



# Cross-referencing Legal Protections on Land in New Zealand with the International Union for the Conservation of Nature Protected Areas Framework

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## Disclaimer

The findings presented in this report are the view of the author and may or may not be adopted in part or in whole by responsible IUCN protected area reporting parties. The report was commissioned by the Ministry for the Environment (contract #27321).

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# Executive summary

New Zealand irregularly reports to the United Nations Environment Programme (UNEP) – World Conservation Monitoring Centre using the International Union for Conservation of Nature (IUCN) protected area framework on the nature and extent of New Zealand’s protected areas for nature, to show how it compares to other countries and contributes to global conservation efforts. Previous reports have noted that not all protected areas in New Zealand are currently represented in IUCN reporting. This report cross-references terrestrial legal protections in New Zealand with the IUCN protected areas framework, to enable more fulsome reporting in the future. New Zealand biodiversity management legislation was examined in the context of the IUCN categories, and 56 opportunities to meet the IUCN categories were identified. With detailed assessment, an evidence-based approach to cross-referencing protected areas to IUCN categories was able to be documented.

In undertaking this work, several information deficiencies and IUCN category gaps were identified and recommendations documented to address them. These recommendations will optimise the area of land that New Zealand reports on as IUCN biodiversity and geodiversity protected areas.

The main differences from current IUCN category reporting are: expansion of the number of appropriate IUCN categories for many protected areas, expansion of the number of types of protected area considered as IUCN Category II, revision of all private land protected area types, inclusion of government and local purpose reserves, where appropriate, inclusion of marginal strips, esplanade strips and water conservation orders, and the inclusion of protected personhood areas and Treaty settlement fee simple protected areas.

This provides a firm foundation from which to consistently undertake international reporting of New Zealand’s terrestrial protected areas within the IUCN framework. It also provides a roadmap to optimise that reporting over time and broaden the IUCN framework to fully provide for fragmented protected areas, freshwater and coastal ecosystems and their margins.

**Table E1. Summary of recommended IUCN protected area categories**

| Protection group | Legislation/legal class | Assessed land type         | Recommended IUCN category(ies)               |
|------------------|-------------------------|----------------------------|--|
| Public land      | Reserves Act 1977       | Nature reserve             | Ia <sup>#</sup> , II <sup>#</sup> , III & IV |
|                  |                         | National reserve           | None   |
|                  |                         | Scenic reserve (a)         | II <sup>#</sup> , III & IV                   |
|                  |                         | Scenic reserve (b)         | None   |
|                  |                         | Scientific reserve         | Ia, II <sup>#</sup> , III & IV               |
|                  |                         | Government purpose reserve | II <sup>#</sup> , III & IV                   |
|                  |                         | Local purpose reserve      | II <sup>#</sup> , III & IV                   |
|                  |                         | Recreation reserve         | None   |
|                  |                         | Historic reserve           | None   |
|                  | Conservation Act 1987   | Conservation purposes      | II <sup>#</sup> & III                        |
|                  |                         | Conservation park          | II <sup>#</sup> , III & IV                   |
|                  |                         | Wilderness area            | Ib <sup>#</sup> , II <sup>#</sup> , III & IV |
| Stewardship area |                         | II <sup>#</sup> , III & IV |  |

| Protection group             | Legislation/legal class                  | Assessed land type                       | Recommended IUCN category(ies) |
|------------------------------|--|--|--------------------------------|
|                              |  | Amenity area                             | II#, III & IV                  |
|                              |  | Ecological area                          | II#, III & IV                  |
|                              |  | Sanctuary area                           | II#, III & IV                  |
|                              |  | Wildlife management area                 | II & III#                      |
|                              |  | Marginal strip                           | II#, III & IV                  |
|                              |  | Watercourse area                         | II# & IV                       |
|                              | National Parks Act 1980                  | National park                            | II#, III & IV                  |
|                              |  | Wilderness area                          | Ib#, II# & III                 |
|                              |  | Amenities area                           | None                           |
|                              |  | Specially protected area                 | Ia# & II#                      |
|                              | Local Government Act 2002                | Regional park                            | None                           |
|                              | Waitangi Endowment Act 1932–33           | Waitangi endowment forest                | None                           |
|                              | Riverbed and lakebed protection          | Crown river/lake beds                    | None                           |
|                              | Legal road                               | Unformed legal road                      | None                           |
| Crown Pastoral Land Act 1998 | Crown pastoral lease                     | VI                                       |                                |
| Private land protection      | Reserves Act 1977                        | Protected private land                   | II# & III                      |
|                              |  | Conservation covenant                    | II# & III                      |
|                              |  | Nga Whenua Rahui kawenata                | II# & III                      |
|                              | Conservation Act 1987                    | Conservation covenant                    | II# & III                      |
|                              |  | Nga Whenua Rahui kawenata                | II# & III                      |
|                              |  | Management agreement                     | II# & III                      |
|                              | QEII National Trust Act 1977             | Open space covenant                      | None                           |
|                              | Non-governmental organisation owned land | Non-governmental organisation owned land | None                           |
|                              | Waitutu Block Settlement Act 1997        | Covenant                                 | II# & III                      |
|                              | Te Ture Whenua Act 1993                  | Māori reservation                        | None                           |
| Treaty settlement Acts       | Fee simple land protected for nature     | Ia, Ib, II#, III & IV                    |                                |
| Regulatory protection        | Wildlife Act 1953                        | Wildlife sanctuary                       | Ia & IV#                       |
|                              |  | Wildlife refuge                          | IV                             |
|                              |  | Wildlife management reserve              | IV                             |
|                              | Resource Management Act 1991             | Water conservation order                 | IV                             |
|                              |  | Consent notice                           | None                           |
|                              |  | Esplanade strip                          | II, III & IV#                  |
|                              |  | Significant natural area                 | None                           |
|                              | Fisheries Act 1996                       | Faunistic reserve                        | IV                             |
|                              | Hauraki Gulf Marine Park Act 2000        | Hauraki Gulf Marine Park                 | VI                             |
|                              | Lake Wanaka Preservation Act 1973        | Lake Wanaka                              | IV                             |
|                              | Manapouri – Te Anau Development Act 1963 | Lakes Manapouri and Te Anau              | IV                             |
|                              | Marine Mammals Protection Act 1978       | Marine mammal sanctuary                  | IV                             |
| Te Urewera Act 2014          | Te Urewera                               | II                                       |                                |

| Protection group              | Legislation/legal class   | Assessed land type  | Recommended IUCN category(ies) |
|-------------------------------|---|---------------------|--------------------------------|
| Personhood protected areas    | Te Awa Tupua (Whanganui River Claims Settlement) Act 2017                             | Whanganui River     | II                             |
|                               | Te Ture Whakatupua mō Te Kāhui Tupua 2025/Taranaki Maunga Collective Redress Act 2025 | Taranaki Maunga     | II                             |
| International agreement areas |   | World heritage area | None                           |
|                               |   | Ramsar list site    | None                           |

# Main IUCN category(ies) where multiple categories area recommended.

# Background

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New Zealand reports irregularly to the International Union for Conservation of Nature (IUCN) and supplies protected area IUCN categorised data that is shared globally in the World Database on Protected Areas (WDPA).<sup>1</sup>

Locally, the information is used to inventory national data that is otherwise managed by different institutions and/or government agencies, including community groups and private actors.<sup>2</sup>

Globally, the information is used to:

1. show the world how New Zealand is protecting its nature
2. allow global comparison of countries' performance in protecting nature (an example is the usually biennial Protected Planet Report)<sup>3</sup>
3. provide an evidence base to determine global nature protection status, targets and opportunities, with a goal to substantially increase the area of natural ecosystems by 2050.<sup>4, 5, 6</sup> The importance of this evidence base to biodiversity conservation is explained in Target 3 of the Kunming-Montreal Global Biodiversity Framework:

Well-governed, effectively managed and representative protected areas and other effective area-based conservation measures (OECMs) are a proven method for safeguarding both habitats and populations of species and for delivering important ecosystem services and multiple benefits to people. They are a central element of biodiversity conservation strategies at local, national and global levels. Protected areas and OECMs can take various forms, ranging from strictly protected areas to areas that allow sustainable use consistent with the protection of species, habitats and ecosystem processes.

4. provide information to track progress towards United Nations Sustainable Development Goal 15<sup>7</sup>

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<sup>1</sup> World Database on Protected Areas (WDPA), March 2025 version.

<https://www.protectedplanet.net/en/thematic-areas/wdpa?tab=WDPA>

<sup>2</sup> UNEP-WCMC (2019) *User Manual for the World Database on Protected Areas and world database on other effective area-based conservation measures: 1.6*. UNEP-WCMC: Cambridge, UK. Available at: [http://wcmc.io/WDPA\\_Manual](http://wcmc.io/WDPA_Manual)

<sup>3</sup> UNEP-WCMC and IUCN (2024) *Protected Planet Report 2024*. UNEP-WCMC and IUCN: Cambridge, United Kingdom; Gland, Switzerland. <https://digitalreport.protectedplanet.net/>

<sup>4</sup> Convention on Biological Diversity (No date) *Aichi Biodiversity Target 11 Convention on Biological Diversity and UNDP Country Dossier: New Zealand*. <https://www.cbd.int/pa/doc/dossiers/new-zealand-abt11-country-dossier2021.pdf>

<sup>5</sup> Kunming-Montreal Global Biodiversity Framework 2030 Targets. Target 3. <https://www.cbd.int/gbf/targets>

<sup>6</sup> Kunming-Montreal Global Biodiversity 2050 Goals. <https://www.cbd.int/gbf/goals>

<sup>7</sup> United Nations Sustainable Development Goals. Goal 15. <https://sdgs.un.org/goals/goal15>

<sup>8</sup> Cross-referencing legal protections on land in New Zealand with the IUCN protected areas framework

5. provide information for global assessments and modelling of carbon stocks, flows, emissions and mitigations, and for reporting, planning and policy<sup>8, 9, 10</sup>
6. provide information for users spanning researchers, governments and private sector organisations, including non-governmental organisations (NGOs) and international institutions<sup>11</sup>
7. provide countries with help on capacity building to ensure the accuracy and completeness of their protected areas data and information. Training can be provided by the United Nations World Conservation Monitoring Centre (UNEP-WCMC) to strengthen skills<sup>12</sup>
8. contribute to scientific research and highlight gaps through the use of the WDPA in scientific research. Gaps in protected areas and other effective area-based conservation measures (OECMs) networks can be identified and highlighted. Using knowledge on the distribution of areas important for biodiversity and ecosystem services and threats to them, alongside spatial information on aspects of the national infrastructure, such as roads, cities and planning zones, systematic conservation planning can be undertaken. This helps identify the most suitable places for the establishment of new protected areas or OECMs in the country. This may enable countries to better implement certain important elements of Aichi Biodiversity Target 11, such as representativeness and connectivity.<sup>13</sup> Aichi Biodiversity Target 11 was replaced in 2022 with the Kunming-Montreal Global Biodiversity Framework Target 3<sup>14</sup>
9. improve provision of protected area information at the regional level through the creation of regional observatories, such as the ASEAN Centre for Biodiversity and the BIOPAMA Regional Observatory in the Pacific. This has the additional benefit of building partnerships between countries in a region and building capacity through knowledge transfer.<sup>15</sup>

Reporting is undertaken on behalf of New Zealand by the Department of Conservation Te Papa Atawhai (DOC) international team. New Zealand has been reporting about every five years to the IUCN since 1978.<sup>16, 17</sup>

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- <sup>8</sup> Duncanson L, Liang M, Leitold V et al (2023) The effectiveness of global protected areas for climate change mitigation. *Nature Communications* 14: 2908. <https://doi.org/10.1038/s41467-023-38073-9>
  - <sup>9</sup> Melillo JM, Lu X, Kicklighter DW et al (2016) Protected areas' role in climate-change mitigation. *Ambio* 45: 133–145. <https://doi.org/10.1007/s13280-015-0693-1>
  - <sup>10</sup> Collins M, Mitchard E (2017) A small subset of protected areas are a highly significant source of carbon emissions. *Scientific Reports* 7: 41902. <https://doi.org/10.1038/srep41902>
  - <sup>11</sup> UNEP-WCMC (2019) *User Manual for the World Database on Protected Areas and world database on other effective area-based conservation measures: 1.6*. UNEP-WCMC: Cambridge, UK. [http://wcmc.io/WDPA\\_Manual](http://wcmc.io/WDPA_Manual)
  - <sup>12</sup> UNEP-WCMC (2019) *User Manual for the World Database on Protected Areas and world database on other effective area-based conservation measures: 1.6*. [http://wcmc.io/WDPA\\_Manual](http://wcmc.io/WDPA_Manual)
  - <sup>13</sup> UNEP-WCMC (2019) *User Manual for the World Database on Protected Areas and world database on other effective area-based conservation measures: 1.6*. [http://wcmc.io/WDPA\\_Manual](http://wcmc.io/WDPA_Manual)
  - <sup>14</sup> Kunming-Montreal Global Biodiversity Framework 2030 Targets. <https://www.cbd.int/gbfb/targets>
  - <sup>15</sup> UNEP-WCMC (2019) *User Manual for the World Database on Protected Areas and world database on other effective area-based conservation measures: 1.6*. [http://wcmc.io/WDPA\\_Manual](http://wcmc.io/WDPA_Manual)
  - <sup>16</sup> UNEP-WCMC (2019) *User Manual for the World Database on Protected Areas and world database on other effective area-based conservation measures: 1.6*. [http://wcmc.io/WDPA\\_Manual](http://wcmc.io/WDPA_Manual)
  - <sup>17</sup> IUCN (2004) The international journal for protected area managers. *Parks* 14: 3. [https://iucn.org/sites/default/files/import/downloads/14\\_3lowres.pdf](https://iucn.org/sites/default/files/import/downloads/14_3lowres.pdf)

The IUCN and other global agencies need accurate and comprehensive information about protected areas to ensure their work is reliable and trustworthy.

In terms of international reporting to the IUCN, cross-referencing of categories to New Zealand protected area types has been inconsistent and incomplete.

This report builds on the 2023 *Protected Areas Network New Zealand methodology review and report* (PAN-NZ 2023).<sup>18</sup> The PAN-NZ 2023 report lists many types of biodiversity protection largely covered earlier in Bellingham et al 2016,<sup>19</sup> which sought to document the **degree** of legal protection, together with a DOC/Ministry for the Environment (MfE) 1997 description cross-referencing protected area types to the IUCN categories.

The PAN-NZ 2023 report noted (p 15) that additional protected area types were not covered by Bellingham et al, 2016: "... these are SNAs [significant natural areas], those areas as protected by Te Urewera Act 2014 and Te Awa Tupua 2017 and New Zealand's Internationally protected areas" and "recommended that further research be commissioned to define the classification of these protected areas". These additional protected area types, and others cited in Bellingham et al, 2016, have not previously been cross-referenced to IUCN categories.

In parallel, IUCN issued categorisation guidelines in 2008<sup>20</sup> and 2013<sup>21</sup>, and the current New Zealand government IUCN category reporting to WDPA used different cross-referencing criteria from the DOC/MfE 1997 description referenced by Bellingham et al 2016 and PAN-NZ 2023.

This report aims to cross-reference terrestrial legal protections in New Zealand with the IUCN protected areas framework. This provides new IUCN categorisations for many previously unreported protected areas and, where IUCN categories were previously assigned in 1997 and around 2020, provides an updated assessment.

Any areas that do not qualify for the IUCN protected area categories should be considered for reporting to the parallel IUCN OECMs database. This reporting was created to recognise areas:

managed in ways that yield positive, sustained, and long-term outcomes for biodiversity conservation, including associated ecosystem functions, services, and, when applicable, cultural, spiritual, socio-economic, and other locally significant values.<sup>22</sup>

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<sup>18</sup> Planzer S, Harris L, van Noppen F, Price R, Law R, Belliss S (2023) *Protected Areas Network New Zealand methodology review and report*. Prepared for the Ministry for the Environment by Manaaki Whenua Landcare Research. <https://environment.govt.nz/publications/protected-areas-network-of-new-zealand-methodology-review-and-report/>

<sup>19</sup> Bellingham PJ, Overton J McC, Thomson FJ, MacLeod CJ, Holdaway RJ et al (2016) *Standardised terrestrial biodiversity indicators for use by regional councils*. Landcare Research Contract Report LC2109 prepared for Regional Councils' Biodiversity Monitoring Working Group, Auckland Council, Auckland, New Zealand. <https://www.envirolink.govt.nz/assets/Envirolink/R7-2-Standardised-terrestrial-biodiversity-indicators-for-use-by-regional-councils-LC2109-report.pdf>

<sup>20</sup> Dudley N (Ed) (2008) *Guidelines for Applying Protected Area Management Categories*. Gland, Switzerland: IUCN. <https://portals.iucn.org/library/sites/library/files/documents/PAPS-016.pdf>

<sup>21</sup> Dudley N (Ed) (2013) *Guidelines for Applying Protected Area Management Categories Guidance on Recognising Protected Areas and Assigning Management Categories and Governance Types*. Gland, Switzerland: IUCN. <https://portals.iucn.org/library/sites/library/files/documents/PAG-021.pdf>

<sup>22</sup> IUCN, OECMs. <https://iucn.org/our-work/topic/effective-protected-areas/our-philosophy-protected-and-conserved-areas/oecms>

These areas include significant natural areas, consent notices, NGO land and covenants, Māori reservations, areas that did not meet the criteria for an IUCN protected area category, regional parks and recreation reserves. The OECM database contains no current records from New Zealand.<sup>23</sup>

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<sup>23</sup> Protected Planet, Explore OECMs. <https://www.protectedplanet.net/en/search-areas>.

# Methods

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Overall, the objective of this exercise was to identify as much relevant protected area land in New Zealand as possible and ensure it is accurately mapped to current IUCN categorisations. This will enable international reporting to more accurately and comprehensively represent the situation on the ground in New Zealand.

First, I gathered information on the most recent categorisation criteria from the IUCN. Second, I compiled a list of all relevant protected areas in New Zealand for which an IUCN categorisation may be appropriate, using lists from previous studies as a starting point.<sup>24, 25, 26</sup> Third, a general assessment was made for all IUCN categories and the associated issues. This led to a detailed cross-referencing assessment for each actual and potential protected area type, incorporating the legal protection status and the known reality on the ground.

Recommendations were developed to improve the accuracy and completeness of information about protected areas that meet IUCN category criteria. Opportunities were also identified for bringing additional public land not currently a protected area within the protected area framework that meets the criteria for IUCN categories.

Gaps in the IUCN framework were identified and recommendations made to address these.

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<sup>24</sup> World Database of Protected Areas (WDPA). March 2025 version.

<https://www.protectedplanet.net/en/thematic-areas/wdpa?tab=WDPA>

<sup>25</sup> Taylor R, Smith I (1997) *The State of New Zealand's Environment 1997*. Ministry for the Environment: Wellington. <https://environment.govt.nz/assets/Publications/Files/ser-1997.pdf>

<sup>26</sup> Bellingham et al (2016). *Standardised terrestrial biodiversity indicators for use by regional councils*. <https://www.envirolink.govt.nz/assets/Envirolink/R7-2-Standardised-terrestrial-biodiversity-indicators-for-use-by-regional-councils-LC2109-report.pdf>

# IUCN protected area framework

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## IUCN categorisations of the legal protection of nature

The IUCN defines a ‘protected area’ as:

A clearly defined geographical space, recognised, dedicated and managed, through legal or other effective means, to achieve the long-term conservation of nature with associated ecosystem services and cultural values.<sup>27</sup>

It considers that IUCN category selection should be as follows:

The category should be based around the **primary** management objective(s), which should apply to at least three-quarters of the protected area – the 75 per cent rule.<sup>28</sup>

It provides a protected area definition. See [appendix 1](#).

## Overlapping IUCN categories

The IUCN Guidelines state:

Can a protected area contain more than one category?

- Distinct protected areas nested within larger protected areas can have their own category
- Different zones in larger protected areas can have their own category, if the zones are described and fixed in law
- Different protected areas making up a transboundary protected area may have different categories

This is one of the most vexed questions relating to the categories. The answer is that it depends; on ownership, governance and to some extent on the wishes of the protected area authority or authorities.<sup>29</sup>

Examination of current WDPA data provided to the IUCN shows that overlapping IUCN categories are currently used in practice by New Zealand. For example, the Raukumara Wilderness is reported as IUCN categories Ib and V, Part Paparoa Wilderness is reported as IUCN categories Ib and III, Tasman Wilderness is reported as IUCN categories Ib and II, and Penn Creek Ecological Area (in Tararua Conservation Park) is reported as IUCN categories III and V. More than 100 instances occur where New Zealand currently reports overlapping IUCN categorisations.

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<sup>27</sup> Policy instrument – Protected areas. <https://www.ipbes.net/policy-support/tools-instruments/protected-areas>

<sup>28</sup> Dudley N (Ed) (2013) *Guidelines for Applying Protected Area Management Categories Guidance on Recognising Protected Areas and Assigning Management Categories and Governance Types*. Gland, Switzerland: IUCN. Page 36. <https://portals.iucn.org/library/sites/library/files/documents/PAG-021.pdf>

<sup>29</sup> Dudley N (Ed) (2013) *Guidelines for Applying Protected Area Management Categories Guidance on Recognising Protected Areas and Assigning Management Categories and Governance Types*. Gland, Switzerland: IUCN. <https://portals.iucn.org/library/sites/library/files/documents/PAG-021.pdf>

An examination of Australia's current WDPA reporting shows over 400 instances of overlapping IUCN categorisations.

## IUCN principles

The IUCN Guidelines state:<sup>30</sup>

### Principles

For IUCN, only those areas where the main objective is conserving nature can be considered protected areas; this can include many areas with other goals as well, at the same level, but in the case of conflict, nature conservation will be the priority;

- Protected areas must prevent, or eliminate where necessary, any exploitation or management practice that will be harmful to the objectives of designation;
- The choice of category should be based on the primary objective(s) stated for each protected area;
- The system is not intended to be hierarchical;
- All categories make a contribution to conservation but objectives must be chosen with respect to the particular situation; not all categories are equally useful in every situation;
- Any category can exist under any governance type and vice versa;
- A diversity of management approaches is desirable and should be encouraged, as it reflects the many ways in which communities around the world have expressed the universal value of the protected area concept;
- The category should be changed if assessment shows that the stated, long-term management objectives do not match those of the category assigned;
- However, the category is not a reflection of management effectiveness;
- Protected areas should usually aim to maintain or, ideally, increase the degree of naturalness of the ecosystem being protected;
- The definition and categories of protected areas should not be used as an excuse for dispossessing people of their land.

The IUCN Guidelines (p 11) also highlight that it is important to note that the fact a government has called, or wants to call, an area a certain name does not mean it has to be managed according to the guidelines under any particular category. The most suitable management system should be identified and applied; the name is a matter for governments and other stakeholders to decide.

## IUCN categories

The objectives common to all six IUCN protected area categories are listed below.<sup>31</sup> Table 1 sets out the IUCN category definitions and primary objectives.

### All protected areas should aim to:

- Conserve the composition, structure, function and evolutionary potential of biodiversity;
- Contribute to regional conservation strategies (as core reserves, buffer zones, corridors, stepping-stones for migratory species etc.);

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<sup>30</sup> Dudley N (Ed) (2008) *Guidelines for Applying Protected Area Management Categories*. Page 10. <https://portals.iucn.org/library/sites/library/files/documents/PAG-021.pdf>

<sup>31</sup> Dudley N (Ed) (2008) *Guidelines for Applying Protected Area Management Categories*. Page 12. <https://portals.iucn.org/library/sites/library/files/documents/PAG-021.pdf>

- Maintain diversity of landscape or habitat and of associated species and ecosystems;
- Be of sufficient size to ensure the integrity and long-term maintenance of the specified conservation targets or be capable of being increased to achieve this end;
- Maintain the values for which it was assigned in perpetuity;
- Be operating under the guidance of a management plan, and a monitoring and evaluation programme that supports adaptive management;
- Possess a clear and equitable governance system.

