Rights of Public Access to the Foreshore: A study of Public Awareness and Opinions

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Executive Summary

This study examines the way a sample of Christchurch residents use the foreshore for outdoor recreation, how they perceive their access rights and what they think about proposed foreshore and access initiatives. It responds to recent events that have highlighted the importance of access rights to New Zealanders, specifically the foreshore debate. The Land Access Ministerial Reference Group report released in August 2003 was an additional catalyst.

The study has three objectives:

1. To investigate the public's use of, and need for, access to the foreshore;
2. To gain an understanding of what the Christchurch sample population know about their access rights to the foreshore; and
3. To determine what opinions the public hold about the Government's proposed *public domain* foreshore land tenure and the 'solutions' suggested by the Land Access Ministerial Reference Group (LAMRG) report.

A questionnaire survey of 300 Christchurch residents was conducted in December 2003 to investigate these objectives.

Conclusions from the study include:

- New Zealanders highly value the foreshore for outdoor recreation
- The public believe they have a legal right to visit the foreshore. This expectation is at odds with the law which does not protect foreshore access rights for outdoor recreation
- Respondents believe the foreshore should be owned by everyone or that no-one should own it exclusively. Support for the Government's proposed *public domain* land tenure was found
- Strong opposition to charging for access to the foreshore is evident
- The public's knowledge of their access rights is low
- Most people had heard about the foreshore debate and thought it was about Maori ownership of the foreshore, foreshore ownership more generally or public access

- Selected proposals from the LAMRG report met with general approval, in particular the idea of more access information on maps and on-site signposting of access. The likely effectiveness of such proposals is less clear, based on respondents' statements about whether the proposal would make a difference to them personally

The study was limited in extent and further research should be undertaken to better understand the public's demand for, and opinion of, rights of public access.

Preface

The research presented in this report was conducted under the auspices of a Summer Research Scholarship within the Social Science, Parks, Recreation and Tourism Group, Environment, Society and Design Division of Lincoln University. Brendan Doody[1] was the scholarship recipient and Kay Booth[2] the research supervisor. The research was conducted during the 2003/04 summer period.

This study is the second piece of research conducted at Lincoln University into the public's knowledge of, and opinions about, their rights of access to land. The first study is available in report form (Wilson, Booth and Curry, 2001) and as a journal article (Wilson, Booth and Curry, 2002). These two Lincoln University studies represent the only research into the public's opinion on rights of public access in New Zealand. Both fit into a broader research programme being pursued into rights of public access by Kay Booth.

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This report is the outcome of research I undertook as a 2003/04 Summer Research Scholar with the Social Science, Parks, Recreation and Tourism Group, Environment, Society and Design Division of Lincoln University, under the supervision of Kay Booth. I am truly appreciative and thankful to the Social Science, Parks, Recreation and Tourism Group for providing me with this wonderful opportunity to spend my summer doing something as interesting and challenging as this project has been. I would particularly like to thank Kay for her insight, knowledge and overall assistance, Jude Wilson for sharing her experiences and assistance, my two fantastic research assistants Maria Doody and Tom Callanan and my family and friends for their support.

- Brendan Doody

1.0 Introduction

Rights of public access for outdoor recreation received unprecedented public and media attention in 2003. First, a Court of Appeal decision in June opened the way for iwi to pursue ownership claims in the Maori Land Court for parts of the foreshore and seabed. The judgement sparked an ongoing debate over Maori private property rights and public rights of access to the foreshore. For many New Zealanders it appeared that this ruling threatened their way of life as they feared private ownership would result in public exclusion from the beach or the imposition of entry fees. To address this issue, the Government proposed to legislate that the foreshore (the land between the low and high water tide marks) and the seabed be placed in a public domain, effectively meaning it would become public land not owned by anyone (Clark, Cullen and Horomia, 2003).

Second, the Land Access Ministerial Reference Group (LAMRG) was established to address a ministerial concern about potential future problems over public access to land. The Group released their report in August which examines the rights of the public to cross private land, as well as to access rivers, lakes and the foreshore (LAMRG, 2003). It highlights the need for more research on the rights of public access.

This study responds to this call for more research with specific reference to the foreshore issue. It examines the public's views of their access rights to the New Zealand foreshore[3] for outdoor recreation.

The study has three objectives:

1. To investigate the public's use of, and need for, access to the foreshore;
2. To gain an understanding of what the Christchurch sample population know about their access rights to the foreshore; and

3 The term 'foreshore' can be applied to the coast or a lake. In the study questionnaire 'sea foreshore' was used to make the distinction clear. Within this report, 'foreshore' refers to the coastal tidal margin.

3. To determine what opinions the public hold about the Government's proposed *public domain* foreshore land tenure and the 'solutions' suggested by the LAMRG report.

This study builds on research conducted by Wilson, Booth and Curry (2001) which examined Christchurch residents' knowledge of their rights of public access for outdoor recreation. A questionnaire survey of 300 Christchurch residents was conducted in December 2003 to investigate the needs of the public to access the foreshore, knowledge of their access rights and opinions of the Government's proposed public domain and foreshore access 'solutions' suggested by the LAMRG.

This report presents the findings of a research project conducted under the auspices of a Summer Research Scholarship offered by the Social Science, Parks, Recreation and Tourism Group of Lincoln University. Following this introductory section, the report reviews relevant literature (Section 2) and outlines the methods used for the study (Section 3). The results of the study are presented in Section 4, highlighting key findings, which are discussed in Section 5. Finally, conclusions are drawn from the research in Section 6.

2.0 Literature Review

The interaction between natural resources and people utilising those resources forms the basis of outdoor recreation (Devlin, 1995). Outdoor recreationists use a diverse range of land and water resources including coastal areas and beaches, rivers and lakes, and protected natural areas. Coastal areas and beaches in particular are an extremely popular resource. The appeal of this resource has been attributed to the peculiarities of the coastal areas and beaches such as the climate, the scenery and the quality of the air as well as the recreational opportunities available for both active and passive recreationists including swimming, fishing and sunbathing (Fabbri, 1990).

Access to natural resources such as coastal areas and beaches is a prerequisite for outdoor recreation (Wilson et al., 2001). The model represented in Figure 1 develops this idea illustrating the relationship between the resource, use of that resource and access rights and provides a framework for exploration of relevant literature.

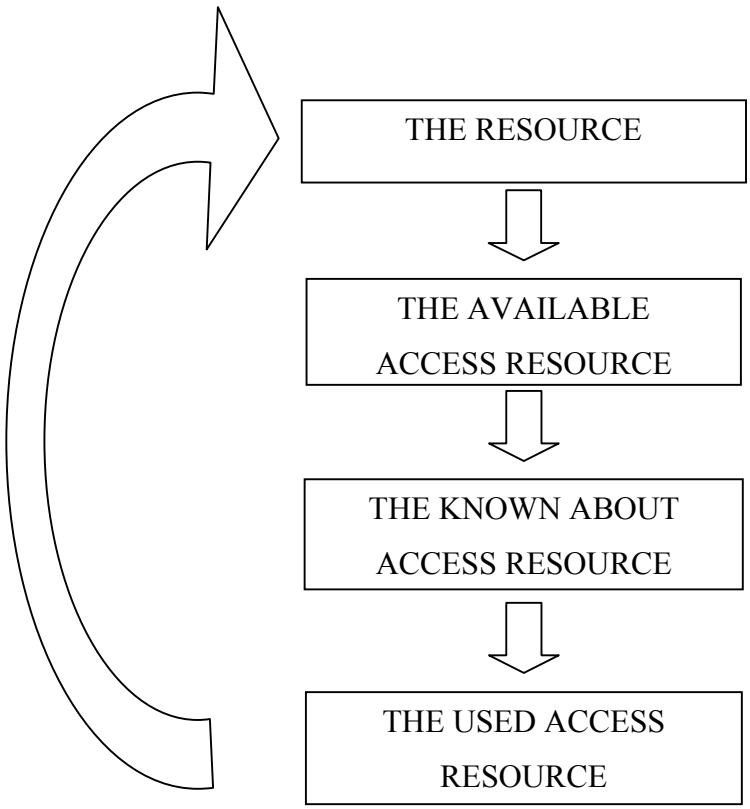


Figure 1: A Conceptual Framework for Access to Recreation Resources (taken from Wilson et al., 2001, p.4).

2.1 The Resource

The New Zealand coastline is extensive covering 19,883 km (Kelly, 2003). The coast is extremely varied, including cliffs and harbours, beaches and fiords, little creeks and vast bays (Ballantine, 1991). The foreshore is the inter-tidal zone defined by the mean springs tides (Kelly, 2003) and is jointly managed by regional councils and the Minister of Conservation, primarily under the *Resource Management Act 1991* (Statistics New Zealand, 2000).

Ownership of the coast is a complex issue. Almost all foreshore is owned by the Crown or territorial authorities (Kelly, 2003; Statistics New Zealand, 2000) although exceptions do exist where there is surveyed title (Hinde *et al*., 1997; King, 1968). Defining the extent of privately-owned foreshore encounters problems of differing delineation of land parcels on their seaward boundary. While 30 percent of the foreshore falls partly within privately-owned land parcels, virtually all of these land parcels (99.5 percent) extend land ownership seaward only to the mean high water mark. Therefore, only a sliver of foreshore (that part between the mean high water springs mark and the mean high water mark) falls within private ownership.

Land adjacent to or above the foreshore is important for access *to* the foreshore. Land Information New Zealand reports that 69 percent of this land is owned by the Crown (38 percent) or territorial authorities (31 percent), while 30 percent is in private ownership (Kelly, 2003). Included within the privately-owned land category is Maori land which occupies 10 percent of the land adjacent to the coastline (Kelly, 2003). The public land adjacent to the foreshore is held within a variety of public reservations and includes land strips commonly referred to as the 'Queen's Chain'.

The Queen's Chain has never had a universal legal basis and consequently is commonly misunderstood (Hayes, 2003). It is a strip of public land alongside the foreshore, lakes and rivers, usually 20 metres wide, although the width can be altered through planning processes. Its purpose is public access but it may also protect conservation values. The various reservations and access mechanisms have been established under a number of statutes and common law and include marginal strips (*Conservation Act 1987*); esplanade reserves, esplanade strips and access strips

(*Resource Management Act 1991*); legal roads (common law and the *Local Government Act 2002*) and walkways (*New Zealand Walkways Act 1990*). Application of the Queen's Chain is not geographically comprehensive. Rights of public access alongside waterways are created when land tenure is altered through such events as purchase by the Crown, subdivision, stopping a public road or the issuing of leases or licences (Booth, 2004).

2.2 Resource Access

Access is a critical component of the recreation experience as it dictates where people can recreate and in what activities they can participate (Wilson et al., 2001).

2.2.1 Access Rights for Outdoor Recreation

Land access rights are strongly influenced by land tenure, although this relationship is not predictive owing to a wide array of factors which alter public rights of access (for example, clauses within occupational licences). The public does not have any legal rights of access to private land, unless some formally protected rights of passage have been established, such as walkways and rights of way. Except in these circumstances, public access across private land is a privilege at the discretion of the land owner or lawful occupier. Similarly, public access across privately-occupied public land is at the discretion of the occupier. In contrast, the public enjoys the freedom of entry to public land managed for conservation and recreation purposes under most circumstances. Access may be restricted for emergency or conservation reasons and use is often actively managed, for example restrictions upon taking dogs or lighting fires.

2.2.2 Foreshore Access

Despite a long-established tradition of public use of the foreshore by New Zealanders, with the exception of navigation and fishing in tidal waters, no recreational or general rights to use the foreshore have been established under common law (King, 1968). The Crown tolerates the activities undertaken by the public upon Crown land even though the public has no legal right to use this area (King, 1968). Owners of private

foreshore have the same right to exclude the public under the *Trespass Act 1980* as any other private land owner in New Zealand.

2.3 Knowledge of Access Rights

Despite access to the resource being a prerequisite for outdoor recreation, little research has been undertaken in New Zealand to determine the importance and role of participant's knowledge of access rights in recreational use of a resource (Wilson et al., 2001). People have different attitudes and levels of knowledge about natural resources. As Curry and Ravenscoft (2000) argue, asking questions such as "would you like to see more of (a certain type of access)?" assumes people are aware that it exists.

Within the model presented in Figure 1 the positions of knowledge and use are potentially interchangeable as they directly influence each other (Wilson et al, 2001). How much recreation participation is influenced by knowledge of access rights is still undetermined.

2.4 Use

The popularity of the coast and beaches has been illustrated by numerous outdoor recreation participation studies which have found beaches and oceans to be the most popular recreation settings for outdoor recreation (see for e.g. Cushman et al., 1991; Murphy, 1981; Wilson et al., 2001). This popularity can be attributed to the diverse range of recreational opportunities available for both active and passive recreationists including swimming, fishing and sunbathing (Fabbri, 1990). However, as a result of the differing methods used for these studies it is difficult to make comparisons and identify trends. It is also widely recognised that the majority of outdoor recreation occurs in peri-urban and rural areas (Booth and Peebles, 1995). It is therefore not surprising, given that most New Zealanders live within a few kilometres of the coast, that these areas play such an important role as outdoor recreation resources.

2.5 The New Zealand Access Literature

Very little research has examined rights of public access in New Zealand. Most studies have originated from student research (e.g. Baldwin, 1999; Booth, in prep.; Cass, 1989; Clark and Hilton, 2003) and have focused upon access provision or supply. A small number of reports and books have been written identifying access rights for specific access mechanisms, such as the Queen's Chain (Hayes, 2003) and public roads (Mason, 1991). Some statements over-viewing access rights for recreation have been written (Booth, 2004; Mason, 1992).

Research on access demand is sadly lacking, including public knowledge of, and attitudes towards, access rights. To date, a Lincoln University study by Wilson et al. (2001) remains the only research that has asked New Zealanders about these things. Wilson et al. used a questionnaire survey to investigate how aware 300 Christchurch residents were of their rights of public access for outdoor recreation. The study focused on recreation participation, knowledge of access rights, and opinions and personal experience of access rights. Wilson et al. (2001) concluded respondent knowledge of their rights of access was varied with many people being generally aware but lacking indepth knowledge. The study acknowledged that it was exploratory in nature and that results illustrated the need for further research into the public's understanding and knowledge of their access rights (Wilson et al., 2001).

The current research adds to the understanding of the public's knowledge of access rights, with specific reference to the foreshore. It has deliberately matched some of the questions from the Wilson et al. (2001) study in order to allow comparisons between public views on general recreation access rights and foreshore access rights.

