [4.3 (b) (ii) and 4.3 (c) also allow for the introduction of introduced species] whereas the test for removing introduced species is lower than that for introducing them – for there to be an equal balance, they should be able to be removed if they are affecting the preservation in any way, not just nationally important threatened species – this is a double standard, albeit partially created by legislation.

secti

PS I suggest the **date** on the front page should be changed



General Policy
Comments 20 Oct...

section 9(2)
(a)

I [REDACTED]

Comments from **Section 20.10.04**

I have copied from the electronic version to indicate suggested amendments.

Strikeout = deletion, underline = additions

Chapter 1

P1

Changing the second quote has made the sentence leading into it read disjointedly.

Delete '~~New Zealanders also expect their national parks are places to be cared for:~~' and replace with "The 'benefit, use and enjoyment of the public' referred to in s 4 (1) is qualified to the extent that the indigenous flora and fauna be preserved."

p2

Why review the General Policy?

Section 44 of the National Parks Act..... In particular, the purpose of this General Policy is to implement the National Parks Act and to provide consistent national direction for **national parks administration**

national parks administration – should this have an apostrophe? (national parks' administration) or maybe the administration of national parks

P3

2nd bullet is not relevant to the NZCA decision to review – suggest delete

- The Authority may adopt statements of general policy (for national parks) and amend such statements so that they are adapted to changing circumstances or in accordance with increased knowledge.
- ~~Every statement of general policy shall be prepared initially in draft form by the Director General of Conservation in consultation with the Authority.~~

P4

Punctuation (fullstops) at end of last 2 sentences under Integrated conservation management

The purpose of conservation management strategies and for recreation, tourism and other conservation purposes.(section 17D Conservation Act 1987) The short-hand term used to describe this activity is integrated conservation management

Place – not just for recreation

Potential recreation opportunities and concessions applications can then be assessed, consistent with those intrinsic values.

A place is an area identified by the Department for the purposes of integrated management. Major considerations in defining place include the ecological values present and discrete geographical areas that may be managed for a common purpose ("outcomes at places"), such as intensive management for species restoration (e.g. Otamatuna), or outstanding scenic areas managed for visitor use (the Routeburn track). A place ~~it~~ may

include any combination of terrestrial, freshwater and marine areas and may be determined by a range of criteria including but not limited to: ecological districts, geological features, catchments, internal departmental, regional or district council or rohe/takiwa boundaries, land status, commonality of management considerations, unique management needs.

3 (f) Editing has resulted in awkward wording

People or organisations should be encouraged to participate in the preservation of national parks and may be supported with information and technical advice where this increases understanding of national park values and the skills needed for protection of those values ~~skills and understanding of national park values~~ ✓

Chapter 4 Introduction

P1 para 7

Editing has resulted in awkward wording

The Authority affirms that the immediate objective is to reduce by all available means introduced species to a level ~~that~~ where they do not impede the preservation of the indigenous species of a national park. ✓

P2 paras 2& 3

For improved readability suggest using existing text from notified version intros p24 last para and p26 1st sentence

~~Section 4(1) of the National Parks Act 1980 provides for natural features so beautiful, unique, or scientifically important that their preservation is in the national interest.~~

~~Section 4(2) of the National Parks Act 1980 provides for them to be preserved as far as possible in their natural state and their value as soil, water and forest conservation areas maintained.~~

National parks have been set aside to preserve in perpetuity, areas of New Zealand that contain scenery of such distinctive quality, or natural features so beautiful, unique or scientifically important that their preservation is in the national interest (National Parks Act) section 4 (1)). ✓

The National Parks Act also states that national parks shall be so administered and maintained that 'their value as soil, water and forest conservation areas shall be maintained' (section 4 (2) (d)).

Delete 'wild' from 'wildfires' – should it say 'natural fires'? ?

Fire control is a legislative responsibility of the Department under the Forest and Rural Fires Act 1977. The deliberate use of fire and the control of natural ~~wild~~fires are not generally consistent with the preservation of national parks in a natural state and for their intrinsic worth.

Determinations

4.1 (f) The Authority may, in exceptional circumstances, ^{means?} exercise its discretion to consider a proposal for a statutory determination and will establish a suitable procedure to consider that proposal. That procedure should include consultation with, or the seeking of

submissions from, interested people or organisations or other means of obtaining public opinion on the proposal.

Biosecurity

There should be more guidance in this policy as to when biocontrol should be used – suggested wording below. “Best practicable option” is clearly defined in the RMA.

4.2 (d) The introduction of biocontrol organisms into national parks should only be for the control of ~~animals living in The Wild or animal pests or plant pests~~ introduced species which cannot be effectively managed in other ways and where this is the best practicable option. OK c8 Act?

4.2 (g) Martin Rodd was concerned about the phrase ‘wild animals’ as it has a particular meaning under WACA.

Suggest changing “wild animals” to “introduced species” which gives flexibility on what species might be controlled in future.

Recreational and commercial hunting should be encouraged for the control of ~~wild animals~~ introduced species where this does not affect the effectiveness of wild animal conservation management including control of introduced species by the Department, or conflict with the full range of outcomes sought at places. ✓

Freshwater

Policy 4.3 (b) (ii) **as amended does not give sufficient recognition of the legislative mandate to preserve** freshwater species and ecosystems. If introduced freshwater species are no longer present in an area, their reintroduction is covered under policy 4.3 (h).

The aim of Policy 4.3 (b) (ii) is to promote the preservation of indigenous species through restoring fish passage. However, if fish passage is restored, and this would allow introduced species access to habitats where they currently do not exist, this effect needs to be weighed up against the desirability of the indigenous species having passage in the first place.

Therefore there needs to be some further amendment to cover this consideration.

e.g.

4.3 (b) Freshwater species, habitats and ecosystems within national parks should be managed to preserve as far as is practicable all indigenous freshwater fisheries and to protect recreational freshwater fisheries and freshwater fish habitats including:

- i. the maintenance and restoration of the natural geographic range of indigenous freshwater fisheries;
- ii. the maintenance of fish passage and, where practicable, its restoration, except where this would result in the introduction of non-indigenous species into freshwater fisheries where ~~they have never been present~~ only indigenous species are present and the benefits of the restored fish passage are likely to be outweighed by any adverse effects of the presence of introduced species; ✓

4.3 (c) This policy is too open and should be directly linked with 4.2 (d) for the avoidance of doubt.

Once again, the introduction of introduced species is covered under 4.3(h).

4.3 (c) Introduced species of freshwater aquatic life will not be released into waters where they are not present, except where ~~required for the preservation of indigenous freshwater~~

~~fisheries or where such releases are provided for in a national park management plan~~
provided for under 4.2 (d). delete?

4.3 (d)

The test for removal of introduced species is very high ['threatened'] compared with the test for their introduction.

For consistency with 4.3 (h) suggest amending to

4.3 (d) In water bodies containing populations of ~~nationally important~~ indigenous freshwater aquatic life whose survival is ~~threatened~~ adversely affected by introduced species, the eradication or control of introduced species will, where practicable and effective, be undertaken to remove the threat. mitigation -
won't happen.

4.3 (h) For the avoidance of doubt, change 'fish' to 'salmonids' in the first line. NO.
4.3(h) deleted.

4.6

4.6 (a) The construction is not grammatical for (ii) Suggest:

4.6 (a) National park management plans may include the use of prescribed burning as a tool where necessary to: ✓

- i. to manage fuel loadings where this addresses a significant risk and is ecologically justified and sustainable; or
- ii. ~~is necessary~~ for the preservation of certain indigenous species, habitats and ecosystems.

Chapter 6

Introduction

A *resplendent* range would be wonderful but shouldn't it be representative? ✓

6(h) I thought we had agreed that the as notified 6 (h) (i) p37 should be reinstated "the area to be added has been purchased for national park purposes". In the intro.

6(h) (v) grammar ✓

the land does not contain significant known mineral deposits with commercial potential ~~and~~ which is economically viable for extraction; and

Note the first 6(j) should be 6 (i) ✓

6(l) grammar/clarity

6 (l) ~~National park management plans should identify~~ Any proposals to exclude land from a national park should be identified in national park management plans. Where proposed exclusions have not been identified and the Authority considers the proposed exclusion may be controversial, public comment should be sought before the Authority makes any recommendation to the Minister. X

6 (m) More guidance here would be helpful. Also need to remove repetition of 'preserved'.
Suggest

Specially protected areas should be established to preserve indigenous species, ecosystems, natural features, or sites and objects of archaeological or historical and cultural interest of such significance ~~that they should be preserved~~ or fragility that special management is required [for preservation] including the limiting of public access.

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Chapter 7

7 (c) When a high level of risk to people, places or property from a natural hazard has been identified in a national park, a hazard and risk management plan will be developed by the Department in consultation with tangata whenua and other interested people and organisations identifying options to address risks, and tangata whenua and other interested persons and organisations will be fully informed of any proposed actions.

Chapter 8

8.1 (c) Planning and management for recreational opportunities in national parks should:

- iii. protect the distinctive character of recreation in New Zealand national parks; and

8.1 c iii I think is probably to address the issues John raised. I wonder if this would also have the effect of protecting hunting and whether we intend this.

I haven't got the right words but what about

'protect the distinctive individualism of NZ recreation in national parks' which addresses individual v group activities rather than 'traditional' recreational activities

8.2 (d) grammar

Road signs should be approved...

8.4 (a) I don't recall that this was to be changed by deleting the qualifiers – I had the understanding that they were to be set out in a format similar to 8.4 (b).

e.g. 8.4 (a) Fishing for ~~sports fish~~ salmonids ~~legally present~~ in the waters of national parks will be allowed where

- i such fish are legally present
- ii there are minimal adverse effects on national park values from the access, fishing equipment or angling activity itself
- iii a valid authorisation is held

Powered aircraft

Cross reference to 10.6 e.g.

Powered aircraft (including, but not limited to, fixed-wing, ultra-light and model airplanes, helicopters and gyrocopters):

8.6 (c) The landing, hovering and take-off of aircraft may be authorised where this is compatible with the full range of outcomes planned for a place and provided for in the relevant national park management plan and consistent with policies in 10.6.

Non-powered vehicles

What is lacking here for me is reference to **effectively control off-track activity**

Also I thought it had been agreed to change 'minimise' to 'avoid'

(v) is ungrammatical and should be split off as a separate policy e.g.

8.6(j) (a) National park management plans should identify measures to manage the use of specified non-powered vehicles that will be taken to:

- i. ~~minimise~~ avoid adverse effects on national park values;

- ii. protect the experiences of walkers and other users;
- iii. meet safety requirements;
- ~~iv.~~ avoid creating a hazard for other users; ~~and~~
- v. control actual or potential use of non-powered vehicles off designated routes

(b) these measures to achieve the above may include, but are not limited to:

- trial periods;
- restricted seasons;
- limits on numbers;
- one way flow; and
- ~~require~~ requiring non-powered vehicle users to follow an approved Code of Responsible Conduct

8.6 (k) National park management plans should identify monitoring requirements and specify what actions should be taken if ~~there are~~ adverse effects arise.

Chapter 9 Introduction

The section quoted below is ambiguous – I assume it means that both public accommodation and DoC staff dwellings are not concessions, but it is not made clear as to whether DoC staff accommodation also requires an authorisation.

"If the buildings are for accommodation purposes, they, together with any supporting facilities, require authorisation from the Minister under section 50(1)(a) of the National Parks Act. Dwellings for departmental officers and employees are covered by section 50(1)(c) of the National Parks Act.

Such an authorisation is not a concession under section 49 of the National Parks Act and Part IIIB of the Conservation Act.

If the building is a dwelling for people or organisations carrying on an activity in the national park, a concession is required."

Suggest

If the buildings are for public accommodation purposes, they, together with any supporting facilities, require authorisation from the Minister under section 50(1)(a) of the National Parks Act. Dwellings for departmental officers and employees are covered by section 50(1)(c) of the National Parks Act.

Such ~~an~~ authorisations are is not a concession under section 49 of the National Parks Act and Part IIIB of the Conservation Act.

Buildings

9(e) The proliferation of buildings would seem to be a more significant issue than having buildings clustered, because a proliferation of buildings means that the built environment is impinging on the natural environment of the park, which is what we want to protect.

Having buildings spread out may be preferable depending on the circumstances, especially on how conspicuous they are.

Proliferation is an increase in numbers; this is a different concept to the spread of buildings. Both are important and need to be managed.

Therefore I suggest a repositioning of these aspects in 9(e)

9 (e) All accommodation and related facilities, including replacements, additions and extensions and signage, in national parks should (unless provided for in existing leases):

- i. be compatible with the full range of outcomes sought in different places;
 - ii. minimise adverse effects on national park values and on the existing benefit, use and enjoyment of the public, including public access;
 - iii. ~~complement and, wherever possible, be located close to existing accommodation and related facilities and avoid a proliferation of buildings;~~ ✓
 - iv. be located, designed, constructed and maintained to:
 - a. preserve a sense of naturalness;
 - b. ~~avoid a proliferation of buildings where possible, be close to other buildings;~~ ✓
 - c. meet all legal requirements and standards;
 - d. minimise risks from natural hazards;
 - e. avoid adverse effects on natural surface and underground waters and all water bodies; and
 - f. maintain freedom of entry and access to national parks.
 - v. be of such a scale, design and colour that they harmonise with the landscape and seascape;
 - vi. provide for disabled people ~~in places??~~ to the extent required by law; and
- be available for public use, including any club accommodation

Free entry

I note we are still silent on charging for entry and facilities (the original notified 8.3 (g) p45 is deleted) and I am not clear on the rationale for this is although there were quite a few submissions on it, including 1 asking for deletion.

Chapter 10

Grazing

I was not aware that the NZCA had decided to drop the proviso of scientific justification.

10.2 (c) National park management plans may make provision for continuation of grazing as a management tool to protect indigenous species, habitats and ecosystems and other national park values where this is supported by the balance of scientific evidence.

*relativisation. Operable = scientific
Noted balance of evidence
National GL or 1 or
have this
weekend.*

Utilities

10.3 (a) and (b) I thought this was going to be rewritten to include landscape in 10.3 (a) iv

10.3 (a) Utilities may be provided for in a national park where:

- i. they cannot reasonably be undertaken in a location outside the national park or elsewhere in the national park where the potential adverse effects would be significantly less; or
- ii. they can reasonably use an existing structure or facility; and
- iii. their provision, uses and the means of access to them is not inconsistent with the recreational uses and opportunities of the site; and
- iv. they have minimal impact on ecological values, the preservation of scenery and natural features, or the qualities of solitude, remoteness, wilderness, peace and natural quiet. ✓

10.3 (b) Conservation management strategies and national park management plans should require that utilities should be of a scale, design and colour that harmonises with the landscape and any seascape and not have an adverse effect on the preservation of scenery, significant natural features, or the natural state of the national park. ????

