

Tourism Industry Aotearoa (TIA)

Pre-consultation submission:

Aoraki/ Mount Cook National Park Management Plan review

09 November 2016



1. Introduction

- 1.1 Tourism Industry Aotearoa (TIA) is the peak body for the tourism industry in New Zealand. With over 1500 members who supply 85% of the industry's revenue, TIA represents a range of tourism-related activities including hospitality, accommodation, adventure and activities, attractions and retail, airports and airlines, as well as related tourism services.
- 1.2 The primary role of TIA is to be the voice of the tourism industry. This includes working for members on advocacy, policy, communication, events, membership and business capability. The team is based in Wellington and is led by Chief Executive, Chris Roberts.
- 1.3 Any enquiries relating to this submission should in the first instance be referred to Steve Hanrahan, TIA Advocacy Manager at steve.hanrahan@tia.org.nz or by phone on 027 912 2624.

2. Background Tourism Industry Aotearoa and Conservation

- 2.1 Tourism Industry Aotearoa ("**TIA**") partners with the Department of Conservation ("**DOC**") in order to enhance conservation outcomes alongside promoting and supporting the growth of tourism.
- 2.2 TIA's goal is that the DOC National Park Plan reviews ("**Park Plans**") improve the opportunities for domestic and international visitors to have access to positive outdoor experiences that will contribute to their overall visitor experience and individual well-being and to the resilience of local communities and tourism operators.
- 2.3 TIA seeks to ensure that Park Plans provide for the preservation and protection of the natural environment of national parks, whilst allowing improved and enhanced use and enjoyment for recreation users of the parks.
- 2.4 TIA considers that all recreational users, whether commercially associated or not should be treated equally in Park Plans. The nature of a visitor's experience and the effect of the visitor experience, whether private or public, should be treated the same. This approach would reflect the general purpose section of the National Parks Act 1980 (section 4) which provides that national parks are to be 'preserved... for their intrinsic worth and for the benefit, use, and enjoyment of the public...' At no point in this general purpose section or in other parts of the Act is there a distinction between commercial and other users of national parks. The Act clearly envisages that the public at large share in the enjoyment and benefit of access to national parks.
- 2.5 Recreating visitors to national parks are made up of a number of different groups; these include commercially paying visitors and self-guided visitors. TIA considers that all such users should have the benefit of the same experience from visiting a national park and should therefore be provided for equally in planning documents. Private and commercially derived recreation needs to be explicitly and equally provided for, to manage for the optimum experience for all visitors.

- 2.6 Tourism operators provide significant benefits to National parks in the form of engagement of people with natural places, concession fees, ongoing donations, enhancement of the natural environment, education benefits, and infrastructure development. Diverse use of the infrastructure within the park should be encouraged and the maintenance of safe, quality visitor experiences supported by careful management and monitoring of conflict between different user groups.
- 2.7 In July 2015, TIA and DOC signed a formal partnership agreement which seeks to provide for both tourism and conservation in a mutually beneficial framework. The agreement optimised the vision, principles and goals between TIA and DOC and initiated Project Groundswell. TIA is currently working closely with DOC as they formalise their visitor strategy. TIA sees the strategy as an opportunity for DOC to establish an internal approach to managing visitors that is coherent, streamlined and aligned with that of other government departments and the Tourism industry's 2025 framework. With the new DOC Visitor Strategy scheduled for adoption from early 2017, all future Park Plans should reflect its vision and principles.
- 2.8 A close partnership between DOC and TIA will ensure that the importance of preservation of natural resources while providing the ability for appropriate growth and innovation of tourism operations in National Parks is better catered for and kept front of mind. TIA considers that allowing visitors to enjoy and access National Parks can promote sustainable use and effective education for such people to in turn understand and care for those important areas.
- 2.9 TIA considers that Park Plans should provide for the integrated management of national parks, particularly those which are adjacent or within close proximity to each other. Such provisions would emphasise the need for coordinated management of activities that cross administrative boundaries and a collaborative approach to management of national park resources. Natural and physical resources are interconnected within and across parks and where parks share a boundary or are in close proximity (such as Westland *Tai Poutini* and Aoraki) there can be multiple users, management entities and kaitiaki involved in the administration of the relevant park plans. In terms of efficiency and management administration it is therefore desirable that an 'integrated approach' is implemented where possible.
- 2.10 Integrated management would also assist for business planning and for DOC to ensure it complies with its responsibilities in terms of oversight of park use, including supporting a quality visitor experience for all recreational users of national parks. It can also be supportive of early identification of conflicting use issues, and the provision of processes to resolve these. Integrated management policies would ensure that links between various resources (e.g. ecosystems, tracks and huts, air space, natural quiet, and landscapes) and the effects of activities associated with those resources are recognised and managed in an integrated way. Integration of national park management could be improved by greater coordination and collaboration of uses that cross administrative boundaries.
- 2.11 Provisions of Park Plans should be developed in a 'community-lead' way, so as to provide a document which serves the needs of the entire community of park users including iwi, visitors, tourism operators, researchers, and education, etc.

