

# 4. Use and Accessibility

## 4.1 VISITOR MANAGEMENT

### ***Objectives***

***To allow for public benefit, use and enjoyment within the park, in a manner that is compatible with park values and the recreational setting, and to seek to control activities that detract from that recreational setting.***

To preserve and enhance the natural peace and tranquility and the predominantly backcountry and remote recreational setting of the park.

Areas of backcountry and remote experience dominate the park and the tranquil nature of these environments should be enhanced by careful planning and management of vehicular access and track systems. In order to maintain the remote and wilderness qualities, no further vehicular access points are to be developed and the current access is to be managed to maintain a contrast in use across the park from the busy St Arnaud area to the rarely visited Glenroy Valley.

Lakes Rotoroa and Rotoiti already provide contrasting experiences with the former very lightly used compared with the latter. Similarly, use at the head of Lake Rotoiti contrasts with that at St Arnaud.

Because of the high level of recreational use and management activity, the St Arnaud Management Area and the Rotoiti Nature Recovery Project Area are closed to recreational hunting.

### **Roading and vehicles**

The St Arnaud Management Area is the most heavily visited part of the park and often forms a focus for access to the park as a whole. It contains the only internal roading, some of which is public road vested in the local council and the remainder is national park road managed by the Department. It serves the village, campgrounds and the lower slopes of Mt Robert, a base for skifield and tramping access.

Access to both valleys in the Mātakitaki/Glenroy Management Area is via 4-wheel-drive tracks that follow the valley floors for about half their length across conservation areas leased for grazing. The lease agreements provide for such vehicular access on these tracks. In the lower Mātakitaki valley, below the conservation area boundary, the access track no longer follows the legal road because of stream erosion. A legal easement is required to ensure continued public access across the leasehold land to the valley. But it should remain suitable for off-road vehicles only (see map 6) as any upgrading of the track would degrade the remote experience of the area. Roding in the park is considered to be sufficient and it is not intended that any new roads will be created. However, the realignment of current 2-wheel drive access roads may be undertaken.

In terms of the National Parks Act, 1980 mountain bikes are vehicles and the General Policy for National Parks requires that vehicle use must be limited to formed roads. Opportunities exist for mountain bikes in adjacent conservation areas. In the Mātakitaki/Glenroy Management Area, in particular, 4-wheel-drive tracks in adjacent conservation areas provide access to remote areas close to the park boundary.

## **Boating**

The lakes are an integral part of the park and this is recognised by their total inclusion within the legal description of the park. The lakes offer an opportunity for recreational boating. Generally boating has had a relatively low environmental impact and can provide an acceptable means of transport and access. However, some boating activities can conflict with inspirational values of the park through noise, and pose environmental risks through the possible introduction of water-weeds, water pollution, rubbish and effluent. They can also induce shore erosion.

Parts of the lake around St Arnaud are heavily used and support a range of activities including fishing, water skiing, swimming, canoeing and yachting. Conflicts can arise between different users, particularly close inshore, near launching points. The conflicts can be minimised by zoning the lake for particular activities or restrictions on use (map 8).

A higher level of use is tolerated on Lake Rotoiti than on Lake Rotoroa. Nevertheless, pollution and noise from continuous and prolonged activities such as use of jet skis, hovercraft and other personal water craft can disrupt the peace and tranquility of the area. For these reasons hovercraft and personal water craft (eg. jet skis) will be prohibited from being used on the lakes in the park. By-laws prohibit all motorised vessels from the using the rivers in the park.

Activities that result in large crowds can be inappropriate, particularly away from the main residential and camping areas. Water skiing is already prohibited on Lake Rotoroa and will be limited to the defined areas on Lake Rotoiti through by-laws, as shown on map 8.

Activities on the water are controlled through the Water Recreation Regulations 1979. Launch wardens (including boat club members) may be appointed by the Maritime Safety Authority to ensure compliance.

Constraints are placed on some activities to reduce conflicts between activities and to reduce noise. Most of the boating on the lakes involves small boats that can be readily removed from the water. Large boats (over 8 metres long) allow unacceptable increases in use and have the potential to damage shores.

The presence of large vessels in enclosed bays such as Kerr Bay and West Bay is, for most visitors, out of keeping with the landscape and a visual intrusion on the lake. It may break down the sense of remoteness and tranquility of the lake, particularly at key visitor points such as Kerr Bay. Formalising the existing ban on moorings, through a bylaw, is necessary to protect the natural and scenic values of the lakes.

All vessels, including powerboats, yachts, and any other craft that are greater than 8 metres long and/or 2.5m wide (which require a permit from the Police to be towed on the open road) will not be permitted on the lakes and rivers in the park. Rowing skiffs and waka are exempted from the restrictions on boat length due to their low impact on lake values. These restrictions will be imposed through a bylaw.

The use of boats for accommodation, particularly for a prolonged period, is likely to have unacceptable adverse effects. Potential adverse effects of overnight stays include anchor damage to the subaquatic and lakebed flora and fauna. The potential for pollution also exists from the release of sewage and rubbish cast over the side at what could become regular mooring sites. In order to preserve natural values, including water quality and peace and tranquility, such use has been prohibited in the past and this will be formalised through a by-law.

Both lakes are included in the “natural state” classification (ie. no alteration to the water can occur) under the Buller Water Conservation Order and it is inappropriate to permit activities that could have adverse effects on water quality. A by-law will be sought to prohibit overnight accommodation on vessels and require the removal of all vessels from the water at night, except where necessary or essential for park management purposes. A by-law will also be sought to prohibit vessel moorings in the lakes.

An annual yacht regatta on Lake Rotoiti is well established and does not greatly impinge on the peace and tranquility of the lake.

An annual powerboat regatta has also been a long-standing event. However, it does significantly impinge on peace and tranquility, not only during the two-day event but also in the preceding 2 to 3 days during practice runs. Furthermore, many of the boats currently exceed the intended size restrictions (8mx2.5m). Because of these impacts the Department will review the appropriateness of the powerboat regatta at the end of the term of this management plan, as part of the formal plan review process.







### **Motorised air access**

Motorised air access detracts from the peace and tranquility of the park. The park is closed to motorised aircraft landings except for special purposes, in accordance with by-laws. The special purposes, defined in the by-laws, are mainly for essential management, emergencies and wild animal control (see also 4.3 Concessions). The chief exception is to provide for a service to the Mt Robert Skifield.

The park is subject to low-level scenic flights and occasionally used by the airforce for low flying exercises. In the confined valleys, particularly those of the Travers, D'Urville and Sabine rivers, low flying aircraft can detract from the experience of visitors and may even set off avalanches and threaten lives in some climbing areas. For these reasons, restrictions on low flying by all aircraft will be sought from the Civil Aviation Authority while recognising military powers under the Military Manoeuvres Act 1915 and the agreement between the Department and the Ministry of Defence.

