



# **New Zealand Outdoor Recreation Charter**

## **Election 2008**

**Council of Outdoor Recreation Associations of New  
Zealand, P O Box 1876, Wellington,**

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## Introduction

**The Council of Outdoor Recreation Associations (CORANZ) is an apolitical, coalition of outdoor recreational national bodies, working together to identify and protect the common basic values of outdoor recreation for all New Zealanders.**

**CORANZ has no party political affiliations or allegiances. This is emphasised, unfortunately because of similar names, with the now defunct Outdoor Recreation Party and its executive, the Outdoor Recreation Council.**

**Over one million New Zealanders participate in outdoor recreation. CORANZ does not have any party political affiliations. The 2005 charter will be presented to all political parties with an analysis of responses to be publicised.**

**CORANZ urges all outdoors minded New Zealanders to take up these issues with their MPS and candidates in the forthcoming election. We urge individuals to consider raising these issues for debate in letters to the editor of newspapers and by attending political meetings and asking questions.**

**CORANZ welcomes comments on the charter. In addition we urge individuals and clubs, regional and national groups to lend support to CORANZ by way of an annual subscription of \$25 (individual), \$100 clubs and regional groups and \$350 for national organisations. Send to CORANZ, P O Box 1876, Wellington.**

**Co-Chairmen: Ken Sims (Manawatu) Steve Veail (Wellington)  
Secretary Hugh Barr (Wellington)**



## About this document.

Most New Zealanders have enjoyed the outdoors at some time in their lives. Walking, salt and freshwater fishing, tramping, yachting, surfing, hunting and shooting, and mountain biking are among the twenty most popular recreational and sporting activities in the country. It has been estimated, more than a million New Zealanders have an active outdoor recreational interest. New Zealanders greatly value the right to enjoy outdoor recreation, as part of the "Kiwi" quality of life. Outdoor recreation is a major component of the national cultural heritage.

This Charter has been compiled by the Council of Outdoor Recreation Associations (CORANZ) after wide consultation. It is an action list of government policy and legislative changes considered necessary to recognise, support and enhance the important role outdoor recreation plays in New Zealanders' lives.

This Charter should be discussed widely, and positively considered by all political parties. CORANZ urges parties to adopt these proposals into their election programmes and action them should they become or support the next Government, or in their policies, in Parliamentary and public debate.

### **Council of Outdoor Recreation Associations**

The Council was formed to be an advocate for and promote the common interests of outdoor recreation participants at the national level. This was because of concern among many outdoor users that, although the outdoors and recreation are very important components of the New Zealand psyche, frequently this has not been reflected by political and official decision making, or by national sports/recreation administrators.

CORANZ member associations include -

- NZ Federation of Freshwater Anglers
- NZ Deerstarkers Association
- NZ Salmon Anglers Association
- NZ Deerstarkers Association
- Public Access New Zealand
- NZ Bowhunters Society
- NZ 4WD Association
- Option 4
- Marlborough Recreational (Sea) Fishers

CORANZ is an advocate for the common interests of "the million or more" New Zealanders who fish, shoot, tramp, ski, canoe, climb, walk, mountain bike, botanise, photograph or relax in New Zealand's great outdoors. The combined direct membership of CORANZ member bodies is some 18,000 with a wider support base of approximately 200,000 individuals. The latter are represented by CORANZ member groups' constituent organisations who have pledged support for these objects.

The proposed policies below are listed by the Council's four Constitution objects.

- Land and Water Protection and Wise Management
- Public Ownership and Management
- Public Access
- A Strong Outdoor Recreational User Voice
- Population Policy

This Charter and these policies were first developed in 1999. Some have policies have now been achieved, and significant progress made or resolutions achieved with others. New policies have been added.



## Key Policy Areas

**CORANZ rates the top priorities for Outdoor Recreation this election as:**

- 1. Improving all forms of public access to water, public lands and resources and the countryside - [Section 3](#)**
- 2. Sustainable use of fresh water, under public ownership and fair recreational use of it - Sections [1.2](#), [2.3](#), [2.4](#)**
- 3. Recognition of the public's right to fish and gather saltwater resources  
Stopping degradation of our freshwater and sea fisheries - Sections [2.4](#), [2.5](#)**
- 4. Encouragement to younger generations to participate freely in outdoor recreation**
- 5. Not splitting the Department of Conservation, or privatising public parklands, but requiring DOC to have a much more positive approach to outdoor recreation, including with hunters and fishers - Sections [1.1](#), [2.2](#)**
- 6. Recognising big game animals (deer, chamois, tahr and wild pigs) as valued recreational and wild food resources, and managing them accordingly.**
- 7. Stopping the privatisation of public outdoor recreational resources eg access to fish and game resources - Sections [2.4](#), [3.1.6](#)**



# 1 Protection and Wise Management of Natural Resources

"To promote the protection and wise management of outdoor recreation resources, and related natural environments, for the protection of intrinsic values, and for the benefit of recreational users, now and in the future."

## 1.1 Change Department of Conservation (DOC) Policies to Foster Recreation

DOC has distorted priorities, downplaying outdoor recreation and focusing primarily on native species protection. We have had difficulty pushing DOC to honour its legislative responsibilities to "foster recreation" and to "allow" rather than "promote" tourism. This includes the need to protect areas of natural quiet, eg from over flying and motorboats.

In 2002, the Labour Government allocated \$349 million over for the next ten years for huts, tracks and other facilities. About half this is an interest charge. But significant funds are available. Public consultation in 2004 showed strong and knowledgeable support for an adequate network of backcountry facilities. But still only 78% of backcountry huts were being retained. DOC is withdrawing from the backcountry in favour of over-providing for fringe and tourist areas.

DOC also causes conflict with hunters by using poisons especially brodifacoum (which is cumulative), and the indiscriminate use of aerial 1080. These kill important valued big game recreational animals, as well as native birds and insects. Alternative harvesting methods often exist, and alternatives that are less confrontation to recreation and less damaging to New Zealand's "Clean Green" image should be used more. An opportunity for using deer repellent in recreational hunting areas has recently been allowed.

### Policies

**1.1.1 Fair DOC Funding for back country Huts, Tracks, other Facilities:** Ensure adequate back country huts and tracks are retained to have an adequate base network.

The Back Country still is still a low DOC priority. This must change. Costs of maintaining basic tramping tracks and routes are generally low. In contrast, maintenance of foreign tourist oriented benched tracks eg Great Walks, Front Country short walks, roads and tourist facilities generally is are expensive. The additional funding should be used to ensure the backlog of maintenance on backcountry huts/tracks is cleared. Also DOC's risk aversion can mean very expensive facilities.

**1.1.2 Maintain User Says in Facilities Provision:** Ensure DOC-User Groups liaison meetings continue to plan, fund and maintain back-country huts, tracks etc. Cost-effective provision is possible.

**1.1.3 Change DOC's Name to Department of Conservation and Recreation (DOC&R), with an Associated Recreation Division:** This would create staff and public awareness of the Department's dual roles. Recreation is DOC's Cinderella to tourism and nature preservation. Create a **Recreation Policy Division** to better carry out DOC's recreational role.

Investigation as to DOC's fundamental policies be carried out. That DOC's "preservationist" ideology needs to be scrutinised and abandoned or strongly modified to be realistic.

**1.1.4 Foster Recreation, Allow Tourism:** Seek political party commitments that preference will be given to public recreational needs ahead of the demands of the commercial tourism industry. This is required by the Conservation Act, but is largely

ignored by the Minister and breached by DOC, who favour tourism. It is also breached in the 1996 DOC Visitor Strategy, which is in reality a Tourism visitor strategy. Some Biodiversity funding is being used for blanket aerial poisoning of deer and other big game animals, with no recognition of their recreational value, or of fostering recreational hunting.

**1.1.5 Retain the Department:** Retain the Department of Conservation and Recreation (DOC&R) as the Crown's primary public recreation and conservation wild lands manager. But remove the divisive Section 4 from the Conservation Act, to ensure DOC&R remains a public servant, rather than a servant of exclusively Maori/Iwi interests.

