

Global Influences on Access: The Changing Face of Access to Public Conservation Lands in New Zealand

Norman McIntyre

Department of Leisure Studies, University of Waikato, New Zealand

John Jenkins

Department of Leisure and Tourism Studies, University of Newcastle, Callaghan New South Wales, Australia

Kay Booth

Human Sciences Division, Lincoln University, New Zealand

This paper critically examines the intersection of several key factors influencing access to nature-based resources in New Zealand's public lands. Particular attention is directed to three major global influences on such access: international tourism, New Zealand's increased exposure to global market-driven philosophies, and the increasing prominence worldwide of indigenous land-rights movements. These influences embody important notions of property rights and rights of ownership in New Zealand.

Out of a beginning which promised a wealth of public access to natural areas has grown a strong New Zealand outdoor tradition. Today, the terrain which fostered this tradition is passionately contested and the sustainability of access to public lands is threatened. In the last decade, free public access has been progressively eroded, and, among other developments, there has been a tendency for commodification and privatisation of public lands. These significant changes stem from a broader, ideologically driven social and economic revolution, which has taken place in New Zealand. In parallel with this economic and social revolution, the legitimate and historically marginalised claims of the indigenous Maori people for sovereignty over land and resources have begun to be addressed. In an environment characterized by rapid, radical, globally induced change, the sustainability of cultural traditions, such as access rights to the countryside, will continue to be a source of controversy.

Introduction

Institutional, technological and socioeconomic forces operating at local to global levels have affected recreation and tourism patterns throughout the world. Recreation and tourism are no longer regarded as simply passive, minor elements, rather, they are important agents of change and control of rural landscapes and communities (Butler *et al.*, 1998). Tourism has been utilised by governments, industry, regional authorities and other interests as a means of diversifying and restructuring local economies in response to local and global forces and, more particularly, to economic and population decline, and the need to encourage economic diversification and employment opportunities (Pigram & Jenkins, 1999). Perhaps unsurprisingly, then, Milne (1998) has suggested that global-local influences on tourism are important and that tourist places must be

viewed as sites of transactions between externally derived global influences and the internal characteristics of place. Any tourist place can thus be viewed as a unique intersection of constantly shifting global and local influences, the interplay of which creates a place identity which can be 'either, or both, a source of richness or a source of conflict' (Massey, 1993: 65).

However, tourism is only one of a variety of globalising influences (e.g. economic restructuring, media) which impact on local cultures. Tensions arise because such influences attempt to effect rapid changes in local cultures which are 'not subject to revolution but to evolution, changing but slowly' (Easton, 1999: 9). This paper explores a specific example of this more general thesis through examining the impacts of key global factors on traditions of recreational access to nature-based resources in New Zealand's public lands.

Countryside Access and Accessibility

Access refers to certain rights of approach or entry and may be defined as legally or conventionally defined rights of entry or use (Ventriss, 1979). Accessibility is a more complex concept, concerned with how far rights of entry or use can be exercised, and therefore has many dimensions, including technical, behavioural, sociocultural and economic factors. In brief, accessibility involves a relationship between people and resources to which they wish to gain access. In this sense, rights of access are simply one dimension of accessibility, but they are essential if accessibility to recreational opportunities is to be afforded (Pigram & Jenkins, 1999).

Attitudes and approaches to providing recreational access vary around the globe because of different historical developments and legacies, physical environments, land ownership rights and attitudes, government initiatives or lack thereof, past and present legislative provisions and many other factors.

Research concerning recreational access and accessibility has a long history in industrialised nations in developed countries in the northern hemisphere (e.g. see Butler & Troughton, 1985; Butler, 1984; Centre for Leisure Research, 1986; Conservation Council of Ontario, 1975; Cullington, 1981; Glyptis, 1991; Groome, 1993; Ironside, 1971; Middleton, 1982; Patmore, 1983; Perdue *et al.*, 1987; Ravenscroft, 1995; Sharpley & Sharpley, 1997; Shoard, 1996; Wall, 1989; Watkins, 1996) but has been sadly lacking in less developed countries, and in countries such as Australia (e.g. Jenkins & Prin, 1998; see Pigram, 1981) and New Zealand (e.g. Higham, 1996; Kearsley, 1998). As indicated previously, a wide variety of influences affect countryside access. However, this paper will focus on the effects of three global influences, namely international tourism, market reforms and indigenous land-rights on traditional access provisions. These influences are reshaping notions of property rights and rights of ownership in New Zealand. Although these influences are pervasive in their effects on traditional rights of access, this paper focuses upon access to public conservation lands in New Zealand.

Setting and Context

New Zealand's countryside has long been a place for a wide range of primary production activities, and for the development of transportation and

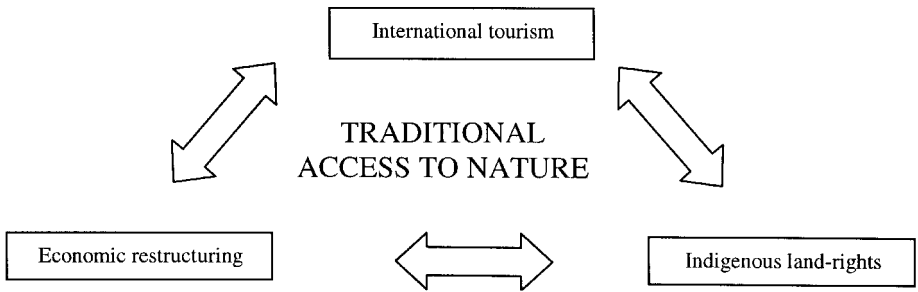


Figure 1 Influences on access to nature

communication networks. More recently, the countryside has become an increasingly important resource for the conservation of natural and cultural environments (e.g. establishment of national parks and other protected areas; Maori land-rights) and for the recreational activities of an increasing number of domestic and especially international visitors.

