

Submission to Te Urewera Board

On the

**Draft 2017 Te Urewera Management Plan
(otherwise described as Te Kawa o Te Urewera - Draft)**

By

Timoti B Nikora and members of Te Kohinga

Dated 20 July 2017

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1 Greetings

To the members of the Board of Te Urewera greetings. May we express our appreciation for the opportunity to express our views on the design of the Management Plan for Te Urewera.

2.1 Notice on submissions process

We note the submission process outlined in the Daily Post advertisement of 20 May 2017 (later modified in respect of item e) that:

- a Copies of Te Kawa o Te Urewera are available from the tari of Te Urewera Board, 12 Tuhoe Street, Taneatua or online at www.ngaituhoe.iwi.nz
- b Submissions may be sent to Rereata Rogers: rereata@ngaituhoe.iwi.nz or by post to Chair, Te Urewera Board, PO Box 56, Taneatua, 3163
- c If we wish to share our submissions in person to Te Urewera Board representatives then the submission must be received by you no later than 5pm on Thursday 20 July 2017
- d We should let you know in our submission whether we wish to be heard in support of our submission.
- e The submissions will be heard at Te Uru Taumatua premises on Tuesday 25 July 2017 and at Wellington on Thursday 27 July 2017.

- f Any and all queries are welcomed and should be directed to Rereata Rogers, Administrator, Te Urewera Board.

2.2 **Comment:** A copy of the notice should have been incorporated into the report on Te Kawa o Te Urewera Draft (Draft Te Urewera Management Plan) so that commentators can keep referring to it to ensure they are complying with the directions.

3 **Process on preparation of management plan**

3.1 The process on the preparation of the management plan in the first stage is as follows:

- a The Board decide on the principal matters to be dealt with in the management plan and how those matters are to be dealt with; and
- b Prepare a statement of priorities for the management plan; and
- c Give public notice nationally that -
 - i A draft management plan is to be prepared; and
 - ii A statement of priorities has been prepared and where it might be viewed; and
- d invite written comments by a specified date on the matters that should be dealt with in the management plan
- e In preparing the draft management plan, the Board must consider written comments provided to it by the specified date. (TUA 2014, Sch 2, Sec 19, p93-94)

3.2 The process in the second stage is as follows:

After completing the draft management plan the Board must give notice nationally as to

- a Where it can be viewed
- b Invite submissions
- c Specify the closing date for submissions; and
- d Submitters to indicate whether they wish to be heard (TUA 2014, Sch 2, Sec 20, p94)

3.3 The process in the third stage is as follows

- a The Board publish a summary of the submissions together with the Boards response.
- b The Board may, after considering the submissions, amend the draft management plan. (TUA 2014, Sch 2, Sec 21, p95)

3.4 The process at the fourth stage is getting the plan approved by the New Zealand Conservation Authority. (TUA 2014, Sch 2, Sec 22, p95)

3.5 The process at the fifth stage is getting the plan approved by the Minister of Conservation who shall be supplied with -

- a The draft management plan; and
- b The summary of submissions and statement of the Boards response to those submissions; and
- c Any comments from the New Zealand Conservation Authority; and
- d A statement as to how those comments have been dealt with (TUA 2014, Sch 2, Sec 22, p95-96)

3.6 **Comment:**

- a It is not clear whether the Te Kawa o Te Urewera Draft (TKOTUD) is addressing the first stage or the second stage of the process on the preparation of the management plan.
 - i The published notice invites submissions and indicate thereon whether we wish to be heard in support of our submission. This puts the process squarely in the second stage, that what we are considering is the draft management plan.
 - ii If the published notice had invited written comments only, then that would have put the process squarely in the first stage, that what we are considering was the statement of priorities made available for viewing. Further, under that process we are being invited to make written comments by a specified date on the matters that should be dealt with in the

management plan. A lot of our people don't even know what a management plan is and what it is designed to do. So starting from a blank sheet of paper is impossible for most of our people (tangata whenua)

- iii It appears that the latter part of the TKOTU-D is saying/implying that the draft management plan is still to be prepared. (see 49, 52, and 53 below).
- b The complete process in the preparation of the management plan as outlined above should have been incorporated into the published Te Kawa o Te Urewera Draft with a further statement attached explaining whether the published report was in respect of the first or second stage of the process on the preparation of the management plan. This would have given a better appreciation of the process of developing and getting the management plan approved.
- c The Act refers to the 'Management Plan' whereas the report refers to 'Te Kawa o Te Urewera'. The interchange of the title descriptions causes confusion and it should remain as the 'Management Plan' as used in the legislation. There are many other plans used in administration and it is not a good idea to start attaching maori terminology to these.

