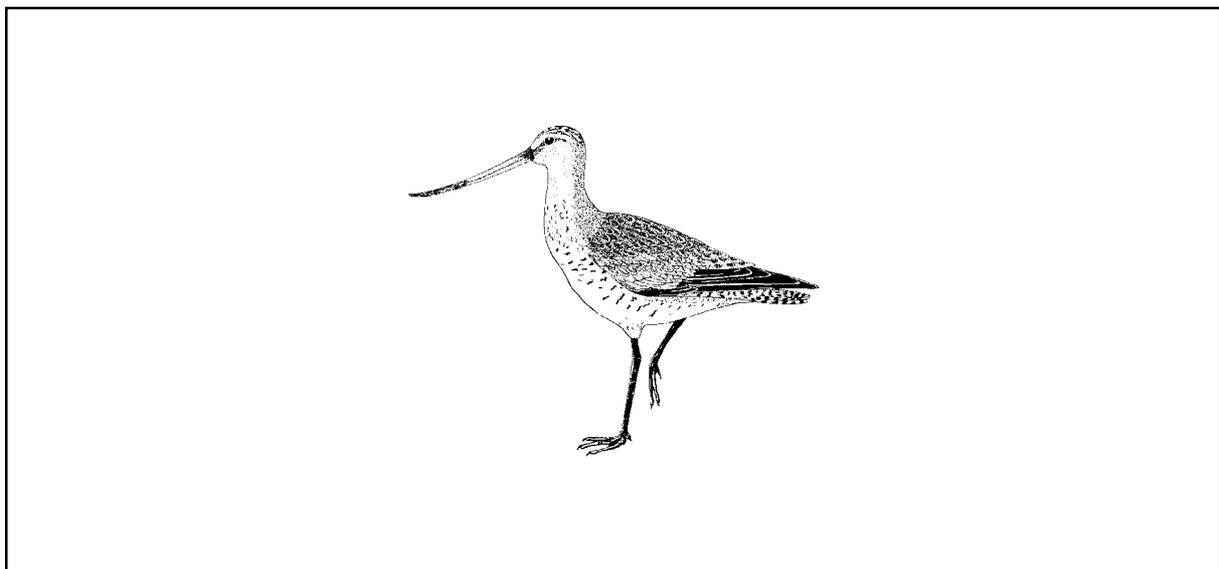


The Age of Submissions: Recreational Access to the Outdoors

An Update on the Access Issues, for Outdoor Recreators, September 2004. By Pete McDonald.

Contents

Introduction	2
Thirty-seven Years of Access Rumbblings, 1967–2004	2
The Other Two-thirds of New Zealand	4
Eight Recent Access Topics	5
1. The Land Access Ministerial Reference Group, 2003–4	5
2. The Foreshore and Seabed, 2003–4	6
3. Draft General Policy National Parks Act, August 2003	8
4. Land Information New Zealand Topographic Information User Survey, August 2004	8
5. Tenure Review and the South Island High Country, 1990s – Present	9
6. The Department of Conservation’s Recreation Opportunities Review, 2002–4	9
7. Dunedin: The Signal Hill Recreation Reserve Management Plan, 2003	9
8. Dunedin: Review of the 1998 ‘Track Policy and Strategy’, 2003–4	10
Access Details on Which Recreators May Disagree	11
Public Ownership or Rights of Way?	11
Single-occasion Arranged Access or High-quality Access?	11
What Should Form the Primary Source of Information on Access?	12
How Can Our Outdoor Recreation Associations Help To Improve Access?	12
Keeping the Access Debate on the Political Agenda	12
The Value of an Access Committee or Access Officer	13
Selected Bibliography	14



Eastern bar-tailed godwit.

FELICITY CUTTEN

Introduction

Geoff Chapple, writing in *Te Araroa*, the newsletter of Te Araroa Trust, called 2004 'the year of access'. This article will first very briefly summarise some of the developments that led up to this year of access. Then it will outline eight recent access topics that have each involved consultations and submissions. Six of these topics hold importance for recreators nationwide. These six are by no means a complete list of current national access issues; anglers, for example, could list some other access issues, such as those connected with the marine reserves. The other two topics are local ones, of significance to Dunedin walkers and mountain-bikers; readers from other areas will be aware of similar issues in their own localities.

At the time of writing, all but one of these eight access topics are still in progress.

I will mention just a few key national organisations, from both sides of the debate, such as Public Access New Zealand and Federated Farmers of New Zealand. There are of course dozens of other bodies – national, regional, and local – that have been involved in consultations and that have made submissions on the various topics.

The penultimate section describes three questions that have arisen from the work of the Land Access Ministerial Reference Group. These three questions involve access details about which access campaigners themselves may disagree. These access details need publicising, understanding, and discussing.

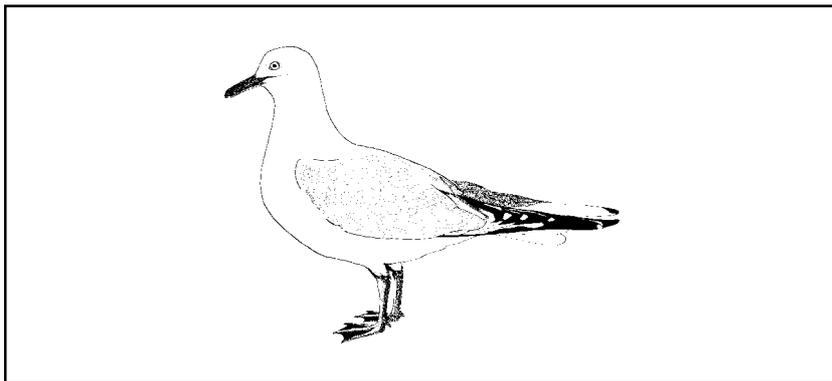
It is increasingly in the nature of outdoor recreational associations that a small number of administrators and office-holders face a growing bureaucratic mountain. Yet consultations and submissions do form a democratic part of national, regional and local planning. The last section offers a few ideas on access that might help organisations obtain maximum results in the Age of Submissions.

Land Access

'Labour will:

- Develop a public access strategy, including the extension of the Queen's Chain and the provision of rural and urban walkways, to ensure New Zealanders have ready and free access to our waterways, coastline and natural areas.
- Ensure that New Zealand's natural recreational resources are not captured for exclusive commercial use but remain freely available for reasonable public enjoyment.'

