

Appendix 1

THE PRINCIPLES OF THE TREATY OF WAITANGI

The New Zealand Court of Appeal has determined that the Department's obligations to give effect to the principles of the Treaty of Waitangi includes notions of reasonableness, awareness of other Treaty partner's views, willingness to accommodate those views, fairness and good faith. As the court of appeal has stated: "It is the principles of the Treaty which are to be applied, not the literal words"¹. The Privy Council has characterised the principles as dynamic: "They reflect the intent of the Treaty as a whole and include, but are not confined to, the express terms of the Treaty ... with the passage of time the principles which underlie the Treaty have become much more important than its precise terms"². The principles are still evolving through the pronouncements of the courts and the Waitangi Tribunal. In general terms the principles to date are as follows:

THE ESSENTIAL BARGAIN

Principle 1 - Kawanatanga

To recognise the Crown's authority to make laws for the good order and security of the country (This will include conservation related purposes).

Principle 2 - Rangatiratanga

To recognise the right of Maori to exercise Iwi authority and control over their own land resources and taonga.

Principle 3 - Oritetanga

To recognise the rights of Maori and non-Maori alike to equality of treatment and privileges of citizenship.

CO - OPERATION

Principle 4 - Whakawhanautanga

To act reasonably and in good faith.

DUTY TO BE INFORMED

Principle 5 - Here Ki Te Mohio

To make informed decisions.

¹ New Zealand Maori Council v Attorney General [1987] 1NZLR 641 (lands case)

² New Zealand Maori Council v Attorney General [1990] 1NZLR 513 (broadcasting case)

ACTIVE PROTECTION

Principle 6 - Tautiaki

Where appropriate and to the fullest extent practicable, to take active steps to protect Maori interests.

AVOID PREJUDICIAL ACTIONS

Principle 7

To avoid action which would create new Treaty grievances.

Principle 8

To avoid actions which would prevent redress of claims.

Appendix 2

CRITERIA FOR ASSESSING THE SIGNIFICANCE OF AN HISTORIC PLACE

Criteria for assessing significance of an historic place taken from the Historic Places Act 1993. The extent to which the place reflects important or representative aspects of New Zealand history:

- * The association of the place with events, persons, or ideas of importance in New Zealand history:
- * The potential of the place to provide knowledge of New Zealand history:
- * The importance of the place to Tangata Whenua:
- * The community association with, or public esteem for, the place:
- * The potential of the place for public education:
- * The technical accomplishment or value, or design of the place:
- * The symbolic or commemorative value of the place:
- * The extent to which the place forms part of a wider historical and cultural complex or historical and cultural landscape:
- * The importance of identifying rare types of historic places:
- * The extent to which the place forms part of a wider historical and cultural complex or historical and cultural landscape:
- * Such additional criteria for the registration of Wahi Tapu areas, historic places, and historic areas of Maori interest as may be prescribed in regulations made under the Historic Places Act 1993:
- * The importance of accessibility and visitor appeal.

Appendix 3

EGMONT NATIONAL PARK BYLAWS

INDEX

Amendment No. 1: S.R. 1996/357

PURSUANT to section 56 of the National Parks Act 1980, the Minister of Lands hereby makes the following bylaws.

ANALYSIS

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 4. Disposal of refuse
 5. Use of park huts
 - 5A. Conditions on access to certain places
 6. Fires
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 8. Parking of vehicles
 9. Aircraft
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 11. Use of spotlight for hunting prohibited
 12. Portable generators
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BYLAWS

1. TITLE AND COMMENCEMENT—

(1) These bylaws may be cited as the Egmont National Park Bylaws 1981.

(2) These bylaws shall come into force on the 1st day of April 1981.

2. INTERPRETATION—

In these bylaws, unless the context otherwise requires,—

“The Act” means the National Parks Act 1980:

“Aerodrome” means an aerodrome licensed under the Civil Aviation Regulations 1953; and includes any place which is within the park and which is authorised under those regulations for use as an aerodrome:

[“Camp” includes staying overnight in any vehicle or boat:]

[“Camping site” means any area that has been appropriated as a camping site under section 49 (1) (d) of the Act or under section 28 (1) (i) of the National Parks Act 1952:]

“Hut” means a hut, hostel, or other building owned by the Department and available for public accommodation in the park:

“Hut warden” means an officer or employee of the Department bearing a written authorisation from the Commissioner empowering him to supervise the activities relating to any hut or huts in the park:

“Official notice” means a conspicuous notice publicly displayed containing instructions or directions as to conduct in the park:

“Park” means the Egmont National Park:

“Road” includes all tracks formed for the use of vehicles and all bridges, culverts, and fords forming part of any road.

