



PRACTICAL ACCESS TO PUBLIC LAND

Introduction

United**Future** believes that all New Zealanders have a birthright to enjoy our unique, diverse landscape. Our strong outdoor heritage is central to what it means to be a Kiwi.

Throughout the last three terms of the Labour-led Government we have advocated strongly for a Government Access policy that protects and enhances access to public land without impinging on the property rights of landowners. United**Future**, while welcoming the recommendations of the Walking Access Consultation Panel, believes that those recommendations did not go far enough to promote the public's right of access to public land.

Our interest lies in maintaining and, where possible, enhancing public access to public land. By balancing New Zealanders' rights of access to their natural heritage with the rights of property owners in a clear, fair and balanced way United**Future** believes that our access rights to the great outdoors can be reliably secured for the foreseeable future.

United**Future**'s position is to:

- Go further than the proposed mandate for the recently announced access agency (Te Ara o Papatuanuku) and ensure that the notional Queen's Chain is formally enshrined in statute;
- Ensure that New Zealanders have clearly defined legal rights of access to public land (including the Queen's Chain);
- Support the establishment of the land access agency to analyse, implement, administer and enforce a comprehensive land access strategy;
- Strengthen the proposed access agency so that it is an advocate for public access rather than purely a mediator in relation to access negotiations;
- Appoint an Access Ombudsman to oversee the running of the land access agency and to deal with access negotiations that the agency cannot resolve through mediation. This may involve referring cases to the Environment Court.
- Replace the existing and arbitrary four-hectare rule in relation to subdivision-derived esplanade reserves with a less arbitrary trigger for creating new access.
- Strengthen the land access agency so that it has sufficient power to negotiate specific access corridors across private land with landowners on a case-by-case basis (these corridors could in many instances be based on the 'paper roads' and easements that already exist on many legal property titles but are not always acknowledged by landowners);
- Maintain and strengthen a Code of Conduct (via the land access agency) that protects property rights and the rights of landowners from people trespassing beyond a legally established corridor, littering, leaving gates open or other nuisances;
- Require recreational clubs to adopt the Code of Conduct and deal with any complaints directed at their members;
- Ensure the access regime applies to all private land (including Maori land) for the purposes of ensuring access to public land for all legal pursuits;
- Establish a clear set of guidelines for applying to set up new access corridors;
- Require a land access agency to enforce the terms of access corridors on landowners once they have been established;
- Ensure adequate funding is available to cover any costs (such as track maintenance) that the establishment or maintenance of an access corridor may entail – under no

circumstances should the landowner incur any costs associated with public access corridors on their land;

- Establish a fund to compensate landowners up front for any damage that members of the public cause to their property (the land access agency can pursue offenders to recover the cost of fund payouts separately);
- Establish (via a land access agency in conjunction with Land Information New Zealand) a comprehensive land access database including maps and specific access corridor details;
- Establish a responsive complaints process (via the land access agency) for landowners who experience any problems.