

# New Zealand Alpine Club

## Submission for Conservation Amendment Bill

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To: Environment Committee  
From: The New Zealand Alpine Club (Inc)  
Date: 9 July, 2026

### About this submission

1. Submitter: The New Zealand Alpine Club (Inc).

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We wish to appear before the Committee in person to speak to this submission.

2. The New Zealand Alpine Club (NZAC) is the national body for climbers and mountaineers in Aotearoa, New Zealand. We have approximately 4,800 members across 11 regional sections, a network of huts and lodges in the mountains, offer the largest alpine instruction programme in the country and host and maintain ClimbNZ, the national climbing route database. We hold the most detailed national record of climbing and alpine terrain on public conservation land, much of which is stewardship land and conservation parks rather than national park. Our membership enjoys a vast array of pursuits including but not limited to transalpine trips, mountaineering, ice and mixed climbing, rock climbing at crags and in alpine regions, backcountry ski-touring, and tramping. Our members carry out volunteer track and route maintenance, fix our backcountry huts and maintain predator control lines on that land.
3. We are a member of the recreation coalition which is also making a submission, led by the Federated Mountain Clubs (FMC) and the NZ Deerstalkers Association. We support the content of that submission fully. Our purpose in making an individual submission is to highlight the particular impacts of some of the proposals in the bill on climbers and mountaineers in particular.
4. Recreation on public conservation land is an important part of what it means to be a New Zealander. Our members encompass a range of people experiencing the mountains and wild places in many different ways: from families enjoying their first rock climbing or alpine tramping trip, to mountaineers tackling difficult routes in the high mountains. For all of them, the connection to these special places is far deeper than simply a location to tick off achievements. It is about learning, growing, appreciating and giving back.
5. Beyond these benefits, recreation is also critical to the physical and mental well-being of New Zealanders. It may be little more than stopping to admire a scenic view, or a multi-day adventure, the land on which we recreate and the art of recreation and benefits it brings shouldn't be underestimated.
6. Conservation of our flora and fauna is part of why we value these places. Our members also see the mountains changing: glaciers have significantly receded and moraine is crumbling

within members' own climbing careers, and snow conditions have become less reliable, affecting how and where we can climb and ski. We have lost huts and access to many places due to human-induced climate change. We are not the body to make a technical biodiversity or climate change argument, but we generally support the views of organisations able to make these arguments, so that the places we recreate are protected for future generations.

## **Overall comments**

7. As in the joint submission, our main concerns are centred on the economic development purpose, the disposals and exchanges provisions, visitor amenities areas and the concentrated decision-making power of the Minister. These are outlined more fully below.
8. The Bill will also operate alongside other recent changes to the resource and conservation system, and its safeguards need to be robust in that wider context. Recent experience with the Waitaha River in the Fast-Track process shows recreation values can be overlooked where the law does not explicitly require them to be tested.
9. The new Bill also relies heavily on the Department's own analysis to evaluate proposals, at a time when its resources and specialist capacity are under pressure. We do not raise this as a criticism of the Department, but as a reason the safeguards in the Bill are important. Outcomes should rest on clear statutory tests rather than on case-by-case analytical capacity. At the same time, the Bill concentrates decision-making in the Minister and the Director-General and reduces the independent oversight the Conservation Authority and Boards currently provide. Sound, independent process becomes more important when capacity is stretched.
10. We accept it is unlikely the Bill is intended to enable large-scale disposal of conservation land. However, the combination of a weaker eligibility tests, reduced independent oversight, and constrained departmental capacity means the legislative safeguards have to be strong, and as drafted, they are not strong enough for us to support the Bill in its current form.
11. We will also lodge a submission on the draft National Conservation Policy Statement.

## **Recreation and the economic-development purpose**

12. We support a conservation estate that delivers both conservation and recreational value alongside a more efficient consents and planning system. We recognise that parts of the current system require modernisation and support this.
13. We support that Conservation is the primary purpose of the conservation management system. However, this Bill elevates economic development to equal standing with conservation, and above recreation. We strongly oppose this change and ask that the Bill remove the economic purpose. This change has not had due public debate, and we consider it has no place in conservation law as written. We recommend reverting to the working order of s.6 of the current Act.

14. If it is to be retained, we are concerned about the asymmetry in the purposes the wording creates. The recreation function in the replacement s.6(e) keeps a conservation qualifier, directing the Department “to foster the use of land and other natural resources and historic resources managed by the Department for recreation to the extent consistent with their conservation”. The economic purpose (s.6(ea)) does not carry an equivalent qualifier and directs this purpose to be enacted to “the greatest extent practicable under this Act”. As the Conservation Act has no separate purpose section, the functions of s.6 carry the interpretive weight that a purpose provision would and currently the Bill gives economic development more weight than either conservation or recreation.
15. If economic development must be retained in s.6 and throughout the Bill, then at a minimum, in each location it appears, insert "to the extent consistent with the conservation and recreation values of the land," and remove the words "to the greatest extent practicable". This restores the balance of conservation as a primary purpose and gives recreation and economic development appropriate qualifier-based standing in the Bill.