10.3 (i) expression

10.3 (i) New or upgraded roads provided for in a national park management plan should have minimal impact on natural features and ~~take~~ require measures by those undertaking the construction to mitigate any adverse effects, including:

- i. fragmentation of habitats and ecosystems; etc.....

Sand & Shingle

10.5 (e) should be constructed similarly to 10.3 (i) re mitigation along the lines below but this is not quite right yet

10.5 (e) National park management plans will identify the criteria for the removal of sand or shingle or rock to prevent:

- i. disruption of natural processes including fish migration;
- ii. reduction of public enjoyment;
- iii. removal of materials which are unique or of special character;
- ~~iv.~~ impact on distinct landforms; ~~and~~
- v. other adverse effects on the national park; and

identify criteria for mitigation measures to address any adverse effects, including restoration

Aircraft

10.6 (b) is what John would call 'in code' – it does not specifically refer to aircraft free areas or cumulative effects

NB introductory statement uses 'impact'

Chapter 11

11(a)

I thought NZCA decided to allow blue skies research provided the effects were consistent with ii and iii

Chapter 12

12(d) The words from the previous version 'in such a way that allows the effects of activities to be assessed' have been deleted – is there a reason for this?

Chapter 13

Why has 13(b) been deleted?

It should be retained, perhaps with the 'will' changed to 'shall'

Glossary

Area

This isn't defined in the NPA therefore is left dangling – is a definition really necessary? ✓

Endangered – is this used?

No.

Representative

As sent to Catherine on Monday:

The Biodiversity Strategy has a definition one but this is very hard to follow if you don't know anything about ecology.

The definition used in the Northland PNA reports is

“The extent to which an area represents or exemplifies the components of the natural diversity of the ecological district. This implies consideration of the full range of natural ecosystems and landscapes that were originally found in the ecological district, how well they are represented in today's environment, and the extent to which they are included in the protected areas network.”

I think this is a clearer explanation for lay people, although it would need some amendment to have broader application than an ecological district e.g.

The extent to which an area represents or exemplifies the components of indigenous natural diversity. This implies consideration of the full range of natural ecosystems and landscapes that were originally found, how well they are represented in today's environment, and the extent to which they are included in the protected areas network.

needs
defn
that also
problematic.



Office of Hon Chris Carter
MP for Te Atatu
Minister of Conservation
Minister of Local Government
Minister for Ethnic Affairs

26 November 2004

Kerry Marshall
Chairperson
New Zealand Conservation Authority
PO Box 10-420
WELLINGTON

Dear Kerry

Thank you for the opportunity to comment on the draft statement of general policy for national parks. I wish to congratulate the Authority for its commitment to the development of this policy as I am aware it has been a time-consuming and exacting task.

I congratulate you also on the thoroughness of the consultation you have undertaken with the general public and with key interest groups. Your responsiveness to some of the issues raised in consultation has also been commendable with a number of changes I note from the earlier version. It is essential, of course, that, in being responsive to the views of the public, the integrity of the national park concept, which has served New Zealand so well for nearly 100 years, is preserved. I believe in the policy on mountain biking (8.6) you have been responsive to the public interest, (which is driven by changes in recreational modes, young people today being as likely to access the wilds on mountain bikes as our generation did by tramping), but through the conditions you have set, traditional national park values have been safeguarded.

I have paid particular attention to those issues that have generated the most debate in the development of general policy, including mountain biking, private accommodation, hunting, grazing and filming.

I have limited my comments below to a few areas where I recommend some changes generally to provide better safeguards for the protection of national park values.

Policy 2(b). I have concerns that this policy on partnerships with tangata whenua may have significant resourcing issues for the department and may raise expectations over and above what can realistically be met. This would particularly apply to some North Island parks where the number of iwi/hapu with an interest in a particular national park can be significant. I would prefer that this policy read that partnerships are to be encouraged and may be sought. This allows some flexibility while still setting the direction that such partnerships can make a positive contribution to national park management. It also makes the policy consistent with the wording on partnerships in 3 (b).

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Policy 2(h). I recommend that the policy wording “may include Maori place and species names” be amended to read “should include”. It seems entirely appropriate that tangata whenua could expect that Maori place and species names are included (noting this can sit alongside the use of European names) in public information and interpretation of places that are of special significance to them. In fact, I would like to see greater use made of Maori species names in national park interpretation materials generally. The blue-wattled crow in just one generation has now become known as the kokako, more recently kereru or kukupa has replaced wood pigeon, and currently whio is replacing the mundane blue duck. This continues a trend from previous generations who dropped the European settlers' red pine, black pine and white pine for rimu, matai and kahikatea.

Policy 2(i). I am concerned at the generality of the phrase “create a grievance”. I recommend that this policy be amended to read “The Department will seek to avoid actions that would be a breach of the principles of the Treaty of Waitangi”.

Policy 4.2 (d). While the exception for trout and salmon from a strict interpretation of the National Parks Act requirement for the eradication of introduced species is of long standing, I have concerns that the enhancement, in particular, of introduced game birds in national parks is being considered as policy. The quiet undisturbed waters of national parks provide a refuge for some species of indigenous water birds that are important for their preservation. It does not seem appropriate or in keeping with the requirements of the National Park Act that populations of mallards or Canada geese should be enhanced in national parks set aside for the preservation of indigenous species. In the management of these introduced game birds in national parks, Fish and Game should also have regard to the interests of the general public not just the interests of game bird hunters.

I also recommend an additional condition that the management of these introduced species should not have an adverse impact on indigenous species and habitats.

Section 4.3. I recommend that the Authority include a policy providing for the control of indigenous species outside their natural range if they are invasive or otherwise a threat to species which are native to the national park.

Policy 4.3(c)(i). While I agree with the importance of integrated pest management there does seem to be a considerable diversity of views as to what it means in practice. One interpretation is that pest management efforts are to be primarily confined to programmes that target multiple species. This would unreasonably constrain efforts to preserve indigenous biodiversity and eradicate or control introduced species having negative impacts. I recommend that the policy be amended to read “seek to maximise outcomes for the benefit of indigenous species, habitats and ecosystems”.

Policy 4.3 iii) d) I recommend a reconsideration of the wording here as the implication of the current wording is that widespread pests are, as a matter of policy, only to be controlled at priority sites. Yet, the control priorities for these widespread pests and weeds is determined largely by the resources available and the cost/benefit ratios of controlling some species rather than others. Control of the key herbivores (possums, goats, deer) is desirable wherever they are having a significant impact on the vegetation condition. The techniques are available now for effective widespread control even though the resources are not given competing priorities for conservation and other expenditure. Because of the cost of controlling the key introduced

predators, i.e. stoats and rats, and the greater technical difficulties, the control of these species can only be countenanced at priority sites into the foreseeable future. I would, nevertheless, like to see the policy giving national park managers some greater guidance here. A suggested rewording is “controlling widespread introduced plants and animals where necessary to maintain the overall health of national park ecosystems and habitats prioritised according to the national park values at risk, the available resources and taking into account the costs and benefits of control of the different introduced species.”

Policy 6(o). I recommend strengthening this policy by rewording ii) to read “where the adverse effects on national park values are minimal.”

Policy 7(g). While I agree with the general approach of personal responsibility for risks with regards to natural hazards in national parks, there are some exceptional circumstances where areas of the park may need to be closed to public access because of an extreme and unusual hazard. An example would be the lahar path on Mount Ruapehu when the lahar is imminent. See also policy 8.3(a). It may also be necessary to close popular snow areas when they have an extreme avalanche risk. I recommend that there be a policy to provide for such possibilities. Careful consideration will need to be given to the wording to ensure it would not result in restrictions on the general access for trampers and mountaineers to national parks or derogate from their personal responsibility for assessing risks of extreme terrain or weather.

Policy 8.4 (b). The interests of the general public in the maintenance of healthy undisturbed populations of native water birds, and of the peace and quiet of national park water bodies generally, also need to be considered. Trout fishing in national parks has minimal conflicts with others’ enjoyment of the park. This is not necessarily so for game bird shooting as the latter occurs on lakes or wetlands which others value for their peace and quiet. The repeated discharge of shotguns can also result in the disturbance of native birds which prefer quiet areas and even the killing of native wildlife such as parera/ grey duck. These are issues that need to be considered on a case-by-case basis so I recommend that this policy reads ‘may’ rather than ‘will’ be allowed.

All native birds are protected in national parks not just their populations. Accordingly, policy 8.4 (b) ii) should read “it does not have an adverse effect on indigenous species generally and is unlikely to result in the killing of indigenous wildlife”.

Glossary. I recommend that the Authority give consideration to the possible implication of attributing Glossary meanings to sources where this practice has been adopted. This could be interpreted to mean that if the meaning changes at source, the meaning in the GPNP will also change. That may or may not be desirable, especially where the Authority may have limited influence on the decision to change the source wording or national parks interests are not a paramount consideration when making that decision.

Definition of partnership. To avoid raising expectations that may not be able to be met, I recommend the definition of partnership read: The relationship between individuals or groups that is characterised by mutual co-operation and responsibility for the achievement of a specific goal.

As minor amendments may be considered desirable by the Authority as it finalises the GPNP or work is completed on the GPC or on the recommendation of the Department, I am happy to rely on the judgement of the Authority as to whether any of them are of sufficient weight that my comments need to be sought before changes are made.

I am happy to meet with you to discuss any of these recommended changes if that would be helpful.

Yours sincerely

A handwritten signature in blue ink, appearing to be 'C Carter', written in a cursive style.

Hon Chris Carter MP
Minister of Conservation

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Murray
De Lee -
photo etc.

**REVISED DRAFT GENERAL POLICY
CONSERVATION ACT AND RELATED LEGISLATION**

26 November 2004

Sent to the New Zealand Conservation Authority by the Director-General of Conservation for its consideration and comment to the Minister of Conservation.

Released under the Official Information Act 1982

Final 207490
modification to Chap 6 } significant but
modification to 11.1(b) } not seen by
N2CA

Introduction

He aha ai te whakaute, manaaki, me te tiaki i ā Papatuanuku?

He kura taiao i hokia

Ko te **‘Tohu mōhukihuki’** i umeretia e te whakaaro mō Te Papa Atawhai e whai ake nei, ‘Kei te mahi ngātahi te Papa Atawhai me ngā iwi whānui ki te whakaute, te manaaki me te tiaki i ngā taonga koiora me ngā taonga tuku iho o Aotearoa hei painga mō te katoa’ engari anō mā tōna **‘Koronga awhero’** hei kōkiri arā ‘He āta whakaute, manaaki, me te tiaki i ā Papatuanuku ki Aotearoa, kia ū tōnu ai tōna whakawaiūtanga hei oranga ngakau mō te tini te mano inaianei, ake tonu ake’ ka ara ake ai te mīharo.

Ahakoia kei roto i te **‘Tohu mōhukihuki’** ā Te Papa Atawhai me tōna **‘Koronga awhero’** ka kitea te kikokiko o te whakatauaāki ‘He kura taiao e hokia’ he wāhanga anō tō te Māori hei whakanikoniko i te korowai o te kura taiao, arā ko te whai ake i ngā kawa me ngā tikanga i ahu mai i Te Ira Atua, i nanaputia e ngā tohunga ahurei hei kāwai mō ngā kete o te mātauranga, arā ko ngā kai whāngai i ngā uri whakatipuranga, ko koro mā, ko kui mā.

Ma te whai ake i ngā tohu ā ngā Pukenga kura taiao, mā te whakarongo ki te reo o ngā manu arā ‘He huruhuru he manu ka tau, he tū te maro taranga i tau ai’ e whai ora ai te ngahere me ōna rawa, engari mehera ka tītaha te whakaaro e pā ana ki ngā kawa me ōna tikanga he aitua tōna whakautu. Mā te ngākau nui o te maha me te tini ki te manaaki me te tiaki i ngā taonga koira, taonga tuku iho e whai ora ai ngā mokopuna ā Tāne, Tangaroa, Haumie, Rongo me Ira tangata.

In Māori, the mission and vision statements of the Department of Conservation come together to remind the reader of the proverbial saying: ‘a treasured home will always be revisited’. This imagery affirms the view that the rituals of traditional life gradually became the protocols to guide the behaviour and maintain the relationship between mankind and nature. The proverb ‘it is with feathers that a bird adds to the tapestry of the forests’ affirms the relationship in this era to be one of guardianship.

Why conserve? He kura taiao e hokia

‘A treasured home will always be revisited’

We conserve and care for places and species because we value them. Their qualities are such that we may be inspired by their beauty, moved by a connection felt with lands or waters, animals or plants, or struck by the intricacies, power and enchanting qualities of living systems.

Many of our species of plants and animals are unique to New Zealand. They are the inspiration for our national icons – like the kiwi and the koru – and together with the landscape and history they shape our identity as New Zealanders. However, the islands of New Zealand are vastly changed places when compared with the times before the first humans arrived, and often, conservation has been necessary to prevent the irreparable loss of landscapes or unique plants and animals. Our coastal and marine waters contain many taonga but are also changing in response to pressures from our own shores or beyond. Ultimately, the act of conservation is a proclamation of how highly we as New Zealanders value the outstanding diversity of treasures that still exist here – from the relatively commonplace to the extremely rare; from kereru to kahikatea forest, mudfish to mangrove, Milford Sound to remote seamount, and from hilltop pā to pioneer backcountry hut.

We also value our protected places by recreating in them. Enjoying public conservation lands and waters is a popular activity for many New Zealanders and overseas visitors, and outdoor recreation is often perceived by many to be central to our identity and way of life.

the other Acts¹. Application of section 4 of the Conservation Act provides for the integration of the principles of the Treaty into the work of the Department generally.

Similarly the provision for general policy under the Conservation Act covers tasks carried out under the other Acts but cannot derogate from any provision in any of those Acts. The New Zealand Walkways Act 1990 has its own existing general policy, and is excluded from this current General Policy.

General policy applies to a wide range of public conservation lands and waters (see Appendix 1), both in terms of their natural resources, historical and cultural heritage, and of the specific purpose and type of protection. For example, the very high level of preservation in their natural state (including closure to public entry) accorded to the indigenous plants and animals in nature reserves or sanctuary areas established under the Conservation Act, to the predominantly recreational purposes of recreation reserves established under the Reserves Act. The wildlife management and the freshwater fisheries functions the Department shares with Fish and Game Councils also extended to private lands and water bodies.