A Massey University study is also relevant in this review, as it contains data pertinent to this study. In a mail survey, 1,000 New Zealanders were asked a series of questions on national identity (Massey University, 2004). This included a question taken directly from the National Party's 'Beaches for All' petition. Respondents were asked how much they agreed or disagreed with the following statement:

> *The House of Representatives should pass legislation that retains Crown title of New Zealand's beaches, foreshore and seabed, protecting access rights to these areas for all New Zealanders.*

Out of the 1000 respondents, the majority supported the proposal with 70 percent agreeing strongly and 15 percent agreeing, compared with only three percent who disagreed strongly and three percent who disagreed. Four percent neither agreed nor disagreed and five percent could not choose (Massey University, 2004).

3.0 Methods

A sample of Christchurch residents was contacted via a household survey to gain an understanding of their knowledge about public access rights to the foreshore. Surveys are particularly suited to the study of public opinion. A survey collects data from a chosen sample which can then characterise the wider population from which the sample is drawn (Davidson and Tolich, 1999). The survey can be either self-administered (filled in by the respondent) or interviewer-administered, conducted either in person, by telephone or by post. Each method has advantages and the final decision is based on research needs and the resources available to the researcher.

For the purposes of this research, a face-to-face interviewer-administered questionnaire survey was considered to be the best method, as this approach has a high response rate and the presence of an interviewer decreases the number of 'don't know' and missed responses. This was considered to be particularly critical for the open-ended responses used in the survey, as responses could be probed and more adequately interpreted in a face-to-face situation.

3.1 Questionnaire Design

The questionnaire consisted of 21 questions in both open-ended and closed response formats. A copy of the questionnaire is included in Appendix 1. The data collected to fulfil each objective were as follows:

1. To investigate the public's use of, and need for, access to the foreshore, including:
    - Recreational participation at the foreshore
    - Importance to the public of foreshore access (how it is valued)
    - Access information used, and desired, relating to the foreshore
    - Problems encountered in seeking access to the foreshore
    - Willingness to pay for access to the foreshore

2. To gain an understanding of what the Christchurch sample population know about their access rights to the foreshore
    - Knowledge of the foreshore and seabed debate
    - Knowledge of the differences between the Queen's Chain and the foreshore

3. To determine what opinions the public hold about the Government's proposed *public domain* foreshore land tenure and 'solutions' suggested by the LAMRG report, including:
    - Opinions on these five possible access options
        1. Signposting on the ground
        2. Creating a new access agency
        3. Establishing a code of conduct
        4. Providing more information on maps
        5. Marking walking routes across private land
    - Opinions on the proposed public domain solution to the foreshore issue

4. Socio-economic and demographic characteristics, including:
    - Sex
    - Age
    - Employment
    - Ethnicity

3.2 Sample Design

The sample was selected from the general population within the Christchurch Urban Area to encompass active recreationists through to non-recreationists. The method utilised by Wilson et al. (2001) was adopted. They used the Median Household Income figures from the 1996 Census to obtain a range of respondents in both upper and lower socio-economic areas. As Median Household Income figures were not

available from the 2001 Census, Median Personal Income figures were utilised instead. The New Zealand census separates urban areas into area units containing populations of 3000-5000 people (Statistics New Zealand, 2003). Based on Median Personal Income, survey sites were chosen from the top and bottom quartiles of these area units. One census area unit was selected from each income quartile. The sites selected were Beckenham (area unit 98) and Shirley East (area unit 66). A small number of households were also sampled in Cashmere East (area unit 49) to supplement the Beckenham data as the entire area unit had been sampled. Owing to the small number of respondents sampled in Cashmere East, these data are subsumed within the Beckenham dataset. Care was taken to choose sample sites roughly equidistant from the foreshore to prevent bias associated with coastal proximity. Refer to Appendix 2 for a map of the survey areas.

3.3 Respondent Selection

Within the sample areas, households were systematically selected by visiting every third house. Flats and apartments were considered to be separate households. To ensure random selection of a respondent in each household, an individual within the household was chosen using the 'next birthday' method. Those under the age of 15 were excluded from the sample.

If the selected respondent was not at home, mention was made of calling back at a more appropriate time. Arranging specific call back times proved too difficult as most people could not guarantee a time when the selected respondent would be home.

A record was kept of households selected by the sampling method where no one was home upon first call. This ensured that up to three call-backs could be made. These call times were varied as much as possible in order to minimise sample bias. It was hypothesised that people not at home may be recreating and potentially, therefore, more aware of their access rights and have stronger opinions. As a result great care was taken with call-backs.

The survey was administered from 29 November to 31 December 2003. Survey times were generally from 11.00am to 9.00pm. For each of the sample sites a mix of morning, afternoon and evening survey times was used.

The response rate remained at a constant of four completed questionnaires per hour throughout the survey period. Avoiding mealtimes proved problematic as these varied so much, but people were generally willing to give their time to complete the survey. No surveys were undertaken on statutory public holidays (Christmas Day and Boxing Day).

3.4 Sample Size

A total of 300 questionnaires were completed, 140 in Shirley East and 160 in Beckenham. Ideally 150 questionnaires would have been completed in both areas, but this was not achieved for two reasons. First, despite spending the same amount of surveying time in both areas, Shirley East had a much higher refusal rate. Second, the project was a ten-week scholarship and time constraints precluded a longer data collection period. Of the 276 refusals, 163 were received in Shirley compared with 113 in Beckenham. The sample was not designed to be representative of Christchurch residents owing to time constraints and the small size of this study.

3.5 Survey Administration

The questionnaire was interviewer administered. Questions were read out to the respondents and answers recorded by the researcher. A series of show cards were utilised to show answer categories for the closed questions. For open-ended questions the respondents' answers were recorded verbatim. Upon finding someone at home, the project was explained to the person answering the door and the researcher asked to speak to the person, over the age of 15, with the next birthday.

The researcher wore a nametag identifying himself as a Lincoln University Researcher. He carried a letter explaining the project (see Appendix 3). Individuals

were advised that participation was voluntary and that they could withdraw at any time. Their willingness to answer the questionnaire indicated consent and no consent in writing was taken. No names or street addresses were recorded on the completed questionnaires. Reasons for refusal to participate were noted. The biggest challenge was convincing potential respondents that the questionnaire was not market research and that it would not take longer than fifteen minutes. For personal safety the researcher informed friends of the areas in which he was surveying and the time he expected to return home. He also carried a mobile phone.

The questionnaire and study design met the requirements of the Human Ethics Committee of Lincoln University.

3.6 Pilot Test

A pilot survey was undertaken on 29/30 November 2003 and 25 questionnaires completed. There were no changes made to the questionnaire following the pilot test so all of the pilot survey questionnaires were retained in the final results. The pilot survey indicated that the questions were well understood by respondents. The pilot also showed that each individual questionnaire took between 10 to 15 minutes to complete and that a response rate of four per hour was achievable.

3.7 Response Rate

The total number of households included in the survey was 693, of which 116 had either no one at home at any call times or the selected respondent was not available at any call times. This ‘no-one home’ number is a lot lower than the Wilson et al. (2001) study (282), possibly because the majority of the surveying was undertaken prior to the holiday period, unlike the 2001 study. Table 1 details the response rate for the survey.

Table 1: Number of Households Contacted and Response Rate

Houses called at	693
Completed Survey	300
Withdrawals	1
No one home	116
Refusals	276
Response Rate	**52%**

From a total of 577 households where respondents were contacted, there were 300 questionnaires completed and 276 refusals received. In addition to the 300 fully completed questionnaires there was also one questionnaire partially completed in Beckenham as a result of a participant withdrawing during the interview because he felt unwell. The completed information from this questionnaire has been included in the study and it has been noted in the report where these data are not included in analysis.

A response rate of 52 percent is applicable to this study. From those who refused participation, the main reasons given were: 'too busy/no time' (66) and 'not interested' (110). Other reasons were 'on the way out' (15), 'don't participate in that sort of thing' (12), 'busy with children' (10), 'sorry having tea' (10), 'getting ready for or working' (8), 'not feeling well' (6), 'have visitors' (6), 'don't speak English' (5), and one person was hung over. These refusals were in part due to the time of year (pre-Christmas) and in part to people feeling that the subject of the research was not relevant to them personally. The researcher reassured people that he was interested in what they thought about their access rights and highlighted that this is a critical issue for present and future generations. This usually convinced people that their opinions mattered and reduced the numbers refusing through lack of interest.

The error margin associated with all data is ± 5.7%.

3.8 Analysis of Data

The data collected from the closed questions in the questionnaire were analysed using frequency and two-way chi-square analysis in the computer software programme SPSS. Data from open-ended questions were manually coded and analysed thematically.

Separate analysis of Maori respondents was considered, given the importance of the foreshore debate to Maori, but this option was precluded by the small number of Maori respondents.

4.0 Results

This section presents the results of the survey. Frequency analysis was undertaken for each question and chi-square analysis utilised where applicable. Results are represented as both raw data and as percentages. The tables and graphs within the section represent all respondents, unless otherwise indicated for questions where only part of the sample was required to reply. The error margin associated with all data is ± 5.7%. The section commences by presenting the demographic and socio-economic characteristics of respondents followed by the remaining questions sequentially.

4.1 Socio-economic and Demographic Characteristics

Question 17: Gender

The sample consisted of a total of 155 males (52%) and 146 females (48%). In the 2001 Census, population data for the two sample locations compromised 48 percent males and 52 percent females. Males are therefore slightly over represented in this sample.

Question 18: Age

The age distribution for the two sample sites (Shirley East and Beckenham) is illustrated in Figure 2. There were two noticeable differences between the two sample sites. First, a higher proportion of respondents surveyed in Beckenham were in the 40-49 years (n=33, 20%) and 50-59 years (n=30, 19%) age groups compared with Shirley East (n=24, 17%) and (n=18, 12%) respectively. Second, a higher proportion of respondents surveyed in Shirley East were in the 20-29 years age group (n=20, 14%) compared with Beckenham (n=14, 9%). The sample age distribution does not correspond to that recorded by the census for the two areas with the 60-69, 70-79 and 80+ age groups being slightly over represented in the sample for both areas. This indicates the sample is slightly biased towards older age groups.

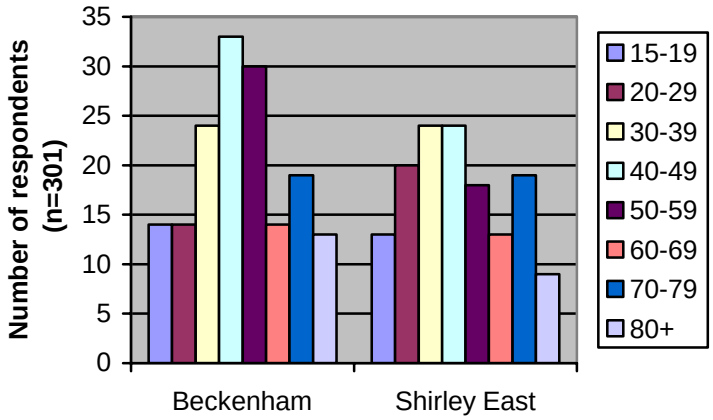


Figure 2: Age Distribution by Sample Site

Question 19: Ethnicity

Figure 3 and Figure 4 illustrate that the majority of respondents were New Zealand Europeans for both sample sites. Of the 301 respondents, 140 (87%) from Beckenham and 115 (82%) from Shirley East identified themselves as belonging to this group. These figures are similar to that recorded in the census for these areas with the only exception being that this group is under represented in Beckenham where New Zealand Europeans make up 97 percent of the population. The most distinctive difference between the two areas was that 8 (6%) respondents from Shirley East identified themselves as New Zealand Maori whereas only 2 (1%) respondents in Beckenham did so.

Recorded as 'other' were British (2), European (2), Russian (2), African (1), Australian (1), Canadian (1), Dutch (1), Irish (1), Korean (1), Kurdish (1), Malaysian (1), New Zealand/Indian (1), New Zealand Pakeha (1), New Zealand/Samoan (1) and Zimbawaen (1).

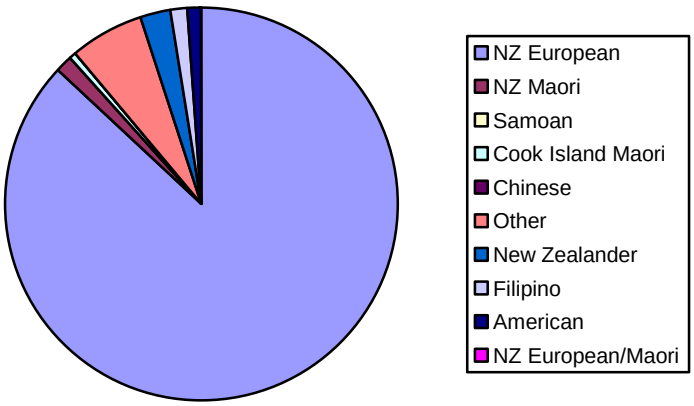


Figure 3: Ethnicity in Beckenham

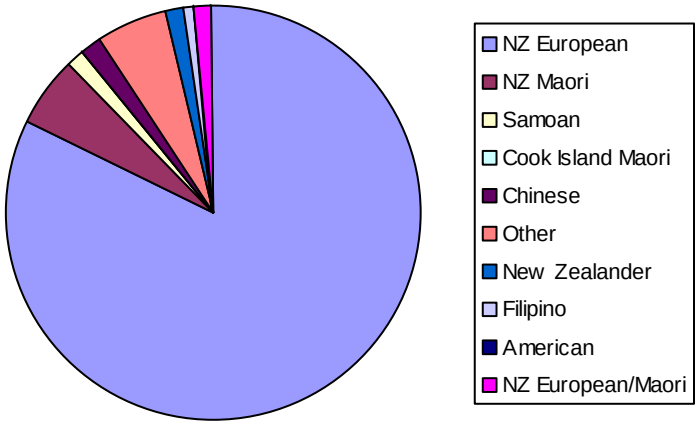


Figure 4: Ethnicity in Shirley East

Question 20: Place of birth

Question 20 (a) asked respondents whether they were born in New Zealand. In reply, 246 (82%) said yes and 55 (18%) said no. Respondents who replied no to this question were asked how long they had been living in New Zealand. Their responses were split into the five categories shown in Table 2. As highlighted in Table 2 the greatest preponderance of respondents had either been living in New Zealand 1-5 years or 21 years or longer. Analysis showed there was no significant relationship between respondent characteristics and place of birth.

Table 2: Number of Years Lived in New Zealand

Number of Years in New Zealand	Number of Respondents
1-5	15
6-10	5
11-15	2
16-20	3
21 +	30

Question 21: Employment Status

The sample consisted of 165 (55%) employed, 11 (4%) unemployed, 75 (25%) retired, 22 (7%) house persons, 22 (7%) students, 3 (1%) employed/students, 2 (0.7%) employed/house persons and 1 (0.3%) classed as 'other' who was on an invalid benefit. The employment status in the two sample sites is represented in Figure 5.