In New Zealand, three major global influences are suggested to act on traditional rights of access, namely, neoliberal economic restructuring, international tourism and the world-wide indigenous land-rights movement (see Figure 1). While not unique, this mix is particularly important in the New Zealand context, given the pace and profundity of the economic restructuring implemented by successive governments since the late 1980s (Kelsey, 1999), the increasing importance of international tourism to the economy relative to other more traditional resource-based industries (e.g. farming, forestry), and the rising prominence of land-claim settlements by the indigenous Maori people. Economic restructuring and tourism impact particularly on traditional access rights because they have been influential in determining financial and structural reforms and visitor management priorities within the conservation lands, while Maori land claims under the Treaty of Waitangi have the potential to inhibit or enhance visitor access to and within these same lands.

The interaction of these three influences creates a complex milieu in which traditional access to nature in specific localities and more generally becomes a focus of conflict among recreationists, landowners, commercial operators, local tribal groups, government agencies and access pressure groups. In the following sections, an overview of New Zealand perspectives on the global influences of economic restructuring, international tourism and indigenous land rights is developed.

Economic Restructuring

In the latter decades of the 20th century, neoliberal economic reforms affected many OECD countries including New Zealand. The major results of these reforms in New Zealand have been policies of deregulation, the erosion of protectionism, the opening up of local economies to foreign investment, privatisation and the sale of many state assets to overseas companies – all the hallmarks of a push towards ‘smaller’ government. These developments were

seen by free-marketeers as an inevitable and irresistible outcome of the process of globalisation; a vision of a world in which there is 'an increasing homogenisation of all human societies, regardless of their historical origins or cultural heritages' (Fukuyama, 1992: xiv). A not entirely coincidental development at this same time was a growth in political interest in international tourism, principally because of its foreign exchange earning capability, its perceived employment generating potential and its ability to aid regional and economic restructuring and development.

The major economic revolution of the 1980s transformed New Zealand from one of the most regulated, interventionist countries in the world, to a de-regulated, free-market economy (Kelsey, 1999). The 'New Zealand Experiment' (Kelsey, 1999: 8) has had enormous effects within New Zealand society, radically influencing the delivery of community services from health care to income support. In addition, the 'hands-off' attitude of government and the penetration of the 'market' into every aspect of New Zealand life has affected and is continuing to affect the management of conservation resources and access to outdoor recreational opportunities.

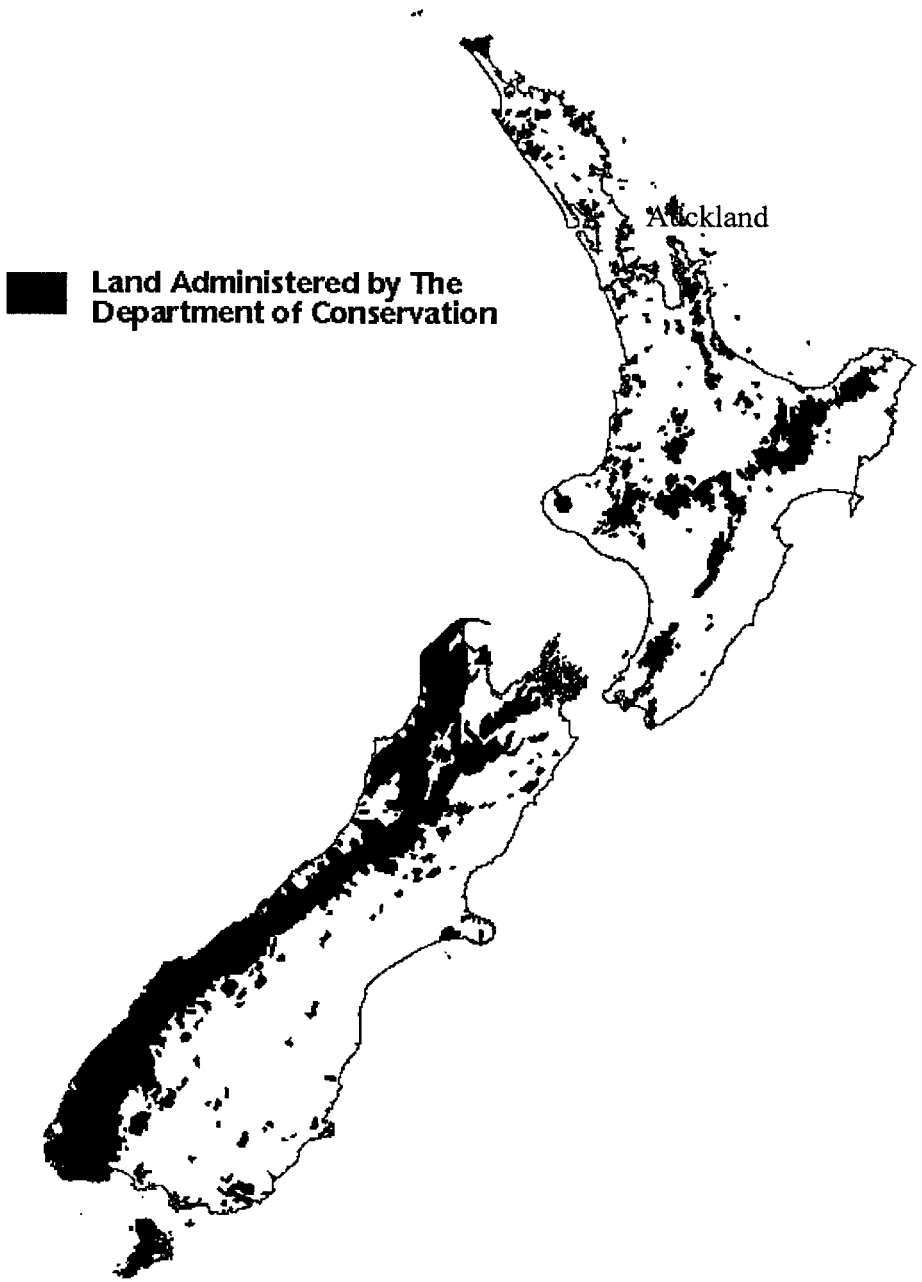
International Tourism in New Zealand

New Zealand is a country comprising two major and a number of smaller islands set in a corner of the SW Pacific (Map 1). The two main islands combined are approximately the size of the United Kingdom or the State of Colorado in the United States, with a population similar to that of a moderate city (3.8 million). The majority of this population lives in the North Island and is concentrated in and around Auckland. Although most New Zealanders live in cities, there is a strong rural and outdoor tradition, which is evident in the high participation rates in outdoor recreation revealed in national surveys (Cloke & Perkins, 1998; Devlin, 1976; 1995).

