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Federated Mountain Clubs of New Zealand Incorporated

Submission on the first National Conservation Policy Statement

Tēnā koutou,

Introduction

1. Thank you for the opportunity to submit on the proposals to reform the conservation planning system. This submission on the first National Conservation Policy Statement (NCPS) complements our submission on the Conservation Amendment Bill 2026 dated 13 July 2026¹.
2. Federated Mountain Clubs of New Zealand Inc. (FMC) was founded in 1931 and advocates for New Zealand's backcountry and outdoor recreation on behalf of over 23,000 active outdoors people across almost 100 outdoor clubs and individual supporters. Our community spans widely across outdoor disciplines. Our objectives are to promote and advocate for non-commercial outdoor recreation, the conservation and wise management of, and public access to, New Zealand's natural areas, mountains, lakes, rivers and coast. FMC's efforts have helped create the modern public conservation lands. Visit us at www.fmc.org.nz.
3. In our previous submissions on Public Conservation Land and Waters (PCL&W) planning proposals², we have responded to many of the same issues raised below. When seeking public feedback on proposals, decision-makers have a duty to listen and take into account the views of submitters. Yet submissions on the November 2024 Discussion Document appear to have made little or no material change to the overall shape of the NCPS proposals, nor even generated policy alternatives.
4. The proposed changes to the Conservation Act 1987 via the Conservation Amendment Bill, and the new NCPS, are not merely "regulatory" issues as described. Instead, they would alter the purpose of protected areas legislation, and mark a shift from managing public conservation land on behalf of the people of New Zealand to treating the land as a Crown owned asset, potentially even held for purposes other than they are now.

¹ <https://fmc.org.nz/2026/07/14/fmc-calls-for-major-changes-to-conservation-amendment-bill/>

² DOC (2024) *Modernising conservation land management: discussion document* Department of Conservation

5. Once submissions on the NCPS have been assessed and changes made to the document, we request another opportunity for the public, or at least targeted stakeholders, to discuss an exposure draft of the NCPS. The NCPS will become a regulation, or secondary legislation, but as the policy fundamentals in the Bill creating the regulation are still not settled, there still might be fundamental changes made to the NCPS itself.
6. From page 4 onwards, this submission answers the questions asked in the NCPS proposal document, and also presents 16 recommendations.

Limited scope of the proposed NCPS

7. New Zealand's PCL&W belong to all New Zealanders. Conservation areas are places for people to enjoy, to reconnect with their culture and history, and to challenge themselves. These places are a taonga, a national asset that should be protected, managed for both present and future generations, and not lightly altered or given away.
8. We agree with the statement that "... *The NCPS has the same function as existing General Policies – to provide direction required for the implementation of conservation legislation.*"³ In other words, the role of a NCPS is to:
 - a. implement the conservation statutes, including policies to implement the principles in s(6)(3) of the Conservation Act 1987.
 - b. guide, and in some cases direct, the decisions by the Minister of Conservation and the Department of Conservation (*the 'Department'*) so that conservation lands are managed in a consistent way that protects their intrinsic values.
9. FMC supports rationalising the conservation planning framework, but these changes should not just be a vehicle for facilitating the economic activities on PCL&W.
10. The scope of the draft NCPS is disappointing. The document launches into a brief description of the contents of area plans followed by a suite of more detailed policies on concessions and concession management, some of which have been carried over from the Conservation General Policy (CGP). It begs the question: why were these policies chosen, and other general policies, such as public access and public participation were excluded. Equally concerning is why the questions in the draft document are framed to limit public input to area plans and concession processing.
11. The draft NCPS also fails to address some of the fundamental problems with conservation planning in New Zealand, such as, the lack of resources for the Department's planning teams, the lack of clarity and consistency across planning documents, the disconnect between the Department's business planning/operations and conservation plans, and limited monitoring and compliance⁴.

³ DOC (2026) *Conservation Amendment Bill: Proposed document: Consent of the First National Conservation Policy Statement* pg 5

⁴ EDS (2024) *Restoring Nature: Reform of the conservation management system* Environment Defence Society. FMC made similar comments in our submission on the "Discussion Document".



12. In particular, we are concerned that the proposed NCPS:
- a. moves away from the principles of the Conservation Act 1987, and pre-empts an area of basic political disagreement over the Bill, by over emphasising the economic return from PCL&W, e.g. granting of concessions, Visitor Amenity Areas etc, rather than ensuring that economic activities on conservation land are consistent with the intrinsic natural values and ecological integrity of PCL&W. We reiterate the point that a commercial operation on PCL&W is a privilege. It is not, and has never been, a right. The Department manages these lands on behalf of all New Zealanders. PCL&W is not a commercial asset, exclusively owned by the Crown, to be used to satisfy the economic policies of the Government of the day.
 - b. lacks overall directive policies setting out key principles to guide protection and management of New Zealand's PCL&W to guide the development of area plans.
 - c. does not define many key terms. While some terms are defined, e.g. natural quiet, other terms used to characterise 'visitor zones' such as 'low-medium tranquillity level', moderate-high levels of solitude' etc, are open to subjective interpretation. "Visitor" language is particularly problematic. It is undefined in the Act or under the Bill, and the key groups - tourists and recreationists - are separately recognised under the Act.
 - d. does not take into account the active nature of New Zealand's landscape, or acknowledge the increasingly severe effects of global warming on PCL&W and its infrastructure.
13. A considerable amount of work went into drafting the Conservation General Policy (CGP) and the General Policy for National Parks (GPNP), and with the knowledge gained from applying their policies over several decades, the obvious approach would have been to weld these two documents together to create the first NCPS. This approach is still open to the Department to remedy the gaps in the draft NCPS.
14. In the following sections, we have recommended new policies (underlined) to be added to the NCPS, and on a number of issues, e.g. global warming, we suggest that the Department develop new policies. Where there is inadequate information, e.g. stewardship lands, we recommend that additional work is undertaken to remedy these gaps before firm policy is finalised.