**All protected areas should also aim where appropriate to:**

- Conserve significant landscape features, geomorphology and geology;
- Provide regulatory ecosystem services, including buffering against the impacts of climate change;
- Conserve natural and scenic areas of national and international significance for cultural, spiritual and scientific purposes;
- Deliver benefits to resident and local communities consistent with the other objectives of management;
- Deliver recreational benefits consistent with the other objectives of management;
- Facilitate low-impact scientific research activities and ecological monitoring related to and consistent with the values of the protected area;
- Use adaptive management strategies to improve management effectiveness and governance quality over time;
- Help to provide educational opportunities (including about management approaches);
- Help to develop public support for protection.

**Table 1. IUCN category definitions and primary objectives**

| IUCN category | Name                  | Definition  | Primary objective   |
|---------------|-----------------------|---|---|
| 1a            | Strict nature reserve | Strictly protected areas set aside to protect biodiversity and also possibly geological/geomorphological features, where human visitation, use and impacts are strictly controlled and limited to ensure protection of the conservation values. Such protected areas can serve as indispensable reference areas for scientific research and monitoring. | To conserve regionally, nationally or globally outstanding ecosystems, species (occurrences or aggregations) and/or geodiversity features: these attributes will have been formed mostly or entirely by non-human forces and will be degraded or destroyed when subjected to all but very light human impact. |
| 1b            | Wilderness area       | Usually large unmodified or slightly modified areas, retaining their natural character and influence, without permanent or significant human habitation, which are protected and managed so as to preserve their natural condition.   | To protect the long-term ecological integrity of natural areas that are undisturbed by significant human activity, free of modern infrastructure and where natural forces and processes predominate, so that current and future generations have the opportunity to experience such areas.                    |
| II            | National park         | Large natural or near natural areas set aside to protect large-scale ecological processes, along with the complement of species and ecosystems characteristic of the area, which also provide a foundation for environmentally and culturally   | To protect natural biodiversity along with its underlying ecological structure and supporting environmental processes, and to promote education and recreation.   |

| IUCN category | Name   | Definition   | Primary objective   |
|---------------|--|--|---|
|               |  | compatible spiritual, scientific, educational, recreational and visitor opportunities.   |   |
| III           | Natural monument or feature                              | Set aside to protect a specific natural monument, which can be a landform, sea mount, submarine cavern, geological feature such as a cave or even a living feature such as an ancient grove. They are generally quite small protected areas and often have high visitor value.   | To protect specific outstanding natural features and their associated biodiversity and habitats.  |
| IV            | Habitat/species management area                          | Protect particular species or habitats and management reflects this priority. Many category IV protected areas will need regular, active interventions to address the requirements of particular species or to maintain habitats, but this is not a requirement of the category.   | To maintain, conserve and restore species and habitats.   |
| V             | Protected landscape/seascape                             | The interaction of people and nature over time has produced an area of distinct character with significant ecological, biological, cultural and scenic value: and where safeguarding the integrity of this interaction is vital to protecting and sustaining the area and its associated nature conservation and other values.   | To protect and sustain important landscapes/seascapes and the associated nature conservation and other values created by interactions with humans through traditional management practices. |
| VI            | Protected area with sustainable use of natural resources | Conserve ecosystems and habitats, together with associated cultural values and traditional natural resource management systems. They are generally large, with most of the area in a natural condition, where a proportion is under sustainable natural resource management and where low-level non-industrial use of natural resources compatible with nature conservation is seen as one of the main aims of the area. | To protect natural ecosystems and use natural resources sustainably, when conservation and sustainable use can be mutually beneficial.  |

Source: Dudley (2008) *Guidelines for Applying Protected Area Management Categories*.

## Value systems

The IUCN categorisation system encompasses protection of three value systems: nature, landscape and geodiversity.<sup>32</sup>

The primary objective of most IUCN categories is the protection of biodiversity, while protecting the other natural values that may also be present.

<sup>32</sup> Dudley N (Ed) (2008) *Guidelines for Applying Protected Area Management Categories*. <https://portals.iucn.org/library/sites/library/files/documents/PAG-021.pdf>

## Values other than biodiversity

The IUCN categories and definitions recognise natural values other than biodiversity, such as:

Conserve significant landscape features, geomorphology and geology', 'geological/geomorphological features', 'geodiversity features', 'geodiversity, landform and broader natural values.<sup>33</sup>

In the case of IUCN Category III, this recognises 'Natural monument or features' that protect a:

specific natural monument, which can be a landform, sea mount, submarine cavern, geological feature such as a cave or even a living feature such as an ancient grove. They are generally quite small protected areas and often have high visitor value.<sup>34</sup>

The primary objective is to protect specific outstanding natural features and their associated biodiversity and habitats. This shows that the reverse applies where protection of the natural monument or feature is the primary objective, while protecting biodiversity values that may also be present.

New Zealand protected area legislation provides generally for the protection of areas of natural, geological, scientific and landscape value.

In the New Zealand context, 'natural' is defined by some as:

... characterised by natural elements (such as landforms, vegetation, rocks, water bodies) as opposed to built elements (such as buildings and infrastructure). The essence is not the degree of naturalness, but that it is sufficiently natural to be considered a natural feature or natural landscape.<sup>35</sup>

The New Zealand Geopreservation Inventory is a national source of information about most of the geodiversity scientific values in New Zealand,<sup>36</sup> with about 3,000 natural sites mapped.

It includes two aspects: natural features and manmade features, comprising historical sites and features.

The Geopreservation Inventory natural features cover: landforms, active earth deformation sites, caves and karst, fossils, geothermal fields and features, quaternary volcanic centres and features, igneous geological sites and features, sedimentary geological sites, metamorphic geology sites, mineral sites and structural geology sites, ranked by regional, national and international importance. All sites are classified as to their international, national and regional importance. Some are in the marine environment. Some are specifically protected areas, for example, Red Rocks Scientific Reserve, on the south coast of Wellington.

Natural monuments and features do not just comprise scientific values but may also include scenic or cultural values. Nationally, most 'outstanding natural features' are supposed to be identified and defined spatially within statutory regional and district plans made under section

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<sup>33</sup> Dudley N (Ed) (2008) *Guidelines for Applying Protected Area Management Categories*. Pages 9-13. <https://portals.iucn.org/library/sites/library/files/documents/PAG-021.pdf>

<sup>34</sup> Dudley N (Ed) (2008) *Guidelines for Applying Protected Area Management Categories*. Page 17. <https://portals.iucn.org/library/sites/library/files/documents/PAG-021.pdf>

<sup>35</sup> Te Tangi a te Manu – Aotearoa New Zealand Landscape Assessment Guidelines (2021). Page 90. [https://nzila.co.nz/media/uploads/2021\\_07/210505\\_Te\\_Tangi\\_a\\_te\\_Manu\\_Revised\\_Final\\_Draft\\_as\\_approved\\_5\\_May\\_2021.pdf](https://nzila.co.nz/media/uploads/2021_07/210505_Te_Tangi_a_te_Manu_Revised_Final_Draft_as_approved_5_May_2021.pdf)

<sup>36</sup> New Zealand Geopreservation Inventory. <https://www.geomarine.org.nz/NZGI/>

6(b) of the Resource Management Act 1991 to protect outstanding natural features from inappropriate subdivision, use and development.<sup>37</sup> The same applies to 'natural character areas' under section 6(a) of the same Act. The degrees of completeness or success vary in identifying and defining these areas in a difficult political environment and with limited powers to protect them in all situations.

Natural vegetation living features, such as groves, are harder to find information about. The only sites known are Tane Mahuta and Four Sisters Groves within the Waipoua Forest portion of Northland Conservation Park, Lake Matheson within Westland National Park/Tai Poutini National Park, and Arohaki Lagoon within Whirinaki Te Pua-a-Tane Conservation Park. These are all sites that are required to be protected within a larger biodiversity protected area where another IUCN category should apply.

Natural wildlife living features are better documented. Such sites can include bird nesting sites, such as Cape Kidnappers Gannet colony and the Okarito White Heron and shag colony. They can also include marine mammal haulout and breeding sites for the likes of New Zealand fur seals and sea lions, such as at Turakirae Head at the western end of Palliser Bay, Red Rocks on the Wellington south coast and Cannibal Bay in the Catlins. Some protected areas are specifically for marine mammals, for example, Sinclair Head Scientific Reserve on the Wellington south coast. Some terrestrial portions of marine mammal sites have legal protection as marine mammal sanctuaries.

## Assessment

A robust and spatially defined national scientific inventory of natural geopreservation sites can also be used to identify small, protected areas where the main geographic extent and primary purpose is protection of a natural monument or feature or scientific value that should be IUCN Category III. This covers areas such as Turakirae Head uplifted beach ridges, the West Wairarapa Fault, Waiohine River faulted terraces, Red Rocks Permo-Triassic terranes, pillow lavas and thrusts, Rangitoto Island, and Castlepoint coastal features.

The same national scientific inventory of natural geopreservation sites can be used to identify natural monument or feature areas within protected areas, where a primary purpose is protection of a natural monument or feature or scientific value that should be IUCN Category III.

Regional and district plans do not provide good documentation and geographical extent definitions for most 'outstanding natural features' or 'natural character' areas. Therefore, it is difficult to ascertain if they indicate all natural monument or feature areas within protected areas where a primary purpose is protection of a natural monument or feature or scientific value that should be IUCN Category III.

There is insufficient national inventory and known sites of natural vegetation features, such as groves, to be considered for IUCN Category III.

There are well known bird colonies on protected areas that have a primary purpose to protect bird wildlife that should be considered as IUCN Category III.

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<sup>37</sup> Resource Management Act, section 6(b).  
<https://legislation.govt.nz/act/public/1991/0069/latest/DLM231907.html>

There are marine mammal haulout and breeding sites on protected areas that have a primary purpose to protect marine mammals that should be IUCN Category III.

## Size

Size is important. The 2008 IUCN Guidelines (p 12) state that all protected areas should aim to: “Be of sufficient size to ensure the integrity and long-term maintenance of the specified conservation targets or be capable of being increased to achieve this end”.

The IUCN Guidelines also state (p 36):

*Overall scale* often depends on other factors, such as the amount of land or water available, population density etc. In terms of *relative scale* some categories are more likely to be either large or small, because of their particular management objectives, but there could be exceptions for virtually every category. To aid selection, the table below suggests relative scale for the categories and explains why but also gives some exceptions to show that size alone should not be a determining factor.

**Table 2. How size of protected area relates to the IUCN category<sup>38</sup>**

| IUCN category | Relative size | Explanation   | Exceptions   |
|---------------|---------------|---|--|
| Ia            | Often small   | Strictly protected, no-go areas are always difficult to agree except in sparsely inhabited areas: therefore although large Ia areas exist (e.g., in Australia) they are probably the exception. | Large areas in places with low human population density and little interest in tourism.                        |
| Ib            | Usually large | Part of the rationale of wilderness areas is that they provide enough space to experience solitude and large-scale natural ecosystem.   | Relatively small areas set up as wilderness in the hope that they can be expanded in the future.               |
| II            | Usually large | Conservation of ecosystem processes suggests that the area needs to be large enough to contain all or most such processes.  | Small islands may effectively be ecosystems and thus functionally category II.                                 |
| III           | Usually small | Larger sites containing natural monuments would generally also protect other values (e.g., ecosystems and/or wilderness values).  |  |
| IV            | Often small   | If the site is set up to protect only individual species or habitats this suggests that it is relatively small.   | Larger areas set aside as nature reserves but needing regular management to keep functioning might best be IV. |
| V             | Usually large | The mosaic of different approaches adding up to conservation gains in landscape approaches suggests a larger area.  | Some mini-reserves for crop wild relatives or land races may need cultural management.                         |
| VI            | Usually large | The extensive nature of management suggests that it will usually be a large area.   | Some marine category VI protected areas are small.   |

<sup>38</sup> Table 4, p 36, in Dudley N (Ed) (2008). *Guidelines for Applying Protected Area Management Categories*. <https://portals.iucn.org/library/sites/library/files/documents/PAG-021.pdf>

# New Zealand legal protected area framework

## Actual and potential land types considered

The following actual and potential land types were considered for detailed assessment.

**Table 3. Land types considered**

| Types cross-referenced to IUCN categories by DOC/MfE 1997                | Additional types raised in Bellingham et al, 2016 <sup>39</sup> | Additional types raised in PAN-NZ 2023 <sup>40</sup>   | Additional types raised in this report                   |
|--|---|--|--|
| Specially protected areas  | Water conservation order  | Significant natural areas  | Nga Whenua Rahui kawenata                                |
| Ecological areas   | Wildlife management area (Conservation Act 1987)                | Those areas protected by Te Urewera Act 2014 and Te Awa Tupua (Whanganui River Claims Settlement) Act 2017 | Conservation purposes                                    |
| Sanctuary areas  | Amenity areas (Conservation Act 1987)                           | Internationally protected areas  | Amenities areas (National Parks Act 1980)                |
| Nature reserves  | Māori reservation   |  | Waitutu Covenant   |
| Scientific reserves  | QEII Open Space Covenants                                       |  | Taranaki Maunga Collective Redress Act 2025 (personhood) |
| Wildlife sanctuaries   | Watercourse area  |  | Faunistic reserves                                       |
| Marine mammal sanctuaries (land portion)                                 | Esplanade reserve or strip                                      |  | Treaty settlement fee simple vested protected areas      |
| Wilderness areas   | Marginal strips   |  | Legal road   |
| National parks (balance)   | Consent notice  |  | Lake bed   |
| Conservation parks   | Regional park   |  | Non-governmental organisation owned land                 |
| National reserves  | River bed   |  | Hauraki Gulf Marine Park                                 |
| Historic reserves  | Road reserve  |  | Waitangi Endowment Act 1932–33                           |
| Scenic reserves  |   |  | Lakes Wanaka and Manapouri Acts                          |
| Wildlife purpose reserves  |   |  | Crown Pastoral Leases                                    |
| Stewardship areas  |   |  |  |
| Private land reserved under conservation covenants or private agreements |   |  |  |
| Wildlife refuges   |   |  |  |
| Wildlife management areas (Wildlife Act 1953)                            |   |  |  |
| Recreation and other reserves  |   |  |  |

Note: DOC = Department of Conservation; MfE = Ministry for the Environment; PAN-NZ = Protected Areas Network New Zealand.

The legislative basis for each land type considered is found in the detailed New Zealand land type assessments below.

<sup>39</sup> Bellingham et al (2016). *Standardised terrestrial biodiversity indicators for use by regional councils*. <https://www.envirolink.govt.nz/assets/Envirolink/R7-2-Standardised-terrestrial-biodiversity-indicators-for-use-by-regional-councils-LC2109-report.pdf>

<sup>40</sup> Planzer et al (2023). *Protected Areas Network New Zealand methodology review and report*. <https://environment.govt.nz/publications/protected-areas-network-of-new-zealand-methodology-review-and-report/>

## New Zealand legal protection of nature framework

Ecuador is the only country to have embedded legal protection of nature in its Constitution. It includes 'rights of nature' as: "Nature, or Pacha Mama, where life is reproduced and occurs, has the right to integral respect for its existence and for the maintenance and regeneration of its life cycles, structure, functions and evolutionary processes".<sup>41</sup> New Zealand has no written constitution to consider incorporating the legal protection of nature.

New Zealand relies on statutes to legally protect nature. It has signed some international agreements that promise protection of various aspects of nature, but these 'protections' lack status within the New Zealand legal framework.

Statute protection for nature encompasses four protection approaches: public land reservation, private land agreements, regulatory and personhoods under statute.

### Public land reservation

The primary statutes that legally action public land reserves protecting nature are:

- National Parks Act 1980
- Reserves Act 1977
- Conservation Act 1987.

The way these are managed contains essential elements of legal protection of nature, public management planning and strategy, public access, legal enforcement provisions, public funding of enforcement, people management, enhancement and threat minimisation.

DOC and council Reserves Act 1977 recreation reserves deserve special mention because they often contain significant areas of natural value, even if their primary purpose does not include protection of natural values.

Incongruent DOC-managed DOC recreation reserves include:

- Molesworth Recreation Reserve (180,660 hectares) – only some of which is grazed. Includes lakes and wetlands. Contiguous with significant adjoining protected areas such as Ka Whata Tu o Rākihōuia Conservation Park, St James Conservation Area and Leatham Conservation Area
- Te Paki Recreation Reserve (15,282 hectares) – ungrazed.

Incongruent council-managed control and managed DOC recreation reserves include:

- Dry Creek Recreation Reserve (532 hectares) – ungrazed.

Incongruent council-managed vested DOC recreation reserves include:

- Lake Waahi Recreation Reserve (480 hectares) – lake
- Recreation Reserve – Omarama (533 hectares) – bed of Ahuriri River, which is a core water conservation order area.

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<sup>41</sup> Republic of Ecuador Constitution of 2008.  
<https://pdba.georgetown.edu/Constitutions/Ecuador/english08.html>

## Private land agreements

The primary statutes that legally action private land agreements protecting nature are:

- Reserves Act 1977 – conservation covenants, Nga Whenua Rahui kawenata, protected private land agreements
- Conservation Act 1987 – conservation covenants, Nga Whenua Rahui kawenata, management agreements
- Treaty settlement Acts – covenants and protected area status over vested fee simple private land.

## Regulatory

The primary statutes that legally empower regulatory actions protecting nature are as follows.

- Conservation Act 1987 and Whitebait Fishing Regulations 2021<sup>42</sup> prohibiting or restricting fishing for indigenous whitebait.
- Wildlife Act 1953;<sup>43</sup> full or partial protection of most species of indigenous wildlife from hunting or killing or pursuing or disturbing or molesting, ‘wildlife sanctuary’ prohibition or restriction of certain activities, ‘wildlife refuge’ prohibition or restriction of certain activities, ‘wildlife management reserve’ prohibition or restriction of certain activities. Some wildlife sanctuaries **may** have absolute or conditional entry prohibition under section (9)(2)(a), so may warrant special attention under the IUCN category criteria.
- Fisheries Act 1996; Freshwater Fisheries Regulations 1983, section 68,<sup>44</sup> faunistic reserves protecting from taking, killing or injuring any fish or any form of live aquatic mollusca, crustacea, protozoa, insecta or worms.
- Resource Management Act 1991:
  - sections 5 and 6 Matters of national importance – the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, protection of outstanding natural features and landscapes, protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna, while having particular regard to the intrinsic values of ecosystems. These matters are expressed to various degrees in inter-related planning instruments on a national (eg, national policy statements), regional (eg, regional plans and policy statements) and local scale (district plans, resource consents)
  - section 232 Esplanade strips – created as a result of consented subdivisions. Purposes include to contribute to the protection of conservation values, in particular maintaining or enhancing the natural functioning of the adjacent sea, river or lake; or maintaining or enhancing water quality; or maintaining or enhancing aquatic habitats; or protecting the natural values associated with the esplanade strip
  - section 221 Consent notices – that may protect nature in some way as a condition of a consented subdivision of land.

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<sup>42</sup> Whitebait Fishing Regulations 2021.

<https://www.legislation.govt.nz/regulation/public/2021/0180/latest/whole.html>

<sup>43</sup> Wildlife Act 1953. <https://www.legislation.govt.nz/act/public/1953/0031/latest/DLM276814.html>

<sup>44</sup> Freshwater Fisheries Regulations 1983, section 68, Faunistic reserves.

<https://www.legislation.govt.nz/regulation/public/1983/0277/latest/DLM93727.html>

- Crown Pastoral Land Act 1998 – its purpose includes “maintaining or enhancing inherent values’ where inherent values means ‘a value that arises from an ecological, a landscape, a cultural, a heritage, or a scientific attribute or characteristic of a natural resource that ... is in or forms part of the land or exists by virtue of the natural character of the land”. The only apparent protection of nature occurs in:
  - Schedule 1A3, Part 3, where it prohibits cropping, cultivating, draining or ploughing indigenous wetlands, except taking water for stock water troughs, where this does not affect natural wetland water levels
  - Schedule 1A3, Part 2, where it prohibits “clearing indigenous vegetation” without the discretionary consent of the Commissioner.

## Personhood under statute

Some Treaty settlement Acts have created personhoods for areas that have statutory purposes to protect natural values.

The existing legal personhoods are:

- **Te Urewera** – created by the Te Urewera Act 2014, section 11
- **Te Awa Tapu** - created by the Te Awa Tupua (Whanganui River Claims Settlement) Act 2017, section 14
- **Te Kāhui Tupua** – created by the Te Ture Whakaturua mō Te Kāhui Tupua 2025/Taranaki Maunga Collective Redress Act 2025, section 18.

## Treaty settlement Acts

Treaty settlement Acts may change the status of protected areas in several ways:

- vesting fee simple of a protected area in a Māori entity, this action is reflected in DOC records as the protected area being deleted
- vesting fee simple of a protected area in a Māori entity and agreeing that it then be administered as a protected area. For example, Hineuru Claims Settlement Act 2016<sup>45</sup> vests three sites in fee simple that are then administered as two scenic reserves and a conservation covenant protected area. Current DOC National Property and Land Information System<sup>46</sup> (NaPALIS) data only shows the Te Urewera Act 2014 instances
- changing the status of a protected area, this action is reflected in DOC records as the protected area being deleted and then a new protected area created, or the classification of a protected area being changed. For example, Te Urewera Act 2014<sup>47</sup> changes the status of two protected areas, one from a national park to a conservation park, and the other from a national park to a conservation area
- creating personhoods over areas that have statutory purposes to protect natural values; they create their own unique type of protected area.

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<sup>45</sup> Hineuru Claims Settlement Act 2016, sections 75–77.  
[https://www.legislation.govt.nz/act/public/2016/0033/latest/DLM6491615.html?search=ts\\_act%40bill%40regulation%40deemedreg\\_settlement\\_resel\\_25\\_a&p=1](https://www.legislation.govt.nz/act/public/2016/0033/latest/DLM6491615.html?search=ts_act%40bill%40regulation%40deemedreg_settlement_resel_25_a&p=1)

<sup>46</sup> National Property and Land information System (NaPALIS). [https://doc-deptconservation.opendata.arcgis.com/datasets/72354ba9bf7a4706af3fdfe60f86eea1\\_0/about](https://doc-deptconservation.opendata.arcgis.com/datasets/72354ba9bf7a4706af3fdfe60f86eea1_0/about)

<sup>47</sup> Te Urewera Act 2014, sections 127 and 128.  
<https://www.legislation.govt.nz/act/public/2014/0051/latest/whole.html#DLM6183914>

## International agreements

It is a legal convention that international agreements have no legal power unless they are given effect to by legislation.

New Zealand-signed international agreements that warrant consideration of legally protected areas for nature, include the following.