## **Recreation test for disposal and exchange**

16. During the course of the submissions period, the Minister has announced his intention to remove the disposals clauses. However, as there is no new working draft to consider, and these clauses relate to various parts of the bill, we have submitted on the Bill as released for consultation. We do not believe that it is as simple as removing particular clauses, and these sections (including disposals and exchanges) should be redrafted using the feedback gained from this submissions process.
17. This is the most specific risk for climbers and other recreational users of PCL, and the point on which we add to the submissions of others.
18. We accept that some PCL is not a sensible addition to the conservation estate and should reasonably be disposed of.
19. We support the exclusion of certain categories of land from these mechanisms, notably National Parks and Wilderness Areas.
20. We support the addition of Conservation Parks and Recreation Reserves to the list of excluded lands. Conservation Parks are designated to protect conservation while also providing significant recreation and public benefit. They contain much of the most important recreation land for climbing, mountaineering and skiing. Recreation Reserves, as the name suggests, are specifically classified to protect recreation interests. Both classifications should be protected alongside National Parks and Wilderness Areas.
21. For disposal, s.15K(1) allows the Minister to dispose of land that
  - a. is not important for the conservation of threatened species or threatened ecosystems, or both; and
  - b. is not the best, or one of the best, examples of that type in relation to legally protected land in that ecological district.

22. For exchange, the gateway is the net-conservation-benefit standard:
- a. a net conservation benefit results if the natural resources and historic resources of the incoming land are assessed as being greater than those of the outgoing land.
  - b. Section 15C(4) confirms that a like-for-like exchange is not necessarily required.
23. Recreation and public access enter only later, at the Minister's consideration stage under s.15O, after the s.15K eligibility tests have been met. We acknowledge that recreation is considered by the Minister, but a duty to 'consider' is weaker than a bar on eligibility, and eligibility creates momentum and shifts the burden onto those of us defending retention (small NGOs usually). The Bill also assumes that public access can be secured by easement over land once it is disposed of. For a formed track, that can work, but for diffuse, route-based alpine and climbing access which needs to avoid objective hazards ad hoc, it usually cannot. Also, an easement does not preserve the wilderness character of the land.
24. The current Act sets a higher bar for disposal. Under s.26(2), the Minister may not dispose of stewardship land adjacent to a National Park or other conservation land unless satisfied that its retention "would not materially enhance the conservation or recreational values... or public access" to the adjacent land or other Department-administered land. The exchange test is stronger still, allowing exchange only if it "will enhance the conservation values" of the land and "promote the purposes of this Act", one of which is recreation. The Bill drops recreation and public access from the threshold entirely.
25. This matters for climbing and alpine land because a climbing crag is rarely the best ecological example of anything. The s.15K test offers such land no protection, even when it may be the best, or only, example of a climbing recreation site in an area. The risk is most apparent for land adjacent to National Parks, where the Park holds the best ecological example of a vegetation type, meaning that adjacent land which has equal examples and better recreational values, could be lost.
26. One example of this would be our very popular Aspiring Hut, which sits on stewardship land surrounded by Mt Aspiring National Park on three sides. The valley is ecologically important, but most of it is already protected, so the land around the hut would not hold on a 'best ecological example' test. Under the current law, a proposal to dispose of this land would not meet the recreation gateway test. In the proposed Bill no gateway test would apply and it would be eligible for consideration.
27. We are conscious that recreation value cannot be ranked the way ecological value can and we do not propose a comparative "best example" standard for recreation. We propose a threshold standard where land is captured if it is in established and more than incidental public recreational use. Genuinely unused and unsuitable land remains disposable, which is the problem the Bill is aiming to address.
28. The test should rest on objective, third-party verifiable indicators the Department already holds, such as a track or route that is a recognised access way, a gazetted hut, recorded visitor use above a stated level, which are then triangulated with community sources such as ClimbNZ ([climbnz.org.nz](http://climbnz.org.nz)) for climbing. Some of the data the Department holds is incomplete

or dated, and the triangulation with trusted community sources ensures that it is relevant and current.

29. The recreation value test should be defined by reference to non-commercial public access, so that it keeps land in public ownership and cannot be cited by a commercial operator as a reason to develop a site under a concession or visitor amenities area.
30. With the general concern around disposal and exchange, we recommend that a register of land parcels being considered under these clauses be published and maintained by the Department, giving the public transparency and the opportunity to comment when appropriate.