4 Our understanding of the structure and functional connections within property owning organisations (with particular focus on Te Urewera) are as follows:

- a First, there is a property. In this case it is Te Urewera National Park comprising 208,671 hectares
- b Second, there are owners to the property. In this case they are the taxpayers of New Zealand
- c Third, because all the taxpayers cannot fit onto the boardroom table the owners (through the Minister of Conservation) appoints a Board of 8 people to administer it and
- d present them with a set of governance rules (in the Act) which among other things outline their responsibilities for the management and administration of -
 - i the land
 - ii everything in, on, around and above the land and
 - iii the people -
 - (a) on the land
 - (b) associated with the land
 - (c) have an interest in the land
- e The Board then appoints and delegates almost all of the work to the Director-General (DG) of the Department of Conservation and Chief Executive (CE) of Te Uru Taumatua, and
- f in turn the DG and CE appoints and delegates most of the work to the staff
- g The Board writes up all the policies and procedures for the work to be done and the conduct of everyone in or connected to the organisation, in the Management Plan, Statement of Priorities, Operational Plan and Staff Manuals which among other things also gives guide-lines on
 - i what the Director-General's (DG's) and Chief Executive's (CE's) job is and
 - ii what the Staff members jobs are.
- h It must be emphasised that if there are no policies or procedures in areas where they are required or they are weak or vague it will immediately lead to confusion and chaos and its impacts will be felt throughout the organisation and beyond into the community.

Our understanding of the planning process and its importance in the management and administration of organisations

- 5 The development of forward plans is an essential and critical part in the management of organisations, more so in larger organisations. It is designed to bring together matters and issues to be addressed in the future so that it will not 'fall off the radar' and can be organised and dealt with in a logical, methodical and stress-free way.
- 6 The first step after defining the boundaries of the study, is to itemise comprehensively all matters

and issues to be addressed in the future and report in detail on each matter or issue separately and the action to be taken thereon.

- 7 Being a National Park, a significant amount of the work is in controlling the activities of people in, on, around and above the Park. There is therefore a need for a structured and methodical approach to the preparation of the management plans for each separate activity addressing the following matters in order:
 - a Note the title for the activity
 - b Identify the activity and note the background to that activity. (show examples of similar or related activities so that policies can be designed in a comprehensive matter). Those activities not clearly defined to be parked up until they are clearly defined before they can go forward to the next step.
 - c Analyse and note the unacceptable, acceptable or parts to be modified in the activity. Those activities not capable of being so clearly classified to be parked up until this has been achieved.
 - d Clarify and note the objective and mark out the route or the steps to get there.
 - e Note the level at which the approve/decline/defer decision will be made.
 - d Note the unacceptable parts of the activity which need to be stopped or that the acceptable parts should be approved, encouraged or modified and broken down into actionable steps
 - e Explain why those activities need to be stopped, approved, encouraged or modified as the case may be.
 - f Note the authorities under which the staff member is relying for his actions
- 8 In the compilation of the plans it must be:
 - a Clear, particularly to staff members at the coalface. Some matters may require illustrating by way of examples or maps.
 - b Concise
 - c To the point
 - d Logical
 - e Comprehensive and
 - f Referenced

If the plans are lacking in any of the foregoing points there is a risk of people being confused and 'knocking heads'. Such a result will normally come to the surface very fast.
- 9 The aim is to provide a basis for undertaking those matters in 19 c below.
- 10 Following this, all information gathered is 'drafted like sheep into appropriate pens for lambs, wethers, ewes, etc' being:
 - a the Management Plan pen: It generally covers those matters not in the initial current year plan.
 - b the initial Current Year Plan pen
 - c A system is then developed to assess the priorities of Current Year matters to be addressed. This system is applied in the compilation of the Statement of Priorities.
 - d The initial Current Year Plan then undergoes a further 'drafting of sheep exercise' according to the system of priorities, to produce the final Current Year Plan called the Operational Plan
- 11 Taking this further, the plans become the basis for the assessment of resource requirements which normally comprise of:
 - a Time
 - b Labour. My view of labour is, from top to bottom, to treat them all as a bunch of wild horses. So the first thing to do is to tame them by putting the bridle on, train them to go left, right, forwards or backwards and put them into harness so they can all pull in the one direction and generally on their own on familiar routes.