Directing the content of area plans

Is there additional content you believe should be included or removed within area plans?

15. Yes. The NCPS will direct the management of PCL&W and it will determine how these lands will be managed for many years. Policies 6 to 20 specify an inventory of values and attributes of area plans, but there are no policies stating how issues and pressures on



these values will be managed⁵. The NCPS pre-empts an area of basic political disagreement over the Bill. The content of these plans is left to the discretion of the Department, which is unlikely to reduce the time to prepare these plans. The policies in the existing CGP and GPNP could be used to help address some of these obvious gaps.

16. Neither the draft Bill nor the draft NCPS offers any real guidance on the spatial extent of area plans. FMC has submitted that this should be done in the Bill, but if it is not, this will become an absolutely essential feature of the NCPS. The plans are intended to provide both regional and local policies⁶, but this presents significant practical difficulties as area plans must bring together all the details that are currently found in the conservation management strategies, national park plans, and conservation management plans, etc. which may apply to one region. For example, the Southern South Island region encompasses a vast area including Fiordland, Aspiring and Rakiura national parks, Takitimu and Eyre mountains, numerous offshore islands, plus areas with intense visitor activity, such as Milford Sound, the Milford and Routeburn tracks. Would one area plan or several plans cover the entire southern region?
17. Given the potential complexity of integrating these planning documents and resolving the planning issues, plus the detailed requirements of special amenity areas, a useful starting point would be for the NCPS to set out the principles for defining the spatial extent of area plans and management zones. For example, plan boundaries, might align with catchment boundaries as far as practicable, or encompass ecological districts, not extend beyond an administrative region etc.
18. We also recommend that the Director-General consult with the New Zealand Conservation Authority (NZCA) and conservation boards, iwi recreational users and other groups with local knowledge on the boundaries of the area plans, management zones or local plans.
19. The Department looks after an extensive visitor network of facilities throughout the country, comprising more than 2,000 buildings and huts, over 2,000 toilets, 300 campsites, 13,000 structures and approximately 14,600km of tracks⁷. Outside the PCL&W, there are easements across private land to allow public access to PCL&W. One of the functions of the NCPS is to give effect to the principle of public access to PCL&W⁸, and to ensure that area plans apply a consistent approach nationally to maintain public access to these facilities and PCL&W.

⁵ These requirements read more like a style guide. It might be more appropriate if these policies were the subject for a Department guide on plan drafting rather than including them in the NCPS.

⁶ s. 13H(2) Conservation Amendment Bill.

⁷ Section 2.3' *Exploring charging for access to some public conservation land* Department of Conservation November 2024.

⁸ s. 6(e) & 17 Conservation Act 1967, clause 13 Conservation Amendment Bill



Recommendation #1: add new policies

- a. Setting out the criteria for defining the spatial extent of area plans and management zones, including consultation with the New Zealand Conservation Authority, local conservation boards, iwi, recreational organisations (provided this is not handled by the Bill itself)
- b. To manage activities on conservation lands and waters so that they do not adversely affect the natural values of an area or other people's use and enjoyment of these areas, using existing CGP and GPNP policies where possible.
- c. To identify the visitor facilities on conservation lands and waters and public access ways to these areas.

20. New Zealanders should be able to participate in, and be consulted on, the management of PCL&W, including proposals that will significantly affect these areas. It is an opportunity for the Department to understand the practical effect of any changes and to draw on a wider pool of expertise and knowledge into the decision making process. The present Act allows for strong public participation in conservation planning precisely for these reasons.

Recommendation #2: add the following new policy

- a. People and organisations with an interest in public conservation lands and waters will be consulted when statutory planning documents are developed, or on proposals that will have a significant effect on natural values or recreational activities in these areas.

21. The area plan policies and NCPS are silent on the voluntary contribution made by many New Zealanders to conservation management. The conservation task is enormous. There is universal agreement that the Department cannot do the job alone. It must work with a wide range of individuals, groups and organisations to achieve conservation outcomes. A point acknowledged recently by the outgoing Director-General, Penny Nelson⁹.
22. Many people volunteer their time to support biodiversity work, help out with community activities, such as search and rescue, or firefighting, or assist with the maintenance of backcountry tracks and infrastructure. For example, FMC's members contributed over \$7 million of voluntary work in 2024 to conservation activities. Voluntary work should be recognised in the NCPS policies and added to the list of exempt activities (see paras 42-44).

