

3 July 2026

Environment Committee  
Parliament Buildings  
Wellington



## Outdoor Recreation Sector

### Submission on the Conservation Amendment Bill

Tēnā koutou Katie and Committee members,

1. Thank you for the opportunity to comment on the Conservation Amendment Bill (*Bill*). We wish to be heard in support of our submission, and we request to be heard at Aoraki / Mount Cook. We will be happy to host members there.

#### Who are we?

2. This submission is made by the Federated Mountain Clubs of New Zealand (*FMC*), New Zealand Deerstalkers Association (*NZDA*) and eight other leading outdoor organisations.<sup>1</sup> Our organisations represent the bulk of New Zealand's outdoor recreation communities, and these communities comprise the tens of thousands of New Zealanders who get into the outdoors to go hunting, fishing, caving, tramping, or climbing, or who mountain bike, kayak, raft, paraglide or hang glide. More on each of our organisations is in Annexure 1 to this submission.
3. The recreation community is made up of people from all sections of the New Zealand public. Some are urban, some are rural. Some are wealthy, some are poor. Some know no other home than here, some are newer New Zealanders. Some seek practical things like a feed of venison from conservation land, while others seek a connection with place and companions, or mastery of a difficult skill. We have people of all political, ethical, moral and religious convictions. Their concerns often overlap with those of the environmental movement, though sometimes they don't. What unites the recreation community is a shared love for getting into the hills.
4. Emphatically, we are not about mere fun, and we are not elite. Recreation is not about a privileged few taking something from the land: our community gives countless hours back into its stewardship for future generations.
5. For many, enjoying outdoor recreational activities is viewed as a Kiwi birthright, it is part of our national identity, and a key part of what makes New Zealand a great place to live.

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<sup>1</sup> Federated Mountain Clubs of New Zealand (*FMC*), Aotearoa Climbing Access Trust (*ACAT*), New Zealand Deerstalkers Association Inc (*NZDA*), Mountain Bike New Zealand (*MTBNZ*), New Zealand Alpine Club (*NZAC*), New Zealand Canyoning Association (*NZCA*), New Zealand Speleological Society (*NZSS*), New Zealand Hang Gliding and Paragliding Association (*NZHGPA*), Whitewater NZ (*WWNZ*), Packrafting Association of NZ (*PRANZ*). We approached New Zealand Game Animal Council (*GAC*) and New Zealand Fish & Game Council (*NZFGC*) to join us.

6. Our submission is squarely about outdoor recreational issues. We are not commercial organisations, though some of us deal with the concessions regime, for example because we have huts sited on conservation land, or are deemed to need concessions for our recreational activities.
7. Our submission follows earlier work by FMC, NZDA and others on the policy work leading to the Bill. In this work we felt we were not given a real opportunity to talk about key aspects of the Bill, such as land sale and exchange, or their implications for recreation. Where we were able to speak with officials, regrettably our views were simply not listened to. Little wonder issues like land sales have come later to attract widespread public outcry, including from a united recreation sector.
8. Our experience in dealing with the Bill is in stark contrast to recent work by many of the same organisations who joined together to assist with the development of parts of the Health and Safety at Work Amendment Bill. In that process we were grateful to have extensive engagement with the Minister and officials on key issues for our communities, and felt we could see our work reflected in the Bill and select committee recommendations.
9. We take this occasion to publicly reiterate our invitation to work constructively with MPs and the government on this Bill. As you know the Minister made a similar invitation to you on 29 June. We want to work with you all and we trust our actions demonstrate that we can be taken at our word on this.
10. Finally, you may see further submissions from some of the organisations signing this submission. Naturally, some want to make separate submissions on areas specific to their discipline, or areas where they have specific comments on the Bill outside the scope of our sector's joint discussions.

### **We're submitting on the Bill as-is, which is undesirable**

11. We acknowledge that development of legislation in parallel with public select committee processes is not unusual. What is unusual is for core elements of a bill, for much of its very essence, [to be shifting](#) at the same time as a select committee is calling for public submissions on a Bill. The most recent example was the Fisheries Amendment Bill, which is not progressing.
12. Despite knowing that the Bill is overwhelmingly likely to change fundamentally from its form as introduced, no elements have been formally withdrawn to date. We as ordinary members of the public therefore feel forced to submit on the Bill in its original form.
13. Asking the public to comment "on a Bill" in such circumstances is effectively to invite comment on something other than "a Bill". Instead, and on the issues that really matter, the public is being asked to comment into an unsettled political process that could and probably will shift materially. This is not respectful of public time or care for issues core to New Zealand's national identity.
14. When the inevitable further changes come on core aspects of the Bill, the public may have "had enough" of being asked to comment on a moveable feast, with meaningful

public input diminishing or its general tenor souring in a way that unnecessarily precludes some possibilities for some sensible solutions. The process could also provide a political justification for excluding or diminishing opportunities for meaningful public input on more concrete proposals later. None of that is positive.

## **We like parts but we're calling for an immediate re-draft**

15. The recreational sector, like many other sections of the community, are keen to see progress in areas of conservation law that are, or are close to, breaking point. The key areas we support progress in are planning and concessions. (Amendments to Part 3A, management planning, are in [clauses 15 - 22](#) of the Bill, and a replacement of Part 3B, concessions, is in parts of [clause 23](#)). The present select committee process is appropriate for issues of that kind.
16. However, the present process is no way to conduct a national discussion on the core issues raised by this Bill, which amount to what and who conservation land is for. The results will not be durable.
17. The challenge for this Committee, then, is to find a way to advance those aspects of the Bill which are widely viewed as uncontroversial in-principle, while finding a more durable route to progress on more fundamental issues like what and who conservation land is for.
18. With this challenge in mind, we say that the committee has two responsible options.
19. One is for this Committee to **recommend immediate redrafting of the whole of the Bill**. The proposed amendments to Part 3A and new Part 3B could be directly recycled with appropriate changes to cross-references.
20. In this way a more careful and durable consideration of fundamentals can occur, while still progressing the likes of concessions and planning issues - issues that many want and need resolved - relatively quickly.
21. The obvious responsible alternative may be for this Committee to **identify and recommend the continuation of uncontroversial elements of the Bill with amendments, and immediate withdrawal of the remainder**. Again, it might for example proceed with the proposed amendments to Part 3A, and replace Part 3B, but no other aspect. In identifying areas for continuation, aspects like Part 3D, amenity areas (see part of clause 22) will present more marginal issues.
22. This alternative might be seen to resolve the uncontroversial issues slightly faster still, at a potential cost in durability and procedural complexity - if for example what were assumed to be settled areas turn out to be out of step with the eventual settlement on the core issues in some way.
23. The Committee can and ought to retain submissions from the present process to inform its deliberations on the next iteration of this Bill or its successor bills. It is abundantly clear that there is strong political appetite to settle all the issues soon, the most important of which amount to no less than the national social and political

settlement on what and who conservation land is for. What is presently lacking is a Cabinet agreement for the public to respond to.

## Summary of our Recommendations

### *We Generally Support the Concession and Conservation Planning Overhauls*

24. The recreation sector generally supports the Bill's overhaul of the concessions provisions, and the simplification of the conservation planning process. The provisions in issue are mentioned above.
25. There are issues of detail, some significant for specific groups, but we congratulate the government on finally tackling these issues. Individual recreation organisations (and doubtless others) will make individual submissions on points of detail in these areas.