### **Other air access**

Hang-gliders and parapentes are classified as aircraft and therefore require a special permit. The Department must also approve take-off and landing sites. Hang-gliding, parapenting and similar opportunities are only limited by the ability to access suitable take-off and landing points. Unless numbers are high, the impacts on the park and other users are minimal. Landing sites need to be variable for public safety reasons. In considering requests for permits, all relevant factors need to be considered, including:

- impact on natural values;
- whether they have an approved safety plan (which is the responsibility of the operator);
- Civil Aviation Rules (which apply at all times);
- the level of use of take-off and landing places by other park visitors; and
- the likely frequency and intensity of the activity.

### **Closures and restriction**

While access is generally unregulated, restrictions on visitor numbers are sometimes necessary at particularly sensitive sites to preserve natural values, where there is a fire hazard, to reduce noise, or for visitor safety. In a few cases temporary or permanent closure could be required. Consultation is required for some types of restrictions or closures and consultation requirements depend on the type of closure or restriction.

The restrictions or closures may be required to:

- preserve natural values;
- preserve the recreational benefits of natural peace and tranquility;
- protect visitor safety;
- allow fees to be charged for a commercial activity (eg. running a camping ground);  
or
- implement a booking system for accommodation on the Travers/Sabine Circuit.

Reasons for temporarily restricting visitors or closing an area include:

- emergencies such as fire, accident, search and rescue;
- management purposes such as routine maintenance, site restoration, construction and use of aircraft;
- special events such as sports events or filming; and
- safety.

In considering restrictions, all relevant factors should be considered, including:

- whether the restriction can be achieved indirectly, eg., re-routing;
- whether suitable alternatives exist outside the park;
- requirements for re-routing of visitor traffic;
- necessary duration;
- whether numbers need to be limited;
- what area needs to be specified;
- other special conditions;
- any consultation required; and
- signs and notifications (especially at the visitor centre and other information centres).

### **Organised groups**

Organised groups, especially school groups, are often present in the lower valleys and close to St Arnaud. Other large groups may arise through the granting of a concession, but their numbers can be controlled through the concession agreement.

Nelson College has an outdoor centre near the end of the formed public road in the Mātakitaki valley and students use the valley extensively for training purposes. Party size and intensity of use may affect the recreational experience of other visitors. Agreement should be reached on party sizes and areas to be used to minimise conflicts with other users.

School groups occasionally venture from the Mātakitaki valley into the D'Urville but place limited demands on facilities. Currently, few groups use the Rotoroa Management Area and it must remain free from the intrusion of large groups to preserve its remote character.

Where organised groups of 10 or more people congregate at a hut or particular site they can place stresses on the environment and facilities and impose on other visitors. Effects can include temporary or permanent damage to natural values (including effects on viability of species), impacts on peace and tranquility through noise, crowding of facilities (including impositions on other track users), and damage to facilities from overuse.



In particular, organised events (including military exercises) must be planned to minimise impacts. Where organisers charge a fee they require a concession. When restricting groups in a particular area all relevant factors need to be considered, including:

- size of party;
- duration of stay;
- nature of activities;
- location of activities;
- timing of activities in relation to use of that area and the park as a whole;
- likely stress placed on facilities;
- likely damage, especially to areas around huts or particular sites; and
- likely disruption to the experience of other visitors in that particular recreational setting.

These must be evaluated along with the potential benefits such as:

- increased knowledge about the park;
- outdoor education under a defined education programme;
- participation in a Departmental work programme;
- construction or maintenance of planned park facilities.

### **Camping and accommodation**

Freedom camping within the park is generally allowed, but in the Travers and Sabine valleys, adjacent to high use tracks, on the shores of the lakes, and in a few other areas, restricting camping to particular places or times may be necessary to prevent adverse effects. Adverse effects can include pollution, in the form of rubbish and human waste, vegetation damage from clearing camping areas and fires, and social effects on other visitors from poorly positioned camping areas.

A booking system may be required for access to facilities on the Travers/Sabine Circuit if the visitor numbers exceed the capacity of the facilities at peak periods. At the same time, to ensure equitable use of facilities and to avoid spreading the impacts of camping along the track, it may also be desirable to restrict camping to particular places.

Where restrictions to camping are being considered, the Department will consult with key stake holders. All relevant factors need to be considered, including:

- the impact on the natural and social values in the particular recreational setting;
- the need to limit visitor numbers;
- likely compliance with restrictions and fees and the means available to achieve this;
- ecological impacts; and
- human waste management.

In order to protect natural values and water quality, the management of camping within 200m of lakes Rotoroa and Rotoiti will be reviewed. Camping may need to be restricted to the campsites provided by the Department and freedom camping may be prohibited.

## **Dogs**

Under the National Parks Act 1980 and the Dog Control Act 1996, dogs are not permitted in a national park without a permit, unless they are guide dogs, companion dogs, search and rescue dogs, Police or Customs Department dogs or dogs used by the Department in management programmes. Permits can be issued, subject to conditions.

Permits may be issued for the use of dogs in the park if:

- the activity is legal and all necessary consents have been obtained;
- their use is essential for the activity ;
- they are fully trained for the proposed activity;
- they are used according to a previously approved plan for that activity;
- the actual and potential risk to protected wildlife vulnerable to dogs can be avoided or minimised through conditions on the permit;
- conflicts with other users of the park can be avoided or minimised through conditions on the permit.

## **Implementation**

**4.1.1 Further roading within the park will not be provided, with the realignment or re-routing of existing roads (particularly at Kerr and West bays) being the only roading work considered to be appropriate during the term of this plan.**

**4.1.2 No further vehicular access points will be developed and the current access will be managed to maintain a contrast in use across the park from the busy St Arnaud area to the rarely visited Glenroy valley.**

**4.1.3 Any grazing licences covering the Mātakitaki and/or Glenroy valley floors will provide for access for off-road vehicles and on foot.**

**4.1.4 An easement will be negotiated to protect 4-wheel-drive access into the Mātakitaki valley.**

**4.1.5 A by-law will be sought to prohibit powerboats more than 8 metres in length and/or wider than 2.5 metres on Lake Rotoiti and Lake Rotoroa. Further constraints on boat use may be considered to minimise the visual and noise impacts of vessels on the waters of the park .**

**4.1.6 A by-law will be sought to prohibit yachts and other non-motorised boats, except rowing skiffs and waka, that are longer than 8 metres and/or wider than 2.5 metres on the waters of the park.**

**4.1.7 A by-law will be sought to prohibit vessel moorings in park waters.**

**4.1.8 A by-law will be sought to prohibit people staying overnight on boats.**

**4.1.9 A by-law will be sought to prohibit vessels from remaining on the lakes overnight without a permit, except for park management purposes.**