It is important to ensure that all systems are in place before people are brought on board. If this

is not done properly the organisation will head downhill fast and we will find out about it. The systems include:

- i Constitutions
- ii Terms of references
- iii Contracts
- iv Delegations
- v Recruitment
- vi Policies and procedures
- c Materials
- d Equipment
- e Facilities
- f Rules
- g Risks
- h Costs. This involves scouting sources for available supplies on spec, on time, at competitive prices and favourable terms.
- i Financing

- 12 The next steps are:
 - a The formulation of the organisation chart - who does what, who are the bosses and which is your boss.
 - b Development of the reporting systems in order to control operations
 - c Development of the communications plan to keep everyone informed of progress, hangups and problems
- 13 The next steps are:
 - a The plans go forward to the Board for approval (or comes back for further refinement)
 - b The Board appoints the CEO or General Manager to execute the plan
 - c The CEO marshalls the resources in 11 above.
 - d The organisation commences its journey towards its specified goals or targets
- 14 In concluding this section on plans it cannot be emphasised enough the importance of planning, that it is a complex exercise and the need for great care in its preparation by people who have expertise in these fields
- 15 Every effort should be made to explain and clarify matters to everyone within the organisation or who have an interest in the organisation.
- 16 Where matters are not clear or well set out you need to jump down hard and fast on those responsible because of the likely adverse consequences to those further down the line, both staff and stakeholders.

What is a management plan?

- 17 A management plan is a collection of plans on various matters identified by management as impacting on the property or the people with an interest in the land and coming within the ambit of the objectives specified in the constitution, or in this case the legislation, and requiring attention over the long term, generally 10 years
- 18 A management plan, strategic plan, long term plan and 10 year plan are all the same thing.
- 19 **What is a management plan designed to do?**
The management plan is designed to do the following things:
 - a Provide a more comprehensive and detailed list of matters requiring attention, flowing down from the constitution or legislation

- b It highlights matters requiring extra special attention
- c It is used as a basis for
 - i developing more detailed policy with explanations and references to legislative, bylaws and policy authorities
 - ii developing action plans and staff manuals
 - iii giving direction to decision makers
 - iv briefing new appointments from the Minister down to Board Members, managers and staff
 - v developing communications and better understanding with stakeholders and the public, thus gaining their goodwill and co-operation.

Te Kawa o Te Urewera – A draft management plan for Te Urewera

- 20 Changing the title description from 'Management Plan' to 'Te Kawa o Te Urewera' is not in our view advisable as it immediately causes confusion. 'Te Kawa' in this context refers to protocols on the marae which is not the same thing as a Management Plan. They address two totally different scenarios, with the Management Plan being 10 times more complex. The Management Plan is one of many different types of plans and the title clearly indicates the type of plan being considered.
- 21 When issuing complex documents and inviting submissions thereon, the usual procedure is to number the paragraphs consecutively (in Te Kawa o Te Urewera) so that specific items therein can be referenced more easily in the commentary. In this case I am going to use the simple format of **You** and **Me** to comment on your Plan.
- 22 **You:** "It raises hope for a renewed collective responsibility" (P2, p5) a "principled-based responsibility" (P4, p5) and "Let us grow in ourselves a trust for one another and raise an age of better ethics and instinct." (P5, p5) (Explanation: P = Paragraph, p = page)
Me: You are preaching to us.
- 23 **You:** "For Tuhoe, time is needed to replace low capability, with vigour, expertise and confidence in a stronger connectedness with Te Urewera." (P2, p6)
Me: I agree with you but the work in 5-16 above is due now and must be attended to. You have little choice but to engage people who have the knowledge, experience and skill to do the work.
- 24 **You:** Beliefs, principles, redesigned methods, voice of the living personality (the rest of p6)
Me: You are preaching to us.
- 25 **You:** Introducing Te Kawa (p7)
Me: You are preaching to us.
- 26 **You:** True purpose of Te Kawa (p8)
Me: You are preaching to us.
- 27 **You:** The purpose of Te Kawa (p10)
Me: You are preaching to us.
- 28 **You:** "Te Urewera Act requires that Te Kawa sets objectives and policies for Te Urewera necessary to achieve [the purposes in the Act]. *Te Kawa does that by describing the living system of Te Urewera* establishing clear and connected principles and inviting tanata whenua and manuhiri, acting in unity to manage our impact responsibilities on Te Urewera." (P2, p11)
Me: The major objectives for the Board are set out in the Act. S3 Background, S4 Purpose and S5 Principles. Your "Te Kawa does that by describing the living system of Te Urewera..." appear to

