

**TO:** Committee Secretariat  
Environment Committee  
Parliament Buildings  
Wellington

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## **Aotearoa Climbing Access Trust Submission on the Conservation Amendment Bill**

### **1. INTRODUCTION**

1.1 Aotearoa Climbing Access Trust (ACAT) thanks you for the opportunity to comment on the Conservation Amendment Bill (Bill).

1.2 We wish to be heard in support of our submission.

1.3 This submission is structured as follows:

- (a) Executive Summary (section 2)
- (b) ACAT and our national-level policy work (section 3)
- (c) The need for a recreation voice in the conservation planning system (section 4)
- (d) Process for making and amending area plans (section 5)
- (e) Process for making and amending NCPS (section 6)

### **2. EXECUTIVE SUMMARY**

2.1 The Aotearoa Climbing Access Trust is a national organisation that represents the interests of New Zealand's rock climbing community. It has become an established and effective voice in national recreation policy, including successful interventions to reform health and safety laws in a sensible way that benefits the entire outdoor recreation sector and even DOC.

2.2 Our central submission is that outdoor recreation, although given high priority in the Conservation Act and included within the statutory definition of conservation itself, is not adequately represented within the conservation planning system. Unlike conservation values and mana whenua interests, recreation has few statutory avenues for input, is often conflated with tourism under the generic label of 'visitors', and involves specialist knowledge that DOC cannot reasonably be expected to hold in-house for specialised activities such as rock climbing.

- 2.3 National organisations like ACAT are well placed to fill this gap, and we recommend that the Bill explicitly recognise recreation outcomes and treat national recreation organisations as key stakeholders to be consulted early in the drafting of planning instruments.
- 2.4 We recommend amending Schedules 2 and 3 to add a statutory requirement for consultation with the outdoor recreation sector during the consultation states in respect of the NCPS and area plans, to avoid specific recreation activities being overlooked and inadvertently marginalised.
- 2.5 Giving effect to these recommendations would allow DOC to better fulfil its statutory function of fostering recreation.

### **3. ACAT AND OUR NATIONAL-LEVEL POLICY WORK**

#### **About ACAT**

- 3.1 The Aotearoa Climbing Access Trust is a national organisation and charitable trust that represents the interests of New Zealand's rock climbing community. ACAT works collaboratively with landowners, iwi and public land managers to support sustainable access arrangements that respect both the needs of rock climbers and the people who care for the land. Our work is focused on ensuring that climbing opportunities in our great outdoors remain available not only for today's climbers, but for future generations.
- 3.2 Climbing is a rapidly growing sport in New Zealand and internationally, so much so that it is now in the Olympic Games and has featured NZ competitors. ACAT's purpose is promote public access to rock climbing areas ("craggs") in Aotearoa, and to promote conservation and safe and responsible use of the climbing environment.
- 3.3 The community we serve are a broad demographic of recreational climbers, including families, youth, and adults of all ages and experience levels, who climb throughout Aotearoa and value the opportunity to connect with the natural environment through climbing. We are supported by hundreds of regular donors, alongside volunteers, climbing clubs and industry partners.

#### **ACAT's national role in developing sensible recreation laws**

- 3.4 In a short few years, ACAT has established itself as a leader in the recreation sector and a driver of sensible policy and legislation that aligns with DOC's role in fostering recreation.
- 3.5 We intervened in the leading case of *Whakaari Management Limited v WorkSafe NZ* to represent the interests of New Zealand's outdoor community, helping draw the court's attention to the chilling effect that landowners' liability concerns can have on recreational access, which resulted in a positive outcome.
- 3.6 We also instigated and authored a joint recreation-sector call for government action to clearly remove recreational activities from the Health and Safety at Work Act 2015. This was successful and the Health and Safety at Work Amendment Bill, containing an explicit recreation exception, passed into law last week.
- 3.7 These law changes benefit not only climbers but all recreationists and even the Department of Conservation, helping to clarify the Department's functions and set clear limitations on its legal responsibilities.

- 3.8 ACAT also helped to instigate, and we are a member of, the joint submission on the Conservation Amendment Bill made by 10 leading recreation sector organisations.
- 3.9 Our concern is to ensure that recreational interests and values are, in a practical sense, represented in the conservation planning process to an extent that satisfies DOC's statutory role in fostering recreation.