Recommendation #3: add the following new policy

- a. Area plans should identify the areas, back country infrastructure and activities where people and/or organisations can contribute to conservation management.
- b. People and organisations will be encouraged to participate in conservation and maintenance of huts and tracks, and be supported by the information, technical advice, and, where appropriate, with appropriate agreements.

⁹ Public speech by DOC Director-General Penny Nelson, at Lincoln University, Thursday 25 June 2026. <https://www.doc.govt.nz/news/media-releases/2026-media-releases/lincoln-university---public-speech/>
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23. PCL&W are places for people to enjoy, reconnect with their culture and history, and to challenge themselves. Access to greenspaces and experiencing the outdoors confers a wide range of benefits to people's wellbeing. The statutory hierarchy in the Conservation Act is clear¹⁰: Firstly, the natural values, ecosystems and other special features are to be safeguarded. Secondly, subject to the first requirement, to grow and develop ("foster") recreation, and only thirdly, after the first and second, to "allow" tourism. Attempts to upset this basic structure within the Bill have met with serious opposition which remains unresolved. Any NCPS pre-empting change in this fundamental area would therefore be unwise and potentially unlawful.
24. The legal position, as summarised above, is the one most likely to emerge; i.e. New Zealanders' rights to enjoy PCL&W must not be diminished, so long as it is consistent with conservation values. The NCPS should re-state these principles to safeguard New Zealand's biological and outdoor heritage, and that New Zealanders have free access to PCL&W.
25. Venturing onto PCL&W brings its own risks. Natural processes are a feature of New Zealand's natural environment, and one of the challenges is for people to understand and accept these risks when venturing onto PCL&W. Natural processes on PCL&W should continue, as far as practicable, to function unhampered. There needs to be a high threshold for imposing risk avoidance measures, such as track closures or hut removals. Department staff need national direction rather than regions making arbitrary decisions to close tracks, huts or other facilities.

Recommendation #4: add the following new policies

- a. Recreational opportunities at places will be managed to avoid or otherwise minimise any adverse effects (including cumulative effects) on:
 - i. natural resources and historical and cultural heritage where required by the relevant Act;
 - ii. the qualities of tranquillity and natural quiet, solitude, remoteness and wilderness, where present; and
 - iii. the experiences of other people.
- b. Public access to public conservation lands and waters will be free of charge to all New Zealanders and New Zealand residents. Charges may be made for the use of concession activities, accommodation facilities and services.
- c. 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, and for ensuring that they and, generally, those in their care, have the skill and competence and the equipment required to understand and cope with those risks.
- d. The Department may publicly notify, with reasons, the closure of any part of public conservation lands and waters to public entry when it considers there to be an imminent danger to people's lives and property that cannot be reasonably avoided by other means. The closure of any public conservation lands and waters will be for the shortest practicable period and reviewed after a set period of time.

¹⁰ s. 6(e) Conservation Act 1987

26. Under the proposed NCPS, assessing recreational opportunities in area plans is an optional requirement. New Zealanders have a strong affinity to the outdoors, as evidenced by the Department's current planning documents and by the large number of submissions to the Environment Select Committee on the proposed Conservation Amendment Bill¹¹. Nearly all PCL&W are used for some type of recreation activities, and this should be reflected in the area plans. As recreational activities will determine the appropriate choice of visitor zones (ss para. 46), a summary of these activities and opportunities needs to be included in the area plans.

Recommendation #5: replace Policy 16 with the following new policy:

~~Area plans may describe existing recreational opportunities within public conservation lands and waters.~~

Area plans must:

- a. provide for a range of experiences to enable people with different capabilities, skills and interests to have opportunities to benefit, use, enjoy and gain inspiration from conservation lands and waters;
- b. maintain the distinctive character and experience of recreation on public conservation land and waters, including the traditional New Zealand backcountry experience with its ethos of self-reliance; and
- c. seek to avoid or minimise potential conflicts between different recreational activities.

27. The draft NCPS states that "*Objectives (in area plans) cannot direct the Department's operational activities (but may be considered)*"¹².
28. In our view, this approach is wrong, and may even be unlawful, if conservation remains the primary statutory outcome¹³. The Department's operational work programme and concessions should be guided by the NCPS and area plans¹⁴. These two core functions are not disconnected, and work or activities by the Department should be consistent with the area plans and aiming to achieve the same objectives¹⁵. For example, where the planning documents set limits or restrict activities, such as helicopter landings on the Ngapunatoru Plateau, Fiordland¹⁶ and in the Paparoa National Park¹⁷, or huts for biodiversity work, these rules should apply to work by the Department. Similarly the proposed visitor management

¹¹ The Committee received over 75,000 submissions on the Conservation Amendment Bill.

¹² Pg 12

¹³ S. 6(e) Conservation Act 1987

¹⁴ s. 17 A Conservation Act 1987. See also EDS (2024) Section 10.1.3 *Restoring Nature: Reform of the Conservation Management System*, Environment Defence Society August 2024

¹⁵ Clause 127 of the Conservation Amendment Bill 2026 amends s 4(3)(a) Resource Management Act 1991 states that Department's work and activities must be consistent with the NCPS, area plans or other management plans.