General Policy for national parks is approved by the New Zealand Conservation Authority (the Authority). A close relationship exists between these general policies due to the common administration by the Department of Conservation, shared boundaries between national parks and other public conservation lands and waters and the passage of species freely between different places regardless of land status.

The Authority and Conservation Boards are statutory bodies that provide advice to the Minister of Conservation and the Director-General regarding conservation policy, the management of public conservation lands and waters, and the other activities and responsibilities of the Department. Specific responsibilities of the Authority and/or Boards relate to the development, approval and implementation of general policy, conservation management strategies and plans.

Other agencies have statutory management roles relating to public conservation lands and waters. Under the Resource Management Act 1991, territorial authorities have responsibilities for the management of air, fresh and coastal waters, soil and natural hazards. The Ministry of Fisheries manages the sustainable use of fisheries to avoid or mitigate adverse effects of fishing on the aquatic environment. With the exception of the whitebait fishery, which is managed by the Department, freshwater fisheries with a significant commercial component are managed by the Ministry of Fisheries. Fisheries regulations identify the customary use of fisheries by tangata whenua. These responsibilities apply within public conservation lands and waters, but are not covered by this General Policy. Regional Fish and Game Councils and the New Zealand Fish and Game Council are established under Part VA of the Conservation Act. They are charged with the management, enhancement and maintenance of sports fish and game birds, and with representing regional and national interests of anglers and game bird hunters. These responsibilities extend to public conservation lands and waters, subject to legislation and general policy.

The management of historical and cultural heritage under conservation legislation should take account of advice provided by the Ministry for Culture and Heritage as the Crown's principal adviser for cultural heritage policy. The management of historical and cultural heritage under conservation legislation is also subject to the statutory roles of the New Zealand Historic Places Trust under the Historic Places Act. The Trust is an independent non-Crown agency with the leading national role to promote the identification, protection, preservation and conservation of the historical and cultural heritage of New Zealand.

The activities of the Authority, Conservation Boards and Fish and Game Councils reflect a long-term New Zealand tradition of formalised public involvement in conservation, with membership

¹ Where, however, there is clearly an inconsistency between the provisions of any of these Acts and the principles of the Treaty, the provisions of the relevant Act will apply (see Chapter 2).

Integrated conservation management

The purpose of conservation management strategies is to implement general policies and establish objectives for the integrated management of natural and historic resources, including any species, managed by the Department under the Wildlife Act 1953, the Marine Reserves Act 1971, the Reserves Act 1977, the Wild Animal Control Act 1977, the Marine Mammals Protection Act 1978, the National Parks Act 1980, the New Zealand Walkways Act 1990, the Hauraki Gulf Marine Park Act 2000, the Conservation Act 1987, or any of them, and for recreation, tourism and other conservation purposes (section 17D(1), Conservation Act 1987). The short hand term used to describe this activity is integrated conservation management.

Integrated conservation management at a specified “place” or across a number of “places” occurs when all streams of conservation activity contribute towards objectives that are consistent with the relevant legislation and general policy, are not inconsistent with each other and resolve conflicts between potentially conflicting objectives and interests. The starting point for determining the management objectives for a place is to identify the values of the place, consistent with the purposes for which it is held, which need to be preserved and protected. Management objectives can then be formulated to achieve outcomes which are consistent with the intrinsic values. Potential recreation opportunities, concession applications and other activities are provided for consistent with those outcomes.

A “place” in the sense used in this General Policy is an area identified in conservation management strategies and plans for the purposes of integrated conservation management. It may include any combination of terrestrial, freshwater and marine areas and may be determined by a range of criteria including but not limited to: ecological districts, geological features, catchments, internal departmental, regional or district council or rohe/takiwā boundaries, land status, major recreation or tourism destinations, commonality of management considerations, unique management needs.

2. Treaty of Waitangi Responsibilities

The Conservation Act 1987 and all the Acts listed in its First Schedule, must be so interpreted and administered as to give effect to the principles of the Treaty of Waitangi (section 4, Conservation Act). Where, however, there is clearly an inconsistency between the provisions of any of these Acts and the principles of the Treaty, the provisions of the relevant Act will apply.²

There has now been considerable jurisprudence on the Treaty of Waitangi and its principles, and the scope of the duties the Treaty imposes on the Crown. Interpretations continue to evolve.

Effective partnerships with tangata whenua can achieve enhanced conservation of natural, historical and cultural heritage. Tangata whenua responsibilities to this heritage are embodied in the ethic of kaitiakitanga. Kaitiakitanga is a spiritual and environmental ethos that governs tangata whenua responsibilities for the care and protection of mauri, the dynamic life principle that underpins all heritage. Kaitiakitanga includes components of protection, guardianship, stewardship and customary use. It is exercised by tangata whenua in relation to ancestral lands, water, sites, resources and other taonga. The focus of kaitiakitanga is manaaki (care) and rahui (protection).

In 1989 the Government published "Principles for Crown Action on the Treaty of Waitangi". The principles are:

- The Principle of Government
- The Principle of Self Management
- The Principle of Equality
- The Principle of Reasonable Cooperation
- The Principle of Redress

The way these principles are applied will depend on the particular circumstances of each case including the statutory conservation framework and the significance to tangata whenua of the land, resource or taonga in question.

POLICIES

- 2 (a) Relationships will be sought and maintained with tangata whenua to enhance conservation. These relationships should be based on mutual good faith, cooperation and respect.
- 2 (b) Partnerships to enhance conservation and to recognise mana may be sought and maintained with tangata whenua whose rohe covers any place or resource administered by the Department. Such partnerships will be appropriate to local circumstances.
- 2 (c) Protocols and agreements may be negotiated and implemented to support relationships and partnerships, by mutual consent between tangata whenua and the Department.
- 2 (d) Tangata whenua will be consulted when developing statutory planning documents. Information will be made available to facilitate their contributions.
- 2 (e) Tangata whenua will be consulted on specific proposals that involve places or resources of spiritual or historical and cultural significance for them.
- 2 (f) Tangata whenua involvement and participation in conservation on public

² Ngai Tahu Maori Trust Board v Director-General of Conservation [1995] 3 NZLR 553 (the "Whales" case)

3. Public Participation in Conservation Management

The Department manages places and species on behalf of the people of New Zealand. Conservation effort is dependent on the level of support and understanding of all New Zealanders. They are engaged as individuals, in their communities, as neighbours, in iwi and hapu, in conservation and recreation groups, as well as farmers, foresters, fishers, scientists, businesspeople, and people working in local government and other public agencies. The conservation task is large. Effective partnerships between the Department, people and organisations can enhance the achievement of conservation outcomes by all parties.

A range of opportunities to engage in conservation is provided by the legislation and policies. People are nominated and appointed to bodies such as the conservation boards and the New Zealand Conservation Authority. People are invited to comment on draft policies, management strategies and plans and proposed actions such as the establishment of national parks and marine reserves. People volunteer their time, skills and resources to support conservation. All of this engagement needs to be underpinned with general conservation awareness and educational activities.

POLICIES

- 3 (a) Relationships should be developed with people or organisations interested in public conservation lands and waters, to enhance conservation. These relationships should be based on mutual good faith, co-operation and respect.
- 3 (b) Partnerships may be developed with people or organisations to enhance conservation.
- 3 (c) Agreements may be negotiated and implemented to support relationships and partnerships.
- 3 (d) People or organisations interested in public conservation lands and waters will be consulted when developing statutory planning documents.
- 3 (e) People or organisations interested in public conservation lands and waters should be consulted on specific proposals which have significance for them.
- 3 (f) People or organisations should be encouraged to participate in conservation and may be supported with information and technical advice where this increases skills for and understanding of conservation.
- 3 (g) Education and information should be provided to promote awareness and active support for conservation.

legislation), conservation management strategies and plans;

- ii. it is consistent with the purposes for which the land is held;
- iii. there is an established tradition of such customary use at the place; and
- iv. the preservation of the indigenous species at the place is not affected.

4.1 (f) Fishing for whitebait and eels in reserves may be authorised on a case by case basis, provided that:

- i. it is consistent with all relevant Acts and regulations (including fisheries legislation);
- ii. it is consistent with the purposes for which the land is held;
- iii. the preservation of the indigenous freshwater fisheries and the maintenance of the range and stocks are not affected; and
- iv. it is provided for in the conservation management strategy or plan.

4.1 (g) Whitebait fisheries should be managed to prevent declines in species abundance and range.

4.1 (h) The Department, the New Zealand Fish and Game Council and regional Fish and Game Councils, in carrying out their respective functions, will liaise with each other on matters of mutual interest.

4.1 (i) The release of sports fish into waters in public conservation land should be authorised where:

- i. sports fish of the same species are already present;
- ii. release is consistent with the purposes for which the land is held; and
- iii. such releases are provided for in a sports fish management plan or, in its absence, an operational work plan approved by the Minister of Conservation.

4.2 Biosecurity and management of threats to indigenous species, habitats and ecosystems

4.2 (a) Conservation management strategies and plans should identify and, where possible, prioritise the threats posed by pests to indigenous species, habitats and ecosystems.

4.2 (b) Biosecurity and pest management programmes should give priority to:

- i. preventing pests becoming established, including illegal and inadvertent transfers;
- ii. eradicating newly naturalised pests at places where practicable;
- iii. eradicating, containing or reducing the range of, pests that are established but not widespread where practicable; and
- iv. controlling widespread pests at priority sites where eradication or containment of them is not practicable.

4.2 (c) Biosecurity and pest management programmes should:

- i. cover multiple pest species at places to maximise the benefits of management for indigenous species, habitats and ecosystems;
- ii. provide for single species measures where required to protect priority sites;
- iii. take account of regional pest management strategies; and
- iv. be developed in collaboration with other relevant management agencies.

use, including those incidentally caught in commercial fishing, consistent with relevant legislation and agreed protocols;

- iii. provided with immediate notification of strandings where possible; and
 - iv. involved in the management of stranded marine mammals, in accordance with agreed protocols.
- 4.5 (c) Carcasses of stranded marine mammals may be left unburied if they are lying in remote places where there is no risk to human health.
- 4.5 (d) Human interactions with marine mammals and other protected marine species, should be managed to avoid or minimise adverse effects on populations and individuals.
- 4.5 (e) Whales, dolphins and other protected marine species should not be held in captivity in New Zealand or exported to be held in captivity, except where this is essential for the protection of the species.
- 4.5 (f) Whales, dolphins and other protected marine species already held in captivity in New Zealand for reasons other than the protection of the species, may continue to be held for the rest of their lives or rehabilitated and released to the wild, if possible.
- 4.5 (g) The Department, should work with other agencies and interests to protect marine species.

4.6 Geological features, landforms, and natural landscapes

- 4.6 (a) Conservation management strategies and plans should identify landscapes, landforms, and geological features of international, national, or regional significance or of significance to tangata whenua.
- 4.6 (b) Activities which reduce the intrinsic values of landscape, landform and geological features on public conservation lands and waters should be sited and managed so that their adverse effects are avoided or otherwise minimised.

4.7 Ecosystem services

- 4.7 Activities on public conservation lands and waters should be planned and managed in ways which avoid or otherwise minimise adverse effects on the quality of ecosystem services.

6. Changes to Public Conservation Lands

Public conservation land is held under a range of legislation and classifications (e.g. national parks, conservation parks, stewardship areas, scenic and other reserves and wildlife refuges). Its management was brought together in 1987 when the Department of Conservation was established. Additions to public conservation lands since 1987 have improved their representativeness and increased the area of New Zealand protected for future generations. This chapter covers further land acquisitions, and changes to land classification to adjust the level of legal protection.

This chapter refers only to public conservation lands. Marine protected areas are covered in 4.4.1, and the conservation of land beyond public conservation lands is covered in chapter 7.

POLICIES

- 6 (a) Land acquisition or exchange (including boundary changes) may be undertaken to manage for conservation purposes natural resources, historical and cultural heritage or for the benefit and enjoyment of the public, including public access, where the land has international, national or regional significance; or land acquisition or exchange will:
- i. improve representativeness of public conservation land;
 - ii. improve the natural functioning or integrity of places;
 - iii. improve the amenity or utility of places;
 - iv. prevent significant loss of natural resources or historical and cultural heritage;
 - v. improve the natural linkages between places;
 - vi. secure practical walking access to public conservation lands and waters, rivers, lakes or the coast; or
 - vii. achieve any other purpose allowed for under the relevant Acts.
- 6 (b) The classification of public conservation lands may be reviewed to ensure that places continue to be held:
- i. to give appropriate protection and preservation for their natural resources, or historical and cultural heritage;
 - ii. for their educational, scientific, community, or other special features, for the benefit of the public;
 - iii. to enable integrated conservation management; or
 - iv. to provide for access and enjoyment by the public where that is in accordance with the purposes for which the land is held.

8. Natural Hazards

Natural hazards are events which affect or may affect people, property or the environment. They include earthquakes, landslides, avalanches, volcanic eruptions, tsunamis, floods, storms and fires and are natural processes that are part of New Zealand's natural environment. These processes should, where practicable, continue to function unhampered.

Understanding the risks from natural hazards and employing appropriate management tools to mitigate risks where necessary is the key to effective management of risks from natural hazards.

POLICIES

- 8 (a) Management for natural hazards on public conservation lands and waters:
 - i. should be undertaken with minimal interference to natural processes, natural resources, and historical and cultural heritage and be consistent with the purpose for which the land is held; and
 - ii. will include an assessment of the risks to people, places and property.
- 8 (b) When a high level of risk to people, places or property from a natural hazard on public conservation lands and waters has been identified, a hazard and risk management plan should be developed identifying options to address risks, and interested people and organisations will be informed of any proposed actions.
- 8 (c) The Department should provide information to enable people to assess the risks from natural hazards that may occur on public conservation lands and waters.
- 8 (d) People will be responsible for their own decisions on the risks that they are prepared to take arising from natural hazards on public conservation lands and waters.

- public conservation lands and waters;
- ii. enable people to assess the risks from hazards that may occur on public conservation lands and waters.
- 9.2 (b) Boundaries, entrances, tracks and features of particular interest may be signposted or interpreted. Signs should be confined to those necessary for safety, information and interpretation and should be located, and be of such a scale, design and colour, so as to harmonise with the landscape and seascape.