### *We Generally Oppose the Sale, Exchange, Function-change and Decision Making Provisions*

26. The recreation sector has serious concerns about these issues, which are the issues that really matter in the Bill, and are about bedrock agreements on what and who conservation land is for, and who decides. In summary, our concerns are:
  - i. **First**, we have significant concerns about the Bill's disposal and exchange proposals. The scope of the Minister's withdrawal is unclear but seems unlikely to address core recreation concerns relating to access.
  - ii. **Second**, we have concerns about the way the Bill compromises the place of conservation and outdoor recreation in the conservation legal system. For many tens of thousands of kiwis, outdoor recreation is viewed as a Kiwi birthright, and a key part of what makes New Zealand a great place to live. Diminishing its status is unacceptable for us.
  - iii. **Finally**, we have reservations about centralising decision-making with the Minister in relation to key conservation planning decisions.
27. Our key recommendations for addressing these issues are:
  - i. **First**, ensuring that any exchange and disposal mechanism, whether it is based on present tests or not, includes a mandatory public process, and includes the mandatory protection of recreation access where a disposal or exchange would compromise such access. Where a "bit or bob", a gravel pit or the like, is already identified for sale and sale is without recreation access implications, it might simply be scheduled and allowed through a truncated sale process.
  - ii. **Second**, the proposed section 6(ea) and certain other provisions, including those relating to the purpose of the NCPS and Area Plans, need to be withdrawn for a re-think and re-draft. A great deal of economic activity on conservation land is enabled by the current law. Enabling more is a matter for proper national discussion. Elevating such considerations above the birthright of the average New Zealander to enjoy their special places for

recreation, by contrast, is not something our community feels is up for discussion.

- iii. **Finally**, we acknowledge that some have frustrations with current conservation decision-making processes which are not entirely under the control of the Government. Concentrating decision-making in the Minister is not the solution.

28. We briefly expand on these issues and solutions below.

29. As with management planning and concessions proposals, individual recreation organisations will make individual submissions on points of detail in these and other areas.

## Re-work the Disposal and Exchange proposals

30. The recreation sector **opposes**:

- i. The disposal proposals, notably the test in proposed clause 15K of the Bill, as well as the process in proposed clauses 15L, 15M and 15O of the Bill ([see clause 23](#)).
- ii. The exchange proposals, notably the test in proposed section 15C(2)(b) and the process in proposed section 15B ([see also clause 23](#)).

31. We are not clear on whether the Minister’s undertaking to withdraw provisions extends to disposals, exchanges, or both, nor of the position in any detail.

32. We would warmly welcome the opportunity to work with the Minister and officials to help draft protections for recreation access in sale and exchange arrangements that our community will find meaningful and proportionate. We are the ones “out there doing it” and know the practical and legal issues as well as places. Between our organisations we deal with access issues daily, and with hundreds of them annually. By contrast it is clear officials have a more limited understanding - for example advising the Hon Todd McClay to conclude a well meaning [“Access Charter”](#) in late 2024 despite its very limited utility, and despite the united comments of the sector directed constructively at its improvement.

33. We oppose the Bill’s present tests and processes because they will not effectively protect recreational access. We suggest that any disposal or exchange test, whether based on the tests in the Act, those in the Bill or something else, needs at minimum to give explicit and much more specific protections for recreational access.

34. With respect to the substantive tests, a test based on “conservation” values or net benefit might be said to incorporate recreation considerations through the definition of “conservation” in [section 2](#) of the Conservation Act itself. Conservation means:

*“the preservation and protection of natural and historic resources for the purpose of maintaining their intrinsic values, **providing for their appreciation and recreational enjoyment by the public**, and safeguarding the options of future generations.”* (emphasis added)

35. For our community, this is not enough assurance. “Recreational values including access to adjacent conservation land” or similar needs to be explicitly added to any disposal or exchange test, and to the matters in consideration upon decisions.
36. In no other way will recreation and access considerations adequately figure in disposal or exchange proposals for the “bits and bobs” the government says it does want to dispose of: places like roadside gravel pits, or river margins or the like.
37. Many good trips start and end at places like gravel pits, and would be made impossible without them or their like - one obvious example is the car-park road margin at Aicken’s Corner, Otira Valley, which would have a small but obvious value to the neighbouring farmer. For those concerned with access to conservation land at the margins of urban areas, this too will be a concern - as for example in many areas around Wellington.
38. We do not say that adverse access implications must necessarily stop a sale or exchange proposal on its own. We say merely if any such proposal has an access implication, then arrangements must be made to protect access - and “considering” access is not enough. Protection needs to extend to actual surveying and registration of easements - requiring modification of provisions with the function of the proposed section 15ZB, for example. Experience with the “tenure review” process in the South Island High Country shows that even legal access can commonly be denied or compromised unless it is put in place on the ground in a timely manner.
39. It may be possible to identify small areas that can be sold or exchanged without access or other implication. If so, these areas can and should be scheduled and made subject to a truncated sale or exchange process. While we like to be able to operate on trust, we feel that local knowledge will be important in any such scheduling process, so we would welcome the opportunity to input strongly into any draft schedule.
40. Finally, we commend the [detailed comments of Herenga a Nuku - the Outdoor Access Commission](#) to the Committee on access issues.

## **The place of outdoor recreation in the conservation legal system**

41. The recreation sector encourages the committee to consider the New Zealand outside the window. We all know that tourism is very important to the nation and is now a pivotal part of the economy.
42. All this activity is enabled by the current conservation law. The Bill’s proposals for concessions and planning will ease the way further, and generally appropriately.
43. Proposed section 6(ea) would require the Department of Conservation (*DOC*) “to recognise the economic opportunities that arise from the use and development of land and other natural resources and historic resources managed by the Department, and to enable this use and development to the greatest extent practicable under this Act and other enactments.” Related sections establish this economic imperative as the guiding purpose of the NCPS (s 13D) and of Area Plans (s 13H).
44. These provisions would seem to be aimed at enabling much more economic activity on conservation land. Whatever one’s view, what and how much activity is appropriate is

a matter for proper national discussion. Our concern is to highlight the recreational interest at stake.

45. When combined with other aspects of the Bill, we say this provision establishes a clear incentive structure that will compromise free access to conservation land, which still attracts a qualified guarantee through [clause 13](#).
46. Free access will never represent “recognition” of the “economic opportunities that arise from the use” of the land, nor necessarily “enabling” its economic use to the greatest extent practicable under the Conservation Act and other enactments”. Exclusive access will always be a better way to “recognise” and “enable” such “use and development”, and this Bill widens the scope for it: see proposed section 14ZB (part of [clause 23](#)). Is this paving the way for private game parks on public land? Private ski areas extending the concepts of a recently-granted concession at Mt Potts? Private put-ins for whitewater work, or paragliding launches? Privatising Great Walks and others like the Rees-Dart or parts of Te Araroa along the lines of the Hump Ridge Track?
47. We have been encouraged to provide alternative drafting for this provision. This is neither sensible nor responsible for us to do as recreational groups - it positions us to give a recreation-myopic view of a much wider discussion, and in this way be easily dismissed, perhaps as hobbyists or elitists or similar.
48. We can only comment on a potential replacement of proposed section 6(ea) in two general ways. Most importantly, wherever the issue of economic encouragement lands politically and in terms of drafting, **it must be subject to this rider:**

...“to the extent [the economic encouragement function] is consistent with outdoor recreation.”
49. No less will protect the place of outdoor recreation in our national culture. And we feel quite sure such a rider will not unduly hinder appropriate development, whatever the political agreement on “appropriate” development.
50. Secondly, we reject any drafting that puts “tourists” and “recreationists” together. Since the Act was passed, DOC has found this distinction inconvenient. It has sought to collapse the distinction in two ways. First, it has said that tourism for one is recreation for another - perhaps the day-walking Aucklander visiting Otago is a “tourist”, and even the week-long-tramping one on Rakiura/Stewart might be too. Second, it has resorted to the language of “visitor”, which now appears in many high-level documents but nowhere in the Act.
51. Our community of recreationists are not visitors or tourists to our own national inheritance. We enjoy our special places, but together we also put tens of thousands of hours of work in on tracks, trapping, herd genetics and hut maintenance. FMC and NZDA were key players in founding the [Backcountry Trust](#), which now essentially takes full responsibility to maintain most backcountry huts. We do not formally own public conservation land, we are not possessive of it, we acknowledge others’ relationships with it, and we want to share it and we are in no position to exclude others from it, but nonetheless in a meaningful sense it is “ours.”