- The United Nations Educational, Scientific and Cultural Organization (UNESCO) Convention concerning the protection of the world's cultural and natural heritage.<sup>48</sup> World Heritage sites in New Zealand that have cultural, historical or scientific significance include Tongariro National Park (also meets cultural criteria), Te Wahipounamu South West New Zealand, New Zealand Sub-Antarctic Islands.<sup>49</sup> Only 3 of the natural sites that meet the World Heritage Convention criteria for international importance have been formally added to the World Heritage List, because a national tentative list documents an additional 10 New Zealand extensive natural sites.<sup>50</sup>
- The Ramsar Convention on Wetlands of International Importance, especially as Waterfowl Habitat.<sup>51</sup> The List of Wetlands of International Importance (also known as the Ramsar List) sites include Awarua Wetland, Farewell Spit, Whangamarino Wetland, Kopuatai Peat Dome, Firth of Thames, Manawatu River mouth and estuary, and Wairarapa Moana Wetland. Only 7 of the wetlands that meet the Ramsar Convention criteria for international importance have been formally added to the Ramsar List, because a New Zealand national directory of wetlands documents 73 wetlands.<sup>52</sup>

The only applied legislative effects given to these international agreements are as follows.

1. The Crown Minerals Act 1991, which specifically applies access restrictions to people carrying out mineral exploration or mining activities on 'any Crown-owned land'. This land is defined as:

Any land within a wetland and notified to the Ramsar Secretariat by the Minister for the time being responsible for the Ramsar Administrative Authority (as the terms Ramsar Secretariat and Ramsar Administrative Authority are defined in [section 2\(1\)](#) of the Conservation Act 1987).

See section 61(1A) and Schedule 4, clause 8 of the Act.<sup>53</sup> This is not legal protection in the normal sense and more of a limited restriction.

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<sup>48</sup> World Heritage Convention. <https://unesdoc.unesco.org/ark:/48223/pf0000371281>

<sup>49</sup> World Heritage List. <https://whc.unesco.org/en/list/>

<sup>50</sup> Department of Conservation (2006) *Our World Heritage: A Tentative List of New Zealand Cultural and Natural Heritage Sites*. Department of Conservation: Wellington. <https://www.doc.govt.nz/globalassets/documents/about-doc/role/international/our-world-heritage.pdf>

<sup>51</sup> Convention on Wetlands of International Importance especially as Waterfowl Habitat. [https://www.ramsar.org/sites/default/files/documents/library/current\\_convention\\_text\\_e.pdf](https://www.ramsar.org/sites/default/files/documents/library/current_convention_text_e.pdf)

<sup>52</sup> Cromarty P, Scott DA (Eds) (1995) *A Directory of Wetlands in New Zealand*. Department of Conservation, Wellington. Department of Conservation: Wellington. <https://www.doc.govt.nz/documents/science-and-technical/nzwetlands00.pdf>.

<sup>53</sup> Crown Minerals Act 1991, Schedule 4: Land to which access restrictions apply. [https://www.legislation.govt.nz/act/public/1991/0070/latest/DLM247378.html?search=sw\\_096be8ed81e242c4\\_ramsar\\_25\\_se&p=1&sr=0](https://www.legislation.govt.nz/act/public/1991/0070/latest/DLM247378.html?search=sw_096be8ed81e242c4_ramsar_25_se&p=1&sr=0)

2. The Hauraki Gulf Marine Park Act 2000 specifically includes all land of the Crown within Ramsar sites and any private land with owner consent.<sup>54</sup>
3. The Fast-track Approval Act 2024 specifically considers that non-mining activities are ineligible on Ramsar sites.<sup>55</sup>

None of these legislative provisions include a nature protection primary purpose.

Most international agreement-recognised areas in New Zealand appear to be DOC protected and will be included within an IUCN category.

New Zealand has reported international agreement areas in varying ways to the WDPA.<sup>56</sup>

- Only the Tongariro National Park and Te Wahipounamu South West New Zealand World Heritage sites have been reported, with an IUCN category of 'not applicable'. These two sites vary in geographical extent from the current DOC Internationally Recognised Areas dataset.
- Six Ramsar sites (excluding Wairarapa Moana Wetland) have been reported in a **separate** point file with an IUCN category of 'not reported'. The Firth of Thames Ramsar site has no report to WDPA for the included Miranda Taramaire Government Purpose Reserve Wildlife Management Reserve (Reserves Act 1977, section 22, Government purpose reserves).
- The Kopuatai Peat Dome Ramsar site has no report to WDPA for the included Kopuatai Wetland Management Reserve and Flax Block Wildlife Management Reserve (both Reserves Act 1977, section 22, Government purpose reserves).
- The Whangamarino Ramsar site has no report to WDPA for the included Whangamarino Wetland Management Reserve and Whangamarino Government Purpose Reserve (both Reserves Act 1977, section 22, Government purpose reserves).

International agreement-recognised areas are not considered legally protected areas in New Zealand.

**Assessment:** International agreement World Heritage and Ramsar sites should not be assigned an IUCN category. Any protected areas within them should be assigned an IUCN category based on their specific merits and primary purposes.

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<sup>54</sup> Hauraki Gulf Marine Park Act 2000, section 33 and section 35.  
[https://www.legislation.govt.nz/act/public/2000/0001/latest/DLM52558.html?search=ts\\_act%40bill%40regulation%40deemedreg\\_hauraki\\_resele\\_25\\_a&p=1](https://www.legislation.govt.nz/act/public/2000/0001/latest/DLM52558.html?search=ts_act%40bill%40regulation%40deemedreg_hauraki_resele_25_a&p=1)

<sup>55</sup> Fast-track Approvals Act 2024, Schedule 4, Land on which non-mining activities are ineligible.  
[https://www.legislation.govt.nz/act/public/2024/0056/latest/LMS978218.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_ramsar\\_resele\\_25\\_h&p=1#LMS978218](https://www.legislation.govt.nz/act/public/2024/0056/latest/LMS978218.html?search=qs_act%40bill%40regulation%40deemedreg_ramsar_resele_25_h&p=1#LMS978218)

<sup>56</sup> World Database of Protected Areas (WDPA). March 2025 version.  
<https://www.protectedplanet.net/en/thematic-areas/wdpa?tab=WDPA>

## Size assessment

An area assessment of select DOC-protected area types was undertaken.

**Table 4. Area assessment of DOC-selected protected area types**

| Protected area type        | Minimum area hectares | Maximum area hectares |
|----------------------------|-----------------------|-----------------------|
| National park              | 23,501                | 1,278,975             |
| Conservation park*         | 11,777                | 204,636               |
| Stewardship area           | 0                     | 188,704               |
| Conservation purposes      | 0                     | 79,827                |
| Nature reserve             | 1                     | 57,102                |
| Wilderness area            | 6,564                 | 115,566               |
| Scenic reserve A           | 0                     | 29,408                |
| Ecological area            | 33                    | 21,147                |
| Government purpose reserve | 0                     | 9,191                 |
| Wildlife management area   | 2,693                 | 7,889                 |
| Scientific reserve         | 0                     | 3,566                 |
| Sanctuary area             | 1                     | 2,187                 |
| Local purpose reserve      | 0                     | 2,078                 |
| Marginal strip             | 0                     | 653                   |

\*Excludes Whakarewarewa State Forest Park and Sugar Loaf Islands Conservation Park.

Focusing on the ‘usually large’ relative size gives guidance as to which protected areas fit which IUCN categories.

A good ecological underpinning exists for excluding smaller protected areas on the mainland. This is because they lack the ecological resilience and processes sustainability of larger areas, due to edge and other effects that are well addressed by island biogeography principles documentation.<sup>57</sup>

National parks were historically accepted as IUCN Category II, even though they are only about 25,000 hectares in minimum overall size on the mainland, with some smaller outliers. For example, the ecologically disjointed outliers within Whanganui, Tongariro, Paparoa and Westland national parks are as small as or smaller than 2,300 hectares.

Offshore islands of small size are accepted by the IUCN as being IUCN Category II, where they contain all or most ecosystem processes.

The current global WDPA data were assessed for Category II, and 63% of countries were found to have a minimum area greater than 1,000 hectares. Data from selected countries were then assessed for Category II protected area proportion above 1,000 hectares: Australia 97%, Canada 99.5%, Great Britain 98%, New Zealand 99.98% and United States of America 99.99%. In New Zealand, the only IUCN Category II protected areas below 1,000 hectares were the Waitutu Block covenants, otherwise the minimum area was 2,191 hectares.

<sup>57</sup> Lomolino MV (2016) The unifying, fundamental principles of biogeography: Understanding Island Life. *Frontiers of Biogeography* 8.2, e29920. <https://scispace.com/pdf/the-unifying-fundamental-principles-of-biogeography-27btj5cis9.pdf>

The 'usually large' test is also used by the IUCN for categories Ib, V and VI. IUCN Category Ib Wilderness Areas in New Zealand have a minimum area of 6,564 hectares. Because wilderness areas are, by their nature, large, an area threshold is not considered appropriate. IUCN Category V and Category VI areas currently reported to the IUCN do not contain appropriate protected areas, in my assessment, so cannot be used as any indication of size. Because the recommended protected areas for these IUCN categories are large, an area threshold is not considered appropriate.

The 'small' test is used by the IUCN for categories 1a, III and IV. These categories do make provision for large areas, where appropriate. Natural monuments under Category III are not expected to be large.

**Assessments:** The lower threshold for the size of IUCN Category II contiguous larger protected areas is considered to be 1,000 hectares on the mainland, ignoring enclosed legal roads and riverbeds. The lower threshold for the size of IUCN Category II contiguous protected areas on islands is considered to be zero, as long as the protected areas contain most island ecosystem processes. No upper threshold for small size is considered necessary.

# Assessment of New Zealand actual and potential legal protected area types cross-referencing IUCN categories

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## Assessment method

**New Zealand legal protection type:** The legislation and sections that define this legal protection type.

**Primary purpose(s):** The relevant legal purpose(s) specified in the relevant legislation, section, gazette, decision or agreement. Quote or selective extract as appropriate.

**History:** The history of the legal provision and creation of this type of protected area.

**General description:** Description of the general characteristics of current protected areas of this type.

**Statistics:** Statistics of numerical quantities, area ranges and protected area management authorities.

**Historical DOC 1997 and current IUCN WDPA reported category:** Assessed from what categorisation DOC and MfE used in 1997, and what is currently reported in the IUCN WDPA.<sup>58</sup>

**Bellingham et al biodiversity protection classification:** Extracted from Bellingham et al, 2016, table 15-6 'Classification for areas legally protected for biodiversity' and table 15-7 'Classification of areas legally protected for biodiversity purposes'.<sup>59</sup> These rank the **degree** of legal protection. See [appendix 2](#).

**Discussion:** General comments relevant to this type of protected area in the context of IUCN categories.

**Uncertainty:** Information gaps and issues with supporting data. Where using rules to extract suitable protected areas from available data is uncertain. Difficulty in meeting IUCN criteria, for example, protected in perpetuity.

**Rationale:** Rationale for the assessment of this type of protected area.

**Assessment:** The IUCN category assessed for this type of protected area.

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<sup>58</sup> World Database of Protected Areas (WDPA). March 2025 version.  
<https://www.protectedplanet.net/en/thematic-areas/wdpa?tab=WDPA>

<sup>59</sup> Bellingham et al (2016) *Standardised terrestrial biodiversity indicators for use by regional councils*.  
<https://www.envirolink.govt.nz/assets/Envirolink/R7-2-Standardised-terrestrial-biodiversity-indicators-for-use-by-regional-councils-LC2109-report.pdf>

## Summary of New Zealand land type assessments

**Table 5. Assessed land type recommendation summary**

| Assessed land type           | IUCN category (MfE 1997) <sup>60</sup> | Biodiversity protection degree* (Bellingham et al, 2016) <sup>61</sup> | IUCN category (WDPA 2025) <sup>62</sup> | Recommended IUCN category(ies) in this report | Comments on recommended IUCN category(ies) in this report |
|------------------------------|--|--|---|---|---|
| <b>Public lands</b>          |  |  |   |   |   |
| <b>Reserves Act 1977</b>     |  |  |   |   |   |
| Nature reserve               | Ia                                     | 5  | Ia                                      | Ia <sup>#</sup> , II <sup>#</sup> , III & IV  | II, III & IV only where qualifying****                    |
| National reserve             | II                                     |  |   | None  | Addressed by the underlying reserve status                |
| Scenic reserve (a)           | III                                    | 4  | III                                     | II <sup>#</sup> , III & IV                    | II, III & IV only where qualifying****                    |
| Scenic reserve (b)           | III                                    | 4  | III                                     | None  |   |
| Scientific reserve           | Ia                                     | 5  | Ia                                      | Ia, II <sup>#</sup> , III & IV                | Ia, II, III & IV only where qualifying****                |
| Government purpose reserve   | III where for wildlife purposes        | 3 for ecological or wildlife purposes                                  | 'Not reported' for 17 sites             | II <sup>#</sup> , III & IV                    | II, III & IV only where qualifying****                    |
| Local purpose reserve        |  | 3 for ecological purposes  | 'Not reported' for 5 sites              | II <sup>#</sup> , III & IV                    | II, III & IV only where qualifying****                    |
| Recreation reserve           | V                                      | 2  |   | None  |   |
| Historic reserve             | III                                    |  |   | None  |   |
| <b>Conservation Act 1987</b> |  |  |   |   |   |
| Conservation purposes        |  |  | III for conservation areas              | II <sup>#</sup> & III                         | II & III only where qualifying****                        |
| Conservation park**          | II                                     | 4  | V                                       | II <sup>#</sup> , III & IV                    | II, III & IV only where qualifying****                    |
| Wilderness area              | II                                     | 4  | Ib                                      | Ib <sup>#</sup> , II <sup>#</sup> , III & IV  | III & IV only where qualifying****                        |
| Stewardship area             | IV                                     | 3  | III                                     | II <sup>#</sup> , III & IV                    | II, III & IV only where qualifying****                    |

<sup>60</sup> Taylor R, Smith I (1997). *The State of New Zealand's Environment 1997*. Ministry for the Environment: Wellington. <https://environment.govt.nz/assets/Publications/Files/ser-1997.pdf>

<sup>61</sup> Bellingham et al (2016) *Standardised terrestrial biodiversity indicators for use by regional councils*. <https://www.envirolink.govt.nz/assets/Envirolink/R7-2-Standardised-terrestrial-biodiversity-indicators-for-use-by-regional-councils-LC2109-report.pdf>

<sup>62</sup> World Database of Protected Areas (WDPA). March 2025 version. <https://www.protectedplanet.net/en/thematic-areas/wdpa?tab=WDPA>

| Assessed land type                      | IUCN category (MfE 1997) <sup>60</sup> | Biodiversity protection degree* (Bellingham et al, 2016) <sup>61</sup> | IUCN category (WDPA 2025) <sup>62</sup> | Recommended IUCN category(ies) in this report | Comments on recommended IUCN category(ies) in this report |
|---|--|--|---|---|---|
| Amenity area                            |  | 4  |   | II#, III & IV                                 | II, III & IV only where qualifying****                    |
| Ecological area                         | Ia                                     | 3  | III                                     | II#, III & IV                                 | II, III & IV only where qualifying****                    |
| Sanctuary area                          | Ia                                     | 5  | Ia                                      | II#, III & IV                                 | II, III & IV only where qualifying****                    |
| Wildlife management area                |  | 5  | IV                                      | II & III#                                     | II & III only where qualifying****                        |
| Marginal strip                          |  | 2  |   | II#, III & IV                                 | II, III & IV only where qualifying****                    |
| Watercourse area                        |  | 4  |   | II# & IV                                      | II & IV only where qualifying****                         |
| <b>National Parks Act 1980</b>          |  |  |   |   |   |
| National park***                        | II                                     | 5  | II                                      | II#, III & IV                                 | II, III & IV only where qualifying****                    |
| Wilderness area                         | Ib                                     |  | Ib                                      | Ib#, II#, & III                               | III only where qualifying****                             |
| Amenities area                          |  |  |   | None  |   |
| Specially protected area                | Ia                                     |  | Ia                                      | Ia# & II#                                     | Ia only where qualifying****                              |
| <b>Local Government Act 2002</b>        |  |  |   |   |   |
| Regional park                           |  | 2  |   | None  |   |
| <b>Waitangi Endowment Act 1932–33</b>   |  |  |   |   |   |
| Waitangi endowment forest               |  |  |   | None  |   |
| <b>Riverbed and lakebed protection</b>  |  |  |   |   |   |
| Land Act 1948 Crown river and lake beds |  | 1  |   | None  |   |
| <b>Legal road</b>                       |  |  |   |   |   |
| Unformed legal Road                     |  | 1  |   | None  |   |
| <b>Crown Pastoral Land Act 1998</b>     |  |  |   |   |   |
| Crown pastoral lease                    |  |  |   | VI  |   |
| <b>Private land protection</b>          |  |  |   |   |   |
| <b>Reserves Act 1977</b>                |  |  |   |   |   |
| Protected private land                  | IV                                     | 4  |   | II# & III                                     | II & III only where qualifying****                        |
| Conservation covenant                   | IV                                     | 4  | IV                                      | II# & III                                     | II & III only where qualifying****                        |
| Nga Whenua Rahui kawenata               |  | 3  |   | II# & III                                     | II & III only where qualifying****                        |

| Assessed land type                              | IUCN category (MfE 1997) <sup>60</sup> | Biodiversity protection degree* (Bellingham et al, 2016) <sup>61</sup> | IUCN category (WDPA 2025) <sup>62</sup> | Recommended IUCN category(ies) in this report | Comments on recommended IUCN category(ies) in this report |
|---|--|--|---|---|---|
| <b>Conservation Act 1987</b>                    |  |  |   |   |   |
| Conservation covenant                           | IV                                     |  |   | II# & III                                     | II & III only where qualifying****                        |
| Nga Whenua Rahui kawenata                       |  |  |   | II #& III                                     | II & III only where qualifying****                        |
| Management agreement                            |  |  |   | II# & III                                     | II & III only where qualifying****                        |
| <b>QEII National Trust Act 1977</b>             |  |  |   |   |   |
| Open space covenant                             |  | 4  | IV                                      | None  |   |
| <b>Non-governmental organisation owned land</b> |  |  |   |   |   |
| Non-governmental organisation owned land        |  |  | QEII IV                                 | None  |   |
| <b>Waitutu Block Settlement Act 1997</b>        |  |  |   |   |   |
| Covenant  |  |  | II                                      | II# & III                                     | III only where qualifying****                             |
| <b>Te Ture Whenua Act 1993</b>                  |  |  |   |   |   |
| Māori reservation                               |  | 1,2,3,4  |   | None  |   |
| <b>Treaty settlement Acts</b>                   |  |  |   |   |   |
| Fee simple land protected for nature            |  |  |   | Ia, Ib, II#, III & IV                         | Ia, Ib, II, III & IV only where qualifying****            |
| <b>Regulatory protection</b>                    |  |  |   |   |   |
| <b>Wildlife Act 1953</b>                        |  |  |   |   |   |
| Wildlife sanctuary                              | Ia                                     | 5  | IV                                      | Ia & IV#                                      | Ia only where qualifying****                              |
| Wildlife refuge                                 | IV                                     | 4  | IV                                      | IV  | Only where qualifying****                                 |
| Wildlife management reserve                     | IV                                     | 3  |   | IV  |   |
| <b>Resource Management Act 1991</b>             |  |  |   |   |   |
| Water conservation order                        |  | 5  |   | IV  |   |
| Consent notice                                  |  | 2  |   | None  |   |
| Esplanade strip                                 |  | 2  |   | II, III & IV#                                 | II & III only where qualifying****                        |
| Significant natural area                        |  |  |   | None  |   |
| <b>Fisheries Act 1996</b>                       |  |  |   |   |   |
| Faunistic reserve                               |  |  |   | IV  |   |
| <b>Hauraki Gulf Marine Park Act 2000</b>        |  |  |   |   |   |
| Hauraki Gulf Marine Park                        |  |  |   | VI  |   |

| Assessed land type   | IUCN category (MfE 1997) <sup>60</sup> | Biodiversity protection degree* (Bellingham et al, 2016) <sup>61</sup> | IUCN category (WDPA 2025) <sup>62</sup>       | Recommended IUCN category(ies) in this report | Comments on recommended IUCN category(ies) in this report             |
|--|--|--|---|---|---|
| <b>Lake Wanaka Preservation Act 1973</b>   |  |  |   |   |   |
| Lake Wanaka  |  |  |   | IV  |   |
| <b>Te Anau Development Act 1963</b>  |  |  |   |   |   |
| Lakes Manapouri and Te Anau  |  |  |   | IV  |   |
| <b>Marine Mammals Protection Act 1978</b>  |  |  |   |   |   |
| Marine mammal sanctuary  | Ia                                     | Ia   |   | IV  | Land portion only   |
| <b>Personhood protected areas</b>  |  |  |   |   |   |
| <b>Te Urewera Act 2014</b>   |  |  |   |   |   |
| Te Urewera   |  |  | VI  | II  |   |
| <b>Te Awa Tupua (Whanganui River Claims Settlement) Act 2017</b>                             |  |  |   |   |   |
| Whanganui River  |  |  |   | II  |   |
| <b>Te Ture Whakatupua mō Te Kāhui Tupua 2025/Taranaki Maunga Collective Redress Act 2025</b> |  |  |   |   |   |
| Taranaki Maunga  |  |  |   | II  |   |
| <b>International agreement areas</b>   |  |  |   |   |   |
| World Heritage area  |  |  | 'Not applicable'                              | None  | International agreement designation does not provide legal protection |
| Ramsar List site   |  |  | 'Not reported' for 6 sites only in point file | None  | International agreement designation does not provide legal protection |

1 = low to 5 = high. See [appendix 2](#).

\*\* Conservation park may include wilderness, amenity, ecological, sanctuary and wildlife management areas.

\*\*\* National park excludes any amenities areas and includes wilderness and specially protected areas.

\*\*\*\* 'Only where qualifying' means only where the specific area under consideration meets the criteria for the specific IUCN category definitions and primary objectives, in the categories that are unlikely to be applicable to all areas of the assessed land type.

# Main IUCN category(ies) expected for the land type assessed.

# Detailed New Zealand land type assessments

## Public lands protection

### Reserves Act 1977

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**New Zealand legal protection type:** Reserves Act 1977, section 20, Nature reserves

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**Primary purpose(s):** Protecting and preserving in perpetuity indigenous flora or fauna or natural features that are of such rarity, scientific interest or importance, or so unique that their protection and preservation are in the public interest.<sup>63</sup>

**History:** Created under the Reserves Act since 1977. Some previously gazetted under the Reserves and Domains Act 1953 as preservation of flora and fauna reserves from 1956 to 1975.

**General description:** 40 offshore islands, including the subantarctic islands, Farewell Spit, and 12 small, mainly threatened species sites on the mainland.

**Statistics:** 60 sites. Mainland sites range in size from 5 hectares to 1,523 hectares. Farewell Spit is 1,993 hectares, and offshore island sites range in size from 0 hectares to 57,000 hectares. Fifty-three sites are recorded as managed by DOC, one not recorded, and parcel records show six small sites on the mainland that appear not to be administered by DOC.

**Historical DOC 1997/current IUCN WDPA reported category:** Both Ia – Strict nature reserve.

**Bellingham et al classification:** 5.

**Discussion:** High-standard protected area. Entry is strictly by permit only. Under section 20(3) permit restrictions on entering the reserve include any adjoining foreshore on an island or part of an island.

**Uncertainty:** Former DOC public conservation land affected by nature reserve provisions of specific Treaty settlement legislation at Kapiti Island, Ninety Mile beach and Te Urewera require clarification. Parcel data recorded sites not recorded by DOC require clarification. The WDPA records a Walker Island Nature Reserve that is not recorded by DOC.