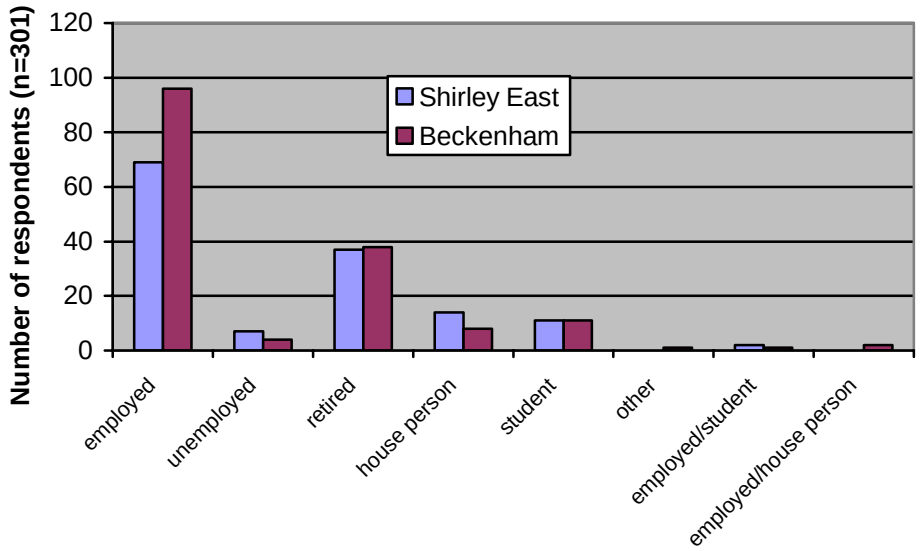
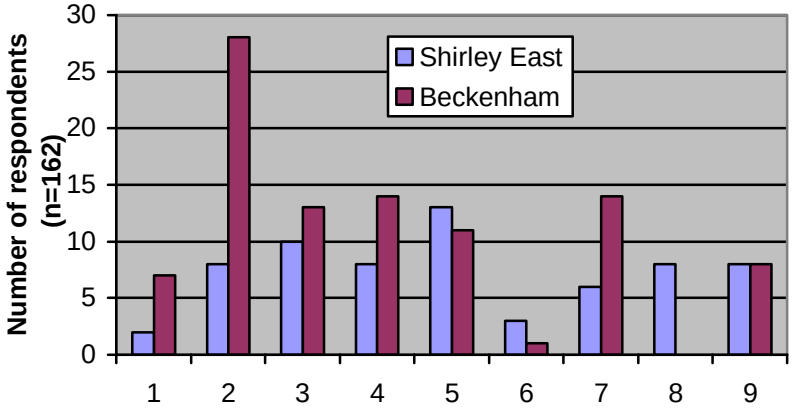


Figure 5: Employment status by sample site

Figure 5 highlights three differences between the two sample sites. First, a greater number of Beckenham respondents are employed (n=96, 64%) relative to those from Shirley East (n=69, 49%). Second, there are 14 (10%) respondents from Shirley East who classify themselves as house persons whereas there are only 8 (5%) from Beckenham who do so. Finally, as one might expect, there is a greater percentage of unemployed in the lower income area (5% in Shirley East compared with 3% in

Beckenham). These figures correspond to those recorded in the 2001 Census for these areas.

The respondents who were employed were queried as to their occupation and these were classified according to the New Zealand Standard Classification of Occupations 1999 (Statistics New Zealand, 2001). Figure 6 presents the occupation range for the sample sites.



Key to Numbers on Axis

1. Legislators, Administrators & Managers
2. Professionals
3. Technicians & Associate Professionals
4. Clerks
5. Service & Sales Workers
6. Agriculture & Fisheries Workers
7. Trade Workers
8. Plant & Machine Operators & Assemblers
9. Elementary Occupations

Figure 6: Occupation by Sample Site

Based on income figures it is not surprising that the higher socio-economic area of Beckenham has a greater percentage, compared with Shirley East, within the managerial-professional-clerical occupations. In particular, contrasts are most evident within the Professional (17% compared with 6%) and Clerks (9% compared with 6%) groups. However, there is also a greater number of Trade Workers in Beckenham (n=14, 9% compared with n=6, 4%). Shirley East respondents in contrast are strongly represented in the Plant and Machine Operators and Assemblers group (n=8, 6% compared with none). The occupational figures for both areas correspond to those recorded in the 2001 Census, except for the Professional group, which is slightly under represented in Beckenham. The sample is, therefore, fully representative by employment but not occupational status in both areas.

4.2 Use and Recreation Participation

This section of the report presents information on how frequently respondents use the foreshore during the year and the activities they participate in. Respondents were asked the following questions:

1): Can you tell me how often you go to the foreshore during summer, which category best describes your use?

2): Now can you tell me how often you go to the foreshore outside of the summer period using the same categories?

There are distinctive differences between the respondents' use of the foreshore during the summer period and outside of this period. Figure 7 highlights two points. First, respondents use the foreshore more frequently during the summer than during the remainder of the year. Second, use during the summer is more evenly distributed forming a normal distribution bell-shaped curve, whereas use outside this period is skewed towards the less frequent categories. During the summer 174 (58%) visit the foreshore once every two weeks or more frequently (between once every day to once every two weeks). In comparison only 56 (19%) visit the foreshore this frequently outside this period. However, outside the summer period, 245 (81%) of respondents visit the foreshore once a month or less frequently (between once a month and never) compared with 127 (42%) during the summer period.

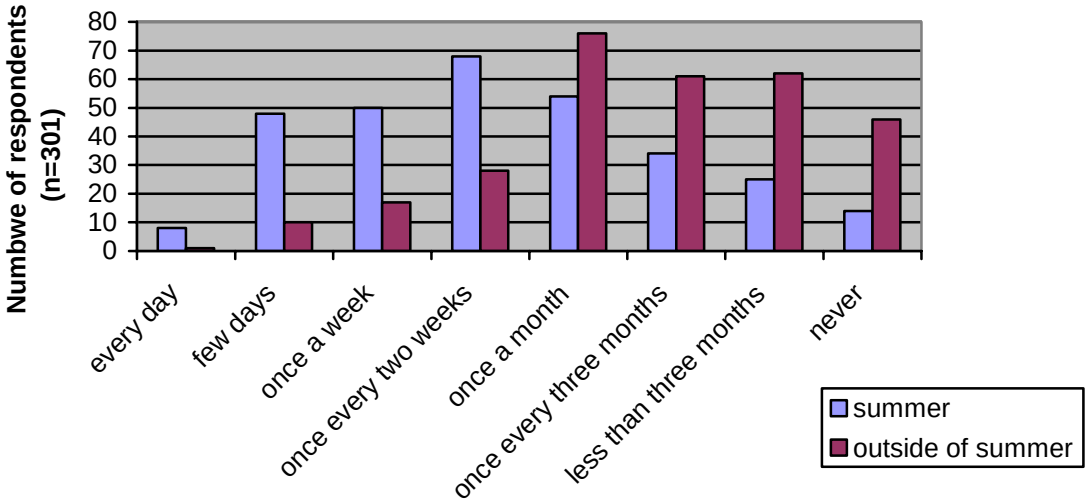


Figure 7: Visits to the foreshore

A chi square analysis was utilised to determine the relationship between summer visitation and respondent characteristics (age, gender, employment status and sample site) with the only significant relationship being with sample site ($x^2(1,301) = 17.23$, $p<0.016$). As Figure 8 illustrates, during the summer respondents from Beckenham visit the beach more frequently than those from Shirley East. A higher percentage of Shirley respondents visit the beach less than once every three months (12% compared with 5%) and never (7% compared with 2%). No significant relationships existed between visitation outside of the summer period and respondent characteristics.

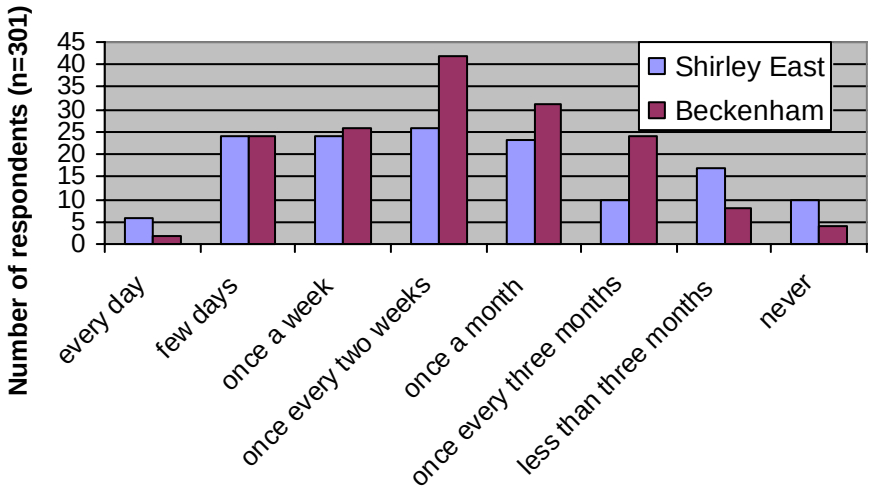


Figure 8: Summer visits to the Foreshore by Sample Site

Of the sample of 301 there were fourteen (5%) who said they never visited the foreshore. Out of the fourteen respondents, ten were of a similar age, either in the 70-79 (n=5, 36%) or 80+ (n=5, 36%) categories and were retired. These fourteen respondents were not asked Question 3 about activity participation.

3): What activities do you do at the foreshore?

Respondents were asked what activities they participate in at the foreshore. Multiple responses were possible and the numbers indicating they had participated in each activity are presented in Table 3. Note that the list of activities in the questionnaire was not shown to participants as this may have influenced the range of responses. The list was for ease of recording by the interviewer.

The most popular activities were those generally associated with the iconic Kiwi image of a day at the beach with walking, swimming, playing with children, sunbathing and picnicking combined accounting for 68 percent of the responses. The popularity of these activities was also reflected by individual responses with 179 (59%) of respondents going walking, 151 (50%) going swimming, 71 (24%) playing with children and 55 (18%) sunbathing. Activities categorised under 'other' included photography, surf life saving, wind surfing, exploring and reading.

Three statistically significant relationships were identified following a two way chi analysis of recreational activities and summer visitation. Walking ($x^2(2,301)=18.43$, $p= 0.01$) produced a significant relationship with walkers visiting the beach more often than non-walkers (60% of walkers visit the foreshore once every two weeks or more frequently compared to 55% of non-walkers). Swimming ($x^2(2,301)=25.21$, $p= 0.00$) generated a significant result with non-swimmers visiting the foreshore less frequently than swimmers (51% of non swimmers visit the foreshore once a month or less frequently compared with 44% of swimmers). Finally, sunbathing ($x^2(2,301)=16.55$, $p= 0.02$) produced a significant relationship with sunbathers visiting the foreshore more frequently than non-sunbathers (67% of sunbathers visit the foreshore once every two weeks or more frequently compared with 55% of non sunbathers).

Participation in recreation activities by gender is shown in Table 4. Whilst there are similarities in some of the more passive activities such as walking and swimming, there are some notable differences. Males dominate the 'active pursuits' such as fishing (83%), surfing/body boarding (71%), snorkelling and diving (67%) and running (60%). The male dominance of active pursuits is consistent with the literature (Booth and Pebbles, 1995). Additionally, 67 percent of respondents 'hanging out', 63 percent of those 'relaxing and enjoying the beach' and 60 percent of those 'socialising' were males. Females in contrast dominate some of the more 'passive activities' such as building sandcastles (75%), playing with children (61%) and picnicking (58%).

Table 3: Recreation Activities Undertaken

Activity	Numbers participating	% of respondents	% of responses
Walking	179	59	24
Swimming	151	50	21
Playing with children	71	24	10
Sunbathing	55	18	8
Fishing	41	14	6
Picnicking	38	13	5
Other	33	11	5
Dog exercising	25	8	3
Boating	22	7	3
Gathering shellfish	18	6	2
Surfing/body boarding	14	5	2
Hanging out	12	4	2
Running	10	3	1
Looking at waves and rock pools	10	3	1
Ball games	9	3	1
Relaxing and enjoying the beach	8	3	1
Building sandcastles	8	3	1
Paddling	7	2	1
Collecting and gathering	7	2	1
Snorkelling and diving	6	2	1
Socialising	5	2	0.7
Motor vehicles	2	0.7	0.3
Total Responses	**731**		**100**

Table 4: Recreation Participation by Gender

Activity	Participation %	
	Male	**Female**
Walking	49	51
Swimming	51	49
Playing with children	39	61
Sunbathing	44	56
Fishing	83	17
Picnicking	42	58
Other	45	55
Dog exercising	44	56
Boating	50	50
Gathering shellfish	56	44
Surfing/body boarding	71	29
Hanging out	67	33
Running	60	40
Looking at waves and rock pools	50	50
Ball games	56	44
Relaxing and enjoying the beach	63	37
Building sandcastles	25	75
Paddling	43	57
Collecting and gathering shells, driftwood and stones	43	57
Snorkelling and diving	67	33
Socialising	60	40
Motor vehicles	50	50

4.3 Access Information

4(a): Have you ever felt a need to seek information about where you are allowed to go along the foreshore? For example when you are on holiday in an unfamiliar place in New Zealand.

Only 25 (8%) out of the 301 respondents had ever felt a need to seek information about where they were allowed to go along the foreshore. No statistically significant relationships were identified between respondent characteristics and the need to seek information.

4(b): Where would you find this information?

Those who answered 'yes' to Question 4a were then asked where they would find this information. These information sources are shown in Table 5. The three most commonly cited sources of information were a local or farmer, the council (local and regional) and information centres.

Table 5: Information Sources

Information Source	Number of responses	% of responses
Local or farmer	6	24
Council	4	16
Information centre	4	16
Not sure	3	12
Department of Conservation	2	8
Signs	2	8
Always had access	1	3
Fish and Game	1	3
Lifeguard	1	3
Pamphlets	1	3
Total Responses	**25**	**100**

5(a): Do you feel you need more information on where you are allowed to go along the foreshore?

There were 76 (25%) respondents who felt that they needed more information on where they were allowed to go along the foreshore. A two-way chi square analysis was completed to test for relationships between a need for more information on access rights and respondent characteristics. Birthplace and a need for more information on access rights produced a significant result ($x^2(2,301)=6.84$, $p= 0.03$) with only 22 percent of New Zealand born respondents believing that there was a need for more information compared with 38 percent of those not born in New Zealand.