International tourism is New Zealand's main source of foreign exchange (earning an estimated \$NZ 4.4 billion in 1998) and directly supports 75,000 jobs (5% of national employment) (New Zealand Tourist Board, (NZTB), 1999). International arrivals have shown a steady increase in recent years, with approximately 1.8 million visitors during the year ending February 2001, up 11% on 2000 (tourisminfo.govt.nz)

A key aspect of the NZTB's 100% PURE marketing campaign is the promotion of New Zealand as a 'clean, green, natural land' with abundant opportunities for 'outdoor adventure activities'. Participation in outdoor adventure tourism has shown considerable growth in recent years, but overall participation is still quite small in relation to total tourist figures. For example, a 1993 study in Queenstown (the 'adventure capital' of New Zealand) indicated that only 9% of visitors to Queenstown undertook a jetboating trip, 3% went white-water rafting, and 72% of all visitors did not participate in any adventure activities at all. Evidence suggests that because of high costs these activities are patronised mostly by international visitors (Cloke & Perkins, 1998).

Visits to national parks and conservation areas (Map 1) are much more substantial, with an estimated 25% of international visitors undertaking visits to geothermal areas, historic sites and glow-worm caves, most of which are on



Map 1 New Zealand and the Land Administered by the Department of Conservation

conservation lands (Booth & Peebles, 1995). In addition, the priorities of international tourists who visit such areas have shifted substantially, with the appeal of guided tours decreasing and the new breed of traveller seeking a higher degree of personal involvement in wilderness and related experiences. Greater numbers of international, independent wilderness seekers are placing ever greater pressures on New Zealand's conservation estate (e.g. Higham, 1996; Kearsley, 1990).

The management of national parks, wilderness areas and linear routes, such as walking tracks and public roads, is becoming more difficult as visitor numbers grow, and as resources proportionately diminish. Arising from the growth of overseas interest in New Zealand's wilderness and forested areas has been evidence of ecological impact (Kearsley & Higham, 1997), the degradation of wilderness values (Kearsley, 1997) and increasing perceptions of crowding (Hall & Higham, 2000; Higham, 1996; O'Neill, 1994). This leads to a paradox for resource managers. The levying of user fees to supply funds for the management of national parks, for instance, attracts public criticisms of elitism and inequity, yet governments, if not withdrawing support, are certainly letting support subsidise (e.g. Sharp, 1996).

Government reforms in response to the 'New Zealand experiment' saw the government tourism agency redesignated as a marketing body. The loss of a tourism planning role from this agency meant local government and the DoC became *de facto* tourism-planning agencies. Higham (1996) goes so far as to state that the Department of Conservation, the agency responsible for much of New Zealand's conservation estate, 'has become an agency of New Zealand tourism. The Department of Conservation has become responsible for the management of an increasing proportion of inbound tourists at some point, or at numerous points on their New Zealand itineraries' (p. 39).

Access to natural areas for individual tourists and tourist operators alike is a central aspect of delivering a significant proportion of the New Zealand tourism experience. Such access is seen as desirable. However, numbers, activities and concentration of tourists involved have the potential to compromise the sustainability of the quality of experiences, to raise issues of carrying capacities in specific areas, and to promote conflict between local users and international tourists.

Indigenous Land-rights

The Treaty of Waitangi signed in 1840 between the Crown and many of the Maori tribes is the founding document of the New Zealand nation. However, as Kelsey (1992) noted, the existence of the Treaty has not guaranteed that Maori self-determination (*tino rangatiratanga*) has been recognised or that the potential benefits have been realised by the indigenous people.

Amid widespread protest by Maori over land claims, the Labour Government in 1984, made a commitment to address their grievances. However, by 1987, Government inaction had resulted in major litigation over the corporatisation of land, forests and other resources that were subject to Maori land claims (Kelsey, 1999). Since that time, the Waitangi Tribunal has been set up and several major land claim settlements have been concluded, including the Ngai Tahu claim, which covers much of the South Island. The Ngai Tahu claim is significant not

only because of the size of the rohe (tribal area) but because it is comprehensive and is seen as a blueprint for future claims.

The Ngai Tahu settlement directly impacts public conservation lands. Some areas of traditional Maori use and significance have transferred to Ngai Tahu ownership and control, while other conservation lands with Maori significance have been given special recognition in their management. Ngai Tahu have also become more closely involved in conservation estate management through seats on Regional Conservation boards. The Conservation Act, 1987, states that it will 'give effect to the principles of the Treaty of Waitangi', thus requiring the DOC to consider Maori-relation matters in their work.

Access to Nature in New Zealand

Accessibility to New Zealand's natural environment is generally good by international standards, providing both a large commons in the form of the conservation lands and legislated access to rivers and lakes and across private lands. This reflects an historically low population with a well-developed interest and participation in outdoor nature activities, and a legislative heritage which facilitated recreational access. This early desire to support public access to outdoor recreation has been a persistent feature of subsequent land-management legislation. For example, one of the requirements of the landmark Resource Management Act (RMA), 1991, was 'the maintenance and enhancement of public access to and along the coastal marine area, lakes and rivers'. Similarly both the Crown Forest Licences (1987), and the recent Crown Pastoral Land Act, 1998, incorporate provisions for the maintenance and enhancement of public access for recreation and tourism.