¹⁶ https://www.ombudsman.parliament.nz/sites/default/files/2019-03/final_opinion_448904_doc_0.pdf

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¹⁷

<https://www.stuff.co.nz/national/politics/local-democracy-reporting/300324230/court-rules-against-allowing-recreational-helicopter-trips-in-west-coast-park> Downloaded 15 February 2025

zones would manage visitor usage, and guide funding and work programmes on the Department's facilities.

Recommendation #6: add a new policy

Requiring regional operational plans to set out an annual workplan and the expenditure to implement the outcomes established by area plans.

29. The NCPS states that the area plans would not include limits or conditions on concessionaries¹⁸. Instead, these activities would be managed by tools, such as booking systems, access charges, regulations and bylaws on the basis that it would avoid inconsistency across the country, and many conditions can be better managed by the concession process.
30. In our view, this is a serious omission. The purpose of limits on concessionaires is to define quantitatively the maximum acceptable effects on the natural attributes of PCL&W. Without limits on noise, e.g. aircraft landings in Westland Tai Poutini National Park or the Tasman Glacier helicopter landings, or congestion, e.g. water taxi landings in Abel Tasman National Park, concessions will be decided on a case-by-case basis, potentially leading to pressure to grant more concessions to satisfy the commercial demand or by the Department to generate more revenue. The proposed tools, such as access charges, booking systems, or regulations, to manage cumulative adverse effects of concessions are more likely to create inconsistency across the country that the Department appears to be concerned about.
31. Moreover without limits, the Department cannot implement a competitive allocation tendering system in areas where there is a high demand for concessions. Operators would have no incentive to place a competitive bid or tender for a concession, thereby reducing a potentially significant source of revenue for the Department. Without describing limits on concessionaire activity, concessionaires will have less incentive to invest in new technologies or behaviours to reduce the adverse impact of their activities on people and the environment i.e. reducing the noise of aircraft or boats.
32. The planning approach seems very straightforward. The area plans should specify the outcomes in the proposed visitor zones, such as high levels of natural quiet, moderate – high levels of tranquillity etc., and map where these will apply. Depending on the level of activities and demand, area plans would set a numerical limit or in some places prohibit activities, e.g. aircraft landings in parts of Paparoa National Park. It does not matter what type of tool is used to manage activities within each zone, or if different tools are used in area plans. Having limitations of some form or another implies a competitive concession allocation mechanism. Section 4 presently implies that mana whenua will have a “reasonable degree of preference” in some competitive concession allocation situations. While we are aware the Bill would reverse this, and can only avoid the inevitable problems

¹⁸ DOC (2026) *Conservation Amendment Bill: Proposed document: Consent of the First National Conservation Policy Statement* pg.11

of this reversal by shying away from limitations, the price will be a direct driver towards volume over 'high value' tourism.

Recommendation #7: add the following new policies

Where tourist and recreation activities are jeopardising the sense of tranquillity, solitude or the naturalness specified in a visitor zone, an area plan may:

- a. require the use of recognised methods to set noise limits to define tranquillity levels or natural quiet, and
- b. limit the number of concessions , or
- c. prohibit concession activities from areas where they are inconsistent with the outcomes set by a visitor zone.

33. Another serious omission in the draft NCPS are policies to respond to the effects of global warming on PCL&W, commercial activities on PCL&W, and the Department's assets. The signs are already evident. Widespread loss of snow and ice cover, and in recent years, severe storms have severely affected backcountry tracks and infrastructure and indigenous biodiversity¹⁹. The Department has spent \$10 million/year over the last 5 years cleaning up after major storm events, e.g. Cyclone Gabrielle, severe flooding in the southern South Island²⁰.
34. These events are likely to increase in their extent and severity, as temperatures rise, and have significant implications for biodiversity, backcountry infrastructure, commercial operations on PCL&W and contaminated sites.
35. The Department's response will require a combination of approaches, such as considering the natural hazard risk to concessionaires, to the Department's business and operational plans, while recognising that natural processes are also a feature of the backcountry experience (see para. 24).

Recommendation #8: add new policies

Add new policies to address the effects of global warming, including identifying the potential risk to biodiversity, cultural and visitor assets and infrastructure in each area plan, and the range of potential management responses while recognising the need to support outdoor recreational activities on public conservation land & waters.

36. Activities outside of the PCL&W can impinge on the conservation values. The Department will need to work with other agencies to deal with adverse effects from these activities. For example, the loss of natural quiet on conservation land from scenic overflights by aircraft operators based outside of DOC managed areas, who are not subject to any concession or planning requirements. Under the Civil Aviation Act 2023, the Minister can set flight rules, flight paths, altitude restrictions, and operating procedures for the purposes of noise

¹⁹ DOC (2025) Climate change adaptation action plan: 2025-28 Department of Conservation

²⁰ Public speech by DOC Director General Penny Nelson, at Lincoln University, Thursday 25 June 2026. <https://www.doc.govt.nz/news/media-releases/2026-media-releases/lincoln-university---public-speech/>

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abatement²¹. However, it will require both the Civil Aviation Authority and the Department working co-operatively to set limits on flight numbers and operations²².

37. Similarly, public access to PCL&W is often restricted for variety of reasons, e.g. forestry operations around Mt Richmond Forest Park, or by land use activities on unformed legal roads²³. The Department can play an active role advocating for better public access to PCL&W.