From the Labour Party's 'Conservation Policy 2002', a part of Labour's election manifesto.



FELICITY CUTTEN

Black-billed gull.

Thirty-seven Years of Access Rumbblings, 1967–2004

At its annual general meeting in May 1967, the Federated Mountain Clubs (FMC) considered, for the first time, the idea of a 1,200-mile national trail. But the emphasis soon shifted from the need for one long-distance track to the need for a national network of tracks. In October 1971, the minister for lands, the Hon D Mac-

Intyre, proposed a network of walkways throughout New Zealand, which would give the public access to private property as well as to national parks and reserves. This proposal helped lead to the Walkways Act 1975. FMC members were involved in the creation of walkways until the late 1980s.

Public Access New Zealand (PANZ), an incorporated charitable trust, was established in 1992. It is primarily a research body that provides access facts and legal know-how; but it also takes robust stances on many access issues. It immediately gained prominence with its Queen's Chain campaign of 1993.

In November 1997, the Council of Outdoor Recreation Associations of New Zealand (CORANZ) was set up to provide a voice for recreators in the political arena. CORANZ is a lobby group. It is not aligned to any political party. Among its associated members are the New Zealand Federation of Freshwater Anglers, New Zealand Deerstalkers, Salmon Anglers, PANZ, New Zealand Bowhunters Society, and Marlborough Recreational Fishers. CORANZ points out that many outdoor recreators don't seem to belong to a recreational organisation. CORANZ takes the view that it advocates for more than a million outdoor recreators; not all of these of course are members of bodies associated to CORANZ.

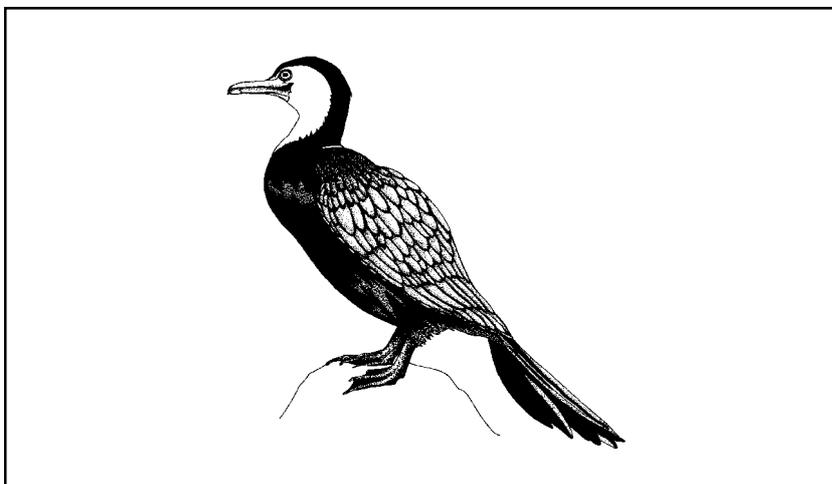
Commenting on the lobbying for access, the chairmen's report to the CORANZ 1998 annual general meeting stated: 'The brunt of the work has fallen on too few shoulders. That results in skilled, invaluable people becoming stressed, burnt-out and forced to reluctantly opt to the sideline ... If every member of each club ... spent a half an hour - just 30 minutes - every six months penning a letter to some editor, at some paper or magazine, on the issues confronting our sport, we would have little of the threats.'

In October 2001 a group of hunters took the first steps towards setting up a political party to protect their outdoor interests. They registered the party, Outdoor Recreation New Zealand (ORNZ), in March 2002. At the general election in July 2002, ORNZ gained 25,985 votes, 1.28% of the votes cast. In November 2003, ORNZ formally affiliated to United Future New Zealand in an arrangement that will see the two parties jointly contest the next general election under the United Future banner.

Land Access

'The proposals discussed in the [Acland] report entail a substantial erosion of private property rights which is detrimental to prosperity.'

From the New Zealand Business Roundtable's 'Submission on *Walking Access in the New Zealand Outdoors*' (November 2003).



FELICITY CUTTEN

White-throated shag.

The Other Two-thirds of New Zealand

New Zealand's national parks cover about a third of its area. The question of recreational access to these parks is not a solved and dead issue. For example, the New Zealand Recreational Canoeing Association has recently been concerned about a proposed National Park General Policy and a proposed Conservation General Policy that classify canoes and kayaks as forms of transport to be 'actively discouraged' unless specifically allowed for in conservation management plans on a park-by-park basis. Also, Mountain Bike New Zealand has run a long campaign to gain cycling access to selected tracks in the national parks.

Many current access issues, however, involve lands outside the national parks. City- and town-dwellers need outdoor-recreation possibilities for evenings and half-days and single days, such as multi-use tracks in and around the urban areas. Arguably, for the car-less young and the car-less lower-income groups of our urban populations, the national parks – hundreds of kilometres away from where they live – may be relatively irrelevant. Increasingly in the years ahead, recreators will focus on improving the recreational access to the lands close to our cities and small country towns. In some cases this will require walkers and cyclists to lobby determinedly for more walkways and wycleways across urban-fringe farmland.

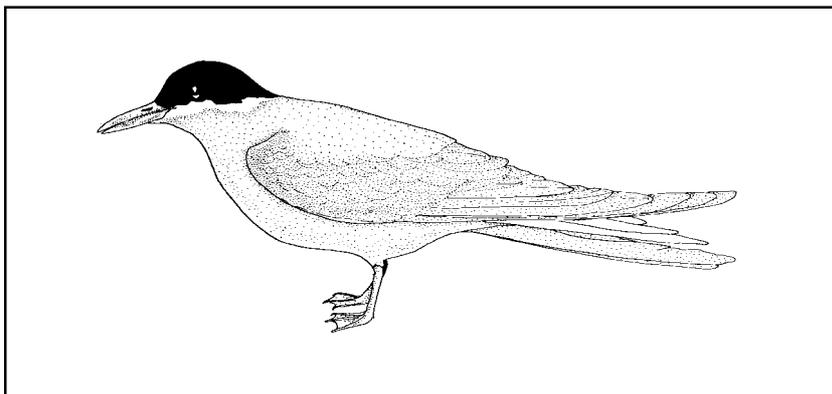
Our national parks may be models of best practice from which many other countries could learn (although some recreators might dispute this). Our track networks in some parts of the other two-thirds of New Zealand are fragmented, poorly waymarked, of unclear status, vulnerable to closure, and sometimes nonexistent; here, in these places – such as on the Otago Peninsula – we have yet to recognise sufficiently the value and desirability of secure networks of public foot-tracks and cycle-tracks.