In relatively recent times, these liberal access provisions have been progressively compromised, particularly through a combination of high-profile international tourism promotion and an emphasis on market reforms by successive national governments since the mid-1980s. The net effect has been to preference commercial interests and international tourists over individual and domestic access to nature opportunities.

No one piece of access legislation nor over-riding common law right exists within New Zealand. Instead, access provisions are scattered throughout a variety of pieces of legislation. This legal complexity is reflected in a range of mechanisms by which rights of public access are legitimated (e.g. the Conservation Act, 1987, the Queen's Chain, Public Roads, Walkways, Crown Forest Licences and the Crown Pastoral Land Act, 1998). In the context of this paper, the most important of these are the National Parks and Reserves (Conservation Act, 1987) and the Pastoral Leases (Crown Pastoral Land Act, 1998).

National Parks and Reserves

The role of the national park system in New Zealand is specified in the National Parks Act, 1980:

for the purpose of preserving in perpetuity as national parks, for their intrinsic worth and for the benefit, use and enjoyment of the public, areas of New Zealand that contain scenery of such distinctive quality, ecological

systems or natural features so beautiful, unique or scientifically important that their preservation is in the national interest.

According to Section 43 of the Act, national parks are to be managed 'in such a manner as to secure to the public the fullest proper use and enjoyment'.

There are now 13 national parks in New Zealand, varying in size from the 22,544 ha Abel Tasman National Park to the over 1.25 million hectare Fiordland National Park, and including three World Heritage Areas. Combined with 19 Conservation Parks and over 3500 Reserves, these amount to more than 30% of the New Zealand land area falling under the stewardship of the DoC. The public have free access as of a right onto these lands insofar as such access does not conflict with the prime mandate of 'conservation in perpetuity' (Conservation Act, 1987). The Conservation Parks primarily protect forested mountain catchments and afford a wider range of recreational activities than national parks, including shooting for a variety of game.

The primary mechanisms used to control access are the allocation of access permits (to restrict entry to significant nature or scientific areas) and hut/campsite booking systems with associated bylaws to restrict uncontrolled camping. The former is based on the desire to preserve nature, the latter on managing visitor impacts, both environmental and social. Restrictions are commonly placed upon mechanised transport; visitors on foot experience the greatest freedom of access to protected natural areas.

The majority of the conservation estate lies in the South Island, and much of that estate is relatively inaccessible even to the most intrepid adventurer. Inaccessibility and the sense of isolation and separation from civilisation it creates are highly valued, particularly by back-country users. These characteristics are being compromised by the advent of modern modes of transport technology, such as helicopters and jet boats, and by an increasing variety of commercial tourism operations, including scenic flights (e.g. Higham, 1996; Kearsley, 1998; Rogers, 1995).

Crown pastoral leases

The South Island high country is approximately six million hectares of land east of the New Zealand Alps but west of the foothills. Of this land, 48% (2.5 million hectares) is held in Crown pastoral leases, which amounts to 10% of the total land area of New Zealand. The high country is an important resource for backpacking, mountaineering, hunting and fishing, and is increasingly a venue for four-wheel driving, mountain biking and commercial tourism ventures (e.g. guided fishing; hunting and safari tours) (Baker, 1997).

Considerable property rights have been granted to the lessee, including rights under the Trespass Act, 1980. Despite this legal position, Public Access New Zealand (PANZ) and many individual recreationists have 'viewed the high country ... as an open access good, where public access rights have been taken for granted for many years' (Baker, 1997: 3). In general, the facts have been in accord with this assumption, with relatively free access afforded to recreational users. However, recent economic stresses on high-country farmers, combined with increasing demand for recreational access, have resulted in some notable stand-offs and changed attitudes among lessees.

Access to Conservation Lands in New Zealand

The global influences described earlier have resulted in fundamental changes to practical and perceived access to publicly owned conservation lands in New Zealand. While the legal right of freedom of entry and access to protected natural areas remains, albeit challenged at times, changes in the values and meanings of land and land ownership have led to conflict surrounding access to nature in New Zealand.

Economic restructuring

The effects of market reforms upon conservation management in New Zealand have been felt at several levels. First, the role of government in land management has been reassessed, a major driving factor being the imperative to separate commercial production opportunities from public good services. Thus, areas such as forests, previously managed in a multi-use regime, were divided based on production *versus* conservation criteria. The production aspects were privatised or given to new bodies, State-owned enterprises, where they remained publicly owned but legally managed as private land (State Owned Enterprises Act 1988). In this way, the conservation reforms, enacted in 1987, and initiated under the Environment Act, 1986, and the Conservation Act, 1987, restructured the existing government environmental agencies (for a more detailed discussion of such reforms, see Hall & Higham, 2000; Higham, 1996). The new Department of Conservation (DoC) took on the role of conservation advocate and conservation lands manager and remains the largest provider of nature recreation opportunities to international tourists and New Zealanders alike.

The haste with which the land allocations were accomplished, the perceived inadequacies in the public consultation and the lack of transparent criteria for the allocation were sources of severe criticism from community groups at the time (Kelsey, 1999). Recreation and conservation pressure groups joined together in a rare synergy of effort to form the now-disbanded Public Lands Coalition. Subsequently Public Access New Zealand (PANZ) (see earlier) was formed.

