

Public Access New Zealand

Incorporated

Secretary, Public Access New Zealand Inc.,
P. O. Box 17, Dunedin, Otago New Zealand.

Submission on the:

PROPOSED RESOURCE MANAGEMENT REFORM

This is a submission on behalf of Public Access New Zealand Inc.,(PANZ) a charitable trust first registered in `1992 with the following specific objectives.

“The preservation and improvement of public access to public lands and waters and throughout the New Zealand countryside in general and the retention in public ownership and control of all publicly owned lands and waters with value for public recreation or nature conservation, all inland and coastal waters, and recreational resources therein “

We have no political affiliations whatsoever and have no interest in any political intent which may, or may not, be driving the suggested changes – our interest is solely on the social implications of the proposed changes. ..

We believe we have a social responsibility to speak out on matters which are contrary to our stated objectives and the interest of our many supporters.

GENERAL COMMENT:

Section 6 of the Act, established in 1991, contains the principles that were to be followed by any persons exercising functions and powers under it and is headlined.

Matters of National Importance..

Section 6 is therefore the core of the Act and it was the intent of those passing the Act into law that conservation and environmental considerations should take precedence, in large part, over commercial considerations. Simply stated section 6 protected the environment and section 7 provided for commercial development under restrictions imposed by section 6 .In the Act section 6 is clearly to be of primary consideration.

Certainly it was intended to be the superior of these two sections..

We are alarmed to now note the proposal to alter the status of section s6 and 7 so as to give more emphasis to the profit driven initiatives of a relatively small sector of the population. This will be done by combining the two sections while downgrading the protections currently provided in section 6 of the Act and promoting commercial development over those protections.

Our comments are largely confined to matters which impact on outdoor recreation and environmental and conservation issues but we are also mindful of the impact of the proposed amendments on other sectors.

Your discussion paper refers to “concerns” which have been expressed over the outcomes produced by the current Act but while you don’t elaborate on the source of those concerns it is clear that the main beneficiaries are intended to be the farming sector and property developers generally.

Our organisation is not opposed to sensible development nor to consideration being given to facilitating commercial gains in the rural sector but can never accept those proposals in your discussion paper which will have the effect of dramatically downgrading the environment and which will have such an adverse effect on outdoor recreation generally..

You appear to have listened to the “concerns” of a small sector of our population whose drive for profit far exceeds their understanding of the principles of sustainable development – to the clear detriment of the environment, amenity values and outdoor recreation generally

We have specific concerns on the following proposals.

(1) In section 6 of the Act there is unambiguous protection for New Zealand’s ecosystems, extraordinary natural character, and outstanding landscapes whereas the proposal now includes under **PRINCIPLES** such comment as

“THE EFFICIENT PROVISION OF INFRASTRUCTURE AND ENSURING THE AVAILABILITY OF LAND FOR URBAN EXPANSION AND DEVELOPMENT “

That comment should not be included under the new proposed section 6 unless that new section also confirms that protection of the environment is to be a primary consideration.

(2) under the ACT public access to and along coastal marine areas lakes and rivers is to be **“maintained and enhanced “**whereas under the new proposals that requirement is to be removed and there is just an **“acknowledgement of the value of public access”**

That is an appalling removal of a provision in the Act which is at the core of the public expectation of free and unfettered access to the countryside by way of publicly owned lands. The enormous efforts which have been expended by organisations such as ours over the past 10 years, and the excellent work of the Walking Access Commission, is now proposed to be cast aside in favour of, obviously, the strident and unprincipled concerns of a section of the rural community ..

This part of the proposed changes to the Act is regarded as a serious provocation by the outdoor recreation community

This part of the proposal will not be accepted by the outdoor recreation community and should be removed from the proposal forthwith

Under the Act the protection of the habitat of trout and salmon is to be given **PARTICULAR REGARD ..**

. There is no such provision in the proposal only a weakened comment that those habitats should be “considered “

You should be aware the protection of the habitat of trout and salmon goes much further than recognizing the interests of some anglers. The New Zealand trout fishery is a world renowned asset which contributes millions of dollars to the economy from both the spending of residents and particularly from the spending of overseas tourist anglers. The Tourist industry benefits substantially from this.

The protection of habitat for trout and salmon is at the center of any effort to maintain or improve the angling experience and the removal of that protection is a foolish move designed only to appease those who would seek to benefit from this deletion.

Wetlands, current waterways protected by Water Conservation Orders and others yet to come are under a serious threat if the deletion of the current protection this habitat enjoys is undertaken

Unfortunately it has become somewhat of a joke in recreation outdoor circles that when the words “consultation” and “consideration” are used in an official document; they imply that only lip service is to be applied to the matters involved.. There is seldom any commitment to act on any issues arising from “consultation” or “consideration “.

With regard to the recognition of “amenity values

” **THE CURRENT Act provides for** the protection of amenity values which are defined as “those natural or physical qualities and characteristics of an area that contribute to peoples appreciation of its pleasantness, aesthetic coherence and cultural and recreational attributes”. The proposal document would delete this requirement and provide nothing to replace it.

Any deletion of this part of the Act will have widespread and far reaching adverse effects on the environment and outdoor recreation generally and can only be regarded as an unprincipled effort to downgrade the current protection for the benefit of the farming sector and property developers.

Finally the most disturbing aspect of this unfortunate proposal is that one of the promoters is the Minister for the Environment who surely must be compromised for her involvement .We would have hoped the Minister of such a department would show a much greater empathy for the principles of sustainable development, environmental protection and outdoor recreation generally than would be suggested by her involvement in this matter.

While the proposed joining of sections 6 and 7 is not opposed we can only agree with that if the necessary safeguards inherent in the wording of the current Act are included and strengthened and that it is made absolutely clear that protection of the environment remains the paramount consideration at the core of any amended Act.

The proposed amendments to the Act are heavily weighted towards development at the expense of the environment and outdoor recreation and are of little credit to the Ministers involved

The status of section 6 in the proposal must be reviewed and all environmental protections in that section in the Act maintained and where possible strengthened.

Sincerely.

Alan McMillan
Chairman
Board of Trustees,
27TH March 2013