**Rationale:** Strong protection of biodiversity and natural features. Strict entry restrictions.

**Assessed IUCN category:**

Ia – Strict nature reserve

II – National park where:

- the contiguous extent of aggregated biodiversity protected areas exceeds 1,000 hectares in size
- on smaller islands, any contiguous biodiversity protected areas in aggregate comprise 75% of the island area or include most ecological processes

III – Natural monument or feature – where present

IV – Habitat/species protection management area – where a species or habitat is being managed.

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**New Zealand legal protection type:** Reserves Act 1977, section 13, National reserves

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**Primary purpose(s):** Protect values of national or international importance.

**History:** Created under the Reserves Act 1977 since 1977.

**General description:** Overlaying status for reserves classified for specific primary purposes. Applies to subantarctic islands nature reserves, Lewis Pass Scenic Reserve and two historic reserves for Moriori tree carvings and Cook landing site.

**Statistics:** 4 sites.

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<sup>63</sup> Reserves Act 1977, section 20(1).  
[https://www.legislation.govt.nz/act/public/1977/0066/latest/DLM444612.html?search=ts\\_act%40bill%40regulation%40deemedreg\\_reserves+1977\\_resel\\_25\\_a&p=1](https://www.legislation.govt.nz/act/public/1977/0066/latest/DLM444612.html?search=ts_act%40bill%40regulation%40deemedreg_reserves+1977_resel_25_a&p=1)

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**Historical DOC 1997/current IUCN WDPA reported category:** DOC 1997 II – National park.

**Bellingham et al classification:** Not assessed.

**Discussion:** There is no primary purpose for the protection of natural values, only recognition of the level of importance of the underlying reserve and its primary purposes.

**Uncertainty:** The term ‘national’ causes confusion with the status of national parks.

**Rationale:** No primary purpose of the protection of natural values.

**Assessed IUCN category:** None.

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**New Zealand legal protection type:** Reserves Act 1977, section 19(1)(a), Scenic reserves

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**Primary purpose(s):** Protecting and preserving in perpetuity for their intrinsic worth and for the benefit, enjoyment and use of the public, suitable areas possessing such qualities of scenic interest, beauty, or natural features or landscape that their protection and preservation are desirable in the public interest.<sup>64</sup>

**History:** Created under the Reserves Act 1977 since 1977. Some previously gazetted under the Reserves and Domains Act 1953 as scenic reserves, which carried forward some created under the Scenery Preservation Act 1903. Most scenic reserves are managed by DOC.

**General description:** Initially after 1903 created for scenic purposes, in recent times, they have been created more for biodiversity values. Many created or managed by councils that are not recorded in DOC data.

**Statistics:** 72 DOC sites. Unknown number of council sites. DOC sites range in size from 5 hectares to 29,585 hectares (Lewis Pass). An unknown number of scenic reserves are managed by councils.

**Historical DOC 1997/current IUCN WDPA reported category:** Both III – Natural monument or feature.

**Bellingham et al classification:** 4. With no distinction between section 19(1)(a) and section 19(1)(b), Scenic reserves.

**Discussion:** Usual legal protection class for reserves with significant biodiversity values.

**Uncertainty:** No national register of council-managed scenic reserves.

**Rationale:** Primary purpose of the protection of natural values.

**Assessed IUCN category:**

II – National park where:

- the contiguous extent of aggregated biodiversity protected areas exceeds 1,000 hectares in size
- on smaller islands, any contiguous biodiversity protected areas in aggregate comprise 75% of the island area or include most ecological processes.

III – Natural monument or feature where:

- a smaller natural monument and/or geopreservation site is the prime reason for the entire reserve
- a smaller geopreservation site is a portion of a reserve.

IV – Habitat/species protection management area where a species or habitat is being managed.

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<sup>64</sup> Reserves Act 1977, section 19(1)(a).  
[https://www.legislation.govt.nz/act/public/1977/0066/latest/DLM444610.html?search=ts\\_act%40bill%40regulation%40deemedreg\\_reserves+1977\\_resel\\_25\\_a&p=1](https://www.legislation.govt.nz/act/public/1977/0066/latest/DLM444610.html?search=ts_act%40bill%40regulation%40deemedreg_reserves+1977_resel_25_a&p=1)

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**New Zealand legal protection type:** Reserves Act 1977, section 19(1)(b), Scenic reserves

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**Primary purpose(s):** Providing, in appropriate circumstances, suitable areas that by development and the introduction of flora, whether indigenous or exotic, will become of such scenic interest or beauty that their development, protection and preservation are desirable in the public interest.<sup>65</sup>

**History:** Created under the Reserves Act 1977 since 1977.

**General description:** Reserves with mixed indigenous and exotic flora throughout the mainland. Many around Lake Taupo.

**Statistics:** 24 DOC sites. Unknown number of council sites. DOC sites range in size from 0 hectares to 850 hectares.

**Historical DOC 1997/current IUCN WDPa reported category:** Both III – Natural monument or feature.

**Bellingham et al classification:** 4. With no distinction between section 19(1)(a) and section 19(1)(b), Scenic reserves.

**Discussion:** Focus is on including exotic flora.

**Uncertainty:** The provision for the development and introduction of exotic flora undermines any primary purpose for protecting natural indigenous biodiversity values. Unclear if all are classified appropriately.

**Rationale:** No clear primary purpose for the protection of natural values. Specifically provide for exotic planting and protection.

**Assessed IUCN category:** None.

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**New Zealand legal protection type:** Reserves Act 1977, section 21, Scientific reserves

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**Primary purpose(s):** Protecting and preserving in perpetuity for scientific study, research, education and the benefit of the country, ecological associations, plant or animal communities, types of soil, geomorphological phenomena, and like matters of special interest.<sup>66</sup>

**History:** Created under the Reserves Act 1977 since 1977.

**General description:** Classified for a range of primary purposes throughout the mainland. Many by name are geological, rocks, caves, terraces or geodiversity reserves. Others are for the protection of individual species.

**Statistics:** 99 DOC sites. DOC sites range in size from 0 hectares to 3,596 hectares (Waituna Wetlands Scientific Reserve).

**Historical DOC 1997/current IUCN WDPa reported category:** Both Ia – Strict nature reserve.

**Bellingham et al classification:** 5.

**Discussion:** Used for a variety of conservation purposes. Parallel sanctuary areas under the Conservation Act 1987.

**Uncertainty:** Any emphasis on scientific study is limiting, because all protected areas are the subject of scientific study.

**Rationale:** Primary purpose of the protection of natural values.

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<sup>65</sup> Reserves Act 1977, section 19(1)(b).  
[https://www.legislation.govt.nz/act/public/1977/0066/latest/DLM444610.html?search=ts\\_act%40bill%40regulation%40deemedreg\\_reserves+1977\\_resel\\_25\\_a&p=1](https://www.legislation.govt.nz/act/public/1977/0066/latest/DLM444610.html?search=ts_act%40bill%40regulation%40deemedreg_reserves+1977_resel_25_a&p=1)

<sup>66</sup> Reserves Act 1977, section 21.  
[https://www.legislation.govt.nz/act/public/1977/0066/latest/DLM444617.html?search=ts\\_act%40bill%40regulation%40deemedreg\\_reserves+1977\\_resel\\_25\\_a&p=1](https://www.legislation.govt.nz/act/public/1977/0066/latest/DLM444617.html?search=ts_act%40bill%40regulation%40deemedreg_reserves+1977_resel_25_a&p=1)

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**Assessed IUCN category:**

Ia – Strict nature reserve where entry is by strict permit.

II – National park where:

- the contiguous extent of aggregated biodiversity protected areas exceeds 1,000 hectares in size
- on smaller islands, any contiguous biodiversity protected areas in aggregate comprise 75% of the island area or include most ecological processes.

III – Natural monument or feature where:

- a smaller natural monument and/or geopreservation site is the prime reason for the entire reserve
- a smaller geopreservation site is a portion of a reserve.

IV – Habitat/species management area where a particular species or habitat is the emphasis.

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**New Zealand legal protection type:** Reserves Act 1977, section 22, Government purpose reserves

**Primary purpose(s):** Providing and retaining areas for such government purpose or purposes as are specified in any classification of the reserve.<sup>67</sup> These purposes are recorded in the gazette notices classifying the reserve and recorded in DOC data.

**History:** Similar provisions existed in the Reserves and Domains Act 1953, section 12, and any such reserves were then required by the Reserves Act 1977, section 22(6) to be continued to be managed for these purposes. Created under the Reserves Act since 1977.

**General description:** Many throughout the mainland.

**Statistics:** 178 DOC sites. DOC sites range in size from 0 hectares to 9,179 hectares (Kopuatai Wetland Management Reserve).

**Historical DOC 1997/current IUCN WDPA reported category:** DOC 1997 III – Natural monument or feature for wildlife purposes.

**Bellingham et al classification:** 3 for ecological or wildlife purposes.

**Discussion:** There are currently general purposes for wildlife. There are currently purposes for particular species and habitats comprising gannets and wetlands. There are currently no geodiversity purposes.

**Uncertainty:** 3 have no recorded purpose.

**Rationale:** Primary purpose of the protection of natural values, where the purpose includes natural value purposes (currently wildlife, gannet and wetland).

**Assessed IUCN category:**

II – National park where:

- the contiguous extent of aggregated biodiversity protected areas exceeds 1,000 hectares in size
- on smaller islands, any contiguous biodiversity protected areas in aggregate comprise 75% of the island area or include most ecological processes.

III – Natural monument or feature where:

- a smaller natural monument and/or geopreservation site is the prime reason for the entire reserve
- a smaller geopreservation site is a portion of a reserve.

IV – Habitat/species management area where a particular species or habitat is the emphasis.

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<sup>67</sup> Reserves Act 1977, section 22.

[https://www.legislation.govt.nz/act/public/1977/0066/latest/DLM444621.html?search=ts\\_act%40bill%40regulation%40deemedreg\\_reserves+1977\\_resel\\_25\\_a&p=1](https://www.legislation.govt.nz/act/public/1977/0066/latest/DLM444621.html?search=ts_act%40bill%40regulation%40deemedreg_reserves+1977_resel_25_a&p=1)

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**New Zealand legal protection type:** Reserves Act 1977, section 23, Local purpose reserves

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**Primary purpose(s):** Providing and retaining areas for such local purpose or purposes as are specified in any classification of the reserve.<sup>68</sup> These purposes are recorded in the gazette notices classifying the reserve and recorded in any DOC data. Includes esplanade reserves.

**History:** Created under the Reserves Act 1977 since 1977.

**General description:** Many DOC- and council-managed Crown reserves throughout the mainland. Numerous foreshore reserves within the Marlborough Sounds.

**Statistics:** 70 DOC sites. DOC sites range in size from 0 hectares to 2,041 hectares (Sounds Foreshore Reserve). Ninety-three council-managed Crown reserve sites range in size from 0 hectares to 984 hectares (Ashley River/Rakahuri Endowment Reserve). Unknown number of council-owned sites.

**Historical DOC 1997/current IUCN WDPA reported category:** Not reported.

**Bellingham et al classification:** 3 for ecological purposes.

**Discussion:** DOC sites. There are currently general purposes for wildlife, scenic and native bush preservation. There are currently purposes for particular species and habitats comprising wetland, foreshore, esplanade, river protection, river bank. There are currently no geodiversity purposes.

Council-managed Crown reserve sites. There are currently general purposes for coastal protection, conservation reserve, ecological management, ecosystem, native bush preservation, scenic, wildlife. There are currently purposes for particular species and habitats comprising esplanades, estuarine buffers, foreshores, wetlands, river bank protection, river protection, river bank. There are currently no geodiversity purposes.

**Uncertainty:** 22 DOC sites have no recorded purpose, and 520 council-managed Crown reserve sites have no recorded purpose. Unknown number of council-owned sites.

**Rationale:** Primary purpose of the protection of natural values, where the purpose includes natural values (currently wildlife, scenic, native bush preservation, wetland, foreshore, esplanade, river protection, river bank, coastal protection, conservation reserve, ecological management, ecosystem, estuarine buffer, river bank protection, river bank).

**Assessed IUCN category:**

II – National park where:

- the contiguous extent of aggregated biodiversity protected areas exceeds 1,000 hectares in size
- on smaller islands, any contiguous biodiversity protected areas in aggregate comprise 75% of the island area or include most ecological processes.

III – Natural monument or feature where:

- a smaller natural monument and/or geopreservation site is the prime reason for the entire reserve
- a smaller geopreservation site is a portion of a reserve.

IV – Habitat/species management area where a particular species or habitat is the emphasis.

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<sup>68</sup> Reserves Act 1977, section 23.

[https://www.legislation.govt.nz/act/public/1977/0066/latest/DLM444626.html?search=ts\\_act%40bill%40regulation%40deemedreg\\_reserves+1977\\_resel\\_25\\_a&p=1](https://www.legislation.govt.nz/act/public/1977/0066/latest/DLM444626.html?search=ts_act%40bill%40regulation%40deemedreg_reserves+1977_resel_25_a&p=1)

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**New Zealand legal protection type:** Reserves Act 1977, section 17, Recreation reserves

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**Primary purpose(s):** Providing areas for the recreation and sporting activities and the physical welfare and enjoyment of the public, and for the protection of the natural environment and beauty of the countryside, with emphasis on the retention of open spaces and on outdoor recreational activities, including recreational tracks in the countryside.<sup>69</sup>

**History:** Created under the Reserves Act 1977 since 1977. Only about half of all recreation reserves are managed by DOC.

**General description:** Generally high recreational values and low biodiversity values. Many created or managed by councils are not recorded in DOC data.

**Statistics:** 430 DOC sites. Up to 450 council parcel sites. DOC sites generally range in size from 0 hectares to 15,282 hectares (Te Paki Recreation Reserve), with Molesworth Recreation Reserve being an exceptional 180,000 hectares. Council sites range in size from 0 hectares to 68 hectares (Lake Ruataniwha).

**Historical DOC 1997/current IUCN WDPA reported category:** DOC 1997 V – Protected landscape/seascape.

**Bellingham et al classification:** 2.

**Discussion:** Usual legal protection type for sports grounds and parklands.

**Uncertainty:** Many are solely recreational, such as sports grounds, showgrounds, ski fields, or are farmed. No geographical extents defined for any natural values present. No national record of council-managed recreation reserves, even though DOC manages the Reserves Act.

**Rationale:** Generally small areas not wholly natural or contiguous with larger natural areas. Any natural values present might be better recognised if the legal protection were changed to scenic reserve or other protected area type.

**Assessed IUCN category:** None.

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**New Zealand legal protection type:** Reserves Act 1977, section 18, Historic reserves

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**Primary purpose(s):** “Protecting and preserving in perpetuity such places, objects, and natural features, and such things thereon or therein contained as are of historic, archaeological, cultural, educational, and other special interest.”<sup>70</sup>

**History:** Created under the Reserves Act 1977 since 1977. Some previously gazetted under the Reserves and Domains Act 1953 as historic reserves, which carried forward some created under the Scenery Preservation Act 1903. Most historic reserves are managed by DOC.

**General description:** Generally high historic cultural value and low natural value places and objects. Not typically applied to natural features. Many created or managed by councils or others are not recorded in DOC data.

**Statistics:** 150 DOC-recorded sites. Up to 635 council and other parcel sites, some of which may be Treaty settlement fee simple vested historic reserves not recorded by DOC. DOC-recorded sites generally range in size from 0 hectares to 1,500 hectares (Te Heru o Tureia Historic Reserve). Council and other sites range in size from 0 hectares to 12,324 hectares (Waitaki Historic Reserve).

**Historical DOC 1997/current IUCN WDPA reported category:** DOC 1997 III – Natural monument or feature.

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<sup>69</sup> Reserves Act 1977, section 17.

[https://www.legislation.govt.nz/act/public/1977/0066/latest/DLM444605.html?search=ts\\_act%40bill%40regulation%40deemedreg\\_reserves+1977\\_resel\\_25\\_a&p=1](https://www.legislation.govt.nz/act/public/1977/0066/latest/DLM444605.html?search=ts_act%40bill%40regulation%40deemedreg_reserves+1977_resel_25_a&p=1)

<sup>70</sup> Reserves Act 1977, section 18.

[https://www.legislation.govt.nz/act/public/1977/0066/latest/DLM444607.html?search=ts\\_act%40bill%40regulation%40deemedreg\\_reserves+1977\\_resel\\_25\\_a&p=1](https://www.legislation.govt.nz/act/public/1977/0066/latest/DLM444607.html?search=ts_act%40bill%40regulation%40deemedreg_reserves+1977_resel_25_a&p=1)

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**Bellingham et al classification:** 2.

**Discussion:** None.

**Uncertainty:** Not clear if any historic reserves are focused on natural features. No national record of council or other managed historic reserves, even though DOC manages the Reserves Act.

**Rationale:** No primary purpose for the protection of natural values unless a natural feature that is the focus of the reserve is present.

**Assessed IUCN category:**

III – Natural monument or feature, where a natural monument or feature is the focus of the historic reserve.

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## Conservation Act 1987

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**New Zealand legal protection type:** Conservation Act 1987, section 7, Conservation purposes

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**Primary purpose(s):** Conservation purposes.<sup>71</sup> Preservation and protection of natural and historic resources for the purpose of maintaining their intrinsic values, providing for their appreciation and recreational enjoyment by the public, and safeguarding the options of future generations (section 2, Interpretation<sup>72</sup>).

**History:** Created since the Conservation Act 1987.

**General description:** All on the mainland, especially in the South Island. Purchases and acquisitions.

**Statistics:** 73 DOC sites. DOC sites range in size from 0 hectares to 79,134 hectares (St James Conservation Area). May not be represented fully in the WDPA.

**Historical DOC 1997 and current IUCN WDPA reported category:** DOC 1997 blank. Current WDPA (Conservation area) III – Natural monument or feature.

**Bellingham et al classification:** Not assessed.

**Discussion:** Overlooked as a general IUCN category.

**Uncertainty:** None.

**Rationale:** Primary purpose of the protection of natural values.

**Assessed IUCN category:**

II – National park where:

- the contiguous extent of aggregated biodiversity protected areas exceeds 1,000 hectares in size
- on smaller islands, any contiguous biodiversity protected areas in aggregate comprise 75% of the island area or include most ecological processes.

III – Natural monument or feature where a smaller geopreservation site is a portion of the site.

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<sup>71</sup> Conservation Act 1987, section 7.  
[https://www.legislation.govt.nz/act/public/1987/0065/latest/DLM104251.html?search=ts\\_act%40bill%40regulation%40deemedreg\\_conservation\\_resele\\_25\\_a&p=1](https://www.legislation.govt.nz/act/public/1987/0065/latest/DLM104251.html?search=ts_act%40bill%40regulation%40deemedreg_conservation_resele_25_a&p=1)

<sup>72</sup> Conservation Act 1987, section 2.  
[https://www.legislation.govt.nz/act/public/1987/0065/latest/DLM103616.html?search=ts\\_act%40bill%40regulation%40deemedreg\\_conservation\\_resele\\_25\\_a&p=1](https://www.legislation.govt.nz/act/public/1987/0065/latest/DLM103616.html?search=ts_act%40bill%40regulation%40deemedreg_conservation_resele_25_a&p=1)

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**New Zealand legal protection type:** Conservation Act 1987, section 19, Conservation parks

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**Primary purpose(s):** Natural and historic resources are protected.<sup>73</sup>

**History:** Created since the Conservation Act 1987.

**General description:** Mainly former state forest parks from 1987, Sugar Loaf Conservation Park and, later, Crown Pastoral Lease Tenure Review transfers and purchases.

**Statistics:** 67 DOC sites. DOC sites range in size from 292 hectares to 206,863 hectares (Victoria Forest Park).

**Historical DOC 1997/current IUCN WDPa reported category:** DOC 1997 II – National park. Current WDPa V – Protected landscape/seascape.

**Bellingham et al classification:** 4.

**Discussion:** Many have historically been proposed as national parks by the community.

**Uncertainty:** Includes some small relics of North-west Nelson Forest Park and assorted odd sites.

**Rationale:** Primary purpose of the protection of natural values.

**Assessed IUCN category:**

II – National park where:

- the contiguous extent of aggregated biodiversity protected areas exceeds 1,000 hectares in size
- on smaller islands, any contiguous biodiversity protected areas in aggregate comprise 75% of the island area or include most ecological processes.

III – Natural monument or feature where a smaller geopreservation site is a portion of the site.

IV – Habitat/species management area where a particular species or habitat is the emphasis.

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**New Zealand legal protection type:** Conservation Act 1987, section 20, Wilderness areas

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**Primary purpose(s):** Indigenous natural resources shall be preserved.<sup>74</sup>

**History:** Type created since 1949 under the Forests Act 1949, becoming Conservation Act 1987 wilderness areas in 1987. All created under the Conservation Act 1987 since 1987.

**General description:** Remote areas on land managed under the Conservation Act 1987.

**Statistics:** 4 DOC sites. DOC sites range in size from 6,803 hectares to 46,587 hectares (Adams Wilderness Area).

**Historical DOC 1997/current IUCN WDPa reported category:** DOC 1997 II – National park. Current WDPa Ib – Wilderness area.

**Bellingham et al classification:** 4.

**Discussion:** Initiated by the community.

**Uncertainty:** None.

**Rationale:** Primary purpose of the protection of natural values.

**Assessed IUCN category:**

Ib – Wilderness area

II – National park

III – Natural monument or feature where a smaller geopreservation site is a portion of the site.

IV – Habitat/species management area where a particular species or habitat is the emphasis.

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<sup>73</sup> Conservation Act 1987, section 19.  
[https://www.legislation.govt.nz/act/public/1987/0065/latest/DLM104683.html?search=ts\\_act%40bill%40regulation%40deemedreg\\_conservation\\_resele\\_25\\_a&p=1](https://www.legislation.govt.nz/act/public/1987/0065/latest/DLM104683.html?search=ts_act%40bill%40regulation%40deemedreg_conservation_resele_25_a&p=1)

<sup>74</sup> Conservation Act 1987, section 20.  
[https://www.legislation.govt.nz/act/public/1987/0065/latest/DLM104684.html?search=ts\\_act%40bill%40regulation%40deemedreg\\_conservation\\_resele\\_25\\_a&p=1](https://www.legislation.govt.nz/act/public/1987/0065/latest/DLM104684.html?search=ts_act%40bill%40regulation%40deemedreg_conservation_resele_25_a&p=1)

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**New Zealand legal protection type:** Conservation Act 1987, section 25, Stewardship areas

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**Primary purpose(s):** Natural and historic resources are protected.<sup>75</sup>

**History:** Created in 1987 by section 62. Transfers of Crown Lands and State Forests in 1991. Transfers of Timberlands West Coast Forests under the Forests (West Coast) Accord Act 2000 in 2001/2002.

**General description:** Many areas on the mainland, Stewart Island and the Chatham Islands.

**Statistics:** 3,183 DOC sites. DOC sites range in size from 0 hectares to 188,466 hectares (Conservation Area – Cook River/Weheka to Haast River).

**Historical DOC 1997/current IUCN WDPA reported category:** DOC 1997 IV – Habitat and species management area. Current WDPA III – Natural monument or feature.

**Bellingham et al classification:** 3.

**Discussion:** Natural values and legal protection status are often dismissed in error.

**Uncertainty:** None.

**Rationale:** Primary purpose of the protection of natural values.

**Assessed IUCN category:**

II – National park where:

- the contiguous extent of aggregated biodiversity protected areas exceeds 1,000 hectares in size
- on smaller islands, any contiguous biodiversity protected areas in aggregate comprise 75% of the island area or include most ecological processes.

III – Natural monument or feature where a smaller geopreservation site is a portion of the site.

IV – Habitat/species management area where a particular species or habitat is the emphasis.