Other expressions defined in the Act have the meanings so defined.

Hist. “Camp”: Definition inserted on 2 January 1997 by S.R. 1996/357/2.

Hist. “Camping site”: Definition inserted on 2 January 1997 by S.R. 1996/357/2.

3. POLLUTION OF PARKS—

No person shall—

- (a) Wilfully or carelessly pollute in any manner the waters of the park; or
- (b) Wilfully or carelessly spill or cause to be spilled any petrol, oil, or similar substance in the park.

4. DISPOSAL OF REFUSE—

No person shall—

- (a) Leave any object or substance introduced into the park by him, or introduced into the park and in his possession, in any part of the park other than in a suitable litter receptacle provided in the park; or
- (b) Bury any refuse in the park.

5. USE OF PARK HUTS—

(1) Except in an emergency, no person shall use any one hut for more than 2 successive nights without the prior consent of a ranger or officer or employee of the Department.

(2) Every person who uses a hut shall leave it in a clean and tidy condition after use.

(3) No person shall remain in any hut after he has been directed to leave by a ranger or hut warden on the grounds that he has acted in a manner likely to offend or annoy other people, or has damaged or appears likely to cause damage to a hut.

(4) No person shall cause or allow any dog for which he is responsible to enter or be under any hut.

5A. CONDITIONS ON ACCESS TO CERTAIN PLACES—

(1) Any person may have access to:

(a) The area within 100 metres radius of any hut:

(b) Any emergency shelter—

subject to the conditions in subclause (2) of this bylaw.

(2) No person shall camp in any place or part of any place listed in subclause (1) of this bylaw unless—

(a) That place or that part of the place is a camping site; or

(b) That place is an emergency shelter and that person is camping in that shelter in an emergency.]

Hist. r.5A inserted on 2 January 1997 by S.R. 1996/357/3.

6. FIRES—

(1) No person shall light within the park any fire (other than a fire fuelled by gas or vaporised petrol, oil, or similar substance) within 200 metres of any formed road unless the fire is in a permanently constructed fireplace.

(2) No person shall light a fire within the park in circumstances where it is likely to present a fire hazard.

(3) No person shall light a fire within the park (except in a permanently constructed fireplace) within 3 metres of any tree or dry vegetation.

(4) Every person who lights a fire within the park shall keep that fire continuously under supervision until it is completely extinguished.

(5) No person shall drop, throw, or otherwise place in any combustible material any match, lighted cigarette, or other lighted matter, except for the purpose of lighting a fire as permitted by these bylaws.

(6) Nothing in this bylaw shall exempt any person from the requirement to obtain an authority or permit to light a fire in the open air within the park pursuant to sections 23 and 24 of the Forest and Rural Fires Act 1977 or any other requirement of that Act and any regulations made or fire control measures taken under the authority of that Act.

7. VEHICLES—

(1) Except in an emergency or where the Commissioner considers it necessary for the proper and beneficial management, administration, and control of the park, no person shall drive a vehicle or permit a vehicle under his control to remain in any part of the park that is not a formed road or has not been appropriated as a parking place under the Act.

(2) No person shall drive a vehicle on a formed road (not being a public road) within the park—

- (a) If the vehicle is of a class excluded by an official notice from that formed road; or
 - (b) If the vehicle is not currently registered or does not display a current warrant of fitness; or
 - (c) If the driver does not hold a current driver's licence for the particular class of vehicle being driven.
- (3) Nothing in this bylaw shall apply to any person who is operating a vehicle in accordance with an express authorisation in any lease or licence granted under any of sections 49 to 51 of the Act or any easement granted under section 54 of the Act.

8. PARKING OF VEHICLES—

The driver of any vehicle shall ensure—

- (a) That it is parked in accordance with the directions of any ranger or officer or employee of the Department, or the directions contained in any official notice; or
- (b) Where no such directions are given, that it is parked in a safe and considerate manner and position.

9. AIRCRAFT—

(1) Except in an emergency or where authorised by a licence or permit issued under the Wild Animal Control Act 1977 or where the Commissioner considers it necessary for the proper and beneficial management, administration, and control of the park—

- (a) No person shall land an aircraft at or take off from any place within the park that is not an aerodrome:
- (b) No person shall hover an aircraft over any part of the park.

(2) The pilot in command of an aircraft which flies in contravention of, or fails to comply with, subclause (1) of this bylaw commits an offence against these bylaws.

(3) The Commissioner may, by official notice, prohibit persons from entering any part of the park that is likely to be affected by the landing or taking off of aircraft within the park for such a period of time as he considers necessary for the safety of the public.