#### **4. THE NEED FOR A RECREATION VOICE IN THE CONSERVATION PLANNING SYSTEM**

- 4.1 Recreation is given a high priority level in the Conservation Act. Fostering recreation within the conservation estate is a core function of DOC, and recreation is even included in the definition of conservation itself. Historically however, this priority level has often not been reflected in the conservation planning system – especially in respect of lesser-known activities like rock climbing.
- 4.2 There are some key reasons for this. First, there are few statutory avenues that provide for a recreation voice to participate in the planning process. Conservation values are reliably represented by DOC, as well as Conservation Boards and the Conservation Authority, and iwi authorities are now habitually consulted at any early stage in new planning processes.
- 4.3 By contrast, there are few statutory requirements for consultation with the recreation community. Recreationists are habitually lumped in with tourists and collectively referred to as 'visitors', obscuring a different set of needs and contributions. Our only opportunity for input is usually within public consultation processes, where recreation interests compete with many other voices for attention.
- 4.4 It is also a practical issue of knowledge and expertise. It is unrealistic to expect DOC to have inhouse expertise on the wide variety of recreational activities that are practiced on PCL, from rock climbing to hang gliding. Building this knowledge requires consultation with external people and organisations that have an in-depth understanding of what is involved.
- 4.5 As a result, while the definition of 'conservation' includes "providing for their appreciation and recreational enjoyment by the public, and safeguarding the options of future generations", the recreation community generally considers that DOC does not adequately represent and provide for recreational interests. How could it, if it doesn't even know what we're up to?
- 4.6 As such, providing the recreation community with a voice in the planning system is, in a practical sense, essential to enable DOC to sufficiently carry out its statutory function of fostering recreation.
- 4.7 That is where national organisations like ACAT and the NZ Alpine Club can help. We have relationships with the various climbing clubs and communities in each region and have access to specialist knowledge about the recreational climbing values around Aotearoa. We would be able to provide DOC with high quality information to inform planning processes, such as the creation of Area Plans – if we are given the opportunity.
- 4.8 Undertaking consultation with the recreation community is not something DOC should have concerns about. In most cases it would be very light touch, as recreationists (unlike tourists) are generally self-sufficient in the outdoors and just want to be left alone to get on with it. In

some cases, however, there are genuine issues that need to be addressed, and there need to be pathways for engagement and input.

4.9 To enable better outcomes, we recommend that:

- (a) Recreation outcomes be explicitly recognised throughout the Bill; and
- (b) National-level recreation organisations like ACAT be treated as key stakeholders in respect of PCL and be consulted regarding recreational values and aspirations at an early stage in the drafting of planning instruments.

4.10 How these recommendations can be achieved through the Bill is addressed below.

## **5. PROCESS FOR MAKING AND AMENDING AREA PLANS**

### **Adding a recreation voice to the area plan drafting process**

5.1 From a recreation perspective, area plans are perhaps the most important piece of infrastructure under the Bill. They record recreational values and objectives on a local level.

5.2 Area plans must adequately identify recreational rock climbing values and opportunities, or include a process for such values to be identified and taken into account in decision-making. This is not currently provided for in the Bill and there is an opportunity to strengthen the planning framework to achieve this outcome.

5.3 Schedule 3 sets out the process for making or amending area plans. The standard process includes four consultation steps during which external stakeholders can provide the department with input and feedback:

- (a) Initial consultation
- (b) Advanced consultation
- (c) General consultation
- (d) Final consultation

5.4 It is notable that the first two consultation stages provide for conservation and iwi perspectives to feed into the plans, as well as drawing on DOC's own expertise in these areas during the drafting process.

5.5 By contrast, it is striking that opportunities for the recreation community to provide input into area plans comes only at the third and arguably fourth consultation stages (via FMC's seat on the Conservation Authority). This is deeply concerning and does not align with the high priority level afforded to recreation in the Conservation Act. To clarify why we consider this to be an issue:

- (a) Public consultation occurs after the essential form and aspirations of the area plans have been laid out. At this stage there is limited scope for significant changes of direction or any additions that would require substantial new drafting. As such, failing

to provide for any recreation-related input during the earlier consultation stages limits the outdoor community's say to minor or technical changes.