**1.1.6 Establish Areas of Natural Quiet on the Public Conservation Estate:** Planes, helicopters, jet boats, skidoos, jet skis and other mechanised access vehicles create noise and intrusion in many conservation areas. This is a serious and growing conflict. At present, no policies exist to have minimum aircraft flying heights. The CAA can and has agreed to height restrictions over conservation areas eg. Farewell Spit, Okarito Lagoon, Taiaroa Head. Management Plans need to specify areas of natural quiet - free from over flight noise - when there are significant numbers of people seeking a natural experience. eg DOC seek CAA restrictions on over flight between the surface and 8000 feet a.s.l along corridor of the Milford Track, cf existing restriction on over flight during avalanche conditions along Milford Road, Bevan Col, and for Kapiti Island. Also seek CAA rules requiring effective noise reduction mufflers on small aircraft.

**1.1.7 Establish Wilderness Trout Fisheries:** Establish trout fisheries where access by aircraft or jet boat is not allowed as a condition of the licence, eg Goulter, Greenstone, to provide areas of natural quiet for fishing, and/or reduce fishing pressure. Incorporate 'no helicopter' zones.

**1.1.8 Terminate cattle grazing on public conservation land and adjoining Crown land:** There is a major detrimental impact of cattle on water and forest margins eg Huxley, Hopkins Valleys (a special area for mistletoe), Arawhata Valley. Some good progress has been made eg Young, Wilkin, Cattle Flat - Dart.

## **1.2 Protect and Improve Freshwater Quality:**

Prime freshwater fishing areas throughout New Zealand, eg the lower Waimakariri River, trout streams in Canterbury, the West Coast, Southland, Manawatu, Hawkes Bay, and Waikato, are being ruined by farm, urban and industrial effluent. Eutrophication and weed infestation, abstraction and damming result, and water quality drops alarmingly. Such use is not sustainable.

Additionally, The Wild and Scenic Rivers protection legislation, introduced in 1980, has languished, and is under attack. Legal river protection (National Water Conservation Orders or NWCOS) are now very expensive, beyond the reach of most recreational groups. Many outstanding wild and scenic rivers are not protected. As a result the original intent of the NWCOS is largely being negated. Government is now undermining rivers protection by arguing some water is nationally important for industrial, dairying or hydroelectric use. This is outrageous, as use has nothing to do with water quality in a river. It is a return to state direction on use regardless of the facts, as seen in the 1972 Lake Manapouri controversy, the Clyde Dam (1982), and the 1981 National Development Act.

Water bodies that have already been dammed, or abstracted are being touted by Officials as nationally important for protection. This duplicity simply confuses the public. The basic process that nationally and regionally outstanding water bodies for scenic or amenity values, be identified as not available for abstraction, damming or pollution. Only other water bodies may carry additional water above their environmental hunk of water (appropriate minimum flow) that may be available for other uses.

Fish & Game NZ have campaigned against "dirty dairying" in areas where dairying and conversions are in full swing eg Canterbury, Southland, Waikato, Hawkes Bay. Also pasture irrigation requirements of many dairy conversions cannot be met without destroying summer flows in many rivers and streams in eastern New Zealand eg Rangitata River, without water harvesting. Many smaller Canterbury rivers are already dry in summer.

## **Policies**

**1.2.1 Urgently Stop the Decline in both Water Quality and Quantity eg by developing and enforcing a National Environmental Standard for Water:** The goal is to stop the increasing degradation of fresh water quality, and reduced volume especially where contact recreation and health standards are being compromised. This National Standard for Water should include minimum environmental standards for fisheries and ecosystem protection, recreational amenity value, biodiversity, abstraction and human health. An associated remedial programme is also essential.

**1.2.2 Remove the Concept of National Value of Water Bodies for Exploitation:** It appears developers want NZ to lead the world in protecting water bodies, not for amenity values, but for exploitation (irrigation, electricity generation, industrial or domestic use) ie to overrule protection. This is proposed by the "Sustainable Development Programme of Action". This is also a way round Sections 6, 7 and 199 of the RMA, by giving national weight to abstraction, damming etc, to undermine these protective sections. There is no consideration of sustainable approaches like water harvesting.

**1.2.3 Support water harvesting (storing water at times of high flow, for summer irrigation), and gravity supply:** For New Zealand agriculture to be sustainable, water harvesting eg from peak flows, and storage till summer drought, is the only way to go. It offers savings in gravity fed water, rather than expensive pumping of water from rivers. These storage lakes can also have recreational value.

**1.2.34 Gain Water Conservation Orders for Unprotected Outstanding Rivers:** Many outstanding recreational and scenic rivers in New Zealand eg the Clarence, Rangitata, Otaki, Waiohine are not protected from damming, adverse industrial development or abstraction. We ask political parties to support National Water Conservation Orders by providing funding to recreational groups to protect these rivers. The cost of this process, involving research as well as legal fees, is becoming prohibitive.

**1.2.45 Oppose hydro development, and abstraction on regionally important rivers:** Rivers like the Wairau (Marlborough) and Gowan (Buller), Arnold (West Coast), Mokihinui (Westport) etc should not be further diverted/dammed/abstracted. The Gowan should continue to be protected by the Buller NWCO.

**1.2.56 Oppose the use of "market forces", e.g. tradeable water rights on water use.** Tradeable rights only result in big moneyed players monopolising the resource.

## **1.3 Enhance Public Participation in the Resource Management Act (RMA)**

Only 5% of RMA resource consents are publicly notified. A RMA Amendment Bill is progressing through Parliament that will reduce public participation in RMA hearings under the pretext of "efficiency", and generally weaken the protective features of the Act. Recreational and other genuine public interest groups face a battle to have their viewpoints as stake holders allowed and adequately represented at hearings and Appeals.

## **Policies**



**1.3.1 Oppose Weakening RMA Public Participation Rights:** Oppose proposals that disenfranchise the public, or compromise the consent process by making it contestable.

**1.3.2 Oppose Weakening the RMA, Part 2, by adding a "national interest" override, or giving Compensation for Lost Opportunity:** Part 2 states what most New Zealanders want, by protecting sustainability, our natural and cultural heritage, and access to it, as matters of national importance. It is totally inappropriate to also allow national interest development factors eg electricity generation, as this overrides both environmental and cost effectiveness concerns, and ignores sustainability. Moves to allow compensation for lost opportunity are obscene.

**1.3.3 Reduce Costs of Public Interest Group Participation:** Pass the 1998 RMA Costs Amendment Bill. This Bill would give public interest community groups protection against award of Costs. Public interest groups do not gain, as developers do, from resource consents. Such moves would help protect the environment and level the playing field. Opposition by commercial competitors should not be allowed.

**1.3.4 Provide a Recreational/Environmental Defence Fund:** Support a public **Defence Fund** to allow communities of interest, including those advocating for outdoor recreation and amenity values, to have some funds for research and advocacy to protect themselves against adverse developments.

**1.3.5 Upgrade the New Zealand Coastal Policy Statement to make it Sustainable:** The 1994 policy is up for renewal. It needs to be upgraded to give much better protection to sustaining the estuarine and coastal ecosystem, as an essential part of the wider ocean ecosystem, and including reducing adverse land runoff impacts on the coastal zone. Equally, with rising sea levels, due to global warming, the policy needs to discourage coastal over development, and damage. Public access to the coasts, and public use of them also needs greater implementation.

#### **1.4 Support Big Game Recreational Hunting**

Big game hunting, the hunting of deer, tahr, chamois, pigs etc, has been part of New Zealand's cultural recreational and game harvesting heritage for over 100 years. These animals should be recognised as the recreational and wild food resource they are, and adequately managed accordingly, while agreeing that game management on public land means harvesting adequate numbers to achieve steady state populations compatible with natural values. Big game numbers are now usually managed to low levels on conservation lands, and at levels where they create minor damage.

Deer as vegetarian browsers, do not eat birds, eggs or other endangered species, as do pests such as ferrets, rats, stoats, cats. Nor do deer compete with endangered species for food. Wild deer at current present population levels (est 250,000) are not a major threat to native species. Browsing is a component of the ecosystem's functioning.