9.3 Hazards to people

- 9.3 (a) People are responsible for their own decisions on risks they are prepared to take on public conservation lands and waters and for ensuring that they have the level of skill and competence and the equipment required to cope with these risks.
- 9.3 (b) Recreational activities that create hazards for other people should be managed to reduce the risk of harm.

9.4 Sports fishing and game bird hunting

- 9.4 (a) Conservation management strategies should provide for access to recreational fishing for sports fish legally present in public conservation waters.
- 9.4 (b) Conservation management strategies should provide for hunting of game birds on public conservation lands, consistent with the purposes for which the land is held.

9.5 The use of vehicles and other forms of transport

- 9.5 (a) The use of vehicles and any other forms of transport should be compatible with the statutory purposes for which the place is held or be necessary to enable the Department to perform its functions.
- 9.5 (b) Conservation management strategies and plans will identify where the use of vehicles and other forms of transport may be allowed and establish any conditions for use.
- 9.5 (c) The Department should work with roading and aviation controlling authorities to avoid or otherwise minimise the adverse effects of vehicles and aircraft on public conservation lands and waters and the public enjoyment of those places.

9.6 Animals

- 9.6 Animals (including pets) will not be taken into public conservation lands and waters unless consistent with legislation and provided for in conservation management strategies or plans.

- 10 (i) A ground rental should be charged for existing private accommodation and facilities, including campgrounds on public conservation lands and waters.
- 10 (j) Charges may be made for the use of accommodation and facilities.
- 10 (k) The Department should consult the relevant conservation board on all proposals for departmental accommodation and facilities, including replacements, additions and extensions, on public conservation lands and waters.

Released under the Official Information Act 1982

a purpose for which the place is held.

- 11.3 (b) When new utilities including communications facilities are installed or existing utilities are maintained extended, they should be of a scale, design and colour that relates to, and is integrated with, the landscape and seascape.
- 11.3 (c) Public access to utilities including communication facilities may be denied where necessary for the protection of public safety or the security or competent operation of the activity concerned.
- 11.3 (d) Utilities including communication facilities should wherever possible be located in, or added to, an existing structure or facility and use existing access options.
- 11.3 (e) Utilities and communication facilities that are redundant should be removed from public conservation lands and waters and the site restored as far as practicable to a natural state to minimise effects on the landscape.

Crown minerals and pounamu

The Crown Minerals Act 1991 and the Resource Management Act 1991 control mining. Mining permits are not concessions under the Conservation Act 1987.

Access to Crown minerals on public conservation lands and waters requires an access arrangement, authorised by the Minister of Conservation.

The Ngai Tahu (Pounamu Vesting) Act 1997 vested in Ngai Tahu ownership of all pounamu occurring in its natural condition found in the Takiwā of Ngai Tahu Whanui and in adjacent parts of the territorial sea and its seabed and subsoil. Te Rūnanga o Ngāi Tahu has issued a Pounamu Resource Management Plan that sets out its policies for the protection, collection and extraction of pounamu.

Section 8(2) of the Crown Minerals Act 1991 provides for the use of Crown-owned minerals that exist in a natural state by the Department, or any other occupiers of the land in which those minerals occur, for the purposes of reasonable domestic, road making or building purposes on that land. Removal of sand, shingle or other natural material from the bed of a lake or river is covered by section 13 of the Resource Management Act and will require a resource consent from the relevant territorial authority. A concession under the relevant Act will also be required.

POLICIES

11.4 Crown Minerals and Pounamu

- 11.4 (a) All applications for access arrangements to minerals on public conservation lands and waters will be considered under section 61(1A), where applicable, and section 61(2) of the Crown Minerals Act 1991.
- 11.4 (b) Access arrangements for the removal of pounamu from public conservation lands and waters within the takiwā of Ngai Tahu will be considered only where the applicant has authorisation for collection from the kaitiaki rūnanga of Te Rūnanga o Ngāi Tahu.
- 11.4 (c) Conservation management strategies and plans will identify the criteria for the removal of sand or shingle or other natural mineral material from the bed of a lake or river to prevent:
 - i. disruption of natural processes including fish migration;

12. Research and Information Needs

Successful management of public conservation lands and waters requires a sound understanding of the patterns and processes of the natural world, of the impacts of use, and of the broader contribution these places make to New Zealand.

POLICIES

- 12 (a) Research and monitoring on public conservation lands and waters should be allowed where it:
- informs conservation management or contributes to interpretation and education, or improves knowledge of natural processes;
 - has no adverse effect on the statutory purposes for which the place is held;
 - has no adverse effect on the enjoyment of the public; and
 - does not pose unacceptable risks to natural, historical and cultural heritage.
- 12 (b) Mātauranga Māori and tangata whenua interests in research and monitoring on public conservation lands and waters, species and resources should be recognised and may be supported by collaborative arrangements.
- 12 (c) Applications for the collection of material from public conservation lands and waters, whether for commercial or non-commercial use (excluding prospecting and mining covered by the Crown Minerals Act 1991), including indigenous species (or parts thereof), fossilised plant or animal material, soils, rocks and any other geological materials will be considered on a case by case basis. Criteria include:
- collection is consistent with legislation, conservation management strategies and plans and the Department's Treaty responsibilities;
 - collection is essential for either management, research, interpretation or educational purposes;
 - the amounts to be collected are small in relation to the abundance of the material;
 - whether collection could occur outside or elsewhere within public conservation lands and waters where the potential adverse effects could be significantly less; and
 - minimal adverse effects from collection.
- 12 (d) Any property rights, including intellectual property rights, should be safeguarded for the benefit of the Crown, on behalf of the people of New Zealand.
- 12 (e) Recovery of authorisation costs for research, collection or educational activities may be waived or reduced where:
- research or collection makes a direct contribution to management;
 - research or collection supports departmental priority outcomes;
 - research or collection is for Māori customary use; or
 - educational activities are non-commercial.
- 12 (f) Results of research and monitoring on public conservation lands and waters should be made publicly available unless withheld for good reason under the Official Information Act 1982.
- 12 (g) Management actions should be monitored and evaluated at regular intervals to assess their effectiveness and inform future management decisions.
- 12 (h) Any information collected or research undertaken by the Department on private land will be carried out with the agreement of the landowner. The information and research results will be made available to the landowner.
- requires access to private land
Alan Ross.*

objectives or policies expressed in the strategy or plan or the public interest in the area concerned, including where the proposed amendment:

- i. corrects a factual error;
- ii. updates information on protected areas managed by the Department;
- iii. changes the names or classification of places following reclassification in accordance with the relevant legislation;
- iv. reflects changes in legislation;
- v. provides clarification of an objective or policy; or
- vi. deletes reference to a conservation management plan that has been revoked.

Released under the Official Information Act 1982

GLOSSARY

Aircraft

Any machine that can derive support in the atmosphere from the reactions of the air otherwise than by the reactions of the air against the surface of the earth.

Animal

Any mammal, bird, reptile, amphibian, fish (including shellfish) or related organism, insect, crustacean, or organism of every kind; but does not include a human being. (section 2, Reserves Act 1977).

Any member of the animal kingdom other than a human being. (section 2, Conservation Act 1987).

Area

Has the same meaning as in the relevant statute.

Authorisation

Collective term for all types of approvals provided for in a statutory process by the Department of Conservation.

Biodiversity

The variability among living organisms from all sources including terrestrial, marine and other aquatic ecosystems and ecological complexes of which they are part. This includes diversity within species, between species and of ecosystems. (United Nations Conference on Environment and Development 1992).

Biosecurity

The exclusion, eradication or effective management of risks posed by pests and diseases to the economy, environment and human health.

Building

Has the same meaning as given to it by sections 8 and 9 of the Building Act 2004.

Burning, prescribed

The controlled application of fire, under specified conditions, to achieve a fire of required intensity and rate of spread to attain planned management objectives.

Concession

A lease, license, permit or easement, granted under Part IIIB of the Conservation Act, to enable the carrying out of a trade, occupation or business on areas managed by the Department of Conservation.

Conservation

The preservation and protection of natural and historic resources for the purpose of maintaining their intrinsic values, providing for their appreciation and recreational enjoyment by the public, and safeguarding the options of future generations. (section 2, Conservation Act 1987).

Conservation boards

Conservation boards are established under section 6L of the Conservation Act 1987. The primary functions and powers of conservation boards are set out in the Conservation Act 1987 and the National Parks Act 1980 (sections 6M and 6N, Conservation Act 1987 and section 30, National Parks Act 1980).

Conservation management plan

A plan for the management of natural and historic resources and for recreation, tourism and other conservation purposes which implements a conservation management strategy and establishes detailed objectives for integrated management within a place or places specified in a conservation management strategy. (section 17E, Conservation Act 1987).

Fish and Game Council

Statutory body with functions pertaining to the management, maintenance and enhancement of the sports fish and game [bird] resource in the recreational interests of anglers and hunters. (section 26P, Conservation Act 1987).

Fishery

One or more stocks or parts of stocks or one or more species of freshwater fish or aquatic life that can be treated as a unit for the purposes of conservation or management. (section 2, Conservation Act 1987)

Freshwater fish

Includes finfish of the Classes Agnatha and Osteichthyes, and shellfish of the Classes Mollusca and Crustacea, that must at any time in the life history of the species, inhabit freshwater; and includes finfish and shellfish that seasonally migrate into and out of freshwater.

Game birds

Means the wildlife declared to be game specified in the First Schedule to the Wildlife Act 1953. As at the date of the adoption of this General Policy they are all birds viz: black swan, Canada goose, chukar, grey duck, mallard duck, paradise duck, spoonbill duck, partridge, red-legged partridge, pheasant, pukeko, Australian quail, Californian quail and Virginian quail.

Habitat

The environment within which a particular species or group of species live. It includes the physical and biotic characteristics that are relevant to the species concerned.

Historical and cultural heritage

Any building or other structure, archaeological site, natural feature, wāhi tapu, or object, associated with people, traditions, events or ideas, which contribute to an understanding of New Zealand's history and cultures.

Historic place

- (a) Means:
 - i. any land (including and archaeological site);
 - ii. any building or structure (including part of a building or structure); or
 - iii. any combination of land and a building or structure;
- (b) that forms part of the historical and cultural heritage of New Zealand and lies within the territorial limits of New Zealand; and
- (c) includes anything that is in or fixed to such land. (section 2, Historic Places Act 1993).

Historic resource

Means a historic place within the meaning of the Historic Places Act 1993; and includes any interest in a historic resource. (section 2, Conservation Act 1987).

Indigenous species

Refers to plants and animals that have established in New Zealand without the assistance of human beings and without the assistance of vehicles or aircraft. This includes species that are unique to New Zealand as well as those that may be found elsewhere in the world. Use of the words 'indigenous' and 'native' have the same meaning in this policy. (NZCA, unpublished).

Information

Includes interpretation.

Integrated conservation management

The management of natural resources, and historical and cultural heritage, and existing or potential activities in a manner which ensures that priorities are clear and that the effects of each activity on others are considered and managed accordingly.

Intellectual property rights

Ownership of knowledge or vested interest in the ownership of knowledge.

Network

A system of interconnected conservation areas that commonly transcend eco-region boundaries to conserve wide-ranging and migratory species.

New Zealand Biodiversity Strategy

A government-approved national strategy (2000) providing an integrated response to New Zealand's declining indigenous biodiversity, prepared in part to meet a commitment by New Zealand under the Convention on Biological Diversity.

New Zealand Conservation Authority

A national body of 13 appointed members established under section 6A of the Conservation Act 1987. Amongst other functions, it has the statutory responsibility for approving General Policy for national parks, conservation management strategies and plans and national park management plans. (section 6B, Conservation Act 1987 and section 18, National Parks Act 1980).

Outcome**Desired future state****Participation**

The contribution of effort, information and ideas towards the work of the Department.

Partnerships

The relationship between individuals or groups that is characterised by mutual co-operation and responsibility for the achievement of a specific goal.

People and organisations

An inclusive phrase used to refer to all individuals, clubs, companies, councils and other organisations and groups, both public and private, with an interest in the policies and actions undertaken by the Department of Conservation in relation to public conservation land and waters and species management.

Pest

Any organism, including an animal, plant, pathogen and disease, capable or potentially capable of causing unwanted harm or posing significant risks to indigenous species, habitats and ecosystems.

Place

An area identified in a conservation management strategy or management plan for the purposes of integrated conservation management. It may include any combination of terrestrial, freshwater and marine areas and may be determined by a range of criteria including but not limited to: ecological districts, geological features, catchments, internal departmental, regional or district council or rohe/takiwā boundaries, land status, major recreation or tourism destinations, commonality of management considerations, unique management needs.

Pounamu

New Zealand greenstone: Bowenite, nephrite or jade.

Pou whenua

Pole

boundary marker

Preservation

In relation to a resource, means the maintenance, so far as is practicable, of its intrinsic values. (section 2, Conservation Act 1987).

Principles of the Treaty of Waitangi

The principles of the Treaty of Waitangi identified from time to time by the Government of New Zealand.

Private accommodation

Place to live or lodge which is not available to the general public on an open basis.

Takiwā

Place or territory used by or associated with an iwi, hapu or whanau.

Tangata whenua

Iwi or hapu that has customary authority in a place.

Taonga

Valued resources, or prized possessions held by Māori, both material and non-material. It is a broad concept that includes tangible and intangible aspects of natural and historic resources of significance to Māori including wāhi tapu and intellectual property.

The Crown

Her Majesty the Queen acting through Ministers and departments of State.

Tikanga

Māori custom, obligations and conditions.

Unwanted aquatic life

Any species (including subspecies, hybrids, and variations of that species) listed in the Third Schedule to the Freshwater Fisheries Regulations 1983; or any species of fish, aquatic life, or seaweed that is determined by a chief technical officer under the Biosecurity Act 1993 to be an unwanted organism.

Unwanted organism

Any organism capable or potentially capable of causing unwanted harm, or posing significant risks, to New Zealand's indigenous biodiversity

Use

Includes cumulative impacts or effects.

Utilities

Includes but not limited to: structures and infrastructure for telecommunications; energy generation and transmission; sewerage; water supply and flood control; oil and gas; roads and airstrips; hydrological and weather stations.

Vehicle (under review)**Viability**

The ability of a species or a community to persist over time.

Wāhi tapu

Place sacred to Māori in traditional, spiritual, religious, ritual or mythological sense. (Historic Places Trust Act 1993).

Wetlands

Permanent or intermittently wet areas, shallow water or land-water margins. They include swamps, bogs, estuaries, braided rivers, and lake margins.

Whakapapa

Recounting of genealogical lineage; genealogy.