Recommendation #9: add the following new policies

The Department will work cooperatively with other agencies, organisations and people to:

- a. manage activities that have an adverse effect on the natural values of public conservation lands and waters.
- b. maintain or enhance public access to rivers, lakes, the coast, and to public conservation lands and waters.

Do you have views on any transitional policies for area plans that should be considered?

38. Area plans will require good resource information. It appears that the area plans will rely on existing statutory land classifications to undertake spatial planning of PCL&W. This is not sufficient for the reasons below.
39. The public makes extensive use of the facilities on PCL&W. Classifications have little to do with facilities. The Department needs good up to date information to manage these assets, to monitor usage and commercial operations. FMC has commented frequently on inaccuracies in the Department's datasets, which in the case of backcountry huts misrepresent the magnitude of the issues by as much as two thirds.
40. As a matter of urgency, the review of stewardship land needs to be completed, before trying to manage these lands through area plans. Stewardship land is a holding category for PCL&W that has not been formally assessed for its values. It is often considered, but is not legally recognised, as having lower protection than other areas of PCL&W. Stewardship land includes large areas of land that have significant natural and recreational values. These areas justify being added to existing wilderness areas, reserves or national parks. But without formally knowing the natural values of these areas there is little point trying to manage these areas through the area plans, especially if concessions are granted that may conflict with these values.
41. The review process has dragged out for nearly 40 years, despite urging from the Parliamentary Commissioner for the Environment to reclassify stewardship land²⁴. The review of the Western South Island stewardship land finally commenced in 2021 and was

²¹ s. 58. Civil Aviation Act 2023

²² PCE (2021) *Not 100% - but four steps closer to sustainable tourism*. Parliamentary Commissioners for the Environment February 2021 Section 4

²³ <https://www.herengaanuku.govt.nz/assets/Publication/Files/State-of-Public-Access-Report-2026.pdf>

²⁴ The Commissioner has published three reports on the stewardship land

dogged by poor information among other issues. The Minister released his final decisions on these areas on 11 December 2025. There has been little or no progress since then.

42. Three current National Park Management Plans also contain explicit recommendations for additions that need to be actioned.²⁵
43. Most of the remaining unsurveyed stewardship land is situated in the north and east of the South Island. The formal review of these areas should be completed before area plans authorise any new concessions or other commercial activities.
44. Policy 8 states that *"Area plans must list Te Tiriti o Waitangi/Treaty of Waitangi settlements relevant to the area within the area plan's boundaries."* We support this policy, but listing the Treaty settlements in area plans is not helpful for plan users. Many settlements have been completed supported by a voluminous number of documents with significant technical details²⁶. They often affect areas in specific ways.
45. Many people may be unaware of the land parcels that form part of a Treaty settlement and the commitments between the Department and the local iwi. As the area plans will be spatially based, the areas covered by Treaty settlements should be depicted in the areas with the links to the relevant settlement documents.

Recommendation #10

- a. Complete the stewardship land reviews and reclassification of the land, before commencing with area plans for these regions.
- b. Show spatially the areas covered by Te Tiriti o Waitangi/Treaty of Waitangi settlements, with links to the relevant settlement documents.

Add the following new transitional policy

Area plans should not authorise any new concessions on stewardship land until the conservation and recreation values of these areas have been formally assessed and the land reclassified.

Visitor zones

Do you have any feedback on the proposed approach to developing visitor zones?

46. The criteria (Appendix 1) for the proposed 'High', 'Medium' and Low' visitor zones resemble the Recreational Opportunity Spectrum which the Department has used to manage recreational land uses on PCL&W. We have no issues with these zones provided they reflect the inherent values of the areas they cover, and are supported by tranquillity zoning and policies in area plans that manage adverse effects on other activities (See Recommendation 4 & 6).

²⁵ Section 6.4.1 of the [Mount Aspiring National Park Management Plan – June 2011](#); Section 4.5.1 (b) of the [Westland Tai Poutini National Park Management Plan 2001 – Amended 2014](#); Section 4.13 of the [Fiordland National Park Management Plan 2007](#);

²⁶ Te Tari Whakatau

<https://whakatau.govt.nz/te-tira-kurapounamu-treaty-settlements/find-a-treaty-settlement> Downloaded 16 July 2026