- 4.1.10** *Temporary facilities for swimming may be provided and temporary marker buoys may be used to define access ways and zones or for scientific purposes only at Lake Rotoiti.*
- 4.1.11** *A by-law will be sought to prohibit personal water craft (eg. jet skis) and hovercraft in park waters.*
- 4.1.12** *Use of motorised vessels in the rivers will continue to be prohibited through by-laws.*
- 4.1.13** *A by-law will be sought to restrict water skiing to the areas shown on map 8.*
- 4.1.14** *Water skiing and personal water craft will continue to be prohibited on Lake Rotoroa through by-laws.*
- 4.1.15** *Appointment of boat wardens will be sought through the Maritime Safety Authority and an education programme (including signs) will be initiated to manage water-based activities.*
- 4.1.16** *The Department will review the appropriateness of the powerboat regatta at the end of the term of this management plan, as part of the formal plan review process.*
- 4.1.17** *Restrictions will be sought, through the Civil Aviation Authority and in conjunction with the Ministry of Defence, to prevent aircraft without a current landing permit flying low over the park.*
- 4.1.18** *Landing of aircraft will be only be permitted for special purposes (including the winter service on Mt Robert) under a concession and any decision regarding aircraft over-flights and landing within the park will be mindful of the value of natural quiet.*
- 4.1.19** *Hang gliding, parapenting and other non-mechanised air activities may be limited to defined take-off and landing areas on a case by case basis, taking into account the factors set out in “Other air access”, above.*
- 4.1.20** *The Air Force will be discouraged from using the airspace above the park for training flights and any Defence activities must comply with the Defence Training Agreement.*
- 4.1.21** *Groups of more than 20 (school, sports or recreation groups) will be encouraged to inform the visitor centre staff at St Arnaud of their intended presence and may be restricted to particular areas according to factors set out in “Organised groups”, above.*
- 4.1.22** *A by-law may be sought to prohibit camping within 200 metres of the edge of lakes Rotoroa and Rotoiti except at designated sites and managed camping areas.*
- 4.1.23** *Consideration will be given to implementing a booking system for accommodation at peak use times on the Travers/Sabine Circuit, following public consultation, and an appropriate by-law will be sought.*
- 4.1.24** *Restrictions on camping may be instigated (through an appropriate by-law) along the Travers/Sabine Circuit if a booking system is instigated for hut use after taking into account the matters set out in “Camping and accommodation restrictions” above.*

- 4.1.25 Restrictions for special purposes may be placed on numbers of visitors to particular sites, through a by-law, taking into account the factors listed in “Closures and restrictions” above.**
- 4.1.26 Permits may be issued for the taking of dogs into the park only for special purposes and subject to compliance with the matters set out in “Dogs” above.**
- 4.1.27 Competitive sports events not requiring a concession may be permitted only in the St Arnaud Management Area, provided due consideration is given to the environmental impact and the impact on other users of the area and taking into account the factors listed under “Organised groups” above.**
- 4.1.27 A by-law will be sought to prohibit recreational hunting in the St Arnaud Management Area and the Rotoiti Nature Recovery Project Area for safety reasons.**
- 4.1.28 Large groups will be discouraged from using the Travers Valley and Rotoroa Management Areas unless there are direct benefits to the park.**
- 4.1.29 Continued dialogue with the managers of Mātakitaki Lodge will be maintained to ensure that school use of the Mātakitaki/Glenroy Management Area has minimal impact on other visitors.**

**CMS REFERENCES:**

Visitor Access,	p273
Visitor Opportunitie	p281
Air Access,	p 279

## 4.2 VISITOR SERVICES

### **Objective**

**To provide facilities for public use and enjoyment of the park in a manner consistent with the preservation of natural values, public safety and the recreational setting of each management area.**

Many activities in the park require few facilities. For others, the Department provides a range of facilities.

The basis for recreational development planning within the conservancy has been set out in the Conservation Management Strategy, which was guided and informed by the national Visitor Strategy. Planning takes into account the mapped Recreational Opportunities Spectrum (ROS) for an area and the current and expected patterns of use. The classification of an area is in part determined by ease of access.

The Department has developed a Quality Conservation Management system, arising from the recommendations of the Commission of Inquiry into the Cave Creek incident. As part of this work the Department has developed the Visitor Asset Management Programme, which includes public consultation. This programme involves the assessment of every visitor facility and structure managed by the Department to produce a site ranking which determines whether or not each facility is to be retained, upgraded or removed. This programme will heavily influence the manner in which the Conservation Management Strategy and existing facility planning documents are implemented.

Within this park a clear pattern of recreational opportunity exists. St Arnaud lies on a main highway and is to a degree urbanised, whereas the Rotoroa settlement is small, lies on a side road off the main highway and it is therefore more remote. Access into the Mātakitaki and Glenroy is even more difficult with the final vehicle access segments being across farm tracks, making the valleys very remote. This range of recreational experiences will be preserved.

Easy road access to the two main lakes attracts large visitor numbers to a few focal points. St Arnaud lies on, or not far from, the main tourist routes to the West Coast and Nelson/Marlborough and so has the potential to draw high visitor numbers. Numbers are growing significantly in the St Arnaud area and park tranquility there is threatened. Increased numbers are placing stress on some facilities and areas such as Kerr Bay.

Most visitors do not venture far from their vehicles and so it is at the roadends that facilities should be provided. For those who do venture further there is a requirement for day-based recreation opportunities at St Arnaud that should be met by providing and maintaining track systems there.

The major walking tracks are concentrated around St Arnaud and Rotoroa. They provide relatively easy walks that are suited to family groups and this pattern should be maintained. Further afield a range of tracks, routes and untracked areas are maintained to provide for a range of recreational experiences in backcountry and remote environments (map 9). Within this framework the Travers/Sabine Circuit is the only major track system and caters for those seeking comfortable huts and a good track.

### **St Arnaud Management Area**

The visitor information centre at St Arnaud provides the major focus for the park. The location of the visitor centre, along with the village and two campgrounds, creates a demand for short loop walks in this area and this demand is well catered for. The visitor centre is also one of the main start and end points for several longer walks offering a wide range of opportunities and experiences.

Good information systems at parking areas, track entrances, and at the visitor centre are key parts of the management of the facilities in the park. These systems can include signs, interpretation, pamphlets, maps and up-to-date information on local weather and track conditions, some of which is provided by a computer-based system at the visitor centre.

Kerr Bay experiences crowding at peak times. The closure of the road to the east of Kerr Bay emphasised the need for shelter, car parking and landscaping, consistent with national park values, within Kerr Bay to provide for day visitors and manage the boat traffic. Significant landscaping and car park development was completed in 2001, but some members of the local community felt that the work was inappropriate. The Department will continue to monitor the functioning of the area and will work closely with the local community and user groups in the future development of Kerr Bay. Toilet facilities may be required in future in the small bays that are used as water ski take-off points and for picnicking.

