



17 October 2019

Ministry for the Environment

By email to: consultation.freshwater@mfe.govt.nz

Submission on Action for Healthy Waterways

Introduction

1. The New Zealand Walking Access Commission Ara Hīkoi Aotearoa is the crown agent tasked with providing leadership on outdoor access issues. We administer a national strategy on outdoor access, including tracks and trails. We map outdoor access, provide information to the public, oversee a code of responsible conduct in the outdoors, help to resolve access disputes and negotiate new access.
2. The Commission has a small team in Wellington and a network of regional field advisors. An independent board governs our work. Our governing piece of legislation is the *Walking Access Act 2008*.
3. Much of our work relates to public access to waterways.

Accessing waterways for outdoor recreation

4. The Commission has an interest in the issue of healthy waterways. Many New Zealanders want access to waterways for recreational and cultural reasons, and for fishing and collecting food.
5. The discussion document on a national direction for our essential freshwater has among its aims a plan to make waterways swimmable. For people to be able to swim in our rivers, lakes and streams they first need to be able to access them.
6. The Commission also believes good public access to and along waterways can help improve the waterways themselves. Walkways and access points enable community groups to clean and plant alongside waterways. They also link local communities to their waterways. And by doing so give those communities greater awareness of and ownership of those waterways. Good public access creates a culture of kaitiakitanga.
7. Good public access is also important for people accessing food – this includes recreational anglers as well as people looking to collect or hunt mahinga kai.

Recommendation

8. The Commission recommends that the National Policy statement for Freshwater Management should contain a section that addresses public access and walkways to waterways. This section could be based on a similar section in the Department of Conservation's *NZ Coastal Policy Statement 2010*. The Statement guides local authorities in their day to day management of the coastal environment. Section 19 of the Statement recognises the public expectation of and

need for access along the coast that is practical, free of charge and safe for pedestrian use. It recommends maintaining and enhancing public access, and only imposing access restrictions to protect the environment, culture or heritage of the area. We have included Section 19 of the Statement as an appendix to this submission.

9. For more information please contact Asher Wilson-Goldman, the Commission's Strategic Communications and Partnerships Manager | Pou Whakahaere, Whakawhitiwhiti Kōrero, Hononga Rautaki. asher.wilson-goldman@walkingaccess.govt.nz or 04 815 8517.

Appendix 1

Policy 19: Walking access

In the Department of Conservation's *New Zealand Coastal Policy Statement 2010*

1. Recognise the public expectation of and need for walking access to and along the coast that is practical, free of charge and safe for pedestrian use.
2. Maintain and enhance public walking access to, along and adjacent to the coastal marine area, including by:
 - a. identifying how information on where the public have walking access will be made publicly available;
 - b. avoiding, remedying or mitigating any loss of public walking access resulting from subdivision, use, or development; and
 - c. identifying opportunities to enhance or restore public walking access, for example where:
 - i. connections between existing public areas can be provided; or
 - ii. improving access would promote outdoor recreation; or
 - iii. physical access for people with disabilities is desirable; or
 - iv. the long-term availability of public access is threatened by erosion or sea level rise; or
 - v. access to areas or sites of historic or cultural significance is important; or
 - vi. subdivision, use, or development of land adjacent to the coastal marine area has reduced public access, or has the potential to do so.
3. Only impose a restriction on public walking access to, along or adjacent to the coastal marine area where such a restriction is necessary:
 - a. to protect threatened indigenous species; or
 - b. to protect dunes, estuaries and other sensitive natural areas or habitats; or
 - c. to protect sites and activities of cultural value to Māori; or
 - d. to protect historic heritage; or

- e. to protect public health or safety; or
 - f. to avoid or reduce conflict between public uses of the coastal marine area and its margins; or
 - g. for temporary activities or special events; or
 - h. for defence purposes in accordance with the Defence Act 1990; or
 - i. to ensure a level of security consistent with the purpose of a resource consent; or
 - j. in other exceptional circumstances sufficient to justify the restriction.
4. Before imposing any restriction under (3), consider and where practicable provide for alternative routes that are available to the public free of charge at all times.

Accessed at: <https://www.doc.govt.nz/about-us/science-publications/conservation-publications/marine-and-coastal/new-zealand-coastal-policy-statement/new-zealand-coastal-policy-statement-2010/policy-19-walking-access/>