Some landowners flatly reject the above justification for improved linear access across private land. Recreators, according to some landowners, have overstated the access problems. Firstly, there is a landowner view that, because New Zealand has vast areas of public land, recreators should not need access across anywhere else. Secondly, Federated Farmers of New Zealand press statements have cited research that found that about 90% of farmers grant access when asked. I will return to this second argument later, in 'Single-occasion Arranged Access or High-quality Access?' (page 11).

Land Access

'... the Acland Report, and an associated detailed Action Plan by Public Access New Zealand, provides a once-in-a-lifetime opportunity for recreationists and landowners to make access improvements that we should all grasp'.

From 'Spotlight on Public Access Provides Major Opportunity for Access Improvement' (November 2003), by Hugh Barr, the secretary of the Council of Outdoor Recreation Associations of New Zealand (CORANZ).



FELICITY CUTTEN

Black-fronted tern.

Eight Recent Access Topics

1. *The Land Access Ministerial Reference Group, 2003–4*

- January 2003. The Group convened. Set up by Jim Sutton, the minister for rural affairs, to consider three matters: access to the foreshore of the lakes and the sea and along rivers; access to public land across private land; and access onto private rural land to better facilitate public access to and enjoyment of New Zealand's natural environment. The terms of reference limited the investigation to access on foot; they specifically excluded mountain bikes, horses, and vehicles.
- January 2003 – August 2003. The Group met several times. Consulted interest groups, especially organisations with a long-standing involvement in the subject. Gathered information. This stage did not include formal public submissions, yet, despite this, the Group received 231 letters. These 'submissions' included substantial statements from such bodies as Federated Farmers of New Zealand (a twenty-six page print-out) and Public Access New Zealand. Of particular note, from a recreator's viewpoint, was the PANZ submission, *Improving Public Access to the Outdoors: A Strategy for Implementing Government's Election Policies* (June 2003).
- July 2003. The Ministry of Agriculture and Forestry (MAF) produced its 'Summary of Submissions to the Ministerial Reference Group on Land Access'.
- August 2003. MAF published the Group's report, *Walking Access in the New Zealand Outdoors*. (Also known as the Acland Report.) It also published Brian Hayes's paper, *The Law on Public Access Along Water Margins*.
- September 2003. Jim Sutton announced the start of a public consultation on walking access. The government organised a series of meetings around New Zealand, to obtain people's views on the proposals in the report. The government also invited people and organisation to make written submissions; in effect, this meant that some of the main national bodies set about preparing their second submissions.
- September 2003 – October 2003. About fifty meetings were held around New Zealand, roughly half of them being public meetings and half being for invited people or organisations.
- 30 November 2003. Deadline for written submissions. Among over a thousand submissions, some of the more contrasting and representative were those from the New Zealand Fish and Game Council (NZFGC), the Council of Outdoor Recreation Associations of New Zealand (CORANZ), Federated Farmers of New Zealand, and New Zealand Business Roundtable.
- 27 January 2004. Don Brash's 'Nationhood' speech diverted attention away from land access and towards the foreshore and seabed. (Just before Christmas, the government had announced its foreshore-and-seabed policy.)
- March 2004. MAF produced its 'Summary of Comments Made at Consultation on the Report of the Land Access Ministerial Reference Group, *Walking Access in the New Zealand Outdoors*'. (17 pages.)

Land Access

'[Farmers'] property rights are in danger of being overridden by a public "right" of access, which has the potential to put at risk individual farming enterprises, with flow-on effects to rural communities and the New Zealand economy.'

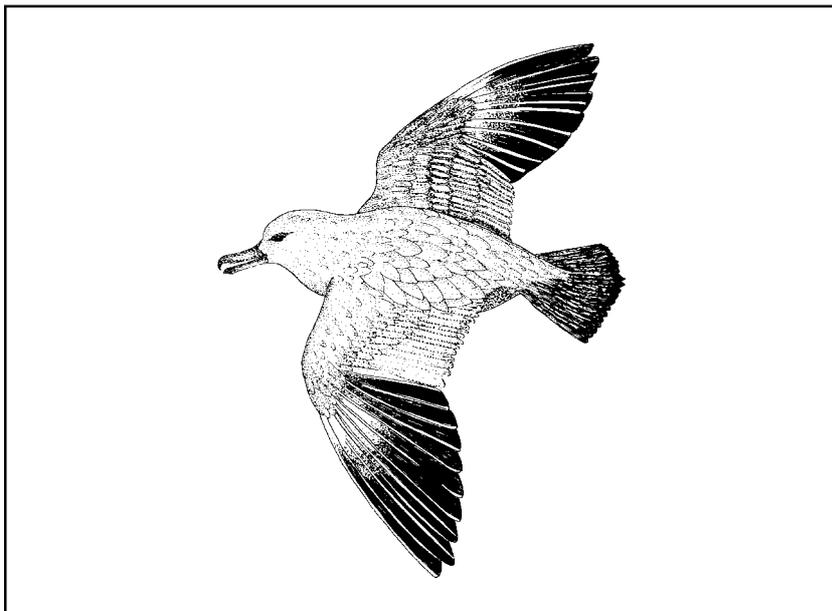
From the Federated Farmers of New Zealand's 'Final Submission - Access to Land Issue' (May 2003).

- 5 August 2004. Jim Sutton released MAF's 'Analysis of Written Submissions on the Report *Walking Access in the New Zealand Outdoors*'. (June 2004, 111 pages.) The Reference Group had received 1050 submissions. The submissions from anglers or their associations tended to prioritise the river aspects, emphasising the need to strengthen the Queen's Chain. Those from hunters prioritised the need to end exclusive capture (the control, for private gain, of the access to public resources). In contrast, some of the submissions from walkers and mountain-bikers dwelt on linear access across private rural land rather than access to water margins or to public lands.
- About 14 August 2004. Jim Sutton sent an update to submitters. Land access became news again, having been sidelined for eight months by the seabed-and-foreshore issue. The update confirmed that the government is developing a New Zealand Land Access Strategy. The update clarified that 'the right to roam anywhere at all over open [private] country, which is the tradition of some countries, is not appropriate in New Zealand'. MAF is expected to report to Cabinet later in 2004. It is expected that legislative changes will be recommended, as well as solutions such as information provision.