## **Travers Valley Management Area**

The lower Travers valley is the part of the park most heavily used by trampers. This is because it is part of the Travers/Sabine Circuit that links the two lakes and also because it is linked with ridge routes on the Travers Range, particularly through Angelus Hut. Snow-based activities and climbing are popular along the range.

The Rotoiti Nature Recovery Project is a showcase of what intensive management intervention can achieve and it attracts many and diverse visitors to its short easy tracks.

Other recreational activities within the management area include hunting and freshwater fishing, the latter largely based on day trips by small boats. Two jetties are provided at the lake head and two at Whisky Falls.

Visitor numbers fall rapidly up-valley with less than a quarter travelling over the Travers Saddle at the valley head. The eastern side of the Travers valley has no tracks and the Arnst valley is a particularly remote area.

## **Rotoroa Management Area**

Three short walks are maintained at the Lake Rotoroa roadend. The lakehead is a focal point for tracks up the two valleys and links with the Tiraumea and Speargrass valleys. The lower Sabine valley is heavily used by trampers, hunters and anglers because it is a link in the Travers/Sabine circuit and carries traffic to the West Branch and on to Blue Lake, Waiau Pass or Moss Pass. The East Sabine valley is rarely visited. Use in the D'Urville valley is perhaps a tenth of that in the Sabine valley and it is a popular place for hunters and anglers. The fishery is particularly highly valued and receives high pressure from anglers.

The western side of Lake Rotoroa is untracked and fringes an area with a wilderness classification under the Recreational Opportunity Spectrum (map 10) in Tutaki Forest Conservation Area. The aim is to allow for increased use on the Travers/Sabine segment but to maintain the current status of the track systems elsewhere.

Development of extensions to facilities needs to be carefully planned to ensure that they do not create increased use or demands for services or uses that are incompatible with the remote environment.

The two lake-head huts are recognised as having different characters. Sabine Hut is used by large numbers of trampers. D'Urville Hut is smaller and used mainly by anglers and hunters.

The Rotoroa Management Area has several marked and unmarked high altitude passes that often require a wide range of outdoor skills to minimise risks. Blue Lake forms an important focus for these tracks and routes. Some routes can be quite dangerous even in midsummer and are often undertaken by people with limited skills because the approach tracks up the valleys are easy. With growing visitor numbers, the risks of accidents are increasing. Appropriate warnings are required in park information, huts and hut books.

Chamois hunting is concentrated in the upper valleys, particularly the West Sabine. Lake fishing is the other main recreational activity. It is largely based on day trips by small boats and is served by a boat ramp and jetty at Rotoroa.







## **Mätakitaki – Glenroy Management Area**

The main recreational activities in the Mätakitaki-Glenroy Management Area are hunting, climbing and tramping. The main tracks are not linked between valleys and there are no formal links with other parts of the park, although low passes allow crossings into adjacent valleys such as the D’Urville, Waiau and Maruia valleys. The character of the management area is one in which a high level of self-reliance is required. To enhance the remote character of the area, the aim is to establish no further facilities but rather to downgrade, close or remove some facilities, as discussed in the Hut and Track Review and the CMS. This strategy will be implemented according to the Visitor Asset Management Programme and through this management plan.

Over half the use in this area comes from people using Mätakitaki Lodge. Nelson College maintains several tracks in the lower valley to non-uniform and varied standards. These facilities need to fall under formal maintenance prescriptions and track standards need to be made compatible with the same categories elsewhere in the park.

### **Travers Sabine Circuit**

The CMS indicates that the Travers Sabine circuit is one of the seven important track systems in the conservancy for development over the next decade, based on current and predicted increases in visitor use. Track segments in the lower Travers and Sabine valleys are being upgraded, but the link over the Travers Saddle remains a steep and poorly-formed segment. It should only be upgraded sufficiently to reduce environmental damage above the treeline and to enhance visitor safety. The track will continue to be maintained to a standard suitable for backcountry users but will not become a Great Walk: the Department has indicated that there will be no more Great Walks. The Sabine Hut may be replaced with a larger capacity hut, provided a suitable location can be found. Once this has been done, no further huts are intended and increased use is to be managed by establishing a booking system, rather than increasing hut size.

### **Provision of facilities**

At the time this plan was approved, the Department was undertaking a comprehensive review of all visitor services and facilities it manages. This review is known as the Visitor Asset Management Programme. All structures have been assessed against strict criteria for retention, upgrade or removal. Facilities that are to be retained, or built, will have to be constructed and maintained to nationally consistent engineering standards. There will be consultation with key user groups over the future management of facilities as part of this review.

Where a facility does not meet the criteria for ongoing retention, the opportunity to upgrade or maintain the facility for public use may be offered to user groups. Maintenance of such facilities will have to meet the strict standards set and used by the Department itself.

In considering the development or approval of any new recreational facilities or modifying existing facilities in the park all relevant factors need to be considered, including:

- impact on natural values;
- Visitor Asset Management Programme outcomes;

- the need for consultation;
- the area likely to be affected;
- ability to carry out the activity outside the park;
- expected frequency of participation;
- compatibility with the current recreational setting (ROS categories);
- conflict with existing activities and options available to each group;
- level of use and visitation;
- impacts on current facilities and likely requirement for new facilities;
- long-term impacts, including those on indigenous biodiversity;
- biosecurity risks; and
- safety of other visitors.

### **Camping facilities**

The campgrounds at Kerr and West bays provide only basic facilities. The private sector is able to provide higher quality services, particularly budget accommodation such as cabins and backpackers facilities, outside the park. Kerr Bay should be managed primarily for short stay visitors, particularly those beginning or completing longer walks. The West Bay campground should be managed for longer stay visitors, although the decline in use through changing holiday patterns means that the size and scope of the area needs to be carefully re-thought. Possibly the area could be closed to camping altogether, if demand declines further, and developed for day use to take pressure off Kerr Bay. In particular, the placement of the road and the relationship of the campground to the shore and boating area need to be better integrated if the camp is to continue.

At Rotoroa, although there is a demand for a better quality campground, the provision of cabins or the encouragement of long term stays could create a demand for tour boats, day walks at the lake head and a range of entertainment that would detract from the remote character and the peace and tranquility of the area. On the other hand there is a need for improved accommodation services for trampers, particularly those exiting the park. This demand will not be catered for in the park but could be served by backpacker-style accommodation provided by the private sector, outside the park.

All the camping areas provide only basic camping facilities without extras such as TV rooms. Any demand for cabins or other forms of accommodation is more appropriately provided for by commercial businesses at St Arnaud or Rotoroa villages. The CMS states that accommodation generally will not be provided in parks where practical opportunities exist on adjoining land. In the case of Nelson Lakes, opportunities do exist for provision of commercial accommodation adjacent to the park.

### **Visitor information**

The park has not been promoted strongly as a tourist destination and this has helped to preserve its basic recreational values. Both nationally and within this conservancy, the park fulfils an important role as a relatively unvisited area not subject to excessive visitor pressure, where peace and tranquility remain dominant values.

