

# New approach for managing biking on public conservation land

## Project update June 2024

### Project recap

The Department of Conservation (DOC) hasn't been able to consider (and approve, where appropriate) new biking proposals efficiently. Where a location is not listed in the Conservation Management Strategy (CMS), we have been unable to consider new biking proposals without a CMS partial review.

This has been based on the understanding that the Conservation General Policy (CGP) requires bike track locations to be listed in each CMS, before any proposal can be considered and approved. This approach has proven inflexible, vulnerable to unintended omissions and frustrating to both DOC and bike trail makers.

In 2023, we shared a draft approach to address this issue through partial reviews of CMS to add policies with robust criteria for assessing new biking proposals, alongside potential bike-free areas where new bike tracks wouldn't be considered.

Stakeholders asked us to consider alternative approaches and so, in September 2023, the project was paused while we explored different approaches to CMS policies as well as legislative and CGP amendment options were considered.

### Retesting our understanding of the CGP has enabled a more flexible approach

As requested, we undertook further examination of CGP requirements including:

- Policy 9.5(b) (CMS will identify where specific types of vehicles and other forms of transport may be allowed); and

- Policy 9.1 (CMS should identify what recreational opportunities are suitable in different places).

This resulted in a more flexible understanding of what "identify" means in these policies, allowing more flexibility in how identification of biking opportunities can be achieved.

### The scale of the issue has reduced as a result

This means DOC will have more flexibility with how we consider new biking proposals. Whilst work is continuing to assess which CMS can benefit from this flexibility, our initial assessment indicates this applies to 10 of the 16 CMS – a significant reduction in the size and scale of the problem at hand. These are identified below:

CMS likely to have flexibility	CMS unlikely to have flexibility
Northland	Auckland
Bay of Plenty	Waikato
East Coast	Canterbury (Waitaha)
Hawke's Bay	Otago
Tongariro-Taupo	Southland Murihiku
Wanganui	Stewart Island/Rakiura
Wellington	
Nelson/Marlborough	
West Coast Te Tai o Poutini	



Chatham Islands	
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For the 6 CMS with little ability to consider new bike tracks, other than those already listed, this is due to their biking policies being written in a way that only tracks listed in CMS could be considered for biking. This limits their flexibility.

### What does this mean for the consideration of new bike tracks?

This flexibility will enable more efficient processing and decision making on new biking proposals.

Conservation values of public conservation land, and the potential effects of new biking proposals and how they can be addressed, will still be central to decision making. Any new proposal will still need to meet the requirements of legislation, the CGP and any other CMS policies that may be relevant, as with any other type of track or recreational activity.

We will create guidance for regional staff, permissions teams, and the management planning team to support the assessment of new bike tracks in regions with more flexibility.

### What does this mean for existing bike tracks?

It may be that many existing tracks, previously considered inconsistent with CMS as they were not listed, can now be considered consistent. However, even with this refined understanding of CGP requirements, some existing bike tracks may remain inconsistent.

DOC is working to understand how existing tracks may be affected by this new approach, and how to manage existing bike tracks consistently going forward.

### How will we address the remaining CMS?

A wide range of options to enable more effective decision making in the remaining CMS have been explored. With the scale of the issue being reduced through our refined understanding of the CGP, the cost-benefit ratio of progressing these options needs further consideration, alongside existing work programmes and DOC priorities.

Amending the remaining CMS (through either specific partial review, or as part of a full CMS review) to include criteria to enable assessment of bike track proposals on a case-by-case basis would address the issue. This could be based on the criteria already shared with stakeholders in September 2023, for example:

- Consistency with CMS Place outcomes,
- Protection of conservation, heritage, cultural and recreational values,
- Consistency with CGP and legislative requirements,
- Consistency with the statutory purpose for which the land is held,
- Long term viability of the proposal.

Work is underway to determine how these potential reviews could fit into the broader management planning workplan, acknowledging the backlog issues, and alongside other DOC priorities.

### Future amendments to legislation or Conservation General Policy

Addressing management of new biking proposals efficiently on public conservation land can also be considered through the wider management planning system improvement program that includes potential amendments to existing legislation.

A specific amendment to the CGP is also a viable option to address remaining restrictiveness. However, this is unlikely to progress as a discrete process at this stage.

### Next, we will...

- Continue to look at broader issue, including considering options for remaining CMS. We will establish timeframes and communicate them.
- Prepare guidance for internal staff to support assessment of new bike tracks.
- Determine position on existing bike tracks that may still be inconsistent with CMS and communicate this.
- Generally, we are under direction to, and are striving to, reduce the length of our review processes so we can conclude them faster, more efficiently and get through more work.