52. Our organisations broadly share the conservation-related concerns of many thousands of Kiwis and other organisations. Those views are very well represented by others, and we leave detailed comments on conservation aspects to them.

## Ministerial decision-making

53. Conservation Boards and the New Zealand Conservation Authority (*Authority*) are currently important parts of the conservation decision-making system. At their best they connect the Minister and DOC directly with the public, local knowledge, as well as independent technical expertise. The Bill would diminish their role materially, and delete the “approval” (ie decision-making) powers of Boards and Authority (see clauses 9 and 7 respectively).
54. The recreation sector has its concerns about whether Boards and the Authority always fulfill their strong potential. But the baby ought not be thrown out with the bathwater. On this subject we can do little better than repeat the views of the Parliamentary Commissioner for the Environment during part of the [recent consultations leading to the Bill](#). Having addressed the framing of current arrangements as a “fetter” on Ministerial decision-making, he said:

*When an estate as large and significant as DOC's is being managed, not just on behalf of today's citizens but future generations of New Zealanders, it may well be prudent to fetter the decision-making power of someone who is, by definition, a temporary holder of the office subject to the political exigencies of the moment.*

55. He also wondered how the Minister is “supposed to be across so many details and local issues.” He said that “[g]reater thought needs to be given to subsidiarity; what decision is made at what level.”
56. That thought has not been evident in the development of the Bill, but it is decisions at these local levels which can have a real effect on recreation, for example if or when to work on a track or hut, if or when to do predator or pest control or weeding, what effects a small proposal might have on the locals and so on. It is important these decisions do not get bogged-down in centralised decision-making, or that high level issues are entirely beyond the reach of locals.
57. Finally on this issue, we are aware that the Authority has submitted on the Bill and we commend its work for your consideration. We also wish to draw the Committee's attention to documents which may assist in its deliberations:
- i. The first is a [2013 review on the place of Boards](#). This review was undertaken during the tenure of the Key government, by Nicky Wagner for then Conservation Minister, Hon Dr Nick Smith. It found that Boards represented a unique partnership between the Executive and the public, a place that remained “valid”. It recommended that support for Boards be improved, in order that their effectiveness as conduits to ordinary members of the public could be improved. None of this rationale has changed.
  - ii. The second are the speeches in the House on the Report of the Lands and Agriculture Committee on the National Parks Bill of 1980, during the Muldoon

government. That committee considered a Bill that would have changed New Zealand Conservation Authority powers in a way similar to what is proposed now. That committee recommended retaining decision-making or “approval” in the Authority. The speeches are attached in **Annexure 2**.

58. We call on the committee to retain current arrangements (which do not slow planning or concessions) until thought can be given to which decisions are made at which level, and by whom.

Ngā mihi



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on behalf of the following ten organisations, who together lead the outdoor recreation sector:

1. Federated Mountain Clubs of New Zealand Inc. (*FMC*)
2. Aotearoa Climbing Access Trust (*ACAT*)
3. New Zealand Deerstalkers Association Inc. (*NZDA*)
4. Mountain Bike New Zealand (*MTBNZ*)
5. New Zealand Alpine Club (*NZAC*)
6. New Zealand Canyoning Association (*NZCA*)
7. New Zealand Speleological Society (*NZSS*)
8. New Zealand Hang Gliding and Paragliding Association (*NZHGPA*)
9. Whitewater NZ Inc. (*WWNZ*)
10. Packrafting Association of NZ (*PRANZ*)

## ANNEXURE 1 - Information on the organisations making this submission

**Aotearoa Climbing Access Trust (ACAT)** is a charitable trust that represents the interests of New Zealand's rock climbing community. The community we serve are a broad demographic of recreational climbers, including families, youth, and adults of all ages and experience levels, who climb throughout Aotearoa and value the opportunity to connect with the natural environment through climbing. ACAT works collaboratively with landowners, iwi and public land managers to support sustainable access arrangements that respect both the needs of rock climbers and the people who care for the land. We are supported by hundreds of regular donors, alongside volunteers, climbing clubs and industry partners. Our work is focused on ensuring that climbing opportunities in our great outdoors remain available not only for today's climbers, but for future generations. [www.acat.org.nz](http://www.acat.org.nz)

**Federated Mountain Clubs of New Zealand Incorporated (FMC)** was founded in 1931 and advocates for New Zealand's backcountry and outdoor recreation on behalf of over 23,000 active outdoors people across almost 100 clubs and individual supporters. FMC's objectives are to promote and advocate for non-commercial outdoor recreation, the conservation and wise management of, and public access to, New Zealand's natural areas, mountains, lakes, rivers and coast. [www.fmc.org.nz](http://www.fmc.org.nz)

**Mountain Bike NZ** is the national body for Mountain Biking in New Zealand. Our members are the mountain bike clubs across the country which between them operate or support most MTB parks around the country as well as represent their members who access and use MTB trails across Aotearoa both recreationally and as sport. [www.mtbnz.org.nz](http://www.mtbnz.org.nz)

**NZ Alpine Club (NZAC)** is the climbing and mountaineering Club for New Zealand, founded and in continuous operation since 1891, and representing 4800 members across 11 geographic Sections. The Club operates 15 huts and lodges across the country which are open to the public, many of which are located on public conservation land. We support climbers and adventurers with their outdoor training, offering the largest alpine programme in the country, delivered in substantial part by volunteers. We also hold the records of climbing and mountaineering in the long-running NZ Alpine Journal publication, and the ClimbNZ database of climbing routes ([climbnz.org.nz](http://climbnz.org.nz)). The Club has a long history of advocating for the interests of climbers and adventurers, and we work closely with ACAT to ensure our climbing and mountaineering areas remain open and maintained for future generations. [www.alpineclub.org.nz](http://www.alpineclub.org.nz) .

**NZ Canyoning Association** is the national body for recreational canyoning in New Zealand. Our members explore and enjoy river gorges, canyons and waterfall streams, by descending them using ropes, abseiling equipment and wetsuits. We provide specialist advice and around 100 trained volunteer Canyon Search and Rescue technicians to Land Search and Rescue New Zealand. Incorporated in 2014, we have around 150 financial members, and represent the interests of just over 2,000 supporters who follow us online. [www.nzcanyoningassociation.org](http://www.nzcanyoningassociation.org)

**NZ Deerstalkers Association** represents 13,500 members, 50 local clubs and branches, 35,000 supporters, and approximately 85,000 recreational big-game hunters that use public land. Since 1937, NZDA has safeguarded the traditions of ethical hunting, championed unfettered public access to New Zealand's backcountry, and bolstered conservation through game management, pest control and trapping, and volunteer work on our huts and tracks. NZDA's fundamental purpose is twofold: to ensure the traditions and rights of recreational hunters are protected, advanced, and advocated for in the best interests of sportsmen and sportswomen, and to serve as the national body representing and

advocating on behalf of recreational hunters. Its objectives include preserving and advancing recreational hunting, bushcraft, and shooting; fostering native flora and fauna conservation; supporting public access to mountains, bush, and wild country; and opposing commercial exploitation of New Zealand's wildlife, public lands, and natural resources where it jeopardises public usage or sound conservation practice. [www.deerstalkers.org.nz](http://www.deerstalkers.org.nz)