Genealogy, tribal ancestry and the interrelationships between all things.

Whanau

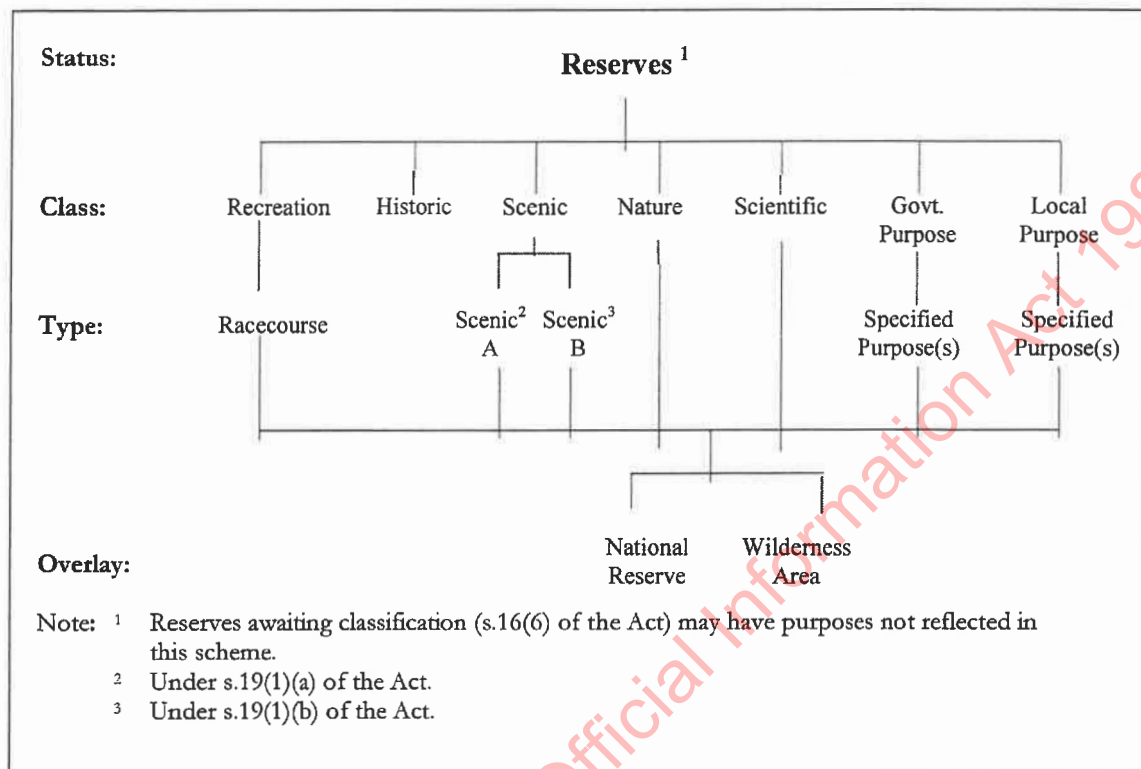
Family groups.

Wild animal

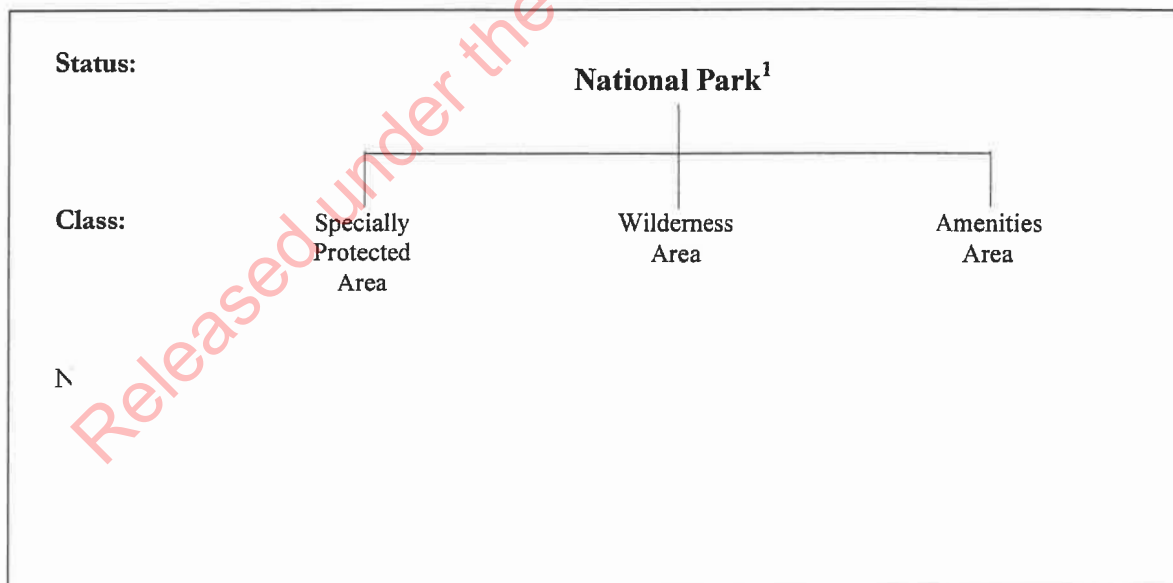
Wild animal has the meaning set out in the Wild Animal Control Act 1977 and includes: possums; deer, wallabies, thar, wild goats, wild pigs, and chamois. (section 2, Wild Animal Control Act 1977).

Tables showing the range of protected areas under the Reserves Act 1977, the National Parks Act 1980, the Conservation Act 1987 and the Wildlife Act 1953.

RESERVES ACT



NATIONAL PARKS ACT



New Zealand Conservation Authority Meeting No. 144	Agenda Item: 144.22
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REPORT

Meeting Date: 4 August 2015

Prepared By: Poma Palmer, Statutory Management Planner,
Planning, Permissions and Land, Shared Services, Christchurch

Subject: **Draft Canterbury (Waitaha) Conservation Management Strategy**

NZCA Strategic Priority and/or the Relevant DOC SOI Goal	Statutory requirement under section 17F Conservation Act 1987, to consider and approve the draft Canterbury (Waitaha) Conservation Management Strategy (CMS) as recommended by the Canterbury Aoraki Conservation Board.
Recommendation or Action Required	It is recommended that the Authority: a) Agree to accept for consideration, the draft Canterbury (Waitaha) CMS which is recommended for approval by the Canterbury Aoraki Conservation Board. b) Agree to accept for consideration the Summary of Submissions on the notified draft Canterbury (Waitaha) CMS. c) Note that the Certificate of Compliance demonstrates that the draft Canterbury (Waitaha) CMS preparation process complies with all relevant statutory requirements, including Treaty Settlement legislation where applicable. d) Note that the draft Canterbury (Waitaha) CMS meets the standards of best practice and qualities as described in the NZCA content and format check for CMS (10 July 2009), including the national CMS template. e) Note the section 242 Ngāi Tahu Claims Settlement Act 1998 obligation for the NZCA or the Conservation Board to consult with Te Rūnanga o Ngāi Tahu regarding Tōpuni within the CMS area, and that as the Board has consulted in this regard the NZCA needs to consider if it should consult also. f) Agree to consider the four matters on which the Canterbury Aoraki Conservation Board and the Department are unable to agree at this time. g) Agree to consider the revisions sought by the Conservation Board and the Department, as itemised in Appendix 3 to the Certificate of Compliance, that are not able to be linked to any submission. h) Agree to send the draft Canterbury (Waitaha) CMS and other relevant information to the Minister and consider any written recommendations the Minister considers appropriate.

	i) Approve the Canterbury (Waitaha) CMS in accordance with the NZCA adopted procedure for the consideration of statutory management planning documents.
Context	The draft Canterbury (Waitaha) CMS is an output from the national review of CMS and is presented to NZCA in conjunction with the draft Otago and the Southland Murihiku CMS. The Certificate of Compliance records the processes undertaken in accordance with the Conservation Act 1987, the Ngāi Tahu Claims Settlement Act 1998, and the Canterbury Earthquake Recovery Act 2011. The Canterbury Aoraki Conservation Board has considered the draft CMS and forwards the revised draft CMS to NZCA for consideration and approval. The Board also advises the Authority that there are four matters on which the Board and the Department are unable to agree at this time.

Released under the Official Information Act 1982

New Zealand Conservation Authority Meeting No. 144	Agenda Item: 144.22
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REPORT

Meeting Date: 4 August 2015

Prepared By: Poma Palmer, Statutory Management Planner,
Planning, Permissions and Land, Shared Services, Christchurch

Subject: **Revised draft Canterbury (Waitaha) Conservation Management Strategy**

Background/Introduction

1. The Certificate of Compliance needs to be read in full to completely understand the processes followed for the Canterbury (Waitaha) CMS; what follows is a brief summary of that Certificate.
2. The Canterbury (Waitaha) CMS covers the area of the former Canterbury Conservancy as at 2012, including the Aoraki Mount Cook National Park and the Canterbury part of the Arthur's Pass National Park.
3. Public conservation lands and waters data in the draft CMS Volume II was correct as at December 2012. Additions and changes to those lands and waters since that date are listed in Appendix 1 to the Certificate of Compliance and the Draft CMS data will be updated before CMS approval.
4. In reviewing the CMS, over 600 concessions, two national park management plans, the Te Waihora Joint Management Plan (2005), the Molesworth Plan (2013) and twelve older management plans were had regard to. The intention is to revoke the twelve older plans once the CMS is approved.
5. Review of the Canterbury Conservation Management Strategy 2000 started in 2008, but was interrupted during 2009-2010 while a national CMS template was developed.
6. Pre-statutory consultation with Ngāi Tahu, local and central government and the community culminated in a draft Canterbury CMS, notified in June 2013 together with draft Otago and Southland Murihiku CMS.
7. The draft was available for public submissions from June 2013 to September 2013. It was distributed widely and was accessible on the Department's website. A total of 342 submissions were received, and 69 submitters attended hearings. Hearing committees comprising Department staff and Conservation Board members completed hearings in November 2013.
8. Submissions were summarised and responses developed by the Department, including through the development of a Common Issues Report for issues that had multiple similar submissions and/or were common to all three CMS. The revised draft Canterbury CMS and the Summary of Submissions was forwarded to the Canterbury Aoraki Conservation Board in November 2014.
9. The Canterbury Aoraki Conservation Board considered the revised draft CMS and summary of submissions, and negotiated revisions with the Department. In April 2015 the Board sought an extension of time and the Minister granted this until 04 August 2015.
10. The Canterbury (Waitaha) CMS meets statutory, policy, content, structure and style requirements and as such is fit for consideration and approval by the NZCA.

Details/Comment

11. Most matters within the Canterbury (Waitaha) CMS are common to the Otago and Southland Murihiku CMS, but matters particularly developed for the Canterbury CMS include policies for:
- Legal roads through public conservation lands
 - Recreation activities using fixed anchors
 - Ski fields
 - Gemstone fossicking
12. Of the 342 submissions received, the majority came from aircraft operators, four-wheel drive users, recreational hunters, horse riders, and outdoor recreationists and environmental interests generally.
13. Submission issues that had multiple similar submissions and/or were common across the three southern CMS, and which are consequently addressed in the Common Issues Report as part of the submission responses, are:
- Aircraft
 - Destination management and recreation
 - Commercial filming and photography
 - Horse riding
 - Hunting
 - Legal roads through public conservation lands
 - Mapping
 - Motorised vehicles
 - Mountain biking
 - Natural heritage management system
 - Over-snow vehicles
 - Private accommodation and related facilities
 - Wilderness areas
 - Marine protected areas
 - Stewardship areas and other public conservation lands and waters classification/reclassifications
14. Main revisions to the draft CMS, as determined by the extent of text revision, include:
- A more explicit Interpretation section, with policies.
 - Clarification of the Treaty partnership with Ngāi Tahu and additional statements on Ngāi Tahu values.
 - Format, numbering and wording consistency where possible in Parts 1 and 3, between the three southern CMS (and now in the CMS Template).
 - Clarification of the use of the National Heritage Management System (NHMS) and its priority ecosystem units; and of Destination Management (DM) and its recreation destinations.
 - A re-ordering of the Place sections to reflect ki uta ki tai – the mountains to the sea.
 - Recognition of extensive additional public conservation lands and waters, including the Akaroa Marine Reserve, since the draft CMS was prepared.
 - Refinement of policies regarding legal roads running through public conservation lands.

- Revision of the Milestones to make them more relevant in measuring achievement of the outcomes and objectives in the CMS.
- Revision of the Part 3 (and the Template) format for consistency, legal precision and completeness.
- Addition of policy for electric power-assisted pedal cycles.
- Revision of the aircraft policies and aircraft access maps to both clarify the policies and obtain consistency of approach between the three southern CMS.
- More thorough analysis of the private accommodation and related facilities on public conservation land.
- Updating provisions flowing from the amended Crown Minerals Act 1991 and the Game Animal Council Act 2013.
- Updating where needed of all Appendices.
- The addition of an Appendix listing publicly-available huts on public conservation lands and/or managed by the Department.

15. Particular attention is drawn to four matters on which the Board and Department are unable to agree at this time:

- A revision request from the Board regarding the wording around Ngāi Tahu involvement up to decision making, which request is awaiting further legal advice.
- A revision request from the Board regarding rock climbers fixed anchors at Kura Tāwhiti (Castle Hill) Scenic Reserve that is awaiting a Tōpuni consultation response from Te Rūnanga o Ngāi Tahu before the request can be fully considered.
- A revision request from the Board, supported by the Department, for Tōpuni milestones that is awaiting a Tōpuni consultation response from Te Rūnanga o Ngāi Tahu.
- A revision request from the Board, opposed by the Department, for a commitment to the retention and addition of milestones for national park management plan, conservation management plan and CMS reviews by ten years after current plan approval dates.

Section 4 Conservation Act

16. The Canterbury (Waitaha) and the adjoining Otago and Southland Murihiku CMS areas are entirely within the rohe of Ngāi Tahu.
17. Giving effect to the Treaty of Waitangi and section 4 Conservation Act 1987, including through implementation of the Ngāi Tahu Claims Settlement Act 1998, has been built into the whole CMS text and the draft CMS revision process.
18. For Ngāi Tahu, the Department's consultation, submission and submission clarification processes, and the Board's consultation processes, are set out in the Certificate of Compliance.

Conclusion

19. The Canterbury (Waitaha) CMS meets the statutory and policy requirements and reflects the considerable contribution of Departmental staff, Ngāi Tahu, communities, stakeholders, and agencies in its development.