Landcare Research reports show that the wild deer population has been stable for the last 30 years, currently at about 250,000. This was achieved by harvesting the natural increase (30% or 80,000 per year) by recreational harvesters (55,000) and commercial deer recovery (10-30,000 per year). Possums and other pests should be specifically targeted in poisoning campaigns, and aerial spreading of 1080 stopped except in difficult country. Hunting game animals for food is an important human self-sufficiency right, subject to issues of maintaining a stable game population. A Lincoln University survey found 81% acceptance for big game animals, compared to small pests such as possums, rats etc.

#### **Policies**

**1.4.1 Seek Management by a Statutory User Body:** Seek the management of recreational hunters of New Zealand's naturalised big game animals (deer, chamois, tahr

and wild pigs) by an independent statutory body, which would be elected from the ranks of recreational hunters. Its task will be to encourage and direct recreational hunters to be the first and effective means of maintaining current low impact levels for big game animals on public land. Target densities for big game animals would be set by DOC in consultation with the statutory body's board, as would priority areas.

#### **1.4.2 Use of 1080 and other pest control methods on the Public Conservation Estate:**

Needs are:-

- That a full public enquiry, independent of the main users AHB and DOC and ERMA, be held into the use of 1080, its justification, and its current application efficiency
- That 1080's aerial use be immediately stopped and instead encapsulated cyanide baits be used, where justified.
- A payment incentive scheme be considered to encourage hunting of possums.
- A full feasibility study be carried out to assess the viability of commercial harvesting of possums both for meat and the fur/pelt export trade be encouraged.
- That New Zealand's "pest-poisoning" regime be subject to a full independent enquiry, independent of government which operates the 1080 factory.
- Any proven deer repellent be used as a tool in DOC or AHB 1080 use of 1080 or other poisons.

#### **1.5 Environmental and Biosecurity Watchdogs**

The Nature Conservation Council was set up during the Save Manapouri Campaign, to provide government with public environmental advice. It provided an environmental conscience against the development-at-any-cost ethos. But it was eliminated in 1988 and not replaced. This independent citizen watchdog role is now badly needed. It is not provided by either the Ministry for the Environment or the Parliamentary Commissioner. Also needed is an independent Biosecurity Council, with it's own secretariat, independent of the Ministry of Agriculture and Forestry.

#### **Policies**

**1.5.1 Establish an Independent Environmental Protection Council:** Set up a strong politically independent Environmental Protection Council, reporting to Parliament, to advocate for the environment. It would be similar to the Nature Conservation Council of the 1960s, with the power to delay development until full Parliamentary scrutiny of the project is carried out. The Council could be stand alone, or attached to the Parliamentary Commissioner for the Environment.

**1.5.2 Establish an independent Biosecurity Council, with it's own independent Secretariat:** This would have a majority of appointees from interested sectors of the community including recreational hunting. This year a Biosecurity New Zealand unit is being established in MAF. However, MAF's views of biosecurity are at variance with environmental protection, and warped by world trade considerations.

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## 2 Sustainable Public Ownership and Management

"To advocate the continuation in public ownership, and government responsibility for management, of all currently publicly owned outdoor recreation resources, and for the addition of further such resources to public ownership and management as the Council believes wise or appropriate. This includes working for a strong recreational user voice in the management of those resources."

### 2.1 Public Ownership of Natural Lands in the South Island High Country

Sixteen percent of the South Island is in Crown owned High Country pastoral leases. These drier rain shadow lands make up some of the most spectacular mountain and river landscapes and recreational areas in New Zealand.

Unlike other parts of New Zealand, they have very few public reserves. So their recreational and natural values are not readily available to the public. They are occupied leases, subject to the Trespass Act, and managed for grazing, not for public recreation or conservation. Voluntary tenure review of these 300 leases is proceeding under the new Crown Pastoral Land Act.

Previous Lands Minister Denis Marshall estimated some 1 million Ha of leases should come out as wild lands, as unsuitable for sustainable grazing. Land with primarily natural values should be surrendered to the public conservation estate, together with public access to it. In return, only farmland capable of sustainable production is freeholded.

Lease rentals at miniscule rates of 2% of residual value, are still highly subsidised. This is a taxpayer subsidy to continue the present sometimes unsustainable pastoralism. Large leases are increasingly changing hands at prices that are several multiples of their value for livestock grazing. The most recent is Shanaia Twain, a Canadian singer, who paid over \$20 million for two leases near Wanaka. These prices clearly indicate show that the leasehold value is now based on the inherent scenic landscape value of the leases, not their farming value. It is this inherent scenic value that is supposed to belong with the Crown. Action is needed to encourage the phasing out of these paternalistic state subsidised tenures.

Increasingly foreigners, who usually cannot lease mountain lands in their own countries, are purchasing pastoral leases in New Zealand, and using them as private parks, sometimes charging for access, or selling sole access rights to commercial interests eg fishing guides. This is not grazing.

### Policies

#### 2.1.1 Surrender and Crown Purchase of Pastoral Lease Conservation Land:

Ensure public reservation of lands of natural value for public recreation, with secure public access rights to such lands for all on-foot recreational users, as a result of tenure review of Crown pastoral leases and licenses. The Crown should purchase key leases with high recreational value.

**2.1.2 Improve Tenure Review:** Have LINZ administration of process and contracting to private agents reviewed to improve effectiveness of process and to be required to achieve specific goals consistent with Crown Pastoral Land Act objectives.

**2.1.3 Oppose Private Pastoral Parks:** Oppose proposals that create private parks, or free holding of pastoral lands leases important for outdoor recreation.

#### 2.1.4 Maintain the Moratorium on Further Commercial Recreation Rights

**lakeside reviews:** Withhold granting further commercial recreation rights over leases until tenure review agreements are reached with individual lessees. Repeal provision for

issuing recreation permits under the Land Act. Maintain the moratorium on tenure review on lakeside properties.

**2.1.5 Remove Government Pastoral Lease Subsidies:** Introduce market rentals for all pastoral leases and licenses from 2005.

**2.1.6 Fair Government compensation for land taken under tenure review:** This should be based on stock units taken, and compensation for fences, and any other improvements, as is allowed under the Land Act.

**2.1.7 Disallow Sale of Pastoral Leases to non New Zealand citizens:** Pastoral leases were to encourage extensive sustainable grazing of these infertile, dry steep lands. Lessees were required initially to live on the property. The subsidised lease rentals were to compensate for the difficult economic nature of the lease. Yet today leases are bought for their inherent scenic and trophy values by New Zealand and foreign speculators, and change hands at prices several times their value as grazing leases, while the government subsidises these speculators with minimal rentals. New Zealand's mountain lands should not be sold to foreigners for speculation. Nor should freehold lands be exploited for speculative subdivision. Government needs to urgently address this problem of foreign ownership and subsequent subdivision.

## **2.2 Public Ownership - Public Conservation Estate**

The Department of Conservation was set up to unify management over New Zealand's publicly owned natural lands and waters - held in trust under the National Parks, Reserves, Wildlife and Conservation Acts as the Public Conservation Estate. It is important in this age of privatisation, to retain these lands and waters in public ownership and management, including public consultation on their use, as currently, for protection and the public good. This is for broad recreation and nature protection goals, for the whole community. This also requires fair citizen and stakeholder group involvement in management and policy decisions.

This also applies to regional parks (Auckland, Wellington), and parks or reserves owned or controlled by local authorities, including water supply areas and town belts.

## **Policies**

**2.2.1 Retain and Expand the Public Conservation Estate in full Crown Ownership and a public say in management and control:** Retain land currently reserved under the Conservation, Reserves, and National Parks Acts in full Crown ownership, held and administered under these Acts by the Department of Conservation and forest and park land administered by local authorities, for the benefit of present and future New Zealanders. Expand holdings of natural/wild land and parkland where appropriate. Similarly, retain public lands held for reserve under the Local Government Act. Benefits also include flood protection, reduced erosion and carbon dioxide absorbing forests, as well as recreation and amenity.

**2.2.2 Deter Sale of the Public Conservation Estate and Parks:** Discontinue the issuing of certificates of title for DOC lands, as titles simplify future land sales. The Crown does not need 'titles' to establish ownership. Instead record these lands in a Crown land register. Any sale of public conservation land requires public consultation.