completely miss the point. The Management Plan's (Te Kawa) primary job is to set out clear guidelines (policies and procedures) for the DG's and CE's work and the work for the staff. (See 7 and 8 above)

29 **You:** "...the National Park status is now removed by Te Urewera Act 2014". (P3, p11)

Me: That is correct but it still need to meet the International Union for Conservation of Nature – criteria for Category II – National Park. So for all intents and purposes it is still substantially a National Park albeit administered by the Crown and Tuhoe.

30 **You:** "It is important to note, that for Tuhoe, the entire Tuhoe homeland involves a much wider region also referred to as Te Urewera." (P4, p11)

Me: You have highlighted the confusion. The more clear and accurate description is still Te Urewera National Park which we will continue to refer to as the "Park". We should revert back to the original description in all our Tuhoe communications but should add an asterisk to the title in publications to alert people to the fact that it is slightly different from other national parks.

31 **You:** The Department of Conservation on behalf of the Crown endorses the consistent application of Te Kawa to both Te Urewera and Lake Waikaremoana. (P5, p11)

Me: Not this present Te Kawa but the final approved Management Plan for Te Urewera.

32 **You:** "1.2.1 Te Manawa o Te Ika – The living system of Te Urewera" (p12)

Me: You are preaching to us.

33 **You:** "1.3 Our relationship with Te Urewera" (p13)

Me: You are preaching to us

34 **You:** "We check that our moral beliefs are shared" (p15)

Me: You are preaching to us.

35 **You:** "You are as you know the last born of nature's children" (p16)

Me: You are preaching to us.

36 **You:** "2.2 The legal personality applied" (p17)

Me: You are preaching to us.

37 **You:** "Authenticating the purpose and focus for relationship and unity". (p19)

Me: You are preaching to us.

38 **You:** "Partnership criteria". (P1-2, p20)

Me: You are preaching to us

39 **You:** "3.2.1.1 The New Zealand Fish and Game Council (P1-3, p20)

Me: Need a plan on this matter addressing the details specified in Items 7 and 8 above

40 **You:** "3.2.1.2 Local Authorities (P1-2, p20-21)

Me: Need a plan on this matter addressing the details specified in Items 7 and 8 above

41 **You:** "3.3 Managing Human Expectation". (P1-2, p21)

