

Discussions from Stakeholder Workshop #1 on biking

Date: 17/08/2023 **Chair:** Charlie Parker,
Time: 12:30pm **Attending:** Sarah Smylie, Jacqui Irwin
Venue: Online via MS Teams **Minute taker:** Emma Fordyce

Purpose:

This summary provides a general overview of the main themes, comments and questions raised during the first stakeholder workshop on biking. We have included further context and explanation as requested at the workshop.

Further information in response to discussion areas:

Why is a scheduling approach needed to list bike-free areas?

This is necessary to meet the requirements of the Conservation General Policy 2005.

Bikes are vehicles

The definition of vehicles included in the Conservation Act 1987 and Conservation General Policy 2005 is adopted from the Land Transport Act 1998 and includes all bikes.

The Conservation General Policy 2005 requires Conservation Management Strategies (CMS) to identify where vehicles may be allowed.

The Conservation Act 1987 creates a hierarchy of documents:

1. The Conservation Act 1987,
2. Conservation General Policy 2005 ,
3. CMS (and conservation management plans)

CMS must be consistent with higher order documents (Conservation General Policy and Conservation Act).

The Conservation General Policy has been in force since 2005. Policy 9.5(b) 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 for use.”

So, when writing CMS, the documents must:

- **Identify where vehicles** and other forms of transport may be allowed,
- The **type of vehicle** or other form of transport to be specified; and
- **Conditions** for use (if any) to be specified.

Proposed ‘bike-free’ areas is an alternative approach to identifying where bikes are allowed.

Since 2012, the requirement to identify where bikes are allowed have been met by listing areas where bikes may be allowed and by including policies establishing conditions of use. This approach has not kept up with demand and has been inflexible as it means if an area or bike track is not listed, a formal review of a CMS is required before a proposal can be considered.

We have been working on an alternative approach to meeting Conservation General Policy requirements. This focuses on identifying areas where bike tracks and infrastructure would not be allowed, allowing bike track proposals to be considered everywhere else. Conditions of use will be established through policies and effects-based criteria to assess bike track proposals.

This approach meets Conservation General Policy requirements to identify where biking can occur and provides a transparent and flexible approach towards managing biking activities in the future. It also removes the need to undertake partial reviews to CMS to allow bike track proposals to be considered. This approach does not apply to a CMS until it is reviewed in part or in full. Reviews of CMS whether in part or in full are a public process and everyone has the opportunity to provides submissions on the proposed approach.

Has there been a change in how DOC interprets Conservation General Policy 2005 in relation to existing CMS?

No, what we are proposing is a change in how the Conservation General Policy is applied in future CMS. This new approach does not apply to a CMS until it is reviewed in part or in full.



Summary of main questions:

- **Existing bike tracks are a bigger issue, there are tracks feeling stuck and illegitimate, would like to see this addressed.**

Existing bike tracks inconsistent with CMS are acknowledged as a current issue and is outside the scope of this work, which is looking at the future of biking in CMS. We will pass on your feedback and information to support addressing this issue.

- **There are differences between tracks in grading standards used. Don't want to see DOC creating its own track grading standards when there are already international standards in place.**

The details of track grading systems are not included in CMS documents.

- **Many tracks are multi-use.**

Consideration of track use will be assessed as part of new bike tracks proposals.

- **Can you list large areas rather than specific tracks? Can you list areas where bike tracks are ok, rather than bike-free areas?**

Listing areas where biking and bike tracks occur is the current approach and it is not working, particularly for new bike tracks proposals as they cannot proceed unless all areas where the bike track may go are listed. We are developing this new approach to future-proof this recreation while also protecting our most important and sensitive areas.

- **Need to consider other recreational users when considering bike track proposals.**

Consideration of other recreational users will be assessed as part of new bike track proposals.

- **Is this project occurring before Conservation Law reform?**

No, we have no timeframe on Conservation Law reform so therefore this project is within current legislation.

- **How is this intended to be laid across all CMS?**



Each CMS will need to be reviewed individually. However, we will be looking at every opportunity to streamline these reviews.

- **Accessibility for those using bikes as access to outdoors.**

This is acknowledged, hence the need to look at how biking is managed in CMS.

- **Are bikes going to be removed from the definition of vehicles?**

No, the definition of vehicle is from the Land Transport Act 1998 and will remain the same until there is a legislative change.

- **Is there a plan to include National Parks?**

No, the legislative and policy regime for national parks is different and biking will be addressed through individual national park management plan reviews.

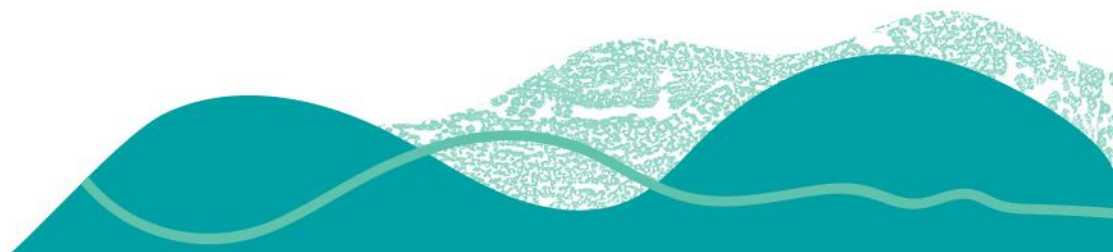
- **What is the purpose of seeking feedback, will you take it on board?**

Yes, all feedback, including from these workshops, from other groups, from the New Zealand Conservation Authority and Conservation Boards, will be used to inform this work. We want to understand the perspectives of the different groups with an interest in public conservation lands and waters and how they are managed. There are also further opportunities for input when CMS are reviewed and notified for public comment.

- **What lessons were learnt from the Otago partial review process, have submitters been consulted?**

The Otago CMS partial review started to move in the direction of looking at a new approach for biking, however due to the urgency of the Otago CMS partial review there was not time to develop a new approach fully at that time. Some of the lessons taken from the Otago partial review are:

- On submitter request we removed the need to list every parcel of marginal strip. Listing each parcel had caused significant issues in the past where a bike track had been identified in the Otago CMS, but all the track alignment was not known when the CMS was approved. This resulted in parcels of marginal strip not being identified and the bike track not able to be developed.



- After consideration the same approach was applied to Recreation Reserves, and we no longer listed every Recreation Reserve.
- The only Marginal Strips and Recreation Reserves detailed in the CMS were where biking and bike track development was excluded. There were only a couple of these.
- We removed the need to list individual tracks and only listed parcels of public conservation lands and waters where biking and bike track development could occur. Bike tracks change names and this caused issues in the Otago CMS before the partial review.
- We developed robust criteria for bike track proposal to be assessed against. Including ensuring conservation values and consultation were included.

We have been advised by the DOC District office that three new bike track proposals have been approved since the partial review of the CMS. Their feedback has been that the partial review has already made a big difference by enabling them to clear this backlog.