**2.2.3 Review all Crown lands held by LINZ, to identify and transfer lands that should go to the public conservation estate:** During the 1987 Crown Land carve-up between DOC and State Owned Enterprises, disputed land was parked in LINZ. This land should be reviewed, with public consultation, and appropriate land transferred to DOC.

### **2.3 Sustainable Public Ownership - Rivers, Lakes, Fresh Water**

The public ownership and stewardship of river and lakebeds, and freshwater is under increasing threat from agriculture, industry and electricity generator user groups, which threaten the sustainability of our water bodies. Lake Taupo pollution and the destruction of the Lakes Rotorua and Rotoiti (North Island) are examples. The roles and rights of recreational users to fresh water must be protected and enhanced in its protection and management. The threat of foreign sale of essential community services eg water supply and the impact of WTO Rules on recreation is also of grave concern, as it takes control from New Zealanders.

#### **Policies**

**2.3.1 Retain Public Ownership and Control of Fresh Water, and Oppose Trading in Water:** Retain the ownership and administration of all water within New Zealand in public hands. Public ownership and management of water is to include the beds and margins of waterways. Make it illegal to sell or trade shares in publicly owned water, or in the rights to use such water ie tradeable water rights.

**2.3.2 Retain Public Ownership and control of River and Lake Beds:** Seek statutory retention of Crown ownership of existing Crown-owned river and lake beds.

**2.3.3 Oppose Foreign Ownership of Essential Community Services, WTO Rules against Recreation and the Environment, and GATS:** Community and national essential services must not be available to be owned or controlled by foreign firms, eg through WTO, General Agreement on Trade and Services (GATS) or World Bank agreements, as they are then largely beyond the control of local communities, and usually hold the community to ransom. Such services include foreign ownership and control of water supply, water reticulation, water disposal, roading, energy transmission, Kyoto credits, pollution assessment and enforcement etc

**2.3.4 Prohibit Stock from Public and other Waterways:** Stock cause major damage to habitats and water quality in streams and rivers. This shall be acknowledged and stopped eg by fences, as part of a national standard for regional water quality, in regional plans managing the beds of lakes and rivers, enforced by regional councils, and by other means. Regional councils need to markedly improve their defense of water quality.

**2.3.5 Protect against Damming and Abstraction of Waterways and Overuse of Aquifers:** Give greater recognition to the public values of natural waterways eg public rivers and their natural, wilderness or recreational values. These values should be fully weighed against proposals to build a dam or modify the flow, or take water from an aquifer.

**2.3.6 Encourage Riparian and Estuarine Enhancement,** Remove Willows: Government supported national and regional programmes should continue for vegetation buffers along water margins. Replace willows with other vegetation and make use of soft and natural vegetation to retain productive freshwater and estuarine ecosystems eg to support whitebait, trout, mullet, eels and other freshwater and estuarine fish species. This requires greater research based knowledge.

**2.3.7 Allow Public Interest Prosecution of Authorities:** Create a mechanism where, when local/regional water management authorities fail to enforce or litigate approved legal water standards, or consent conditions, recreational bodies can insist on compliance.

**2.3.8 Require Crown Monitoring for Health, Fish Disease:** The Crown has an obligation to monitor and manage both public health and recreational fisheries disease risks in public waterways. The Crown shall make the results of such monitoring and



management publicly available. Regional councils already monitor for swimming and amenity values.

## **2.4 Sustainable Public Management - Freshwater Sports Fisheries**

The management of the habitats and resources supporting freshwater sports fisheries, and those fisheries themselves, are under increasing threat from commercial and secular interests. Despite eight years of RMA education, and in some cases litigation, figures on the non-compliance to regional water quality plans show no improvement. New threats to existing sports fisheries, and the habitat and ecosystems that sustain them, continue to emerge, frequently driven by the desire to commercialise such fisheries.

### **Policies**

**2.4.1 Prohibit Imports or Liberation of Harmful Species:** Prohibit the importation or liberation of any species, for either commercial or recreational reasons, which may threaten New Zealand freshwater sports fish, their habitat and environment (including diploid grass carp). Remove such species when liberated.

**2.4.2 Make Release of Genetically Modified Fish a Criminal Offence:** Make it a criminal offence, to either deliberately or accidentally liberate or release into natural waterways, any salmonoid that has been genetically modified from the original genome by any means other than by natural selection.

**2.4.3 Prohibit Import of Raw Salmon or Sale of Trout and Charr:** Declare all species of trout and charr as "recreational sports fish only" and make it illegal to sell their flesh within New Zealand, regardless of where that flesh originated. Ban the importation of any uncooked, unprocessed salmon flesh. ie urgently pass the Burton private members Bill, languishing after its 1998 introduction. The present temporary moratorium was rolled over to 7 Nov 2005 ends in 2008.

**2.4.4 Retain User Control of F&G Councils:** CORANZ strongly supports the 130 year old Fish and Game user management model for trout, salmon and introduced game birds. Fish and Game Councils should remain licence holder elected/appointed, (ie the sport remain user controlled) with no Government or Maori appointees.

**2.4.5 Prohibit Commercial Trout or Charr and Perch Farming:** Strictly prohibit the commercial farming of any trout or charr species, including rainbow trout.

**2.4.6 Retain Equal Recreational Fishing Access Rights for all New Zealanders:** The rights of all New Zealanders to participate in New Zealand's sports fisheries shall be equal under all laws and regulations governing such fisheries.

**2.4.7 A non-resident trout fishing licence be introduced for visiting overseas anglers.** The fee to be at least double the New Zealand resident licence fee.

**2.4.8 Create "helicopter -free " zones on selected wilderness rivers to protect the quality of fishing.**

**2.4.9 Make Natural Salmon Non Commercial:** There is concern at purposeful "accidental" salmon bycatch by trawlers off the Canterbury coast. Any salmonoid found in a natural waterway, or ocean within New Zealand's fishery zone, shall be deemed to be a recreational sports fish, and shall be subject only to such laws, regulations and management practices that are enacted by recognised recreational fisheries or conservation authorities.

**2.4.10 Trout Fishing Ballots not Supported:** CORANZ does not support balloting to reduce trout fishing pressure in over fished water bodies. Closing a water body for longer and removing helicopter access are better and fairer options.

**2.4.11. Implement stronger controls both at Cook Strait and airports** to stop introduction/spread of harmful organisms, e.g. didymo.

## **2.5 Public Ownership and Sustainable Management - Recreational Sea Fisheries/Oceans**

Worldwide, sea fisheries are in massive decline, and have been since about 1985. In New Zealand, the Government has privatised the right to fish commercially, through allocation of tradeable commercial sea and estuarine fish quota for many species. Even this much-hyped New Zealand Quota Management System (QMS) cannot cope with the systematic pillage typical of commercial fishers.

Over twenty New Zealand fish species are well below their sustainable catch levels, some massively below eg Orange Roughy, Snapper, Hoki, Kahawai. Many new species are have now being added including eels, kingfish, kina, octopus, skate, kahawai, yellow eyed mullet. These are often much lower species in the ocean food chain, that other species, eg dolphins, feed on.

There are pressures to privatise and limit both recreational and Maori fishing rights in the same way ie by a fixed quota. New Zealand's sea fishery is a national public resource whose public entitlement and management should not be privatised. Indigenous and recreational fishers come before commercial. Equally Maori claims under the Foreshore and Seabed Act, and aquaculture speculative demands threaten privatisation of coastal foreshore and space.

The rights of the public and Maori to fish for food and recreation are basic, common law rights. Sustaining and managing our sea fishery and its diversity adequately are important community obligations that all New Zealanders have a responsibility for eg under the Convention on Biological Diversity (Agenda 21). The New Zealand sea fishery is being massively overexploited. For example there are environmentally damaging by-catch disposal practices by commercial fishers, wrecking the seabed to allow commercial net trawling, poaching eg paua, and overfishing of many species.

Government agreed in 2000 there will be no licence for recreational sea fishing - recognition that it is a public right. Recreational Sea fishers also must have an effective voice in national and local policy and management, to ensure they are not marginalised, as they are at present. Miniscule funds, less even than those for nature protection interests, for travel, are available from Mfish. Mfish sees its role as the commercial fishing industry's advocate, with minimal recreational or sustainability responsibilities.