**NZ Hang Gliding & Paragliding Association (NZHGPA)** is a voluntary, not-for-profit organisation with 11 Regional Clubs, approximately 1,500 members and international visitors, dedicated to developing, protecting, and promoting the sports of hang gliding and paragliding since 1973. Officially recognised by the New Zealand Government and the Civil Aviation Authority (CAA), the NZHGPA serves as the self-governing body responsible for recreational foot-launched flying in New Zealand under its CAA Aviation Recreation Organisation Certificate. Relying on public and Department of Conservation (DOC) land, pilots enjoy a mutually supportive relationship with New Zealand's treasured public spaces. This access allows foot-launched hang gliders and paragliders to soar silently on the breeze like birds, often from high mountain or lower coastal launch sites, showcasing the spectacular natural landscape without disrupting it. Access to public land is vital for the sustainability of our sport and well being of our adventurous spirit. [www.nzhgpa.org.nz/](http://www.nzhgpa.org.nz/)

The **New Zealand Speleological Society Incorporated (NZSS)** is the national body for recreational caving in New Zealand since 1949. NZSS promotes the exploration of caves and the conservation of caves and karst landscapes, and operates the NZ Cave Search and Rescue system. Cave and karst ecosystems are among New Zealand's most sensitive and irreplaceable natural environments, and their protection is central to NZSS's purpose and the values of its membership of around 400 cavers. [www.caves.org.nz](http://www.caves.org.nz)

The **Packrafting Association of NZ (PRANZ)** is a volunteer-led incorporated society that promotes the safe growth of packrafting across Aotearoa New Zealand. Established in 2018, with the support of FMC, PRANZ advocates for access to rivers and backcountry opportunities, develops safety resources and training, supports a nationwide community of packrafters, and organises regional events and an annual national meetup. [www.packrafting.org.nz](http://www.packrafting.org.nz)

**Whitewater NZ Incorporated (WWNZ)** is the national body for recreational whitewater paddling in Aotearoa New Zealand. Its purpose is to promote, develop, and support participation in whitewater paddle sports and access to whitewater rivers. With a combination of direct membership and regional club affiliation, WWNZ has approximately 650 active members, and represents a wider community of whitewater recreationalists estimated at 2,000. Our members are distributed across the north and south islands, and they love recreating on whitewater rivers. This includes rivers such as "roadside" runs and many more other unique and prized remote sections of river. Access to all rivers is either over public land or it is heavily dependent on the goodwill of the landowners to permit access. Public land gives paddlers the freedom to access remote rivers in conservation areas when the weather and river flows are most appropriate, rather than being restricted to a scheduled access day. [www.whitewater.nz](http://www.whitewater.nz)

**ANNEXURE 2 - SPEECHES ON NATIONAL PARKS BILL 1980**

Parliamentary debates (Hansard)  
New Zealand.

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**ADJOURNMENT DECLINED—GOODMAN GROUP TAKEOVER**

**Mr SPEAKER:** I have received a letter from the honourable member for Palmerston North. It bears today's date, is addressed to me, and reads as follows: "I wish to give notice of my intention to move the adjournment of the House under Standing Orders 88 and 89, to discuss a definite matter of urgent public importance—namely, the announcement by Watties Industries that it intends to take over the Goodman Group, thus creating a monopoly in the food area. This matter requires the immediate attention of the House. If the takeover proceeds, with the necessary approvals, it will create a gigantic food group with total sales of \$485 million.

"It is imperative that the Minister of Trade and Industry should immediately request the examiner of commercial practices to conduct an urgent monopoly inquiry into the proposed takeover in terms of section 61 of the Commerce Act. This section allows an examination of 'any circumstances that are tending or may tend to bring about any such monopoly'.

"The conglomerate proposed clearly falls within this description, and will result in monopolistic ownership of large sections of the New Zealand food industry. The monopoly areas of particular concern include canning, frozen foods (including ice cream), chicken meats, bakeries, flour, and biscuit production.

"This takeover will give the new company market domination over a huge range of food items. What little competition is presently left in the wholesale and retail food industry will be further restricted and damaged by this takeover. This is contrary to the interest of consumers, retailers, and wholesalers in this area.

"Further, the takeover will create a conglomerate with unfair commercial muscle within the wholesale and retail food industry, and is clearly against the interest of the consumer because of the clear ability of the new company to set excessive prices.

"As the *Dominion* of 13 November 1980 states, 'Between them, the two groups supply just about every food item available in a supermarket.'

"I respectfully submit that this is an urgent matter requiring the immediate attention of Government. The Minister of Trade and Industry is responsible for the administration of the Commerce Act. The Minister is required to ensure he acts in the interests of protecting the rights of consumers and small and medium businesses against monopolies. He should act quickly and decisively to ensure that fair competition will not be stifled by this proposal, and that the public interest will be protected. Yours sincerely, Joe Walding."

The letter was received by me within the time specified under Standing Order 88, and refers to the announcement by Watties Industries that it intends to take over the Goodman Group. Standing Order 89 requires that the statement shall not be framed in general terms, but shall deal with a particular case of recent occurrence. This is a specific matter of recent occurrence, and so conforms to that requirement of the Standing Order. The Standing Order goes on to provide that the matter requires the immediate attention of the House and the Government, and must involve the administrative or ministerial responsibility of the Government. The Commerce Act 1975 and its amendments—particularly section 68 as amended in 1979—require that written notice of every merger or takeover proposal of certain classes described in the Act shall be given to the examiner of commercial practices. The Act goes on to provide for the examiner to carry out his investigation with complete autonomy. He is not subject to Government control. That is the stage the present matter has reached—it is in the hands of the examiner, not the Government. Accordingly, it seems to me that the matter cannot at present involve the administrative or ministerial responsibility of the Government, and therefore is not a matter contemplated by the Standing Order.

**NATIONAL PARKS BILL****Report of Lands and Agriculture Committee**

**Mr SCHULTZ (Hauraki):** I am directed to report that the Lands and Agriculture Committee has carefully considered the National Parks Bill and recommends that the Bill be allowed to proceed as amended. I move, *That the report do lie upon the table*. The Bill has attracted a great deal of interest and public debate since it was introduced more than 4 months ago. Some 450 submissions were received by the select committee. They were from a wide range of organisations, local authorities, tramping and mountaineering clubs, parks and reserves boards, and interested groups and individuals. To a great extent the same theme came through in the submissions from organisations such as the Federated Mountain Clubs

of New Zealand and affiliated mountain clubs, and also from individual members of those clubs. Many of the individual submissions received mentioned membership or association with various other organisations.

The main thrust of criticism from those sources centred on the powers of the Minister contained in the Bill, especially those in clause 4(2)(b) and clause 18, and the lack of definition of the functions of the new authority and boards, and of the role of the department in the day-to-day administration of parks and reserves. On the other hand, submissions from other interested groups were generally in favour of the Bill. A number of people thought that some of the reforms proposed were very good, but they would have liked changes in other aspects of the Bill. Again, the powers of the Minister were a dominant theme in the request for change.

Because of the number of submissions it was not possible to hear all those who wanted to appear personally before the committee, but submissions from a representative cross section were heard. Many valuable and constructive suggestions were put forward in the submissions, and I thank those people for the trouble they took in putting their views to the committee. As a result of the submissions received, significant changes have been made. Two changes made are to clause 18 and to clause 4(2)(b). It is intended, in clause 18, to revert to the type of wording used in the National Parks Act—that is, “. . . the Authority shall have regard to the policy of the Government . . .”, instead of the words “. . . the Authority shall give effect to the policy of the Government . . .”. The decision-making power in clause 4(2)(b) will be changed from the Minister to the authority. In seven or eight other places the Bill has also been amended to modify the powers of the Minister.

Another significant change concerns the method of appointment of environmental organisations to the National Parks and Reserves Authority, contained in clause 16. That has been changed so that the organisations will now have the right to recommend the nominee to the authority, rather than the Minister making an appointment after consultation with those organisations. A further amendment has been made in clause 16 so that the four persons who will be appointed after public nomination are now required to have a special knowledge of or interest in national parks or reserves, or wildlife matters.