Land Access

'The high use of existing walkways [near urban areas] suggests that an increasing urban population will result in more pressure for better access on the margins of urban and rural areas.'

From *Walking Access in the New Zealand Outdoors: A Report by the Land Access Ministerial Reference Group* (Wellington, NZ: Ministry of Agriculture and Forestry, 2003).



FELICITY CUTTEN

Brown skua.

2. The Foreshore and Seabed, 2003-4

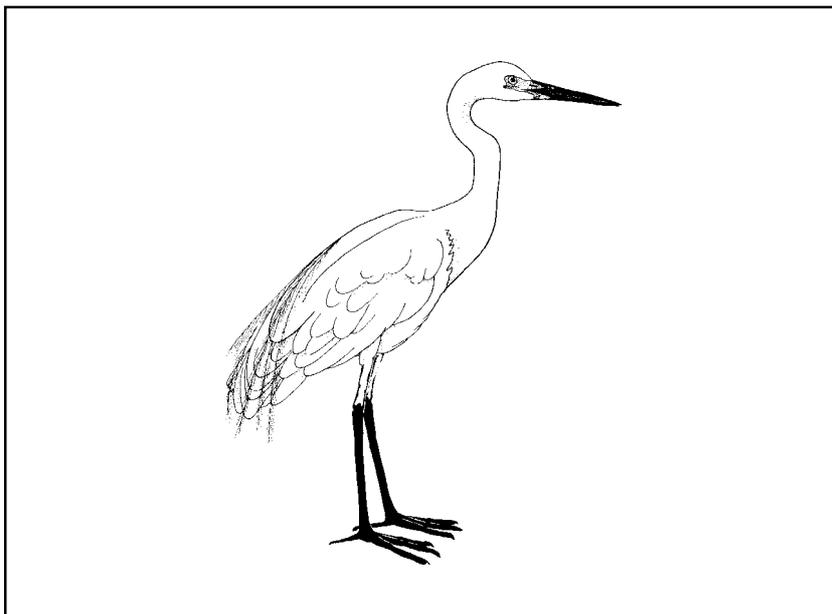
- 19 June 2003. A Court of Appeal decision brought into question previously widely held assumptions that the public had a right of access to the foreshore. The Prime Minister responded a few days later, announcing the government's intention to legislate to reassert the Crown's ownership of the seabed and foreshore.
- 7 July 2003. *Otago Daily Times*: 'It will be a profound shock to most people to learn that they have no rights of recreation over foreshores ...'
- 9 July 2003. PANZ posted an analysis of the issues, 'Foreshore and Seabed Opinion'.

- 28 July 2003. PANZ launched its 'Beaches for Recreation' petition.
- 18 August 2003. The government released a consultation document, 'Protecting Public Access and Customary Rights: Government Proposals for Consultation'. This document proposed a set of four principles as a framework for policy development. The government invited the public to make submissions on the matters raised in the discussion document. A nationwide consultation process began, by the end of which over sixty meetings had been held, some with the public, some with special-interest groups, and some with Maori groups.
- 3 October 2003. The government's seabed-and-foreshore submission process closed. The government had received 2,171 written submissions. By December 2003, most of these submissions were available on the internet.
- December 2003. The government published a report on the submissions, *The Foreshore and Seabed of New Zealand: Report on the Analysis of Submissions*.
- 27 January 2004. Don Brash's 'Nationhood' speech raised the temperature of the foreshore-and-seabed debate, alleging 'mismanagement of Treaty relations' and calling the government's proposals 'an absolute recipe for disaster'.
- 5 May 2004. The hikoi against the government's foreshore and seabed policy reached its destination, Parliament, having left the Far North two weeks previously. The estimates of the size of the hikoi ranged from 10,000 to 30,000.
- 6 May 2004. The Foreshore and Seabed Bill received its first reading in Parliament.
- August 2004. A select committee is examining the foreshore-and-seabed legislation. The committee's report is due on 5 November 2004.

Land Access

'If private property rights are taken to provide greater access to the outdoors, just compensation should be paid to affected landowners. The requirement to pay compensation would oblige public authorities to weigh up the value of rights taken against the cost involved and thus provide an important protection against the use of property in low-value activities.'

From the New Zealand Business Roundtable's 'Submission on *Walking Access in the New Zealand Outdoors*' (November 2003).



FELICITY CUTTEN

White heron.

3. Draft General Policy National Parks Act, August 2003

For some years, Mountain Bike New Zealand (MTBNZ), previously New Zealand Mountain Biking Association, has campaigned to regain cycling access to the Heaphy Track. This campaign, organised by a three-person access committee, has provided a model from which other recreational organisations could learn. The operation reached its climax in December 2003, when the MTBNZ access committee finalised its painstakingly researched analysis of the issues and submitted it to the New Zealand Conservation Authority, in response to the Authority's Draft General Policy National Parks Act of August 2003.

The MTBNZ submission presented a compelling case for limited access to tracks in the national parks. The submission was comprehensive and well written. It contained some sharp arguments, among the meticulous analyses. The submission was a careful answer to establishment prejudice, muddled thinking, and obsolete information. None of it was overstated.

MTBNZ also canvassed support from other key organisations and from individual mountain-bikers. Many other recreational bodies submitted reasoning and opinions supporting the MTBNZ position. All the submissions were available for inspection by the public, and so Kevin Hague of the access committee examined them. Of a total of 1,305 submissions, 1,106 supported the position taken by MTBNZ (at least in general terms) and just 22 opposed it. 'The sheer physical bulk of the support expressed for MTBNZ's position ... [was] overwhelming.'

At their April 2004 meeting, the New Zealand Conservation Authority made a preliminary decision to change the Draft General Policy National Parks Act in line with the pro-cycling submissions. A final decision is expected in October 2004.

4. Land Information New Zealand Topographic Information User Survey, August 2004

In early August 2004, Land Information New Zealand (LINZ) started an online survey that invited individuals or group representatives to contribute feedback about the future role of LINZ in providing topographic information. LINZ allowed only three weeks for responses to this survey.