A significant relationship was also generated between a need for more information on access rights and whether people used the foreshore to walk their dog ($x^2(2,301)=6.65$, $p= 0.04$). Dog-walkers believed there was no need for any more information with only 4 percent requesting it, in contrast to 27 percent of other respondents. This may be a result of the high frequency of use by dog walkers with 72 percent visiting the foreshore at least once every two weeks in summer and 68 percent at least once a month outside of this period.

5(b): What type of information would be most useful?

The 76 respondents who replied 'yes' to Question 5a were then invited to state what type of information would be most useful to them. Respondents either stated the type of information they wanted, the form this information should take or a combination of the two.

Out of the 76 responses, 33 requested information on where they were allowed to go or what areas were restricted, eight requested information on specific access for activities such as boating, fishing, tramping, and dog walking and the remainder gave general answers, such as "access". Other needs included information relating to dangers including water pollution, rips, tides and other dangerous areas (n=6), rules and restrictions such as what they were allowed to do, fire restrictions and areas dogs

were allowed (n=8), knowing what their rights were (n=2) and clarification as to what a 'cultural right' was (n=1).

Respondents identified two formats of information provision. Twelve people felt that some form of signage would be useful and four others felt pamphlets would be appropriate.

6(a): Have you personally ever had trouble gaining access to the foreshore for recreation?

Only 36 (12%) respondents said that they had personally had trouble gaining access to the foreshore for recreation. Two statistically significant relationships were found between recreational activities and access trouble. A greater percentage of those involved in dog exercising ($x^2(2,301)=6.66$, $p= 0.01$) and surfing ($x^2(2,301)=7.87$, $p= 0.01$) had experienced access trouble. Twenty-eight percent of dog exercisers and 36 percent of surfers had experienced access trouble with only 11 percent of those not involved in these activities having experienced trouble.

6(b): What type of trouble?

Respondents answering 'yes' to Question 6 (a) were subsequently queried as to the nature of that trouble. Whilst individual cases were often particular, some common themes became apparent. Accessing the foreshore through private land was the most frequent problem identified. Twelve respondents encountered this problem. Of those twelve, nine were either restricted, unable or felt uncomfortable accessing the foreshore. The other three respondents specifically mentioned instances were they had become engaged in conflict or arguments with private landowners. Several respondents also had problems attempting to identify whether land was public or private.

Seven respondents encountered some form of physical barrier that obstructed their access. These barriers included gates, topography such as steep areas and the blocking of access by the council.

Several people (n=5) identified issues associated with Maori. Two respondents were unable to access areas as they were unable to cross Maori land as they were 'locked up' by gates and another respondent reportedly was denied access purely on race. Furthermore, two respondents also identified the charging of an entry or access fee by Maori to use particular foreshore areas as a problem. Three other respondents identified entry or access fees not associated with Maori as impediments to their access, making fees a problem for 14 percent of those people reporting a problem.

Respondents identified a number of specific sites where they encountered problems and Rapaki provides a good example of a local area where respondents encountered access issues. Rapaki was mentioned specifically on five occasions. These difficulties included conflict with a landowner, access to and use of the area and having to pay to use the area.

4.4 Willingness to Pay for Access

7): Would you be prepared to pay a small entrance fee for the certainty of being able to access and use the foreshore?

An overwhelming number of respondents stated that they would not be prepared to pay to access and use the foreshore. Two hundred and thirty-eight people (78%) said they would not pay, with 57 (19%) saying they would and 10 (3%) being unsure. Analysis of this result by respondent characteristics produced no statistically significant relationships, indicating that willingness to pay does not vary by age, gender, employment status and sample site. However, analysis of this result by activities suggested a greater percentage of picnickers were prepared to pay to access and use the foreshore ($x^2(2,301)=10.75$, $p= 0.01$). Twenty-eight percent of picnickers were prepared to pay for access and use compared with only 17 percent of those who were not involved in this activity.

This question often prompted additional comments from respondents, particularly those who were not prepared to pay. All of these unprompted responses were recorded and have been grouped into similar themes and presented in Table 6.

The most common response was associated with a moral or philosophical belief by respondents that they shouldn't have to pay. Those responses were manifested in a number of ways, from people reinforcing their disapproval through statements such as "definitely not" or "I wouldn't" to respondents stating it was their right or that the foreshore should be everybodys. The remaining responses can be categorised into those who differentiate between types of land for which they would be paying, those who wanted something for their money and those who made comments of a financial or general nature.

Table 6: Paying For Access

Unprompted comments given in response to Question 7: Would you be prepared to pay a small entrance fee for the certainty of being able to access and use the foreshore?	
Land tenure/ownership dependent	
Depends where land was	4
For private land only	4
Not for public land	1
Payment for maintenance or attraction	
If it was for upkeep	4
If it paid for facilities	3
Moral/philosophical concern with paying	
No I wouldn't/definitely not	31
Shouldn't have to pay	13
Should be everybody's	12
Should be free	8
My right as a New Zealander	8
Beginning of exploitation	5
Would only go to free places	4
Not if free before	3
Financial/general	
Only if had to pay	12
Depends on amount	8
Only in some cases	4
Take out of taxes or rates	2
If really desperate to go there	1

4.5 Importance of Recreational Areas

8(a): Which of these areas do you ever visit for your recreation activities?

Respondents were shown a list of five types of land commonly used for recreation and asked which they had ever visited for their recreational activities. These types of land were selected as they cover the majority of lands utilised for recreation in New Zealand. Multiple responses were permissible for this question. As Table 7 highlights, the most frequently used type of land was the foreshore/coast/beaches followed, in order, by urban fringe, rivers/lakes, parks/reserves and rural farmland. There were no respondents who had not visited all five of the categories. Note there is some overlap in category classification as some urban fringe areas could be considered as foreshore/coast/beaches, which may have the effect of decreasing the number of responses to urban fringe.

Table 7: Areas Respondents Have Ever Visited for Recreation

Type of Land	Number of Respondents	% of Respondents
Foreshore/coast/beaches	297	99
Urban fringe	282	93
Rivers/lakes	279	93
Parks/reserves	267	89
Rural farmland	224	74

Analysis of these data by respondent characteristics produced three statistically significant relationships. First, gender and visiting parks/reserves ($x^2(2,301)=5.59$, $p= 0.014$) where a greater percentage of females (93%) than males (85%) had ever visited a park/reserve for their recreation activities. Second, sample site and visits to rural farmland showed a statistically significant result ($x^2(2,301)=5.91$, $p= 0.015$) with a greater proportion of Beckenham (n=129, 80%) than Shirley East respondents (n=95, 68%) having ever visited rural farmland for their recreation activities. Finally, birthplace and visits to urban fringe areas ($x^2(2,301)=11.50$, $p= 0.001$) where a greater percentage of New Zealand born respondents (96%) than not New Zealand born (84%) had visited these areas.

Three statistically significant relationships were also generated by a two-way chi square analysis with recreational activities. A greater percentage of walkers (92%) than non-walkers (83%) had visited a park/reserve ($x^2(2,301)=5.32$, $p= 0.02$). Swimming and visits to a park/reserve ($x^2(2,301)=4.86$, $p= 0.03$) generated a significant result with 93 percent of those involved in swimming having visited one of these areas compared with 85 percent of those not involved. Finally, walking and visits to urban fringe areas ($x^2(2,301)=12.41$, $p= 0.0004$) where 98 percent of walkers had visited these areas compared with 88 percent of non-walkers.

8(b): Which one of these areas have you visited most often in the last year?

Foreshore/coast/beaches were clearly the most often visited by the sample with 128 (43%) visiting this type of land in the last year. As Figure 9 highlights, the next closest was urban fringe areas with 74 respondents (25%). A two-way chi square analysis was performed to test the relationship between respondent characteristics and areas they visited the most in the last year. The only factor that produced a statistically significant relationship was sample site ($x^2(2,301)=18.6$, $p= 0.015$). A higher percentage of respondents from Beckenham (32%) than Shirley East (16%) had visited urban fringe areas the most in the last year. However, a higher percentage of Shirley East respondents had visited rivers the most (18% compared to 6%) in the last year.

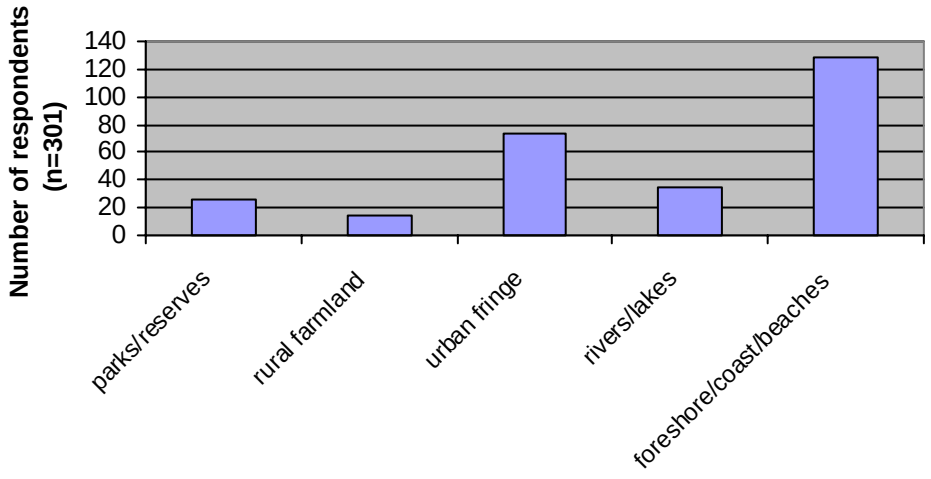


Figure 9: Areas Visited Most Often by Respondents

There were 20 (7%) respondents who could not determine out of two land types which they had visited the most in the last year. This was partially due to individuals utilising different types of land at different times of the year, for instance the foreshore/coast/beaches in the summer and urban fringe areas during other times of the year. The two types of land most commonly mentioned in this respect were urban fringe and the foreshore/coast/beaches. As a result, these categories may be undercounted in Figure 9.

8(c): Out of these areas, which do you consider being the most important to you?

Foreshore/coast/beaches was considered the most important type of land for 138 (46%) of respondents. This may be attributed in part to the fact it is the most commonly visited land type, its close proximity to the sample areas and recent media attention this area has received. As Figure 10 demonstrates, parks/reserves were the next most important to respondents followed in order by rivers/lakes, urban fringe and farmland. It was also interesting to note that 39 (13%) respondents felt that it was impossible for them to differentiate which type of land was most important to them.

Analysis of recreational activities and the area that was most important to respondents produced one statistically significant relationship for walking ($x^2(2,301)=20.53$, $p= 0.001$). A higher percentage of respondents involved in walking (11%) than those not involved (4%) considered urban fringe areas as most important.

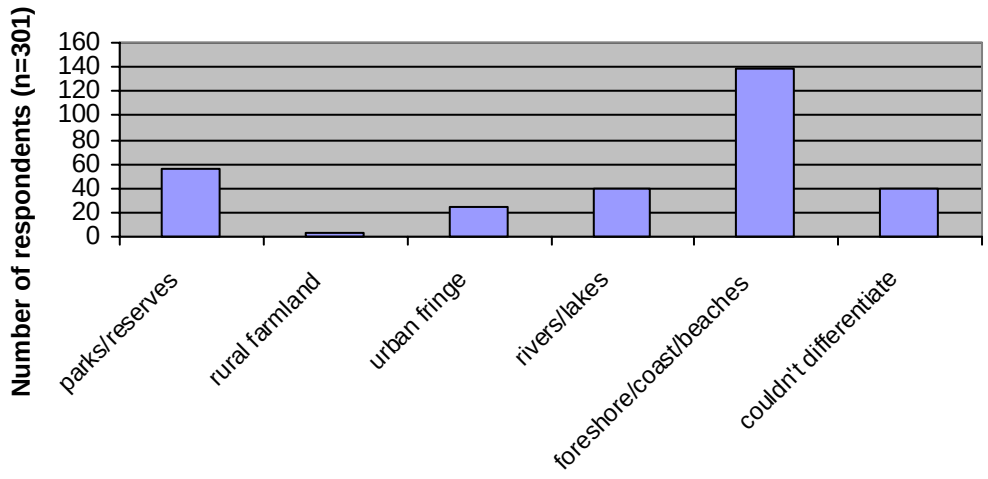


Figure 10: Area Considered Most Important

8(d): Why is it most important to you?

Responses to this question produced a diverse range of replies from respondents. Responses have been categorised into six main themes and presented in Table 8. The six themes are restoration and recreation, nature, importance, access, personal association and visitation. The main reasons given for areas being important were recreation (n=30), conservation and protection (n=28) and convenient/closest/proximity (n=20).

A more in-depth look into the reasons why a particular area is most important to respondents is presented in Table 9. Table 9 lists the most common reasons (mentioned by at least five respondents) as to why an area was most important. 'Recreation' and 'love the sea/beach' were the dominant reasons relating to the foreshore. 'Convenience, closeness and proximity' accounted for urban fringe areas. 'Fishing' and 'swimming' were the dominant reasons associated with rivers/lakes, and 'conservation and protection' primarily relates to parks/reserves. Finally, the dominant reason associated with rural farmland was that respondents had 'family and friends in the vicinity'.

Table 8: Reasons Why Areas Are Most Important to Respondents

Comments given	Number of Times Mentioned
1. Restoration and recreation	
Recreation (general)	30
Get away from it/freedom	17
Fishing	17
Walking	16
Relaxing/peaceful	13
Enjoyment	12
Swimming	12
Tramping	8
Just prefer	5
Everything is there	4
Running	3
Mountain biking	3
Makes me feel good	3
2. Nature	
Beautiful/scenery	17
Love the sea/beach	17
Love nature	11
Love bush	3
3. Importance	
Conservation/protection	28
All important/couldn't differentiate	12
Important for everybody	11
Likely to lose/taken away	9
Asset/treasure	7
Preserved for use	3
4. Access	
Convenient/closest/proximity	20
Most accessible	18
Free, don't have to pay to go	3
5. Personal association	
Live there /own property	18
New Zealand culture/way	7
Social	7
Family and friends in vicinity	5
Grew up on beach	5
Used to go	3
6. Visitation	
Visit/use most often	18
Like visiting	7

Table 9: Reasons Why Particular Area is Most Important to Respondents

Comments given	Number of times mentioned
1. Foreshore/coast/beaches	
Recreation (general)	22
Love the sea/beach	17
Visit/use most	11
Most accessible	11
Walking	10
Likely to lose/taken away	9
Beautiful scenery	8
New Zealand culture/way	7
Fishing	7
Swimming	6
Social	6
Grew up beach	5
2. Urban Fringe	
Convenient/closest/proximity	8
3. Rivers/lakes	
Fishing	11
Swimming	6
4. Parks/reserves	
Conservation/protection	22
Important for everybody	8
Beautiful/Scenery	8
Tramping	7
Like visiting	7
Love nature	5
Asset/treasure	5
5. Rural Farmland	
Family and friends in vicinity	3

4.6 Respondent Knowledge

The next set of questions enquired into respondents' knowledge about the Queen's Chain and the foreshore, as well as their understanding of the current foreshore debate.

