

Changes to Paparoa National Park Management Plan, May 2021

This document extracts the changes to the Paparoa National Park Management Plan identified in the High Court decision dated 27 May 2021. The extracts that are provided enable the changes to the Plan to be readily identified. Please refer to the High Court decision for additional context.

Declaration

[The following declaration is inserted on page 7 of the Paparoa National Park Management Plan under: **How to read this Plan | Me pēhea te pānui tika i tēnei mahere**]

Recreational aircraft landings

The West Coast Te Tai o Poutini Conservation Management Strategy 2010-2020 (the CMS) sets desired outcomes for “places” in the West Coast. Section 4.2.3 sets the desired outcomes for Paparoa Place, including the Paparoa National Park. Section 4.2.3.7 relevant provides:

Paparoa National Park is renowned for its natural quiet, the retention of its outstanding natural remote character and its range of low-impact, nature-based passive recreational activities. Other than vehicle use (see Section 3.6.4.7) of the Bullock Creek public road and Perseverance Road (the latter is located in Inangahua Place), the Park is free of activities involving vehicles, including aircraft ...

The High Court decision¹ has found that the Paparoa National Park Management Plan (2017) derogated from the West Coast Te Tai o Poutini Conservation Management Strategy (2010-2020) by providing for recreational aircraft landings in the Paparoa National Park. References to such landings have been removed from the Management Plan.

Concessions for recreational aircraft landings in the Paparoa National Park may not be granted, save for non-powered recreational aircraft landings (e.g. hang gliding or paragliding).

This declaration does not affect the application of s 170(3)(c) or s 17ZF of the Conservation Act 1987, or 10.6(g) of the General Policy for National Parks.

For the purposes of this declaration the term “recreational” shall be read in accordance with the definition of “recreation” provided in the glossary of the West Coast Te Tai o Poutini Conservation Management Strategy 2010-2020, at 315: “For the purpose of this CMS, the term ‘recreation’ encompasses the full range of activities undertaken by people for leisure purposes and the experiences they gain through these activities. ‘Recreational uses’ thus encompasses both passive enjoyment (such as the appreciation of natural scenery from roadways) and more active outdoor activities (such as walking, tramping, hunting and motorised recreation).” The term “landings” shall be read in accordance the definition of “landing” provided in s 17ZF(5) of the Conservation Act 1987.

¹ Royal Forest and Bird Protection Society of NZ Inc & Anor v New Zealand Conservation Authority & Ors [2021] NZHC 1194 [27 May 2021]

For the avoidance of doubt without limiting the meaning of “recreation” in the CMS, aircraft landings for the following purposes are not recreational aircraft landings in Paparoa National Park:

- a) landings by the Department of Conservation for national park management purposes;
- b) landings for the construction, operation and/or maintenance of equipment (e.g. meteorological, seismic) or utilities (e.g. communication systems, transmission lines) authorised by the Department;
- c) landings to support research, monitoring or the collection of material authorised by the Department;
- d) landings in support of Ngāi Tahu/Ngāti Waewae cultural purposes;
- e) landings for commercial wild animal control activities; and
- f) landings at the ventilation shaft and portal of the Pike River mine for family members of the Pike River mine men.

This declaration is limited in effect to:

- a) the Paparoa National Park Management Plan 2017 and the question of recreational aircraft landings in Paparoa National Park; and
- b) the interpretation of the West Coast Te Tai o Poutini Conservation Management Strategy 2010-2020 insofar as it relates to recreational aircraft landings in Paparoa National Park.

Text removed from Plan

[The following identifies the relevant sections of the Plan, and page numbers, and the “strike-outs” show the text removed]

3.8 Aircraft

Ngā waka rererangi

Policies

Ngā kaupapa [pages 53 – 54]

- 3.8.5 Should grant concessions for aircraft landings in the Yellow Zone only where the landings meet the criteria in Policy 3.8.3 and in accordance with the following limits:
- a) for commercial purposes, no more than two concessions for the whole zone, two landings per concession per day at any one site (defined as any landing site within a 1-kilometre radius of the initial landings site) and a maximum of 20 landings per aircraft per site per year; ~~or~~
 - ~~b) for recreational purposes, two landings per aircraft per day at any one site (defined as any landing site within a 1-kilometre radius of the initial landings site) and a maximum of 20 landings per site per year.~~
- 3.8.7 May grant concessions for aircraft landings associated with ~~sporting events or~~ filming activities where they do not meet the limits and/or criteria for the Yellow or Orange Zone,

and/or the prescriptions for visitor management zones in Appendix 2 (see www.doc.govt.nz), in accordance with Policies 3.11.1–3.11.6 and subject to an assessment of:

- a) any adverse effect of the ~~event or~~ filming activity and the extent to which it is possible to avoid, remedy and mitigate those effects. Examples of mechanisms used to address any adverse effects include:
 - i informing neighbours and potential visitors to the site that the activity is to occur or is occurring;
 - ii avoiding peak visitor times;
 - iii avoiding or protecting sites with high natural, historic or cultural values, including Ngāi Tahu/Ngāti Waewae values in consultation with Te Rūnanga o Ngāti Waewae;
 - iv the use of remotely piloted aircraft; and
 - v low-level flying (i.e. hovering) but no actual landing on the ground.
- b) cumulative adverse effects on the values at the site; and
- c) the need for public consultation of the ~~event or~~ filming activity.