(4) Every person commits an offence against these bylaws who wilfully enters or wilfully remains on any part of the park at a time when entry to that part of the park is prohibited by an official notice under subclause (3) of this bylaw.

(5) Nothing in this bylaw shall apply to any person who is operating an aircraft in accordance with an express authorisation in any lease or licence granted under any of sections 49 to 51 of the Act or any easement granted under section 54 of the Act.

10. COMPETITIVE SPORTS—

(1) No person shall, without the prior written consent of a ranger or officer or employee of the Department, conduct or engage in any competitive sport or in any organised training for any competitive sport in the park.

(2) Nothing in this bylaw shall apply to any activity carried out on any land that is being administered under the Tourist and Health Resorts Control Act 1908 or the Tourist Hotel Corporation Act 1974.

11. USE OF SPOTLIGHT FOR HUNTING PROHIBITED—

No person shall use a spotlight within the park for the purpose of identifying or dazzling prey.

12. PORTABLE GENERATORS—

(1) Except in an emergency or where the Commissioner considers it is necessary for the proper and beneficial management, administration, and control of the park, no person shall install or operate a portable electric generator in any part of the park.

(2) Nothing in this bylaw shall apply to any activity carried out on any land that is being administered under the Tourist and Health Resorts Control Act 1908 or the Tourist Hotel Corporation Act 1974.

13. PUBLIC ADDRESS SYSTEMS—

(1) No person shall install or operate any public address system in the park unless that system—

- (a) Is installed in a building or vehicle; and
- (b) Cannot be heard outside that building or vehicle.

(2) Nothing in this bylaw shall prevent the installation or operation of a public address system in the park for the purpose of making announcements relating to the safety of the public.

14. OFFENCES—

Every person commits an offence against these bylaws who acts in contravention of or fails to comply in any respect with any of the provisions of these bylaws.

15. PENALTIES—

Every person who commits an offence against these bylaws is liable on summary conviction—

- (a) In the case of an offence against bylaw 9 (2) of these bylaws, to a fine not exceeding \$5,000;
- (b) In the case of any other offence against these bylaws, to a fine not exceeding \$500.

16. PROCEEDINGS UNDER ACT IN RESPECT OF OFFENCES—

Nothing in these bylaws shall limit or prevent the taking of proceedings under any Act in respect of any offence committed within the park.

Dated at Wellington this 19th day of March 1981.

V. S. YOUNG,
Minister of Lands.

Date of notification in Gazette: 20 March 1981.

EGMONT NATIONAL PARK BYLAWS 1981, AMENDMENT NO. 1

S.R. 1996/357

PURSUANT to section 56 of the National Parks Act 1980, the Minister of Conservation hereby makes the following bylaws.

B Y L A W S

1. TITLE AND COMMENCEMENT—

(1) These bylaws may be cited as the Egmont National Park Bylaws 1981, Amendment No. 1 and shall be read together with and deemed part of the Egmont National Park Bylaws 1981 (hereinafter referred to as the principal bylaws).

(2) These bylaws shall come into force on the 28th day after the date of their notification in the Gazette.

2. INTERPRETATION—

Inserted definitions in bylaw 2 of principal bylaws.

3. CONDITIONS ON ACCESS TO CERTAIN PLACES—

Inserted bylaw 5A into principal bylaws.

Dated at Wellington this 25th day of November 1996.

DOUG KIDD,

for Minister of Conservation.

Date of notification in Gazette: 5 December 1996.

Appendix 4

EGMONT NATIONAL PARK TRACKS AND HUTS - SITE PRIORITY SCORES AND VISITOR GROUPS

EGMONT NATIONAL PARK TRACK SITES

SITE PRIORITY SCORE	TRACK NAME	SITE NUMBER	VISITOR GROUP	TRACK CLASSIFICATION
20	Stratford Plateau - walk to viewing platform	800088	SST	SW
20	Konini Dell Loop Track	800101	SST	SW
19	North Egmont Nature Walk	800248	SST	SW
18	Wilkie Pools Loop Track	800103	BCA	TT
17	Northern Summit Route	800077	BCA	R
16	Connett Loop Track	800250	SST	SW
16	Manganui Gorge Track	800087	DV	TT
15	Kapuni Loop Track	800108	BCA	TT
13	Ngatoro Loop Track	800251	BCA	TT
13	Dawson Falls Power Station Walk	800236	SST	SW
13	Veronica Loop Track	800072	BCA	TT
13	Hasties Hill Loop Track	800109	BCA	TT
12	Pouakai Route	800086	BCA	R
12	AMC-Tahurangi to Manganui Ski Field	800078	BCA	TT
12	Southern Summit Route	800111	BCA	R
11	Ridge Loop Track	800106	BCA	TT
11	Kamahi Walk	800089	SST	SW
11	Enchanted Track	800092	BCA	TT
11	Ahukawakawa Track	800082	BCA	TT