The visitor centre at St Arnaud is the key focus for information about the park. It is the source of information about day-to-day issues and route information as well as broader values and history of the park. St Arnaud is the main entry point to the park for a range of activities and the lakes provide for a range of boating experiences. For safety reasons, key information should be regularly updated and kept readily available at all times. The Department's own information on the park will be consistent with its remote character and peace and tranquility values.

The park provides a range of challenges and limiting the development of some opportunities or facilities reinforces these challenges. In doing this, self-reliance is stressed: visitors will be made aware of the need to be responsible for their own safety and the safety of children and others in their care. The experience and equipment requirements of the riskier routes should be stressed in their descriptions, particularly at the visitor centre and key huts which serve as gateways to those routes.

### ***Implementation***

- 4.2.1 A range of walking opportunities will be provided for day visitors at the St Arnaud and Rotoroa roadends but not at the head of Lake Rotoroa.***
- 4.2.2 All implementation will be as defined in the Visitor Asset Management Programme process.***
- 4.2.3 Appropriate facilities for day visitors will be developed, especially along the shores of Lake Rotoiti.***
- 4.2.4 So as to enhance the gradation towards a wilderness experience away from the main entry points within each valley system, some tracks will not be maintained and some will be maintained to a lower standard in more remote parts.***
- 4.2.5 In backcountry and remote areas limited facilities will be provided and local groups may be encouraged to maintain low-use peripheral tracks.***
- 4.2.6 Where facilities within the park are not maintained by the Department, the people or groups doing so will be required to work to the Department's national standards.***
- 4.2.7 Planning for new facilities or upgrading existing facilities will take into account the factors listed in "Provision of facilities" above.***
- 4.2.8 The Travers/Sabine Circuit will be the only major track maintained to a high standard for backcountry users but will not become a Great Walk.***
- 4.2.9 The Travers Saddle route will be upgraded only to the extent necessary to mitigate hazards and minimise physical impacts by trampers.***
- 4.2.10 The eastern side of the Travers valley above Borlase Stream will remain track-free, apart from the valley floor and lakeshore tracks, and tracks providing public access to the Rotoiti Nature Recovery Project Area, or where required for management purposes.***
- 4.2.11 Facilities for skiers will not be provided within the park on the St Arnaud Range.***
- 4.2.12 Huts may be removed and tracks or routes downgraded or closed in the Mātakitaki/Glenroy management area to enhance the remote experience.***

- 4.2.13** *The functioning of the car park and landscape development at Kerr Bay is an ongoing issue which will be monitored and the Department will work closely with the local community and user groups in the future development of Kerr Bay.*
- 4.2.14** *Nelson College will be encouraged to help in the planning and maintenance of facilities in the Mātakitaki valley.*
- 4.2.15** *Camping areas will provide only appropriate low-key camping facilities.*
- 4.2.16** *Kerr Bay campground will be managed for short stay visitors.*
- 4.2.17** *The future of West Bay campground will be regularly re-assessed and it may be closed.*
- 4.2.18** *The Rotoroa campground will provide only basic facilities for short stay visitors.*
- 4.2.19** *Where appropriate, commercial businesses will be encouraged to provide accommodation outside the park.*
- 4.2.20** *Departmental publicity about the park will focus on information and safety rather than promotion of the park as a destination.*
- 4.2.21** *Key information about access provided at the visitor centre will be regularly updated and readily available.*
- 4.2.22** *An information system of publications and interpretation will be provided covering key sites.*
- 4.2.23** *Appropriate park information and interpretation will stress the range of tramping challenges, the need for individuals to be responsible for their own safety and the need for particular skills and equipment on the most dangerous routes.*

**CMS REFERENCES:**

Strategic Directions, p32  
 Recreational Facilities, p297  
 Visitor Information, p325

## **4.3 CONCESSIONS**

### ***Objective***

***To allow only those concession activities which are in keeping with the low-key nature of the park and which operate in a manner consistent with the predominantly backcountry or remote recreational setting and natural values.***

All concession applications will be considered in terms of the legislation and the national park status of the land and waters. Any decision to approve a concession must be consistent with the principles of the National Parks Act, as well as the Vision and Primary Objectives set out in this plan.

Nelson Lakes National Park has an essentially backcountry to remote recreational setting. There is a low level of recreational use over much of the park. This means that the range of potential activities is more limited than in most other parts of the conservancy.

The CMS sets out the main considerations in issuing a concession for recreation, commercial use and public works such as roading. These are based on an assessment of the potential effects of the proposal. The chief factors to take into account in considering concession applications are set out in Part IIIB of the Conservation Act and are based principally upon the effects of the activity.

Within this park important effects are those that detract from its natural peace and tranquility and its perceived low level of use, or which impact on the clarity and low nutrient status of its waters. All concessionaires will be required to monitor the impacts of their activities and report to the Department in accordance with any conditions attached to their concessions.

### **Recreation concessions**

Eco-tourism is a growing industry. Backpackers represent the most obvious part of a market that looks for adventure tourism activities. Guiding concessions assist overseas visitors and the less experienced to venture into the more remote areas of the park.

Since the park is closed to commercial helicopters through by-laws (except for wild animal control and Mt Robert skifield access), access by concessionaires must be by boat or on foot. As a result, most applications for concessions are to provide small-scale guided day walks or guided fishing services on the lakes or in the lower river valleys. These and other similar activities are compatible with the backcountry and remote recreational settings, provided conflicts do not occur with other users. Concessions will be limited so as to minimise conflicts with other users and to preserve backcountry and remote recreational experiences. Cumulative concession numbers will be limited to half the hut accommodation capacity and co-operation between the operators will be required to keep within the allowed number.

Within the conservancy, the lakes provide a unique opportunity for quiet freshwater boating such as kayaking. Thrill-seeking activities such as jet boating and jet skiing are incompatible with the overall character of the park.

The St Arnaud Management Area is a terminus for boat access along Lake Rotoiti and private operators provide a suitable water taxi service for those going fishing, hunting or tramping from the lake head. Commercial boats will be limited to the same size as recreational boats (8m long x 2.5m wide). At Lake Rotoroa large boats are considered an incompatible visual intrusion and boat size will also be restricted to 8m x 2.5m or less. Existing concessions are to be exempted from these restrictions. However, any new concession (including variations/extensions to an existing concession) may be required to comply with the boat length restrictions.

In order to control the adverse effects of boating concessions, the number of trips and/or passengers per trip will be limited. Limits will also be placed on the number of boat landings in the Travers Management Area, in order to preserve its remote character. Constraints on the use of motorised boats on the lakes and rivers limit boat tour potential in the park.

Good access and high seasonal visitor numbers mean that the St Arnaud area is a place where sports events are likely to be based (eg. yacht regatta). Major sports events such as coast to coast or mountain runs have limited benefits to visitors and consideration of applications for such events must take into account their likely size and impacts on the natural values and other users, the potential for growth and commercialisation and the Recreational Opportunities Spectrum setting.