PANZ replied to this LINZ survey, pointing out that there is a pressing need for readily available maps depicting public land and public roads, superimposed on a topographic underlay. PANZ also referred LINZ to the PANZ report, *Improving Public Access to the Outdoors: A Strategy for Implementing Government's Election Policies* (June 2003). This report contains detailed suggestions on how LINZ could develop the maps that recreators need.

In a letter to Pete McDonald, 26 August 2004, John Tamihere, the minister of land information, wrote that any LINZ long-term strategy for topographic information online 'will be reviewed regularly and will take into account any government decisions related to the *Walking Access in the New Zealand Outdoors* report'.

Land Access

'The social conventions, which have governed how access to the outdoors has traditionally been sought, have indeed become stressed. The NZFGC believes the saddest outcome from this has been the conflict that has gradually arisen between two sectors of society that ought to have far more to bind them than to divide them – namely farmers and anglers/hunters.'

From the New Zealand Fish and Game Council's *Submission on 'Walking Access in the New Zealand Outdoors'* (2003).

5. Tenure Review and the South Island High Country, 1990s – Present

Under the Crown Pastoral Lease Act 1998, tenure review is now managed by LINZ. A glance at the PANZ website indicates the huge amount of work required of Bruce Mason, the PANZ researcher, in submitting PANZ views to the tenure reviews. The long-term importance of these tenure reviews, and of the PANZ submissions, cannot be overstated. If land with much recreational potential is freeholded, recreators may never have access to it. If a tenure review fails to create sufficient accessways across the freeholded land, recreators may not be able to reach some parts of the newly opened high country.

6. The Department of Conservation's Recreation Opportunities Review, 2002–4

In 2002 the Department of Conservation (DOC) started a major review of recreational opportunities. The final stage of this review consisted of a process of consulting the public. Part of this process involved thirteen proposal-summary documents, each titled *Towards a Better Network of Visitor Facilities* and collectively covering the whole of New Zealand. For example, *Towards a Better Network of Visitor Facilities: Otago Conservancy Proposal Summary*, September 2003, a twenty-page document, summarised the proposals for tracks, huts and other facilities in the Otago Conservancy and it sought public feedback.

Submissions to the thirteen proposal summaries closed on 31 January 2004. Nationally, DOC had received 8,590 submissions on proposals, provided by 1,468 submitters.

7. Dunedin: The Signal Hill Recreation Reserve Management Plan, 2003

Signal Hill forms the northeastern flank of the hills surrounding Dunedin, rising to a height of 400 metres. Dunedinites have long recognised Signal Hill as a key recreation and landscape resource. Consultations carried out by Dunedin City Council during the preparation of its *Recreation Strategy for Dunedin City* (1995) identified support for developing the reserve for walking and mountain-biking. In the late 1990s, MountainBiking Otago and the Otago University Mountain Bike Club began restoring and extending the reserve's network of tracks.

Site-specific reserve management plans are subject to review and reconsideration every ten years. In 2003, Signal Hill's management plan came up for review. Dunedin City Council released a draft revised plan in February 2003. A proposal for an arboretum on the reserve had attracted considerable community support. While some walkers and mountain-bikers supported some aspects of this arboretum proposal, many of them also felt that certain features of the proposal had the potential to adversely affect the recreational values of the reserve. There were solid arguments that such injurious changes would contravene the overriding principles of the Reserves Act 1977.

During 2003, a few Dunedin mountain-bikers campaigned vigorously to encourage all interested walkers, cyclists, orienteers and other recreators to submit their thoughts on the draft *Signal Hill Recreation Reserve Management Plan*. The campaign-organisers posted notices and waterproof bags of submission forms at

Land Access

'I would like to see some genuine discussion of the [topic] by Federated Farmers and a few positive suggestions. The current attitude is hard-line denial of any problem, demand for commercialisation, talk of property rights etc. All this sounds like right-wing America, and I don't think [it] really reflects the attitudes of most members [...] There is room for genuine dialogue on this subject. It may well be that those farmers most used to providing access are the most receptive to positive moves which clarify the situation for both sides.'

From a submission on *Walking Access in the New Zealand Outdoors*, quoted in *Analysis of Written Submissions on the Report 'Walking Access in the New Zealand Outdoors'* (Wellington, NZ: Ministry of Agriculture and Forestry, 2004).

key sites on the reserve. This campaign helped lead to the modifying of a proposal for a caretaker's house at a prime site on Signal Hill. The campaign helped to clarify that the pre-eminent purpose of the Signal Hill Recreation Reserve is to meet the recreational needs of Dunedin residents and visitors, focusing particularly on walking, mountain-biking, orienteering, sightseeing, and appreciating the area's natural values.

8. Dunedin: Review of the 1998 'Track Policy and Strategy', 2003-4

Dunedin City Council approved its *Track Policy and Strategy* on 21 September 1998. In November 2003, the city council started a review of this document. As an early part of the review process, the council employed two environment-management students from Lincoln University to research the use of the city's tracks. Part of this study involved interviewing fifteen people who had a specialised knowledge of or interest in the area's tracks. So a number of local enthusiasts were able to contribute to the review at an early stage. The researchers also surveyed the use of four tracks, using buried track counters and also questionnaires. This research produced a 192-page final report in February 2004. (*Dunedin Track Research 2003-2004*.)

In July 2004 the city council wrote to potentially interested parties, inviting submissions as part of a preliminary consultation phase. John Fridd, the organiser of the AOK Rally, encouraged the AOK recreational mountain-bikers to make submissions. The closing date for these submissions was 31 August 2004.

