

5.4 CONCESSIONS

Rationale

A wide range of commercial, recreation and tourism activities take place in Fiordland National Park, and proposals for more are expected. All commercial and business operations undertaken in Fiordland National Park require a concession, as do all aircraft operators landing or taking off in Fiordland National Park. The National Parks Act 1980 requires that all concession applications are assessed and processed according to Part IIIB of the Conservation Act 1987 and the provisions of this management plan. The Department of Conservation is able to recover the costs of processing concessions from the applicant. Please refer to the Glossary for a definition of concessions and Part One for an outline of the legislation.

Concessions enable wider visitor enjoyment and appreciation of areas managed by the Department of Conservation. In return for the privilege of a concession, a resource rental is paid to the Crown and operators must provide quality visitor services that are consistent with the natural values and recreation opportunities of the area. Overall concession operations should be kept at levels that do not detract from other visitors' use and enjoyment.

It is not possible to anticipate with certainty what proposals will be made for commercial services or developments within Fiordland National Park. Each area of Fiordland National Park has different physical and social characteristics and the maintenance of these characteristics will be of primary importance when assessing concession proposals. Section 5.3 of this plan sets out some of these characteristics in its description of the visitor settings. The objectives and implementation points for each visitor setting will be adhered to. This means that while a concession proposal might be acceptable in one area of Fiordland National Park, it may not be somewhere else. In general the more intensive the proposed use or the larger the scale of the development, the more likely it will only be acceptable in the frontcountry visitor settings or may not be considered acceptable in Fiordland National Park at all. Appendix F contains a list of number restrictions set for managing concession visitor numbers in various visitor settings.

Individual concession applications (including applications to vary existing concessions) cannot be considered in isolation but must be assessed in the context of all other visitor use in the area. While the effects of a proposal on its own may appear acceptable, effects must be considered in the context of all activities in the area. Monitoring of both the level of use and the effects of concession activities in an area is essential so that unacceptable impacts are detected and to provide a context for decisions on future commercial and recreational use. Operators should expect to contribute to the cost of monitoring.

With a continuing general rise in the level of visitor use it may become increasingly necessary over the life of this management plan to set overall limits on commercial use in some parts of Fiordland National Park. Examples may include but not be restricted to, aircraft landing sites or wildlife viewing opportunities. Where it is already established or determined that commercial opportunities need to be limited on conservation grounds, there are several options open to the Minister, including to tender the right to make an application, invite applications, or carry out other actions that may encourage specific applications. The option adopted will depend on the circumstances of the case.

Consultation is an important aspect of concessions management to ensure community views are taken into account.

Where limits have been identified in this plan, it is considered appropriate that any change to these will need to be supported by appropriate research approved by the Department of Conservation.

Objectives

1. To enable a range of appropriate, high-quality commercial visitor services to be provided through the granting of concessions which are compatible with the visitor settings described in this plan and national park values, and which will ensure adverse effects on natural, cultural or historic resources are minimised
2. To grant concessions (including variations to existing concessions) in such a way that their adverse effects can be understood and monitored in the context of other general independent use of Fiordland National Park.

Implementation

1. Assess and process applications for concessions in Fiordland National Park in accordance with section 49 of the National Parks Act 1980 and Part IIB of the Conservation Act 1987.
2. Concessions (including variations to existing concessions) should only be granted if they are consistent with the provisions of section 5.3 (visitor settings) and other relevant sections of this plan.
3. Overall, concession operations should be kept at levels that do not detract from other visitors' use and enjoyment and national park values. This may mean limiting the number of operators or frequency of operations in some areas, particularly where opportunities being provided are toward the remote or wilderness end of the spectrum. Where the impacts of increasing visitor numbers to a place

are unknown, a cautious approach should be taken. When assessing applications, the cumulative impact of concessionaires in an area will be considered. Visits to specific natural attractions will only be considered where general public access and enjoyment is not adversely affected.