47. However, visitor zones should not be decided in Wellington. Many areas will have their own peculiarities and patterns of use that will not suit a single category of zoning. For example, the Kaimai Mamaku Conservation Park is a relatively small area nationally, yet has High Use zones (Wairere Falls, Mt Te Aroha, Karangahake Gorge), Medium Use zones (Waitawheta tramway to the hut and other popular hut access routes) and Low Use zones apply to the rest of the track network and old cullers huts. Local conservation boards, outdoor groups and organisations should be consulted when these zones are being defined.
48. FMC has serious concerns about the proposed Visitor Amenities Areas (VAAs) and the process for establishing them. The sparse description in the draft NCPS states that the proposed areas will ‘... *enable more intensive tourism and recreation development*’²⁷. The document does not identify the prospective areas, offer any criteria or guidance as to how or where VAAs will be established and managed. If the Bill itself does not do so, then the NCPS must.
49. The Conservation Amendment Bill 2026 is more enlightening. VAAs can be established on most types of PCL&W with a wide-ranging brief to provide recreational and public amenities, including “.. *other infrastructure that supports visitors and recreational activities*”²⁸. Public consultation on these areas is limited, and largely at the discretion of the Minister of Conservation²⁹. The New Zealand Conservation Authority can only comment if an area is being established in a national park³⁰. The Minister can override the affected area plan and/or ignore the underlying land classification³¹. Potentially, VAAs could be created anywhere on PCL&W, apart from nature reserves and wilderness areas.
50. Amenity Areas are in the present Act, but lack the title “Visitor.” In our view, this label removes the distinction between “recreation” and “tourism”. We oppose this change: recreationists are not “visitors” to our own public conservation land. It is ours. Tourists are the visitors - they are people just passing through, and are not New Zealanders who regularly go to these areas, or work and contribute to them³². The Conservation Act also recognises this distinction between recreation and tourism, and has no concept of “visitor”.³³ For this reason, any proposal to continue with VAAs must start by calling them what they are: “Tourist Amenity Areas” (TAAs)
51. Clearly, TAAs are designed to facilitate more intensive commercial use and expansion of infrastructure on PCL&W, such as hotels, gondolas etc., in popular tourist locations, such as Piopiotahi/Milford Sound, Aoraki/Mt Cook, Franz Josef Glacier with little reference to the intrinsic natural values of the areas³⁴. The public, the New Zealand Conservation Authority, and local conservation boards will have little say on this process. TAAs would create areas

²⁷ Pg 13 Draft NCPS

²⁸ s. 16A(2)(a)(ii) Conservation Amendment Bill

²⁹ s.16D CAB

³⁰ s. 16C((2)(b)

³¹ s. 16E & 16G

³² <https://mickabbott.substack.com/p/when-did-we-become-visitors> Downloaded 25 July 2026.

³³ s. 6(e) Conservation Act 1987.

³⁴ s.16A Conservation Amendment Bill 2026

of privately owned property rights on PCL&W that would give valuable commercial rights to the holder.

52. It is easy to envisage situations, where commercial imperatives would prevail and TAAs would restrict New Zealanders right to access PCL&W. For example:
- a. Commercial operations might obtain exclusive rights to operate over part of the PCL&W e.g. a Great Walk or perhaps even an area desirable for hunting as perhaps in parts of inland Canterbury or Central Otago.
 - b. Restrict access to popular destinations, e.g. the Eglinton Valley or Piopiotahi/Milford Sound, by limiting the number of people or access to certain times, hindering the right to visit other adjacent areas of the PCL&W.
 - c. Facilitating intensive development for tourism at road ends, such as Aoraki/Mt Cook, and the resulting congestion would preclude New Zealanders from visiting these areas or use them as a starting point for trips into the backcountry.
53. FMC objects to the proposed approach to establishing TAAs. PCL&W was set aside for the primary purpose of conservation and public enjoyment, not to facilitate economic development or give companies or individuals de facto private ownership of these areas³⁵. Giving the Minister the power over the establishment of TAAs will merely favour short term political or economic considerations, create the risk that governments might pander to commercial interests, and overlook other factors, such as the risk from natural events, conservation and public enjoyment. There is no justification for excluding independent public oversight of the TAAs by the New Zealand Conservation Authority and the local knowledge of the Conservation Boards³⁶.
54. Detailed planning guidance for TAAs should be included in area plans, but as a start (and if the Bill itself does not do so) the NCPS should set out the criteria for creating TAAs and identify the location of these areas. It should also include policies to guide the extent and type of development in TAAs, limit the size of TAAs to constrain sprawl, and be required to meet strict environmental standards, e.g. pre-treatment of stormwater discharges, sympathetic landscape design, help protect conservation values of the surrounding areas.
55. Proposals to establish new TAAs must be publicly notified, and ensure that the New Zealand Conservation Authority, iwi and the local conservation boards are consulted on draft proposals and the final design of any TAA.

Recommendation #11: add new policies

Add new policies:

- a. setting out the criteria for defining the extent of Visitor Amenity Areas and identifying all these areas in the NCPS (if the Bill does not do so).
- b. Replace the the term 'Visitor Amenity Areas' with 'Tourist Amenity Areas' (TAA)

³⁵ s.(6(e) Conservation Act 1967

³⁶ s.16C Conservation Amendment Bill 2026

- c. To manage the development within a TAA to ensure that:
- i. it is consistent with the objectives of the Conservation Act 1987, addresses the effects of global warming and natural hazards, and the potential risk to biodiversity, cultural and visitor assets and infrastructure in each area plan; and
 - ii. the adverse effects on the landscape, water quality and biodiversity are avoided, or as far as practicable mitigated.
- d. To ensure that the New Zealand Conservation Authority, Conservation Boards, iwi are consulted on proposals for TAAs and before the draft plan for any TAA is publicly notified for submissions.

Exempt activities

Do you have feedback on any of the activities proposed for exemption from requiring a permit, and should we consider any others?

Are there other conditions you think should be included or removed for these exempt activities?