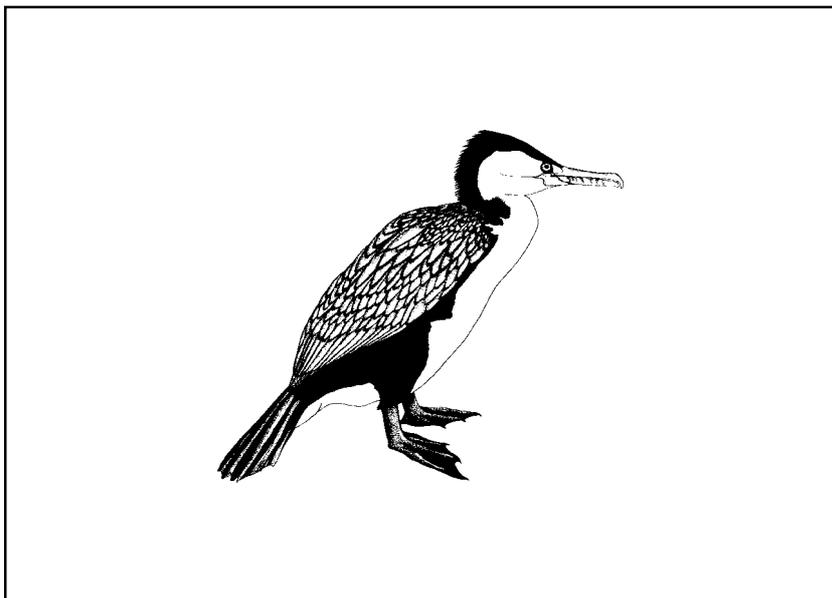
When the draft revised *Track Policy and Strategy* becomes available, probably in late 2004, interested people will have another opportunity to submit their comments.

Land Access

'Property rights ...

Property led to the emergence of political and legal institutions that foster individual autonomy by limiting the power of the state. Property rights thereby protect citizens against expropriation by the government and powerful elites.'

From the New Zealand Business Roundtable's 'Submission on *Walking Access in the New Zealand Outdoors*' (November 2003).



FELICITY CUTTEN

Pied shag.

Access Details on Which Recreators May Disagree

Public Ownership or Rights of Way?

PANZ and CORANZ advocate public ownership as by far the most reliable way to obtain secure walking access across rural land (and, where appropriate, cycling access and vehicular access). A different view favours a dual approach that, while recognising the advantages of public ownership, also sees a place for other legal devices, such as rights of way. A walkway, when created by an easement, is a form of right of way.

Jim Sutton's latest land-access update letter (August 2004) has made it clear that, in the government's view, reliable and enduring access 'need not involve public ownership of land'. Yet some authorities on access, especially those with legal knowledge, stress that rights of way in New Zealand can be vulnerable to closure or removal. The PANZ and CORANZ argument – that public access should be based on public ownership – would appear to place no confidence in the Walkways Act and the present walkways. An insistence on one hundred per cent public ownership implies the abandonment of the walkways mechanism rather than the improvement of it.

This debate may go on and on. In many respects it is one for the lawyers. But you don't need any legal training to soon get the feeling that New Zealand's walking tracks are based on a hotch-potch of legal statuses. Two related questions, on which there is no consensus yet, are: 1. Is New Zealand's multi-status system of walking tracks a system from hell? 2. If yes, could this rudimentary network be rationalised and unified to accommodate some sort of definitive public foot-track, which could be marked on maps?

Single-occasion Arranged Access or High-quality Access?

Jim Sutton's land-access update letter (August 2004) confirmed that the government is working on a New Zealand Land Access Strategy. This plan will aim to ensure high-quality access (HQA) to the New Zealand outdoors. The word 'access' here, when used in the context of private land, means linear access, not area access; the government will not be creating a right to roam anywhere you like over private open country. In concrete terms, aiming for high-quality access will mean striving for the evolution of walking tracks (and hopefully multi-use tracks) whose existence is certain, which are free, and which are enduring.

A complication here, in considering where the future emphasis should lie, is that a great many walkers, mountain-bikers and other recreators emphasise the importance and value of one-off arranged access. Many active recreators have not involved themselves in the access debate; they may have read little of it in depth; they are very content to negotiate private arrangements with farmers on each occasion that they need access.

The way I see it, one-off access-by-permission and high-quality access (as defined above) are mutually exclusive. One of the principles underlying HQA is that all walkers can be 'certain that [the access] exists'. Single-occasion arranged access does not meet this principle. Neither does it meet some of the other principles of HQA, such as being enduring. We cannot show it as public access on maps, for the benefit of everyone, New Zealanders and tourists

Land Access

'Most of the proposals [in the Acland Report] will take years to work through to results.'

From the submission of the Council of Outdoor Recreation Associations, 'Submission on *Walking Access in the New Zealand Outdoors*' (December 2003).

alike. It does not allow spontaneity. Access at the pleasure of the landowner is fine for the handful of people who benefit from it; it will remain a vital and treasured part of the New Zealand access culture; yet in the wider scheme of things it is inferior access; it does little to secure access for our children and our grandchildren. Federated Farmers, in frequently claiming that 90% of farmers will grant access if asked (itself a disputable claim), is offering to recreators second-class access. Our outdoor recreation associations may face a considerable education hurdle in promoting the long-term advantages of HQA.

What Should Form the Primary Source of Information on Access?

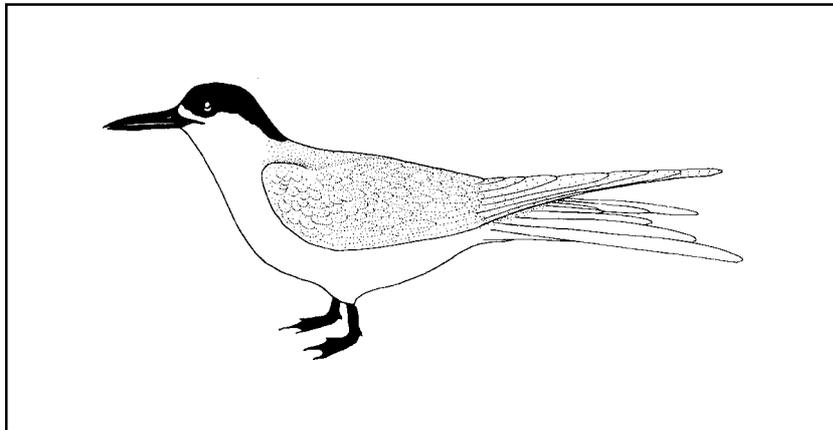
There is probably no clear consensus among outdoor recreators on what mechanism should be the principal reference for access information. Were they to be asked that question, outdoor recreators would probably answer differently. They would perhaps mention leaflets, guidebooks, local knowledge from friends, and waymarking. A few might suggest topographic maps.

There are potent arguments that the most definitive source of access information ought to be our national topographic maps. A topographic map that shows public roads, foot-tracks open to the public, and the boundaries of public lands presents a large amount of access information in a compact form. New Zealand does not have such maps. Furthermore, the public awareness of their potential – and therefore the public recognition of the need for them – may be low.