### **Policies**

**2.5.1 Retain Public Ownership of the Sea, Foreshores, and the Sea Bed:** Retain these resources in public ownership as public commons for all New Zealanders. Oppose commercial/private and Maori claims of ownership and control. If necessary pass legislation overriding any Court determinations to the contrary.

**2.5.2 No licensing of Recreational/Sustenance Sea Fishers:** The right to fish is a common law right of sustenance, and Government has agreed that no licence will be introduced.

**2.5.3 Recognise and Protect the Public Recreational/Sustenance Sea Fishery:** All citizens have a priority right over commercial fishers for free access to a reasonable daily bag limit, this to be written into legislation. Require by law effective plans to ensure future generations enjoy the same or better quality of recreational/sustenance rights while preventing fish conserved for recreational/sustenance use being given to the commercial sector. Give full recognition to and protection of the public's right to the

recreational/sustenance sea fishery. (ie Moyle Report 1987). This right must not be limited by arbitrary recreational quota setting.

#### **2.5.4 Provide Adequate Funding for Recreational/Sustenance Sea Fishery**

**Advocacy by Recreational Sea Fishers:** Provide adequate funding for recreational sea fishers viewpoint and negotiating interests, to allow them to advocate to protect their resource eg through the New Zealand Recreational Fishing Council, Option4 etc. This includes assurance of independent research for recreational fishers.

#### **2.5.5 Provide Legislative Backing for Recreational Fishing Zones and Recreational Species:**

Provide Legislative backing for recreational/sustenance fishing zones and recreational/sustenance species eg kahawai. This will include the ability to exclude commercial methods that deplete recreationally important species and areas eg seine netting of kahawai. Establish such recreational zones and species eg Hauraki Gulf, Marlborough Sounds.

**2.5.6 Sustainable Fisheries Management Inquiry:** Carry out a full independent public enquiry into the competence of fisheries management and its sustainability. Given that boom and bust exploitation has been going on since the 1960s with Bluff oysters, Chatham Island crayfish, orange roughy, kahawai, hoki etc in 2004, it seems no lessons have been learnt.

### **2.6 Settlement of Perceived Maori Treaty Claims**

New Zealanders have been overwhelmed by escalating claims from Maori for ownership and control over all manner of public resources. Such claims are inferred to be based on breaches of the Treaty of Waitangi, or nefarious 'Principles of the Treaty'. Increasingly it is becoming apparent that many claims and grievances are figments of imagination or wilful invention, having little or no lawful basis whatsoever. Claim WAI 262 to all the nation's flora and fauna is a prime example of this approach. The Treaty is a convenient pretext for a Maori racist resource grab.

Contrary to the last Government's policy, and apparently adopted by the present Government, claimants have been given ownership or a prevailing influence over substantial areas of national parks and conservation areas, eg Topuni, effectively disenfranchising the vast majority of the population from having an effective voice over the management and future of these lands. In many cases such arrangements run contrary to the findings of the Waitangi Tribunal. The Treaty appears to be little more than a convenient ploy for the alienation and privatisation of public assets to iwi.

Giving Maori whatever they want is having the opposite effect to that intended by Government - permanent cessation of claims. There are ever-expanding demands extending variously to separate 'sovereignty' or joint 'partnership' or 'co-management' with the Crown. Appeasement has failed to work.

So too has due process with the Waitangi Tribunal increasingly acting as a propagandist or public 'educator', and advocate for iwi, rather than as an impartial court of inquiry. By making recommendations to Government contrary to its own findings, and the absence of normal rules of evidence and cross-examination, it has destroyed any public confidence in it. Neither are appointees neutral in their position, but are all appointed on the recommendation of the Minister of Maori Affairs.

For the Crown to regain public trust, a winding in of the scope of possible claims is urgently required, as is the re-establishment of fair and disinterested inquiry and procedure. Checks are also necessary on the excesses of Government, which has recently given back the beds of the Rotorua lakes to Te Arawa. This is in spite of the fact they were legitimately bought, and are a public, not a private resource, although the

Crown's payment was inadequate. Our following policies are designed to address these concerns.

## **Policies**

**2.6.1 Require Independent Public Legal Proof of Claims :** Disband the Waitangi Tribunal and require public hearing of Maori grievances against the Crown before the High Court constituted as a Court or Commission of Inquiry, involving full judicial rules for evidence and cross examination. Any member of the public or body other than the claimants and the Crown to have standing to be heard and to present evidence, to obtain legal aid where appropriate, and to cross examine. The Court of Inquiry to have power of recommendation to the Crown for settlement of proven grievances only.

**2.6.2 No Government-Claimant Negotiation before Confirmation of a Treaty Breach by an Independent Public Inquiry:** Require all claims to be independently heard through the inquiry process described in 3.6.1. There to be no direct negotiations between the Crown and claimants without prior findings and recommendations from a Court of Inquiry. For example, no court hearing or finding was made before the Crown's negotiations with Te Arawa.

**2.6.3 Remove the "Principles" of the Treaty from Legislation:** Removal of requirements on public bodies in legislation to have regard or give effect to 'the principles of the Treaty of Waitangi'. The "principles" are mainly untested interpretations of the Waitangi Tribunal and Government officials, that in some instances have little or no connection with the Treaty or the Courts' determinations; eg the "principle" of "partnership" - nowhere in the Treaty do the words "partnership" or "principles" appear. Sir Douglas Graham has confirmed that no 'principle of 'equal' partnership' and attendant assumptions of Maori sovereignty, dual governance or co-management exists.

It is an abrogation of democracy for one racial group to be in "partnership" with the government, as by definition of partnership, that group becomes effectively an unelected government. This feudal relationship, characteristic of Polynesian societies, was once part of English politics. It took until the 1688 with the Bill of Rights, to remove such divine rights of kings. Legal obligations should be confined to honouring the provisions of the Treaty, with a reciprocal obligations on Maori.

**2.6.4 Require that Public Conservation Lands are not readily available for Claim Settlements:** Require that in Treaty settlements, public conservation lands and assets are not usually used, in any form including 'co-management'. Where they are, they should be confined to small discrete parcels for well-founded reasons, as in Government's 1994 Policy for the Settlement of Treaty Claims. Government confirmed it had no intention of rescinding its illegal gift of Mt Hikurangi to the local iwi. Treaty Claim settlements continue to use conservation lands. But areas used have been limited.

**2.6.5 Remove Vesting of public lands with Maori via the Maori Land Court:** Remove ability for direct vesting of public lands with Maori via the Maori Land Court (eg no more Mt Hikurangi).

**Note:** A Judicial Review of government's 1990 "Gifting" of Mt Hikurangi conservation park land to Ngati Porou was taken to the High Court by Public Access New Zealand and Dr Hugh Barr. It resulted in an out-of-court agreement with the Minister of Conservation that there would be limited consultation, and Conservation Act criteria would be used in any future similar actionsituation. The proposed public access agreement was clarified and improved in favour of the public.

**2.6.6 Remove Public Roads from the jurisdiction of the Maori Land Court:** Remove the ability of the Maori Land Court to deal with public road matters. ie. no more

Papuni Road cases, where the Court of Appeal has conclusively demonstrated the Maori Land Court's incompetence in such matters.

**2.6.7 Require an Open System of Treaty Claim Public Consultation:** Require an open process for Public consultation on Treaty Claims settlement. Once government has considered recommendations from the courts, (and the Waitangi Tribunal as long as it exists), require a public consultation process on proposals for settlement involving public lands, waters or their management, with government to have particular regard to the legislative purposes of such lands/waters.

**2.6.8 Confirm all New Zealanders Inheritance and Responsibility for Native Species:** Confirm that New Zealand's native plant and animal species are the common inheritance and responsibility of all New Zealanders, with the government charged with their management and survival, for the benefit of all current and future New Zealanders. (This would limit the expense and acrimony of the WAI 262 Claim to all New Zealand species.)

**2.6.9 Confirm that water in rivers, lakes and the sea cannot be privately owned:** Take statutory or other actions necessary to prevent private ownership or "possession" as recommended by the Waitangi Tribunal for the Whanganui River.