- 2.12 Any restrictions and limits placed to give effect to Park Plans should be formulated based upon sound evidence and be easily and consistently enforced and monitored.
- 2.13 TIA truly believes that conservation and tourism can be managed in a way to benefit both. Where people are enabled to experience a national park environment they in turn become educated and connected to that place. This supports a sense of ownership, responsibility, and understanding for the values of conservation for such places. The key priorities of working with DOC to promote tourism and visitor experience through the Park Plans are to:
- (a) Collaborate closely between DOC and TIA internal strategies and strategic plans so as to share, combine and promote tourism / conservation priorities;
 - (b) Improve access and opportunities to public conservation land for tourism operators through more responsive Park Plans;
 - (c) Achieve a consistent and transparent concession application and renewal process which provides certainty for stakeholders;
 - (d) Ensure that limits on use of resources are only put in place in accordance with reliable evidence, that a preference is given for adaptive limit setting according to policies and set outcomes and that alternatives are considered to support tourism growth;
 - (e) Implement effective monitoring and enforcement systems;
 - (f) Ensure Park Plan requirements are consistent with tourism industry best practice standards, including aligning with user group agreements and written best practice standards where relevant.
- 2.14 The above priorities are used as headings to structure this submission, where possible examples are taken from the Operative Aoraki / Mount Cook Park Management Plan ("**Plan**") to provide context.

3. **Purpose and structure of Submission**

- 3.1 The purpose of this pre-consultation submission from TIA is to provide a summary of the key aspects which TIA considers are critical to be implemented through Park Plan reviews in a nationally consistent manner.
- 3.2 This Submission is not intended to be all-encompassing and does not attempt to provide a complete overview of what the resulting Park Plan should look like. Rather, critical aspects of Park Plan management which are central to the TIA and DOC partnership have been discussed in this Submission so as to enable a platform for further discussions and consultation throughout the process.

- 3.3 The structure of this submission uses key headings as follows:
- (a) **[Issue]** – TIA explores a key issue which is present within an existing resource area or section of the Plan and states how this is relevant to TIA and DOC relationships.
 - (b) **[Objective]** – TIA states a core objective which will assist to resolve the issue.
 - (c) **[Methods]** – TIA lists methods and policies which could be implemented in the Plan to achieve the Objective.
- 3.4 TIA looks forward to providing more specific comment on the resulting draft Park Plan, and implementing the DOC / TIA partnership in order to progress a sound planning document.

4. **Aoraki / Mount Cook National Park overview**

- 4.1 The Park Plan introductory statement could be improved to more clearly and positively present the relationship between recreation and conservation. Rather than presenting this as a 'challenge' it should be viewed as an 'opportunity' to ensure the Plan reflects the intent of the Act, that preservation in perpetuity *is for* the benefit use and enjoyment of the public. TIA notes that this does not differentiate between commercial and private users, and would extend to tourism operators.