EGMONT NATIONAL PARK TRACK SITES CONTINUED

SITE PRIORITY CLASSIFICATION	TRACK NAME SCORE	SITE NUMBER	VISITOR GROUP	TRACK
11	Dawson Falls Summit Track	800110	BCA	TT
10	York Road Loop Track	800097	DV	WT
10	AMC-Pyramid Route	800124	BCA	R
10	Kapoaiaia Track	800246	BCA	TT
10	Lower Lake Dive Track	800113	BCA	TT
9	Patea Loop Track	800091	DV	TT
9	Waingongoro Track	800107	BCA	TT
9	Curtis Falls Track	800093	BCA	TT
9	Upper Lake Dive Route	800112	BCA	R
9	Holly Hut Track	800080	BCA	TT
9	Bells Falls Track	800083	BCA	TT
9	Mangorei Track	800058	BCA	TT
8	AMC-Humphries Castle Link Route	800079	BCA	R
8	Brames Falls Route	800118	BCA	R
8	Waimoku/Sefton Ridge Tracks	800052	BCA	TT
8	Davies Track	800050	BCA	TT
8	North Egmont Summit Track (Translator Rd)	800076	BCA	TT
8	Veronica Track	800073	BCA	TT
8	Maketawa Track	800074	BCA	TT
8	Kokowai Track	800081	BCA	TT
8	Ridge Track	800104	BCA	TT
7	Oaonui Track	800121	BCA	TT
7	Kahui Track	800123	BCA	TT
6	Taungatara Track	800116	BCA	TT

EGMONT NATIONAL PARK TRACK SITES CONTINUED

SITE PRIORITY SCORE	TRACK NAME	SITE NUMBER	VISITOR GROUP	TRACK CLASSIFICATION
6	Ihaia Track	800119	BCA	TT
6	Lake Dive Track	800115	BCA	TT
6	Kaiuauai Track	800064	BCA	TT
6	Potaema Track	800095	SST	TT
6	AMC-Enchanted Track to Wilkies Pools	800105	DV	TT
5	Puniho Track	800127	BCA	TT
5	Maude Track	800056	BCA	TT
5	Stony River Route	800128	BCA	R
5	Dover Route	800085	BCA	R
5	Ngatoro Track	800071	BCA	TT
4	Waiwhakaiho Viewpoint to Kaiuauai Track	800066	BCA	TT
4	Waiwhakaiho Track	800063	BCA	TT
4	Mangaoraka Loop Track	800061	SST	SW
4	Mangaoraka - Waiwhakaiho Link Track	800252	BCA	TT

EGMONT NATIONAL PARK HUTS

SITE PRIORITY SCORE	HUT NAME	SITE NUMBER	VISITOR GROUP
16	Camphouse	800224	ON
12	Syme Hut	800111	BCA
10	Konini Lodge	800225	ON
10	Lake Dive Hut	800113	BCA
9	Waingongoro Hut	800107	BCA
9	Holly Hut	800080	BCA

EGMONT NATIONAL PARK HUTS CONTINUED

SITE PRIORITY SCORE	HUT NAME	SITE NUMBER	VISITOR GROUP
9	Pouakai Hut	800058	BCA
8	Maketawa Hut	800074	BCA
8	Waiauua Gorge Hut	800118	BCA
7	Kahui Hut	800123	BCA
6	Kaiauai Hut	800064	BCA

Visitor Group Codes and Track Classification for the above tables:

Visitor Groups Codes

SST = Short stop traveller

This visitor group makes short visits to sites (up to one hour) along main roads and highways to break up a journey; they expect a safe and comfortable experience with a very high standard of facilities and services. Sites visited by short stop travellers receive high use from both domestic and international visitors. e.g. picniking, visitor centre visitors.

DV = Day visitor

This group uses a wide range of sites, such as backcountry access points and coastal areas, for visits lasting from one hour up to one day; they expect a safe and comfortable experience with a high standard of facilities and services. Sites visited by day visitors receive medium to high use and tend to be used more by domestic visitors and locals unless they are on main tourist routes.

ON = Over nighter

This group often camps undertaking a variety of activities including the traditional New Zealand family summer holiday experience. They expect basic to high standard facilities and services. Sites visited by over-nighters are busy over the summer with low use for the rest of the year. They are mainly used by New Zealanders.