**2.6.10 Oppose "Topuni" and Co-management :** Oppose creation of 'Topuni' or similar racially based concepts overlaying national parks and conservation lands, or any systems of private 'co -management' involving iwi interests.

**2.6.11 Seek Constructive Change to the Ngai Tahu Settlement :**  
Remove Ngai Tahu "co-management" rights over the public conservation estate, over and above the rights of other New Zealanders eg protocols, Codfish Island etc.  
Remove requirement for authorities to have 'particular regard' to Ngai Tahu 'values'  
Reduce the number of direct Ngai Tahu appointees on South Island conservation boards to at most one. Remove the ability to freehold nohoanga and surrounding areas.  
Remove Ngai Tahu's right of first refusal over surplus conservation lands. Such areas are usually required for offer to adjoining owners as part of land exchanges arising from road realignments or to achieve more practical boundaries.

## **2.7 Recreational Representation eg on Conservation Boards**

Having informed outdoor users playing a role in Outdoor Recreation management is important for recreational advocacy. Under the present government, representatives of outdoor recreational groups have not been appointed to conservation boards in adequate numbers. As well the size of conservation boards has been reduced, making adequate public representation for recreation even more unlikely.

## **Policies**

**2.7.1 Require Adequate Outdoor Recreation Representation eg on Conservation Boards and the Authority:** Require the New Zealand Conservation Authority and Conservation Boards to have adequate ie at least four three, outdoor recreation representatives on them. Boards should be representative of the users of the public conservation estate in their area, and who may come from outside the region, rather than all be local citizens.

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### 3 Improve Responsible Public Access

"To work to retain free, egalitarian public access to and use of publicly managed lands, waters, and other resources, subject to wilderness protection and user conflict reduction considerations."

The Labour Government set up the Acland Reference Group in January 2003, as the first inquiry to investigate better responsible public access to the coasts, water bodies and the countryside generally. This was a response to Labour's 1999 election policy to improve public access to the coasts and water bodies (the Queen's Chain). However no person with detailed knowledge of the current state of public access was appointed to the Group.

It reported in August 2003. Government responded with legislative proposals in late 2004. This is a once in a generation opportunity to get changes to set up an agency to improve responsible public access to the countryside in the medium term. Lobbying from landowner groups almost upset the process. A second Acland Panel was appointed in August 2005, and reported, with a minority Report from the only recreational professional in March 2007. The Walking Access Bill was introduced to Parliament in April 2008.

#### 3.1 Improving Public Access Generally

CORANZ's first concern is at the fragmented and uncoordinated way access issues are addressed by central and local government.

Five different agencies are responsible for public access. Land Information New Zealand the nation's mapmaker, is supposed to show access on maps, manages surveys, High Country tenure review and Crown Forests. The Department of Conservation manages public parks and access to them, marginal strips, and is a major participant in tenure review. Ministry for the Environment administers the Resource Management Act (RMA) where access to water bodies and the coast is nationally important. District councils manage esplanade reserves at subdivision and administer public roads. Regional councils have planning responsibilities for access to coasts and water bodies under the RMA.

There is a multiplicity and overlap of roles between these agencies. No one is responsible for overall co-ordination, policy or improvement. Generally, all have been poor performers on public access. Most see public access as controversial, an unwanted expense, and bottom of their priorities.

#### Policies

##### 3.1.1 Establish an independent Public Access Commissioner, reporting to Parliament:

Establishing this position is essential to break the present vicious bureaucratic downward spiral. His/her role would be to provide direction and co-ordination among these divergent agencies, and to get them to take their roles seriously. He/she would also consult on legislative and other means of improving public access to the countryside. Given the importance of outdoor activities in New Zealand, and the interest and variety of our coasts, countryside and landscape generally, it is surprising such an independent commissioner doesn't already exist.

Public Access New Zealand, the experts on public access, in consultation with national outdoor recreation associations, have developed a full strategy for improving public access on topics including Public Roads, Queen's Chain, rivers and lakes, foreshore and seabed, and fishing and hunting access. The Strategy shows much to do. But some early gains are achievable. Their Strategy has been presented to Government. It clearly highlights why public access must have an independent official advocate. Unfortunately

the role of the Walking Access Commissioner in the new Walking Access Bill is very narrow, focussing on only walking access primarily on Walkways. This is largely a wasted opportunity. It appears an endeavour to not do the job of being a Public Access Defender's Office properly.

### **3.1.2 Establish a Public Access Improvement Fund:**

This A Fund is essential for enhancing public access and recreation cost-effectively. It could include important cases for land purchase, but equally other projects that improve the public's ability to access and enjoy the countryside, including maps, signs, tracks, roads, access codes etc. Landowners would generally be compensated where land purchase or easements were required.

Much benefit from better public access goes to the public outside the district. Cash strapped rural district councils, with declining populations, don't spend rates to benefit outsiders. Such a Fund would clearly show that Government saw the issue as a national one and was prepared to play its part. Unfortunately there is no specific Fund for the Walking Access Commissioner in the Bill.

**3.1.3 Improve Public Access and Land Ownership Maps:** Hard copy maps showing public land boundaries and public access to them, previously cadastral maps, were withdrawn by LINZ, and need to be reissued, so the public knows where it has a right to go. Labour has budgeted \$2 Million annually for this. Generally too, all public conservation lands should have access for hunters, except for native bird sanctuaries. Recognise all outdoor recreation. Four wheel driving is a legitimate recreation and subject to consideration of conflict with other recreation users or wildlife concerns, e.g. bird nesting, should have recognised access rights and input to decision-making bodies.

## **3.2 Public Roads**

New Zealand's public roads provide the essential framework for our property-owning society to function. Roads are strips of land, generally 20 metres wide, whose ownership is vested in district councils but subject to centuries-old common law. This law establishes rights of unhindered passage for everyone. Roads also provide rights of 'frontage' to private and public properties. Without assured legal access, properties become landlocked and valueless. Half the Queen's Chain is public road. All public lands and waters are dependent on them for access. Roads are of primary importance for everyday life, both urban and rural. Everyone uses them and there are no alternatives.

Freedom of passage is essential for a democratic society to function. Without this, citizens cannot exercise their right of freedom of movement under the Bill of Rights Act. The proposed road 'reforms' of the 1996 National government attacked these basic human rights.

The 1996 National Government proposed a commercial model for managing roads that depended on direct user pays. This envisages electronic surveillance of users by overhead gantries or satellites, and direct tolling and billing of vehicle owners. This was to replace the existing mix of indirect taxes, levies and rates. National envisaged that eventually all roads, not just congested motorways or new roads, will become toll roads. Passage would be allowed only to those who pay. Privatisation to modern day highway robbers is then only a step away.

The current Government has announced plans to allow limited motorway toll roads as a means of funding. However there are continual industry and bureaucratic pressures for direct 'user pays' electronic road charges, especially for charging on peak urban roads. While issues relating to public freedom of movement and access remain unaddressed, there is need for continual vigilance by citizen groups.

Currently whether a road is formed or unformed has no bearing on its legal status or public rights of use. Tens of thousands of kilometres of unformed roads give public

access to the countryside, water bodies and coasts. These account for approximately half the roading network. Through redefinition of the meaning of 'road' they will become prime targets for disposal.

A widespread existing problem is the unlawful obstruction of unformed roads by adjoining landowners. Whilst district councils have sufficient powers to deal with this they rarely have the will to do so.

This is the biggest single problem currently faced by users of these roads, outside the road "Reforms". CORANZ proposes a solution successfully applied in the United Kingdom.

## **Policies**

### **3.2.1 Retain Roads as Publicly Owned and Controlled Essential Public Infrastructure:**

Recognise roads as essential public infrastructure serving individual freedom, community and property access needs, not just the interests of the transport sector. Retain state and local authority road ownership and management.

**3.2.2 Reject the Corporate Roothing Model:** Reject commercial, profit-driven management of public roads. Instead enhance public management as an essential community service through a variety of indirect taxes, levies, rates and by better targeting high road wear heavy transport.