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**New Zealand legal protection type:** Conservation Act 1987, section 23A, Amenity areas

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**Primary purpose(s):** Each area and its indigenous natural resources and its historic resources are protected.<sup>76</sup>

**History:** Created since 1996 and the Conservation Amendment Act 1996.

**General description:** Former Forests Act 1949 timber production areas set aside in the northern West Coast.

**Statistics:** 22 DOC sites. DOC sites range in size from 64 hectares to 3,981 hectares (Deep Creek Amenity Area).

**Historical DOC 1997/current IUCN WDPA reported category:**

**Bellingham et al classification:** 4.

**Discussion:** None.

**Uncertainty:** DOC data splits amenity area records by overlaying status.

**Rationale:** Primary purpose of the protection of natural values.

**Assessed IUCN category:**

II – National park where:

- the contiguous extent of aggregated biodiversity protected areas exceeds 1,000 hectares in size
- on smaller islands, any contiguous biodiversity protected areas in aggregate comprise 75% of the island area or include most ecological processes.

III – Natural monument or feature where a smaller geopreservation site is a portion of the site.

IV – Habitat/species management area where a particular species or habitat is the emphasis.

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<sup>75</sup> Conservation Act 1987, section 25.

[https://www.legislation.govt.nz/act/public/1987/0065/latest/DLM104956.html?search=ts\\_act%40bill%40regulation%40deemedreg\\_conservation\\_resel\\_25\\_a&p=1](https://www.legislation.govt.nz/act/public/1987/0065/latest/DLM104956.html?search=ts_act%40bill%40regulation%40deemedreg_conservation_resel_25_a&p=1)

<sup>76</sup> Conservation Act 1987, section 23A.

[https://www.legislation.govt.nz/act/public/1987/0065/latest/DLM104692.html?search=ts\\_act%40bill%40regulation%40deemedreg\\_conservation\\_resel\\_25\\_a&p=1](https://www.legislation.govt.nz/act/public/1987/0065/latest/DLM104692.html?search=ts_act%40bill%40regulation%40deemedreg_conservation_resel_25_a&p=1)

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**New Zealand legal protection type:** Conservation Act 1987, section 21, Ecological areas

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**Primary purpose(s):** Protect the value for which it is held.<sup>77</sup> Primary purpose is specified in the gazette notice, for example, “protect a bird-rich sequence of podocarp forest on valley floors, hard beech forest on slopes and hardwood forest on ridges on Old Man Gravels”.<sup>78</sup>

**History:** Many created since 1976 under the Forests Act 1949 only within state forests, becoming Conservation Act 1987 ecological areas in 1987. Many created since 1987 under the Conservation Act, mainly in north Westland and one at Aramoana.<sup>79</sup>

**General description:** Initially set aside as representative indigenous forest type areas to be protected from indigenous timber production and other uses under the Forests Act 1949 on only state forests. Not all state forests were assessed and, when they were, not all recommended ecological areas were surveyed or gazetted. New duplicate plans for existing and proposed ecological areas were prepared for a mining legislative Bill that protected them from mining but was never enacted. They are all nationally important biodiversity areas, even if incomplete. Their integrity is dependent on being connected through adjoining conservation areas, particularly because species migrate due to changing climate conditions. Since 1987, many areas have been set aside for the full range of biodiversity values.

**Statistics:** 113 DOC sites. DOC sites range in size from 32 hectares to 20,967 hectares (Orikaka Ecological Area).

**Historical DOC 1997/current IUCN WDPA reported category:** DOC 1997 Ia – Strict nature reserve. Current WDPA III – Natural monument or feature.

**Bellingham et al classification:** 3.

**Discussion:** All have the same underlying primary purpose as conservation purposes.

**Uncertainty:** DOC data splits ecological area records by overlaying status. WDPA missing Coal Creek Ecological Area.

**Rationale:** Primary purpose of the protection of natural values.

**Assessed IUCN category:**

II – National park where:

- the contiguous extent of aggregated biodiversity protected areas exceeds 1,000 hectares in size
- on smaller islands, any contiguous biodiversity protected areas in aggregate comprise 75% of the island area or include most ecological processes.

III – Natural monument or feature where a smaller geopreservation site is a portion of the site.

IV – Habitat/species management area where a particular species or habitat is the emphasis.

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<sup>77</sup> Conservation Act 1987, section 21.

[https://www.legislation.govt.nz/act/public/1987/0065/latest/DLM104688.html?search=ts\\_act%40bill%40regulation%40deemedreg\\_conservation\\_resel\\_25\\_a&p=1](https://www.legislation.govt.nz/act/public/1987/0065/latest/DLM104688.html?search=ts_act%40bill%40regulation%40deemedreg_conservation_resel_25_a&p=1)

<sup>78</sup> New Zealand Gazette (2001). Declaring land to be held for conservation purposes as an ecological area, page 1560. <https://gazette.govt.nz/notice/id/2001-ln4459>

<sup>79</sup> Norton DA, Overmars FB (2022) Ecological areas – premier protected natural areas. *New Zealand Journal Ecology* 36(1): 108–120. <https://newzealandecology.org/nzje/3014.pdf>

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**New Zealand legal protection type:** Conservation Act 1987, section 22, Sanctuary areas

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**Primary purpose(s):** Preserve in their natural state the indigenous plants and animals in it, and for scientific and other similar purposes.<sup>80</sup>

**History:** Many created since 1949 under the Forests Act 1949 section 20 as forest sanctuaries for “the purpose of preserving in their natural state the indigenous flora and fauna therein and for scientific and other like purposes”, only within state forests,<sup>81</sup> and becoming Conservation Act 1987 sanctuary areas in 1987. Only two created since 1987 under the Conservation Act.

**General description:** Only in the North Island.

**Statistics:** 14 DOC sites. DOC sites range in size from 1 hectare to 8,259 hectares (Waipoua Sanctuary Area).

**Historical DOC 1997/Current IUCN WDPA reported category:** Both Ia – Strict nature reserve.

**Bellingham et al classification:** 5.

**Discussion:** Parallel scientific reserves under the Reserves Act 1977.

**Uncertainty:** DOC data splits sanctuary area records by overlaying status. WDPA missing Coal Creek Ecological Area.

**Rationale:** Primary purpose of the protection of natural values.

**Assessed IUCN category:**

II – National park where:

- the contiguous extent of aggregated biodiversity protected areas exceeds 1,000 hectares in size
- on smaller islands, any contiguous biodiversity protected areas in aggregate comprise 75% of the island area or include most ecological processes.

III – Natural monument or feature where a smaller geopreservation site is a portion of the site.

IV – Habitat/species management area where a particular species or habitat is the emphasis.

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**New Zealand legal protection type:** Conservation Act 1987, section 23B, Wildlife management areas

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**Primary purpose(s):** Its wildlife and wildlife habitat values (including the capacity for the movement of wildlife, genetic material of indigenous plants, and genetic material of wildlife) are protected; and that its indigenous natural resources and its historic resources are protected.<sup>82</sup>

**History:** Created since the Conservation Act 1987.

**General description:** Only in the West Coast. Initiated for wildlife corridors.

**Statistics:** 11 DOC sites. DOC sites range in size from 122 hectares to 8,290 hectares (Te Wharau Wildlife Management Area).

**Historical DOC 1997/current IUCN WDPA reported category:** Current WDPA IV – Habitat/species management area.

**Bellingham et al classification:** 5.

**Discussion:** Former Forests Act 1949 timber production areas set aside in the northern West Coast.

**Uncertainty:** DOC data splits wildlife management area records by overlaying status.

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<sup>80</sup> Conservation Act 1987, section 22.  
[https://www.legislation.govt.nz/act/public/1987/0065/latest/DLM104689.html?search=ts\\_act%40bill%40regulation%40deemedreg\\_conservation\\_resele\\_25\\_a&p=1](https://www.legislation.govt.nz/act/public/1987/0065/latest/DLM104689.html?search=ts_act%40bill%40regulation%40deemedreg_conservation_resele_25_a&p=1)

<sup>81</sup> Forests Act 1949, section 20. [http://www.nzlii.org/nz/legis/hist\\_act/fa19491949n19143.pdf](http://www.nzlii.org/nz/legis/hist_act/fa19491949n19143.pdf)

<sup>82</sup> Conservation Act 1987, section 23B.  
[https://www.legislation.govt.nz/act/public/1987/0065/latest/DLM104694.html?search=ts\\_act%40bill%40regulation%40deemedreg\\_conservation\\_resele\\_25\\_a&p=1](https://www.legislation.govt.nz/act/public/1987/0065/latest/DLM104694.html?search=ts_act%40bill%40regulation%40deemedreg_conservation_resele_25_a&p=1)

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**Rationale:** Primary purpose of the protection of natural values.

**Assessed IUCN category:**

II – National park where:

- the contiguous extent of aggregated biodiversity protected areas exceeds 1,000 hectares in size
- on smaller islands, any contiguous biodiversity protected areas in aggregate comprise 75% of the island area or include most ecological processes.

III – Natural monument or feature where a smaller geopreservation site is a portion of the site.

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**New Zealand legal protection type:** Conservation Act 1987, section 24, Marginal strips

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**Primary purpose(s):** Conservation purposes. “Conservation means the preservation and protection of natural and historic resources for the purpose of maintaining their intrinsic values, providing for their appreciation and recreational enjoyment by the public, and safeguarding the options of future generations” (section 2, Interpretation).<sup>83</sup> Protection of the marginal strips and their natural values, and the maintenance of adjacent watercourses or bodies of water and the maintenance of water quality and the maintenance of aquatic life (section 24C, Purposes of marginal strips).<sup>84</sup>

**History:** Created from Crown land disposals as ‘reserved from sale’ fixed parcels adjoining fresh and marine water bodies since around 1892 but not as protected areas. Marginal strips were subsequently brought in under the Conservation Act 1987 and accorded protected area status. Many movable marginal strips have been created adjoining fresh and marine water bodies since 1987 under the Conservation Act on the disposal of Crown land, especially to state-owned enterprises around 1990.

**General description:** Occur throughout New Zealand adjoining fresh and marine water bodies. Two types: ‘fixed’ created prior to 1990, and ‘movable’ created since 1990.

**Statistics:** 4,117 DOC sites. All managed by DOC.

**Historical DOC 1997/current IUCN WDPA reported category:**

**Bellingham et al classification:** 2.

**Discussion:** Marginal strips are vital to the ecosystem processes within adjoining fresh and marine water bodies, even if those water bodies are not legally protected for nature. They were not protected areas before the creation of DOC in 1987, and arrived as something of an afterthought, even though they are vital to the largest ecosystems that DOC is not responsible for. Due to their small and linear form, they often do not receive the management or planning attention of larger protected areas. Water body ecosystems operate at a much smaller scale than mainland land ecosystems, so warrant their own size threshold perspectives in much the same way as the IUCN applies to island land ecosystems.

**Uncertainty:** Some fixed marginal strips are not recorded in DOC data. Most movable marginal strips are not recorded in DOC data, especially because they were not all required to be surveyed from 1990 until many years later. Some strips may be grazed without permission by adjoining owners in a similar way to that which occurs within national parks and other protected areas.

**Rationale:** Primary purpose of the protection of natural values, both on the strip and of the adjoining water body.

**Assessed IUCN category:**

II – National park where:

- the contiguous extent of aggregated biodiversity protected areas exceeds 1,000 hectares in size
  - on smaller islands, any contiguous biodiversity protected areas in aggregate comprise 75% of the island area or include most ecological processes.
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<sup>83</sup> Conservation Act 1987, section 2.  
[https://www.legislation.govt.nz/act/public/1987/0065/latest/DLM103616.html?search=ts\\_act%40bill%40regulation%40deemedreg\\_conservation\\_resel\\_25\\_a&p=1](https://www.legislation.govt.nz/act/public/1987/0065/latest/DLM103616.html?search=ts_act%40bill%40regulation%40deemedreg_conservation_resel_25_a&p=1)

<sup>84</sup> Conservation Act 1987, section 24C.  
[https://www.legislation.govt.nz/act/public/1987/0065/latest/DLM104926.html?search=ts\\_act%40bill%40regulation%40deemedreg\\_conservation\\_resel\\_25\\_a&p=1](https://www.legislation.govt.nz/act/public/1987/0065/latest/DLM104926.html?search=ts_act%40bill%40regulation%40deemedreg_conservation_resel_25_a&p=1)

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III – Natural monument or feature where a smaller geopreservation site is a portion of the site.

IV – Habitat/species management area for all marginal strips because they are vital to protecting adjoining extensive fresh and marine water thriving ecosystem processes.

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**New Zealand legal protection type:** Conservation Act 1987, section 23, Watercourse areas

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**Primary purpose(s):** Protect the wild, scenic and other natural or recreational characteristics that it has when considered with the river, lake or stream, concerned.<sup>85</sup>

**History:** Created by the Conservation Act 1987 since 1987.

**General description:** No sites to describe.

**Statistics:** 0 DOC sites.

**Historical DOC 1997/current IUCN WDPA reported category:** Not reported.

**Bellingham et al classification:** 4.

**Discussion:** None.

**Uncertainty:** No sites.

**Rationale:** Primary purpose of the protection of natural values, both on the watercourse area and of the adjoining freshwater body.

**Assessed IUCN category:**

II – National park where:

- the contiguous extent of aggregated biodiversity protected areas exceeds 1,000 hectares in size
- on smaller islands, any contiguous biodiversity protected areas in aggregate comprise 75% of the island area or include most ecological processes.

IV – Habitat/species management area for all watercourse areas because they are vital to protecting adjoining extensive fresh water thriving ecosystem processes.

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## National Parks Act 1980

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**New Zealand legal protection type:** National Parks Act 1980, section 4, National parks

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**Primary purpose(s):** 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.<sup>86</sup>

**History:** First created with the gifting of land for a Tongariro national park in 1887 that resulted in the Tongariro National Park Act 1894. National park status was then implemented for Egmont in 1900, Arthur's Pass in 1929 and Abel Tasman in 1942. This led to the establishment of the National Parks Act 1952, which was then replaced by the National Parks Act 1980.<sup>87</sup>

**General description:** 13 national parks and a Murupara administrative site.

**Statistics:** 13 DOC natural sites. DOC sites range in size from 23,710 hectares (Abel Tasman National Park) to 1,260,711 hectares (Fiordland National Park).

**Historical DOC 1997/current IUCN WDPA reported category:** Both II – National park.

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<sup>85</sup> Conservation Act 1987, section 23.  
[https://www.legislation.govt.nz/act/public/1987/0065/latest/DLM104690.html?search=ts\\_act%40bill%40regulation%40deemedreg\\_conservation\\_resel\\_25\\_a&p=1](https://www.legislation.govt.nz/act/public/1987/0065/latest/DLM104690.html?search=ts_act%40bill%40regulation%40deemedreg_conservation_resel_25_a&p=1)

<sup>86</sup> National Parks Act 1980, section 4.  
[https://www.legislation.govt.nz/act/public/1980/0066/latest/DLM37796.html?search=ts\\_act%40bill%40regulation%40deemedreg\\_national+park\\_resel\\_25\\_a&p=1](https://www.legislation.govt.nz/act/public/1980/0066/latest/DLM37796.html?search=ts_act%40bill%40regulation%40deemedreg_national+park_resel_25_a&p=1)

<sup>87</sup> Swarbrick N (2009) National parks – the beginnings. *Te Ara – the Encyclopedia of New Zealand*.  
<https://teara.govt.nz/en/national-parks/page-1>

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**Bellingham et al classification:** 5.

**Discussion:** None.

**Uncertainty:** Murupara and other administrative sites should be excluded from any IUCN category.

**Rationale:** Primary purpose of the protection of natural values.

**Assessed IUCN category:**

- including wilderness areas, specially protected areas
- excluding amenities areas

II – National park where not an administrative site and:

- the contiguous extent of aggregated biodiversity protected areas exceeds 1,000 hectares in size
- on smaller islands, any contiguous biodiversity protected areas in aggregate comprise 75% of the island area or include most ecological processes.

III – Natural monument or feature where a smaller geopreservation site is a portion of the site.

IV – Habitat/species management area where a particular species or habitat is the emphasis.

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**New Zealand legal protection type:** National Parks Act 1980, section 14, Wilderness areas

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**Primary purpose(s):** Indigenous natural resources shall be preserved.<sup>88</sup>

**History:** Areas created since 1952 under the National Parks Act 1952, section 34, becoming the National Parks Act 1980, section 14, Wilderness areas in 1980.<sup>89</sup> Subsequent areas created since 1980 under the National Parks Act 1980, section 14.

**General description:** Remote areas on land managed under the National Parks Act.

**Statistics:** 6 DOC sites. DOC sites range in size from 6,474 hectares to 116,950 hectares (Glaisnock Wilderness Area).

**Historical DOC 1997/current IUCN WDPA reported category:** Both Ib – Wilderness area.

**Bellingham et al classification:** Not assessed.

**Discussion:** Initiated by the community.

**Uncertainty:** None.

**Rationale:** Primary purpose of the protection of natural values.

**Assessed IUCN category:**

Ib – Wilderness area

II – National park

III – Natural monument or feature where a smaller geopreservation site is a portion of the site.

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<sup>88</sup> National Parks Act 1980, section 14.  
[https://www.legislation.govt.nz/act/public/1980/0066/latest/whole.html?search=ts\\_act%40bill%40regulation%40deemedreg\\_national+park\\_resel\\_25\\_a&p=1#DLM37920](https://www.legislation.govt.nz/act/public/1980/0066/latest/whole.html?search=ts_act%40bill%40regulation%40deemedreg_national+park_resel_25_a&p=1#DLM37920)

<sup>89</sup> Cessford G (Ed) (2001) *The State of Wilderness In New Zealand*. Department of Conservation: Wellington. Appendix 1. <https://www.doc.govt.nz/documents/science-and-technical/WildernessF.pdf>

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**New Zealand legal protection type:** National Parks Act 1980, section 15, Amenities areas

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**Primary purpose(s):** Development and operation of recreational and public amenities and related services appropriate for the public use and enjoyment of the park, while the principles applicable to national parks shall, notwithstanding section 4, apply only so far as they are compatible with the development and operation of such amenities and services.<sup>90</sup>

**History:** Areas created since 1980 under the National Parks Act 1980 section 15.

**General description:** Alpine service areas at Mount Cook village, Whakapapa village, Whakapapa ski field and Turoa ski field.

**Statistics:** 4 DOC sites.

**Historical DOC 1997/current IUCN WDPA reported category:** Not reported.

**Bellingham et al classification:** Not assessed.

**Discussion:** Developed.

**Uncertainty:** None.

**Rationale:** No primary purpose of the protection of natural values.

**Assessed IUCN category:** None. Should be excluded from any national park IUCN Category II – National park.

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**New Zealand legal protection type:** National Parks Act 1980, section 12, Specially protected areas

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**Primary purpose(s):** “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”.<sup>91, 92</sup>

**History:** Special areas created since 1952 under the National Parks Act 1952 section 12. A Fiordland Special Area was created in 1952 by the National Parks Act 1952 section 11. Subsequent areas created since 1980 under the National Parks Act 1980 section 12.

**General description:** Sites are Solander Island, Tonga Island and Pinnacle Island, Honeycomb Hill Caves, Westland Petrel, Breaksea Island, Te Koroka (Slip Stream) and Takahē.

**Statistics:** 6 DOC Sites. DOC sites range in size from 120 hectares to 51,900 hectares (Takahē).

**Historical DOC 1997/current IUCN WDPA reported category:** Both Ia – Strict nature reserve.

**Bellingham et al classification:** Not assessed.

**Discussion:** None.

**Uncertainty:** The special intent is not recorded in the DOC data. Tonga Island and Pinnacle Island are not recorded by DOC.

**Rationale:** Primary purpose of the protection of natural values, except for Te Koroka (Slip Stream).

**Assessed IUCN category:**

Ia – Strict nature reserve except for Te Koroka (Slip Stream)

II – National park

III – Natural monument or feature where a smaller geopreservation site is a portion of the site.

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<sup>90</sup> National Parks Act 1980, section 15.  
[https://www.legislation.govt.nz/act/public/1980/0066/latest/DLM37925.html?search=ts\\_act%40bill%40regulation%40deemedreg\\_national+park\\_resel\\_25\\_a&p=1](https://www.legislation.govt.nz/act/public/1980/0066/latest/DLM37925.html?search=ts_act%40bill%40regulation%40deemedreg_national+park_resel_25_a&p=1)

<sup>91</sup> National Parks Act 1980, section 12.  
[https://www.legislation.govt.nz/act/public/1980/0066/latest/DLM37918.html?search=ts\\_act%40bill%40regulation%40deemedreg\\_national+park\\_resel\\_25\\_a&p=1](https://www.legislation.govt.nz/act/public/1980/0066/latest/DLM37918.html?search=ts_act%40bill%40regulation%40deemedreg_national+park_resel_25_a&p=1)

<sup>92</sup> National Parks Act 1980, section 4.  
[https://www.legislation.govt.nz/act/public/1980/0066/latest/DLM37796.html?search=ts\\_act%40bill%40regulation%40deemedreg\\_national+park\\_resel\\_25\\_a&p=1](https://www.legislation.govt.nz/act/public/1980/0066/latest/DLM37796.html?search=ts_act%40bill%40regulation%40deemedreg_national+park_resel_25_a&p=1)

## Local Government Act 2002

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**New Zealand legal protection type:** Local Government Act 2002, section 139, Regional parks

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**Primary purpose(s):** Land owned by a regional council and acquired or used principally for community, recreational, environmental, cultural or spiritual purposes.<sup>93</sup> Not for protection purposes. Purposes will be specified for any regional council-owned Reserves Act 1977 reserves within regional parks, and will need to be assessed individually and separately. Any Crown-owned Reserves Act 1977 reserves 'within' regional parks are not covered by this legal protection type and will be assessed individually and separately.

**History:** Established in name since the 1960s in Auckland. First legally recognised in section 619 of the Local Government Act 1974<sup>94</sup> in the Auckland and Wellington regions, along with the requirement for management plans. Extended to all regions in the Local Government Act 2002, although the requirement for management plans was dropped.

**General description:** Sites understood to be treated as regional parks exist only in Auckland, Waikato, Bay of Plenty, Hawke's Bay, Wellington and Canterbury regions.

**Statistics:** No national data exist to ascertain the legally documented existence or geographic extent of all regional parks, or the values they were acquired or used principally for.

**Historical DOC 1997/current IUCN WDPA reported category:** Not reported.

**Bellingham et al classification:** 2.

**Discussion:** The establishment of regional parks came at a time when no provision existed in the Reserves Act 1977 for recognising regional parks, as is made for national reserves, and councils were hesitant about the responsibilities of managing all the land they owned, under the public interest requirements of the Reserves Act.

**Uncertainty:** Overlap with Reserves Act 1977 reserves.

**Rationale:** No primary purpose of the protection of natural values.

**Assessed IUCN category:** None. Any Reserves Act 1977 reserves within regional parks should be assessed for the appropriate IUCN category separately.

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## Waitangi Endowment Act 1932–33

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**New Zealand legal protection type:** Waitangi Endowment Act 1932–33, section 2, Waitangi endowment forest

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**Primary purpose(s):** "[G]enerally for afforestation and silvicultural purposes".<sup>95</sup>

**History:** Established in 1933.

**General description:** Endowment forest, over 1 kilometre northwest of the Waitangi Treaty signing site. Mostly plantation forest with some native regeneration and a wetland.