- 4.2 The current introduction states:

...

Public recreation and tourism interests in the best-known features, the mountains and the glaciers, have been significant for over a century. For this reason, accommodation, guiding and ski plane services have a long-standing tradition in the Park.

The Park has been established to preserve its valued scenery, ecological systems and natural features in perpetuity. These values can be considered scarce and irreplaceable. As development proceeds elsewhere, they will become even more valuable, which may bring greater pressure on them. The purpose of this plan is to provide for the management of the Park in accordance with the Act so that the Park's intrinsic worth can be retained.

A challenge facing the managers of Aoraki/Mount Cook National Park lies in establishing the nature and level of adverse environmental effects that may be allowed in the interest of freedom of public entry, access and use. A further challenge is also to manage that entry and access in order to ensure the Park's character and distinguishing features remain for the benefit, use and enjoyment of future generations.

- 4.3 TIA considers that the intent of this introductory statement provides a sound platform for management of National Park resources, and generally gives effect to the purpose sections of the National Parks Act 1980. The general intent of this introductory statement should be retained through a review of the Plan. In particular it is important that key attributes and defining features or characteristics of the Park are identified (such as the existence of accommodation) so that future activities can be assessed for their appropriateness against that existing and recognised baseline. As stated

above, conservation and recreation (both private and commercial) can have a positive relationship if managed appropriately. The introduction section of the Park Plan provides important context for users and provides a foundation for the application and interpretation of all provisions. It is therefore important that it gives an accurate description of the interrelationships of users of the Park.

4.4 The general purpose sections of the Act are as follows:

Section 4(1) *It is hereby declared that the provisions of this Act shall have effect for the purpose of preserving in perpetuity as national parks, for their intrinsic worth and for the benefit, use, and enjoyment of the public, areas of New Zealand that contain scenery of such distinctive quality, ecological systems, or natural features so beautiful, unique, or scientifically important that their preservation is in the national interest.*

Section 4(2) *It is hereby further declared that, having regard to the general purposes specified in subsection (1), national parks shall be so administered and maintained under the provisions of this Act that—*

(a) they shall be preserved as far as possible in their natural state:

(b) except where the Authority otherwise determines, the native plants and animals of the parks shall as far as possible be preserved and the introduced plants and animals shall as far as possible be exterminated:

(c) sites and objects of archaeological and historical interest shall as far as possible be preserved:

(d) their value as soil, water, and forest conservation areas shall be maintained:

(e) subject to the provisions of this Act and to the imposition of such conditions and restrictions as may be necessary for the preservation of the native plants and animals or for the welfare in general of the parks, the public shall have freedom of entry and access to the parks, so that they may receive in full measure the inspiration, enjoyment, recreation, and other benefits that may be derived from mountains, forests, sounds, seacoasts, lakes, rivers, and other natural features.

4.5 The above purpose sections clearly envisage a balance to be achieved for preservation and protection of resources for their use and enjoyment by the public. These general purpose sections should continue to be given effect to in any new introductory statements. The key aspect of the statutory purposes, is that the Act does not envisage that benefit, use, and enjoyment of Parks as a trade-off for preservation and protection. The Act clearly envisages that both aspects are on the same level and that the latter (preservation) is actually for the purpose of facilitating the former (use and enjoyment).

5. **Aoraki / Mount Cook National Park particular issues**

5.1 Specific issues to be addressed for the Aoraki / Mount Cook National Park include:

5.2 *Managing visitor experience in the Park's front country including Mt cook village:*

- (a) A significant majority of visitors to the Park drive to the Mount Cook Village for only a day experience. A long term structure planning approach would be appropriate to implement for the Village and front country attractions to ensure that the quality of this type of experience is maintained. Such a structure plan should include DOC's vision for future capacity of the Village and key attractions, traffic / transport management plans, toilets, educational information

and a vision for working with different park Plan users to achieve such future developments.