**3.2.3 Confine Road Tolling:** Prohibit road tolls over public roads. Confine tolling to designated motorways, provided convenient alternative public roads are available for vehicle and other road users. (The option of tolls over private roads eg skifield roads, remains).

**3.2.4 Retain the National Road Network:** Retain the national urban and rural road network, including formed and unformed roads, subject to all existing road closing procedures and 'frontage' criteria.

**3.2.5 Protect Public Rights of Passage:** Enact a statutory duty on district councils to assert and protect public rights of passage. Reject the extinguishing or modification of common law rights of passage and property frontage. Resist any attempt to codify or define in statute what those public rights are, as once legislated for, these can be easily revoked by Parliament.

**3.2.6 Ensure Property Frontage to Public Roads:** Re-enact the primacy of retaining (other) "adequate public road access to lands and waters in the vicinity of a road", as a requirement for the Environment Court to decline a decision to close or 'stop' a road. (Repeal of this key protection happened by amending the Local Government Act (Clause 6, 10th Schedule) via the Resource Management Act. Loss of the central access purpose of roads would occur by removing any statutory requirement for providing or maintaining property 'frontage' to roads. This would remove the primary reason for roads and greatly assist their future closure and disposal).

## **3.3 Public Access to Public Lands, Waters and Game**

Public lands, waters and game are held publicly by various Crown agencies under a duty of trust to all New Zealanders. It is not these agencies' estate, but public estate, that must be managed for various purposes set out in legislation. Public recreation and enjoyment is the principal purpose for some categories of public land, and an inseparable if secondary purpose for most other areas with a preservation or conservation requirement.

In the latter cases public recreation is generally to be fostered while maintaining natural values. However this is often misinterpreted by administering officials as a pretext for unwarranted restrictions on public use. With the exception of nature reserves and

sanctuaries, free and ready accessibility and enjoyment of these places must be maintained to satisfy public needs and to maintain public sympathy for important conservation and recreation goals. There are also important social and cultural traditions associated with recreational use and access to these resources. Public access and enjoyment of the outdoors is very much part of New Zealand's national consciousness. Some specific law changes are needed to remind administering agencies of this.

DOC promotes easements over private land rather than creating or utilising public roads. Easements have proved insecure, with no citizen remedies available for breach of their terms. Notable breaches have occurred on Mt Hikurangi and the Pisa Range, where DOC proved unwilling to enforce public rights of access in the face of obstructive landholders.

## **Policies**

**3.3.1 Enact Public Access as a Matter of National Importance in the RMA and other statutes:** Enact the preservation and enhancement of public access to public lands and waters as a matter of national importance in relevant statutes (RMA, National Parks, Conservation Acts etc)

**3.3.2 No Entry Charges:** Prohibit public entry charges to public lands, foreshores and waters (except as already allowed for some recreation reserves). S 17 Conservation Act and S 4 National Parks Act guarantee access is normally free of charge.

**3.3.3 Prefer Public Roads, Create Bridle Paths:** Retain and create public roads (formed or unformed) as the preferred - because they have guaranteed rights, including guaranteed public consultation on changes - access provision to public areas. Promote the creation of bridle path and pedestrian tracks through limited dedication as public roads in instances where use by motor vehicles is undesirable. This would shadow developments in England and Wales for public paths, based on the same common law.

**3.3.4 Ensure Public Involved in Altering Nature Protection and Access Covenants/ Easements:** Create a statutory obligation on Crown or local government agencies for a public notification and objection process before any modification or extinguishing of public access easements or covenants they are party to, and require that they must have particular regard to the purposes of the areas being accessed.

**3.3.5 Compliance with Access Easements:** Create a statutory right for any citizen to sue any "easementing" or covenanting authority for non-compliance with the terms of easements by them or affected landowners.

**3.3.6 No Charging for Fishing or Hunting Access:** For certainty introduce the Palmer Amendment. It is an offence for a landowner to charge for the right to fish or hunt, or walking access thereto. Section 23 of the Wildlife Act, S 26ZN of the Conservation Act, prohibit charging for access to fisheries or game bird hunting, and extend it to wild/feral big game and sea fishing. Ownership of wild deer, under the Wild Animal Control Act lies with the Crown, until the animal is legally taken. S 57 of the Wildlife Act confirms this. Enforce this law. Fish and Game NZ and DOC should take court action against the sale of trout fishing or shooting rights. Game preserves that have been operated contrary to law, should be closed.

**3.3.7 Only Fish and Game NZ should licence Fishing Guides:** It is an offence (see s23 Wildlife Act) to charge for fishing access. Fish and Game, rather than DOC, should be the only agency licensing fishing guides, to ensure the fees go back to fish management. It would also clarify with private landowners, that any fees paid a user charge that went back into fishery management. Fishing guides are not licensed by F&G at present.

**3.3.8 Restrict Foreign Ownership of Land:** Stop sales of lands proposed for foreign ownership, if that land has significant recreational or amenity values. The Overseas Investment Commission (OIC) is now required to consider whether overseas sales bring "substantial and identifiable" benefits. This is inadequate. Commission approval is only required for sale of land over 5 ha, worth more than \$10M, or more than 0.2 ha and neighbouring the coastline foreshore, or specified reserves.

**3.3.9 Publicise Public Access to Crown Forests:** Require LINZ to make concise information and maps on public access to Crown Forests available on pamphlets, onsite notices, and web sites. Crown Forest access rights were created for exotic forests then owned by the Crown, at the time of sale of cutting rights, by the Crown Forest Assets Act 1991. They allow foot access without a firearm during daylight hours, and vehicle access along some specified roads, except when there is a fire or safety risk. Land Information NZ records and administers the Act.

### **3.4 The Queen's Chain**

The Queen's Chain consists of publicly owned strips of land along the banks of rivers and lakes, and above the high water mark of the sea. It consists of These include public roads, marginal strips, esplanade and other reserves. Approximately 70 per cent of major waterways and the coast have a 'Queen's Chain' in one form or another along them. This is a unique and internationally envied provision highly valued by generations of New Zealanders.

It is widely considered part of our birthright. However it is capable of further improvement to ensure that public access is available to all major water bodies. Also limitations and privatisation measures introduced by successive Governments need to be overturned. Labour's 1999 Election policy was to "develop a strategy for the extension of the Queen's Chain to ensure New Zealanders have improved access to our waterways and coastline" So far little has happened The proposed Walking Access Commission seems unlikely to achieve this.

### **Policies**

**3.4.1 Identify and Extend the Queen's Chain:** Actively investigate the means for making readily publicly available the location of the Queen's Chain. Extend the Queen's Chain along New Zealand's sea shore, and along the banks of rivers and lakes wherever a public purpose would be served. The first step would be to mark the locations of all Queen's Chains on the 1: 50,000 national mapping database, maintained by the Crown, and have it added to all NZMS 260 series maps from now on. Fixed chains not now along water bodies should be made movable, to ensure continuation of their original purpose.

Maps could be shown on the Internet, to make the information readily available. Information on the Queen's Chain and legal roads, was shown on the Cadastral Map series. Also, show forests and forest roads, with public access under the Crown Forests Assets Act.

**3.4.2 Allow Closure only by Emergency Agencies:** Change relevant legislation (Conservation, Resource Management, Local Government Acts) restricting powers of closure to emergency agencies (police, civil defence, fire services) for public order and public safety reasons only.

**3.4.3 Restore Public Access as the Primary Purpose of Marginal Strips and esplanade reserves:** Restore public access and recreation as the primary purposes for marginal strips and esplanade reserves.

**3.4.4 No Private Managers:** Repeal provisions for private managers (S 24H Conservation Act) over marginal strips (proven to be unnecessary but is a highly dangerous provision).



**3.4.5 Make all Marginal Strips Moveable:** Amend the Conservation Act to make all marginal strips movable (currently only newly created marginal strips are movable).

**3.4.6 No Leasing Marginal Strips:** Remove provisions for leases and occupation licences over marginal strips.

**3.4.7 Review RMA Esplanade Reserve Compensation:** Review compensation, waiver, and the less-than-4-hectare subdivision requirement for esplanade reserves under the RMA.

**3.4.8 Review RMA Access:** Review appropriateness of esplanade strip and access strip provisions, and repeal restrictions on public access under the 10th Schedule to the RMA.