Land Access

‘There are over 3,000 rural tourism operators in New Zealand, ranging from farmstay activities to gardens, adventure activities and private walking tracks. It is essential for the success of many of these tourism enterprises that the proprietors are able to ensure exclusive access to their property, attraction of facility.’

Mark Burton, minister of tourism, in a letter to Pete McDonald, 4 May 2004.



FELICITY CUTTEN

White-fronted tern.

How Can Our Outdoor Recreation Associations Help To Improve Access?

Keeping the Access Debate on the Political Agenda

Access improvements seldom come quickly and easily; the political and the physical processes of improving access to the countryside are long-term activities that take place over decades.

Before each of the last three general elections (1996, 1999, and 2002), PANZ analysed the political parties’ policies on conservation, recreation, access, public roads, the high country, and the

Treaty of Waitangi. From these analyses, for each election PANZ produced a 'Form Guide', indicating how each political party's policies matched up to or conflicted with PANZ's objectives. The last Form Guide, in 2002, did not wholeheartedly support any one political party.

Before each of the last two elections (1999 and 2002), CORANZ produced a comprehensive 'Election Charter', calling for greater recognition of the benefits of sports such as tramping, fishing and hunting. The 2002 CORANZ Election Charter argued that the importance of outdoor recreation should be reflected in government policies, but that too often it was neglected. CORANZ called for the Department of Conservation's name to be changed to the Department of Conservation and Recreation.

The Value of an Access Committee or Access Officer

- A lesson that other recreational bodies might learn from MTBNZ's long and well-thought-out Heaphy Campaign – which hasn't quite reached its conclusion yet – is the advantage of having a permanent access committee or access officer.
- Regarding linear access across private countryside, where no rivers are involved, it is likely that all New Zealand governments will emphasise a preference for negotiating access rather than imposing it. The bulk of an access person's work will involve achieving and maintaining happy and productive relationships with landholders.
- In situations that require submissions to planning authorities, one carefully constructed representative submission, supported by many standard submissions from individuals, can form an effective combination.
- When an access situation involves opposing submissions, such as those made to the Land Access Ministerial Reference Group, it is important to study the main hostile submissions. For example, the Federated Farmers submissions to the Reference Group contained contentious and ultraconservative arguments presented as facts.
- A well-informed access officer, by disseminating accurate information, correcting misinformation, and exposing exaggeration, can help maintain a high standard of level-headed debate on access.
- Lobbying and campaigning for access need not be restricted to making submissions to the planning authorities; in some situations, there may be a place for well-argued letters to the relevant ministers. Access issues often cross ministerial boundaries. For example, the government's examination of walking access, now eighteen months old and still in process, has raised issues relevant to the minister for rural affairs, the minister for land information, the minister for sport and recreation, and the minister for tourism. Individual recreators can also take their views to their constituency members of parliament.

Land Access

'The Government has agreed in principle to the concept and further development of a New Zealand Land Access Strategy ... The strategy will encompass the objectives of High Quality Access (HQA). HQA means the goal of providing access opportunities that are certain, free, practical and enduring.'

Jim Sutton, minister for rural affairs, in a letter to submitters, August 2004.

Selected Bibliography

- Brash, Don, 'Nationhood: An Address by Don Brash, Leader of the National Party, to the Orewa Rotary Club on 27 January 2004' (27 Jan 2004) <http://www.national.org.nz/speech_article.aspx?ArticleID=1614> [accessed 2 Sept 2004].
- Carpinter, Adele and Department of Prime Minister and Cabinet, *The Foreshore and Seabed of New Zealand: Report on the Analysis of Submissions: December 2003* (Wellington, NZ: Dept. of Prime Minister and Cabinet, 2003).
- Council of Outdoor Recreation Associations of New Zealand, *Submission on Walking Access in the New Zealand Outdoors* (Wellington, NZ: Council of Outdoor Recreation Associations of New Zealand, 2003).
- Department of Conservation, 'Budget Announcement - Recreational Facilities Funding' (May 2002) <[http://www.doc.govt.nz/pdfs/Budget-Announcement-Recreational-Facilities-\(May-2002\).pdf](http://www.doc.govt.nz/pdfs/Budget-Announcement-Recreational-Facilities-(May-2002).pdf)> [accessed 2 Sept 2004].
- Department of Conservation, 'Towards a Better Network of Visitor Facilities: National Public Resource Document' (Sept 2003) <<http://www.doc.govt.nz/Explore/DOC-Recreation-Opportunities-Review/Resource-document.pdf>> [accessed 2 Sept 2004].
- Department of Conservation, *Towards a Better Network of Visitor Facilities: Otago Conservancy Proposal Summary: September 2003* (Christchurch, NZ: Department of Conservation, 2003).
- Dunedin City Council, *Track Policy and Strategy: Community and Recreation Planning* (Dunedin, NZ: Dunedin City Council, 1998; repr. 2002).
- Dunedin City Council, 'Signal Hill Recreation Reserve Management Plan' (8 Dec 2003) <http://www.dunedincity.govt.nz/city/?page=plan_sighillmgt> [accessed 2 Sept 2004].
- Federated Farmers of New Zealand, 'Final Submission - Access to Land Issue' (May 2003) <<http://www.fedfarm.org.nz/issues/Submission-LandAccess.html>> [accessed 1 Sept 2004].
- Federated Farmers of New Zealand, 'Submission on the Government's Proposals for Consultation on Protecting Public Access and Customary Rights to the Foreshore and Seabed of New Zealand' (October 2003) <<http://www.fedfarm.org.nz/issues/ForeshoreSeabed.html>> [accessed 2 Sept 2004].
- Land Access Ministerial Reference Group, *Walking Access in the New Zealand Outdoors: A Report by the Land Access Ministerial Reference Group* (Wellington, NZ: Ministry of Agriculture and Forestry, 2003).
- McDonald, Pete, 'High-quality Access: A Response to the Feedback Questions That Were Attached to the Report, *Walking Access in the New Zealand Outdoors*' (2003) <<http://homepages.paradise.net.nz/petemcd/hqa/hqa.htm>> [accessed 8 Aug 2004].
- Ministry of Agriculture and Forestry, *Analysis of Written Submissions on the Report 'Walking Access in the New Zealand Outdoors'* (Wellington, NZ: Ministry of Agriculture and Forestry, 2004).
- Mountain Bike New Zealand and Access Committee, *04/12/03 Draft - MTBNZ Heaphy Campaign Submission* (Wellington, NZ: Mountain Bike New Zealand, 2003).
- New Zealand Business Roundtable, 'Submission on *Walking Access in the New Zealand Outdoors*' (November 2003) <http://www.nzbr.org.nz/documents/submissions/submissions-2003/walking_access.pdf> [accessed 1 Sept 2004].
- New Zealand Fish and Game Council, *Submission on 'Walking Access in the New Zealand Outdoors'* (Wellington, NZ: New Zealand Fish and Game Council, 2003).
- New Zealand Forest Owners Association, '[NZFOA Submission on] *Walking Access in the New Zealand Outdoors: A Report by the Land Access Ministerial Reference Group*' (8 Dec 2003) <http://www.nzfoa.nzforestry.co.nz/press_release_8Dec03.asp> [accessed 1 Sept 2004].