5.3 *Managing flight access to glacier and snow landings:*

- (a) Another significant group of visitors to the Park partake in scenic flights involving glacier / snow landings. These glacier / snow landings are a unique New Zealand opportunity and the only way that the majority of people can actually interact with the mountainous aspects of the Park. This activity is under stress due to park plan landing limits and climate change related reduction in viable landing sites. There is also growing tension between aviation tourism and other user groups, whose access options are also narrowing due to climate change related hazards, particularly climbing recreationalists who generally seek peace and solitude.
- (b) A careful management and monitoring regime needs to be put in place which recognises and provides for these tensions, and specifically addresses the current (and potential) relevance of climate change on the allocation of resource.
- (c) Careful consideration needs to be given to the baseline of existing users (including concessionaires) and how those would be impacted by policy amendment. Provisions which currently recognise the existing use of flight access to the Park are important to retain.

6. **Submission**

6.1 *Collaborate closely between DOC and TIA internal strategies*

Issue:

- (a) Current provisions in the Plan do not provide for collaboration between TIA and DOC with respect to managing issues of direct concern to the tourism industry.
- (b) DOC Park Plans should recognise and provide for the collaborative partnership which DOC and TIA have worked hard towards establishing so as to recognise the importance of having a key responsible industry representative organisation to coordinate on-going relationship matters.
- (c) Current provisions of the Plan which are directly applicable to the tourism industry operations (and therefore TIA directly) do not refer to any specific industry consultation practices.
- (d) The absence of specific provisions providing for consultation with the tourism industry can lead to fragmented and ad-hoc decision making. Where proposals are introduced to use, develop, or further protect resource of the Park these should be done in consultation with the tourism industry to enable consistent decision making.

Objective:

- (e) Decisions on the use of resources directly relevant to tourism industry operations are made in consultation with the appropriate concessionaires and tourism industry body representatives.
- (f) Implementation of the Plan is in accordance with partnership agreements which DOC has with the appropriate industry body representatives.
- (g) Concessionaires are consulted on decisions on the use of resources directly relevant to their operations.

Methods

- (h) Provisions of the Plan which relate to recreation (whether commercial or private) should provide specific assurance that decisions will be made in accordance with consultation of appropriate industry body representatives. This is a term which needs not be specifically defined, however reference to the DOC/ TIA formal partnership agreement would benefit certainty of such provisions.
- (i) Provisions in the Plan must provide that changes to management of resources and the concession process should be managed in a collaborative way so as to ensure existing users are not adversely affected or compromised by such decisions.
- (j) Where competition over finite resources is known to exist (such as aircraft use and flight paths) a specific consultation process needs to be followed in the Plan to ensure consistency of decision making.
- (k) Any consultation with industry should also have regard to iwi consultation and Treaty partnerships.

6.2 *Improve access and opportunities to public conservation land for tourism operators***Issue**

- (a) Access to National Parks is provided for as a general purpose in the Act, however is not translated into the core aspects of the Plan. TIA considers that good management of Parks is dependent upon people being able to access, enjoy, and understand the unique and special environment of such Parks.
- (b) All users of the Park (whether private or commercial) should be enabled to explore these areas by supportive access provisions. DOC should provide certainty in its Plan as to how ongoing access will be provided for, improved, safeguarded and guaranteed for future generations.
- (c) Provisions 4.2.1 Access Within the Park gives an overview of the physical components of access to the Park. This is currently a factual summary which could be improved by reference to specific provisions of the Act which seek to

enable and secure ongoing public access. Associated policy 4.2.1(a) also provides that public access will be fostered consistent with preservation of landscapes and features, biological processes, the visitor management setting, minimising conflict and safety.