Market reforms have influenced the behaviour of the DoC, with the introduction of more business-like approaches to conservation management, increased competition for limited financial and human resources and increased commercialism (Dingwall, 1994) amid 20% government funding reductions in real terms since 1987 (Booth & Simmons, 2000; Hall & Higham, 2000). Post-1987, DoC has been characterised by 'business and negotiation' practices (Booth & Simmons, 2000), which have alienated traditional recreational allies. In particular, the Department's new visitor asset management system takes a financial management approach to the allocation of resources to visitor facilities. It is feared by recreational interests that the extensive system of back-country huts and tracks, which facilitate access into remote areas, will be pruned or allowed to deteriorate through this asset management system. Their concerns are related to a perceived shift in values within the DoC (away from the traditional recreational/cultural values and towards a monetary value set) and the lack of involvement of recreational interests in decision-making processes. Removal of facilities such as bridges and huts will adversely affect access for New Zealanders, who depend

for safety and convenience on the maintenance and provision of such back-country facilities. These concerns about recreation on New Zealand's Conservation Estate have been fuelled, among other things, by (1) a 1996 restructuring of the DoC, which abolished the Head Office responsible for tourism-planning and management; and (2) the reactive and inadequate measure of the New Zealand government providing a one-off emergency fund to upgrade dangerous facilities after 14 people died when an inadequately designed and constructed viewing platform at Cave Creek (Westland Conservancy) collapsed (Hall & Higham, 2000).

As mentioned earlier, there is continuing pressure on agencies such as the DoC to increase earnings from non-government sources in an environment in which budgets have been progressively falling in real terms (Sharp, 1996). This situation arouses fear that the next stage will be the imposition of entry fees (Cullen, 1994) and a further erosion of traditional access rights.

The same 'New Right' ideology applied to the carve up of public lands under public management is being implemented for publicly owned pastoral leasehold land. This tenure review process, now underway, provides the opportunity for the 'last great land grab' for conservation in New Zealand. The access implications are significant, both owing to the large area of the lands involved and to the importance of the South Island high country for recreation and tourism.

Recreation interest groups have strongly resisted the review process, believing that the Crown should retain rights to all the land in the public interest. PANZ asserts that the only way to ensure 'security (and) accountability' (is to apply) 'the Reserves, National parks, and Conservation Acts over natural and recreational lands' (Mason, undated B: 7). Mason argues that conflicts of interest between private needs and community purposes are likely, that the costs of monitoring would in fact be greater than public ownership costs due to the effect of incompatible uses on conservation/recreation values, that public access rights would be difficult to maintain, and that the loss of opportunity for recreation, conservation and heritage interests could be substantial.

There are serious concerns that any land sales may result in large tracts of the land falling into foreign ownership, where there is little adherence to the rural traditions of New Zealand or commitment to productive use of the land (Ainsley, 1998). This fear has been realised in one high-country property near Aoraki/Mt Cook, where foreign ownership has led to traditional access for hunters being abruptly denied. This dispute continues to simmer and periodically flares up into confrontation despite several years having passed.

In summary, structural changes in the management of land in New Zealand induced by the economic transformations of the 1980s, and continuing into the present day, have affected or have the potential to affect traditional access rights. Both the scale of transformation and its geographical distribution motivated primarily by fiscal considerations, including re-allocation of resources and emphasis on revenue generation, are changing the face of access in more than 40% of the land area of New Zealand.

International tourism

The revenue generation imperative of government suggests that parks have become commodities, something to attract and captivate and essentially to sell to

the overseas tourist (Roche, 1987). The 'Great Walks' concept of New Zealand's top tier of tracks illustrates this, in that, the DoC has developed a network of 12 'Great Walks' throughout New Zealand (e.g. Milford and Routeburn Tracks). These are a series of well-marked, graded, multi-day trails with en-route huts and camping places, which are heavily promoted to and patronised by international visitors. A recent study (Cessford, 1998) indicated that a majority of visitors (55%–76%) on almost two-thirds of the trails perceived them to be crowded. These levels of crowding fall in the 'high normal' to 'more than capacity' range on the carrying-capacity estimation scale of Shelby *et al.* (1989).

Further, the increased intrusion of commercial operations in areas of the South Island have made it

impossible for a recreationalist to avoid the impact of ski planes and helicopters in the Tasman Valley or Fox and Franz neves. Such technology has 'shrunk' the size of Mt. Cook and Westland National Parks and caused untold noise pollution. (Potton, 1999: 26)

This is only one example of the increasingly technological and intrusive nature of the tourism sector, which because of high costs caters mainly for international tourists (Cloke & Perkins, 1998), but which impacts principally on local recreationists, who make up the majority of the back-country trampers and climbers (for further discussions of such issues see Higham, 1996; Kearsley, 1997).

Maori land claims and the Treaty of Waitangi

Settlement of the Treaty of Waitangi claims inevitably included restoration of land to the Maori, given that grievances rested primarily on land confiscation that occurred 150 years earlier. As private and leasehold lands were excluded by the Crown from being used to settle Treaty claims, this left only public lands in pastoral leases and the conservation estate available for the settlement of land claims.

The position of public access groups and many people in New Zealand is that national parks belong to all New Zealanders and that the Government has a legal obligation to protect them in perpetuity. Hence, they should not be available to settle Treaty claims. In December 1994, this was to some extent ratified in the Treaty Claims Settlement proposals, which stated that the public conservation estate is held 'by the Crown on behalf of all New Zealanders and is not readily available to settle Treaty claims' (Barr, 1995: 24). Different ownership and management arrangements were agreed for individual areas ranging from freehold land vested in Ngai Tahu to a statutory obligation on the Crown to consult with Ngai Tahu over management of the land.

However, the effects upon public access of settlement on Ngai Tahu of three high-country farms have been negligible to date. Access through these stations is significant in order to gain access to conservation lands and beyond. Indeed, Ngai Tahu have covenanted foot access provisions on each title to provide greater protection of access rights than previously held under private non-Maori ownership (Ngai Tahu Negotiating Group, 1998).

Another facet of the Ngai Tahu settlement, which has added some tension to the access debate, is the recognition of topuni (literally 'a cloak of protection') on

areas of high cultural significance to Ngai Tahu. All 14 topuni areas occur on conservation lands. While topuni status does not alter existing land tenure (e.g. national park), it ensures that Maori values will be incorporated into the management of the land. This raises issues about 'access for whom?' and 'who should control access?'

