

PUBLIC LANDS COALITION

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5 February 1990

Rt. Hon. Geoffrey Palmer
Prime Minister
Parliament Buildings
WELLINGTON

Dear Mr Palmer

QUEENS CHAIN

The member bodies of the Public Lands Coalition welcome your assurance that the Government will correct any errors in the Conservation Law Reform Bill after it was reported back to the House. Our discussions with the Minister of Conservation prior to the reporting back of the Bill were extremely productive. Some of the suggested changes to the Bill have been incorporated. We welcome these changes to the Bill, but these have not corrected two major flaws in the Bill on issues of:

(a) Disposal of marginal strips

In our discussions with the Minister of Conservation on 15 November, he agreed that the existing waiver in Section 58(1) of the Land Act would be advanced, rather than the sale and disposal sections in the original bill. The Section 58 waiver only applies to rivers and streams but, the changes in the Bill includes lakes and coastline in the waiver. We see a general waiver on the Queens Chain as an instrument where future Ministers of Conservation may use this waiver for the sale of Electricorp, Landcorp and Forestcorp land with riparian rights. We do not approve of any waiver, but see the application of the status quo as preferable to the previous sale and disposal proposals in the Bill.

(b) Managers, and their buildings, exotic plantations and crops on marginal strips

You are aware of our abhorrence of the management clauses 24G and 24I. The case for needing managers (apart from the Crown) is not proven, it will pass property rights to the occupying managers and will pass large administrative costs to the Department of Conservation.

We would suggest that bona fide uses on marginal strips be controlled by permits, as the minor changes in the Bill to Clauses 24G 24I have not allayed our fears in respect of this issue:

- (a) The new Clause 24G(2) has an underlying presumption that anybody is more suitable than the Crown and it still gives the adjacent landowners preemption.
- (b) The new Clause 24G(5) will encourage adjacent landowners to plant crops and trees on marginal strips and use them as lambing paddocks. They will then have a strong reason to seek closure of the strip to "protect any asset" Clause 24G(5A).
- (c) The new Clause 24G(5A) allows for permanent closure of the strip and the reasons for closure are no longer for operational or safety reasons, but to protect assets, such as buildings (allowed under 24G(9)), crops, exotic plantations and lambing ewes.
- (d) The new Clause 24G(9) allows major changes to be made to marginal strips, including erection of buildings, without any facility for public comment.

In essence we find some of the changes in the Bill as bad as the introduced copy. The PLC requests that you withdraw Clauses 24G and 24I in favour of a similar system to that which exists now for marginal strips, where the Crown would manage the strips and adjacent landowners have use of marginal strips by permit, and the public would retain free access at all times.

We have sought an urgent meeting with you on these matters and wish to take up your assurances that, if the Select Committee did not get it right then Supplementary Order Papers would correct major faults in the Bill.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Mark Bellingham', with a long horizontal flourish extending to the right.

Mark Bellingham
Assistant Conservation Director
for Public Lands Coalition