- (d) TIA agrees these are important high level considerations with respect to public access; however these could be further supported by more specific provisions which also acknowledge the *benefits* of increased public access. Current Method 4.2.1(a) states:

4.2.1(a)

Assess proposals for the maintenance, further development or upgrading of Park access, having particular regard to:

- *any impacts on the Park's natural, historic and cultural resources, including any potential impacts of increased visitor use as a result of the access development or upgrade;*
- *the existing natural character of the specific area in which the maintenance, development or upgrade is proposed;*
- *the appropriateness of the type of access for the visitor management setting within which it is proposed;*
- *the existing use and history of recreation in the area;*
- *any adverse effects on Ngāi Tahu values*

- (e) These methods do not accord with the general purposes of the Act in section 4(2)(e) which recognises the importance of public access to parks. There should be a starting presumption that improved access to the National Park is to enhance future access, so long as the mode of access is subject to the imposition of conditions necessary for preservation of the native plant and animals and the protection of people's experience of the place.
- (f) Establishing provisions for DOC-led objectives for future development of new access would also be positive and proactive.

Objective:

- (g) Public access is supported and encouraged for its benefits.
- (h) Future decisions on new access arrangements are made with regard to the positive benefits of such access.
- (i) Future plans for DOC strategically planned access arrangements are provided for.

Methods:

- (j) High level provisions which consider existing access to the Park should also accord with the general purpose of the Act so as to give notice to users of the Plan that public access is inherently valuable and is supported.
- (k) Specific provisions which establish what access arrangements are appropriate must not provide a starting presumption that new access will not be considered where it does not provide for complete preservation.
- (l) Methods for considering new access arrangements should have regard to the needs of preservation and protection, as well as the inherent positive benefits of new access.
- (m) Future plans for DOC driven strategically planned access should be provided in the Plan to give certainty to plan users of the planned improvements in access arrangements.

6.3 *Achieve a consistent and transparent concession application process*

Issue:

- (a) There is current uncertainty and a lack of accountability on the application and charging process for new concessions. Concessions provide an opportunity for income and management conditions to be imposed which in turn benefit a national park.
- (b) The current split of private and commercial recreation is not justified, and each should be subject to the same guiding principles for management. There is no basis in the Act (section 4) upon which to separate the values and enjoyment of national parks according to different user groups. The Act clearly prescribes that such benefit and enjoyment is for intrinsic worth of the parks and the public at large.
- (c) Positive benefits of recreation opportunities are not currently provided as part of the decision making criteria in recreation applications and concessions despite this being recognised in the general purposes of the Act. Concessions provide an opportunity for people to experience a unique area and be educated and excited to support its continued preservation so that more people can enjoy the same experience.
- (d) Current general provisions relating to concession applications do not provide specific guidance as to how an application will be assessed and progressed. This leads to unnecessary industry costs, uncertainty, and ad-hoc unprincipled decision making. For example, the current provisions provide:

4.3.2(a)

1. Require information from applicants and others as necessary, to enable the Department to adequately assess the potential beneficial and adverse effects of concession proposals.

2. Applications will also be considered having regard to, but not being limited by, the following provisions

- this management plan;
- the General Policy for National Parks;
- the purposes and other provisions of the National Parks Act 1980 and other relevant legislation;
- the status of the National Park as part of the South-West New Zealand (Te Wāhipounamu) World Heritage Area;
- the status of that part of the Park within and affected by the Aoraki/Mount Cook Tōpuni;
- the nature of the activity;
- the necessity for and the type of any structure, or facility or activity proposed;
- the effects of the proposed activity, structure or facility, including a consideration of the cumulative effects;
- the availability of alternative locations (including outside the Park);
- the ability of the applicant to carry out the activity, including any industry qualifications/standards that may exist;
- measures to avoid, remedy or mitigate potential adverse effects on the Park's natural, historic and cultural values including, but not limited to:

- a) indigenous plants and animals and ecosystems;
- b) archaeological and historic sites;
- c) landscape, landforms and geological features;
- d) natural quiet and natural darkness;
- e) the principles and purposes on which national parks were founded;