In April 1998, Ngai Tahu requested that mountaineers should not step on the summit of Aoraki/Mt Cook, New Zealand's highest mountain and one of 14 topuni areas. The Maori advisor to the DoC in Canterbury argued that 'because the mountain was an ancestor, and the sacred part of the body was the head, it was tapu to stand on top of it'. This request met with a mixed reception from mountaineers within the New Zealand community.

Sir Edmund Hillary, now in his eighties, the first person to stand on the top of Mt. Everest and New Zealand's best known mountaineer noted he 'would probably ignore a Maori tapu on the summit... reaching the summit was the pinnacle for any climber' (*The Press*, 1 May 1998, p. 1). In contrast, Shaun Norman, President of the New Zealand Mountain Guides Association, said:

Mountaineers should have no problem with respecting the request ... standing on the summit of a mountain was only a small part of the whole mountain climbing experience ... there are many holy mountains around the world ... where local people said 'please climb the mountain but because our special gods ... live on top, don't stand on the top'. (*The Press*, 1 May 1998, p. 1)

On 2 May, 1998, Ngai Tahu leader, Charlie Crofts, said that Ngai Tahu

is not placing a tapu on the top of Mt. Cook but is asking people to respect the summit ... it had not been set as policy ... we have to be realistic ... We want people to respect that mountain and all other mountains, and rivers and the coastline. (*The Press*, 2 May 1998)

In the same area, Ngai Tahu opposed the applications by more than 10 commercial companies seeking to move guiding concessions in the Alps from an *ad hoc* status to a ten year basis. Ngai Tahu said 'it wanted to be the arbiter on whether concession holders are abiding by obligations to respect Ngai Tahu values and whether they are making an excessive cultural impact' (*The Press*, 12 August 1998). Ngai Tahu also wants the right to review concessions mid-term. Braun-Elewert, one of the concession holders said 'guides were worried about the possible ramifications of the request... potentially whole mountain ranges or the Tasman Glacier could become sacred and access would have to be renegotiated... they were being asked to agree to a condition which was open-ended' (*The Press*, 12 August 1998). As a result, concessionaires rejected DoC offers saying that a nebulous clause that allows a review of the concessions part way through was unacceptable in that a legal document could not contain a clause allowing 'the shifting of the goal posts half way through the game' (*The Press*, 22 September 1998). In this same article, Braun-Elewert stated that

mountain guides had been working in the shadow of Mt. Cook for 100 years and were tangata whenua (people of the land) in the strongest sense ... I have every respect for other people's feelings, culture, and spirituality as

long as this is a mutual exercise. Nothing less is acceptable ... let's find the common ground ... [which is] respect for the mountain and the mountain environment.

These examples serve to illustrate the complexity of the ethnic, cultural and global interplay created by contestation over access to specific places. The competing value and interest claims vary both within and between cultures. Centred on valued places, they are focused by the commercial interests of the growing tourism industry. In such situations, New Zealand government agencies, non-governmental organisations, Maori and the public have to struggle to settle historical grievances in an environment where scarce resources for conservation, recreation and tourism are becoming increasingly contested. These controversies are not restricted to conservation lands but have spilled over into contests over pastoral leases (Kerr, 1996) and other areas, such as public road access to National Parks.

Conclusions

The founding fathers of the New Zealand nation sought to create an environment for recreational access that 'was an expression of the egalitarian spirit of the country's European pioneers and a reaction against the privileged monopoly of the wealthy and high born' (*Evening Standard*, 28 July, 1997, p. 13). This spirit led to the development of an extensive road system and other means of public access to New Zealand's many waterways and extensive coastline (e.g. public rights of way and the Queen's Chain). Tongariro, New Zealand's first national park, was gifted to the Crown in 1887, and was the precursor to the development of a system of conservation lands comprising over 30% of the land area. A limited network of Walkways has also been developed providing access through private land, especially close to the city margins. Subsequent legislation (e.g. RMA, the Crown Pastoral Land Act, the Crown Forest Licences and the Conservation Acts) retained, at least in part, these rights of access. However, in the last decade, there has been a progressive erosion of free public access and an increasing application of user pays, while access obstruction is evident among private landowners on Crown pastoral leases and commercial forests and public lands of the Conservation Estate.

It is suggested that these changes are a symptom of a much broader ideologically driven social and economic revolution, which has taken place in New Zealand over the last 10–15 years. These social and economic reforms have increasingly exposed New Zealand to the global market place, bringing major revisions in the way in which the economic and social benefits of land and natural resources are distributed. Many key natural resources (e.g. forests and fisheries) have now fallen into private, including overseas, ownership and an economic rather than social agenda has dominated most government thinking over this period (Hazledine, 1998; Kelsey, 1999). In essence, as the overall economic wealth of New Zealanders has decreased almost without respite (Kelsey, 1999), so also has the wealth of access rights that were gifted to the nation at its inception.

In parallel with this economic and social revolution, the legitimate and historically marginalised claims of the indigenous Maori people for sovereignty over

land and resources have begun to be addressed. However, the locality and status of land available for settlement claims and divergence in the public views of Pakeha and Maori as to cultural significance and use of natural environments, is a continuing source of controversy.

Out of a beginning which promised a wealth of public access to natural areas has grown a strong New Zealand outdoor tradition. Today, the terrain which fostered this tradition is passionately contested. The New Zealand public compete with a plethora of tourism operations for access to fishing, hunting and the silence of the land, traditional alliances are rift apart and unlikely alliances emerge, differing cultural interpretations vie for supremacy, and landowners become more protective and assertive of their rights. The central question becomes that of sustaining access to both the land itself and to quality nature experiences in the face of increased commodification and privatisation of the public estate induced by the pervasive influences of international tourism promotion and continuing economic restructuring.