- (b) The main avenue for recreation-related input would be at the public consultation stage, when our small and largely volunteer-based organisations will be competing for attention with many other voices, including well-resourced corporate interests. It is our experience that under the present system, the recreation voice struggles to make itself known in comparison to conservation, mana whenua and economic perspectives.
- (c) DOC does not have the in-house expertise to ensure that the needs of diverse and sometimes highly specialised recreational activities are properly considered during the drafting process, so it is essential to work collaboratively with recreation organisations as key stakeholders to achieve its statutory function of fostering recreation.

### **Impact of failing to consider recreation in planning documents**

- 5.6 The issues with a lack of recreational input in conservation planning documents can be clearly seen in the present system. For example, our current set of planning documents do not recognise recreational rock climbing values (with a handful of exceptions). There are around 400 individual crags in New Zealand, many of which are located on PCL.
- 5.7 Some of these crags on PCL are unique rock climbing taonga of unparalleled quality, such as the world-class boulder fields in Kura Tāwhiti - Castle Hill Basin, or the adventurous crags scattered through the Darran Mountains in Fiordland. These places are treasured by the NZ climbing community and are coveted destinations for visiting international climbers.
- 5.8 Only a handful of crags are noted in National Park Management Plans and other official documents, usually as a result of consultation with the New Zealand Alpine Club when the plans were written 20 or 30 years ago. These are sorely in need of an update and the process for creating Area Plans must ensure adequate consultation with the recreational climbing community. Information about recreational climbing values is not held by DOC, so consultation with climbers is the only way that this information can find its way into the planning framework.
- 5.9 Failure to include this information marginalises the burgeoning sport of rock climbing in significant ways:
  - (a) Lack of recognition of recreational rock climbing values around NZ renders the sport invisible to decision-makers, in contrast to its exploding popularity;
  - (b) Visitor zones may not be correctly located if traffic to popular crags is not considered;
  - (c) Recreational objectives in Area Plans may not appropriately reflect the values present.
- 5.10 Additionally, failure to include recreationists in the planning system is a lost opportunity for DOC to facilitate direct, mutually beneficial relationships between us and mana whenua.

### **Options to provide for a recreational voice in area planning**

- 5.11 Ensuring that recreational values and aspirations are consistently included in area plans can only occur via a statutory requirement for consultation with the outdoor recreation sector during the early drafting stages (i.e. initial and advanced consultation).
- 5.12 Framing this statutory requirement in a sensible manner will require some consideration. It is unfortunate that we have not had an earlier opportunity to raise these concerns and work with those drafting the Bill to create workable solutions. This perfectly illustrates the problem with excluding recreational perspectives until general consultation.
- 5.13 Briefly, options that could achieve this statutory requirement could include:
- (a) Including a requirement of consultation with “relevant recreation organisations” in key clauses of Schedule 3; notably clauses 5 and 7.
  - (b) Requiring conservation boards to consult with the recreation community and provide related feedback as part of their input during early consultation stages.
  - (c) Expanding the membership of the Conservation Authority and including it in the early consultation stages.
- 5.14 In our view, option (a) above would be the best approach. It is a simple wording change and provides for a direct recreation voice that is not filtered through another body, and the detailed mechanism for recreation consultation can be created after the Bill has passed.
- 5.15 Recreation consultation could occur via a contact list of national-level recreation organisation that could be relied on to provide relevant information about specific activities, including gathering local knowledge. For rock climbing, relevant organisations would be the NZ Alpine Club and ACAT.

## **6. PROCESS FOR MAKING AND AMENDING NATIONAL CONSERVATION POLICY STATEMENT**

- 6.1 The Schedule 2 process in respect of the NCPS similarly makes no provision for a recreation voice during early consultation phases.
- 6.2 The NCPS is a higher-level document and may be less relevant to recreation. Nonetheless, we would recommend that a statutory requirement for consultation with the outdoor recreation sector be added to Schedule 2, in a similar manner to the area planning process. This will ensure that there is an avenue for any key concerns to be raised and addressed at an early stage.

Dated at WĀNAKA this 13<sup>th</sup> day of July 2026

**AOTEAROA CLIMBING ACCESS TRUST**



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