The Rotoroa Management Area has a history of occasional low-key organised boating events that do not appear to have any obvious adverse effects on the general remote atmosphere of the area. In order to retain the character of Rotoroa it is considered that these small-scale, low-key activities should be managed by way of one-off permits from the St Arnaud Area Manager. However, the Rotoroa Management Area must remain free from the intrusion of large sporting groups in order to retain its remote character. Any new initiatives involving major activities will generally not be considered appropriate and bylaws will be sought to give effect to this provision.

The picnic area near the launching point for rafts at the mouth of Lake Rotoroa is sometimes crowded by rafting parties preparing their craft. Numbers of rafts and party sizes may need to be controlled to relieve the congestion and operators may need to co-operate with each other to keep within specified limits.

Advertising needs to be appropriate and unintrusive.

Based on size and scale the only forms of advertising to be permitted are:

- trade sign writing normally carried on vehicles;
- small scale sponsorships being carried out at the time in the park (mainly on clothing);
- small notices setting out timetables for services relevant to the park placed in huts;
- notices on vehicles for food services provided within the park; and
- small scale sandwich-board-type signs of up to 1 metre square for location information.

### **The Mt Robert Skifield**

The park has one of only two ski-fields in the conservancy. However, in a South Island context, the park provides only one of many opportunities for commercial skiing. Other snow-based activities are available in various areas in the conservancy.

The skifield at Mt Robert is a small-scale club field in an essentially pristine environment. It was established before the park and continues to cater for small groups, particularly families. It has the atmosphere of “pioneering” with a lengthy walk to the field. A strong club spirit exists among those responsible for the field. The area provides an ideal low-key environment based on a high level of self-sufficiency.

Proposals to improve or develop facilities will be considered in terms of:

- the need for them;
- effect on the park;
- compatibility with the plan’s overall objectives and specifically those for the St Arnaud Management Area; and
- the operating and development plan for the ski area.

Some of these activities themselves require special facilities, buildings or other modifications to the site that are not compatible with the nature of the area. For instance, skifield maintenance requires snow grooming, minor tow realignments and small-scale terrain grooming. However, large-scale or high-impact terrain grooming is seen as incompatible with the nature of the skifield.

#### *Aircraft landings associated with the Mt Robert ski-field*

As a special exception to the usual restrictions on helicopter landings in the park, a helicopter service between the Mt Robert carpark and the Mt Robert skifield was established as an alternative to road access to the skifield and should be allowed to continue. The concessions are restricted to take-offs and landings between these two points.

Ski touring is possible between Angelus and Mt Robert. However, because of hut capacity and problems of winter use, commercial use of this route should be severely limited, both in party size and timing or frequency of use.

#### *Rainbow Ski-field*

The Travers Valley Management Area is bounded to the east by the Rainbow Forest Conservation Area, which is outside the park and contains the Rainbow Skifield. In areas adjoining the park boundary, apart from the skifield, use is quite similar to that within the park. The Rainbow skifield draws large numbers of people during the ski season and the road access increases activity on that part of the park boundary. There is also interest in obtaining helicopter access between Rainbow and Mt Robert Skifields. If this were permitted it would greatly increase noise impacts and erode natural values such as natural quiet. It would also increase use on the Mt Robert Ski-field and could result in a demand for further facilities. One of the reasons for the development of the Rainbow Ski-field was the restrictions on the development of the Mt Robert Ski-field, and for that reason air access will not be permitted between the two.

### **Grazing**

A small area (less than 1 ha) at Rotoroa, originally kept for future developments, is the only area of grazing within the park. The future use of this area will be reconsidered. The area lies close to the lakeshore swamps and should be allowed to regenerate to protect that shore and water quality.

### **Structures**

Large-scale, resource based commercial activities, such as mining and hydroelectric power generation have significant environmental effects that often cannot be avoided, remedied or mitigated. Case law indicates that hydroelectric generation structures are not permissible within national parks. Mining is largely prohibited in national parks through the Crown Minerals Amendment Act (No.2) 1997. However, some small scale activities are permitted.

For any private or commercial structures the applicant must first show that there are no alternative sites available outside the park. Because of the primary objective to retain the undeveloped nature of the park, commercial accommodation developments would be opposed as they are not in keeping with the management philosophy of the park.

The Department regards the presence of existing telecommunications facilities and the erection of new facilities as being essentially incompatible with the primary objectives of this plan and the philosophy of the National Parks Act 1980. However, because of the mountainous nature of the park it is a prime area for such facilities. The Department will work closely with telecommunications providers in order to meet its own requirements and to reduce the effects of telecommunication facilities and to ensure that landscape values are preserved. Any concession granted for such facilities will contain strict conditions to ensure natural and historic values are protected and that obsolete facilities are removed.

Rotoiti Lodge Outdoor Education Centre at St Arnaud provides environmental education programmes for secondary school students and other groups. Activities with a similar strong educational component, or which favour low-key family group activities, are in keeping with the park atmosphere and objectives. The occupation of land for other purposes is not favoured.

Red Deer Lodge is owned by the New Zealand Deerstalkers Association (NZDSA) and is located within the park, across the road from the visitors centre at St Arnaud. NZDSA members utilise the lodge but it is also rented out to other groups. The lodge has a lease that expires in 2012, at which time it will be reviewed.

### **Water extraction**

The Buller River's headwaters are now covered by the Buller Water Conservation Order, which restricts use to small-scale domestic purposes. The Buller Water Conservation Order provides for the granting of resource consents to the Department for the taking of water from the lakes, where it is demonstrated to be necessary for the management of the land administered by the Department. The Order also provides for the taking of water from the lakes and river for domestic purposes.

These extractions have had little impact on the ecosystems and caused little physical disturbance. On the other hand, taking of water from streams may result in continual disturbance to maintain flows, and the need for structures and pipelines. These structures would require a concession where they were located on park land. The only area where this might occur is between the Wairau Saddle and St Arnaud. In this area, other sources are available outside the park and should be utilised.

### **Use of helicopters for wild animal recovery**

Commercial wild animal recovery is recognised as a valuable means of wild animal control in remote areas and will be encouraged. However, aircraft noise can intrude into that environment. The best time to hunt is determined by many factors including weather, animal vulnerability, and prices. Public use is highest in the summer but can also be high in some areas during the ski season. These factors must be considered within the context of recreational experience identified for each management area.

Closure to aerial recovery occurs between the beginning of November and the end of May. The St Arnaud area is closed at all times along with the Robert Ridge and the St Arnaud Range north of the Arnst River catchment (map 11). Daily or weekly approval from the Department is required before flights can take place.







Further areas may be closed, if necessary, where:

- other means are better able to maintain the desired level of control;
- public use has greatly increased or safety is threatened.