BCC = Backcountry comfort seekers

This group mainly tramps on major tracks (e.g. Great Walks such as the Milford and Kepler Tracks) for two to five days. They expect a safe and comfortable experience with a high standard of facilities and services, including well constructed tracks and comfortable huts. On these tracks there is an equal proportion of New Zealand to international visitors.

BCA = Backcountry adventurers

This group mainly visits the backcountry for two to five days, but can include day trips. They have a good level of outdoor skill and experience and accept some risks. They expect only basic facilities and are generally younger New Zealanders.

TS = Thrill seekers

This group wants specialised facilities or services that provide exciting experiences. Their visits usually last one day. There is a high number of visitors in this group, which is largely made up of young international visitors. Concessionaires tend to provide the services for this group. Thrill seekers visit the full range of sites and are not restricted to one group. e.g. downhill skiing, paraponting.

Note: There are currently no visitor sites in Egmont National Park classified as backcountry comfort seeker (BCC) or thrill seeker (TS) sites.

(See the Visitor Strategy and VAMP Factsheet No. 4, "Managing Recreation on Conservation Land - Structures" for further details on visitor groups. See VAMP Factsheet No.3 for an explanation of site priority scores and how they are used).

Track Classification

SW = Short walk

Well formed, up to one hour's easy walking. Suitable for most ages and fitness levels. Some may cater for physically disabled people, but will only be developed to barrier-free standard where there is a demonstrated demand or significant potential use by disabled people.

WT = Walking Track

Up to a days relatively easy walking. Suitable for relatively inexperienced visitors with little backcountry skill.

TT = (BCA) Tramping track

Marked tramping track over a wide range of terrain. Generally cater for backcountry visitor with moderate to high backcountry skills and experience. Trips vary in length from half-day to multi-day.

R = Route

Generally unformed, lightly cut route catering for the most experienced of backcountry visitors.

See Track Service Standards, Department of Conservation, December 1998, QD Code: VC/1200 for further information on track standards).

Note:

- a) The visitor groups and /or the classification of some tracks may change as a result of decisions made following the 1999/2000 Tracks and Signs Baseline Inspection Programme.*
- b) Tracks in the park will be classified according to the Department of Conservation's Track Service Standard (1998).*

Appendix 5

GENERAL POLICY FOR NATIONAL PARKS

Policy 7.1(ii)

In addition to the requirement to assess areas as to their suitability for national park status in terms of Section 4(1) the following criteria will be considered:

- (a) In general, national parks should be relatively large, preferably in terms of tens of thousands of hectares and preferably comprising contiguous areas.
- (b) In general, areas under consideration should be natural areas, but predominantly natural areas will be considered if they:
 - contain modified areas which can be restored or are capable of regeneration, or
 - contain features of significant historical, cultural, archaeological or scientific value, or
 - contain features which have no equivalent in an unmodified area in a national park and which are so beautiful, unique or so scientifically important that they should be protected in a national park.

Policy 7.3

In fixing the boundaries of new parks or additions to existing parks the following criteria will apply and will also be used to assess proposals for changes to existing boundaries:

- (i) Ecosystems within the park should be able to withstand pressures from possible environmental change on lands adjacent to the park.
- (ii) Adjacent land uses should not detrimentally affect or dominate park values.
- (iii) Boundaries should encompass complete landscape units.
- (iv) Boundaries should allow the maximum possible right of access by the public consistent with the need to preserve park values.
- (v) Boundaries should be convenient for efficient management of the park and also for the occupier of adjacent land.
- (vi) Boundaries should where possible follow physical features such as ridgelines and streams as these are natural and easily identifiable on the ground. Natural physical boundaries are normally preferable to vegetation boundaries, man-made features or straight line boundaries.