To allay any misconception about what the special areas are that are provided for in clause 12 of the Bill, the term “special area” has now been changed to “specially protected area”. A new clause 14A is to be added after clause 14, to provide for amenity areas in national parks. In the main those will be areas that have a high visitor or recreational use, such as the ski fields of Tongariro and the Hermitage, or Mt Cook, area.

Amendments have also been made to give some additional functions to the authority and boards, and in clauses 43 to 46 considerable changes have been made to show clearly that the management plans are those of the boards, and that, when necessary, the department will act at the direction of the boards. Amendments have been made to clause 42, which deals with the general policy for parks, to make it clear that the Director-General of Lands acts only in accordance with the wishes of the authority.

Fears were expressed in some of the submissions that gifts, donations, and bequests made to national parks might not be used for the purpose expressed by the donor, as the Bill was not clear on that point. Therefore a new subclause has been added to clause 55 to overcome that deficiency. At the request of environmental groups, some slight changes have been made to the principles of national parks in clause 4, to give added emphasis to conservation in some places and to public use in others.

Several minor changes have been made to improve the Bill, and some drafting changes as a result of the amendments that I mentioned previously. A thorough study has been made of the submissions and comments made by organisations during the various select committee hearings. The changes made to clause 18 and clause 4(2)(b) remove the two most contentious criticisms of the Bill, and will satisfy most of the submissions received. I am sure that those changes, and the others that have been made, have resulted in an acceptable Bill that will meet the wishes of most of the persons and organisations who made submissions to the select committee. In particular, the Bill as reported back will, I am sure, satisfy most of the people and individuals who were interested in the Bill. I thank all those people for their co-operation; and departmental officers, the secretary of the committee, Mr Rogers, and all committee members for their assistance during all stages of discussion and deliberation. It would be fair to say also that the Opposition has expressed some reservations, but the changes suggested will make little difference to the main principles in the Bill.

**Hon. Sir BASIL ARTHUR** (Timaru): The chairman of the committee is a supreme

optimist if he thinks that the amendments made to the Bill meet the major objections of the people who made submissions to the Lands and Agriculture Committee. He is a supreme optimist if he thinks that the Opposition will agree with the changes that have been made. I acknowledge straight away the fact that the Bill is totally different from the original National Parks Bill as introduced. More than 450 submissions were made to the committee, and more than 400 of them were totally, or in part, opposed to the Bill. From the 64 people who wanted to be heard, the committee heard only 14.

The Bill is a disaster, and a deliberate attempt by the Department of Lands and Survey to take over the national parks of New Zealand. That came through quite clearly, and I remind members that the explanatory note to the original Bill clearly stated that the administration of national parks was the responsibility of the Minister and the department. That is the change that the Government tried to bring about. The Bill as reported back is totally different, but still does not go as far as it should. I move, as an amendment, *That the National Parks Bill be referred back to the Lands and Agriculture Committee for further consideration.* That would enable evidence on the amended Bill to be heard from interested parties. The Bill as amended is much better than the original Bill, but after the amendments came back to the committee—18 foolscap sheets of them—not one person who had made submissions, or who wanted to make submissions, had the opportunity to read those amendments.

**Dr Shearer:** That's not true!

**Hon. Sir BASIL ARTHUR:** There was no opportunity to give further evidence to the committee.

**Dr Shearer:** That's not true, and the member knows it.

**Mr Prebble:** A point of order, Mr Deputy Speaker. The member for Hamilton East has several times made the statement "That's not true, and the member knows it." I suggest that he should be asked to withdraw and apologise. He is trying to interject and repeat his statement during the discussion of a point of order, which is grossly disorderly.

**Mr DEPUTY SPEAKER:** The point of order related to two issues: first, that the interjections were not rare and reasonable; and, secondly, whether it was unparliamentary to suggest that a statement was not true. I think it is permissible for someone to say that a statement is untrue, but it would be wrong for a member to say another member was deliberately saying something that was untrue. The level of interjection was far too high, and I suggest that the member desist from that type of interjection.

**Hon. Sir BASIL ARTHUR:** I repeat that no witness who made submissions to the select committee, or anybody else, had a chance to go back to the select committee and make submissions on the amended Bill. I am surprised at the member for Hamilton East, the doyen of the environmentalists, screaming and carrying on, because he is a guilty member, along with a number of others, including the member for Awarua, who was chairman of a Government caucus committee that brought down the recommendation on which the legislation is based. The member for Awarua is, in fact, one of those strongly opposed to the legislation. No clear statement about the need for the Bill has been made by the Government. There has been a general suspicion—and it has not been allayed, but has been strengthened—that the prime reason for the Bill was to ensure that the Department of Lands and Survey took over national parks from the National Parks Authority, and that the department used the Minister to try to achieve that. The Minister was used as a political shuttlecock. The *New Zealand Truth* of 19 August reported that the member for Awarua was opposed to the Bill. He did not support the proposed land grab. The Minister listened to his department, instead of to members of his own committee.

The Opposition is opposed to the Bill as reported back. Once again, the Government's fast-track legislation has hit troubled waters. This is another back-off by the Government from a proposal, and, once again, the Government looks absolutely ridiculous in the eyes of the public. Opposition members of the select committee worked hard to get a better Bill, and the Bill is much better, but it does not go far enough. I shall refer to clauses 32 and 41, and some of my colleagues will pinpoint other clauses that we still object to in the amended Bill that it is proposed to push through the House. When will the Government learn that in a democracy it cannot get away with trying to make radical changes without properly consulting those most affected?

Although the Bill has been heavily amended after quite a fight, and many of the more objectionable aspects have been eliminated, we cannot support what amounts to illegitimate legislation. The Bill should never have been introduced in its original form. The Minister in

charge of the Bill has once again shown himself to be totally out of touch with public opinion. It is the job of Ministers to ensure that proposals are politically acceptable. However, the fact that the Bill was so obviously totally unacceptable to most New Zealanders in the form in which it was introduced shows that the Minister has absolutely no control over his department, and has no understanding of the public mood about the Government's national development policies. Indeed, he is eager to increase his empire. That was the impression the original Bill gave, and obviously that is the view of his department. The Minister has produced 18 foolscap sheets of amendments to try to make the Bill acceptable to the people. After receiving about 450 submissions, the Department of Lands and Survey and the Minister backed off and made changes to the Bill, but they have not done that willingly; they have done it in the face of opposition, and have done it grudgingly.

The Minister's first reaction to the opposition was to make imputations about the integrity of the opponents to the Bill. He said that the Federated Mountain Clubs of New Zealand, the main opponents of the Bill, were misleading the public, and were opposing the Bill only because they would lose their automatic representation on the various parks boards. He said that the main critics of the proposed Bill disclosed their ignorance of the legislation by a prejudice against change. That was not borne out by the witnesses heard by the committee. As the opposition mounted, the Minister began to back down. At the opening of the new graduate ski-club lodge in Ohakune in the middle of August the Minister said that the National Parks Authority had made reasonable criticisms. In the following week, he told a public meeting at Stratford that he was considering making two specific changes to the Bill in the matters of ministerial involvement, preservation of native plants, and so on. It was not only ministerial involvement, but ministerial takeover that people were concerned about.

Two months later the Minister still seems to be hedging on the matter. On 19 August, in the select committee, the Opposition members suggested that the Minister should bring the Bill back to the House to save wasting the time of witnesses and members of the select committee, because the legislation was so obviously unacceptable. It took the Minister and his colleagues 10 weeks to give way and act on that suggestion. Valuable time has been wasted and people have made unnecessary trips to Wellington. The Minister's department has been just as reluctant to bow to the public will. It has made the changes required, but it has done that reluctantly. That attitude is just not good enough.