**Statistics:** NA.

**Historical DOC 1997/current IUCN WDPA reported category:** Not reported.

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<sup>93</sup> Local Government Act 2002, section 139.  
[https://www.legislation.govt.nz/act/public/2002/0084/latest/DLM172964.html?search=ts\\_act%40bill%40regulation%40deemedreg\\_local+government\\_resel\\_25\\_a&p=1](https://www.legislation.govt.nz/act/public/2002/0084/latest/DLM172964.html?search=ts_act%40bill%40regulation%40deemedreg_local+government_resel_25_a&p=1)

<sup>94</sup> Local Government Act 1974.  
[https://www.legislation.govt.nz/act/public/1974/0066/latest/DLM415532.html?search=ts\\_act%40bill%40regulation%40deemedreg\\_local+government\\_resel\\_25\\_a&p=1](https://www.legislation.govt.nz/act/public/1974/0066/latest/DLM415532.html?search=ts_act%40bill%40regulation%40deemedreg_local+government_resel_25_a&p=1)

<sup>95</sup> Waitangi Endowment Act 1932–33, section 2.  
[https://www.legislation.govt.nz/act/public/1932/0044/latest/DLM213800.html?search=ts\\_act%40bill%40regulation%40deemedreg\\_waitangi\\_resel\\_25\\_a&p=1](https://www.legislation.govt.nz/act/public/1932/0044/latest/DLM213800.html?search=ts_act%40bill%40regulation%40deemedreg_waitangi_resel_25_a&p=1)

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**Bellingham et al classification:** Blank.

**Discussion:** None.

**Uncertainty:** None.

**Rationale:** No primary purpose of the protection of natural values.

**Assessed IUCN category:** None.

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### Riverbed and lakebed protection

Many beds are owned by the Crown as Crown land and managed by Land Information New Zealand (LINZ) under the Land Act 1948. This is the primary category of bed outside of protected areas, so is the only category assessed.

Many beds are owned by the Crown as protected areas and are managed by DOC as public conservation land under several conservation statutes.

Some beds are personhood in the cases of Te Urewera, Whanganui and Taranaki Maunga.

Some lake beds are owned by Māori, for example, Lake Taupo and Rotorua lakes.

Some beds are vested in a local council as a condition of subdivision under the Resource Management Act 1991 section 237A.

Many river beds are owned by councils as catchment boards for soil conservation and flood protection purposes, where stop banks or drains have been constructed under the Soil Conservation and Rivers Control Act 1941, incorporating the earlier Land Drainage Act 1908 and the River Boards Act 1908. About 4,000 parcels are in this category.

Some riverbeds are owned by councils as local purpose and other reserves. About 400 parcels are in this category.

Many riverbeds that are not navigable are owned by adjoining private and Māori owners under *ad medium filum aquae* common law rights.

Some riverbeds that are not navigable are publicly owned because the adjoining land is publicly owned and enjoys any *ad medium filum aquae* common law rights.

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**New Zealand legal protection type:** Land Act 1948, Crown river and lake beds

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**Primary purpose(s):** None.

**History:** Created under various land Acts since the Crown first sold land after purchase from Māori. Created by the Coal Mines Amendment Act 1903, where navigable, even if privately owned at the time. Created by purchase by the Crown. Created by Crown acquiring all adjoining riparian land that held *ad medium filum aquae* rights.

**General description:** River and lake beds throughout New Zealand where the Crown is the owner, outside of public conservation land and where public conservation land holds *ad medium filum aquae* rights.

**Statistics:** LINZ Data Service Crown Property records 55 lake sites and 555 river sites.<sup>96</sup> LINZ Parcels record 295 lake beds totalling 135,518 hectares outside of protected areas, and 20,180 hectares of river beds totalling 40,885 kilometres outside of protected areas.

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<sup>96</sup> LINZ Data Service Crown Property. <https://data.linz.govt.nz/layer/53358-linz-managed-crown-property/>

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**Historical DOC 1997/current IUCN WDPA reported category:** Not reported.

**Bellingham et al classification:** 1.

**Discussion:** These extensive thriving freshwater ecosystem beds lack integrated ecological management, creating a significant gap in the protected area network. The New Zealand Conservation Authority recommended “Protect Crown riverbeds ... Crown riverbeds with conservation values should be managed for those values”.<sup>97</sup> *Ad medium filum aquae* rights do apply to Crown river and lake beds. River and lake beds might be better managed as part of an adjoining protected area. They would enhance the legal and ecological integrity of adjoining protected areas.

**Uncertainty:** LINZ maps some river beds as being under its management under the Land Act 1948, but may not record all because the river beds usually require a status check before accepting Crown land status for any land.

**Rationale:** No legal protection.

**Assessed IUCN category:** None.

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## Legal road and road reserve

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**New Zealand legal protection type:** Legal road and road reserve

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**Primary purpose(s):** Common law public right to pass and repass upon their lawful occasions.

**History:** Established since the earliest land settlement around 1840. All council owned.

**General description:** Land set aside for roads. Some lengths have formed roads but many others do not. Natural values may be present alongside a formed road or across the entirety of an unformed road. The legal road and its natural values may be surrounded by or adjoin a protected area or a water body, such as the seabed, a lake or river bed.

**Statistics:** All legal roads comprise about 338,000 hectares. Unformed legal roads comprise about 91,000 hectares, 26% of the total.

**Historical DOC 1997/current IUCN WDPA reported category:** Not reported.

**Bellingham et al classification:** 1.

**Discussion:** Natural values within a legal road might be better managed as part of an adjoining protected area and/or in conjunction with an adjoining water body. Apparent provision is made in the Local Government Act 1974, section 323, since 1978 to transfer unformed legal roads to the Crown for the purpose of a biodiversity legally protected area.<sup>98</sup> They would enhance the legal and ecological integrity of adjoining protected areas.

**Uncertainty:** Some parcels that adjoin a water body were historically recorded as a legal road when they should be a marginal strip (fixed) protected areas.

**Rationale:** No primary purpose of the protection of natural values.

**Assessed IUCN category:** None.

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<sup>97</sup> New Zealand Conservation Authority (2011) *Protecting New Zealand's Rivers*. New Zealand Conservation Authority: Wellington. <https://www.doc.govt.nz/documents/getting-involved/nz-conservation-authority-and-boards/nz-conservation-authority/protecting-new-zealands-rivers.pdf>

<sup>98</sup> Local Government Act 1974, section 323. [https://www.legislation.govt.nz/act/public/1974/0066/latest/DLM420409.html?search=sw\\_096be8ed81e0a370\\_unformed\\_25\\_se&p=1&sr=1](https://www.legislation.govt.nz/act/public/1974/0066/latest/DLM420409.html?search=sw_096be8ed81e0a370_unformed_25_se&p=1&sr=1)

## Crown Pastoral Land Act 1998

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**New Zealand legal protection type:** Crown Pastoral Land Act 1998, Crown pastoral lease

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**Primary purpose(s):** “The purpose of this Act is to provide for the administration of pastoral land in a way that seeks to achieve the following outcomes:

- (a) maintaining or enhancing inherent values across the Crown pastoral estate for present and future generations, while providing for ongoing pastoral farming of pastoral land:
- (b) supporting the Crown in its relationships with Māori under te Tiriti o Waitangi/the Treaty of Waitangi:
- (c) enabling the Crown to get a fair return on its ownership interest in pastoral land.”<sup>99</sup>

“*inherent value*, in relation to any land,—

- (a) means a value that arises from an ecological, a landscape, a cultural, a heritage, or a scientific attribute or characteristic of a natural resource that—
  - (i) is in or forms part of the land or exists by virtue of the natural character of the land; or
  - (ii) relates to a historic place on or forming part of the land; but
- (b) does not include a pastoral farming activity.”<sup>100</sup>

**History:** Pastoral leases of Crown land were created since 1948 under the Land Act 1948.

**General description:** 175 high country pastoral leases in native tussock country, with two on the West Coast of the South Island at low altitudes among native forest.

**Statistics:** 177 pastoral lease properties comprising 1,331,043 hectares, of which about 70% is natural cover.

**Historical DOC 1997/current IUCN WDPA reported category:** Not reported.

**Bellingham et al classification:** Not assessed.

**Discussion:** Prohibitions on cropping, cultivating, draining or ploughing indigenous wetlands. General discretionary restraints on burning vegetation, affecting or disturbing soil, preservation of timber, and stock numbers.

**Uncertainty:** None.

**Rationale:** Primary purpose of the protection of natural values.

**Assessed IUCN category:** VI – Protected area with sustainable use of natural resources

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<sup>99</sup> Crown Pastoral Land Act 1998, section 1A.  
[https://www.legislation.govt.nz/act/public/1998/0065/latest/LMS785296.html?search=ts\\_act%40bill%40regulation%40deemedreg\\_crown+pastoral\\_resel\\_25\\_a&p=1](https://www.legislation.govt.nz/act/public/1998/0065/latest/LMS785296.html?search=ts_act%40bill%40regulation%40deemedreg_crown+pastoral_resel_25_a&p=1)

<sup>100</sup> Crown Pastoral Land Act 1998, section 2.  
[https://www.legislation.govt.nz/act/public/1998/0065/latest/DLM426899.html?search=ts\\_act%40bill%40regulation%40deemedreg\\_crown+pastoral\\_resel\\_25\\_a&p=1](https://www.legislation.govt.nz/act/public/1998/0065/latest/DLM426899.html?search=ts_act%40bill%40regulation%40deemedreg_crown+pastoral_resel_25_a&p=1)

## Private land protection

### Reserves Act 1977

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**New Zealand legal protection type:** Reserves Act 1977, section 76, Protected private land

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**Primary purpose(s):** Nature, scenic, historic or scientific purposes. Where the land possesses such qualities of natural, scientific, scenic, historic, cultural, archaeological, geological or other interest that its protection is desirable in the public interest.<sup>101</sup>

**History:** Areas created under the Reserves and Domains Act 1953 section 58 (scenic) and section 65 (historic). Subsequent areas created since 1980 under the Reserves Act 1977 section 76.

**General description:** Sites throughout the mainland.

**Statistics:** 96 DOC sites. DOC sites range in size from 0 hectares to 1,220 hectares (Hinewai Private Reserve).

**Historical DOC 1997/current IUCN WDPA reported category:** DOC 1997 IV – Habitat/species management area. Current WDPA IV – Habitat/species management area, only for private scenic reserves.

**Bellingham et al classification:** 4.

**Discussion:** Can only be classed as historic, scenic, nature and scientific reserves in section 75(2). Usually referred to as a private reserve and named in the form of 'Motumatai Private Scenic Reserve'.

**Uncertainty:** DOC data does not record the class of 'protected private land'. Protection may be limited by any agreement "reserving to the owner or lessee or his or her successors in title the right to do any act or thing forbidden by this Act" under section 76(3).

**Rationale:** Primary purpose of the protection of natural values.

**Assessed IUCN category:**

II – National park where:

- the contiguous extent of aggregated biodiversity protected areas exceeds 1,000 hectares in size
- on smaller islands, any contiguous biodiversity protected areas in aggregate comprise 75% of the island area or include most ecological processes.

III – Natural monument or feature where:

- a smaller natural monument and/or geopreservation site is the prime reason for the entire protected private land
  - a smaller geopreservation site is a portion of the protected private land.
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**New Zealand legal protection type:** Reserves Act 1977, section 77, Conservation covenants

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**Primary purpose(s):** Preserve the natural environment, or landscape amenity, or wildlife or freshwater-life or marine-life habitat, or historical value.<sup>102</sup>

**History:** Areas created since 1977 under the Reserves Act 1977 section 77.

**General description:** Many on the mainland, Stewart Island and the Chatham Islands.

**Statistics:** Unknown number of DOC sites within 908 DOC covenants under the Reserves Act 1977 and Conservation Act 1987. DOC sites range in size from 0 hectares to 12,471 hectares (Tapanui Forest Covenant 1).

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<sup>101</sup> Reserves Act 1977, section 76.

<https://www.legislation.govt.nz/act/public/1977/0066/latest/DLM444911.html>

<sup>102</sup> Reserves Act 1977, section 77.

<https://www.legislation.govt.nz/act/public/1977/0066/latest/DLM444912.html>

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**Historical DOC 1997/current IUCN WDPA reported category:** Both IV Habitat/species management area.

**Bellingham et al classification:** 4.

**Discussion:** Sometimes registered in tandem with a Conservation Act 1987 conservation covenant, and not recorded fully by DOC.

**Uncertainty:** None.

**Rationale:** Primary purpose of the protection of natural values.

**Assessed IUCN category:**

II – National park where:

- the contiguous extent of aggregated biodiversity protected areas exceeds 1,000 hectares in size
- on smaller islands, any contiguous biodiversity protected areas in aggregate comprise 75% of the island area or include most ecological processes.

III – Natural monument or feature where:

- a smaller natural monument and/or geopreservation site is the prime reason for the entire conservation covenant
  - a smaller geopreservation site is a portion of the conservation covenant.
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**New Zealand legal protection type:** Reserves Act 1977, section 77A, Nga Whenua Rahui kawenata

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**Primary purpose(s):** Preserve and protect the natural environment, landscape amenity, wildlife or freshwater-life or marine-life habitat, or historical value or the spiritual and cultural values that Māori associate with the land.<sup>103</sup>

**History:** Areas created since 1993 under the Reserves Act 1977 section 77A.

**General description:** A few on the mainland.

**Statistics:** Unknown number of DOC sites within seven DOC kawenata under the Reserves Act 1977 and Conservation Act 1987. DOC sites range in size from 2 hectares to 71 hectares.

**Historical DOC 1997/current IUCN WDPA reported category:** Not reported.

**Bellingham et al classification:** 3.

**Discussion:** None.

**Uncertainty:** None.

**Rationale:** Primary purpose of the protection of natural values.

**Assessed IUCN category:**

II – National park where:

- the contiguous extent of aggregated biodiversity protected areas exceeds 1,000 hectares in size
- on smaller islands, any contiguous biodiversity protected areas in aggregate comprise 75% of the island area or include most ecological processes.

III – Natural monument or feature where:

- a smaller natural monument and/or geopreservation site is the prime reason for the entire kawenata
  - a smaller geopreservation site is a portion of the kawenata.
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<sup>103</sup> Reserves Act 1977, section 77A.

<https://www.legislation.govt.nz/act/public/1977/0066/latest/DLM444916.html>

## Conservation Act 1987

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**New Zealand legal protection type:** Conservation Act 1987, section 27, Conservation covenants

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**Primary purpose(s):** For conservation purposes.<sup>104</sup> “Preservation and protection of natural and historic resources for the purpose of maintaining their intrinsic values, providing for their appreciation and recreational enjoyment by the public, and safeguarding the options of future generations” (section 2, Interpretation).<sup>105</sup>

**History:** Areas created since 1987 under the Conservation Act 1987 section 27.

**General description:** Many on the mainland, Stewart Island and Chatham Islands.

**Statistics:** Unknown number of DOC sites within 908 DOC covenants under the Reserves Act 1977 and Conservation Act 1987. DOC sites range in size from 0 hectares to 12,471 hectares (Tapanui Forest Covenant 1).

**Historical DOC 1997/current IUCN WDPA reported category:** Both IV – Habitat/species management area.

**Bellingham et al classification:** Not assessed.

**Discussion:** Sometimes registered in tandem with a Reserves Act conservation covenant, and not recorded fully by DOC.

**Uncertainty:** None.

**Rationale:** Primary purpose of the protection of natural values.

**Assessed IUCN category:**

II – National park where:

- the contiguous extent of aggregated biodiversity protected areas exceeds 1,000 hectares in size
- on smaller islands, any contiguous biodiversity protected areas in aggregate comprise 75% of the island area or include most ecological processes.

III – Natural monument or feature where:

- a smaller natural monument and/or geopreservation site is the prime reason for the entire conservation covenant
  - a smaller geopreservation site is a portion of the conservation covenant.
- 

**New Zealand legal protection type:** Conservation Act 1987, section 27A, Nga Whenua Rahui kawenata

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**Primary purpose(s):** Preserve and protect the natural and historic value, or the spiritual and cultural values that Māori associate with the land.<sup>106</sup>

**History:** Areas created since 1993 under the Conservation Act 1987 section 27A.

**General description:** A few on the mainland.

**Statistics:** Unknown number of DOC sites within seven DOC kawenata under the Reserves Act 1977 and Conservation Act 1987. DOC sites range in size from 2 hectares to 71 hectares.

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<sup>104</sup> Conservation Act 1987, section 27.

[https://www.legislation.govt.nz/act/public/1987/0065/latest/DLM106603.html?search=ts\\_act%40bill%40regulation%40deemedreg\\_conservation\\_resel\\_25\\_a&p=1](https://www.legislation.govt.nz/act/public/1987/0065/latest/DLM106603.html?search=ts_act%40bill%40regulation%40deemedreg_conservation_resel_25_a&p=1)

<sup>105</sup> Conservation Act 1987, section 2.

[https://www.legislation.govt.nz/act/public/1987/0065/latest/DLM103616.html?search=ts\\_act%40bill%40regulation%40deemedreg\\_conservation\\_resel\\_25\\_a&p=1](https://www.legislation.govt.nz/act/public/1987/0065/latest/DLM103616.html?search=ts_act%40bill%40regulation%40deemedreg_conservation_resel_25_a&p=1)

<sup>106</sup> Reserves Act 1977, section 77A.

<https://www.legislation.govt.nz/act/public/1977/0066/latest/DLM444916.html>

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**Historical DOC 1997/current IUCN WDPA reported category:** Not reported.

**Bellingham et al classification:** Not assessed.

**Discussion:** None.

**Uncertainty:** None.

**Rationale:** Primary purpose of the protection of natural values.

**Assessed IUCN category:**

II – National park where:

- the contiguous extent of aggregated biodiversity protected areas exceeds 1,000 hectares in size
- on smaller islands, any contiguous biodiversity protected areas in aggregate comprise 75% of the island area or include most ecological processes.

III – Natural monument or feature where:

- a smaller natural monument and/or geopreservation site is the prime reason for the entire kawenata
  - a smaller geopreservation site is a portion of the kawenata.
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**New Zealand legal protection type:** Conservation Act 1987, section 29, Management agreements

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**Primary purpose(s):** Conservation of any natural or historic resource.<sup>107</sup>

**History:** Areas created since 1987 under the Conservation Act 1987 section 29.

**General description:** One site near Timaru.

**Statistics:** 1 DOC site; 214 hectares.

**Historical DOC 1997/current IUCN WDPA reported category:** DOC 1997 IV – Habitat/species management area.

**Bellingham et al classification:** Not assessed.

**Discussion:** None.

**Uncertainty:** None.

**Rationale:** Primary purpose of the protection of natural values.

**Assessed IUCN category:**

II – National park where:

- the contiguous extent of aggregated biodiversity protected areas exceeds 1,000 hectares in size
- on smaller islands, any contiguous biodiversity protected areas in aggregate comprise 75% of the island area or include most ecological processes.

III – Natural monument or feature where:

- a smaller natural monument and/or geopreservation site is the prime reason for the entire kawenata
  - a smaller geopreservation site is a portion of the kawenata.
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<sup>107</sup> Conservation Act 1987, section 29.

[https://www.legislation.govt.nz/act/public/1987/0065/latest/DLM106612.html?search=ts\\_act%40bill%40regulation%40deemedreg\\_conservation\\_resel\\_25\\_a&p=1](https://www.legislation.govt.nz/act/public/1987/0065/latest/DLM106612.html?search=ts_act%40bill%40regulation%40deemedreg_conservation_resel_25_a&p=1)

## Queen Elizabeth the Second National Trust Act 1977

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**New Zealand legal protection type:** Queen Elizabeth the Second National Trust Act 1977, section 22, Open space covenant

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**Primary purpose(s):** Maintained as open space, subject to such terms and conditions as the Board and the owner or lessee may agree.<sup>108</sup>

**History:** Areas created since 1977 under the Queen Elizabeth the Second National Trust Act 1977 section 22.

**General description:** Sites throughout the mainland and Stewart Island.

**Statistics:** As at 2016 (the number will be greater now), 4,090 Queen Elizabeth the Second (QEII) sites. General QEII sites range in size from 0 hectares to 4,606 hectares. A contiguous group of 4 high country Crown pastoral lease sites in Central Otago comprise 51,931 hectares in aggregate.

**Historical DOC 1997/current IUCN WDPA reported category:** Current WDPA IV – Habitat/species management area.

**Bellingham et al classification:** 4.

**Discussion:** Open space usually with natural values.

**Uncertainty:** Primarily to protect open space. Covenant terms and conditions and duration are not known publicly. One covenant is known to be harvested for sustainable indigenous timber harvesting.<sup>109</sup> Others are farmland.

**Rationale:** No primary purpose of the protection of natural values.

**Assessed IUCN category:** None.

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## Non-governmental organisation owned land

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**NZ Legal Protection type:** Non-governmental organisation- (NGO-) owned land

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**Primary purpose(s):** Depends on the objectives of the NGO defined by statute, trust deed or incorporation.

**History:** NGOs have acquired land over many years as incorporated societies and trusts. The Queen Elizabeth the Second (QEII) National Trust has acquired land since 1977. Some NGO land areas are covenanted under various Acts, and so are also addressed elsewhere under the relevant protected area type.

**General description:** Unknown number of sites throughout New Zealand because many NGOs only own one property. Farmland, parkland, accommodation and native ecosystems.

**Statistics:** For those NGOs more likely to own land and protect nature in some way: New Zealand Native Forest Restoration Trust: owns 65 properties, Royal Forest & Bird Protection Society of New Zealand Inc: owns 52 properties, QEII National Trust: owns 30 properties, Maurice White Native Forest Trust Board: owns 13 properties.

**Historical DOC 1997/current IUCN WDPA reported category:** Current WDPA QEII IV – Habitat/species management area.

**Bellingham et al classification:** Not assessed.

**Discussion:** None.

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<sup>108</sup> Queen Elizabeth the Second National Trust Act 1977, section 22. [https://www.legislation.govt.nz/act/public/1977/0102/latest/DLM9005.html?search=ts\\_act%40bill%40regulation%40deemedreg\\_queen\\_resel\\_25\\_a&p=1](https://www.legislation.govt.nz/act/public/1977/0102/latest/DLM9005.html?search=ts_act%40bill%40regulation%40deemedreg_queen_resel_25_a&p=1)

<sup>109</sup> New Zealand Geographic, *Logger heads*, December 2024. <https://www.nzgeo.com/stories/logger-heads/>

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**Uncertainty:** Little information is available about the primary purposes of the NGOs, the primary purposes for which the land they own is managed, and whether it is protected in perpetuity.

**Rationale:** No information supporting a primary purpose of the protection of natural values in perpetuity.

**Assessed IUCN category:** None.

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## Waitutu Block Settlement Act 1997

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**New Zealand legal protection type:** Waitutu Block Settlement Act 1997, section 11, Covenant

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**Primary purpose(s):** "...contains virgin indigenous timber and other indigenous vegetation and wildlife, scenery of such distinctive quality, ecological systems, natural features so beautiful, unique or scientifically important that its preservation in perpetuity is in the interest of both the owners and the nation". "The Crown shall in accordance with the terms of this Deed of Covenant manage the Waitutu Block on behalf of the Incorporation to preserve its flora and fauna in perpetuity for its intrinsic worth and for the benefit use and enjoyment of the owners and as a consequence the public of New Zealand as if it were a national park held and administered under the [National Parks Act 1980](#) or any enactment in substitution therefor."<sup>110</sup>

**History:** Created in 1997 under the Waitutu Block Settlement Act 1997, section 11.<sup>111</sup> Protected from proposals to log indigenous timber by community action and government intervention, and compensation in 1996.