Me: You are preaching to us

- 42 **You:** “3.4 Our Aspirations”. (P1-2, p21)
Me: You are preaching to us
- 43 **You:** “Our context, priority and goals show us the duty we owe to Te Urewera for our honour and our permanency” (p23)
Me: You are preaching to us
- 44 **You:** “Establishing Te Urewera Priorities” (p24-26)
Me: You are preaching to us
- 45 **You:** “Throughout all, Te Urewera will teach and inspire. Her history and unique character comes with the promise of hope and endurance” (p27)
Me: You are preaching to us
- 46 **You:** “The obligations of Tuhoe hapu as tanata whenua” (p29-30)
Me: You are preaching to us
- 47 **You:** “Through this apology and settlement the Crown hopes to honestly confront the past and seeks to atone for its wrongs. The Crown hopes to build a fresh new generation relationship that we hope will endure.” (p31)
Me: You are preaching to us
- 48 **You:** “Through Tuhoe, the Board will ready itself with instinct, memory and loyalty to reconnect Te Urewera values and meaning to those who desire it” (p32)
Me: You are preaching to us
- 49 Strengthening the connection of Tuhoe with Te Urewera (P33)
- | | |
|---|--|
| You: | Me: |
| Planning and review of Te Kawa | Need a plan on this matter addressing the details specified in Items 7 and 8 above |
| Establishing Annual Priorities | Need a plan on this matter addressing the details specified in Items 7 and 8 above |
| Approving of the Annual Operational Plan | Need a plan on this matter addressing the details specified in Items 7 and 8 above |
| Preparing and approving key policy | Need a plan on this matter addressing the details specified in Items 7 and 8 above |
| Developing Bylaws | Need a plan on this matter addressing the details specified in Items 7 and 8 above |
| Managing issues with adjoining land owners | Need a plan on this matter addressing the details specified in Items 7 and 8 above |
| Approving customary take requests | Need a plan on this matter addressing the details specified in Items 7 and 8 above |
| The treatment of found taona | Need a plan on this matter addressing the details specified in Items 7 and 8 above |
| Key strategies for balancing weed and animal impacts | Need a plan on this matter addressing the details specified in Items 7 and 8 above |
| Activity and livelihood approvals | Need a plan on this matter addressing the details specified in Items 7 and 8 above |
| The application of Te Urewera values and Tuhoe principles | Need a plan on this matter addressing the details specified in Items 7 and 8 above |
| Conducting neighbouring mana whenua relationships | Need a plan on this matter addressing the details specified in Items 7 and 8 above |
| Compliance and enforcement | Need a plan on this matter addressing the details |

Hapu customary take	specified in Items 7 and 8 above Need a plan on this matter addressing the details specified in Items 7 and 8 above
Visitor asset standards	Need a plan on this matter addressing the details specified in Items 7 and 8 above

50 **You:** “Opportunities flow from meeting our obligations and responsibilities” (p35-36)

Me: You are preaching to us

51 **You:** “The Board may grant a concession, now referred to as a Friendship Agreement in the form of a lease, licence, permit or easement, but only where the activity is not inconsistent with Te Kawa.” (P1, p37)

Me: A concession, lease, licence, permit or easement are long established legal terms describing the nature of each document. Giving one title or description to all these documents as a ‘Friendship Agreement’ is unwise, impractical, confusing, naive and disingenuous and you are likely to get a visit from the legal fraternity armed with pitchforks. They may even suggest that you develop a Friendship Agreement with your psychologist. By the way, when the relationship goes sour do you then write up a fresh agreement called a ‘Sour Agreement’?

The normal process is to use standard forms for the separate agreements with space at the end for tweaking some provisions.

52 6.3 Integrity and compliance (P38)

You:

“The Board will apply a monitoring oversight on ...

The resilience of the living system of Te Urewera

Productivity in Te Urewera

Economic opportunities within Te Urewera

Innovation within Te Urewera

Tuhoe leadership

Me:

Need a plan on this matter addressing the details specified in Items 7 and 8 above

Need a plan on this matter addressing the details specified in Items 7 and 8 above

Need a plan on this matter addressing the details specified in Items 7 and 8 above

Need a plan on this matter addressing the details specified in Items 7 and 8 above

Need a plan on this matter addressing the details specified in Items 7 and 8 above

53 6.4 Evolving our Te Urewera Experience (P38)

You:

Information provision on Te Urewera and Tuhoe practices

Planning visitors treks around Te Urewera

Economic opportunities within Te Urewera

Innovation within Te Urewera

Workshops on -

Restorative programmes

Trapping pests

Me:

Need a plan on this matter addressing the details specified in Items 7 and 8 above

Need a plan on this matter addressing the details specified in Items 7 and 8 above

Need a plan on this matter addressing the details specified in Items 7 and 8 above

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Need a plan on this matter addressing the details specified in Items 7 and 8 above

Need a plan on this matter addressing the details

Planting trees

specified in Items 7 and 8 above

Need a plan on this matter addressing the details specified in Items 7 and 8 above

Restoring tracks

Need a plan on this matter addressing the details specified in Items 7 and 8 above

- 54 **You:** “In developing the application of Te Kawa, Te Urewera Board will seek and embrace the views of the many stakeholder friendships with history and connections to Te Urewera” (P1, p40)

Me: I am confused. I thought that your job was to seek the views of the many stakeholders on the draft Management Plan (Te Kawa) rather than its application.