## **Minor boundary adjustments**

31. Section 15X allows the Minister to exchange or dispose of land, including land that Schedule 5 would otherwise protect, for a minor boundary adjustment without public notification and without complying with any other provisions. The only constraint is that the land has "no or low natural resources or historic resources", which is a matter for the Minister's judgement. There is no area cap for this adjustment.
32. A parcel that looks trivial on a map can hold a crag or an access route. The "no or low natural resources" test is an ecological test, so it will not catch a recreationally significant but ecologically unremarkable parcel, and because the notification requirement has been removed, the people who use and maintain the land will not know until the decision is made.
33. We ask the Committee to apply an absolute area cap (we suggest 5 hectares as an illustrative figure), require public notification with at least 20 working days for comment, and exclude Schedule 5 land from this process entirely. Proposed boundary adjustments should be notified in the register we suggested at point 30.

## **Visitor amenities areas**

34. The Bill lets the Minister set apart visitor amenities areas on a wide range of land, including conservation parks, stewardship areas, national parks, and several reserve types. The amenities expressly include accommodation, restaurants and cafes as well as toilets, car parks and visitor centres (s.16A(2)(a)(i)), and the "related services" expressly include tour operator services, catering, merchandising, guiding, transportation and equipment rental (s.16A(2)(b)). A visitor amenities area is therefore a vehicle for commercial tourism development, not only for the basic visitor facilities its name suggests.
35. Inside a visitor amenities area the protections of the parent land are subordinated to "apply only so far as they are compatible with that authorisation". There is no cap on size or number of areas and the siting test is met where an area is merely predicted to become high use. The Minister may set an area apart even where this would be inconsistent with the area plan or with the purposes for which the parent land is held. None of the s.16E criteria address recreation value or wilderness character specifically, although could be included in the other information the Director General thinks relevant. The independent checks are also thin, with

the Conservation Authority invited for comment only for national parks, and no submitter having a right to be heard.

36. We do not oppose appropriately sited visitor facilities, but we do not support uncontrolled large-scale commercially oriented operations on PCL, especially when detrimental to the character of the surrounding environment. We ask the Committee to tighten the purpose in s.16A so that an amenities area provides amenities and services proportionate to servicing existing high visitor use, set a maximum area and limit the cumulative number and footprint within an area, amend s.16E(2)(b)(i) to require an area to already be in high visitor use, removing "or is predicted to be". Recreation, public access and the wilderness character of the area and adjacent land should be mandatory considerations in s.16E, alongside the existing resources-representation test, and the Conservation Authority must agree to any visitor amenities area in or adjacent to a national park or a wilderness area.

## **The New Zealand Conservation Authority and Conservation Boards**

37. The Bill reduces the Conservation Authority and the conservation boards to advisory bodies, providing comments on the NCPS and area plans, giving the Minister sole sign-off on both documents. These bodies are the only forum, separate from the Minister of the day, where recreation values are independently weighed in these documents. Given that the same Bill elevates economic development and weakens the disposal threshold, the case for keeping an independent body in the approval chain is stronger, not weaker.
38. We accept that the current approvals process has been slow and has contributed to overdue management plans. Within the current law, these bodies are not as effective as they could be. However, we do not believe that the solution is to concentrate the power of sign-off in one Minister.
39. We ask that you restore and strengthen the current law approval architecture, mapped onto the new instruments. We note that others will submit ideas on how to further increase oversight and engagement through these bodies and to give more oversight to the department, ideas which we support in principle having not read the detail of the proposals.

## **Provisions we support**

40. We do not oppose the Bill in every respect and recognise that there are aspects of the Bill which improve on current law.
41. We support the Director-General's binding recommendation against a disposal s.15K(2)(f). This is a meaningful check, although it is subject to the minor boundaries carve-out, which is part of why we ask for improvements to that clause (s.15X).
42. Recreation without reward stays exempt from concessions under s.14A(2)(f), and s.14A(5) and confirms that a reasonable charge a group imposes on its members to recover the reasonable expenses is not gain or reward. This preserves the position of volunteer club trips and member instruction.

- 43. The concession process in general is more streamlined and sensible, increasing efficiency.
- 44. We support the intent with the streamlined policies and area plans which sit underneath the Conservation Law.

## **Conclusion and request to appear**

- 45. Taken together, removal of economic purpose and improvements to recreation standing and public consultation as outlined above would allow us to support the Bill. They give recreation its deserved standing in the Bill, keep ecologically ordinary but well-used recreation and access land within the estate, and strengthen independent scrutiny of decisions.
- 46. We would value the opportunity to appear before the Committee in person.