**General description:** Adjoins the ocean and the southern boundary of Fiordland National Park.

**Statistics:** 2,171 hectares.

**Historical DOC 1997/current IUCN WDPA reported category:** WDPA II – National park.

**Bellingham et al classification:** Not assessed.

**Discussion:** None.

**Uncertainty:** None.

**Rationale:** Primary purpose of the protection of natural values.

**Assessed IUCN category:**

II – National park.

III – Natural monument or feature where a smaller geopreservation site is a portion of the covenant.

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## Te Ture Whenua Maori Act 1993

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**New Zealand legal protection type:** Te Ture Whenua Maori Act 1993, section 338, Maori reservations

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**Primary purpose(s):** "A village site, marae, meeting place, recreation ground, sports ground, bathing place, church site, building site, burial ground, landing place, fishing ground, spring, well, timber reserve, catchment area or other source of water supply, or place of cultural, historical, or scenic interest, or for any other specified purpose; or that is a wahi tapu, being a place of special significance according to tikanga Maori."<sup>112</sup> The only readily apparent purposes that qualify as natural are 'scenic' and 'other specified purpose' of a natural type.

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<sup>110</sup> Waitutu Block Settlement Act 1997, schedule 2.

<https://www.legislation.govt.nz/act/public/1997/0084/latest/DLM413969.html>

<sup>111</sup> Waitutu Block Settlement Act 1997, section 11.

<https://www.legislation.govt.nz/act/public/1997/0084/latest/DLM413957.html>

<sup>112</sup> Te Ture Whenua Maori Act 1993, section 338.

[https://www.legislation.govt.nz/act/public/1993/0004/latest/DLM292880.html?search=ts\\_act%40bill%40regulation%40deemedreg\\_whenua\\_resel\\_25\\_a&p=1](https://www.legislation.govt.nz/act/public/1993/0004/latest/DLM292880.html?search=ts_act%40bill%40regulation%40deemedreg_whenua_resel_25_a&p=1)

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**History:** Formerly created under the Maori Affairs Act 1953 section 439 and other Acts as early as 1918, carried over by section 338(17). Created under the Te Ture Whenua Maori Act since 1993.

**General description:** May include natural values.

**Statistics:** About 2,000 Māori reservations exist, of which only about 72 have apparent nature protection purposes. Sites with nature protection purposes range in size from 1 hectare to 1,897 hectares (Mount Tarawera).

**Historical DOC 1997/current IUCN WDPA reported category:**

**Bellingham et al classification:** 1, 2, 3, 4.

**Discussion:** Usual legal protection type for urupa, marae, wahi tapu. Relevant natural value descriptors were found to be natural, wetland, scenic, conservation and environmental. Many Māori reservations were created under earlier legislation but appear to lack any specified purposes.

**Uncertainty:** Many gazettals do not include purposes in the parcel attributes. Some gazettals do not appear in the parcel data, for example, <https://gazette.govt.nz/notice/id/2001-ln8462>. The court can exclude land, revoke the reservation or redefine the purposes (section 338(5)).

**Rationale:** Uncertain perpetuity. Generally small areas not contiguous with larger natural areas.

**Assessed IUCN category:** None.

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## Treaty settlement Acts

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**New Zealand legal protection type:** Treaty settlement Act vested Crown land (including protected areas), as fee simple land that is now legally protected for nature in various ways that are administered by DOC.

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**Primary purpose(s):** As for the various legal protection types documented elsewhere in this report.

**History:** Created under more than 86 Treaty settlement Acts since about 1993.

**General description:** Generally natural values.

**Statistics:** The number of legally protected areas is unknown. They should all be in DOC records, but do not appear to be at present.

**Historical DOC 1997/current IUCN WDPA reported category:** Ruakituri Wilderness Area was included in the WDPA, but it may be the pre-Treaty settlement instance.

**Bellingham et al classification:** Not assessed.

**Discussion:** Known examples include the National Parks Act 1980 Ruakituri Wilderness Area, the National Parks Act 1980 status for Te Whaiti, the Reserves Act 1977 Tarawera Hot Springs site B Conservation Covenant.

**Uncertainty:** DOC public records appear lacking.

**Rationale:** Legally protected for natural values by Treaty settlement statutes in perpetuity.

**Assessed IUCN category:** Ia, Ib, II, III, IV as appropriate for the legal protection types documented elsewhere in this report.

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## Regulatory protection

### Wildlife Act 1953

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**New Zealand legal protection type:** Wildlife Act 1953, section 9, Wildlife sanctuaries

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**Primary purpose(s):** “An Act to consolidate and amend the law relating to the protection and control of wild animals and birds”<sup>113</sup>.

**History:** Areas created since 1953 under the Wildlife Act 1953 section 9.

**General description:** These usually apply to offshore islands that are Māori or privately owned.

**Statistics:** 13 DOC sites. DOC sites range in size from 0 hectares to 226 hectares (Mercury Island Group Wildlife Sanctuary).

**Historical DOC 1997/current IUCN WDPA reported category:** DOC 1997 Ia – Strict nature reserve. Current WDPA IV – Habitat/species management area.

**Bellingham et al classification:** 5.

**Discussion:** None.

**Uncertainty:** DOC does not record if entry by permit only is required.

**Rationale:** Primary purpose of the protection of natural values.

**Assessed IUCN category:**

Ia – Strict nature reserve – where entry by permit only is required and prohibitions or restrictions are in place to protect indigenous flora or fauna.

IV – Habitat/species management area.

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**New Zealand legal protection type:** Wildlife Act 1953, section 14, Wildlife refuges

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**Primary purpose(s):** “An Act to consolidate and amend the law relating to the protection and control of wild animals and birds”<sup>114</sup>.

**History:** Previous areas brought forward to the Wildlife Act 1953 (section 14(5)) “Every sanctuary constituted at the commencement of this Act by a warrant under section 6 of the Animals Protection and Game Act 1921–22 shall be deemed to be a wildlife refuge for the purposes of this Act”. Created since the Wildlife Act 1953.

**General description:** Many throughout the mainland.

**Statistics:** 78 DOC sites. DOC sites range in size from 0 hectares to 17,745 hectares (Tasman Islands Wildlife Refuge).

**Historical DOC 1997/current IUCN WDPA reported category:** Both IV – Habitat/species management area.

**Bellingham et al classification:** 4.

**Discussion:** Generally “it shall not be lawful for any person ... to hunt or kill for any purpose, or molest, capture, disturb, harry, or worry any wildlife in the wildlife refuge, or to take, destroy, or disturb the nests, eggs, or spawn of any such wildlife, or for any person to bring onto the wildlife refuge or have in his possession or discharge in the wildlife refuge any firearm or explosive, or have in his possession or control in the wildlife refuge any dog or cat, or to do anything likely to cause any wildlife to leave the wildlife refuge” (section 14(3)). May restrict the use of boats.

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<sup>113</sup> Wildlife Act 1953, Title.

[https://www.legislation.govt.nz/act/public/1953/0031/latest/whole.html?search=ts\\_act%40bill%40regulation%40deemedreg\\_wildlife\\_resel\\_25\\_a&p=1#DLM276816](https://www.legislation.govt.nz/act/public/1953/0031/latest/whole.html?search=ts_act%40bill%40regulation%40deemedreg_wildlife_resel_25_a&p=1#DLM276816)

<sup>114</sup> Wildlife Act 1953, Title.

[https://www.legislation.govt.nz/act/public/1953/0031/latest/whole.html?search=ts\\_act%40bill%40regulation%40deemedreg\\_wildlife\\_resel\\_25\\_a&p=1#DLM276816](https://www.legislation.govt.nz/act/public/1953/0031/latest/whole.html?search=ts_act%40bill%40regulation%40deemedreg_wildlife_resel_25_a&p=1#DLM276816)

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**Uncertainty:** Often created to protect exotic waterfowl during the duck-shooting season. Two areas are sewage ponds, one is a golf course, one is a scout camp and one is over a saltworks. None have been created since 2010.

**Rationale:** Primary purpose of the protection of natural values.

**Assessed IUCN category:** IV – Habitat/species management area where indigenous habitat/species are the priority.

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**New Zealand legal protection type:** Wildlife Act 1953, section 14A, Wildlife management reserves

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**Primary purpose(s):** “An Act to consolidate and amend the law relating to the protection and control of wild animals and birds”<sup>115</sup>.

**History:** Created since the Wildlife Act 1953.

**General description:** None.

**Statistics:** 1 DOC site; 2,080 hectares Westhaven (Whanganui Inlet) Wildlife Management Reserve.

**Historical DOC 1997/current IUCN WDPA reported category:** DOC 1997 IV – Habitat/species management area (referred to as wildlife management areas under the Wildlife Act 1953).

**Bellingham et al classification:** 3.

**Discussion:** None.

**Uncertainty:** Should not be confused with Reserves Act 1977 government or local purpose wildlife reserves.

**Rationale:** Primary purpose of the protection of natural values.

**Assessed IUCN category:** IV – Habitat/species management area.

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## Resource Management Act 1991

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**New Zealand legal protection type:** Resource Management Act 1991, section 199, Water conservation orders

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**Primary purpose(s):** Recognise and sustain outstanding amenity or intrinsic values that are afforded by waters in their natural state or no longer in their natural state. May provide for any of:

- “the preservation as far as possible in its natural state of any water body that is considered outstanding
  - the protection of characteristics which any water body has or contributes to, and which are considered to be outstanding–
    - as a habitat for terrestrial or aquatic organisms:
    - as a fishery:
    - for its wild, scenic, or other characteristics:
    - for scientific and ecological values:
    - for recreational, historical, spiritual, or cultural purposes:
  - the protection of characteristics which any water body has or contributes to, and which are considered to be of outstanding significance in accordance with tikanga Maori”.<sup>116</sup>
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<sup>115</sup> Wildlife Act 1953, Title.

[https://www.legislation.govt.nz/act/public/1953/0031/latest/whole.html?search=ts\\_act%40bill%40regulation%40deemedreg\\_wildlife\\_resel\\_25\\_a&p=1#DLM276816](https://www.legislation.govt.nz/act/public/1953/0031/latest/whole.html?search=ts_act%40bill%40regulation%40deemedreg_wildlife_resel_25_a&p=1#DLM276816)

<sup>116</sup> Resource Management Act 1991, section 199.

[https://www.legislation.govt.nz/act/public/1991/0069/latest/DLM236752.html?search=ts\\_act%40bill%40regulation%40deemedreg\\_resource\\_resel\\_25\\_a&p=1](https://www.legislation.govt.nz/act/public/1991/0069/latest/DLM236752.html?search=ts_act%40bill%40regulation%40deemedreg_resource_resel_25_a&p=1)

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Fishery tends to include exotic fish species. The “scientific and ecological values” characteristics are important to which water conservation order is protecting natural values.

**History:** Created since 1981 and an amendment to the Water and Soil Conservation Act 1967 by the Water and Soil Amendment Act 1981. The new title of the Act included “the preservation and protection of the wild, scenic, and other natural characteristics of rivers, streams, and lakes”. Subsequently, existing water conservation orders were adopted by the Resource Management Act 1991. Created since 1991 under the Resource Management Act 1991 section 199.

**General description:** Outstanding lakes, rivers and springs throughout the mainland.

**Statistics:** 16 water conservation orders; 13 rivers, 2 lakes and 1 spring.

**Historical DOC 1997/current IUCN WDPA reported category:** Not reported.

**Bellingham et al classification:** 5.

**Discussion:** Limited regulation of activities that have a significant adverse effect on outstanding water bodies, for example, water take, water damming, water levels, water flows, fish passage, pollution.

**Uncertainty:** No national data for their geographical determination and outstanding values.

**Rationale:** Primary purpose of the protection of natural values.

**Assessed IUCN category:** IV – Habitat/species management area.

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**New Zealand legal protection type:** Resource Management Act 1991, section 221, Consent notice

**Primary purpose(s):** Subdivision consent condition to be complied with on a continuing basis.<sup>117</sup>

**History:** Created since the Resource Management Act 1991. Recorded on titles.

**General description:** Many consent notices where subdivisions have occurred since 1991.

**Statistics:** Unknown number of title consent notices nationally. Some may protect natural values.

**Historical DOC 1997/current IUCN WDPA reported category:** Not reported.

**Bellingham et al classification:** 2.

**Discussion:** None.

**Uncertainty:** No data readily available on all consent notices and their purposes, conditions and duration. Can be varied or cancelled by a council.

**Rationale:** No primary purpose of the protection of natural values.

**Assessed IUCN category:** None.

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**New Zealand legal protection type:** Resource Management Act 1991, section 229, Esplanade strip

**Primary purpose(s):** Has or “contribute to the protection of conservation values by, in particular,—

- (i) maintaining or enhancing the natural functioning of the adjacent sea, river, or lake; or
- (ii) maintaining or enhancing water quality; or
- (iii) maintaining or enhancing aquatic habitats; or
- (iv) protecting the natural values associated with the esplanade reserve or esplanade strip”.<sup>118</sup>

**History:** Created since the Resource Management Act 1991. Created on subdivision by council requirement or agreement.

**General description:** Sites throughout the mainland.

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<sup>117</sup> Resource Management Act 1991, section 221.  
[https://www.legislation.govt.nz/act/public/1991/0069/latest/DLM237203.html?search=ts\\_act%40bill%40regulation%40deemedreg\\_resource\\_resele\\_25\\_a&p=1](https://www.legislation.govt.nz/act/public/1991/0069/latest/DLM237203.html?search=ts_act%40bill%40regulation%40deemedreg_resource_resele_25_a&p=1)

<sup>118</sup> Resource Management Act 1991, section 229.  
<https://www.legislation.govt.nz/act/public/1991/0069/latest/DLM237253.html>

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**Statistics:** 2,875 sites. Sites range in size from 0 hectares to 12 hectares.<sup>119</sup>

**Historical DOC 1997/current IUCN WDPA reported category:** Not reported.

**Bellingham et al classification:** 2.

**Discussion:** Protected upon subdivision or by agreement with the landowner.

**Uncertainty:** No data readily available on all esplanade strips. Can be varied or cancelled by a council. Not all esplanade strips are defined in LINZ non-primary parcel data.

**Rationale:** May include a primary purpose of the protection of natural values.

**Assessed IUCN category:** As appropriate to the core areas that have particular outstanding natural values.

II – National park where:

- the contiguous extent of aggregated biodiversity protected areas exceeds 1,000 hectares in size
- on smaller islands, any contiguous biodiversity protected areas in aggregate comprise 75% of the island area or include most ecological processes.

III – Natural monument or feature where:

- a smaller natural monument and/or geopreservation site is the prime reason for the entire esplanade strip
- a smaller geopreservation site is a portion of the esplanade strip.

IV – Habitat/species management area.

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**New Zealand legal protection type:** Resource Management Act 1991, section 6(c), Significant natural areas

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**Primary purpose(s):** Identification of areas that safeguard the life-supporting capacity of ecosystems (section 5), comprising areas of significant indigenous vegetation and significant habitats of indigenous fauna as a matter of national importance.<sup>120</sup>

**History:** Created since the Resource Management Act 1991. Recorded in district plans.

**General description:** Significant areas of indigenous flora and/or habitat of significant fauna as recognised in regional and district plans, and more recently as required to have legal effect by the National Policy Statement on Indigenous Biodiversity and its specific instructions for identifying and applying them.<sup>121, 122</sup>

**Statistics:** Unknown number of significant natural areas nationally.

**Historical DOC 1997/current IUCN WDPA reported category:** Not reported.

**Bellingham et al classification:** Not assessed.

**Discussion:** May be used by regional and district plan rules to limit some harmful activities.

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<sup>119</sup> Walking Access Esplanade Strips (accessed 17 March 2025).

<https://catalogue.data.govt.nz/dataset/esplanade-strips/resource/867b5634-6c9d-4081-8259-acbb864d499f>

<sup>120</sup> Resource Management Act 1991, section 6(c).

[https://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231907.html?search=qs\\_act%40bill%40regulation%40deemedreg\\_resource\\_resele\\_25\\_h&p=1](https://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231907.html?search=qs_act%40bill%40regulation%40deemedreg_resource_resele_25_h&p=1)

<sup>121</sup> Maseyk FJF, Gerbeaux P (2015) Advances in the identification and assessment of ecologically significant habitats in two areas of contrasting biodiversity loss in New Zealand, 2014, *New Zealand Journal Ecology* 39(1): 116–127. <https://newzealandecology.org/nzje/3210.pdf>

<sup>122</sup> National Policy Statement for Indigenous Biodiversity 2023.

<https://environment.govt.nz/assets/publications/NPSIB-amended-october-2024.pdf>

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**Uncertainty:** Variable geographical extent definition, identification standards, information and regulation by councils. Can be varied or cancelled by a council. Legislation and practice are under review by the current government.<sup>123</sup>

**Rationale:** While the areas are identified as having significant natural values, the identification does not constitute legal protection of nature, regardless of the values present.

**Assessed IUCN category:** None.

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## Fisheries Act 1983

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**New Zealand legal protection type:** Freshwater Fisheries Regulation 1983, section 68, Faunistic reserves

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**Primary purpose(s):** “In respect of any water or waters declared to be a faunistic reserve, in addition to restrictions on the transfer to and release into waters of fish and other forms of aquatic life imposed by these regulations, a person must not—

- (a) take, injure, or kill any fish or any form of live aquatic mollusca, crustacea, protozoa, insecta, or worms; or
- (b) be in possession of any fish or any form of aquatic mollusca, crustacea, protozoa, insecta, or worms taken from that water; or
- (c) introduce or plant any form of aquatic plant.”<sup>124</sup>

**History:** Formerly the Freshwater Fisheries Regulations 1951. Created since the Freshwater Fisheries Regulation 1983.

**General description:** Freshwater ecosystems with no introduced fish.

**Statistics:** 3 lakes: Lake Chalice, Lake Christabel, Lake Marion.<sup>125, 126, 127</sup> DOC NaPALIS data only show two instances, lakes Chalice and Christabel.

**Historical DOC 1997/current IUCN WDPA reported category:** Not reported.

**Bellingham et al classification:** Not assessed.

**Discussion:** None.

**Uncertainty:** DOC NaPALIS data only show two instances, lakes Chalice and Christabel.

**Rationale:** Primary purpose of the protection of natural values.

**Assessed IUCN category:** IV – Habitat/species management area.

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<sup>123</sup> New Zealand Government, Associate Environment Minister Hoggard, 2024. Significant Natural Areas requirement to be suspended. <https://www.beehive.govt.nz/release/significant-natural-areas-requirement-be-suspended>

<sup>124</sup> Freshwater Fisheries Regulation 1983, section 68(2). <https://www.legislation.govt.nz/regulation/public/1983/0277/latest/DLM93727.html>

<sup>125</sup> Chadderton WL, Brown DJ, Stephens RT (2004) *Identifying freshwater ecosystems of national importance for biodiversity: Criteria, methods, and candidate list of nationally important rivers*. Department of Conservation: Wellington. Page 76. <https://www.doc.govt.nz/globalassets/documents/science-and-technical/wonid.pdf>

<sup>126</sup> Department of Conservation (No date) *West Coast Te Tai o Poutini Conservation Management Strategy Volume II 2010–2020*. Department of Conservation, West Coast Tai Poutini Conservancy: Hokitika. Page 127. <https://www.doc.govt.nz/globalassets/documents/about-doc/role/policies-and-plans/west-coast-cms-2010/westcoast-cms-vol2.pdf>

<sup>127</sup> Cromarty P, Scott DA (1996) *A Directory of Wetlands in New Zealand*. Department of Conservation, International Waterfowl and Wetlands Research Bureau, and International Union for Conservation of Nature and Natural Resources Ramsar Convention Bureau. Department of Conservation: Wellington. Page 218. <https://www.doc.govt.nz/globalassets/documents/science-and-technical/nzwetlands11.pdf>

## Hauraki Gulf Marine Park Act 2000

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**New Zealand legal protection type:** Hauraki Gulf Marine Park Act 2000

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**Primary purpose(s):** “The purposes of the Hauraki Gulf Marine Park are—

- (a) to recognise and protect in perpetuity the international and national significance of the land and the natural and historic resources within the Park:
- (b) to protect in perpetuity and for the benefit, use, and enjoyment of the people and communities of the Gulf and New Zealand, the natural and historic resources of the Park including scenery, ecological systems, or natural features that are so beautiful, unique, or scientifically important to be of national significance, for their intrinsic worth:
- (c) to recognise and have particular regard to the historic, traditional, cultural, and spiritual relationship of tangata whenua with the Hauraki Gulf, its islands and coastal areas, and the natural and historic resources of the Park:
- (d) to sustain the life-supporting capacity of the soil, air, water, and ecosystems of the Gulf in the Park.”<sup>128</sup>

**History:** Created in 2000, building on the earlier establishment of the Hauraki Gulf Maritime Park in 1967.

**General description:** The land component includes agreed DOC- and council-managed protected areas, and the integrated management of the catchments draining into the Hauraki Gulf.

**Statistics:** 1.2 million hectares; 50 islands.<sup>129</sup>

**Historical DOC 1997/current IUCN WDPA reported category:** Not reported.

**Bellingham et al classification:** Not assessed.

**Discussion:** Integrated management of the Hauraki Gulf, its islands and catchments.

**Uncertainty:** None.

**Rationale:** Primary purpose of the protection of natural values.

**Assessed IUCN category:** V – Protected landscape/seascape where a protected area.

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## Lake Wanaka Preservation Act 1973

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**New Zealand legal protection type:** Lake Wanaka Preservation Act 1973

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**Primary purpose(s):** “The purposes of this Act are—

- (a) to prevent the water in the body of the lake from being impounded or controlled by, or, as far as possible, obstructed by, any works except in an emergency:
- (b) to prevent the natural rate of flow of lake water between the outlet of the lake which forms the source of the Clutha River and the confluence of that river and the Cardrona River from being varied or controlled by any works except in an emergency:
- (c) to preserve, as far as possible, the water levels of the lake and its shoreline in their natural state:
- (d) to maintain and, as far as possible, to improve the quality of water in the lake.”<sup>130</sup>

**History:** Created in 1973, after proposals to dam the lake outlet, raise and vary lake levels, and vary the natural rate of flow of lake water into the Clutha River.

**General description:** Protection of Lake Wanaka and its water quality, and the Clutha River and its natural flow downstream to its confluence with the Cardrona River.

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<sup>128</sup> Hauraki Gulf Marine Park Act 2000, section 32.

<https://www.legislation.govt.nz/act/public/2000/0001/latest/DLM53173.html>

<sup>129</sup> Hauraki Gulf Marine Park/Ko te Pataka kai o Tikapa Moana Te Moananui a Toi.

<https://www.doc.govt.nz/haurakigulfmarinepark>

<sup>130</sup> Lake Wanaka Preservation Act 1973, section 4.

[https://www.legislation.govt.nz/act/public/1973/0107/latest/DLM411146.html?search=ts\\_act%40bill%40regulation%40deemedreg\\_wanaka\\_resel\\_25\\_a&p=1](https://www.legislation.govt.nz/act/public/1973/0107/latest/DLM411146.html?search=ts_act%40bill%40regulation%40deemedreg_wanaka_resel_25_a&p=1)

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**Statistics:** None.

**Historical DOC 1997/current IUCN WDPA reported category:** Not reported.

**Bellingham et al classification:** Not assessed.

**Discussion:** None.

**Uncertainty:** None.

**Rationale:** Primary purpose of the protection of natural values of lake levels, shorelines, water quality and river flows.

