



Department of Conservation  
*Te Papa Atawhai*

**FAXED**

3 August 2004

Email: [andic@ohnz.com](mailto:andic@ohnz.com)

Dear Andy

Thank you for bringing your 4WD team to meet with us last week. We found it a useful and positive discussion, and hope you did too.

I will use this letter to record the main points that arose from our discussion, in lieu of a separate minute, and to outline our understanding of where to next. Please feel free to let us know if you have any different interpretations of what was said.

#### **Issues**

##### Definitions

There was some discussion about what roads were, including the status of paper roads, maintained roads and beaches. Bronwyn Barnard agreed to send out the draft definition to those present for any contribution they could make to the best possible definition.

The definition of vehicles also needed to be considered so that non-registered/non-warranted off road vehicles could still be used legitimately.

##### "Illegals"

There was general agreement that DOC needs powers to be able to control illegal off-road use by vehicles, including 4WD, motorbikes and quads.

##### Recognition

In return for the significant support and compliance with DOC management decisions in the past and future, the organised 4WD organisations would like to be appropriately recognised. It was agreed that the proposed system of 'notices' would provide flexibility to be able to open some areas on limited occasions for limited times if conditions were suitable.

##### Raising public awareness

It was agreed by all that the increased ability of DOC to enforce its new powers would require a comprehensive public awareness campaign, including with local government. A suggestion was made about developing a code of conduct. Tim Amos of DOC has already had some discussions about the 'Tread Lightly!' campaign. This will be looked at further.

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### Heritage Roads

Concern was expressed that DOC does not recognise heritage values of roads, and that walking access sometimes compromises those values. Christine Jacobson will check the Historic Heritage chapters of the draft general policies to see if roads are covered. Attached is a copy of the most recent draft for that chapter. (Update – this week's historic heritage workshop run by DOC includes a presentation entitled "The Long and Winding Road: A Heritage Taken for Granted. *An introduction to the concept of road heritage with examples managed by DOC*".)

### Authority to issue notices

Some concern was expressed about the perception that local managers with strong personal views about off-road vehicles may use their decision-making powers unfairly. This possibility was recognised and Peter Lawless undertook to look further at decision-making systems with the possibility of retaining delegated decision-making in the first place with Regional General Managers and subsequently to Conservators. It is also noted that the decision making power is linked to the planning documents and would be open to judicial review.

### Infringements

Bronwyn confirmed that as well as infringement notices, offenders may be required, amongst other penalties, to undertake community work or to rectify damage.

### Consultation

There will be a need to consult widely on the places which should be made open by notice when the new legislation comes into force, unless there are specific references in planning documents.

### Timeline

At this stage it is likely that the Bill will go to Select Committee in November and will be open for submissions until February/March 2005. The elections may determine timing, but it is likely that any new provisions could come into force late 2005 or early 2006.

### Follow-up

1. DOC has provided you with more detail on the legislative proposals. Feedback to Bronwyn Barnard is requested by 24 August.
2. DOC has appended relevant extracts from current general policy drafts.
3. DOC will investigate how national consultation could be run over the next 12 months to determine those places suitable for off-road vehicle use.
4. DOC will explore further a public awareness campaign, recognising current work in relation to the Tread Lightly! campaign.
5. DOC will start looking at a process for mitigating the possibility of localised prejudices.
6. Rod Lonsdale extended an invitation for a fieldtrip to look at various 4WD issues and solutions.

Thank you very much for meeting with us, and to your colleagues who travelled to Wellington for this meeting. It seemed to me that we shared much common ground and that all our interests will be best met by walking (or driving!) together to find a legislative solution that both protects our heritage and our opportunities to enjoy it. There are matters of detail that do need to be worked through, but I am sure that your contributions will help immensely.

**Extracts from most recent redrafting of General Policy for the Conservation Act. (National Parks Act is almost identical)**

**9.1 Managing Benefit, Use and Enjoyment**

9.1 (a) A range of appropriate recreational opportunities will be provided in different settings for people with different capabilities, skills and interests, appropriate to the purposes for which the land or water is held and its conservation values.

9.1 (b) To enable people to use, enjoy and be inspired in public lands and waters, the following values should be protected and any adverse effects (including cumulative effects) minimised:

- i indigenous species, natural habitats and ecosystems, geological features, landforms and soils;
- ii cultural and historic heritage, included wāhi tapu sites;
- iii the qualities of solitude, remoteness and wilderness, where present;
- iv the qualities of peace and natural quiet, where present;
- v scenic qualities.

9.1 (d) Conservation Management Strategies and management plans should identify the outcomes sought in different places. The outcomes should be identified in terms of 9.1 (b) and (c) and should also consider the following factors:

- i. current recreational opportunities provided; and
- ii. uniqueness of some current recreational opportunities; and
- iii. contribution to, and compatibility with, the wider network of recreational opportunities; and
- iv. current and projected levels of visitor use;
- v. the quality of visitor experiences

3 (a) Relationships should be developed with individuals, organisations and communities who have interests in or associations with public lands or waters, to foster local conservation outcomes. They should be based on mutual good faith, co-operation and respect.

3 (b) Partnership arrangements with groups or organisations may be developed where this would foster enhanced conservation outcomes. Such arrangements will be appropriate to local circumstances and may span a spectrum of forms. Agreements may be negotiated and implemented to support relationships and partnerships.

3 (c) Consultative procedures with the public should be put in place. Public submissions on statutory management processes for public lands and waters will be invited and considered. Information will be made available to facilitate public contributions.

3 (d) Interested or affected individuals, organisations, communities and experts may be approached directly for their views on specific proposals.

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