9(a): Have you heard of the Queen's Chain?

Of the 301 respondents, 223 (73%) had heard of the Queen's Chain, 71 (24%) had not and 7 (2%) were not sure. Analysis by respondent characteristics showed no significant difference in response.

9(b): What is the Queen's Chain?

The 223 (74%) respondents who said that they had heard of the Queen's Chain in Question 9(a) were asked to explain what it is. Responses to the question generated a wide variety of answers with the vast majority only partially explaining the concept. The answers given can be organised into three general categories:

1) Where the Queen's Chain is located;

2) The meaning of the Queen's Chain (what it actually is); and

3) The distance that it covers.

These responses are presented in Table 10.

Of the 223 respondents who had heard of the Queen's Chain, 81 mentioned distance, with 46 of those stating the correct distance. There was a general appreciation that it was a publicly owned area (45) that the public can access (74). The actual location given varied with the majority believing it was only on coasts (57), river edges (16) or both (23). Only 27 respondents said that it was on all waterways (coast, rivers and lakes).

Explanations of the Queen's Chain were checked against reality by using the 'reality test' established by Wilson et al. (2001) to determine how many people correctly understood the concept. In order to pass the 'test', respondents needed to mention

correctly three dimensions identified by Wilson et al. (2001) as key aspects of the Queen's Chain: location, nature and measurement strip. Only three respondents (1%) out of the 223 people who said they had heard of the Queen's Chain passed the test. See Table 10.

Table 10: The Queen's Chain

Queen's Chain Explanation (if yes to Question 9(a), n=223)	
	Number of Times Mentioned
Don't know	**13**
Where is it?	
Only on coast	57
All waters*	26
Coast/rivers	23
Only on rivers	16
Lakes/coast	3
Rivers/lakes	2
Out to sea (12 mile zone)	2
Total	**129**
What is it?	
Public access*	74
Public land/property*	45
Nobody owns it	9
No longer exists	6
Can't build on it	6
Sacred land	2
Queen Charlotte Walkway	2
Green area all round building	1
Land where private land	1
As far as allowed to go	1
Queen Victoria	1
Total	**148**
Measurement of it?	
Distance mentioned*	81
Correct distance*	46
From high tide	56
Strip or area of land	40
Wrong distance	15
Total	**238**

*Reality test factor

9(c): Is the Queen's Chain different to the foreshore?

The 223 respondents who responded 'yes' to Question 9a were then asked if the Queen's Chain is different to the foreshore. Of these respondents, 110 (49%) replied yes (the correct answer), 73 (33%) replied no and 40 (18%) were not sure if the Queen's Chain was different to the foreshore. The Queen's Chain is different to the foreshore as it is the area that extends above the high tide mark, whereas the foreshore is between the low tide and high tide marks. To test whether there was a relationship between knowledge of the difference between the Queen's Chain and the foreshore and characteristics of respondents, a two-way chi square analysis was performed. The only statistically significant relationship identified was age ($x^2(2,301)=90.06$, $p= 0.00$) with a higher percentage of those in the 40-49 (61%), 50-59 (54%) and 80+ (53%) age groups correctly believing that there was a difference.

Three statistically significant relationships were identified following a two-way chi square analysis of recreational activities and the difference between the Queen's Chain and the foreshore. Sunbathers ($x^2(2,301)=20.26$, $p= 0.0001$) and swimmers ($x^2(2,301)=8.65$, $p= 0.03$) were more likely to correctly identify that there is a difference between the Queen's Chain and foreshore with 61 percent of sunbathers (compared to 48% of non-sunbathers) and 55 percent of swimmers (compared to 44% of non-swimmers) identifying the difference. In contrast, boaters were more likely to (incorrectly) believe there is no difference between the Queen's Chain and foreshore ($x^2(2,301)=9.32$, $p= 0.03$) with 47 percent respondents holding this perspective (compared with 74% of those involved in boating).

9(d): What is the difference?

The 110 respondents who believed that the Queen's Chain was different to the foreshore were asked to state what the difference was. Although the responses to this question were varied, they can be broadly arranged into two categories: 1) the correctness or accuracy of the response and 2) the nature of the response. Answers were deemed to be correct if a respondent recognised that the Queen's Chain was the land above the foreshore. As highlighted in Table 11, there were 44 (40%) correct and

25 (23%) partially correct responses. A response was considered partially correct if it identified a defining characteristic but failed to adequately express the difference, for example the Queen's Chain is 'more to do with rivers' and 'extends a bit further than high tide'. One respondent replied 'more foreshore goes further than the beach' this response was determined to be unclear. Table 12 presents the nature of responses provided by respondents. The high tide mark as a point of differentiation was the most frequently cited response (34). The two next most frequently given responses were that the Queen's Chain is the land above the foreshore (14) and that the Queen's Chain includes other waterways besides the coast or all waterways (12).

Table 11: Queen's Chain/Foreshore Difference – Accuracy of Response

Answer	Number of Responses	% of Responses
Correct	44	40
Incorrect	28	27
Partially correct	26	23
Not sure	11	10
Unclear	1	
Total	**110**	**100**

Table 12: Queen's Chain/Foreshore Difference – Nature of Response

Comments Given	Number of Times Mentioned
High tide mark as differentiation	34
Queen's Chain land above the foreshore	14
Queen's Chain other waterways (beside coast) or all waterways	12
Queen's Chain more to do with rivers	5
Queen's Chain more than foreshore	5
Queen's Chain measurement	4
The land	2
Private ownership	2
Walk around/access	2
Maori sacred land	1
Can't build on it	1
Queen's Chain controlled and patrolled	1
Total	**83**

10(a): You may have heard some debate about the foreshore in recent months. Do you know what this debate relates to?

The vast majority of respondents had heard of the debate over the foreshore during 2003. Two hundred and sixty five people (88%) had heard about it, 25 (8%) had not and 11 (4%) were not sure. The relationship between respondent characteristics and whether they had heard of the debate about the foreshore was tested by a two-way chi square analysis and generated no significant results, indicating that there was no significant difference in responses by respondent characteristics.

10(b): What is it about?

If a respondent replied 'yes' in Question 10a (n=265, 88%) they were then asked to explain what the debate was about. Respondent explanations are outlined in Table 13. The most common explanations were Maori ownership (n=94), ownership (n=56) and public access (n=49). Responses included under 'other' were 'public land', 'trying to give it away', 'uproar about it' and 'Maori want more money for beaches'. Two respondents were 'not sure' what the debate was about.

Table 13 : Explanations of the Foreshore Debate

Comments given	Number of Times Mentioned	% of Responses
1. Maori ownership		
Maori ownership	94	28
Maori claim or rights	33	10
Customary rights	25	8
Maori control	15	4
Treaty of Waitangi	11	3
Maori lands	5	1
Maori	2	0.5
Total	**185**	**54.5**
2. Ownership		
Ownership	53	15
Total	**53**	**15**
3. Public access		
Public access	49	14
Pay for public access	6	2
Total	**55**	**16**
4. Private property rights		
Rights (not defined)	13	4
Private property rights	9	3
Total	**21**	**6**
5. Court/Parliament decision		
Court/Parliament decision	9	3
Total	**9**	**3**
6. Other comments		
Shellfish or fishing	7	2
Local issues	5	1
Other	4	1
Resources	3	1
Total	**19**	**5**
7. Not sure	2	0.5
Total	**2**	**0.5**
Total	**348**	**100**

4.7 Public Opinions

This section presents public opinion of the Government's *public domain* proposal and access 'solutions' proposed by the Land Access Ministerial Reference Group (LAMRG). Owing to the withdrawal of one respondent prior to answering Question 11a) the sample consists of 300 respondents for this section.

4.7.1 Public Domain Proposal

11(a): There have been concerns over the ownership of the foreshore. The Government has proposed that the foreshore becomes public domain effectively meaning it would become public land not owned by anyone. Do you support the Government's public domain proposal?

There was overwhelming support shown for the Government's public domain proposal as shown in Figure 11. Of the 300 responses to this question, 61 (20%) supported and 206 (68%) strongly supported the proposal. There was only minimal opposition to the proposal with 7 (2%) opposed and 1 (0.3%) strongly opposed. The remaining 25 (8%) respondents were undecided.

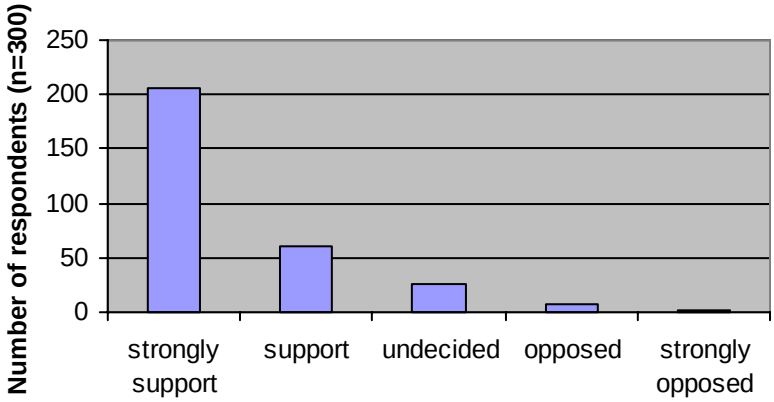


Figure 11: Respondent Views on the Public Domain Proposal

11(b): Why do you think that?

The 300 respondents who answered Question 11(a) were asked to give an explanation for their stance on the public domain proposal. Although a great variety of explanations were given, five common themes were identified. As illustrated in Table 14 the five themes were access, ownership, rights, implications and undecided. Table 14 outlines reasons given by respondents for supporting or opposing the public domain proposal.

There are four points worthy of mention in relation to responses given in support of the public domain proposal. First, the most prominent reason for supporting the proposal was that respondents perceived the public domain would mean that everybody is allowed to go or have access to the foreshore (n=92, 30%). Second, 53 (18%) respondents felt that the foreshore belongs to everyone so the public domain was fitting and 30 (10%) felt no one should own the foreshore. Third, 30 (10%) respondents considered access to the foreshore to be the right of every New Zealander. Finally, there was a belief that we are now all one race and one people and that there should be no discretion based on race, as it will only serve to cause division (n=28, 9%).

Table 14: Reasons Given for Supporting or Opposing the Public Domain Proposal

Reasons Given	Number of Times Mentioned
1. Access	
Everybody would be allowed to go or have access	92
Should be free access/shouldn't have to pay	17
If was owned could refuse/deny access	17
Will preserve access in perpetuity	5
Total	**131**
2. Ownership	
Because it belongs to everyone	53
No-one should own	30
Then no private ownership	20
Government	17
Leave as status quo	11
Should be some Maori ownership	5
Cannot own/never has been owned	4
Got everything else now (Maori)	2
Doesn't belong to everyone	1
Maori right to own	1
Total	**144**
3. Rights	
New Zealanders'/Everybody's rights	30
All New Zealanders now	28
All live here and should gain benefits and use of	25
Consider/Respect Maori Customary Rights	14
No restrictions	2
Total	**99**
4. Implications	
Protect environment	4
Who will look after and manage the foreshore?	3
Issue will not go away	3
Who is responsible if something goes wrong?	2
Total	**12**
5. Undecided	
Not sure	7
Need more information/don't know enough about	6
Not really worried	2
Total	**15**

11(c): Do you have any suggestions or comments about who should own the foreshore?

A large number of respondents made suggestions or comments about who should own the foreshore in their responses to Question 11(b) and those who did not, were prompted by this question. These comments have been analysed jointly. As highlighted in Figure 12 the sentiments of the majority of respondents mirrored the Government's public domain proposal with 160 (53%) stating the foreshore should be owned by 'everyone' or already is owned by everyone. The second most prominent suggestion was that 'no-one' should own the foreshore (n=50, 17%) followed consecutively by the 'Government' (n=50, 17%) and 'other' (n=13, 4%). The remainder of respondents either made no comment (n=21, 7%) or were not sure (n=5, 2%). There are two things to note. First, the term 'Government' included both responses that stated Government (n=15) and the Crown (n=20). Second, the term 'everyone' included both those responses that stated everyone (n=110) and the public (n=50). Responses included under 'other' were: 'respect for Maori interests/rights' (n=5), 'council' (n=1), 'not commercial entities' (n=1), 'case by case' (n=1), 'Department of Conservation' (n=1) and 'Maori' (n=1).

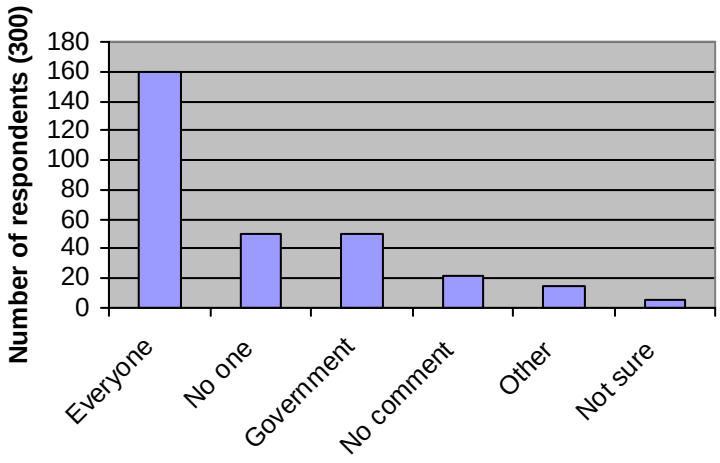


Figure 12: Owner of the Foreshore

4.7.2 Land Access Ministerial Reference Group Proposals

Five proposals suggested by the LAMRG to improve public access were selected by the author as these were considered to be most relevant to the general public. Respondents were presented with these 'solutions' and asked whether they supported each proposal (Questions 12a-16a) and to justify their response (Questions 12b-16b). Respondents who supported, strongly supported or were undecided in Question 12a-16a were asked if the proposal would make a difference to them personally (Questions 12c-16c). These responses are presented in this section.

12(a): First, it has been suggested that access should be signposted on the ground. For example, signs showing where you can walk across a farmer's paddocks or drive down roads to rivers. Can you tell me whether you support this suggestion or not using this scale?