There is a growing sense within New Zealand that the 'New Zealand Experiment' has failed the vast majority of New Zealanders (Easton, 1999; Hazledine, 1998; Kelsey, 1999). This public disenchantment was recognised by the various parties in the lead-up to the 1999 General Election (Kelsey, 1999). The Labour–Alliance coalition under Helen Clark came to power offering a less extreme version of the market model which promised more emphasis on social and environmental issues and a halt to de-regulation. Compensation payments to West Coast Local Councils for the cessation of native timber harvesting, commitment to the Biodiversity Strategy and increased funding to DoC and intervention in the sale of fishing rights to overseas investors, all suggest some grounds for optimism. However, radical change in the economic policy settings or the commitment to globalisation are unlikely due to the exposure of the economy to international investment and the change to a mixed member proportional representation system (MMP) (Easton, 1999).

An enduring component of what it is to be a New Zealander is enshrined in the historical legacy and current legislation which underpins traditional access to the New Zealand countryside. Given this cultural context and the fact that the forces of globalisation are unlikely to be significantly reduced, sustainability of traditional access rights to the countryside will continue to be a source of controversy.

Correspondence

Any correspondence should be directed to Dr John Jenkins, Department of Leisure and Tourism Studies, The University of Newcastle, Callaghan NSW 2308, Australia (jjenkins@mail.newcastle.edu.au).

References

- Ainsley, B. (1998) Inhospitable heights. *Listener* (8 August), 28–9.
- Baker, S. (1997) Safeguarding the public interest? Public access to the South Island high country. Unpublished Masters thesis, Department of Resource Management, Lincoln University.
- Barr, H. (1995) National Parks should be legally protected against Treaty claims. *Wilderness* (October 1995).

- Booth, K. and Peebles, C. (1995) Patterns of use. In P. Devlin, R. Corbett, and C. Peebles (eds) *Outdoor Recreation in New Zealand, Volume 1: A Review and Synthesis of the Research Literature* (pp. 31–61). Wellington: Department of Conservation.
- Booth, K.L. and Simmons, D.G. (2000) Tourism and the establishment of national parks in New Zealand. In R.W. Butler, and S.W. Boyd (eds) *Tourism and National Parks: Issues and Implications* (pp. 39–49). Chichester: John Wiley.
- Butler, R.W. (1984) The impact of informal recreation on rural Canada. In M.F. Bunce and M.J. Troughton (eds) *The Pressure of Change in Rural Canada*. Geographical Monograph 14. Downsview: York University, Ontario.
- Butler, R.W., Hall, C.M. and Jenkins, J.M. (eds) (1998) *Tourism and Recreation in Rural Areas*. New York: John Wiley.
- Butler, R.W. and Troughton, M.J. (1985) *Public Use of Private Rural Land*. London: University of Western Ontario.
- Centre for Leisure Research (1986) *Access to the Countryside for Recreation and Sport: Report to the Countryside Commission and the Sports Council by the Centre for Leisure Research*. Cheltenham: Countryside Commission.
- Cessford, G. (1998) Visitor Satisfactions, Impact Perceptions, and Attitudes Toward Management Options on the Milford Track. *Science for Conservation* 87. Wellington: Department of Conservation.
- Cloke, P. and Perkins, H.C. (1998) 'Cracking the canyon with the awesome foursome': representations of adventure tourism in New Zealand. *Environment and Planning D: Society and Space* 16, 185–218.
- Conservation Council of Ontario (1975) *Private Land, Public Recreation and the Law*. Toronto: Conservation Council of Ontario.
- Countryside Commission (1986) *Access to the Countryside for Recreation and Sport: Report to the Countryside Commission and the Sports Council by the Centre for Leisure Research*. Cheltenham: Countryside Commission.
- Cullen, R. (1994) Natural areas: Accessibility, entry and equity. In *Collection of Essays on Equity and Access to Natural Areas* (pp. 1–6). Canterbury: Tourism Policy Group, Department of Economics and Marketing, Lincoln University.
- Cullington, J.M. (1981) The public use of private land for recreation. MA thesis, Department of Geography, University of Waterloo, Waterloo, Ontario.
- Devlin, P.J. (1976) The characteristics, motivations and impact of summertime visitors in Tongariro National Park. MA thesis, University of Canterbury.
- Devlin, P. (1995) Outdoor recreation in New Zealand: Some introductory thoughts and beliefs. In P. Devlin, R. Corbett, and C. Peebles (eds) *Outdoor Recreation in New Zealand, Volume 1: A Review and Synthesis of the Research Literature* (pp. 1–16). Wellington: Department of Conservation.
- Dingwall, P.R. (1994) Antarctica/New Zealand. In J.A. McNeely, J. Harrison and P.R. Dingwall (eds) *Protecting Nature - Regional Reviews of Protected Areas* (pp. 233–43). Gland and Cambridge: IUCN.
- Easton, B. (1999) *The Whimpering of the State: Policy after MMP*. Auckland: Auckland University Press.
- Fukuyama, F. (1992) *The End of History and the Last Man*. New York: Avon Books.
- Glyptis, S. (1991) *Countryside Recreation*. Harlow: Longman.
- Groome, D. (1993) *Planning and Rural Recreation in Britain*. Aldershot: Avebury.
- Hall, C.M. and Higham, J.E.S. (2000) Wilderness management in the forests of New Zealand. In X. Font and J. Tribe (eds) *Forest Tourism and Recreation: Case Studies in Environmental Management* (pp. 143–60). Wallingford: CABI Publishing.
- Hazledine, T. (1998) *Taking New Zealand Seriously: The Economics of Decency*. Auckland: Harper-Collins.
- Higham, J.E. (1996) Wilderness perceptions of international visitors to New Zealand: The perceptual approach to the management of international tourists visiting wilderness areas within New Zealand's Conservation Estate. Unpublished PhD, University of Otago, Dunedin.
- Ironside, R.G. (1971) Agriculture and recreation land use in Canada – potential for conflict or benefit? *Canadian Journal of Agricultural Economics* 19 (2), 1–12.

