

National partial CMS reviews

for biking

25th Nov 2022



New Zealand Government

Kia ora koutou, thank you for setting aside some time in your busy agenda for us today. Ko Charlie toku ingoa. I am a new management planner with the Department of Conservation. Also with me is Sarah Smylie, another management planner and the lead on this project. We are here today to talk to you today about the national partial CMS review for biking.

Purpose

In this session, we will outline:

- › How conservation management strategies (CMS) currently address biking on public conservation lands & waters
- › Issues arising from this approach
- › A proposed approach for managing these issues



Credit: Jeremy Town www.purepixel.nz

Off-road biking is a popular recreational activity in New Zealand. In a 2019 survey, biking was undertaken by 19% of New Zealanders at least once in the preceding year, making it the sixteenth most popular outdoor recreation activity.

Off-road biking is more popular than it was when many Conservation management Strategies (CMS) were developed. As a result, there is an increasing interest in the development of new biking opportunities. In today's session, we will provide an overview of how CMS currently manage biking on public conservation lands and waters. We will talk about the issues that have arisen from this approach and how we propose to address them. We'll limit our discussion to CMS today as we are not proposing to apply a new approach to national parks plans. National parks are managed under the National Parks Act 1980 and General Policy for National Parks 2005, which require different processes to be applied.

We discussed this issue at the chair's hui and made the commitment that we would come and talk to you about what it might mean for your area. We want to hear your thoughts at this early stage and encourage free and frank discussion about any issues in your region and our proposed approach. It is important to note that, at this stage, our proposed approach is just that, a proposed approach! We will test it internally, with conservation boards across the country and iwi, hapu and whanau before we take any further steps.

What issue are we trying to address

- › Often DOC, biking and other community groups want biking on existing walking tracks or create new tracks for biking.
- › Biking proposals need to be consistent with a CMS.



Kate Salmon

What issue are we trying to address? Often, DOC, biking and other community groups want biking on some existing walking tracks or to create new tracks for biking where this would not negatively impact on natural and cultural values. But, we cannot consider proposals if they are not consistent with the CMS.

Current approach

Applicable legislation and policy

- › Bikes are defined as “vehicles” under the Conservation Act 1987
- › CGP Policy 9.5(b) – Conservation Management Strategies (CMS) must identify where the vehicles may be allowed and establish any conditions for their use

So, how has this issue arisen?

Bikes are defined as “vehicles” under the Conservation Act 1987, in line with the Land Transport Act 1998. Therefore, Conservation General policy considers them to be vehicles.

Policy 9.5(b) of the Conservation general policy states: “Conservation management strategies and plans will identify where the use of specified types of vehicles and other forms of transport may be allowed and will establish any conditions of use”.

CMS must therefore set out how vehicles are to be managed.

Current approach in CMS

- › Most CMS include policies that:
 - list all current tracks, routes, roads and carparks where bikes can be used; and
 - identify where new tracks are proposed to be built
 - requires a partial review of the CMS for biking proposal not already identified.

Most CMS include policies listing all current tracks, routes, roads and carparks where bikes can be used. They also include policies which identify where new tracks are proposed to be built and require a partial review for proposals not identified.

Issues with current approach

- › Many proposals for new bike tracks cannot be considered without reviewing the CMS
- › Reviews are resource heavy and won't future proof CMS
- › CMS does not reflect changing recreation use and demand
- › Lack of national approach leads to inconsistency between regions
- › Frustrating for biking and other interest groups

Due to the current approach new biking opportunities often cannot be considered without first reviewing the CMS. Undertaking a review to address a small number of tracks is not always prioritised due to being resource heavy and does not future proof the CMS.