The Bill is a perfect example of the way the Government tries to foist its will on the public. Nowhere has that been demonstrated more clearly than in the attempt to get this national parks takeover through the select committee and through the House. It is the job of the department to act in the interests of the New Zealand people, not in its own interests, or in the interests of the Government. The Minister is more to blame for his total miscalculation of the depth of public suspicion of his Government's policies and its practices. As I said, the Bill is much better, but we very strongly oppose the tactics of the Government, and want to register the fact that the Bill still needs to be amended further.

**Mr RODGER** (Dunedin North) seconded the amendment.

**Mr TALBOT** (Ashburton): I speak against the amendment moved by the member for Timaru, and support the original motion, which is that the Bill be reported back. Again, by his speech, the member for Timaru has disclosed himself as one of the backwoodsmen of the Labour Opposition. He spent most of his time talking about the original Bill, not about the Bill that is being reported back. Therefore I suggest that he get his head out of the sand, get out of the backwoods, and get somebody else to write better speeches. I do not know who wrote his speech, but long may he remain in the backwoods—and from the way he is performing lately I am sure he will.

There is no doubt that the Bill will have the support of most of those who made submissions on it. The member for Timaru wants it to be referred back to the select committee. There is no reason that it should be referred back, because it has undergone an outstanding exercise in democracy in the select committee. The committee heard a wide range of submissions. There were more than 400 submissions altogether but the committee felt it was not necessary to hear them all, although it heard a good sample of them. After that, the Minister, the department, and the select committee considered the wide range of amendments. If that is not democracy in action, I do not know what is. Does the member for Timaru want the 400 individuals and organisations to come to Wellington at their own expense? In the Bill as reported back the demands and requests of those who made submissions are being met. It is as simple as that, but the member for Timaru, who is tucked

away in the back corner getting someone to write his speech notes, wants all those who made submissions to come back to Wellington.

The House and the country should know the way in which the Opposition performed on the Lands and Agriculture Committee when hearing evidence on the Bill. There was some very reasonable consideration of the amendments. I was very pleased to note—and I am sure other Government members were as well—that there was a good deal of co-operation from Opposition members on the committee. However, they seem to have developed two tactics in approaching select committee work. They tend to be responsible—we like to think they will be as responsible in other select committees, as they were with this Bill—then they come back to the House with all this bluff and bluster, and try to denigrate the work of the committee and the outstanding work done on the Bill by the Minister of Lands.

The Bill, the recommendations that came forward, the notice that the Government took of them, and the improvements to it, have been examples of democracy in action. In reporting back the Bill, the select committee procedures have been used to their fullest—and that is the way it should be. It ill behoves the member for Timaru and others to try to denigrate those activities. That was a disgraceful performance from them. I repeat, for the benefit of the House and the country, that this has been an outstanding exercise. However, the Opposition has disclosed the lack of credibility, particularly in the speech of the member for Timaru, who is the spokesman.

Significant changes have been made to the Bill. As the chairman said, the two key changes are to clause 4(2)(b) and clause 18. In clause 18 the intention is to revert to the type of wording used in the National Parks Act. That is a step in the right direction. The committee noted the concerns expressed, and in clause 4(2)(b) the decision-making power is transferred from the Minister to the National Parks Authority. That was the wish of those making submissions. The committee considered the choices fully, a decision was made, and the report is a very responsible one. There was concern that, in various parts of the Bill, the Minister was given too much power.

**Hon. Sir Basil Arthur:** That's right.

**Mr TALBOT:** That has been modified, and the member for Timaru should have recognised that.

**Hon. Sir Basil Arthur:** Yes.

**Mr TALBOT:** The member went ahead with his backwoodsman's tactics in his speech this afternoon. The changes proposed by the committee show the very positive way in which the Minister has responded to the submissions, and also the positive way in which the committee considered them. In the committee, Opposition members co-operated. It is a pity they will not co-operate like that in the House. They react in a way that shows democracy at its worst, not at its best. I am very pleased that the Bill has a new clause 14A to allow for amenity areas in national parks when they are part of a management plan. That is a step in the right direction, and a very important addition to the Bill. The development of amenity areas will mean much for tourists and for recreation, and they will be under the control of the authority and the boards. I must also mention, as the chairman of the committee did, that amendments have been made to clauses 43 to 46 to give a number of additional functions to the authority and the boards. These will show clearly that the management plans are the parks boards' plans and that the department acts when necessary on the direction of a board.

That was the tenor of the submissions made in the select committee. I should like to make it clear that the Department of Lands and Survey will be the servant of the boards and the authority in the way that it has been in the past. That is important and must be stressed. Also, it was wanted by those who made submissions. It will ensure the retention of the decision-making powers of parks boards and the authority. The point was of major concern earlier, but it has been rectified. In the past, the administration left something to be desired. The Bill will ensure greater efficiency in the day-to-day administration, but the management and the control will be left with the individual boards and the authority.

The Bill will be a great step forward in the management and administration of national parks. When that is fully appreciated by all those who made submissions—and I am sure it soon will be—the Bill will have the support of those thousands of people who are interested in and concerned with the development and management of this great land resource. There is no doubt that New Zealand has in its national parks a resource that is second to none, and one of which we can all be proud. I congratulate the Minister on bringing the Bill together, on being prepared to put forward bold and positive proposals, and, through the select committee procedure, on making quite dramatic changes. I repeat that this is democracy in

action, and that now we will have very good legislation for our national parks.

**Mr PALMER** (Christchurch Central): The Opposition is opposed to the reporting back of the Bill, and supports the amendment moved so ably by my colleague the member for Timaru that the Bill should go back to the select committee to be properly considered there, because it has not been properly considered yet. The member for Ashburton, who seemed to be running out of material for his speech, appeared to labour under a good deal of misunderstanding about the proper function of an Opposition. I shall set him right on that point. The Opposition was extremely concerned about the Bill, and, at the select committee, worked as hard as possible to remove the defects of the Bill—and it had very many. The Opposition did not get everything it wanted. When a Bill is reported back to the House, the Opposition has a duty to Parliament to point out the defects that remain in the Bill. In this case, there are a number of them. The facts are that the Opposition invited Government members of the select committee to execute three big backward somersaults. The Government executed two big backward somersaults, and Opposition members are grateful that it did, but they are not enough.

When the Bill was introduced, the Opposition regarded it as having no merit whatsoever. It was an example of galloping centralism, and the view of Opposition members on that matter was subsequently echoed throughout the country, and in the more than 400 submissions that came before the committee, most of which were not heard. The Minister of Lands considered the various demands that were made about the Bill, and we commend him for that, because the Bill is now much less inclined to thrust the centralist policies of the Government down the throat of the community, which clearly does not want those policies. The National Development Act and this measure as introduced had everything in common. The Government has shown some sense in being prepared to temporise, but the difficulty is that, although the Bill is a great deal better than it was—indeed, in substance it is a new Bill, because so much has gone out that it bears very little relationship to the measure as introduced—although the Minister's power has been written out of the Bill to a large extent, although the authority is no longer a mindless automaton marching to ministerial orders, and although the priceless heritage of our national parks is better protected than it was under the Bill as introduced, the Opposition says that other changes should have been made, but have not been made.

Opposition members feel sorry that they have failed to persuade the Government to retreat further, as they think it should have done. One of the things the Government should have done was find out the state of the opinion throughout the community on the amendments that it brought down, but it has failed to do that. The Bill as reported back has six defects. The first is that the powers of the parks boards in clause 28 remain vague, and may be insufficient. Secondly, the method of appointment to the parks boards is still open to political patronage, and that is a serious criticism. Thirdly, the powers of the department, although considerably reduced, are still too great, because under clause 41 of the Bill as reported back the department still enjoys a considerably expanded role over that which it has in the existing legislation. In that connection, the Bill remains contrary to a remit passed at the 1980 National Party conference, which stated "That the Government be urged not to transfer management of national parks from the present appointed boards to the Department of Lands and Survey"; but the administration and management of national parks have been transferred from the boards to the department by the Bill, which is a very great defect. The fourth defect is that the position in relation to reserves remains unclear and unsatisfactory, and the amenities provisions introduced by way of clause 14A are dubious in their scope and uncertain in their application. An important question is what the more than 400 organisations that made submissions to the committee would have thought about the provisions in clauses 28, 30, 14A, the clauses in relation to the reserves, and clause 41.