The majority of respondents either supported (n=169, 56%) or strongly supported (n=98, 33%) signposting. Of the 300 respondents, only 9 (3%) were opposed, 2 (1%) were strongly opposed and 22 (7%) were not sure.

12(b): Why do you think that?

Responses to this question produced a variety of answers, however, there were some recurring themes which can be grouped into the categories shown in Table 15. There were two themes in support of the proposal. The most prominent theme that came through was that signposting would provide you with knowledge of where you could go. The second theme related to relationships with landowners, predominantly farmers. A number of reasons were mentioned by respondents opposed to the proposal. In this category, five (2%) felt that if areas where access was available were signposted, it would imply that for any area where it was not signposted, access was denied.

Table 15: Reasons Given for Supporting or Opposing Access Signposting

Reasons Given	Number of Times Mentioned	% of Respondents
Reasons for supporting the proposal		
1. Knowledge of where you can go		
Will enable you to know where you can go	83	28
Should make it simpler, clear and easier	44	15
Will allow you to gain access	35	12
Should allow you to know you're not breaking any laws or trespassing	7	6
2. Relationships with landowners		
Should make it easier on the farmer	16	5
Will know not upsetting or intruding upon the farmer	15	5
Should increase respect of farmer's land and is farmer's right to set rules you should follow	38	13
Will save disputes	25	8
Should help control access	19	6
Reasons for being opposed to the proposal		
Location dependent	6	2
Would limit access	5	2
Will spoil the scenery	3	1
Cost of instigating the proposal	3	1

12(c): Would it make any difference to you?

Just over half of the 289 respondents eligible to answer this question (those who either supported, strongly supported or were undecided in Question 12 a), believed the proposal would (n=164, 57%) make a difference to them personally. The main reasons given for this view were that signposting would allow them to know where they could and could not go, make access easier, they would take notice of the signs and it would allow them to access and visit new areas. Reasons given by those who were not sure (n=6, 2%) or believed the proposal would not make a difference (n=119, 41%) were that they did not go to or use private lands, they only used public areas or that they would just go anyway.

13(a): One idea is to create a new agency to promote and manage public access. This agency would do things such as talking to farmers to allow you to walk over their land and provide information as to where you can walk. Can you tell me, using the same scale, whether you support this proposal for a separate access agency?

Whilst most respondents supported (n=137, 46%) or strongly supported (n=52, 17%) the creation of a new agency there was some notable opposition and uncertainty about the idea. There were 45 (n=15%) respondents opposed, 11 (n=4%) strongly opposed and 55 (n=18%) undecided about the proposed agency.

13(b): Why do you think that?

Reasons given for supporting, opposing or uncertainty about the proposed access agency can be grouped into categories as outlined in Table 16. The first category relates to knowledge of access rights and improving access. The second theme relates to relationships with landowners. Numerous reasons were given in opposition to the proposed new agency. The most prominent reason given by respondents was that there was no need for a new agency as there are enough agencies already and that this role could be undertaken by an existing agency. Agencies suggested were the Department of Conservation and local and regional councils. The remainder of the 300 respondents were either not sure or felt they did not know enough to comment.

13(c): Would it make any difference to you?

There was no definitive feeling amongst the 244 eligible respondents as to whether the proposal would make a difference to them personally, with 123 (50%) saying it would, 110 (45%) saying it would not and 11 (5%) who were not sure. Providing information on where you can and cannot go and opening up more areas, were the two most frequently cited reasons for the new agency making a positive difference to respondents. In contrast, a number of respondents believed it would have a negative outcome as they would have to pay more tax/rates. Reasons commonly given that the

new agency would not make a difference were that respondents would go anyway, they would still ask permission from landowners and that they rarely go over private land.

Table 16: Reasons Given For Supporting or Opposing the New Agency Proposal

Reasons Given	Number of Times Mentioned	% of Respondents
Reasons for supporting the proposal		
1. Knowledge of rights and improving access		
Better organise and control access	44	15
Should allow you to gain access easier	43	14
Should improve communication and increase the information available	39	13
Will know where they could go	32	11
Will know where you stand	14	5
2. Relationships with landowners		
Will improve consultation with landowners	39	13
Should provide a good mediation point to solve problems and disputes	21	7
To protect private property	11	4
It is required as it is someone else's land	4	1
Reasons for being opposed to the proposal		
No need for the agency/enough agencies/role could be undertaken by another agency	55	18
Will become an ineffective bureaucracy	24	8
Will cost too much money and time	21	7
Uncertain		
Not sure/ Do not know enough to comment	27	9

14(a): Another proposal is that a code of conduct is needed outlining the public's access responsibilities as well as land owners'. The code would describe what you are allowed to do and how you are supposed to act. Can you tell me, using the same scale, do you support this proposal?

Respondents appeared to have few misgivings about the proposed introduction of a code of conduct. Of the 300 respondents, 25 (8%) were opposed, 2 (1%) were strongly opposed and 34 (11%) were undecided. In contrast 146 (49%) supported and 93 (31%) strongly supported the proposal.

14(b): Why do you think that?

Knowledge and the belief that a code of conduct is required in today's society were two recurring themes in support of the proposed introduction of a code of conduct. Additionally a number of respondents felt their support for the proposal was conditional upon the content of the code not being too prescriptive and being based on common sense (n=53, 18%). Rubbish, fires, alcohol and dogs were issues considered as needing to be addressed. Table 17 outlines the reasons given by respondents either supporting or opposing the proposal.

14(c): Would it make any difference to you?

Just over half of the respondents believed that a code of conduct would not make a difference to them personally. Of the 273 eligible responses, 147 (54%) felt it would not, 118 (43%) felt it would and 8 (3%) were not sure. Respondents predominantly believed they already act and behave appropriately and, therefore, a code of conduct would make no difference to them. Reasons mentioned for the code making a difference were that they would follow or abide by the rules and guidelines set, people would be better behaved and controlled, and that people in general would become aware of what was considered acceptable behaviour.

Table 17: Reasons Given for Supporting or Opposing the Code of Conduct Proposal

Reasons Given	Number of times mentioned	% of respondents
Reasons for supporting the proposal		
1. Knowledge		
Will clarify how to behave and act	79	26
Will clarify the boundaries, limitations and parameters	43	14
Should provide a better understanding to those who are unclear	10	3
Will increase communication and the availability of information	14	5
2. Need for control		
Lot of irresponsible people in the world	27	9
Rules/regulations are needed	15	5
Code perceived as necessary to control inappropriate behaviour	17	6
Will protect the environment and reduce damage	22	7
Should make it easier for the farmer	41	4
3. Content dependent		
As long as not too prescriptive/based on common sense	53	18
Reasons for opposing the proposal		
Too many regulations/society is too politically correct	23	7
Will be too costly in terms of time and money	11	4
Not necessary/would not affect them	16	5
Uncertain		
Not sure/ Do not know enough to comment	9	3

15(a): Maps currently provide little information on where you are allowed to go, for example, they do not identify whether a road is public or private. Maps could provide you with this information. Can you tell me, using the same scale, whether you support this proposal?

Respondents appeared to have few reservations about maps providing more information with none strongly opposed, 3 (1%) opposed and 20 (7%) undecided about the proposal. In comparison 170 (57%) supported and 107 (36%) strongly supported the proposal.

15(b): Why do you think that?

Despite a range of responses to this question three common themes have been identified in support of the proposal. The most prominent theme was that providing more information on maps would give respondents the opportunity to increase their knowledge of where than can go. The other themes were relationships with the landowner, and making it easier and improving access. Table 18 expands on these themes categorising reasons given by respondents into those supporting the proposal, those opposed to the proposal and those who were undecided. Table 18 also highlights that the dominant supporting reason was that it will increase your knowledge of where you can and cannot go (n=124, 41%). Other prominent reasons were it will make access easier, simpler and more clear (n=62, 21%), will provide people with helpful information (n=51, 17%) and will help to avoid conflict, arguments and disputes (n=42, 14).

15(c): Would it make any difference to you?

The majority of respondents held the belief that including more information on maps would make a difference to them. Out of the 296 eligible respondents, 205 (69%) felt it would make a difference to them personally, 83 (28%) felt it would not and 8 (3%) were not sure. Providing information on where you can and cannot go was the most frequently mentioned reason for the proposal making a difference to respondents.

Using maps to plan trips was also important. Reasons mentioned by respondents who believed the proposal would not make a difference to them were that they would still ask for permission and they were not a frequent user of private and off-road areas. Some respondents mentioned that it would not make any difference to them personally but it would for people in general.

Table 18: Reasons Given for Supporting or Opposing Increasing the Amount of Information on Maps

Reasons Given	Number of times mentioned	% of respondents
Reasons for supporting the proposal		
1. Knowledge of where you can go		
Will increase knowledge of where you can and cannot go	124	41
Should provide people with helpful information	51	17
Will allow you to plan trips	13	4
2. Relationships with landowner		
Should avoid conflict, arguments and disputes	42	14
Will provide you with information to ensure you are confident not trespassing	14	5
3. Making it easier and improving access		
Will make easier, simpler and more clear	62	21
Will save inconvenience	11	4
Should open up more places to go	11	4
Will be advantageous for tourists	7	2
Will be advantageous for recreation	5	2
Reasons for opposing the proposal		
Do not use maps	3	1
Do not go off-road a lot	2	1
Some areas should not be shown on maps	4	1
Will be ineffective	5	2
Too expensive or costly to implement	4	1
Uncertain		
Not sure/do not know enough to comment	14	5

16(a): The final suggestion is marking walking routes by placing markers across private land. Whoever owns the land could move these markers when required, such as during lambing. Can you tell me, using the same scale, whether you support this proposal?

The proposed marking of walking routes by placing markers across private land was supported by 158 (53%) and strongly supported by 94 (31%). There was little opposition to the proposal, with 16 (3%) opposed, 6 (2%) strongly opposed and 26 (9%) undecided.

16(b): Why do you think that?

The most notable of the three themes identified in the responses in support of this proposal relates to relationships with the landowner, particularly farmers. The other two themes were increasing knowledge of where you can go and those who supported the proposal conditionally. Table 19 expands on these themes categorising reasons given by respondents into those supporting the proposal, those opposed to the proposal and those who were undecided. Table 19 also illustrates that the dominant supporting reason was that it should allow farmers to protect their livelihood (n=103, 34%). Other prominent reasons were it will ensure livestock are not interfered with or disturbed (n=60, 20%), will clarify where you can go (n=35, 12%) and that it should be farmers' right to determine routes as they own the land (n=32, 11%).

16(c): Would it make any difference to you?

The 278 respondents eligible to respond to this question generally believed the proposal would make a difference to them (n=144, 55%). In comparison, 117 (42%) felt it would not and 8 (3%) were not sure. Common reasons cited for the proposal making a difference were that they would use and follow the routes provided, they would know where they could go and it would generally be helpful. The two main reasons mentioned for the proposal not making a difference was that they did not visit these areas and that they were too old.

Table 19: Reasons Given for Supporting or Opposing the Marking of Walking Routes by Placing Markers

Reasons Given	Number of Times Mentioned	Percentage of Respondents
Reasons for supporting the proposal		
1. Relationships with the landowner		
Should allow farmers to protect their livelihood	103	34
Will ensure livestock are not interfered with or disturbed	60	20
Should be farmers' right to determine routes as they own the land	32	11
Should increase safety for the public and respect of the farmer's land	16	5
Will increase co-operation	14	5
Should cause fewer problems	10	3
2. Knowledge of rights and improving access		
Will clarify where you can go	35	12
Will improve communication and provide helpful information	19	6
Will provide better access	11	4
Works elsewhere	10	3
Makes sense	8	3
3. Conditionally		
Guidelines for the farmer required	10	3
As long as the farmer is happy with it	10	3
Reasons for opposing the proposal		
Would be a nuisance for farmers	8	3
Could be confusing	7	2
Not viable	5	2
Uncertain		
Not sure	8	3

5.0 Discussion

This research project has three objectives. First, to investigate the public's use of, and need for, access to the foreshore. Second, to gain an understanding of what the Christchurch sample population know about their access rights to the foreshore. Finally, to determine what opinions the public hold about the Government's proposed public domain land tenure and access 'solutions' suggested by the Land Access Ministerial Reference Group. In order to put the information into context the questionnaire was designed to collect respondents' socio-economic and demographic characteristics and details of their recreation habits. A discussion of these findings is presented first.

5.1 Recreation Participation

Before comparing study findings with the Life in New Zealand (LINZ) (Cushman et al., 1991) and Wilson et al. (2001) studies, it is important to note that both studies asked what activities participants undertook outside of the city in the last four weeks, whereas this study focused specifically on the foreshore. Despite this specific focus the findings from all studies correspond.

The LINZ (1991) study found the most popular activities away from home were walking (22%), going for a drive (30%), going to the beach (17%) and picnics and barbeques (9%). Wilson et al. (2001) mirrored these results with walking (56%), picnics and barbeques (29%), visiting the beach (57%), river/lake/sea swimming (25%) and driving for pleasure (33%) being the most popular among respondents. Walking, followed by swimming, playing with children, sunbathing and fishing were the most popular amongst respondents of this study. This study asked questions about activities undertaken on the foreshore and, therefore, precluded the response 'visiting the beach'. Driving for pleasure was not mentioned as a foreshore activity by any respondents in this study. However, like the other two studies, the most popular activities are of a more passive nature.

There were notable differences in the seasonal use of the foreshore identified in this study. Use was concentrated primarily during the summer period, with respondents using the foreshore increasingly less frequently outside of this period. This corresponds with other studies where short periods of use are concentrated during summer, predominantly from Boxing Day to the end of January and public holidays (Booth and Peebles, 1995).

This study found foreshore-based recreational activities were undertaken by respondents of all ages, sexes and diverse income levels (as indicated by study site). Wilson et al. (2001) found similar results for those participating in recreation outside of the city. Furthermore, males dominated the more active pursuits in this study, which is consistent with the patterns of recreation participation identified in other New Zealand outdoor recreation studies (Booth and Peebles, 1995).

The foreshore/coast/beaches was the most often visited setting followed by urban fringe areas in both this study and Wilson et al.'s (2001) research. These findings are also consistent with the LINZ (1991) study that found the settings visited most often were close to home and that coast/beaches were the most popular setting. Furthermore, the importance of these areas was reiterated in this study by the fact that the majority of respondents considered foreshore/coast/beaches to be the most important type of land.

The recreation profile of the 300 Christchurch respondents surveyed corresponds with patterns of outdoor recreation determined in previous New Zealand studies. This indicates the sample is representative of the general population when considering their recreational habits. Knowledge of access rights is likely to be associated with participation in outdoor recreation (Wilson et al., 2001). Consequently, some confidence can be assigned to the information portrayed in the following section about perceptions held by the public about their access rights.