- 55 **You:** “Te Urewera Board may establish leadership groups to assist in the application of the principles to meeting our Te Urewera responsibilities and her priorities. The Board may invite external leadership representation to that group.

These groups and stakeholders may assist Te Urewera Board in the development of implementation policy to support the application of Te Urewera Act and Te Kawa to specific fact scenarios” (P1-2, p40)

Me: I am again confused. It appears that you have reservations about your ability to produce the draft Management Plan yourselves and will seek extra help. Shouldn't you have done this before the draft Management Plan was distributed? So what you have given us is not even a draft of a Management Plan, which was the job you had to do.

- 56 **You:** “7.2 Broadcasting Te Urewera Practice” (P3, p40)

Me: You are preaching to us

- 57 **You:** “7.3 Compliance” (p41)

Me: You are preaching to us

- 58 **You:** “Te Urewera is ancient and enduring....” (p43)

Me: You are preaching to us

- 59 **You:** “Contents sheet” (p44-45)

Me: You are preaching to us

The Te Urewera National Park Management Plan – (UNPMP) - approved on 12 February 2003

- 60 The Te Urewera National Park (UNP) have always had management plans as a matter of practice, and have had them reviewed every 10 years.

- 61 This plan is currently still operative pending approval of a new management plan. I have attached a copy of their contents page to give you and our members a lead in on the matters covered.

- 62 With all due respect, it would have been more helpful if you had produced a separate paper briefly commenting on matters requiring updating in the 2003 UNPMP and putting that on the same website and then adding a note in Te Kawa o Te Urewera of the existence of these documents and the website, as a resource from which submitters could develop their submissions. This would have then saved everyone time and expense in ‘re-inventing the wheel’. I picked up the UNPMP from the website and found it very helpful.

- 63 Also it would have been more helpful particularly for the Tuhoe members if someone from DoC had given us a talk on the UNPMP, the processes around it and a general round up on what's

happening around the Urewera well before asking for submissions. This would have also created good public relations and rapport with tangata whenua.

Some matters of concern

- 64 In view of the fact that Tuhoe-Te Uru Taumatua (TUT) is allocating funds and assets to the management and administration of Te Urewera we feel that open separate general meetings should be held at TUT premises to consider the -
- i Management plan
 - ii Operational Plan and
 - iii Annual Reports of Te Urewera
- 65 In further reviewing Te Kawa o Te Urewera, the confusion in the process compared to those specified in the Act, and the constant preaching, our feeling is best expressed by a quote from Zorro who said "Holy guacamole. This is a balls up of monumental proportions"
- 66 We have no confidence in Tuhoe's ability to take over the management of Te Urewera at this stage and the change in the composition of the Board from, Government 4 and Tuhoe 4 to Government 2 and Tuhoe 6 this year should be deferred probably for at least 20 years before it is reviewed again.
- 67 We are deeply concerned that the chairman has his head in cloud 9, is driving the bus in a fog, is likely to end up over the cliff and will take more than a panadol to fix the problem.
- 68 However I nevertheless have some sympathy for the chairman who appears to be suffering from overwork and stress and suggest that he be granted a 2 year sabbatical leave for rest, recuperation, recreation and re-education especially in business management and systems, and particularly in management plans..
- 69 **The way forward**
In the light of the mixup in the consultation process and the matters to be addressed in the management plan and to expedite progress we suggest that
- a The process be led by a person from DoC experienced in the development of management plans; and
 - b That a general meeting be called at TUT premises where the DoC expert can explain -
 - i The process
 - ii The 2013 Urewera National Park Management Plan
 - iii Matters to be updated in that management plan
 - iv Any other matters and
 - v Requesting further submissions

In conclusion I thank you again for the opportunity to make this submission.

I remain

Your most humble
Tangata Whenua/Taxpayer



Timoti B Nikora
20 July 2017

On behalf of myself and members of Te Kohinga

who together with myself wishes to be heard on this submission.

Attached: The content pages of the 2013 Te Urewera National Park Management Plan.

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