- the outcome of consultation with Ngāi Tahu interests as a result of section 4 Conservation Act obligations and measures to avoid, remedy or mitigate potential adverse effects on Ngāi Tahu values, where these measures do not conflict with the National Parks Act (see also Method 4.3.2(b));
- any environmental impacts assessment (EIA);
- any relevant submission(s) made by the public;
- measures to avoid, remedy or mitigate potential adverse effects on recreational values, including but not limited to:

a) hut use and capacity. General provisions are included under the visitor management setting criteria in section 1.3.5.1. Where a concession application proposes to use a facility administered by the New Zealand Alpine Club or New Zealand Deerstalkers Association, the organisations will be notified of the concession proposal and provided sufficient time to comment;

- b) track systems, both on and adjacent to, affected track systems;
- c) public access;
- d) noise levels;
- e) public use and enjoyment of the area concerned;
- f) a facility maintenance levy;

- the effects (physical, social, cultural and other) on visitors in the Park when a concession activity is occurring;
- any proposed means of advertising the concession activity within the Park.

• *the effects on both visitor and other public expectations for the preservation of national park values, that derive from the history of national park establishment.*

3. Except as authorised by the Director-General, off-site advertising by any medium within the Park will be allowed only where it is in accordance with a concession.

4. Concessions will be monitored, in addition to other Park user monitoring, throughout the term of this Plan to determine compliance with concession provisions and establish and/or maintain baseline data on visitors and their effects on natural, historic and cultural resources and recreation opportunities.

- (e) The above provisions do not provide for positive benefits of a proposal and do not give clear guidance as to when proposals will be considered acceptable or not. Decisions should also be made with regard to existing concessionaires in respect of the same resource or area.
- (f) In addition to this general guidance, there are other references to specific resources throughout the Plan. It is difficult for users to tell which policies apply, and if there is any primacy to the weighting of those policies. Another example is at 4.2.7 (a) and (b) Methods, which states:

3. At the time of the Caroline Hut concession renewal assessment in 2005 the Minister will re-assess the concession in terms of the Aoraki/Mount Cook Tōpuni. Any re-assessment of the concession in terms of the wider objectives and policies of this management plan may not be able to be addressed until the concession's expiry in 2020.

- (g) This is not a particularly helpful policy to guide plan users, and is potentially contradictory to the existing concession arrangements in place. Any existing concession and work / contributions made under that concession in accordance with the purpose of the Park Plan should have relevance to determination of renewals and new applications for the same resource.

Objective:

- (h) Decisions on concessions are subject to specific criteria which provide a clear understanding to industry operators as to what future concessions and activities will be appropriate in Aoraki / Mount Cook National Park. Specific criteria in the plan are supplemented by general process requirements exterior to the plan and common to all concession processes.
- (i) Decisions on concessions take into account positive benefits of a concession particularly with regards to enhancing and improving recreation, access and enabling more people to experience the national park.
- (j) Decisions on concessions take into account impacts on existing concessionaires.
- (k) Decisions on monitoring, enforcement, and conditions of concessions are guided by clear criteria in the Plan.

Methods:

- (l) The structure of the Plan should provide a reference to the general overview of the concession application and decision making process and detail provisions that specifically relates to the Aoraki / Mount Cook National Park. The specific concession sections will provide detailed guidance to applicants and operators which are then supplemented by the DOC general concession process which is publicly available. This will provide a good balance between detail provided in the plan, and flexibility to update the general process which sits exterior to the plan- but which is common to all documents.
- (m) This structure must be more explicit in what factors have a relevant weighting and what factors must be strictly complied with before concessions are granted in the Aoraki / Mount Cook National Park. A tiered system of criteria like this is helpful to guide applicants through the process, but must be based upon reliable evidence.
- (n) The following criteria are suggested to be included in a tiered system which provides which criteria are of a higher/ lower weighting or which are 'absolutes' in terms of considering consistency of an application with the plan:
 - (i) Criteria for determining concessions must accord with the general purposes of the Act, and include positive benefits of a proposal.
 - (ii) Criteria for determining concessions must include consideration of existing concessionaires, and cumulative effects based upon reliable data.
 - (iii) Criteria must be included which prescribes what factors are appropriate to take into account when imposing conditions.