5.2 Knowledge of Access Rights

5.2.1 The Queen's Chain

Question 9 focused on the Queen's Chain as this area was emphasised in the LAMRG report.

It was surprising that only three respondents (1%) out of the 223 who said they had heard of the Queen's Chain passed the 'reality test' as described in Section 4. In order to pass the 'reality test' established by Wilson et al. (2001), respondents needed to mention correctly all three dimensions identified by the test designers as being key aspects of the Queen's Chain: location, nature and measurement. Wilson et al. (2001) had similar findings with only 4 (2%) out of 208 who said they had heard of the Queen's Chain passing the test. Wilson et al. (2001) broadened the third factor to include people who had mentioned the Queen's Chain was a particular distance (without specifying that distance) increasing the total to 14 people (7% of the people who said they had heard of the Queen's Chain). Despite broadening the third factor for this study the total remained at three people.

Some of the key perceptions about the Queen's Chain evident in the Wilson et al. (2001) study also became apparent in this study. The main perceptions about the Queen's Chain evident from the study data were:

1. That the Queen's Chain was identified with waterways. Respondents, however, failed to illustrate that they understood that the Queen Chain encompasses rivers, lakes and the coast. There was a common misconception that the Queen's Chain was the coast only.
2. A few respondents (7) observed the Queen's Chain does not apply across all waterways. Unlike respondents to the Wilson et al. (2001) study, these respondents stated that it covered most or large waterways, which is true, rather than 'not all rivers' or 'not all coast' as in the 2001 study.
3. Recognition of the Queen's Chain as a public access mechanism.

4. That the Queen's Chain is public land. This is correct.
5. The belief that the Queen's Chain no longer exists. This was less prominent in this study than Wilson et al. (2001) (3% compared with 9% in 2001).
6. The Queen's Chain was affiliated with a strip of land or a specified distance from the water's edge. This is correct and a slightly larger percentage of people in this study mentioned the correct distance (18% compared with 17% in Wilson et al., 2001).
7. Nine respondents mentioned the Queen's Chain is an area that no-one owns.

5.2.2 Distinction between the Queen's Chain and the Foreshore

Half of the sample did not know whether the foreshore was different to the Queen's Chain or incorrectly thought there was no difference. Of the 110 respondents who believed the Queen's Chain was different to the foreshore, most respondents understood the difference, although some did so only partially. The common way of expressing the difference was by mention of the high tide mark or that the Queen's Chain is the land above the foreshore. Those people who understood the difference were predominantly from the older age groups (40 years onwards).

5.2.3 Awareness of the Foreshore and Seabed Debate

The media attention the seabed and foreshore debate has received was highlighted by the fact that 88 percent of respondents had heard about it. The most frequently mentioned explanations of the debate were Maori ownership followed by ownership and public access.

On 17 December 2003 the Government announced their foreshore and seabed proposal. This announcement took place during the data collection period. The author observed that following the announcement people seemed to be more aware of the debate (observed in responses to Question 10a). There was also an increase in the use

of the term ‘customary rights’ when attempting to explain what the debate related to (responses to Question 10b).

5.2.4 Information Needs

Only a few respondents had ever felt the need to seek information about where they were allowed to go along the foreshore. This may be linked to certainty about access rights, with respondents believing that they have a right to go to the beach and, therefore, have no need to seek information. Those who did state they had an information need identified a local or farmer, the council (local or regional) and information centres as the three main sources of information they would use.

The vast majority of respondents believed that they did not require more information as to where they were allowed to go along the foreshore, again illustrating certainty amongst respondents. Information on access, particularly where they were allowed to go or what areas were restricted, was the most frequently requested type of information by those who felt there was a need. Respondents felt access information should either be presented in some form of onsite signage or pamphlet.

5.2.5 Access Trouble

Accessing the foreshore through private land, physical barriers (particularly locked gates) and conflict/arguments with land owners were problems identified by respondents. These problems mirror those identified by Wilson et al. (2001). Several people identified issues with Maori obstructing and restricting their access by physical barriers and/or charging an entry or access fee. It is unclear whether this response was influenced by the recent media focus on Maori rights associated with the foreshore. Overall the small number of respondents who had experienced access trouble (n=36, 12%) suggests this is not a major issue within the vicinity of Christchurch.

5.2.6 Paying for Access

Payment for access and use of the foreshore received very limited support with only 19 percent supporting the idea. The overwhelming belief was that payment to access the foreshore was preposterous. The suggestion itself angered many people who were philosophically opposed to paying for access to an area they felt was their right to access. Wilson et al. (2001) asked the same question with respect to public and private land and found support for the idea (60%), however paying for access to public land was considered inappropriate by many respondents. Some respondents in this study were prepared to pay, but only if they received something for their money or if they were forced to.

5.3 Public Opinions

5.3.1 Public Domain Proposal

Respondents showed overwhelming support for the Government's public domain proposal with the majority strongly supporting it. These findings with respect to the foreshore becoming public land, mirror those of the Massey University study, which found 70 percent strongly agreed with 'the passing of legislation that retains the Crown title of New Zealand's beaches, foreshore and seabed, protecting access rights to these areas for all New Zealanders' (Massey University, 2004). The findings of both studies show the general consensus is that the foreshore and seabed should be public land. What remains unclear, however, is whether the public support Crown ownership (as proposed in the Massey study) or the public domain concept of no-one owning the area. It is also unclear how the public comprehend the meaning of 'public domain' compared with 'Crown ownership'.

The importance of the foreshore to New Zealanders is reflected in the dominant themes cited in support of the public domain proposal. Respondents believed that the proposal would ensure that New Zealanders would have access and use of the

foreshore with many feeling that it simply served to reinforce an existing legal right (which is based on a false presumption).

The public currently has a legal access right to and from the majority of the foreshore via various public access mechanisms (commonly referred to as the 'Queen's Chain') but aside from the rights of fishing and navigation within tidal waters, the public has no legal right to use the foreshore (King, 1968). All activities undertaken by the public within the foreshore area are tolerated by the Crown or other public owner of the foreshore (King, 1968). Additionally, there was a general consensus that the foreshore belongs to everyone and that there should no longer be any discrimination between New Zealanders as we are 'all one race and one people'.

5.3.2 Foreshore Ownership

It is not surprising, considering responses to the public domain proposal, that half of the respondents believed 'everyone' (53%) should own the foreshore followed by 'no-one' (17%). An additional 17 percent of respondents thought that Government ownership was most appropriate.

5.3.3 Access 'Solutions' Proposed by the LAMRG

Support for Access Proposals

The access 'solutions' proposed by the LAMRG received support from respondents. Signposting on the ground and increasing the amount of information on maps were particularly popular, being supported by 89 percent and 92 percent of respondents respectively. The proposed new access agency was not as well received as the other proposals but was still supported by 64 percent of respondents.

Reasons for Supporting Proposals

Whilst reasons mentioned in support of each proposal were at times specific, there were three general themes associated with implementing the proposals. First, many considered the proposals would serve to increase public knowledge of where you can and cannot go within New Zealand. Second, respondents believed the proposals would make it easier to gain access and improve access, which is reassuring as the LAMRG proposals were generated with this ideal in mind. Finally, there was a common belief among respondents that the introduction of the proposals would help to improve relationships with landowners, in particular by reducing disputes between the public and landowners.

Reasons for Opposing the Proposals

Although the reasons for opposing each proposal were at times specific, there were two common themes evident. First, a number of respondents felt that the cost, in terms of time and money, would be too expensive. Second, many respondents felt the proposals to signpost access on the ground, create a new agency and increase the amount of information available on maps would prove ineffective.

Would the Proposals Make a Difference to Respondents?

Although the majority support the proposals, the likelihood of these actions being successful may be best judged by whether respondents feel they would make a difference to them. Respondents gave a clear indication that the proposal to increase the amount of information available on maps would be effective with 69 percent believing it would make a difference to them. The likely success of the other proposals studied is less conclusive. Only half of the respondents believed that the signposting, creation of a new agency and the marking walking route proposals would make a difference to them. Furthermore, only 43 percent of respondents considered that the code of conduct proposal would make a difference to them. This was predominantly because they felt they already act and behave in an appropriate manner.

6.0 Conclusions

This study provides insight into the way New Zealanders use the foreshore, how they perceive their access rights and what they think about proposed foreshore and access initiatives. Several conclusions may be drawn from the data.

First, it is clear that New Zealanders highly value the foreshore for outdoor recreation. This was evident through the high use of these areas, as well as the top 'importance' rating that respondents gave the foreshore as an outdoor recreation resource. These study findings are supported by the New Zealand outdoor recreation literature.

Second, data suggest that the public believe they have a legal right to visit the foreshore. This study did not specifically ask respondents about their knowledge of their lawful access rights to the foreshore but responses to other questions often included such comments. The public do not have a legally protected right to use the foreshore for general recreation. This is at odds with public expectations.

Third, this study suggests that New Zealanders believe the foreshore should be owned by everyone, or to put it another way, no-one should own it exclusively. The study did not investigate the public's views of *public domain* versus *Crown ownership* (the primary land tenure alternatives currently being considered). Both options gained support within two separate public surveys (*public domain* - Doody and Booth, 2004; *Crown ownership* - Massey University, 2004).

Fourth, strong opposition to charging for access to the foreshore is evident. This contrasts with the finding in an earlier study (Wilson et al., 2001) that many people would be prepared to pay a small fee to have certainty of land access. The foreshore is viewed differently. An underlying theme is that many people believe public land should be freely available (i.e. no access charge). Related to this is the belief that the foreshore is and/or should be owned by everyone.

Fifth, the public's knowledge of their access rights is low. The two population-based studies of access rights show a superficial understanding of the Queen's Chain.

Despite recent media coverage, half of the respondents in this study did not know that the foreshore is different to the Queen's Chain or were uncertain about whether they were different.

Sixth, most people had heard about the foreshore debate. Commonly respondents explained the nature of this debate as being about Maori ownership of the foreshore, foreshore ownership more generally or public access.

Finally, selected proposals from the Land Access Ministerial Reference Group 2003 report met with general approval, in particular the idea of more access information on maps and on-site signposting of access. However the likely effectiveness of such proposals is less certain. The majority of respondents in this study (representing a range of active through to non-active recreationists) indicated that the proposal to increase access information on maps would make a difference to them. For the other proposals examined, a less clear differentiation was evident between those for whom the proposal would make a difference and those for whom it would not. These data relied on stated intentions not actual behaviour.

The study was limited in extent, being a ten-week scholarship. Further research should be undertaken to better understand the public's demand for, and opinion of, rights of public access. For example, the study did not achieve a large enough sample of Maori people to allow separate analysis. This would be fruitful.

References

Baldwin, A.J. (1997). *Access to and along water margins: the Queen's Chain myth*. MSurv thesis. Dunedin: University of Otago Department of Surveying.

Ballantine, W.J. (1991). *Marine reserves for New Zealand*: *Leigh Laboratory Bulletin number 25.* Auckland: University of Auckland Leigh Marine Laboratory.

Booth, K.L. (2004). Public access. In Harris, R. (Ed.) *Handbook of Environmental Law* (pp.428-438) Wellington: Royal Forest and Bird Protection Society of New Zealand.

Booth, K.L. (in prep). *Rights of public access for outdoor recreation in New Zealand*. PhD thesis in progress. Dunedin: University of Otago Centre for Tourism.

Booth, K., & Peebles, C. (1995). Patterns of use. In Devlin, P.J., Corbett, R.A., Peebles, C.J. (Eds.). *Outdoor Recreation in New Zealand*. Vol 1, *A Review and Synthesis of the Research Literature* (pp.31-62) Wellington: Department of Conservation and Lincoln University.

Cass, N.D. (1989) *Marginal strips: how best to allow public access to lakes, rivers, and the sea?* MSc thesis in Resource Management. Canterbury: University of Canterbury and Lincoln College Centre for Resource Management.

Clark, H., Cullen, M. & Horomia, P. (2003). *Government proposals for consultation: Foreshore and seabed: protecting public access and customary rights*. Wellington: New Zealand Government. Retrieved 10 November 2003 from the World Wide Web: http://www.beehive.govt.nz/foreshore

Clark, E.L. & Hilton, M.J. (2003). Measuring and reporting changing public access to and along the coast. *New Zealand Geographer* 59(1): 7-16.

Conservation Act 1987. Wellington: Government Printer.

Curry, N.R. & Ravenscoft, N. (2000). *Assessing the demand for countryside recreation: a case study in the county of Surrey Part 2*. Final report to the Countryside Agency South East and London Regional Office, London, England, July. Unpublished.

Cushman, G., Laidler, A., Russell, D., Wilson, N. & Herbison, P. (1991). *Life in New Zealand. Vol. 4: Leisure.* Dunedin: University of Otago.

Davidson, C. & Tolich, M. (Eds) (1999). *Social science research in New Zealand: Many paths to understanding*. Auckland: Longman.

Devlin, P.J. (1995). Outdoor recreation in New Zealand: Some introductory thoughts and beliefs (pp.1-16) In Devlin, P.J., Corbett, R.A., Peebles, C.J. (Eds.) *Outdoor Recreation in New Zealand*. Vol 1, *A Review and Synthesis of the Research Literature*. Wellington: Department of Conservation and Lincoln University.

Fabbri, P. (1990). Introduction. In Fabbri, P. (Ed) *Recreational uses of coastal areas: a research project of the Commission on the Coastal Environment, International Geographical Union* (pp.vii-xvii). London: Kluwer Academic.

Hayes, B.E. (2003). *The law on public access along water margins*. Wellington: Ministry of Agriculture and Forestry

Hinde, G.W., McMorland, D.W., Campbell, N.R. & Grinlinton, D.P. (1997). *Butterworths Land Law in New Zealand*. Wellington: Butterworths.

Kelly, K. (2003). *Foreshore project final report.* Memorandum to the Minister for Land Information dated 12 December 2003. Retrieved 10 February 2004 from the World Wide Web: http://www.beehive.govt.nz/Documents/Files/ACF40B7.doc

King, A.P. (1968). The foreshore: Have the public any rights over it? *The New Zealand Law Journal*: pp.254-258.

Land Access Ministerial Reference Group (2003). *Walking access in the New Zealand outdoors*. Wellington: Ministry of Agriculture and Forestry.

Local Government Act 2002. Wellington: Government Printer.

Mason, B. (1991). *Public Roads: A Guide to Rights of Access to the Countryside*. Dunedin: Public Lands Coalition.

Mason, B. (1992). Public access to land. In Milne, C.D.A (Ed.) *Handbook of environmental law*. Wellington: Royal Forest and Bird Protection Society Inc.