**CANTERBURY (WAITAHA)
CONSERVATION MANAGEMENT STRATEGY
REVIEW 2008-2015**

CERTIFICATE OF COMPLIANCE – for NZCA

This certificate of Compliance sets out the statutory processes followed when preparing the recommended Draft Canterbury (Waitaha) Conservation Management Strategy (CMS), in accordance with:

- The Conservation Act 1987 (CA87), Part 3A, and particularly sections 17D and 17F; and
- Giving effect to the principles of the Treaty of Waitangi (section 4 CA87)
- Other relevant acts, including the Ngāi Tahu Claims Settlement Act 1998 and the requirement to consult under the Marine Reserves Act 1971 and the Marine Mammal Protection Act 1978;

**1. Section 17D Conservation Act 1987
Conservation Management Strategies**

17D(1) The purpose of a conservation management strategy is to implement general policies and establish objectives for the integrated management of natural and historic resources, including any species, managed by the Department under the Wildlife Act 1953, the Marine Reserves Act 1971, the Reserves Act 1977, the Wild Animal Control Act 1977, the Marine Mammals Protection Act 1978, the National Parks Act 1980, or the Conservation Act 1987, or any of them, and for recreation, tourism, and other conservation purposes.

The CMS implements Conservation General Policy 2005 and the General Policy for National Parks 2005 (for Aoraki/Mount Cook and Arthur's Pass National Parks), and establishes outcomes, objectives and policies for the integrated management of natural and historic resources for conservation purposes. In addition, the CMS gives effect to the Ngāi Tahu Claims Settlement Act 1998 (see section 1.4 of the CMS in particular). The relevant provisions of the other legislation listed above have also been taken into account.

17D(2) Within 5 years ... such conservation management strategies as may be necessary ... shall be prepared by the Director-General for approval by the Conservation Authority in accordance with section 17F.

Not applicable as this section of the CA87 applies to the preparation of original conservation management strategies, i.e. Canterbury CMS 2000-2009.

17D(3) ... the Director-General shall determine the boundaries of a conservation management strategy.

The boundaries of the Canterbury (Waitaha) CMS were determined at the commencement of this review and are as for the operative conservation management strategy, with a slight southern boundary extension. This CMS covers what was previously the Canterbury Conservancy as at 2012.

17D(4) Nothing in a Conservation Management Strategy (CMS) shall –
(a) derogate from any provision of this Act or any other Act; or
(b) derogate from any general policy approved under any of the Acts referred to in subsection (1); or

- (c) affect any agreement or arrangement entered into under this Act or any other Act between the Minister and any land owner other than the Crown or between the Director-General and any such land owner.

This CMS has been prepared in accordance with the national template, and addresses all relevant statutory provisions, and has been subject to legal review. The Director-General considers that the CMS meets the tests of section 17D(4).

17D(5) A conservation management strategy may require the preparation of a conservation management plan under any Act specified in the Schedule 1 to this Act other than the National Parks Act 1980

This CMS does not require the preparation of any conservation management plan, although it does propose additions to the Aoraki/Mount Cook and Arthur's Pass National Parks that, if adopted, will need addressing through amendments or, more probably, at the time of next reviews of the existing management plans.

17D(6) Any conservation management plan approved in respect of any conservation park or under the National Parks Act 1980 may be approved as a conservation management strategy by the Conservation Authority in accordance with paragraphs (m) to (p) of section 17F, as if it were a draft conservation management strategy

There are two such conservation management plans within Canterbury, the Aoraki/Mount Cook (2004) and Arthur's Pass (2007) National Park Management Plans prepared under the National Parks Act 1980.

The Department does not seek to approve either of these plans as a CMS.

17D(7) A conservation management strategy shall identify and describe all protected areas managed by the Department within the boundaries of the strategy

The CMS includes in Volume II-Maps the identification and description of all public conservation lands and waters managed by the Department within the boundaries of the CMS area.

Volume II has not been updated since public notification occurred in June 2013 using at that time the land inventory database as at 21 December 2012. Due to the Department's ongoing programme of land acquisitions, disposals and exchanges, Volume II will need updating prior to publication following approval by NZCA. In the meantime, a schedule of updates to the draft Volume II was provided for the Board and has been further updated for the Authority so that any implications could be addressed. These updates are attached as Appendix 1.

17D(8) When preparing a conservation management strategy, the Director-General shall have regard to any relevant concessions for the time being in force and to existing management plans under this Act or any Act specified in the Schedule 1.

In preparing this CMS regard has been given to existing concessions and management plans.

Concessions

There were over 600 concessions existing within Canterbury at the time the CMS review was initiated in 2008. A Canterbury concessions workshop was held in April 2008 at which concessionaires and TIANZ were advised on the CMS review process and consulted on the choice of "places"; further advice and the opportunity to offer comment was available via the DOC CMS webpage and Canterbury Conservancy newsletters.

All concessionaires with concessions operating in Canterbury were informed by letter or email of the Draft CMS public notification.

Existing concession activity that will or may be affected (beneficially or otherwise) by the Draft CMS include those for aircraft use (although the aircraft provisions largely follow those of the Canterbury Guidelines for Aircraft Access that have been in use since 2009), ski fields, grazing near rivers, private accommodation, and some guiding activities, including guiding within the Canterbury part of the Adams Wilderness Area.

All concessionaires may continue to operate as before. However, when seeking new concessions, they may find that there are additional, lesser or amended conditions placed on their activity, in order to comply with the reviewed CMS.

Management plans

The two current National Park Management Plans (Aoraki/Mount Cook and Arthur's Pass), the Te Waihora Joint Management Plan (2005) and the Molesworth Plan (2013) are not affected by this CMS. The CMS refers to and reflects the provisions in these management plans for the management of a wide range of activities (see revised Policies 2.1.1 and 2.9.16). The CMS does provide for additions to both national parks.

There are twelve existing, albeit mostly dated, other conservation management plans (see Appendix 2) that are proposed be revoked (Reserves Act 1977) or withdrawn (Conservation Act 1987) once the CMS is approved. The CMS incorporates the provisions of these plans, where they are still relevant and needed.

2. Section 17H and 17I Conservation Act 1987

Reviews of/amendments to conservation management strategies

Review or amendment of conservation management strategies (in whole or in part) is undertaken so that increased knowledge or changing circumstances are taken into account.

A whole review of a conservation management strategy is required within 10 years of its approval (section 17H(4)(b) Conservation Act 1987).

The current Canterbury CMS was approved in 2000. Review of the CMS started in 2008. Its progress has been affected by CMS national template re-design, the Christchurch earthquakes and two restructures within the Department.

3. Section 17F Conservation Act 1987

Procedure for preparation and approval of conservation management strategies

17F(a) every draft shall be prepared by the Director-General in consultation with the Conservation Boards affected by it and such other persons or organisations, as the Director-General considers practicable and appropriate

After consultation with the Canterbury Aoraki Conservation Board, a review of the Canterbury CMS 2000-2009 began in 2008, although with some background reports to the Board from September 2007. From 2008 to October 2009 the review proceeded with consultations as in Table 1. Due to resource constraints the consultation approach taken at this time in Canterbury was to utilise all existing public contact processes and the DOC web site to a) get it known that the CMS review was underway, and b) to get informal comments on the choice of Places and the conservation issues of concern.

Table 1: Consultation undertaken 2008-09, as required by section 17 F

Who consulted	When/Where/What
Ngāi Tahu (Te Rūnanga o Ngāi Tahu & Papatipu Rūnanga)	• March 2008: Whole rohe hui • April 2008: TRONT discussions, including development of section 1.4 • June & Sept 2008: Kaitiaki Roopu
NGO national Forum	April 2008: National NGO Forum presentation.
'Conservation' organisations incl – • RF&BPS, NZDA, NZAC, FMC, • Talbot Forest Cttee, • Sth DOC-associates (Raukapuka-Twizel Area Office associates) • Nth Cant Recreation Users Group, • Sea Kayak Network, • Otamahua Restoration Trust, • Over-Forties Tramping Club, • MTB NZ, • Hanmer Forest Trust, • Mineral & Lapidary clubs, • NZ Horse Recreation	• Notifications, meetings & discussions.
River catchment groups: • Waihao Wainono Water Users Soc, • Orari Rr Group, • Ashburton River Mouth Cttee	• Meetings & discussions.
Tourism Industry Association NZ (TIANZ) & concessionaires	• April 2008: Workshop • Oct 2008: Ski Areas Assn NZ conference session.
Local authorities	• Letters to all LA councillors & community board members; • Meetings with Environment Canterbury, Christchurch CC & Ashburton DC.
Statutory 'conservation' bodies: • Nth Canterbury & Central Sth Is Fish & Game Councils, • NZHPT (now Heritage New Zealand Pouhere Taonga)	• Meetings & discussions.
4WD groups	• September 2008: Whole day workshop.
Other commercial bodies: • Meridian Energy, • eel fishers, • film industry, • Hurunui Irrigation • Landcare Research	• Meetings &/or discussions.
Public generally	• Comment sought on the Draft Canterbury Guidelines for Aircraft Access (2009), on DOC web. • Comment sought on Peoples benefit and enjoyment, Canterbury analysis

	2009, on DOC web. • Attendance at discussions re WARO concession renewals, during 2009. • Background recreation, aircraft, and pre-draft Place sections placed on DOC Web for informal comment; • posters to libraries; • Canterbury @DOC newsletters.
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While consultation with the Board was ongoing throughout the whole CMS drafting period, and consultation with Ngāi Tahu and other persons and organisations was progressing well through 2008-2009, the disruptions following the Christchurch earthquakes (Sept 2010 – Dec 2012), CMS project management problems, and tight CMS deadlines saw Canterbury proceeding on a ‘best endeavours’ basis, with a fall-off in ‘best practice’ for consultation involving Department initiatives. Initiatives from groups outside of the Department though, were responded to.

The national CMS review process was placed on-hold from late 2009 until April 2011 when the new CMS Template and national prioritisation tools were publicly launched along with new consultation requirements, although some related work occurred in 2010, as all set out in Table 2.

Table 2: Consultation undertaken 2010-12 as required by section 17 F

Who consulted	When/Where/What
Ngāi Tahu (Te Rūnanga o Ngāi Tahu & Papatipu Rūnanga)	• From mid-2010: Sought discussion re Pohatu Marine Reserve. • May 2012: Tuahuriri Runanga. • Sept 2012: TRONT. • Oct 2012: Kaikoura, Tuahuriri & Banks Peninsula Runanga. • Dec 2012: TRONT/Kaitiaki Roopu.
Pohatu Marine Reserve Advisory Cttee	• Meetings & discussions following Ombudsman’s report.
‘Conservation’ organisations (Rod Donald Banks Peninsula Trust, Otamahua Ecological Restoration Trust, Peel Forest & Talbot Forest groups, NZAC, Mt Somers Trust, Mineral & Lapidary clubs, Nth Cant Recreation Users Group, NZ Walking Access Commission, RF&BPS)	• Meetings & discussions. • NZAC contact re fixed-anchors. • Mineral & Lapidary clubs re gemstone collection policy.
Federated Farmers	• Meeting re grazing of high-country pcl.
Loch Katrine hut-holders	• August 2011: Meeting.
TIANZ & concessionaires	• Ski Area Assn NZ contact re climate change research.
Recreational & commercial hunters	• NZDA contact; • July 2011: AATH workshop; • Sept 2011: Raukapuka Hunter Liaison Mtg; • Sept 2011: AATH public meeting; • March 2012: recreational hunter

	workshop.
Other commercial (film industry,)	• April 2012: Film NZ workshop.
4WD & other vehicle groups	• Discussions with recreational & commercial users re 4WD & snow-mobile use, and 4WD definitions.
Statutory 'conservation' bodies - NZHPT (now Heritage NZ)	• Nov 2012: Meeting
Aircraft operators (Gliding NZ, NZ Recreational Fixed-wing Aircraft Users)	• Meetings & discussions
Environment Canterbury	• Meeting
Public generally	• Updated DOC web page; • Canterbury @DOC newsletters; • Poster & CMS Factsheet distribution.

17(F)(b)-(e) subsections address the public notification¹ and submission process for a CMS, including how the notification occurs and the minimum time period for submissions. It also enables the Department, after consultation with the Board at this time, to obtain public opinion by other means from any other person or organisation.

The draft CMS was notified on 26 June 2013, by advertisement in the national newspapers (as required by section 49(1) Conservation Act: NZ Herald, Dominion Post, Christchurch Press, Otago Daily Times) and selected other and local newspapers (Akaroa Mail, Ashburton Guardian, Geraldine News, Greymouth Star, High Country Herald, Kaikoura Star, Mountain Scene, Nelson Mail, Oamaru Mail, Southland Times, The Star Christchurch, Waikato Times, West Coast Messenger, Westport News). This notice detailed where the draft CMS could be obtained (as hard copy or CD versions) and where it was available for public inspection.

At the time of notification, hard copies of the draft CMS were sent to about 50 people and organisations, including Te Rūnanga o Ngāi Tahu and Papatipu Rūnanga, local authorities (Environment Canterbury, Christchurch City Council, and Hurunui, Waimakariri, Selwyn, Ashburton, Timaru, Mackenzie, Waimate and Waitaki District Councils), adjacent Conservation Boards (Nelson/Marlborough, West Coast, Otago), and libraries (Ashburton, Christchurch Central, Geraldine, Hanmer Springs, Rangiora, Timaru, Twizel).

To advise of the Draft CMS notification, 879 concessionaires nationally were advised by email, and 54 CD copies, 64 letters and 223 emails were sent to mostly Canterbury-based interested parties, including local community groups, industry groups, recreational groups, tourism groups, government departments, interested individuals and environmental groups. The Draft CMS and submissions forms were posted on the Internet at www.doc.govt.nz/cms.

Local libraries and information centres were asked to assist the Department by making the CMS and submission forms available on public display. The Department's National Office, and all Conservancy Offices and Area Offices in Canterbury, displayed copies of the draft CMS. Further copies of the CMS were supplied on request.

All hard copies had a CD version enclosed. The CD and the DOC website included 24 detail maps each for Map 3 Visitor management settings and Map 4 Aircraft access that for cost reasons were not included within the hard copy version.

¹ Note this public notification has to occur in accordance with section 49(1) of the Conservation Act.

Submission forms were made available with the draft CMS to assist people unfamiliar with making submissions in structuring their written submissions and to assist the Department's analysis. Submissions were also accepted to the e-mail address: southislandcms@doc.govt.nz.