56. Our only comment on the list of proposed activities and the conditions in Appendix 2, is how will the Department enforce compliance with the conditions? For example, if the use of a drone or electric bicycle of a certain power is exempt, it is inevitable that without active enforcement, the limitation set by the conditions will be more or less meaningless.
57. Voluntary work is making a significant contribution to conservation and recreational outcomes on PCL&W (see para. 14(b)). These efforts by individuals, such as FMC's 'Love our Huts' campaign to clean backcountry huts, or voluntary groups such as Greater Wellington Backcountry Network, Permolat, and Kaimai Ridgeway Trust to maintain tracks, and pest control by, for example, Friends of Rotoiti, have picked up much work which the Department simply lacks capacity to undertake.
58. These types of activities are low key, and yet make huge contributions to sustaining biodiversity and recreational infrastructure. To remove any legal ambiguity or doubt about voluntary work on PCL&W, this work should either be included in the list of Exempt Activities, with appropriate conditions, or be taken out of the category of activities that require a concession in the first place - just like recreation now. The same conditions could apply.
59. There is a precedent for this approach. Recreational activities that are not for specific gain or reward already do not require a concession³⁷. The Minister also has discretion to allow volunteers to undertake without requiring them to obtain a concession³⁸.

³⁷ s. 17(O)(4) Conservation Act 1967

³⁸ S. 17(O) (3)(d) or s. 13E Conservation Amendment Bill

Recommendation #12: Add the following new clause to Policy 21 and conditions to Appendix 2

e. Voluntary work for recreation and conservation purposes.

Voluntary work

- The activity does not require the use of powered tools or equipment.
- The clearance of indigenous vegetation is limited to formed tracks and in the immediate vicinity of backcountry huts
- Only approved poisons or traps are used to control animal pests.
- Approved animal baits for pest control are placed by hand
- All material used for the activity must be removed once the activity is completed
- Only exotic pest plant species are cleared or removed from public conservation land.
- The activity does not disturb cultural heritage sites, including archaeological sites, and cultural heritage sites.

Pre-approved activities

Do you have feedback on any of the activities proposed for pre-approval, and should we consider any others?

Are there other terms and conditions you think should be included or removed for these pre-approved activities?

60. Pre-approved activities raise issues that are similar in principle to exempt activities. The list of pre-approved activities comprises a mix of commercial operations on most areas of PCL&W - guided trips, transport to and from PCL&W, and other 'one off' type of activities' such as drone use, research activities, small scale filming and events.
61. We generally support the proposed conditions for pre-approved activities, e.g. no more than 50% of the bunk space in any hut or half the camping sites may be booked out by commercial guided groups. Table 4 'Terms and conditions' prescribes a detailed list of conditions for each pre-approved activity. For example, 10 general terms and conditions apply to all guiding activities plus another set of specific conditions for each activity. This raises questions about the practical management and compliance monitoring of these activities. For example:
 - a. How will the Department monitor these activities to ensure that areas don't become oversupplied, suffer from excessive noise, or congestion from too many commercial operations?
 - b. How will guided tour operators know if other operators are using campsites or backcountry huts, and how will the Department ensure that, for example, a hut is not fully booked out to a number of commercial guided groups?
 - c. At popular locations e.g. Mueller Hut, Brewster Hut, guided day walks will use hut facilities e.g. gas, toilets etc. How will these commercial operations contribute to their share of the cost of providing these services?

- d. Most E-bikes are now more powerful than 300W. How does the Department propose to enforce the 300W max limit?
62. These problems could start to be addressed, by requiring commercial operators of pre-approved activities to register details of their operations with the Department, so the number of operators and their activities can be monitored, and the Department can determine if area plan limits on are being complied with (see paras 21 to 24 and Recommendation 6).

Recommendation #13: Add a new term and condition for preapproved guiding activities and transportation to and from PCL&W

The Concessionaire must register their activity with the Department. This would include a description of the activity, including frequency, number of people, and where it would take place.

Areas where pre-approved and exempt activities do not apply

Are there areas where you believe exempt and pre-approved activities should not apply? Please describe the area(s) in detail and the significant adverse effects on natural, cultural, or historic values, and why adverse effects cannot be avoided or mitigated.

What costs and benefits do you see in not applying pre-approved and exempt activities in specified locations?

63. One advantage (a benefit) of “not applying pre-approved and exempt activities in specified locations” is that it would seem to provide one of the only realistic policy tools for managing the cumulative effects , e.g. prohibiting activities such as scenic helicopter landings on parts of the PCL. Monitoring has never been realistic for cost reasons. And as we have detailed in our submission on the Bill, management through competitive allocation will be generally difficult due to its Treaty of Waitangi implications, and the Bill reversing long settled law in this area.

Activities with standardised pre-assessment

Do you have feedback on any of the activities proposed for standardised pre-assessment?

Do you know of any other commonly undertaken activities on PCL&W which should be included in the list of activities?

64. No comment

Policies for the management of specific activities

Are there other management matters we should consider for one (or more) of these activities?

Is there any additional feedback relating to these activities you wish to provide?

Should any other activities be managed by the NCPS?

65. Policy 31 *"Utilities, roading and public infrastructure"* offers no useful guidance as to how new or existing infrastructure will be constructed and managed within the hierarchy of conservation values. Decisions on utilities are left to the discretion of the Department. This represents a major shift away from the policies in the Conservation General Policy.
66. This is very concerning to FMC, as the definition of 'utilities' is open ended and includes any type of structure or infrastructure. Potentially, a large-scale hydroelectric scheme could be constructed and operated on PCL&W if deemed to be 'suitable'.
67. Policy 31 must be rewritten to reflect the s. 6(3) hierarchy in the Conservation Act 1987.