6.4 *Ensure limits on use and enjoyment of resources are in accordance with reliable evidence*

Issue:

- (a) TIA considers that where prescriptive limits are set in the Plan, these must be based upon sound and tested evidence to justify the need for such a limit. A hard limit in a Plan has the potential to become quickly outdated and therefore not provide for the purpose of the Plan.
- (b) The use and enjoyment of resources is a matter which can change according to updated best practices, the nature of the resource, changing patterns of use and the finite capacity of the resource. Where hard limits are prescribed in the Plan itself rather than by reference to an external limit, this can quickly become outdated and difficult to implement.
- (c) There is a balance to be struck between setting limits that provide certainty for users and operators and support for conservation aims, and having a framework that is responsive and adaptive to changes in the environment, expectations and use patters, and increased knowledge and understanding.

- (d) TIA considers that where there is insufficient evidence to justify a hard limit for use of resources, the Plan should instead provide clear guiding principles, objectives and methods to establish a consistent framework under which decision makers can assess and provide for suitable uses. In those circumstances, the Plan should set the narrative objective for a site or area, and limits set adaptively outside of the Plan, to give effect to the set objective.
- (e) An example of a current 'hard' limit in the plan is at 4.3.4(b) Guiding (Mueller Hut) which states that:

The maximum concessionaire party size equates to one quarter of the hut's public use accommodation. This is considered the desirable limit for the time being given the former hut's (12+ person occupancy) frequent overcrowding by predominantly independent visitors and the Department's desire to maintain and increase this independent recreational opportunity.

- (f) Although it is helpful to provide guidance as to where a particular resource is under pressure (i.e. Mueller Hut), this is an example of where providing specific limitations can become quickly outdated when circumstance change, such as added and increased services and facilities, changing patterns of use, and changing expectations.

Objective:

- (g) Preference is given to adaptive limits to using resources so as to ensure the longevity of the Plan.
- (h) All limits on the use of a resource within the National Park are established based upon reliable evidence. Limits are incorporated in the Plan only 'by reference' so as to allow them to remain current with use and needs of the park.
- (i) Where reliable evidence is not available to establish a particular limit, or where there is a desirability to retain flexibility in a limit, a clear framework is established to guide decision makers in determining appropriate uses of resource according to unique circumstances.

Methods:

- (j) Before implementing a limit in accordance with the finite capacity of a resource, regard must be had to other alternative options, including a preference for providing flexible limits which are determined according to guiding principles and policies.
- (k) Each particular resource which is desired to be subject to a limit on its use must be clearly identified for its particular aspects which require protection.
- (l) Evidence must be gathered which considers the particulars of the resource against the impacts of use of that resource.

- (m) Where the evidence establishes a finite capacity of use of the resource, and that limit is justified by evidence and accepted by the community and decision makers, such a limit may be prescribed by reference in the Plan. A reference in the Plan to such limits provides an appropriate balance between certainty and flexibility so as to ensure that changes in the industry in the future can be provided for in the Plan without requiring full scale reform.
- (n) Where there is no reliable and tested evidence to establish a limit on use, specific principles and provisions will be established which give guidance to a decision maker to determine what is an appropriate level of use for resource, having regard to its particular defined attributes.

6.5 *Implement an effective monitoring and enforcement systems*

Issue:

- (a) Different plans throughout the country provide for different monitoring and reporting procedures and which in some cases are different from the DOC's separate monitoring and reporting system.
- (b) Where plans provide alternative or additional monitoring and reporting to that which is provided for at a national level, this creates risks of inconsistencies and overlap.
- (c) Where different monitoring and reporting requirements exist, there is a lack of data to inform how resources are to be managed. Sometimes there is no effective monitoring of a resource.