**Assessed IUCN category:** IV – Habitat/species management area, where a protected area.

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## Manapouri – Te Anau Development Act 1963

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**New Zealand legal protection type:** Manapouri – Te Anau Development Act 1963 (lakes Manapouri and Te Anau)

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**Primary purpose(s):** “The Minister shall from time to time promulgate, by notice in the *Gazette*, operating guidelines, based on recommendations submitted to him or her by the Guardians of Lakes Manapouri and Te Anau and the corporation, for the levels of those lakes aimed to protect the existing patterns, ecological stability, and recreational values of their vulnerable shorelines and to optimise the energy output of the Manapouri power station.”<sup>131</sup>

**History:** Created in 1963, after proposals to raise and vary lake levels.

**General description:** Protection of shorelines for lakes Manapouri and Te Anau from the effects of hydroelectricity generation on lake levels and their variation.

**Statistics:** None.

**Historical DOC 1997/current IUCN WDPA reported category:** Not reported.

**Bellingham et al classification:** Not assessed.

**Discussion:** None.

**Uncertainty:** The shorelines are part of Fiordland National Park.

**Rationale:** Primary purpose of the protection of natural values of vulnerable shorelines.

**Assessed IUCN category:** IV – Habitat/species management area where a protected area

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## Marine Mammals Protection Act 1978

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**New Zealand legal protection type:** Marine Mammals Protection Act 1978, section 22, Marine mammal sanctuary – land portion

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**Primary purpose(s):** “An Act to make provision for the protection, conservation, and management of marine mammals within New Zealand and within New Zealand fisheries waters.”<sup>132</sup>

**History:** Created since 1978.

**General description:** Protection of marine mammals in specific places.

**Statistics:** DOC 1 land portion on the Auckland Islands.

**Historical DOC 1997/current IUCN WDPA reported category:** DOC 1997 – 1a Strict nature reserve.

**Bellingham et al classification:** Not assessed.

**Discussion:** None.

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<sup>131</sup> Manapouri – Te Anau Development Act 1963, section 4A(1).  
<https://www.legislation.govt.nz/act/public/1963/0023/latest/whole.html#DLM348242>

<sup>132</sup> Marine Mammals Protection Act 1978, Title.  
[https://www.legislation.govt.nz/act/public/1978/0080/latest/DLM25111.html?search=ts\\_act%40bil%40regulation%40deemedreg\\_mammal\\_resel\\_25\\_a&p=1#DLM25113](https://www.legislation.govt.nz/act/public/1978/0080/latest/DLM25111.html?search=ts_act%40bil%40regulation%40deemedreg_mammal_resel_25_a&p=1#DLM25113)

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**Uncertainty:** None.

**Rationale:** Primary purpose of the protection of marine mammals at a specified place.

**Assessed IUCN category:** IV – Habitat/species management area where a protected area.

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## Personhood protected areas

Personhood has been created for several natural areas under specific Treaty settlement Acts.

While personhood legal status does not legally protect natural values, the Acts that create the personhood status specify purposes for which the personhood area is managed. Some of these purposes include protection of natural values.

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**New Zealand legal protection type:** Te Urewera Act 2014, section 11, Te Urewera declared to be a legal entity

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**Primary purpose(s):** Includes “Preserve as far as possible the natural features and beauty of Te Urewera, the integrity of its indigenous ecological systems and biodiversity, and its historical and cultural heritage”.<sup>133</sup>

**History:** Previously, mostly Te Urewera National Park under the National Parks Act 1980. Created in 2014 by the Te Urewera Act 2014.

**General description:** Much of the Te Urewera ranges.

**Statistics:** 208,671 hectares.

**Historical DOC 1997/current IUCN WDPA reported category:** Current WDPA VI – Protected area with sustainable use of natural resources.

**Bellingham et al classification:** Not assessed.

**Discussion:** One portion is retained as a wilderness area under the National Parks Act 1980.

**Uncertainty:** Dependent on ongoing agreement between the Crown and Te Urewera Board as to what constitutes protection of natural values and the level of resourcing available.

**Rationale:** Primary purpose of the protection of natural values.

**Assessed IUCN category:** II – National park

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**New Zealand legal protection type:** Te Awa Tupua (Whanganui River Claims Settlement) Act 2017, section 14, Te Awa Tapu

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**Primary purpose(s):** A function of Te Pou Tupua, the human face of Te Awa Tupua, is to “Protect the health and well-being of Te Awa Tupua”.<sup>134</sup>

**History:** Created in 2017 by the Te Awa Tupua (Whanganui River Claims Settlement) Act 2017.

**General description:** Whanganui River from the mountains to the sea. Whanganui River includes all tributaries, streams, other watercourses, lakes, wetlands and all their beds. Some portions were national park, conservation area and reserve, and their status was restored after vesting of the fee simple estate of parts of the bed of the Whanganui River.

**Statistics:** None.

**Historical DOC 1997/current IUCN WDPA reported category:** Not reported.

**Bellingham et al classification:** Not assessed.

**Discussion:** The extent of the water bodies and their beds is extensive.

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<sup>133</sup> Te Urewera Act 2014, section 4.

<https://www.legislation.govt.nz/act/public/2014/0051/latest/DLM6183610.html>

<sup>134</sup> Te Awa Tupua (Whanganui River Claims Settlement) Act 2017, section 19(1)(c).

<https://www.legislation.govt.nz/act/public/2017/0007/latest/DLM6831469.html>

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**Uncertainty:** None.

**Rationale:** Primary purpose of the protection of natural values.

**Assessed IUCN category:** II – National park.

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**New Zealand legal protection type:** Te Ture Whakatupua mō Te Kāhui Tupua 2025/Taranaki Maunga Collective Redress Act 2025, section 18, Te Kāhui Tupua

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**Primary purpose(s):** A function of Te Tōpuni Kōkōrangī, the human face of Te Kāhui Tupua, is to “Uphold and promote the health, well-being, and interests of Te Kāhui Tupua”.<sup>135</sup>

**History:** Created by the Te Ture Whakatupua mō Te Kāhui Tupua 2025/Taranaki Maunga Collective Redress Act 2025.

**General description:** Taranaki Maunga was a national park, and this status was restored after vesting of the fee simple estate of the National Park. Provision exists to establish a specially protected area within Te Papa-Kura-o-Taranaki by agreement with a national park management plan, called He Kawa Ora, or with Te Tōpuni Kōkōrangī, if He Kawa Ora does not provide for the specially protected area.<sup>136</sup>

**Statistics:** 34,094 hectares.

**Historical DOC 1997/current IUCN WDPA reported category:** Not reported.

**Bellingham et al classification:** Not assessed.

**Discussion:** None.

**Uncertainty:** None.

**Rationale:** Primary purpose of the protection of natural values.

**Assessed IUCN category:** II – National park.

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<sup>135</sup> Te Ture Whakatupua mō Te Kāhui Tupua 2025/Taranaki Maunga Collective Redress Act 2025, section 29(b).  
[https://www.legislation.govt.nz/act/public/2025/0001/latest/LMS899660.html?search=ts\\_act%40bill%40regulation%40deemedreg\\_Taranaki+Maunga.\\_resel\\_25\\_a&p=1](https://www.legislation.govt.nz/act/public/2025/0001/latest/LMS899660.html?search=ts_act%40bill%40regulation%40deemedreg_Taranaki+Maunga._resel_25_a&p=1)

<sup>136</sup> Te Ture Whakatupua mō Te Kāhui Tupua 2025/Taranaki Maunga Collective Redress Act 2025, section 108.  
[https://www.legislation.govt.nz/act/public/2025/0001/latest/LMS899791.html?search=sw\\_096be8ed81ef9477\\_specially\\_25\\_se&p=1&sr=2](https://www.legislation.govt.nz/act/public/2025/0001/latest/LMS899791.html?search=sw_096be8ed81ef9477_specially_25_se&p=1&sr=2)

# IUCN category protected areas reporting challenges and recommended improvements

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## Challenges in categorisation

While cross-referencing appears to follow simple rules and has been the historic approach, the detail confounds such an approach.

All legally protected areas need to be looked at on their merits, resulting in general rules with qualifications or exceptions that often require additional information or detailed investigation. Experience and a good grounding in legislation and ecology are required to make judgements about primary purpose, perpetuity and size thresholds.

The detailed assessment resulted in some protected areas being discontinued from an IUCN category, namely smaller IUCN Category II reserves (such as Reserves Act 1977 scenic reserves) and other protected area types not on offshore islands, and Reserves Act 1977 section 19(1)(b) scenic reserves.

It was difficult to source complete information on natural monuments and features. While geopreservation sites nationally are robustly documented and geographically defined, information on smaller natural monuments and features with other values is lacking. This is particularly so in the Resource Management Act 1991 space regarding outstanding natural feature assessments.

The major gap identified is the treatment of thriving freshwater ecosystems and their margins, where the linear nature and small area size do not sit well with the IUCN categories. No particular recognition is made of the water bodies in lakes, rivers, streams and wetlands. It is further compounded by the lack of New Zealand legal protection for most freshwater ecosystems and their beds, other than in some larger protected areas.

A related gap is the treatment of the margins of the ocean, again, where the linear nature and small area size do not sit well with the IUCN categories, even though they are a vital part of the ecological continuum that the coastal environment encompasses.

## Recommendations for information optimisation improvement

To improve the extent of existing protected areas reported to the IUCN, it is recommended the following open data information optimisation improvements be promptly undertaken.

1. DOC documents all marginal strips (fixed) in its open data.
2. DOC documents all marginal strips (movable) in its open data.
3. DOC documents all Reserves Act 1977 protected private land purposes and reserved rights in the conservation covenants open data.

4. DOC integrates all non-DOC-managed reserves into its public conservation land open data and NaPALIS because they fall under an Act that they administer, particularly scenic reserves, nature reserves and local and government purpose reserves.
5. DOC documents the primary purpose(s) of all National Parks Act 1980 section 12 specially protected areas.
6. DOC records the emphasis of all scientific reserves.
7. DOC includes all 'overlying' protected areas (eg, ecological and wilderness areas) in its public conservation land open data.
8. DOC records the held value purpose of ecological areas.
9. DOC assesses if any historic reserves have a focus on a natural feature.
10. LINZ documents all Māori reservation purposes in Landonline – Parcel – Statutory Action.
11. MfE geographically documents all water conservation order extents and their outstanding values nationally.
12. The New Zealand Geopreservation Inventory is published as open data.

## Recommendations for OECM reporting

To report fully all OECMs to the IUCN, the following actions are required:

1. cross-referencing conservation measures in New Zealand with the United Nations Other Effective Area-based Conservation Measures framework using the IUCN Guidance<sup>137</sup>
2. gathering any missing conservation measure information required to complete a national assessment
3. reporting all OECMs to the UNEP-WCMC.

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<sup>137</sup> Jonas HD, Wood P, Woodley S (Vol Eds) (2024) *Guidance on other effective area-based conservation measures (OECMs)*. IUCN WCPA Good Practice Series No. 36. IUCN: Gland, Switzerland.  
<https://portals.iucn.org/library/sites/library/files/documents/GPG-036-En.pdf>

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# Appendices

## Appendix 1: IUCN protected area definition

“A protected area is a clearly defined geographical space, recognised, dedicated and managed, through legal or other effective means, to achieve the long term conservation of nature with associated ecosystem services and cultural values (IUCN Definition 2008).”<sup>138</sup>

**Table 6. IUCN protected area definition phrase explanations<sup>139</sup>**

| Phrase                             | Explanation   | Examples and further details   |
|------------------------------------|---|--|
| Clearly defined geographical space | Includes land, inland water, marine and coastal areas or a combination of two or more of these. “Space” has three dimensions, e.g., as when the airspace above a protected area is protected from low-flying aircraft or in marine protected areas when a certain water depth is protected or the seabed is protected but water above is not: <ul style="list-style-type: none"> <li>• conversely subsurface areas sometimes are <i>not</i> protected (e.g., are open for mining). “Clearly defined” implies a spatially defined area with agreed and demarcated borders. These borders can sometimes be defined by physical features that move over time (e.g., river banks) or by management actions (e.g., agreed no-take zones).</li> </ul> | <b>Wolong Nature Reserve</b> in China (category Ia, terrestrial); <b>Lake Malawi National Park</b> in Malawi (category II, mainly freshwater); <b>Masinloc and Oyon Bay Marine Reserve</b> in the Philippines (category Ia, mainly marine) are examples of areas in very different biomes but all are protected areas. |
| Recognised                         | Implies that protection can include a range of governance types declared by people as well as those identified by the state, but that such sites should be recognised in some way (in particular through listing on the World Database on Protected Areas – WDPA).  | <b>Anindilyakwa Indigenous Protected Area</b> (IPA) was self-declared by aboriginal communities in the Groote Eylandt peninsula, one of many self-declared IPAs recognised by the government.  |
| Dedicated                          | Implies specific binding commitment to conservation in the long term, through e.g.: <ul style="list-style-type: none"> <li>• International conventions and agreements</li> <li>• National, provincial and local law</li> <li>• Customary law</li> <li>• Covenants of NGOs</li> <li>• Private trusts and company policies</li> <li>• Certification schemes.</li> </ul>   | Cradle Mountain – <b>Lake St Clair National Park</b> in Tasmania, Australia (category II, state); <b>Nabanka Fish Sanctuary</b> in the Philippines (community conserved area); <b>Port Susan Bay Preserve</b> in Washington, USA (private) are all protected areas, but their legal structure differs considerably.    |

<sup>138</sup> Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services. Policy instrument – Protected areas. <https://www.ipbes.net/policy-support/tools-instruments/protected-areas>

<sup>139</sup> Table 1 from Dudley, N (Ed) (2008) *Guidelines for Applying Protected Area Management Categories*. Page 8. <https://portals.iucn.org/library/sites/library/files/documents/PAG-021.pdf>

| Phrase                         | Explanation   | Examples and further details   |
|--------------------------------|---|--|
| Managed                        | Assumes some active steps to conserve the natural (and possibly other) values for which the protected area was established; note that “managed” can include a decision to leave the area untouched if this is the best conservation strategy.   | Many options are possible. For instance <i>Kaziranga National Park</i> in India (category II) is managed mainly through poaching controls and removal of invasive species; islands in the <b>Archipelago National Park</b> in Finland are managed using traditional farming methods to maintain species associated with meadows.                                       |
| Legal or other effective means | Means that protected areas must either be gazetted (that is, recognised under statutory civil law), recognised through an international convention or agreement, or else managed through other effective but non-gazetted means, such as through recognised traditional rules under which community conserved areas operate or the policies of established non-governmental organizations.  | <b>Flinders Range National Park</b> in Australia is managed by the state authority of South Australia; <b>Attenborough Nature Reserve</b> in the UK is managed by the county Nottinghamshire Wildlife Trust in association with the gravel company that owns the site; and the <b>Alto Fragua Indiwasi National Park</b> in Colombia is managed by the Ingano peoples. |
| ... to achieve                 | Implies some level of effectiveness – a new element that was not present in the 1994 definition but which has been strongly requested by many protected area managers and others. Although the category will still be determined by objective, management effectiveness will progressively be recorded on the World Database on Protected Areas and over time will become an important contributory criterion in identification and recognition of protected areas. | The <b>Convention on Biological Diversity</b> is asking Parties to carry out management effectiveness assessments.   |
| Long-term                      | Protected areas should be managed in perpetuity and not as a short-term or temporary management strategy.   | Temporary measures, such as short-term grant-funded agricultural set-asides, rotations in commercial forest management or temporary fishing protection zones are not protected areas as recognised by IUCN.  |
| Conservation                   | In the context of this definition conservation refers to the <i>in-situ</i> maintenance of ecosystems and natural and seminatural habitats and of viable populations of species in their natural surroundings and, in the case of domesticated or cultivated species (see definition of agrobiodiversity in the Appendix), in the surroundings where they have developed their distinctive properties.  | <b>Yellowstone National Park</b> in the United States (category II) has conservation aims focused in particular on maintaining viable populations of bears and wolves but with wider aims of preserving the entire functioning ecosystem.  |
| Nature                         | In this context nature <i>always</i> refers to biodiversity, at genetic, species and ecosystem level, and often <i>also</i> refers to geodiversity, landform and broader natural values.  | <b>Bwindi Impenetrable Forest National Park</b> in Uganda (category II) is managed primarily to protect natural mountain forests and particularly the mountain gorilla. The <b>Island of Rum National Nature Reserve</b> in Scotland (category IV) was set up to protect unique geological features.   |
| Associated ecosystem services  | Means here ecosystem services that are related to but do not interfere with the aim of nature conservation. These can include provisioning services such as food and water; regulating services such as regulation of floods, drought,  | Many protected areas also supply ecosystem services: e.g., <b>Gunung Gede National Park</b> in Java, Indonesia (category II) helps supply fresh water to Jakarta; and the <b>Sundarbans National Park</b> in   |

| Phrase          | Explanation  | Examples and further details  |
|-----------------|--|---|
|                 | land degradation, and disease; supporting services such as soil formation and nutrient cycling; and cultural services such as recreational, spiritual, religious and other non-material benefits.  | Bangladesh (category IV) helps to protect the coast against flooding.   |
| Cultural values | <p>Includes those that do not interfere with the conservation outcome (<i>all</i> cultural values in a protected area should meet this criterion), including in particular:</p> <ul style="list-style-type: none"> <li>• those that contribute to conservation outcomes (e.g., traditional management practices on which key species have become reliant);</li> <li>• those that are themselves under threat.</li> </ul> | <p>Many protected areas contain sacred sites, e.g., <b>Nyika National Park</b> in Malawi has a sacred pool, waterfall and mountain. Traditional management of forests to supply timber for temples in Japan has resulted in some of the most ancient forests in the country, such as the protected primeval forest outside <b>Nara</b>. The <b>Kaya</b> forests of coastal Kenya are protected both for their biodiversity and their cultural values.</p> |

## Appendix 2: Degree of protection ranking from Bellingham et al 2016

The following text is a direct extract from Bellingham et al 2016, pages 364–365.

### 15.4.3 Classification of areas legally protected for biodiversity for reporting purposes

A six-level (0–5) ranked classification scheme was developed to report on legal protection for biodiversity protection, in consultation with council representatives (Table 15-6). A recommended scheme is provided for ranking specific types of legal protection for biodiversity (e.g. wildlife sanctuaries, Ngā Whenua Rāhui kawenata) within the classification. The ranks span a range from ‘high’, in which biodiversity protection is the *Standardised terrestrial biodiversity indicators for use by regional councils Landcare Research Page 365* main or one of the main goals, to ‘low’, in which some degree of biodiversity protection may occur indirectly or unintentionally. Overall, areas with higher rankings tend to be more effective at retaining habitat, primarily by placing more stringent restrictions on human activities. The highest rank (5) represents areas where biodiversity protection is the main purpose or is ranked equally with a limited number of other compatible purposes. The lowest rank or protection (1) represents areas where some legal protection of biodiversity occurs fortuitously and is not the main purpose. A rank of zero (0) indicates legal protection is absent. The ranking also reflects the duration of protection. Higher ranked areas tend to have longer durations of protection, including many that have indefinite (i.e. ‘in perpetuity’) protection. In contrast, lower ranked areas tend to have shorter durations of protection or/and a lower level of security.

**Table 15-6. Classification for areas legally protected for biodiversity**

| Rank | Description  | Example               |
|------|--|-----------------------|
| 5    | High degree of biodiversity protection; protection is the main purpose or is ranked equally with a limited number of other compatible purposes   | Wildlife Sanctuary    |
| 4    | Moderately high degree of biodiversity protection; protection is a main purpose but is shared with other, less compatible purposes (i.e. recreation)   | Conservation Park     |
| 3    | Moderate degree of biodiversity protection; protection is a desired purpose but subject to compatibility with a different main purpose or may be less comprehensive (i.e. only some aspects of biodiversity protection are targeted) | Ecological Area       |
| 2    | Moderately low degree of biodiversity protection; some biodiversity protection is achieved but it is of secondary importance   | Recreation Reserve    |
| 1    | Low degree of biodiversity protection; protection results indirectly and fortuitously as a result of other activities  | Road Reserve          |
| 0    | No legal protection for biodiversity   | c. 65% of New Zealand |

## Appendix 3: Australia protected area type inclusion in current World Database on Protected Areas IUCN Category II

**Table 7. Australian protected area IUCN Category II statistics**

| Protected area type                                      | Count | Minimum hectares | Maximum hectares |
|--|-------|------------------|------------------|
| 5(1)(g) Reserve  | 11    | 4                | 80,312           |
| 5(1)(h) Reserve  | 28    | 2                | 70,307           |
| Aquatic reserve  | 3     | 3                | 556              |
| CCA Zone 1 National Park                                 | 17    | 178              | 27,692           |
| CCA Zone 3 State Conservation Area                       | 23    | 99               | 54,408           |
| Conservation area  | 7     | 3                | 1,665            |
| Conservation park  | 72    | 0                | 390,955          |
| Conservation reserve                                     | 17    | 10               | 215,120          |
| Heritage river   | 4     | 773              | 2,126            |
| Historic site  | 1     | 15,231           | 15,231           |
| Indigenous protected area                                | 6     | 37,519           | 1,657,025        |
| Marine national park                                     | 1     | 776              | 776              |
| Marine park  | 5     | 501              | 20,721           |
| NRS addition – Gazettal in progress                      | 44    | 32               | 401,845          |
| National park  | 654   | 1                | 1,283,729        |
| National park (Commonwealth)                             | 3     | 5,530            | 1,911,122        |
| National park Aboriginal                                 | 31    | 7                | 543,931          |
| Natural catchment area                                   | 9     | 1,174            | 42,450           |
| Natural features reserve                                 | 1     | 191              | 191              |
| Nature refuge  | 7     | 78               | 86,513           |
| Nature reserve   | 35    | 8                | 10,746           |
| Other conservation area                                  | 1     | 18,025           | 18,025           |
| Permanent park preserve                                  | 1     | 1,314            | 1,314            |
| Private nature reserve                                   | 6     | 59,208           | 676,467          |
| Proposed National Parks Act park or park addition        | 4     | 0                | 116              |
| Remote and natural area – Schedule 6, National Parks Act | 17    | 469              | 33,842           |
| State conservation area                                  | 122   | 7                | 60,311           |
| State park   | 19    | 2,005            | 20,545           |
| State reserve  | 16    | 65               | 7,854            |
| Wilderness zone  | 3     | 9,915            | 30,326           |

Note – may include types wholly or partially within the marine environment. CCA = Coordinated Conservation Area; NRS = National Reserve System.

## Appendix 4: IUCN protected area category summary

**Table 8. Main recommended protected area IUCN category summary**

| IUCN category | Main recommended New Zealand protected area land types   |
|---------------|--|
| 1a            | Nature reserve<br>Specially protected area   |
| 1b            | Wilderness area  |
| II            | Nature reserve<br>Scientific reserve<br>Government purpose reserve<br>Local purpose reserve<br>Conservation purposes<br>Conservation park<br>Wilderness area<br>Stewardship area<br>Amenity area<br>Ecological area<br>Sanctuary area<br>Marginal strip<br>Watercourse area<br>National park<br>Specially protected area<br>Protected private land<br>Conservation covenant<br>Nga Whenua Rahui kawenata<br>Management agreement<br>Waitutu covenant<br>Treaty settlement Act fee simple land protected for nature<br>Te Urewera<br>Whanganui River<br>Taranaki Maunga |
| III           | Wildlife management area   |
| IV            | Wildlife sanctuary<br>Wildlife refuge<br>Wildlife management reserve<br>Water conservation order<br>Esplanade strip<br>Faunistic reserve<br>Lake Wanaka<br>Lakes Manapouri and Te Anau<br>Marine mammal sanctuary (where terrestrial)  |
| V             | None   |
| VI            | Crown pastoral lease<br>Hauraki Gulf Marine Park   |