Access to closed areas for commercial hunting may be permitted where:

- a specific animal control programme is instigated;
- the control programme is of a specified, short duration; and
- public notice is given of the intentions.

Public use of those areas may need to be discouraged at such times for public safety.

### **Taking samples for scientific and non-commercial purposes**

From time to time requests are made to collect or sample plants and animals within the park. Applications to take native plants and animals from within the park can be made in terms of section 5 of the National Parks Act 1980 and section 8.7 of the General Policy for National Parks. Concession applications for research that is relevant and beneficial to park management will be encouraged. All requests will be considered in the first instance as to whether there are suitable alternative sources outside the park.

Applications may be approved under the following conditions:

- small samples to be taken;
- for plants - seed rather than cuttings to be taken;
- the population is not unduly depleted;
- ecological associations are not damaged;
- the activity does not detract from the natural values of the collection area;
- the appropriate iwi have been consulted; and
- such other conditions as the Minister may consider appropriate.

Samples of rock, mineral or soil may only be taken according to a defined and Departmentally approved research programme regarded as appropriate by the Minister in accordance with section 49 of the National Parks Act 1980 and section 8.7 of the General Policy for National Parks.

### **Filming**

Commercial filming that promotes the park will be discouraged as it could result in increased visitor pressure and threaten the low-key character of the park.

Commercial filming may be permitted:

- where no special exemptions are needed, such as for air or vehicular access, animals, or group sizes;
- where conditions can be set to avoid or mitigate effects and ensure adherence to the primary objectives of this plan;
- where it does not specifically promote the park itself.

## **Eel (tuna) fishing**

In terms of General Policy 11.5, the Department is not aware of any past practice of commercial eel (tuna) fishing within the park. Therefore, bylaws will be sought to prohibit commercial eeling in the waters of the park. It should be noted that any decision to allow the removal of indigenous fauna from the park is subject to the approval of the Minister of Conservation.

### ***Implementation***

- 4.3.1 Conditions may be placed on party size and frequency of visits by commercially guided parties.***
- 4.3.2 Commercial groups will have access to facilities on the same basis as the general public provided, in the case of huts, that half the bunks remain available to others if required.***
- 4.3.3 The Department will recommend to the Minister that recreation concessions in the St Arnaud Management Area comply with constraints on other users of the area.***
- 4.3.4 The Department will recommend to the Minister that organised sports events that require a concession be restricted to the St Arnaud Management Area only, and due consideration is given to the environmental impacts and the impacts on other users of the area.***
- 4.3.5 The Department will recommend to the Minister that only concessions with low impact on recreational experiences, such as for guided day walks or small-scale guided tramping, hunting or fishing, be considered appropriate for the Travers Valley Management Area.***
- 4.3.6 The Department will recommend to the Minister that party size for guided hunting, tramping or fishing concessions using hut accommodation in the Travers Valley Management Area be limited through conditions to 6 (plus the guide) and the number of parties be limited to protect the recreational experience of others.***
- 4.3.7 The Department will recommend to the Minister that party size for guided day trips in the Travers Valley Management Area be limited through conditions to 10 (plus the guide) to protect the recreational experience of others.***
- 4.3.8 An exception to group number limits will be made for educational groups using the park as part of programmes being conducted at the Lake Rotoiti Outdoor Education Centre.***
- 4.3.9 The Department will recommend to the Minister that only recreation concessions with low impacts on other visitors be considered appropriate in the Rotoroa and Mātakitaki/Glenroy Management Areas.***
- 4.3.10 The Department will recommend to the Minister that the number of guided parties allowed under guiding concessions in the Sabine or D'Urville valleys and the Mātakitaki/Glenroy Management Area be limited and party size be limited to 6 (plus the guide) so as to protect the remote recreational experience of others.***

- 4.3.11** *If a pass system is instigated for the Travers Sabine Circuit, quotas may be introduced for commercially guided parties.*
- 4.3.12** *Advertising within the park will be limited to the forms listed in “Recreation concessions”, above.*
- 4.3.13** *Conditions will be placed on concessions to prevent the introduction or spread of plant and animal pests.*
- 4.3.14** *The location of structures in the park necessary for the taking of small quantities of water from the lakes for Departmental purposes will be permitted where appropriate.*
- 4.3.15** *The Department will recommend to the Minister that concessions for structures in the park for the taking of water for other than departmental purposes not be granted.*
- 4.3.16** *New telecommunication facilities or upgrades of existing facilities will be allowed only where there are proven to be no alternative sites or systems available, natural values will not be compromised, effects can be avoided or remedied, and where the Department considers the visual impact to be acceptable.*
- 4.3.17** *The Department will require co-location with existing telecommunication facilities.*
- 4.3.18** *The Department will recommend to the Minister that commercial wild animal recovery by helicopter be restricted to particular times of the year and/or particular places as specified in “Use of helicopters for wild animal recovery”, above.*
- 4.3.19** *Commercial filming may be permitted where applications meet the criteria in “Filming”, above*
- 4.3.20** *Sampling of plants, animals, rocks or soils may be permitted under special conditions as outlined in “Taking samples for scientific and non-commercial purposes”, above.*
- 4.3.21** *Existing concessions will not be subject to boat length restrictions, however, any new concession (including variations/extensions to an existing concession) may be required to comply with the boat length restrictions.*
- 4.3.22** *The Department will recommend to the Minister that water taxi services be permitted on Lake Rotoiti but with restrictions placed on the number of trips, passengers per trip and number of landings within the Travers Valley Management Area.*
- 4.3.23** *The Department will recommend to the Minister that motorised water transport concessions on Lake Rotoroa be limited (with restrictions on numbers granted and the numbers of passengers per trip) to minimise boat traffic on the lake and retain the remote visitor experience.*
- 4.3.24** *The Department will recommend to the Minister that the number of operators granted concessions for guided fishing on Lake Rotoroa be limited to minimise boat traffic on the lake and retain the remote visitor experience.*

- 4.3.25** *Development of permanent facilities for downhill skiing will be confined to Second Basin, Robert Ridge.*
- 4.3.26** *Portable facilities (eg. ski tow) may be used in Third Basin when required (if there is insufficient snow in Second Basin).*
- 4.3.27** *The Mt Robert skifield will continue to be operated on a small scale, low impact, club basis.*
- 4.3.28** *Alterations to the present method or scale of skifield operation will require the prior approval of the Department, after public consultation.*
- 4.3.29** *Prior to any further ski-field developments, including any terrain grooming, the ski club, in conjunction with the Department and the Conservation Board, will review the skifield operating and development plan.*
- 4.3.30** *The overnight accommodation capacity of the ski-field will not be expanded.*
- 4.3.31** *Helicopter passenger services between Rainbow and Mt Robert ski-fields will continue to be prohibited in accordance with the by-laws.*
- 4.3.32** *The Department will recommend to the Minister that helicopter services under concessions continue to be permitted only between the Mt Robert carpark and the Mt Robert skifield.*
- 4.3.33** *The Department will recommend to the Minister that one concession for guided ski touring between Angelus and Mt Robert, limited to 5 clients at any one time, be considered acceptable in terms of preventing overcrowding at Angelus Hut.*
- 4.3.34** *Restrictions may be placed on the use of access points at the mouth of Lake Rotoroa by rafting concessionaires if congestion arises.*
- 4.3.35** *Grazing will only be recommended to the Minister as appropriate if necessary for park management purposes and only where existing at the commencement of this plan.*
- 4.3.36** *A by-law will be sought to prohibit commercial eeling in the waters of the park.*
- 4.3.37** *The Department will recommend to the Minister that concessionaires be required to provide a 12-monthly report detailing their operations (date/place/number of clients) to enable cumulative impacts to be assessed. If monitoring highlights problem areas, mitigative actions will be required.*