Appendix 6

FORMAL NAMES OF SPECIES, AS USED IN TEXT

* Denotes introduced species

PLANTS

Common Name	Formal Name	Common Name	Formal Name
alpine fern	<i>Polystichum cystostegia</i>	red tussock	<i>Chionochloa rubra</i>
* banana passionfruit	<i>Passiflora mollissima</i>		
beech	<i>Notbofagus</i> spp.	reed	Emergent aquatic plant with linear leaves or no leaves (including raupo, rushes, some sedges)
* broom	<i>Cytisus scoparius</i>		
* Chilean flame creeper	<i>Tropaeolum speciosum</i>		
* Chilean rhubarb	<i>Gunnera tinctoria</i>		
* climbing asparagus	<i>Asparagus scandens</i>	rewarewa	<i>Knighitia excelsa</i>
* climbing spindleberry	<i>Celastrus orbiculatus</i>	rimu	<i>Dacrydium cupressinum</i>
giant milfoil	<i>Myriophyllum robustum</i>	sedge	Any member of Family Cyperaceae (including species of <i>Carex</i> , <i>Uncinia</i> , <i>Isolepis</i> , <i>Baumea</i>)
* ginger	<i>Hedychium gardnerianum</i> , <i>H. flavescens</i>		
* gorse	<i>Ulex europaeus</i>		
green mistletoe	<i>Ileostylus micranthus</i>	shrub daisy	<i>Olearia capillaris</i>
* heather	<i>Calluna vulgaris</i>	snow totara	<i>Podocarpus nivalis</i>
* hawkweed	<i>Hieracium</i> spp.	sphagnum (moss)	<i>Sphagnum</i> spp.
hinau	<i>Elaeocarpus dentatus</i>	swamp maire	<i>Syzygium maire</i>
kahikatea	<i>Dacrycarpus dacrydioides</i>	tawa	<i>Beilschmiedia tawa</i>
kaikawaka	<i>Libocedrus bidwillii</i>	toro	<i>Myrsine salicina</i>
kamahi	<i>Weinmannia racemosa</i> var. <i>racemosa</i>	titirangi	<i>Hebe spectosa</i>
		titoki	<i>Alectryon excelsus</i>
		tree-fern	<i>Cyathea</i> spp. and/or <i>Dicksonia</i> spp.
kanuka	<i>Kunzea ericoides</i> var.	* wandering willie	<i>Tradescantia fluminensis</i>
king fern	<i>Marattia salicina</i>	whau	<i>Entelea arborescens</i>
kohekohe	<i>Dysoxylum spectabile</i>	whipcord hebe	<i>Hebe subsimilis</i>
kohurangi	<i>Brachyglottis kirkii</i>	wilding pine	<i>Pinus</i> spp
leatherwood	<i>Brachyglottis rotundifolia</i>	wood-rose	Piece of host tree to which <i>Dactylanthus taylorii</i> was attached
leek orchid	<i>Prasophyllum</i> sp.		
mahoe	<i>Melicytus ramiflorus</i>		
miro	<i>Prumnopitys ferruginea</i>		
* montbretia	<i>Crococsmia x crocosmiiflora cliffortioides</i>		
mountain flax (= wharariki)	<i>Pbormium cookianum</i>		
Mountain foxglove	<i>Ourisia macrophylla</i>		
mountain ribbonwood	<i>Hoberia glabrata</i>		
mountain toatoa	<i>Phyllocladus alpinus</i>		
mountain totara	<i>Podocarpus ballii</i>		
nikau	<i>Rhopalostylis sapida</i>		
northern rata	<i>Metrosideros robusta</i>		
* old man's beard	<i>Clematis vitalba</i>		
* pampas (grass)	<i>Cortaderia selloana</i> and/or <i>C. jubata</i>		
* Peruvian lily	<i>Alstroemeria aurantiaca</i>		
pua o te reinga	<i>Dactylanthus taylorii</i>		
pukatea	<i>Laurelia novae-zelandiae</i>		
puriri	<i>Vitex lucens</i>		
pigmy pine	<i>Lepidothamnus laxifolius</i>		
* ragwort	<i>Senecio jacobaea</i>		
rata	<i>Metrosideros</i> spp. (excluding <i>M. excelsa</i>)		

ANIMALS

Common Name

bat - long-tailed
 - short-tailed
 bellbird
 blue duck
 bully common
 * cat
 * dog
 eel - long fin
 - short fin
 falcon, New Zealand
 fernbird, North Island
 * ferret
 gecko - forest
 giant amphipod
 * goat
 * hare
 * horse
 kereru (NZ pigeon)
 * kiore (rat)
 kiwi, North Island Brown
 koaro
 kokopu - banded
 - giant
 - shortjawed
 koura (freshwater cray)
 mouse
 pig
 * possum
 * rabbit
 rifleman, North Island
 skink - brown
 * stoat
 tomtit, North Island
 * trout - brown
 - rainbow
 tui
 wasp
 * weasel