3.11 Sporting and other competitive events

Ngā tauwhāinga

Policies

Ngā kaupapa [page 55]

- 3.11.2 May grant concessions for sporting events where they are consistent with ~~the aircraft zoning provisions in this Plan, Policies 3.8.1–3.8.9, Part Two: Ngā Tamariki a Tāne objectives and policies, and the aircraft access zones on Map 5;~~

Tī Kōuka Place

5.2 Management consideration

Ngā tikanga whakahaere [page 79]

...

Aircraft landings in Tī Kōuka Place are required for monitoring the mine site, administration buildings and ventilation shaft, and for those wanting to remember the Pike River mine men. ~~Aircraft landings for the facilitation of recreational users are permitted.~~

...

5.4 Tī Kōuka Place: Outcomes, policies and milestones

Tī Kōuka Place: ngā hua, ngā kaupapa and ngā tohu

Policies

Ngā kaupapa

Pike29 Memorial Track and Paparoa Track

Te ara Pike29 and Te ara Paparoa [page 81]

- 7 Should grant concessions for commercial operations and services (~~including aircraft activities, in accordance with Policies 5.4.10–5.4.17~~) on the Pike29 Memorial Track and the Paparoa Track, only where they:
- a) provide services and backcountry accommodation for guided and/or unguided walkers and bikers on the track; and
 - b) increase the range of opportunities available in Paparoa National Park without affecting other visitors' use and enjoyment of the Park.

Aircraft

Ngā waka rererangi [pages 81 – 82]

~~10 Should grant concessions for aircraft landings adjacent to the Paparoa Track within Tī Kōuka Place only in accordance with:~~

- ~~a) Policy 5.4.15; or~~
- ~~b) Part One: Te Wao Nui Policies 3.8.1–3.8.9; and~~
- ~~c) the following criteria:~~
 - ~~i at the designated landing sites at the huts on the Paparoa Track, for the transportation of packs, mountain bikes and passengers, where there are no more than five landings per hut per day;~~
 - ~~ii at the agreed landing sites on the escarpment, for the transportation of packs, mountain bikes and passengers, where:~~
 - ~~a) there are no more than:~~
 - ~~i two landings per day; and~~
 - ~~ii 20 landings per year;~~
 - ~~b) people and bikes landed use a formed track or route to access the Paparoa Track; and~~
 - ~~iii if evidence shows that adverse effects are occurring at the escarpment landing sites, management of the landings at these sites may change;~~
 - ~~iv no more than two concessions are granted; and~~
 - ~~v the transportation of mountain bikes (in addition to packs and passengers) is only granted to one concessionaire on a five-year trial basis.~~

~~11 Should not grant concessions for aircraft landings to transport mountain bikes at the sites identified in Policy 5.4.10, following the completion of the five-year trial, unless a partial review of this Plan has been undertaken and it has been demonstrated that:~~

- ~~a) demand is evident;~~
- ~~b) the benefit, use and enjoyment of other users can be protected; and~~
- ~~c) adverse effects on natural, historic and cultural values can be avoided, mitigated or minimised.~~

12 Should grant concessions for aircraft landings within Tī Kōuka Place only in accordance with Part One: Te Wao Nui Policies 3.8.1–3.8.9 and at the following landing sites or for the following purposes:

- a) the ventilation shaft and the portal of the Pike River mine, only where the landings are for family members of the Pike River mine men; and
- b) landing sites other than those identified in ~~Policy 5.4.10~~ or clause a) above, where there are no more than:
 - i two landings per day at any one site;
 - ii two concessionaires; and
 - iii 20 landings per concession per year.

~~15 May grant concessions for aircraft landings on the Pike29 Memorial Track and the Paparoa Track, where the landings do not comply with the limits and/or criteria in Policy 5.4.10 only in support of sporting events.~~

Partial review [page 82]

18 Carry out a full analysis of whether to allow:

- ~~a) the aircraft landings provided for by Policy 5.4.10c)v) beyond the initial five-year period;~~
and
- b) electric power-assisted pedal cycles (e-bikes) on the Pike29 Memorial Track and the Paparoa Track

by way of a partial review of this Plan. The analysis should include:

- i experiences elsewhere on public conservation land, particularly the Heaphy Track and the Old Ghost Road Track;
- ii consideration of the costs and benefits of any changes, consistent with the General Policy for National Parks 2005;
- iii any economic benefits to public conservation lands and the Buller District;
- iv adverse effects of additional activities on recreational experience; and
- v any safety implications.

Milestones

Ngā tohu

Achieved by the end of Year 5 (2021) [page 83]

~~4 A report has been prepared on the monitoring results for the aircraft landing provisions in Policy 5.4.10; including a full analysis of whether to allow the transportation of mountain bikes beyond the initial five-year period by way of partial review of this Plan.~~

Horoeka Place

7.2 Management consideration

Ngā tikanga whakahaere [page 92]

...

Aircraft landings in Horoeke Place are relatively low given the amount of private land where aircraft landings can occur. However, from time to time landings are required inside this Place to position recreational fishers and other users.