4. Among other conditions all concessions should, where relevant, stipulate the following:
 - a) Limits on the number of guides/vessels/aircraft allowed to operate by virtue of the concession at any one time;
 - b) Maximum party sizes (refer to section 5.3 – visitor settings);
 - c) Clearly defined areas of operation;
 - d) Clearly defined maximum permitted frequencies of use;
 - e) Explicit concession monitoring requirements;
 - f) Required behaviours to avoid adverse impacts on national park values; and
 - g) Requirement to provide information at least annually detailing the time, frequency, location, number of clients and purpose of any activity approved by the concession.
5. Structures, facilities and services (e.g. huts and tracks) ancillary to commercial recreation/tourism activities will only be considered where it can be demonstrated that they cannot be undertaken outside Fiordland National Park or the use of existing Fiordland National Park facilities is not possible.
6. Concessionaires and their clients may share public facilities on a first come first served basis, but may not occupy more than 50% of available sleeping capacity in huts. However, in areas or during periods where there is high public use of facilities, further restrictions on commercial use may be necessary. This is the case on some of the high use tracks (see section 5.3.8). Except in the case of emergency, concessionaire parties are not permitted to occupy public huts or formal campsites for more than two consecutive nights.
7. Monitor concessions to:
 - a) Assess whether there is compliance with concession conditions;
 - b) Assess whether adverse effects (including cumulative effects) on natural, cultural or historical values or on

the recreation opportunities and experience of other visitors are minimised and

- c) Assess whether the total commercial use is within any limits set for the area. Priority areas for this type of monitoring will include: aircraft access across Fiordland National Park, visitor activity at Milford Sound / Piopiotahi and Deep Cove, day visits to Key Summit, commercial jet boat use of the Wairaurahiri River, commercial use of historical sites in the southern fiords and any other sites at which limited opportunities have been identified in this plan (please also refer to sections 5.3, 5.5 and 5.6 of this plan).

Concessionaires may be required to contribute to all or part of this monitoring.

- 8. The number and format of sporting events will be kept to a level consistent with the visitor setting and recreation opportunity being provided in an area.
- 9. Specific conditions to be included in concessions will be developed from the following general guidelines for any concession applications concerning encounters with wildlife:
 - (a) Visits should not be permitted to see species that are considered vulnerable. These species may be affected by disturbance and any disturbance would be unacceptable;
 - (b) To protect the majority of populations of any rare, endangered, threatened or critical plant or animal species within Fiordland National Park, concessionaire activity should only be allowed at a few selected sites where such plants or animals exist. This will ensure that rare, endangered, threatened or critical plant or animal species within Fiordland National Park are better protected with only a few individuals being exposed to the risk of disturbance. Selection of site suitability will take into account local features and factors that increase or decrease risk of disturbance and will be determined on a case by case basis. The number of sites is determined by how threatened the species is. Where guidelines exist for viewing species they will be adhered to.

Criteria will be designed for visits to any sites, or to a general area where non site-specific operations are undertaken, in order to protect the individuals of the species (e.g. frequency of visits, party size, supervision

- requirements, and behaviour around wildlife). Rules may be specific to the species or the site;
- (c) Concessionaires will be required to undertake or pay for monitoring. Where such monitoring or scientific observations identify adverse effects on wildlife or their habitat, rules may be changed or visits to the site suspended or terminated;
 - (d) Should the species population at any site show a decline, visits will be stopped until the cause is known. Visits may be recommenced once the cause of decline is understood and visitor presence is known not to be a factor; and
 - (e) Any guidelines for visits to sites or areas (as in provisions (b) and (c) above) will be advocated to all visitors including private individuals and non-commercial groups.
10. Concessionaires will take primary responsibility for the safety of their clients. Concessionaires will be required to provide an independently audited safety plan unless it is determined by the Department of Conservation that the activity does not require it..
 11. In areas where it is determined concession opportunities need to be limited on conservation grounds, the right to make an application may be tendered, applications may be invited, or other actions that may encourage specific applications may be carried out. Except for priority criteria identified elsewhere in this plan, relevant criteria for the allocation of limited opportunities will be identified through the appropriate process utilised.
 12. Consult with the Southland Conservation Board and papatipu rūnanga regarding the processing and management of significant concessions. Te Rūnanga o Ngāi Tahu will be consulted on concession applications where the area the application applies to includes places with a Tōpuni or Deed of Recognition (see section 2.2).
 13. Concessionaires who seek to use or promote Ngāi Tahu cultural information, including that relating to pounamu, will be requested to consult with the papatipu rūnanga before using that information.
 14. In order to manage the effects of concessionaire activity, concessionaires should be required to use waste management and energy efficient technologies appropriate for the natural characteristics and values of the specific location.

15. Where necessary for the implementation of biodiversity programmes, restrictions (including ceasing operations) may be imposed on concessionaires at any time. Where possible, concessionaires should be given at least three months notice in writing.
16. Concessions for Thrillseeking activities (as defined in 5.3.1 Visitors to Fiordland and the 1996 Visitor Strategy) should not be granted in Fiordland National Park.