- Jenkins, J.M. and Prin, E. (1996) Rural recreation: Perspectives on landholder attitudes and public access to private rural lands. *Australian Leisure* (September).
- Jenkins, J.M. and Prin, E. (1998) Rural landholder attitudes: The case of public recreational access to private rural lands. In R.W. Butler, C.M. Hall and J.M. Jenkins (eds) *Tourism and Recreation in Rural Areas* (pp. 179–96). Chichester: John Wiley.
- Kearsley, G.W. (1990) Tourist development and wilderness management in southern New Zealand. *Australian Geographer* 21 (2), 127–40.
- Kearsley, G.W. (1997) Managing the consequences of overuse by tourists of New Zealand's Conservation Estate. In C.M. Hall, J.M. Jenkins and G.W. Kearsley (eds) *Tourism Planning and Policy: Cases, Issues and Practice*. Sydney: Irwin.
- Kearsley, G.W. (1998) Rural tourism in Otago and Southland, New Zealand. In R.W. Butler, C.M. Hall and J.M. Jenkins (eds) *Tourism and Recreation in Rural Areas*. Chichester: John Wiley.
- Kearsley, G. and Higham, J. (1997) Management of the environmental effects associated with the tourism sector. Review of literature on environmental effects. Report prepared for the Parliamentary Commissioner for the Environment, Wellington.
- Kelsey, J. (1992) *The New Zealand Experiment: A World Model for Structural Adjustments*. Auckland: Auckland University Press.
- Kelsey, J. (1999) *Reclaiming the Future: New Zealand and the Global Economy*. Wellington: Bridger Williams Books .
- Kerr, G.N. (1996) Recreation values and Kai Tahu management: The Greenstone and Caples Valley. *New Zealand Economic Papers* 30, 19–38.
- Mason, B. (undated). *Private Management of 'the Public Interest'*. PANZ Monograph Series No. 7. PO Box 5805, Dunedin.
- Mason, B. (1991) *Public Roads: A Guide to Rights of Access to the Countryside*. PO Box 76 Dunedin: Public Lands Coalition.
- Massey, D. (1993) Power geometry and a progressive sense of place. In J. Bird, B. Curtis, T. Putnam, G. Robertson and L. Tickner (eds) *Mapping the Futures: Local Cultures, Global Change* (pp. 59–69). London: Routledge.
- Middleton, V.Y.C. (1982) Tourism in rural areas. *Tourism Management* 3, 52–8.
- Milne, S.S. (1998) Tourism and sustainable development: The global–local nexus. In C.M. Hall and A.A. Lew (eds) *Sustainable Tourism: A Geographical Perspective* (pp. 35–48). New York: Addison Wesley Longman.
- MLR Research Group (1994) *New Zealanders' Participation in Outdoor Leisure Activities*. Hillary Commission: Wellington.
- New Zealand Tourism Board (1999) Visitor spending doubles in four years. *New Zealand Tourism News* (April), 4. Wellington: NZTB
- Ngai Tahu Negotiating Group (1998) *Crown Settlement Offer - Consultation Document from the Ngai Tahu Negotiating Group* (2nd edn). Christchurch: Ngai Tahu Publications.
- O'Neill, D. (1994) Socially sustainable tourism development. Unpublished MA thesis. Centre for Tourism, University of Otago, Dunedin.
- PANZ (1994) SOE's should be used for Treaty claims settlement. PANZ, Media Release, 8 November.
- Patmore, A.J. (1983) *Recreation and Resources: Leisure Patterns and Leisure Places*. Oxford: Blackwell.
- Perdue, R.R., Long, P.T. and Allen, L. (1987) Rural resident tourism perceptions and attitudes. *Annals of Tourism Research* 14, 420–9
- Pigram, J.J. (1981) Outdoor recreation and access to the countryside: Focus on the Australian experience. *Natural Resources Journal* 21 (1), 107–23.
- Pigram, J.J. and Jenkins, J.M. (1999) *Outdoor Recreation Management*. London: Routledge.
- Potton, C. (1999) Equity and access in natural areas. In Tourism Policy Group *Collection of Essays on Equity and Access to Natural Areas* (pp. 26–30). Canterbury: Department of Economics and Marketing, Lincoln University.
- Ravenscroft, N. (1995) New access initiatives: The extension of recreation opportunities or the diminution of citizen rights? In C. Watkins (ed.) *Rights of Way: Policy Culture and Management*. London: Pinter.

- Roche, M.M. (1987) A time and a place for National Parks. *New Zealand Geographer* 43 (2), 104–7.
- Rogers, K. (1995) The effects of aircraft overflights on the Mt Cook National Park. Unpublished dissertation, Centre for Tourism, University of Otago, Dunedin.
- Sharp, B.M.H. (1996) Natural resource management. In A. Bollard, R. Lattimore and B. Silverstone (eds) *A Study of Economic Reform: The Case Study of New Zealand*. New York: Elsevier Science.
- Sharpley, R. and Sharpley, J. (1997) *Rural Tourism: An Introduction*. London: International Thomson Business Press.
- Shelby, B., Vaske, J.J. and Heberlein, T.A. (1989). Comparative analysis of crowding in multiple locations: Results of 15 years of research. *Leisure Sciences* 11, 269–91.
- Shoard, M. (1996) Robbers v. revolutionaries: What the battle for access is really all about. In C. Watkins (ed.) *Rights of Way: Policy, Culture and Management*. London: Pinter.
- Ventris, D. (1979) *Access Study. Issues for Consultation*. Cheltenham: Countryside Commission.
- Wall, G. (1989) *Outdoor Recreation in Canada*. New York: Wiley.
- Watkins, C. (ed.) (1996) *Rights of Way: Policy, Culture and Management*. London: Pinter.