Meetings were held with potential submitters who requested them, or who had contributed significantly to the draft CMS development, or who had a history as major submitters on management planning documents (see Table 3).

Table 3: Meetings held with potential submitters

Potential submitters	When/Where in 2013
Federated Mountain Clubs	04 July - Christchurch
Waimakariri Ecological Restoration Cttee	15 July - Christchurch
4WD clubs	18 July - Christchurch
Film NZ	14 August - Christchurch
TIA & concessionaires	15 August - Tekapo
TIA & concessionaires	16 August - Christchurch
NZDA & recreational hunters	17 August - Christchurch
FMC/CSIF&GC/Awakino Ski field	19 August - Dunedin
Environment Canterbury	22 August - Christchurch
FMC/NZDA	28 August - Christchurch
Forest & Bird	29 August - Christchurch
Federated Farmers (Banks Peninsula)	03 September - Christchurch

Given difficulties for both the Department and Ngāi Tahu in engaging in consultation during the Draft CMS development stages, further consultation was offered once the Draft CMS was notified, but was declined by Te Runanga o Ngāi Tahu at this time.

The draft CMS was available for public submissions for 58 working days. Submissions closed on 13th September 2013. Late submissions were accepted up until 6 days past the due date.

A national media release was sent out through local and national newspapers. National magazine and DOC newsletter coverage also occurred.

No other methods were used to obtain “public opinion” in terms of s. 17F(d).

Requirements for consultation under the Marine Reserves Act 1971 and the Marine Mammal Protection Act 1978

The Department consulted with the Ministry of Fisheries in 2009, in accordance with section 7 of the Marine Reserves Act 1971, on the pre-draft CMS sections with marine and coastal lagoon content. The Ministry, now part of Primary Industries, was consulted again after public notification of the draft CMS, but had no comment to make on the draft.

The Department consulted with the Ministry of Transport and Environment Canterbury after public notification of the draft CMS (refer section 3C of the Marine Mammals Protection Act 1978). The Regional Council made no comments relating to marine mammals or marine reserves in their written submission. The Ministry of Transport had no comment to make in regards to marine mammals or marine reserves.

17F(f) The Director-General shall give every person or organisation who or which, in making any submissions on the draft, asked to be heard in support of his or her or its submissions a reasonable opportunity of appearing before a meeting of the representatives of the Director-General and the Conservation Boards affected.

The Department received 342 written submissions on the Draft Canterbury CMS. All submitters received an acknowledgement of their submission.

A series of hearing meeting panels, each² comprising two Canterbury Aoraki Conservation Board members and two representatives of the Director-General (one of whom chaired the hearing panel) heard submissions. A Department management planner attended to coordinate submitters, record presentations and advise the hearing committee. Other staff and Conservation Board members attended various hearings as observers.

All 85 submitters who indicated a wish to be heard were able to be provided with suitable hearing times and venues, including telephone conferences for two submitters. A few submitters given hearing times did not in the end attend the hearings³. A series of ten submissions hearings were held in October and November 2013, where 69 submissions were spoken to. Table 4 below lists the dates and locations of each hearings session, the number of submitters heard, and the Board members in attendance.

Table 4: CMS Hearings

Hearing date	No. of subs.	Location	Board members attending
21 Oct 2013	14	Christchurch DOC Office	Jan Finlayson, John Keoghan
22 Oct 2013	6	Geraldine DOC Office	Jan Finlayson, John Lewis, David Round
23 Oct 2013	8	Twizel Mackenzie Country Inn	Jan Finlayson, Jimmy Wallace
24 Oct 2013	13	Christchurch DOC Office	David Round, John Lewis
25 Oct 2013	8	Rangiora DOC Office	Mal Clarbrough, Neil Hamilton
1 Nov 2013	1	Christchurch, Te Rūnanga O Ngāi Tahu	Jan Finlayson, Mal Clarbrough
4 Nov 2013	17	Christchurch DOC Office	Te Awhina Arahanga, David Matheson
5 Nov 2013	9	Christchurch DOC Office	Mal Clarbrough, Te Awhina Arahanga
6 Nov 2013	7	Christchurch DOC Office	Te Awhina Arahanga, John Keoghan, Joseph Hullen
29 Nov 2013	2	Rangiora DOC Office	Neil Hamilton

Hearing panel members were provided with hearings conduct advice and copies of submissions. Each submitter was allocated by agreement a time period, hearings were recorded and written notes made by panel members and the management planner. Any additional information presented by submitters was added to the initial submission files.

² A late-arranged hearing for just two submitters on 29 November had, by agreement with all, just one Departmental and one Board representative.

³ This may have come about through their misunderstanding that requesting a hearing was needed to have their submission accepted.

Following the hearings for all three southern CMS with Te Rūnanga O Ngāi Tahu, Papatipu Runanga and Ngāi Tahu Tourism, and completion of their submission summaries, four meetings were held with Te Rūnanga O Ngāi Tahu staff from January to March 2014 to address all the Ngāi Tahu submissions, and emails exchanged to clarify submission points, including by providing research and land status information.

To more fully understand the Ngāi Tahu submissions, in accordance with Treaty obligations under section 4 Conservation Act 1987, draft submission responses and draft revised CMS texts were provided to Ngāi Tahu and further consultation occurred. Several points within the Ngāi Tahu submissions offered to provide additional information (e.g. dual Place names); this information was requested but was not provided at this time.

17F(g) Representatives of the Director-General and Conservation Boards affected may hear submissions from any other person or organisations consulted on the draft.

No submissions were heard other than from those who made written submissions.

17F(h)–(i) subsections require that after summarising all submissions and public opinion the CMS shall be revised by the Director-General and sent, along with the summary, to the Conservation Board.

A summary of submissions lodged on the draft Canterbury CMS was prepared by the Department. The summary records the submission issues and decisions sought by the submitter and gives the Department's response to each submission point, and whether the CMS text was amended (see Attachments).

In addition, 15 Common Issues reports were prepared for issues that had multiple similar submissions and/or were common across all three southern CMSs. These reports address:

- Aircraft
- Destination management and recreation
- Commercial filming and photography
- Horse riding
- Hunting
- Legal roads through public conservation lands
- Mapping
- Motorised vehicles
- Mountain biking
- Natural heritage management system
- Over-snow vehicles
- Private accommodation and related facilities
- Wilderness areas
- Marine protected areas
- Stewardship areas and other public conservation lands and waters classification/reclassifications

These reports provide summaries of the submissions received on the particular issue, a discussion of the various points made, and responses.

The draft CMS was revised to reflect public submissions and responses by the Department. Text that had been deleted was shown as ~~striketrough~~, while text added was shown as underlined, both in red print, enabling all changes to be clearly identifiable for the conservation board.

17F(j) requires the Director-General to provide the summary of submissions and revised CMS to the Conservation Board within 8 months of the date of public notification, or such later date as may be fixed in that behalf by the Minister

The time period since public notification to provide the summary of submissions and revised Draft CMS to the Conservation Board exceeded the 8 month requirement set by section 17F(j) of the Conservation Act. The Minister however, granted the Department an extension of time (until 31 December 2014), in accordance with section 17F(j)(ii) of the Conservation Act.

17F(k) requires the Conservation Board to consider the revised draft CMS, request the Director-General to further revise the draft, and send the draft to the Authority for approval, together with a written statement on any matters of content on which the Director-General and the Board are unable to agree, and send a copy of the summary of submissions.

The Canterbury Aoraki Conservation Board (“the Board”) received the revised draft CMS from the Director-General on 20 November 2014. The Board created a “committee of whole” which held workshops to consider the CMS on 26 January, 12 February, 11 March and 29 April. A hui with two Ngāi Tahu representatives on the Board and a Te Rūnanga o Ngāi Tahu representative was held to achieve further understanding of the Ngāi Tahu submission, with matters from this hui brought back to the full Committee. The Committee reached agreement with the Department on further revisions, but note the paragraph below. The Committee also considered that there were eight desirable revisions which could not be enabled by any submission; these matters are listed in Appendix 3 and are brought to the Authority’s attention for their consideration.

The Committee requested the CMS include an appendix listing all publicly-available huts within public conservation lands and/or managed by the Department within the CMS area. This listing is a deviation from the national CMS Template and was not included within the approved Northland, Auckland and Waikato CMS, but has been approved in this case at the Department’s Director of Conservation Services level. The list has been included as CMS Appendix 16 at present and referenced in Objective 1.5.3.4, and is specifically brought to the Authority’s attention for their consideration.

The Board was not able to complete its CMS consideration process within the prescribed six months of section 17F(l)(i) and sought from the Minister a time extension until 04 August 2015. This was granted by the Minister on 25 June 2015.

Despite this time extension there are four matters that the Board has not yet been able to resolve, two of which are awaiting a consultation response from Te Rūnanga o Ngāi Tahu (see below) and another awaiting legal advice from the Department. These four matters are referred to the Authority as matters on which the Board and the Department are unable to agree at this time (see Appendix 4).

The Board approved the revised draft Canterbury (Waitaha) CMS for recommendation to the Authority, at its Board meeting in Christchurch on 26 June 2015 (see DM-2533711).

4. Giving effect to the Treaty of Waitangi including through the implementation of the Ngāi Tahu Claims Settlement Act 1998.

The Ngāi Tahu Claims Settlement Act 1998 has specific provisions to be recorded and/or given effect through the CMS review; these provisions are set out in section 1.4 of the CMS and all have been given effect. Section 1.4 was developed in consultation with Te Rūnanga o Ngāi Tahu in the early stages of CMS reviews in 2008, and has been revised in response to Ngāi Tahu submissions and legal considerations. Giving effect to the Treaty of Waitangi and section 4 Conservation Act 1987, has been built into the whole CMS text and the draft CMS revision process (see under 17F(f) above).

In accordance with section 242 of the Ngāi Tahu Claims Settlement Act 1998, the Conservation Board consulted Te Rūnanga o Ngāi Tahu to have “particular regard to its views as to the effect [of the CMS] on the Ngāi Tahu values” of Tōpuni; Canterbury having three Tōpuni. Section 242 of the Act is slightly uncertain in its intent as to whether both the Board and the Authority have to consult with Te Rūnanga o Ngāi Tahu, or whether it need just be the Authority or the Board, e.g. the final approving body. To cover this uncertainty the Board has consulted, and depending on the Te Rūnanga o Ngāi Tahu response, the Authority will need to consider if it needs to repeat this consultation. See also Appendix 4.

5. Canterbury Earthquake Recovery Act 2011

Within Greater Christchurch (the districts of Christchurch City, Selwyn and Waimakariri District councils, and the adjacent coastal marine area) the CMS is subject to the Canterbury Earthquake Recovery Act 2011 until that Act expires on 19 April 2016. The Act has effect through a Recovery Strategy and Plans. Aspects of the CMS can be seen as supporting the components of recovery as set out in the Recovery Strategy, and the CMS is not inconsistent with the Recovery Act. The Department works with the Canterbury Earthquake Recovery Authority as and where required.

Attestations

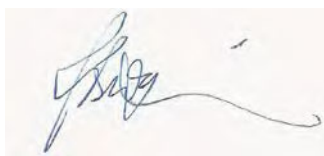
The Director-General of Conservation certifies that sections 4, 17D and 17F of the Conservation Act 1987 have been complied with as far as possible.



Barry Hanson
Director, Conservation Partnerships
South and Eastern South Island Region
By delegated authority from the Director-General of Conservation

Date: 07 July 2015

The Chairman, Canterbury Aoraki Conservation Board certifies that section 17F(k) of the Conservation Act 1987 and section 242 of the Ngāi Tahu Claims Settlement Act 1998 have been complied with as far as possible.



Robert Wynn-Williams
Chairman
Canterbury Aoraki Conservation Board

Date: 07 July 2015

Appendix 1: Schedule of changes to public conservation land and waters since 21 December 2012 (the data compilation date for the June 2013 notified draft CMS)

Note that the CMS Volume II public conservation lands and waters inventory maps have not yet been revised to incorporate the changes below. Further changes are expected within the next few months as Pastoral Land Act tenure reviews are progressed and these will be brought to NZCA attention, and the maps will be updated before NZCA final approval of the CMS.

Area	Comment	Proposal
Akaroa Marine Reserve	Proposed status well recorded in Draft CMS, submitted on, and Minister's public decisions at time of reserve approval.	Add into revised CMS, with Outcomes and decision-making policies based only on legislation and the Minister's decisions, and in common with the existing Pohatu Marine Reserve. Visitor management and Aircraft access zones are not considered necessary for this reserve, given navigational rights of passage and the controls, including of aircraft, available under the Marine Mammals Protection Act 1978.
View Hill Scenic Reserve extension	Extension to an existing reserve but not requiring management different from the original reserve, and no encumbrances (e.g. site-specific concessions).	Add into revised CMS, with no additional or changed outcomes or policies. Zone Backcountry for Visitor management and Red for Aircraft access zones, as for the existing reserve.
Hoods Bush Scenic Reserve extension	Extension to an existing reserve but not requiring management different from the original reserve, and no encumbrances (e.g. site-specific concessions).	Add into revised CMS, with no additional or changed outcomes or policies. Zone Backcountry for Visitor management and Red for Aircraft access zones, as for the existing reserve.
Saddle Hill Scenic Reserve	A new reserve but not requiring management different from other Banks Peninsula ridge-crest scenic reserves, and no encumbrances (e.g. site-specific concessions).	Add into revised CMS, with no additional or changed outcomes or policies. Zone Backcountry for Visitor management and Red for Aircraft access zones, as for adjoining summit ridge reserves.
Mailbox Inlet Government Purpose (Wildlife Management) Reserve	A now formalised reserve adjoining and narrowly surrounded (see CMS Map 6.13) by the Cass River Delta Govt Purpose Reserve Wildlife Management, and that has been predator fenced and managed for wildlife purposes (for kakī/black stilt) since the late 1970s.	Add into revised CMS, with no additional or changed outcomes or policies. Zone Rural for Visitor management and Red for Aircraft access zones, as for the adjoining reserve.