The Age of Submissions: Recreational Access to the Outdoors

New Zealand Government, 'Submissions Received on the Foreshore and Seabed Issue: Background Information on Submissions: Submissions Search Form' (December 2003) <<http://www.foreshore.govt.nz/submissions/>> [accessed 2 Sept 2004].

New Zealand Maori Council (Te Kaunihera Maori), 'Foreshore, Seabed and the Ninety Mile Beach Court of Appeal Decision' (9 July 2003) <<http://www.foreshore.govt.nz/submissions/2155.pdf>> [accessed 2 Sept 2004].

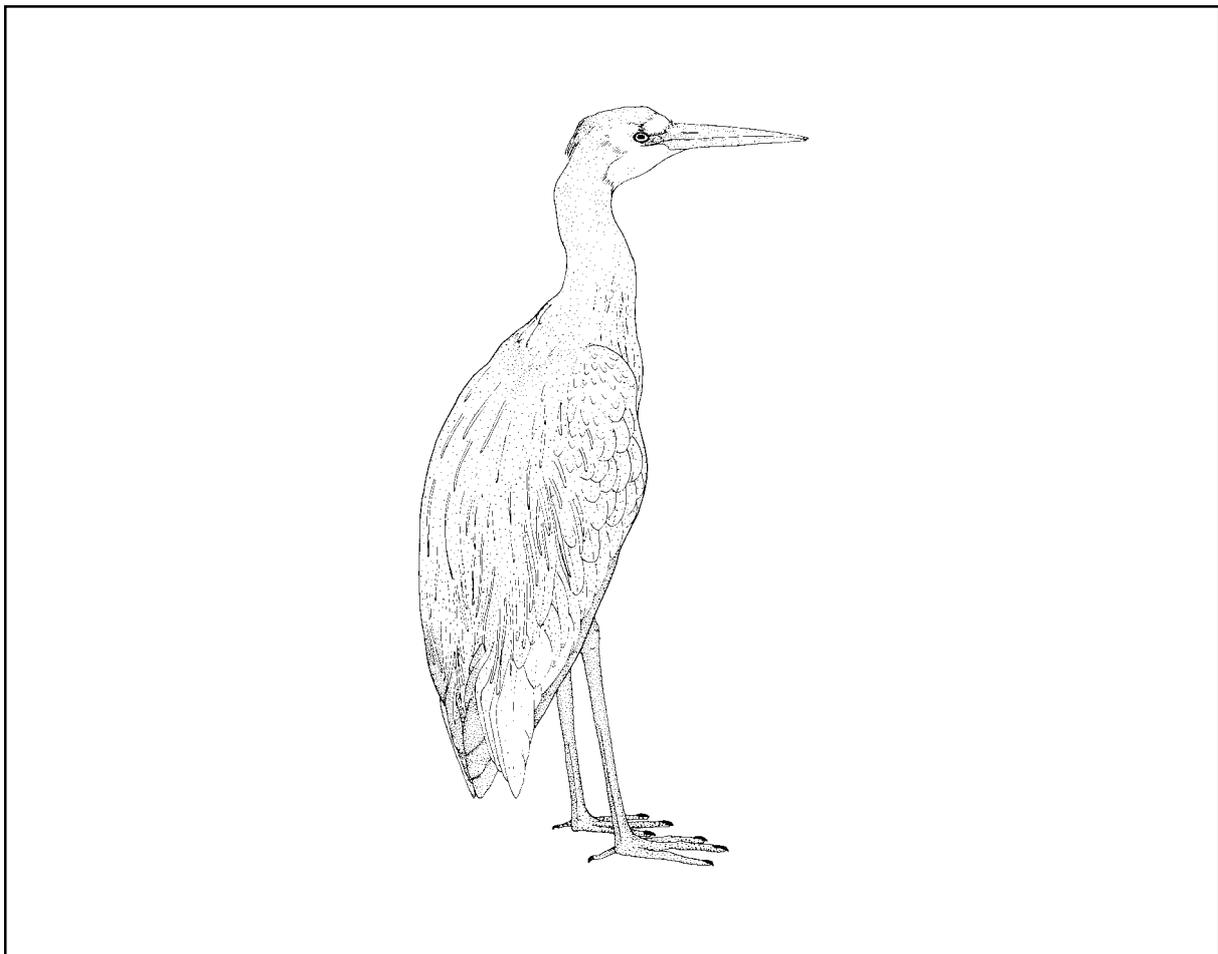
Office of the Minister for Land Information, 'The Government's Objectives for the South Island High Country: A Strategic Framework' (June 2004) <http://www.linz.govt.nz/docs/crownproperty/high_country_leases/govt_obj_strat_framework_june_04.pdf> [accessed 2 Sept 2004].

Public Access New Zealand, 'Improving Public Access to the Outdoors: A Strategy for Implementing Government's Election Policies' (10 July 2003) <http://www.publicaccessnewzealand.org/files/access_strategy_version_1.pdf> [accessed 1 Sept 2004].

Tamihere, John, Hon, Minister for Land Information, 'Objectives for the South Island High Country: Media Statement - 18 August 2003' (18 Aug 2003) <<http://www.beehive.govt.nz/PrintDocument.cfm?DocumentID=17584>> [accessed 2 Sept 2004].

*

This article is available as a PDF file from:
<http://homepages.paradise.net.nz/petemcd/aos/aos.htm>



White-faced heron.

FELICITY CUTTEN