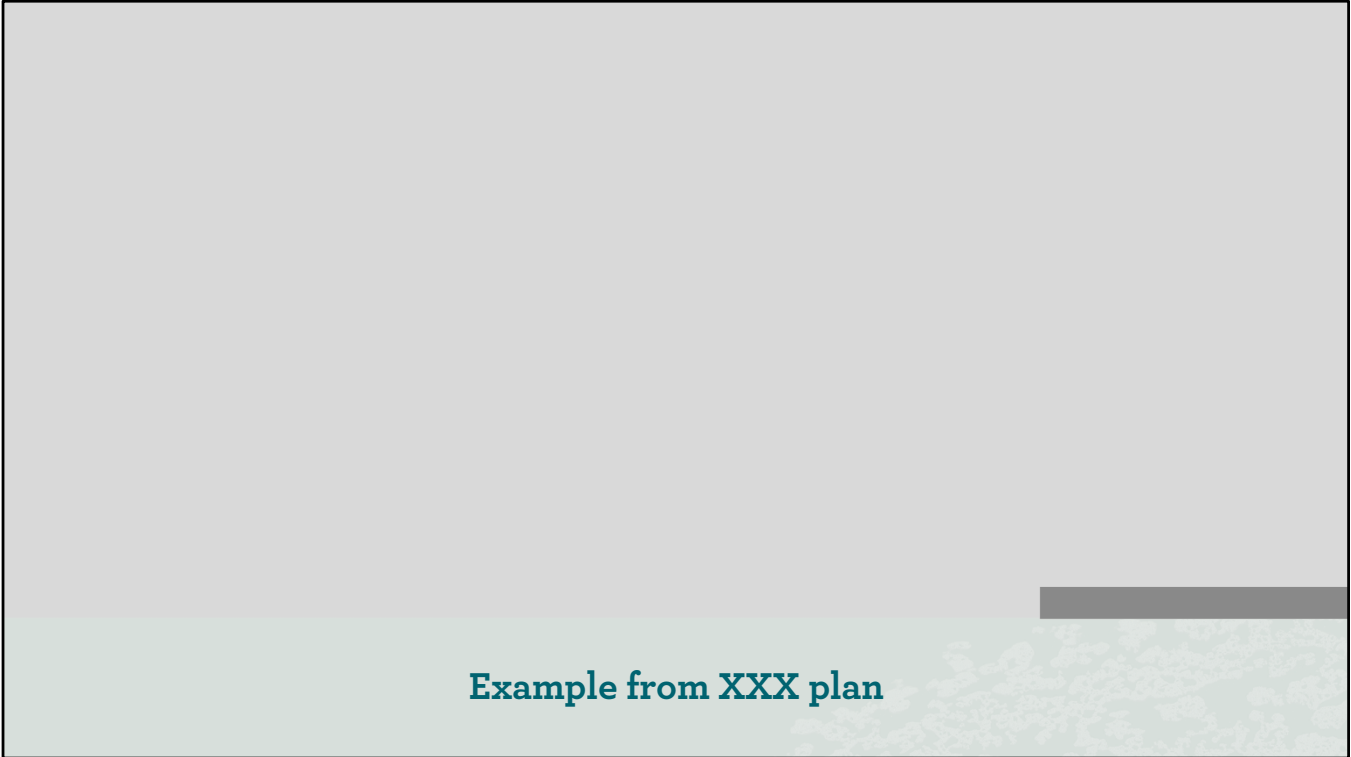
Because statutory documents cannot reflect the change in recreation use and demand, the lack of national approach has led to inconsistency between regions.

As an example, it was found the 2016 Otago CMS did not reflect the increased public interest in expanding biking in the region, and funding had been sought and approved for bike track initiatives. This was the key reason for the partial review of the Otago CMS. The review, completed in 2022, provided a framework for new tracks to be assessed against and additional areas added.

We also have another situation, where biking and tracks have been allowed that are not consistent with the CMS. This is due to several issues, some tracks were already established and not captured in the CMS when it was originally reviewed, others were approved when they were inconsistent due to the pressure of the recreation activity.

Even before the Otago CMS partial review was undertaken, it became apparent a national fix was needed to address these issues as it was not just limited to the Otago

region. Otago was prioritised due to the funding that was already approved.



Talk through the specific plan's current approach.

This is an example from the xx plan. Here we have a table which outlines which tracks and trails biking is allowed.

Tracks and proposals in your region

- › There are approximately xx bike tracks in your region
- › Of these, x are thought to be inconsistent with the CMS
- › District staff have received around xx applications for proposed tracks that cannot be considered because they are inconsistent with the CMS
- › E.g. xx track – why wasn't it allowed

Tailor slides based on meetings with stat managers,

Proposed approach

- › Nationwide partial review of all CMS
- › The proposed approach is for each CMS to:
 - list ‘no-go’ areas. These are areas where biking would not be allowed; **and**
 - allow consideration of new biking opportunities in all other areas (excluding national parks)
 - set out processes, strengthened policies and associated criteria for assessing where biking may occur.