Objective:

- (d) Park plans are consistent in providing for monitoring and reporting requirements.
- (e) Park plans are in accordance with the DOC's national monitoring and reporting system.
- (f) Park plans are flexible to provide for changes to monitoring and reporting requirements at a national level.
- (g) The monitoring programme is designed to inform future decision making on use and management.

Method:

- (h) Include provisions in the Plan which refer to the DOC national monitoring and reporting system as being the key place for enforcing monitoring obligations on park users (including concessionaires).
- (i) Remove specific monitoring methods and obligations which would otherwise be more appropriately contained by reference to the DOC national system.

- (j) Provide a narrative explanation in the Plan for how the monitoring and enforcement provisions in national guidance work alongside individual requirements such as those contained in concessions.

6.6 *Ensure Plans are consistent with industry best practices*

Issue:

- (a) Park Plans should provide that industry best practice standards should be followed by Park users, rather than providing for duplicate standards. This will ensure consistency across a number of sectors operating within Parks, and ensure that the Park Plans have the necessary flexibility to adapt to industry changes and improvements. Industry best practice is often found in written guidelines or user group agreements, however where no such formalised structure exists for a particular area or activity, Park Plans should refer to implementation of 'industry best practices' so as not to implement standards which might not otherwise have an evidential base.
- (b) TIA's main concern is that tourism operators may in some instances be bound by specific industry best practice standards which may not be in accordance with a bespoke code of practice. Even where there is consistency with such codes, this presents an unnecessary layer of regulation for operators which makes compliance (and enforcement) difficult and presents a consistency challenge if the industry best practice standard is updated during the lifetime of the plan.
- (c) Providing reference to activities being undertaken in accordance with [the relevant] industry best practice standards will ensure there is greater flexibility in the Plan so as to enable it to adapt to changing standards in industry. This is desirable to ensure the Plan endures and evolves alongside emerging new management practices and other legislative reform (such as health and safety). It is most appropriate that such industry best practice standards (whether that be in agreements or other documents) sit outside of the Plan.
- (d) Where an industry standard is currently under development, or to be developed imminently, the Plan could reference that standard but ensure that activities must then be undertaken in accordance with it once implemented.

Objective:

- (e) Industry operators in the National Park are held accountable to industry best practice standards
- (f) The Plan provides a balance between certainty and flexibility so as to adapt to future changes in the industry as required.

- (g) Where formalised industry standards are not available, the Plan should refer to industry best practice and rely on DOC's requirement that concessionaires have an independent safety audits to provide assurance rather than trying to establish a best practice framework within the plan itself.
- (h) The Plan works consistently alongside DOC's safety and audit requirements

Methods:

- (i) Provisions which relate to industry operations should reference that those be undertaken in accordance with industry best practice standards where possible. Determination of what standards are most appropriate should be made in consultation with TIA. Such provisions should provide necessary flexibility to allow for updates to those standards (or replacement) such as by allowing for future version replacements or equivalent.
- (j) Where no formalised standard is available and it is determined in conjunction with TIA that an activity presents a degree of risk that should be overtly managed, reference should be made to 'industry best practice' or equivalent.
- (k) Reference to bespoke codes of practice which do not accord with industry best practice standards or updated legislation should be removed from the Plan.
- (l) Reference should be made in the Plan to the DOC safety and audit requirements to ensure there is no overlap or conflict with industry best practice.

7. Conclusion:

- 7.1 TIA considers the above general submission points to be consistent with DOC internal strategic documents and aligned with the Tourism industry's Tourism 2025 growth framework. These comments are intended to guide initial decision making in formulating provisions of the review of the Aoraki / Mount Cook Park Management Plan.
- 7.2 TIA wishes to continue to work collaboratively with DOC in the formulation of the draft Plan.