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## 4 A Strong Outdoor Recreational User Voice

"To promote the welfare and strength of its member associations and outdoor recreation generally."

### 4.1 Fair Funding for Outdoor Recreation from SPARC

National recreation associations raise money directly from their members by subscriptions etc. But they need a fair share of public funding compared to sporting and other public interest groups, to be able to adequately represent the interests of their outdoor recreation public. The outdoor recreation sector is unlike sports groups, in that public access to recreational "playing fields" - natural lands and waters, fisheries and game - and advocacy for our interests, in the face of competition from commercial interests, are fundamental to adequate protection of and recognition for public outdoor recreation.

There are almost no public funds provided for the major outdoor recreation associations in New Zealand. The late unlamented Hillary Commission, in spite of being named after our most famous outdoor recreationist, Sir Edmund, was unsupportive of national outdoor recreation associations.

CORANZ strongly supports the recommendations of the Government's 2001 Graham Task Force on Recreation and Sport, "Getting Set for an Active Nation". This saw outdoor physical recreation and sport as of equal national significance. It proposed a new Crown entity, "Sport and Recreation New Zealand" now called SPARC, with both outdoor recreational and sport divisions, of equal importance. This would have been an important start for recognising Outdoor Recreation. But SPARC has so far done almost nothing to implement the recreational recommendations of the Graham Task Force. The amount allocated to national outdoor recreation associations is still miniscule. There is not even an experienced outdoor recreational representative on its Board.

SPARC grants only a miniscule amount, less than \$100,000 per year, 0.2% of its \$72 million 2004-05 annual budget, for all national outdoor recreation associations combined. Professional and competitive sport scooped the funding pool, to the detriment of outdoor recreation, even though it can play an important role in getting people active.

### Policies

**4.1.1 Ensure Sport and Recreation New Zealand (SPARC) delivers adequate and fair funding and support for Volunteer Outdoor Recreation :** Ensure the recommendations of the 2000 Task Force on Sport, Fitness and Leisure to have three divisions: Sport, Active Recreation and Policy & Services are carried through. The Board of Sport and Recreation New Zealand must have policies to ensure active outdoor recreation gets adequate policies and financial support to assist amateur outdoor recreation associations and sports. We seek an **annual allocation of \$4 million** for volunteer outdoor recreation national bodies. There should be direct nomination of Outdoor Recreational representatives to Sport and Recreation New Zealand.

**4.1.2 Provide Financial support to protect Outdoor Recreation Resources:** As part of its annual grants, require SPARC to fund recreation Non Government Organisations (NGOs) for research and advocacy to protect defend and enhance outdoor recreation resources and opportunities, as one of its key funding areas. For example, financial support for advocacy for public access, or Associations seeking Water Protection orders for wild and scenic rivers, or to protect kahawai as a recreational sea fish. This will be a key funding area, beside SPARC's funding of membership promotion, skills and training/coaching promotion. There should be no funding of professional sport or tourist activities.

At present any involved Recreation Association has to fight for the resource solely from its own resources, while non-member individuals get the benefit. This public benefit to the wider outdoor recreation community is a major reason for public funding.

#### **4.2 Fair Funding - Other Sources:**

Though gambling turnover has expanded by three times in the last ten years (Casinos, Poker machines etc) the proportion of money going to Lotteries Grants or back into the community from the new owners, has reduced, because of the privatisation of gambling eg casinos. Much of this is now done independently by clubs, pubs charities and community trusts, in an ad hoc way. Some of it seems to be is a rebate to user groups for their patronage of pokies, or bars etc.

#### **Policies**

**4.2.1 Provide More Gambling Taxes for Community Activities:** CORANZ proposes that all non Lotteries Commission commercial gambling be taxed at the same average rate as the contribution given by Lotteries Commission activities. These taxes would go to the Lotteries Grants Board for community grants, including Outdoor Recreation.

**4.2.2 Rebate Petrol Tax on Recreational Motorboat Use:** Excise duties paid on petrol used in recreational boats goes into the consolidated fund, without any coming back for recreational boat users benefit. This is unlike diesel, where marine users do not pay the excise that comes with road user charges. 100,000 outboards, using 100 litres each per year at 50c/litre equals a \$5 million/year tax take.

#### **4.3 Management of Recreational Firearms Use**

The ability to use firearms for recreational purposes is a long-standing and important right for New Zealanders. Together with this right, goes an obligation to use firearms responsibly and lawfully without danger or threat to others.

CORANZ supports laws that encourage the responsible use and ownership of firearms while at the same time discouraging their criminal and irresponsible use. Systems for the registration of sporting firearms are expensive, unwieldy and ineffective. Such systems target law-abiding citizens and have little effect on the criminal misuse of firearms.

#### **Policies**

**4.3.1 Support Current Recreational Firearms User Registration:** CORANZ supports the current laws, requiring licensing of individuals as firearms' owners

**4.3.2 Maintain Sensible Firearms Storage Laws:** CORANZ supports the present legal requirements for the secure storage of firearms when they are neither in use nor under the immediate control of a firearm license holder. CORANZ believes such laws enhance the safety of children and other members of the public. To be effective, laws should be easy to understand and not impose unnecessary costs on license holders.

#### **4.4 Greater Leisure Time for Recreation:**

Leisure time for recreation has been severely restricted over the last twenty years or so. New Zealanders now work some of the longest hours in the developed world. People in employment are working longer hours, shifts and weekends, thus reducing recreational time. It also puts more pollution and other exploitation pressure on the environment. Some countries eg France, Germany have moved successfully to a 35 hour week. New Zealand is now belatedly following Australia and Europe with 4 weeks annual leave by 2007.

Current practices of an unlimited working week, and shift work at weekends, greatly reduce the opportunity for many citizens to enjoy outdoor recreation., because fFor those employed, work now takes up a significantly greater amount of their available time. New Zealand's 40 hour week legislation, still celebrated at Labour Day, highlights



an important citizen right, not now enforced. Similar legislation to reduce working hours, and spread the benefits of work, is needed.

#### **Policies**

**4.4.1 Legislate for more leisure time:** eg 35 hour working week, more holiday time. In the 1970s when a family home could be sustained on a 40 hour week. Now it requires 2 adults working to sustain a home.

#### **4.5 Improve Physical and Mental Health and Fitness, Reduce Obesity:**

An obesity epidemic, caused by sedentary lifestyles is sweeping the western world. New Zealand has an obesity problem. Greater outdoor recreation participation would increase New Zealanders fitness, both physically and mentally.

#### **Policies**

**4.5.1 Gain Funding for a programme of education and action on maintaining active lifestyles :** We seek a direct contribution from government towards healthy lifestyles including outdoor recreation. The target is to reduce obesity, and ill health, by a healthier and more active lifestyle.

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## 5 A Population Policy for New Zealand

New Zealand's population is growing slowly at about 1% but with occasional spurts caused by good economic times attracting high immigration for 2 to 3 years. Population is predicted to reach 5 million by 2031. A population policy is urgently needed. With currently just over 4 million people there are already pressures on outdoor recreation resources, such as. congestion on facilities in National Parks and pressure on quality wilderness trout rivers.

## 6. Global Warming and the end of cheap oil

That a full independent enquiry be held into accurately assessing the extent of global warming and the integrity of the Kyoto Protocol and carbon trading.

The world is approaching finite limits to growth, a concept raised in the early 1970s, but only now starting to bite. As well, the last two hundred years has seen the industrial revolution, fuelled by finite and non-renewable fossil fuels, that are so energy intensive, that they have created a once-only peak in human populations and wealth.

Oil is now running out. Gas and coal will too. There is need to transition humans to renewable energy and steady state populations and finite wealth, rather than exponential population and financial growth. Massive amounts of greenhouse gases are modifying the World's climate and sea level that also have to be reversed.

Enough energy comes from the Sun to replace fossil fuel energy. So it is possible to make the transition. Though it is likely to be difficult. The Outdoor Recreation community will need to make the transition too, and needs to discuss the issue, and move to a sustainable lifestyle. This will initially be at a lower level of consumption than we have now. World population levels will also need to drop.

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