

LAND ACCESS



NEW ZEALAND'S NATURAL FRESHWATER RESOURCES:

The access to public recreational resources that we have enjoyed in the past is being eroded through changing land use and changing land ownership. The nation's natural resources are part of the public estate and comprise a central element of what differentiates New Zealand from the "landed gentry" structure in the UK that settlers came to New Zealand to escape.

Land Access Rights Position Statement Fish & Game New Zealand Working towards free, reasonable, practical and enduring access for our licence holders is extremely important to Fish & Game, and is advocacy fundamental to our promotion of the interests of anglers and hunters. Fish & Game supports the three high level principles:

- That New Zealanders have practical foot access to, and along, the coastline, rivers, around lakes and to public land; and
- No person should be advantaged over any other by the observance of the first principle (which deals with the exclusive capture issue); and
- People accessing public places do so responsibly and recognise private property rights.

EXCLUSIVE CAPTURE

This is an issue predominantly for anglers and hunters, but has implications for other parties. Wildlife and fisheries do not attach to land title and should be accessible to the public, especially the public who pay licence fees to hunt/fish. Specific provisions in the Wildlife and Conservation Acts preclude the sale of hunting and fishing rights.

In some situations, however, landowners have sought to exclude those who didn't either pay/stay or use the services of particular commercial guides. Fish & Game, anglers and hunters are seeking that the matter is properly addressed.

Even if it doesn't directly relate to non-anglers/hunters, the issue is that access may be 'captured' to public resources by landowners.

Fish & Game's position is that New Zealanders have "fair and reasonable access on foot along the coastline, rivers, around lakes and to public land".

PROPERTY RIGHTS

Achieving the right balance between public and private property rights is essential. Land ownership is not absolute; the Queen's Chain exists in many areas, there are plenty of unformed public roads and water, and fisheries and wildlife do not attach to the title in New Zealand as they do in other countries. The public can, and do, reasonably expect reasonable access to their own resources, while recognizing legitimate private property interests where these exist.

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NEGOTIATION

Negotiation on a case by case basis is usually supported, but the basis for the negotiation needs to be clearly specified. The issue is how to achieve the objective of walking access, not whether this is a valid objective.

Negotiation should be the preferred option for all parties to achieve an enduring and equitable result, but if either party refuses to negotiate that should leave open the option for a decision to be considered without that party's involvement.