Mt Nimrod Scenic Reserve	Extension to an existing reserve but not requiring management different from the original reserve, and no encumbrances (e.g. site-specific concessions).	Add into revised CMS, with no additional or changed outcomes or policies. Zone Backcountry for Visitor management and Red for Aircraft access zones, as for the existing reserve.
Matata Scenic Reserve	Extension to an existing reserve but not requiring management different from the original reserve, and no encumbrances (e.g. site-specific concessions).	Add into revised CMS, with no additional or changed outcomes or policies. Zone Backcountry for Visitor management and Red for Aircraft access zones, as for the existing reserve.
Hunter Hills Conservation Area	South-eastern extension to an existing conservation area but not requiring management different from the original area; has an approx 300m long vehicle track easement near its edge for adjoining farm management purposes.	Add into revised CMS, with no additional or changed outcomes or policies. Zone Backcountry for Visitor management and Yellow for Aircraft access zones, as for the existing conservation area.
Oteake Conservation Park	Northern extension (between Dunstan Peaks CA and Omarama Saddle) as an exchange for an area lying between Omarama Stream and Little Omarama Stream, to an existing conservation park but not requiring management different from the original conservation park, and no encumbrances (e.g. site-specific concessions).	Add into revised CMS, with no additional or changed outcomes or policies. Zone Backcountry for Visitor management and Yellow for Aircraft access zones, as for the existing adjoining conservation park.
Ruataniwha Conservation Areas (Ben Ohau Range) and Glentanner Scenic Reserve (adjoining Tasman River)	The conservation areas fall within the Ruataniwha Conservation Park 'catchment' (see CMS Table 5), and the scenic reserve within the proposed (see CMS Policy 2.1.4) section 8 National Parks Act consideration for addition to Aoraki/Mount Cook National Park. Glentanner Station Ltd has also received a concession for tourism and commercial filming & photography activities over the conservation areas and scenic reserve that extends in time beyond the term of the revised CMS. With the exception of ATV and 4WD touring, these concession activities are consistent with the revised draft CMS provisions for the adjoining	For the conservation areas, add them into the revised CMS, with no additional or changed outcomes or policies, except to acknowledge in CMS Tables 2 & 3 the concessionaire ATV & 4WD activity. For the scenic reserve, which the draft CMS signals for a potential addition to AMCNPMP, an additional Outcome statement in the 2.4 Place addresses the reserve's significance as an approach to AMCNP, akin to the third paragraph of the 2.1 Place Outcome. As above, also acknowledge in CMS Tables 2, 3 and 10, the concessionaire ATV & 4WD activity. Zone Front country (for the scenic reserve), Backcountry (for the Ben Ohau Range mid-slopes) and

	Ruataniwha Conservation Park.	Remote (for the Ben Ohau Range summits) for Visitor management, and Yellow (for the scenic reserve) and Green (for the Ben Ohau Range) for Aircraft access zones, as for adjoining and nearby conservation areas.
Part Lake Pukaki Terminal Moraine Conservation Area	Land disposed of by way of exchange as part of Glentanner tenure review. Lake frontage retained as conservation area, with conservation covenant over the balance.	Delete from revised CMS, with no changed outcomes or policies. No change to Front country and Red aircraft zoning for the residual conservation area.
Palm Gully Scenic Reserve extension	Extension to an existing reserve but not requiring management different from the original reserve, and no encumbrances (e.g. site-specific concessions).	Add into revised CMS, with no additional or changed outcomes or policies. Zone Backcountry for Visitor management and Red for Aircraft access zones, as for the existing reserve.
Rakaia Forest Conservation Area	A large extension to an existing conservation area, resulting from the Manuka Point tenure review, lying within the Hakatere Conservation Park 'catchment' (see CMS Table 5). Small parts of the Rakaia Forest Conservation Area have been exchanged with Pastoral Lease lands to rationalize boundaries to existing fences and developed farmland edges. Manuka Point has applied for concessions for tourism and commercial filming & photography activities over both conservation areas, in accordance with the tenure review agreement. The heli-skiing part of these concessions will be on a single-operator basis as for other pcl heli-skiing blocks. The tenure review agreement for the concession for aerial positioning of recreationalists and guided parties, allows for more landings per day and per year than specified in Policy 3.6.3; this needs to be allowed for in the CMS Table 15.	Add into and delete from the revised CMS, with no additional or changed outcomes or policies. Re the Visitor management zones, extend the existing Rakaia Forest CA backcountry zone to include the hill faces facing onto the Mathias River, with remote zoning on the higher lands. Re the Aircraft access zoning, zone Orange the whole enlarged Rakaia Forest Conservation Area, and the part of the adjoining Rangitata/Rakaia Headwaters Conservation Area lying south of the West Mathias River. Amend CMS Table 15: Aircraft-Orange Zone Criteria, 9 th row (Part Rangitata/Rakaia Headwaters Conservation Area etc), by adding "For the whole year, other than for heli-skiing, the specific conditions of the Manuka Point Station Company Ltd concessions apply." Add the hatched heli-ski block to the Aircraft access Map 4.
Bog Roy Conservation Area	New conservation area, resulting from the Bog Roy tenure review, being the peninsula on the southern shore of Lake Benmore,	Add into revised CMS, with no additional or changed outcomes or policies. Zone Front Country for Visitor

	between Junction and Turnagain Islands, and the Otamatapaio River eastern valley-floor. Other than farming access easements there are no concessions over the pcl. Easements over Bog Roy freehold allow access for mountain bikes and horses. The peninsula is traversed by a Transpower pylon line.	management and Green for Aircraft access zones, as for surrounding and nearby marginal strips.
Kirkliston Range Conservation Area	Northern extension to an existing conservation area, resulting from the Invercroy tenure review. No concessions.	Add into revised CMS, with no additional or changed outcomes or policies. Zone Backcountry for Visitor management and Yellow for Aircraft access zones, as for the adjoining part of the already existing conservation area.
Ribbonwood Conservation Area	New conservation area resulting from the Ribbonwood tenure review, comprising four areas: two on Diadem Range adjoining the south-east boundary of Ahuriri Conservation Park; a small area of the Wairepo wetlands to which there is only foot-only easement access; and the river terraces scarp face adjoining the Ahuriri River. No concessions.	Add into revised CMS, with no additional or changed outcomes or policies. Zone mostly Backcountry, with a Front country and Rural frontage, for Visitor management as for the adjoining conservation park and areas. Zone Yellow for Aircraft access zones, as for the adjoining conservation park and areas, except to zone Red the Wairepo wetland area as for the nearby Quailburn Conservation Area. Add to the Mackenzie Basin row in Tables 8 (Vehicle access) and 9 (Horse access) to exclude other than foot access to the Wairepo wetland area.
The Poplars Conservation Area	New conservation areas adjoining the Lake Sumner Conservation Park and the 2007 NHF-purchased The Poplars Conservation Area, resulting from The Poplars tenure review. No concessions.	Add into revised CMS, with no additional or changed outcomes or policies. Zone Backcountry for Visitor management, except a small area of Front country where alongside SH7, and Yellow for Aircraft access zones, as for the adjoining conservation areas.
Boggy Creek Wildlife Management Reserve	New reserve on western shore of Te Waihora (Lake Ellesmere) purchased from North Canterbury Fish & Game Council.	Add into revised CMS, with no additional or changed outcomes or policies, except to note that this reserve will become part of the Lake Ellesmere Ecosystem priority unit. Zone Rural for Visitor management and Orange for Aircraft access

		zones, as for the other Te Waihora public conservation lands and waters covered by the Te Waihora Joint Management Plan (2005).
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Appendix 2: Conservation management plans proposed to be revoked or withdrawn
(in published date order)

- Bankside Scientific Reserve Management Plan (1979);
- Eyrewell Scientific Reserve Management (1979);
- Castle Hill Nature Reserve Management Plan (1980);
- Motunau Island Nature Reserve Management Plan (1980);
- Talbot Forest Scenic Reserve Management Plan (1980);
- Quail Island Recreation Reserve Management Plan (1982);
- Wilberforce Crown Land Management Area Management Plan (1982).
- Raincliff Historic Reserve Management Plan (1984);
- Weka Pass Historic Reserve Management Plan (1984);
- Bendhu Scientific Reserve Management Plan (1985);
- Kaitorete Spit Scientific Reserve Management Plan (1986);
- Loch Katrine Recreation Reserve Management Plan (1999);

Appendix 3: Revisions sought by the Conservation Board, not enabled by any submission, brought to the Authority's attention for their consideration.

NB: These revisions are already included in the Conservation Board's revised draft CMS (tracked changes version) to be tabled with the Authority.

CMS reference	Issue raised by Board	Desired text revision
Pg 35, 1.5.5 text, 2nd para.	Dislike the use of "progressive", and change phrasing so that protection comes first.	"Engaging in conservation offers ~~progressive~~ businesses the opportunity to <u>contribute to the protection of New Zealand's natural, historic and cultural</u> heritage and <u>to add to their business'</u> worth, value and reputation, ~~and to contribute to the protection of New Zealand's natural, historic and cultural heritage.~~ "
Pg 47, 2.2 Outcome, 7th para. Pg 60, 2.3 Outcome, 3rd para. Pg 73, 2.4 Outcome, 5th para. Pg 82, 2.5	Delete "in accordance with Department funding"; this requires some re-working of the sentences.	"A network of Local Treasure and Backcountry destinations providing access and accommodation facilities are maintained <u>by the Department and community organisations</u> in accordance with Departmental <u>funding and</u> facility provision priorities and design requirements. ~~Access and accommodation facilities are also provided or maintained by community organisations, also in accordance with Department facility provision priorities and design requirements.~~ "

Outcome, 5th para.		
Pg 49, 2.2 Outcome	Realisation that the Lindis/Longslip and the Godley/Tasman pcl&w areas, which do not fall within the ambit of Policy 2.2.12 and Table 5, need an Outcome statement re aircraft access.	Add new para at end of the Outcome, headed “ Lindis/Longslip and Godley to Tasman Rivers ”: “Visitors encounter only occasional aircraft landings in these areas, but more regular or frequent landings within the southern side of the Gorilla Stream catchment. ”
Pg 92, Policy 2.6.3(b)	Add “native fish and invertebrates”.	“b) the protection of priority ecosystem units and threatened and at risk species, including through seeking improved modelling of river flow requirements for native birds, native fish and invertebrates ,”
Pg 124, Policy 3.1.3(3), 3rd bullet	Should refer to control as well as eradication.	“enable the control or eradication of pests using aerial bait operations;”
Pg 128, Mtb, text	Disagree with the phrase “There is often public acceptance...”, as there are a range of views about mixed used tracks.	“There is a range of views about ~~is often public acceptance of~~ mixed pedestrian and cycling use of tracks, and caution is needed...”
Pg 131, Aircraft, 2nd para.	Text about “allowing quick access” for people with limited time should be deleted, as allowing quick access should not be a reason for aircraft access.	“Both recreational and commercial aircraft can facilitate the use and enjoyment of public conservation lands and waters by providing access to difficult-to-reach places and allowing quick access for people with limited time.”
Pg 151, Policies 3.22.1 & 3.22.5	Realisation that the original intent of this policy, as discussed with the former CACB, has been misconstrued.	Policy 3.22.1(f): “it can be demonstrated that adequate public notification ~~(and if required, consultation)~~ has occurred of the event can occur before the event. Policy 3.22.3: “May waive or reduce the requirement for public consultation notification...”

Appendix 4: Matters for which the Conservation Board and the Department are unable to agree at this time.

The Conservation Board and the Department are unable to agree at this time on the following four matters.

CMS wording about Ngāi Tahu involvement in Conservation Act decision-making	The Board’s CMS Committee has questioned the wording within section 1.4 <i>Treaty partnership with Ngāi Tahu</i> (pg 18, 3rd paragraph), regarding “participation up to decision making”, and with implications for similar wording elsewhere e.g. the Vision (pg 14, 2 nd para) and
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	Objective 1.4.1.1 (pg 23). This wording was consulted on between the Department and Te Rūnanga o Ngāi Tahu and accepted by both. The Board sought wording that allowed for a greater Ngāi Tahu role in the decision making process, up to but not including any final statutory sign-off role, or deletion of the “up to decision making” wording . This request was referred to the Department’s Legal Services. As at 06 July this advice has yet to be finalised and considered. As the ‘decision making’ wording is common to all CMS reviews within, at least, the Ngāi Tahu rohe the advice may have implications for other CMS and NPMP reviews.
Kura Tāwhiti (Castle Hill) Scenic Reserve and Policy 2.4.27 regarding climbers’ fixed-anchors	Policy 2.4.27 requires the removal of fixed-anchors and no further fixed-anchors, and attracted only one submission, from Te Rūnanga o Ngāi Tahu in support. The reserve is a Tōpuni area, requiring specific Board or Authority consultation (see section 4 above). The Board seeks a more permissive revision of this policy, but given the single, supportive submission any revision would need referring to the Authority for consideration as for the matters in Appendix 3 above. As at 06 July the Te Rūnanga o Ngāi Tahu consultation response has not been received. Papatipu Rūnanga are meeting with the Department in July to discuss varied operational issues for the reserve, including the fixed-anchor management and the current extent of unauthorised fixed-anchors within the reserve.
Topuni milestones	As part of the Tōpuni consultation the Board is also awaiting a response from Te Rūnanga for the Board’s proposed Tōpuni Milestones at the end of section 1.4. The Department supports these milestones, but is also awaiting the Te Rūnanga consultation which may be delayed by the above Kura Tāwhiti (Castle Hill) Tōpuni action.
Milestones regarding NPMP, TWJMP and CMS review timeframes	Milestones in 2.1 (re AMC & AP NPMP), 2.4 (re Te Waihora JMP), and Part Three (re CMS) specify times for review initiations and/or completions. The Board wishes the milestones retained to enable it and the public to be kept informed of progress on reviews and to keep pressure on for the reviews to be timely; the Board sees timely reviews as an integral part of the social contract between the Department and the public in the ways public conservation lands and waters are managed. The Department does not believe these are needed, as review timeframes are a statutory requirement and the meeting, or not, of these timeframes is reported on publicly to NZCA at regular intervals, with explanations, and Ministerial approvals are sought for any extensions.

Schedule of documents for the NZ Conservation Authority

04 August 2015

Document name	Document link
CACB cover letter	DOC-2526879
NZCA agenda paper	DOC-2516221
Certificate of Compliance	DOCDM-1562694
NZCA CMS checklist	DOC-2528296
Record of Board revisions	DOCDM-1547632
Record of Canterbury Aoraki Conservation Board endorsement of revised CMS	DOC-2533711
Revised CMS - showing tracked changes	DOCDM-1551960
Revised CMS - clean version	DOC-2528737
CMS maps	Hard copy
Copy of full submissions - Volume 1	DOC-2538435
Copy of full submissions - Volume 2	DOC-2538445
Copy of full submissions - Volume 3	DOC-2538447
Summary of submissions by submitter	DOC-2538023
Summary of submissions by CMS section	DOC-2538018
South Island CMS Common Issues Report	DOCDM-1509367