**CMS REFERENCES:**

Conservancy Overview, p49  
 Use of Areas Adminstrated by the Department, p231

#### **4 . 4 C U S T O M A R Y U S E**

##### ***Objective***

To provide for the taking by tāngata whenua of customary materials from the park, where it can be carried out legally and without damage to natural values.

Māori traditionally gathered certain plants and animals from the land and water for customary use. These materials were essential to everyday life. There is a present day revival of former traditions and the use of natural materials. Traditional customary materials include, but are not limited to, native plants used in rāranga/weaving and for rongoa/medicine and native birds and animals for their feathers, bones and for food. Many of the customary materials remaining today are found on lands administered by the Department.

Section 5 of the National Parks Act 1980 allows for the cutting or taking of plant material and the trapping, killing, or taking of animals only with prior written consent from the Minister. The General Policy provides for the traditional taking of indigenous plants and animals from a national park, where the plants or animals are not protected under the Wildlife Act 1953, demands are not excessive and the activity is consistent with the National Parks Act 1980.

A permit from the Minister is required for the gathering of any material from the park. Conditions may be imposed on such gathering to ensure that materials are available to future generations and that native flora and fauna are preserved.

### **Preservation**

There is some conflict between the Department's legal requirements to preserve native flora and fauna and their habitats in the national park and to give effect to the principles of the Treaty of Waitangi. Where there is a conflict the purposes of the National Parks Act 1980 will prevail.

The national park status of Nelson Lakes provides a high degree of protection to plants and animals within the park. The taking of plants and animals is not appropriate in terms of the general purpose of a national park and tāngata whenua should be encouraged, where possible, to use traditional materials from areas outside the park. However, some customary take from within the park may be appropriate for the exercise of tikanga Māori by tāngata whenua.

A precautionary approach is appropriate in a national park. Where little is known about a species, or the effects of an activity or take, the emphasis is placed on preservation.

### **Eeling**

Eel (tuna) fisheries are managed by the Ministry of Fisheries under the Fisheries Act 1996, but permission to take from and access to those fisheries in the park is controlled by the Department through permits and concessions. The Department is responsible for freshwater fish and their habitats in terms of section 6 of the Conservation Act 1987.

There are no customary or cultural rights for the commercial taking of eels (tuna) as these were settled by the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992 (section 10). Customary harvest of eels (tuna) can therefore only be considered for non-commercial, traditional use in accordance with section 5 of the National Parks Act 1980 and the appropriate application of section 4 of the Conservation Act 1987.

Scientific research into the ecology of eels (tuna) in montane environments to date has been limited but a major study was undertaken on the eels in Lake Rotoiti by (Dr D Jellyman (1991). The study found that Lake Rotoiti is home to the oldest known eel (tuna) population in New Zealand. This is due to the cold, unproductive nature of the lake, making the growth rate of the eels (tuna) extremely slow (9mm per year), with sexual maturity occurring at around 90 years of age. Both Rotoiti and Rotoroa form part of the mere 6% (estimated) of New Zealand's freshwater lakes which still contain unexploited eel (tuna) populations with access to the sea. As such, the lakes act as an important haven for maturation to breeding size with safe access to and from the sea for spawning and re-population. Further long-term research is required to determine the ecological sustainability of the population. This research should include both scientific and Māori practice concepts.

The Planning Tribunal has accepted that the lakes have national significance for scientific research, because they are the only significant long-finned eel (tuna) habitats in the country which are neither commercially exploited, nor suffer constraints on fish passage to and from the sea. The lakes were included in the Buller Water Conservation Order for this reason.

Scientific advice is that any take has the potential to adversely affect the Nelson Lakes eel (tuna) population, given their age and slow growth and mortality rates.

The customary rights of iwi to take are acknowledged in terms of the principles of the Treaty of Waitangi. However, there is conflicting opinion on the potential effects of customary take from the waters of the Nelson Lakes National Park. Kaitiaki will be appointed by iwi to advise the Department on customary take applications.

For some species present in the park (such as freshwater mussels (kākahi) and eels (tuna) and perhaps some plant species) collection sites are available on the Buller River or in adjacent conservation areas. Any application to take within the park will be considered on its own merits, potential cumulative effects, the biological and scientific value of the species involved and the requisite legislative framework.

### ***Implementation***

***4.4.1 Applications for the taking of materials for traditional or customary purposes, by permit only, will be considered in accordance with relevant legislation.***

***4.4.2 Applications for non-commercial customary take (other than eels (tuna)) will be considered with regard to all relevant factors, including the following criteria and conditions:***

- ***the species to be taken is not a protected species under the Wildlife Act 1953;***
- ***the species is not rare, endangered, or locally uncommon;***
- ***there is a justified need to use the resources from within the park (ie. no other sources are available or appropriate);***
- ***evidence that there has been traditional use of that species;***
- ***use is not excessive and the protection and preservation of the species and natural values are ensured;***



- *the species is of high importance to iwi and its use is an important expression of mana whenua and tikanga Māori;*
- *iwi will carry out appropriate measures to avoid damage to natural values.*

**4.4.3** *Iwi will be encouraged to carry out customary take in areas outside the park.*

**4.4.4** *A precautionary approach will be taken where customary take could adversely affect ecological values or the viability of a species.*

**4.4.5** *Any application for customary take of eels (tuna) from within the park will be considered on its merits, potential cumulative effects and the biological and scientific value of the eel (tuna) population.*

**4.4.6** *The Department will liaise with the Ministry of Fisheries in undertaking and encouraging scientific research into eel ecology, including traditional Māori concepts.*

**4.4.7** *The Department will work with kaitiaki appointed by iwi to facilitate closer consultation and relationships and give effect to the principles of the Treaty of Waitangi.*

**4.4.8** *Liaison will be maintained with the Nelson/Marlborough Conservation Board and the relevant iwi to resolve issues relating to customary take in the park.*

CMS REFERENCES:

Māori Traditional Use, p 237, 14.1