Recommendation #14: Replace Policy 31 with the following policy.

31. Utilities may be installed, maintained or extended on public conservation land provided:

- a. alternative sites are not available, or they cannot be reasonably located outside public conservation lands and waters;
- b. the utilities are of a scale, design and colour that relates to, and is integrated with the local landscape and seascape;
- c. the utilities are, wherever possible, located with, or added to an existing structure or facility and use existing access routes;
- d. public access is not restricted, except only where necessary for public safety or the security and operation of the utility; and
- e. obsolete or redundant utilities should be removed from public conservation lands and waters and the site restored as far as practicable to a natural state.

68. Policy 32 states that a grazing or farming concession may be granted for land *"in existing pasture or farming use, or has previously been in pasture or farming use since 2000, or it is suitable to use grazing for management purposes"*. Under this policy, farming or grazing concessions could be granted on previously farmed or grazed land that was added to the PCL as a result of the tenure review.
69. FMC opposes the resumption of grazing or farming licences on these areas of PCL. Through the tenure review process these areas of former farmed or grazed land were identified as having high ecological or landscape values, justifying their addition to the PCL. A considerable amount of public resources, time and money has been spent on the tenure review process - the landowners gaining 'fee simple rights' to their land as a result of the process on the understanding that the remaining areas of land would be returned to the PCL, and not be used as a 'land bank' for occasional farming activities. Granting grazing or

farming leases on former tenure review land creates a precedent that will be difficult to reverse.

70. 'Grazing and farming' concessions on PCL&W could also affect practical public access in these areas even though licences do not give exclusive possession in law. Often the presence of stock rightly deters responsible trampers from taking practical access across flats, and can prevent it altogether if dangerous animals like bulls or heavy concentrations of beehives are involved. Public access over PCL&W is a fundamental right under the Conservation Act 1987, and therefore there needs to be compelling reasons for restricting public access. A new clause should be added to Policy so that public access is safeguarded when a farming or grazing concession is being applied for on PCL&W.

Recommendation #15: Amend Policy 32 clause (a) :

- a) The land is in existing pasture or farming use, ~~or has previously been in pasture or farming use since 2000, or it is suitable to use grazing for management purposes;~~

Insert following new clause into the Policy:

"...

- c. Public access is maintained or enhanced, and

- d. In a national park, there is a public interest that ..."

Exemption from district land use consents

Are there other activities you think should be included in the non-exhaustive list (noting the activities must meet the requirements of the RMA section 4(3) exemption)?

71. No. It is appropriate that the work or activities by the Department on PCL&W is exempted under section 4(3) of the RMA, provided that the work or activities are consistent with the planning or policy documents prepared under the Conservation Act 1987. Under the new planning scheme, the NCPS and area plans will need to play a more directive role to manage congestion, discharges to air and water, noise and all the other adverse effects associated with increasing tourism.
72. Other private commercial developments on PCL&W need to obtain whatever concessions and resource consents and other authorisations are necessary for their activities, and not be exempted from requiring resource consent under the RMA.

Policies for land reclassification

Is there any feedback you wish to provide regarding these reclassification policies?

73. We are also seriously concerned that Policies 55 & 56 – 'Reclassification of public conservation land (besides national parks) omits any oversight by the New Zealand Conservation Authority, conservation boards or other groups. This is yet another area where the NCPS pre-empts the Bill in an important area where there is strong public opposition, including from FMC, as well as apparent political disagreement.

74. As is, the draft NCPS might help allow significant areas of PCL&W, outside of national parks, to be reclassified and either exchanged or disposed of. If the decisions about the 'reclassification' of PCL&W lie primarily with the Department and the Minister, they are more likely to be justified on vague meaningless grounds, such as, *'the land has low conservation or recreation values'*, for other political reasons.
75. Any review of PCL&W should be subject to independent scrutiny representing the broader public interest beyond the 3 year electoral cycle, and be guided by local knowledge and experience. PCL&W are national assets that should be protected, managed for both present and future generations, and not lightly given away. Many of these areas, i.e. stewardship land, still need to be formally assessed for their values. Other areas have been recently added to conservation lands as result of tenure review.
76. The New Zealand Conservation Authority and the conservation boards should be consulted on any proposal and where appropriate seek the advice from other organisations with particular expertise e.g. NZ Fish & Game - sports fishing, Herenga ā Nuku/Outdoor Access Commission – public access, FMC - recreation.

Recommendation #16: Insert the following new policy after Policy 56:

New Policy Before undertaking a review of the classification of any public conservation land and waters, or acquiring new land for public conservation land, the Department:

- a. must seek the views of the New Zealand Conservation Authority, and the conservation board within whose area of jurisdiction the land is located;
- b. must seek the views of tangata whenua within whose rohe the land is located; and
- c. may seek the views of the territorial authority, Herenga ā Nuku/Outdoor Access Commission, and any Fish and Game Council within whose area of jurisdiction the land is located.

Nāku, nā



Raymond Ford
Executive Committee
Federated Mountain Clubs of New Zealand



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