We end up in the situation, with the Bill as reported back, that the department lost a lot of battles, but it may be said to have won the war. That is one of the difficulties the Opposition has with the Bill, because the Bill still provides that the department shall administer and manage all national parks, and that is contrary to a remit passed at this year's National Party conference. I come to clause 28, which sets out the functions of the boards. The boards' powers have been improved in the Bill, and have been set out more specifically than they were before. They now are: to prepare, review and amend management plans for parks; to consider and determine priorities for the implementation of management plans for national parks; and to make recommendations to the Minister for the appointment of honorary rangers. In addition, they are to give advice to the commissioner or the authority

on the interpretation of any management plan, and on any proposal for the addition of any land to a national park. The difficulty with that language is that it still stops short of giving specific power to the boards of a character that cannot be argued about, and the language is still too vague. The appointment to boards under clause 30 is a matter upon which the Opposition had reservations, because the previous law allowed people to be appointed to national parks boards who were actually nominated by constituent organisations. The Opposition's view is that that should continue to be the position.

Under the Bill as reported back, the boards could easily become creatures of the Government caucus committee and the Minister, because the Bill now states that those people can be appointed to the boards after consultation with the authority, and not on the recommendation of the authority. It seems that the situation has been weakened considerably. We need to ask why that has happened, because clause 30 of the Bill as reported back has been put in new language, and states "and after consultation with the authority". Is that language enough to bring appointments to boards back to the manner in which they are made under the existing law. It appears that this is a deliberate loophole that the Government has left itself in order to manage the membership of the boards. I suggest that the power of the Bill in relation to reserves needs to be clarified and spelt out. The submissions found considerable difficulty on that matter, and it has not really been cleaned up yet. I know it involves technical problems.

The Government's strategy in relation to the Bill has been simple: to put up an abominable Bill, water it down, and then suggest that it is not necessary to hear submissions, because it has been watered down. We really did not hear submissions on either the original Bill or the modifications. Opposition members believe that has cut out an effective scrutiny of the measure by Parliament, and are opposed to that, because the procedure that the Government engaged in here was strange. On 19 August, the Opposition members moved in a select committee that the hearings be suspended until the Government had revised the Bill. That was a sensible, practical proposal, but the Government members voted it down. On 20 August, the Minister told the select committee that amendments were being prepared. On 30 September, the Minister told the committee that the Government was mulling over the amendments. On 15 October, the Minister discussed matters of contention with the committee, and indicated his thinking without making any commitment.

On 4 November, the Minister indicated the course he desired to follow, which was to consider the amendments, report the Bill back, and allow it to remain in the House for some time. Opposition members say that the Minister should have made those amendments public, to enable people to make submissions to the select committee, so that the Bill in its present form would be subject to proper parliamentary scrutiny. It has not been, and we resent that. The Minister was not totally opposed to that suggestion; but after it was made he left the select committee for half an hour, and when he came back his mind was made up. I do not know to whom he spoke in the interim, but when he came back he said that the proposal was not practical. The result is unfortunate. At least 64 organisations still want their submissions to be heard. The Bill is not satisfactory in its present form. It has been botched in its introduction, and the retreat has not been massive enough.

**Hon. V. S. YOUNG** (Minister of Lands): The Labour Opposition these days is a kind of team of political schizophrenics who, in the committee—and I must agree with the comments of the chairman of the select committee—took what I thought was a keen interest in the deliberations. Opposition members took part in a bipartisan way with Government members and made further amendments, other than those proposed by the Government, during the Bill's consideration by the committee. I thought that was a reasonable attitude to be taken by Opposition members. When the Bill comes back into the public forum, a different group of members argues solely for political purposes. Let me emphasise that. I do not object to it; that is what this House is about, but the Opposition cannot have two arguments. Either Opposition members want to combine in a bipartisan way with Government members to produce a better Bill, or they drag every ounce of politics out of the remaining division of opinion among interested groups on the provisions of the Bill as reported back. Very few parts of the Bill are not accepted by interest groups.

**Hon. Sir Basil Arthur:** Clause 30, new clause 41.

**Hon. V. S. YOUNG:** The member for Timaru said quite incorrectly—and I believe he knows it, as I told the committee—that departmental officials, upon my instruction, discussed the original Bill and the amendments they sought, and that were contained in their submissions, with the leaders of the Federated Mountain Clubs of New Zealand

subsequently, but earlier with the Royal Forest and Bird Protection Society—

**Hon. Sir Basil Arthur:** But they didn't have a chance to come back to the select committee.

**Hon. V. S. YOUNG:**—and with the leaders of the Environment and Conservation Organisations of New Zealand. Having done that and finally had discussions in my own office with the Federated Mountain Clubs of New Zealand, the Royal Forest and Bird Protection Society, and ECO, the final form of the amendments that I proposed came back to the committee. That happened after we had had a round-the-table discussion with members of the Labour Opposition on the general trend of the amendments that the Bill required—and it did require them. The committee reported back to the House, having made a decision, based on many submissions to it, that took account of the great thrust of criticism of two clauses of the Bill—clause 4 and clause 18. The committee took account in particular of the request from those making submissions for a clearer definition in the Bill of the role of the parks and reserves boards. The committee met the request of those making the submissions—that is written into the Bill as amended and reported back—and now Labour members ask that the Bill be sent back to the committee. For what reason? For how long?

The committee has met the many representations that were made, yet the Labour Opposition says that the Bill should be sent back. What a lot of nonsense! The Bill is about the administrative integration of our national parks and national reserves. It is about public participation in the election or appointment of members of the National Parks Authority, the overall authority. That is there now. How can members of the New Zealand public take any interest in the National Parks Authority? How can they become members? They cannot. They may be nominated by either the Royal Forest and Bird Protection Society or the Federated Mountain Clubs of New Zealand, and that provision remains in the Bill, but at present members of the public have no right to become members of the National Parks Authority. The public will have that right. Today the authority is heavily weighted with departmental heads. It does not publish its reports. The member, who has been a member of the Cabinet, will know the great vacuum in the administration of our national parks between the Government, which provides the funds, and the boards. Today there is a great gap. That gap will be removed, and there will be effective public participation in the authority. The committee met the main objection of the three nominating organisations, which sought to return to the original legislation for their representation on the National Parks Authority. As under the present Act, they may recommend their individual members for appointment to the authority. The Minister, of course, will appoint them.

I come now to the matter of parks boards. I remind the member for Timaru and other members opposite of what has happened with the nomination and appointment of members to parks boards during the past 5 years. That has now been opened up to the public. How did the member of the public get on to a parks board before? When were there vacancies? Nobody knew. Some parks board members—good members—have been on the job for up to 21 years. When the nomination to parks boards was opened up under my administration it was interesting to note the number of people who were persuaded or were keen to offer themselves to serve on national parks boards. Up to 50 were nominated for most parks boards, and the problem was that one could not accommodate the great range of skills and expertise of those who wanted to serve on parks boards.