Formal Name

Chalinolobus tuberculatus
Mystacina t. tuberculata
Antibornis m. melanura
Hymenolaimus malacorhynchus
Gobtomorphus cotidianus
Felis catus
Canis familiaris
Anguilla dieffenbachii
Anguilla australis
Falco novaeseelandiae
Bowdleria punctata vealeae
Mustela furo
Hoplodactylus granulatus
Tara taranaki
Capra bircus
Lepus europaeus
Equus caballus
Hemipbaga n. novaeseelandiae
Rattus exulans
Apteryx australis mantelli
Galaxias brevipinnis
Galaxias fasciatus
Galaxias argenteus
Galaxias postvectis
Paranepbrops planifrons
Mus musculus
Sus scrofa
Trichosurus vulpecula
Oryctolagus cuniculus
Acanthisitta chloris-granti
Oligosoma zelandicum
Mustela erminea
Petroica macrocephala toitoi
Salmo trutta
Oncorhynchus mykiss
Prosthemadera n. novaeseelandiae
Vespa germanica vulgaris
Mustela nivalis

Appendix 7

MINERALS PROGRAMMES

Each of the Minerals Programmes that came into effect on 1 October 1996 included the following provision under section 4.1.1:

In accordance with section 15(3) of the Crown Minerals Act 1991, the areas of land defined below shall be unavailable for inclusion in any permit....

(e) Mount Taranaki and the Pouakai, Pukeiti and Kaitake Ranges as defined by the area of the Mt Egmont National Park, where the land (surface and subsurface) is above sea level, containing 33764.7817 hectares more or less, are:

Pts Sub 2, Subs 1, 3, 4, 5, 9, Pts Subs 7, 8, 10, Pts Secs 49, 170, Pt Sec 189, Lots 1, 2, 3, 4 DP 13397, Lot 1 DP 15932, Blk III Cape SD,

Pt Sec 169 Oakura District, Blks III & VII Cape SD,

Secs 1-3, 11-14, 16-18 Blk V Egmont SD,

Sec 38 Blk VI Cape SD,

Lot 2 DP 7882, Secs 3, 4, 6, 7, 10, 14, 15, 20, Blk VII Cape SD,

Lot 1 DP 10394, Lot 1 DP 8824, Lot 2 DP 8649, Lot 1 DP 11816 & Secs 8, 14, 16, 18, Blk XI Cape SD,

Pt Sec 3, Blk XV Cape SD,

Lot 1 DP 10401, Blk XII Egmont SD,

Secs 54, 55, 68 & Pt Sec 63, Blk IV Kaupokonui SD,

and Egmont National Park in Blks V, VI, VII, IX, X, XI, XIII, XIV, XV Egmont SD, Blks XI, XV Cape SD, Blk IV Opunake SD, and Blks I, II, III, IV, V, VI, VII Kaupokonui SD

Section 1 SO 13356 Blk XII Egmont SD

Pt Sec 134 Omata District Blk VI Egmont SD

Lot 1 DP 13427 Blk I Egmont SD.

Mt Taranaki and the Pouakai, Pukeiti and Kaitake Ranges are a fundamental source of tribal identity and mana for the iwi of Taranaki. The iwi of Taranaki consider Mt Taranaki and its associated ranges to be a tipuna (ancestor). The area is regarded as a wahi tapu (of special and/or sacred importance).

Appendix 8

MOUNT EGMONT VESTING ACT, 1978

R.S. Vol. 34

REPRINTED ACT [WITH AMENDMENTS INCORPORATED]

REPRINTED AS ON 1 OCTOBER 1995

Commenced: 11 Oct 1978

ANALYSIS

- Title
- Preamble
- 1 Short Title
- 2 Interpretation
- 3 Act to bind Crown
- 4 Vesting of Mountain in Taranaki Maori Trust Board
- 5 Gift of Mountain for purposes of National Park
- 6 Board to be consulted in respect of proposal to exclude Mountain from National Park
- 7 Gift duty exemption
- 8 Act not limited by other Acts
- 9 Savings
- Schedule

MOUNT EGMONT VESTING ACT, 1978

1978, No.38

An Act to provide for the symbolic return of Mount Egmont to the Taranaki Maori Trust Board on behalf of the Maori tribes concerned, and the gift of the Mountain back to the Crown by the Board for the purposes of a national park for the use and enjoyment of all the people of New Zealand [11 October 1978]

Whereas Mount Egmont (known in Maori as Taranaki) (in this preamble referred to as the Mountain) comprises part of the Egmont National Park: And whereas the Mountain comprises, in part, land that was confiscated by the Crown from its former Maori owners pursuant to the New Zealand Settlements Act 1863 and, in part, land that has been purchased by the Crown from its former Maori owners: And whereas certain provisions in relation to the confiscations above referred to were made by the Taranaki Maori Claims Settlement Act 1944 and are now contained in the Maori Trust Boards Act 1955, which Act continued in existence the Taranaki Maori Trust Board: And whereas, in consideration of the special significance that the Mountain has for the Maori people of the Taranaki district, it has been agreed between the Crown and representatives of those Maori people that the Mountain shall be formally transferred to the Taranaki Maori Trust Board as representing the Maori people of the Taranaki district in order

that it may be given back to the Crown for the purposes of a National Park as a free gift and as a symbol of love to all the people of New Zealand by the Board on behalf of the Atiawa, Ngati Mutunga, Ngati Maru, Ngati Tama, Ngati Ruanui, Ngaruahine, Taranaki, and Ngarauru tribes, and their descendants: BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. Short Title—

This Act may be cited as the Mount Egmont Vesting Act 1978.