Our proposed approach is to undertake a nationwide partial review of all CMS.

Each CMS would list “no-go” areas where biking is not allowed. The CMS will then allow consideration of new biking opportunities in all other areas (excluding national parks).

This doesn’t mean that we will allow biking just anywhere else. Rather, it enables us to assess new proposals against strengthened criteria whereas, currently, we cannot even consider new proposals.

We will also clearly set out the process, policies and associated criteria for assessing where biking may occur.

We are not proposing to undertake additional reviews where new CMS are being developed (Te Hiku) or where there are current reviews occurring (West Coast, BOP). Rather the new approach will be incorporated into these existing processes.

Proposed approach

“No-go” areas

Each CMS would:

- list ‘no-go’ areas. These are areas where biking would not be allowed
e.g. areas of natural or cultural importance

Each CMS would list “no-go” areas where biking is not allowed.

We are in the process of developing a draft framework for these no-go areas which can be adapted to reflect local values. Every region is different so a “one size fits all” approach would not work; we want to ensure that any framework is adaptable to each region. Examples of “no go” areas would be areas of high natural or cultural importance.

Were we to proceed with a partial review in your region, we would work with the board, iwi and the community to determine where these areas should be in your region.

Listing “no-go” areas ensures that any applicants for new tracks can clearly see where biking proposals would not be considered.

Proposed approach

Consideration of new biking opportunities

Each CMS would:

- › allow consideration of new biking opportunities in all other areas (excluding national parks) **and**
- › set out processes, strengthened policies and associated criteria for assessing where biking may occur

The CMS would then allow consideration of new biking opportunities in all other areas (excluding national parks).

This doesn't mean that we would allow biking just anywhere else. It would still take a fair bit of work for a track to be approved! New bike tracks would have to meet robust criteria based on strengthened policies which aim to protect the values of conservation land. The criteria for new tracks will include assessment of any effects on natural values, cultural values, places of importance to iwi, hapū and whanau, amongst other considerations. We would also include criteria based on local values.

The criteria will be broadly based on those from the Otago CMS review which is currently being tested. We are in the process of reviewing the current criteria to ensure they are adaptable to local values.

Having this framework in place will ensure that assessment criteria for new tracks are broadly nationally consistent but with the ability to adapt to local needs. It enables us to consider new proposals while ensuring we are protecting the special places in a region. It also means that our processes and assessment criteria are clear and transparent for everyone.

Ideal future state

CMS that:

- › Adopt a nationally consistent approach to considering biking opportunities
- › Enables new biking proposals to be considered with clear criteria
- › Continues to protect the values of conservation land



Tourism New Zealand

By taking this approach, we hope to reach a point where our CMS adopt a nationally consistent approach to considering biking opportunities which can be tailored to local conditions. It should enable new biking proposals to be considered with clear criteria and processes whilst continuing to protect the values of conservation land

Discussion

- › What have you been hearing from your community about biking?
- › What demand for new tracks are you seeing in your region?

Discussion

- What do you like about this approach?
 - What concerns do you have with this approach?
 - Would you like your CMS to be considered in this proposed approach?
- › Nationwide partial review of all CMS
 - › The proposed approach is for each CMS to:
 - list ‘no-go’ areas. These are areas where biking would not be allowed; **and**
 - allow consideration of new biking opportunities in all other areas (excluding national parks).
 - Set out processes, strengthened policies and associated criteria for assessing where biking may occur.

As we said earlier, the process for reviewing the remaining CMS has not yet formally started. We need to consult with conservation boards and iwi, hapū and whanau before any decision to proceed can be made.

At this point., we would like you hear your initial thoughts about the approach

What do you like about this approach?

What concerns do you have with this approach?

Would you like your CMS to be considered in this proposed approach?

Next steps

- › Test partial review idea with iwi
- › Bring back feedback and reconnect with board
- › Initiate review if it is supported by iwi and the board
- › Continue to engage with biking and other interest groups throughout the process
- › Continue to develop and test the proposed policy approach

- Test partial review idea with iwi
- Bring back feedback and reconnect with board
- Initiate review if it is supported by iwi and the board
- Continue to engage with biking and other interest groups throughout the process
- Continuing to develop and test the proposed policy approach

Thank you for your time. Any questions?

For further information or to share your thoughts, you can

also contact us at

NationalReviewBikingCMS@doc.govt.nz



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