Massey University (2004). *Massey news: Strong support for beaches legislation*. Palmerston North: Massey University. Retrieved 29 February 2004 from the World Wide Web: http://masseynews.massey.ac.nz/2003/press_releases/18_12_03.html

Murphy, B.D. (1981). *Report on New Zealand forest recreation surveys, conducted for the New Zealand Forest Service*. Auckland: University of Auckland.

New Zealand Walkways Act 1990. Wellington: Government Printer.

Resource Management Act 1991. Wellington: Government Printer.

Statistics New Zealand (2000) *New Zealand Official Yearbook 2000.* Auckland: David Bateman.

Statistics New Zealand (2003) *Statistics by area*. Retrieved 10 November 2003 from the World Wide Web: http://www.stats.govt.nz/Statistics+by+area

Trespass Act 1980. Wellington: Government Printer.

Wilson, J., Booth, K., & Curry, N. (2001). *The Public's Knowledge of their Access Rights for Outdoor Recreation: A survey of Christchurch Residents.* Summer Research Scholarship Report. Canterbury: Lincoln University Human Sciences Division.

Wilson, J., Booth, K. & Curry, N. (2002). Rights of public access for outdoor recreation: what does the public know? *New Zealand Geographer* 58(1): 33-42.

Appendix 1: Questionnaire

Rights of Public Access to the Foreshore

Hi, my name is Brendan Doody. I am a post-graduate student at Lincoln University. I'm doing a research project on some issues to do with outdoor recreation. Do you have the time to answer a few questions for me? There are 18 questions in total that take 5-10 minutes to answer. My questions are about the sea foreshore and are to determine what people know and think about their rights of public access to this area. I have a letter of introduction from the university, which explains my project (SHOW LETTER).

Thanks. I need to talk to the person, over the age of 15 in this household who has the next birthday. Is that person available now or could I arrange a time to come back and talk to them?

When respondent available

Your participation in this survey is voluntary and you may withdraw at any time. All the information collected will remain confidential and you will not able to be identified in any way from this survey.

When I talk about the sea foreshore I mean the area between high and low tide, essentially the damp part. The foreshore includes the sandy beaches and rocky shores.

Recreational Use of the Foreshore

First, I'd like to ask you a couple of questions about your use, if any of the foreshore, the area I have just described

.

1). Can you tell me how often you go to the foreshore during summer, which category best describes your use?(SHOW CARD A)

1. ☐ Every day
2. ☐ A few days a week
3. ☐ Once a week
4. ☐ Once every two weeks
5. ☐ Once a month
6. ☐ Once every 3 months
7. ☐ Less than 3 months
8. ☐ Never

2). Now can you tell me how often you go to the foreshore outside of the summer, using the same categories?(SHOW CARD A)

1. ☐ Every day
2. ☐ A few days a week
3. ☐ Once a week
4. ☐ Once every two weeks
5. ☐ Once a month
6. ☐ Once every 3 months
7. ☐ Less than 3 months
8. ☐ Never

3). What activities do you do at the foreshore? (Do not show list. Multiple ticks possible)

1. ☐ sunbathing
2. ☐ picnicking/barbecuing
3. ☐ swimming
4. ☐ boating/canoeing/kayaking
5. ☐ using motorised vehicles
6. ☐ running
7. ☐ playing with children
8. ☐ fishing
9. ☐ dog exercising
10. ☐ gathering shellfish
11. ☐ walking
12. ☐ surfing
13. ☐ other activities (please state):

_____
_____
_____

Information

4a). Have you ever felt a need to seek information about where you are allowed to go along the foreshore? For example when you are on holiday in an unfamiliar place in New Zealand.

1. ☐ Yes
2. ☐ No
3. ☐ Not sure

b) Where would you find this information?

_____
_____

5a). Do you feel you need more information on your access rights to the foreshore?

1. ☐ Yes
2. ☐ No
3. ☐ Not sure

b). If Yes: What type of information would be most useful?

_____
_____
_____

Foreshore Access Issues

6a). Have you personally had trouble gaining access to the foreshore for recreation?

1. ☐ Yes
2. ☐ No
3. ☐ Not sure

b). If Yes: What type of trouble?

_____
_____
_____

7). Would you be prepared to pay a small entrance fee for the certainty of being able to access and use the foreshore?

1. ☐ Yes
2. ☐ No
3. ☐ Not sure

Unprompted comments: _____
_____
_____

Value of the Foreshore

8). Here is a list of different types of land commonly used for recreation in New Zealand. (SHOW CARD B)

a) Which of these areas do you ever visit for your recreation activities? (multiple ticks possible)

b) Which one of these areas have you visited most often in the last year? (one tick only)

c) Out of these areas, which do you consider to be the most important to you?

a) Ever	**b) Most**	**c) Importance**	
1. ☐	☐	☐	National park, forest park or reserve
2. ☐	☐	☐	Rural farm land
3. ☐	☐	☐	Urban fringe areas (Port Hills, Bottle Lake)
4. ☐	☐	☐	Rivers/lakes
5. ☐	☐	☐	Foreshore/Coast/beaches

Knowledge

9.a). Have you heard of the Queen's Chain?

1. ☐ Yes
2. ☐ No → Go to Question 10
3. ☐ Not sure → Go to Question 10

b). What is it?

_____
_____

c). Is the Queen's Chain different to the foreshore?

1. ☐ Yes
2. ☐ No → Go to Question 10
3. ☐ Not sure → Go to Question 10

d). If Yes: What is the difference?

_____
_____

10.a). You may have heard some debate about the foreshore in recent months? Do you know what this debate relates to?

1. ☐ Yes
2. ☐ No
3. ☐ Not sure

b). If Yes: What is it about?

_____
_____

<u>Opinions</u>

11a). There have been concerns over the ownership of the foreshore. The Government has proposed that the foreshore becomes public domain effectively meaning it would become public land not owned by anyone. Do you support the Government's public domain proposal? (SHOW CARD C)

5	4	3	2	1
Strongly Support	Support	Undecided	Opposed	Strongly Opposed
☐	☐	☐	☐	☐

b). Why do you think that?

_____
_____
_____

c). (PROMPT IF NECESSARY): Do you have any suggestions or comments about who should own the foreshore? _____
_____
_____

I'd now like to tell you about some suggestions to improve public access. I'm particularly interested in your opinion.

12(a): First, it has been suggested that access should be signposted on the ground. For example, signs showing where you can walk across a farmer's paddocks or drive down roads to rivers. Can you tell me whether you support this suggestion or not using this scale. (SHOW CARD C).

5	4	3	2	1
Strongly Support	Support	Undecided	Opposed	Strongly Opposed
☐	☐	☐	☐	☐

b). Why do you think that? _____
_____
_____
_____

c). Would it make a difference to you? _____
_____
_____

13a). One idea is to create a new agency to promote and manage public access. This agency would do things such as talking to farmers to allow you to walk over their land and provide information as to where you can walk. Can you tell me, using the same scale, whether you support this proposal for a separate access agency? (SHOW CARD C)

5	4	3	2	1
☐	☐	☐	☐	☐

b). Why do you think that? _____
_____
_____
_____

c). Would it make a difference to you? _____
_____
_____

14a). Another proposal is that a code of conduct is needed outlining the public's access responsibilities as well as land owners'. The code would describe what you are allowed to do and how you are supposed to act. Can you tell me, using the same scale, do you support this proposal? (SHOW CARD C)

5	4	3	2	1
☐	☐	☐	☐	☐

b). Why do you think that? _____
_____
_____
_____

c). Would it make a difference to you?_____
_____
_____

15a). Maps currently provide little information on where you are allowed to go, for example, they do not identify whether a road is public or private. Maps could provide you with this information. Can you tell me, using the same scale, whether you support this proposal? (SHOW CARD C)

5	4	3	2	1
☐	☐	☐	☐	☐

b). Why do you think that? _____
_____
_____

c). Would it make a difference to you? _____
_____
_____

16a). The final suggestion is marking walking routes by placing markers across private land. Whoever owns the land could move these markers when required, such as during lambing. Can you tell me, using the same scale, whether you support this proposal? (SHOW CARD C)

5	4	3	2	1
☐	☐	☐	☐	☐

b). Why do you think that? _____
_____
_____

c). Would it make a difference to you? _____
_____
_____

Demographic and Socio-economic Characteristics

17). Record:

1. ☐ Male
2. ☐ Female

18). What age category do you fit? (SHOW CARD D)

1.☐ 15-19
2.☐ 20-29
3.☐ 30-39
4.☐ 40-49
5. ☐ 50-59
6. ☐ 60-69
7. ☐ 70-79
8. ☐ 80+

19). What ethnic group do you belong to?

1. ☐ New Zealand European
2. ☐ New Zealand Maori
3. ☐ Samoan
4. ☐ Cook Island Maori
5. ☐ Japanese
6. ☐ Chinese
7. ☐ Indian
8. ☐ Niuean
9. ☐ Other (Please state): _____

20a). Where you born in New Zealand?

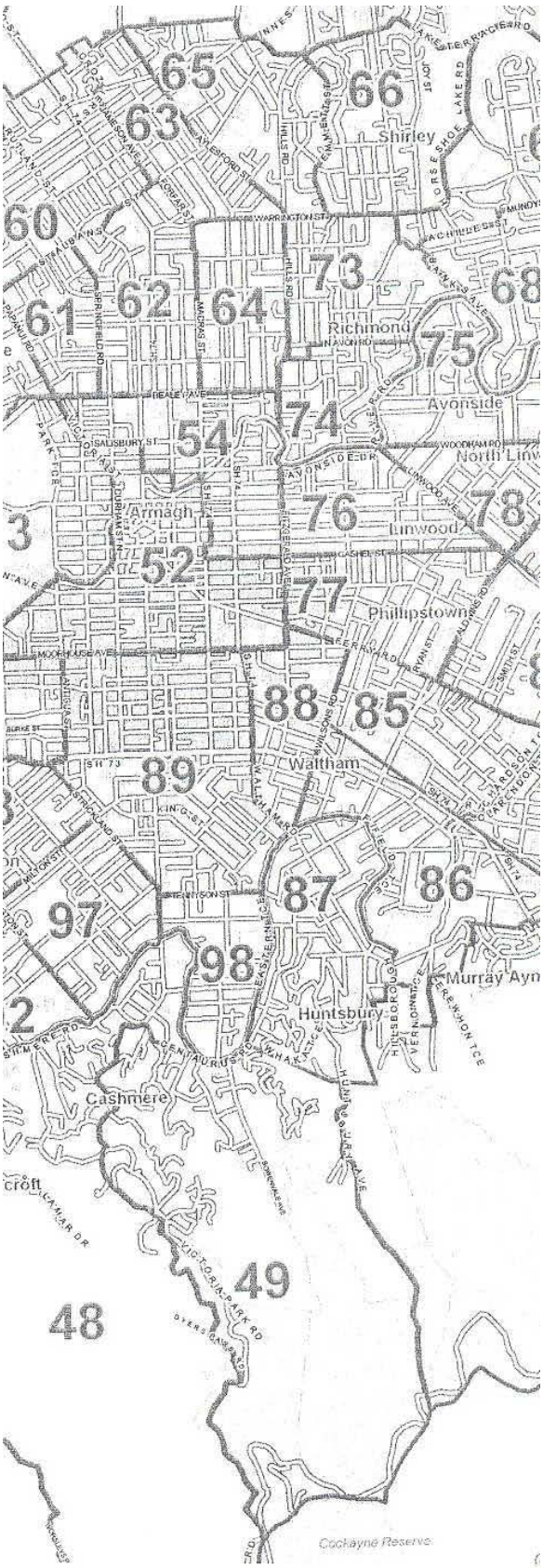
1. ☐ Yes
2. ☐ No

b). If No: How long have you been living in New Zealand? _____

21). What is your employment status? (SHOW CARD E)

1. ☐ employed: What is your job? _____
2. ☐ unemployed
3. ☐ retired
4. ☐ house person
5. ☐ student
6. ☐ other: (please state)_____

Appendix 2: Survey Areas

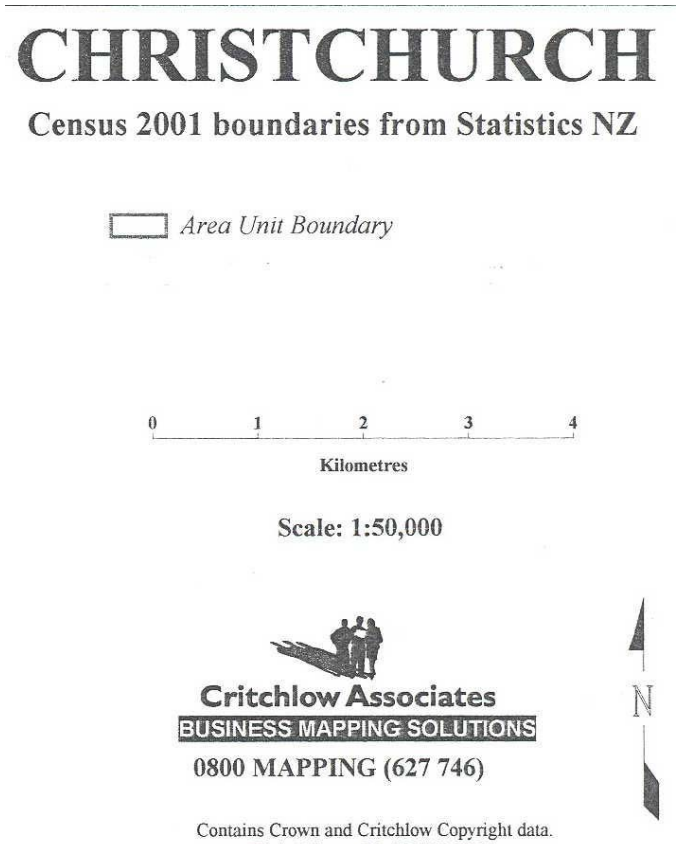


Survey Areas

66 - Shirley East

98 - Beckenham

49 - Cashmere East



Appendix 3: Introduction Letter

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26 November 2003

Study on Rights of Public Access to the Sea Foreshore

This letter introduces Brendan Doody who is conducting a questionnaire survey of Christchurch residents for his research into outdoor recreation and access rights to the sea foreshore in New Zealand. Brendan is undertaking this research as the recipient of the Environment, Society and Design Division Summer Research Scholarship for 2003/04.

For the project, he is interested in talking with a wide range of people – those who are active in recreation and those who are not. Everyone's opinion is important and we would appreciate your time to complete the questionnaire.

I am his supervisor for this research. Please contact me if you have any questions relating to the conduct of this research.

Yours faithfully,

Kay Booth
Senior Lecturer in Parks, Recreation and Tourism
Environment, Society and Design Division