This Act is not affected by anything in the National Parks Act 1980, see s. 79 of that Act.

This Act is administered in the Department of Conservation: see s.6 of the Conservation Act 1987.

2. Interpretation—

In this Act, unless the context otherwise requires,—

“Board” means the Taranaki Maori Trust Board referred to in section 9 of the Maori Trust Boards Act 1955:

“Minister” means the Minister of Conservation:

“The Mountain” means Mount Egmont, being the land more particularly described in the Schedule to this Act.

3. Act to bind Crown—

This Act binds the Crown.

4. Vesting of Mountain in Taranaki Maori Trust Board—

The Mountain is hereby excluded from the Egmont National Park, and is hereby vested in the Board for an estate in fee simple.

5. Gift of Mountain for purposes of National Park—

(1) The Board is hereby empowered to give and does give the whole of the interest in the Mountain vested in it by section 4 of this Act to Her Majesty the Queen for the purposes of a national park, subject to the condition set out in section 6 of this Act.

(2) For the purposes of giving full effect to that gift, the Mountain is hereby vested in Her Majesty, to be held by Her Majesty for the purposes of and as part of the Egmont National Park, under and subject to the National Parks Act 1980.

6. Board to be consulted in respect of proposal to exclude Mountain from National Park—

The Board's gift of the Mountain is subject to the condition that every proposal to exclude any part of the land comprising the Mountain from the Egmont National Park shall be referred by the Minister to the Board, and he shall give the Board a reasonable opportunity to consider the proposal and to comment on it to the Minister.

7. Gift duty exemption—

No duty shall be payable in respect of the gift of the Mountain by the Board.

8. Act not limited by other Acts—

The provisions of this Act shall apply notwithstanding anything in the National Parks Act 1980, Part XXI of the Maori Affairs Act 1953, the Maori Trust Boards Act 1955, the Estate and Gift Duties Act 1968, or any other enactment.

9. Savings—

(1) Nothing in section 6 of this Act shall limit or affect the provisions of section 11 (1) of the National Parks Act 1980 (which provides that land may be excluded from a national park only by Act of Parliament).

(2) Nothing in this Act shall affect any Order in Council, notice, regulation, rule, or bylaw or any lease, licence, authority, or document made or granted, or any thing whatsoever done, under the provisions of the National Parks Act 1980, or any corresponding former enactment; and every such Order in Council, notice, regulation, rule, bylaw, lease, licence, authority, document or thing, so far as it is subsisting or in force on the date of the commencement of this Act, shall continue to have effect as if the Mountain had at all times remained subject to the National Parks Act 1980.

SCHEDULE

Section 2

First, all that parcel of land in the Taranaki Land District, containing 18307.4969 hectares, more or less, being part Blocks XI and XV Cape Survey District, and Sections 18 and 19, Block V, and part Blocks V, IX, XIII, and XIV, Egmont Survey District, part Block IV, Opunake Survey District, and Sections 6, 7, and 8, Block II, and part Blocks II, III, V, VI, and VII, Kaupokonui Survey District; being the whole of the area hatched brown on S.O. Plan 11271; and

Secondly, all that parcel of land in the Taranaki Land District, containing 13653.0823 hectares, more or less, being Subdivisions 1, 3, 4, 5, 6, 7, 8, and 9, and part Subdivisions 2 and 10 of Section 170 and Section 174 and parts Sections 169 and 170, Oakura District, situated in Block II, Wairau Survey District, and Blocks III and VII, Cape Survey District, and part Section 2, Block XIV, Sections 2 and 3, Block XV, Section 8, Block XI, Section 38, Block VII, Block X, and part Blocks VI, VII, IX, X, XI, XIV, and XV, Egmont Survey District, and part Blocks II and III, Kaupokonui Survey District; being the whole of the area hatched blue on the said S.O. Plan 11271.

The Mount Egmont Vesting Act 1978 is administered in the Department of Conservation.