The policy today is to open that up to the public, to increase the number of national parks boards, and to remove the Commissioner of Crown Lands from the position of automatic chairman. Parks boards, according to the Bill as reported back, will elect their own chairmen, and those boards will be responsible for a wide range of activities. There are those who say they are toothless tigers, but that is not correct. The committee, by the amendments, has determined more clearly the responsibilities of the national parks boards, which are to prepare, review, and amend management plans for submission to the authority. Parks boards will also review and hear public submissions on management plans, and will interpret management plans. The member for Timaru and other select committee members will recall that the Federated Mountain Clubs of New Zealand asked the select committee if it could write into the Bill the right for the national parks and reserves boards to interpret management plans, because those management plans are the blueprints for the control and administration of a park. We considered that, and agreed that the boards will interpret management plans. The boards will consider and determine priorities for the implementation of management plans and priorities for expenditure.

The Federated Mountain Clubs of New Zealand, when they saw me not long before the

committee considered the Bill, asked, "Can we have some say in the decisions on priorities for development or for expenditure?". That is what the national parks and reserves boards should be doing and could be doing, and it is written into the Bill. Parks boards will consider and determine priorities for the implementation of management plans. They will have a role in assessing new park proposals or additions. Parks boards will make recommendations for appointments of honorary rangers. They will assess and report on the effectiveness of park administration. As my colleague the member for Ashburton said the department will be the servant of the parks and reserves boards, and not the master of those boards. The boards will be able to report independently. They will be responsible, in effect, for the plans, the management, and the policy, and the day-to-day administration will be done by the department.

**Mr DEPUTY SPEAKER:** I am sorry to interrupt the Minister, but his time has expired.

**Mr MAXWELL (Waitakere):** I support the amendment moved by the member for Timaru. The Minister is stretched, he is under stress, it is showing and the answer is in his own hands. The Minister started the furore. An article in the *New Zealand Truth* states: "The concept of national parks is dead. Land and environment Minister, Venn Young, has killed it. National parks used to be sacrosanct, they were once beyond the reach of party politics and short-sighted economic greed." The Minister started the furore, and he is hoping that he can limp the Bill quietly back through the House.

During his speech he said that some groups had said privately in a chat that they supported the 18 pages of amendments to the Bill. He said that the Royal Forest and Bird Protection Society was one group. I have a telegram in my hand, which might be news to the Minister. It states: "The Minister's statement to select committee re Forest and Bird Society support for National Parks Bill was incorrect". A few minutes ago the Minister told the House that the society had a different position. Today the society has re-emphasised its opposition to clause 30. I was impressed with the way the chairman attempted to limp the Bill back into the House. He was a very apologetic chairman. He reminded the House of the genesis of the Bill. I shall go back to that. Dr Barr, an executive member of ECO, said it was "the great land grab". The member for Awarua was most unhappy when he said "Fast track for mining". The President of the Native Forest Action Council, Gwenny Davis, was horrified at the wartime-like powers. Those are the kinds of statements the Bill has prompted.

The Minister was less than generous in his compliments to the Opposition about the assistance given to him on the Bill. Some comments have been made about the defects in the Bill. One matter has been overlooked, and I am talking about the people who are employed by the parks boards. I do not believe they have been considered. As wage workers they are at present covered by the labourers union. They need to work in the parks, but will they become permanent staff? This matter has not been researched or considered. What does the legislation do to the sinking-lid policy of the Department of Lands and Survey? There has been no explanation and no consideration. The Government should make its position clear. Park rangers are in a difficult position. What will happen to the rangers' determination? Most people think of it as the rangers' award. Their plight has been ignored, and their employment has been overlooked entirely.

The Bill should go back to the select committee for good reason. Members should ask themselves whether they believe in the committee system, and whether New Zealanders are being conned into spending hundreds of thousands of dollars preparing and presenting submissions to a committee when the Government will exercise its will regardless. The Minister told the committee during its deliberations that he had had a little chat with some of the objectors to his amendments, and that they seemed happy. He referred to that again today. How valid is that? Did the National Council of Women take part in the little chat? It did not. The group maintains a parliamentary watch committee. The council's submission was highly professional. It was exhaustively, carefully, and expensively put together. It was a complete submission representing the views of more than 30,000 women. It took a clause-by-clause approach to the Bill. It represented the considered views of a broad band of New Zealand women. Was the council invited to the chit-chat to fix things up with the Minister? I am assured it was not.

The convener of the parliamentary watch committee said that it was possible that the Minister had lumped the council in with the ECO. The Minister does not appear to be too much interested. People who go to the trouble of making expensive submissions to the committee are interested to know who went to the chat. The National Council of Women has

been asked to accept a sort of personalised rough justice from the Minister. Imagine what would happen if the Minister treated the national parks, which are among our most inviolate assets, in the same way as he treats people who appear before the committee—or the Marginal Lands Board, for that matter. Can the Minister say whether Dr Barr of ECO attended the chat on behalf of the National Council of Women? Is Dr Barr aware of the amendments in the Bill?

The Minister seems to be determined to force the Bill into law before Christmas. There is no logical reason for the Bill's not going back to the committee; there is no reason for the people who are vitally interested in it not being able to study the 18 pages of amendments. There is no reason for members not being able to check the position of the people employed by the parks boards. The Minister does not know that some parts of the Bill exist. I do not think the Minister had much of a position when he started to do his somersaults. He abandoned the Bill to the department and said, "Get me out of this". This brings to mind another unusual matter I am concerned about—the ministerial statement made about the Bill yesterday. It was a nice, quiet, cultured soft-sell. It might not break the letter of privilege surrounding the committee, but it was a very unusual stance. I am sure that the statement breaks the spirit of privilege, and it is nothing more or less than a soft-sell of the Government's position. Government members are embarrassed and they want to get out as quietly as they can. They will use that process to achieve that. If members have any concern for Parliament and its committees, the Bill must go back to the select committee. I believe that some Government members agree, so I ask them to vote that way.

**Mr ELWORTHY (Waitaki):** I was not surprised by the speech made by the member for Waitakere, because, during the hearing of submissions by the select committee, he made it clear that he did not understand what the Bill would do, and what the submissions were about. He has confirmed that today. I was taking notes during the member's speech, in order to reply to some of the points he raised. The only point I have to reply to is the selective way in which he chose quotes from submissions presented to the committee. He forgot to mention the West Coast futures, the West Coast Regional Development Council, and the New Zealand Deerstalkers Association Incorporated, all of whom came to the select committee hearing and supported the provisions of the Bill clearly, loudly, and strongly.

The member for Timaru has an interest in the Bill, particularly as he is a supporter of the Deerstalkers Association, and I know he personally supports the shooting of wapiti in national parks. I am surprised that today he did not remember to tell the House that the organisation he supports—the Deerstalkers Association—came to the committee and stated: "The New Zealand Deerstalkers Association supports the administrative changes embodied in the National Parks Bill. However, it contends that certain clauses calling for the extermination of all introduced animals are outdated." The association had its reservations.

It is becoming what might be called a reflex action on the part of the Opposition to seek to refer reports of select committees back to the select committees. The Opposition does that with almost every report that is debated. I wonder if the next speaker can explain to the House what is expected to be achieved by referring this report back to the select committee, because every Opposition member who sat on the committee knows that the Bill deals with a conflict of interests. Right through national parks administration, and through national parks legislation, there is the contentious matter of the conflict of interests of different parties. There are strong lobbies that believe that national parks should be kept entirely in their natural state, with no interference in any way, and there are other lobbies that expect national parks to be made available for the use of the public for sporting and recreation purposes, and so on. Various options come between those two extremes, and people come to make their views known on national parks.

The people in my electorate have been particularly concerned with the move of administration from the boards to the Department of Lands and Survey, and I brought this matter to the attention of the select committee. The committee has responded effectively to this worry on behalf of the boards. In the past, as members know, the boards have administered the national parks in their own way, employing their own staff, making up their own plans, and looking after the detailed day-to-day management. The changes the select committee made to clause 28 very largely meet the objections of board members, particularly in the Mount Cook National Park. Some very good people there have served for a long time, and they came to me with personal submissions. The changes made to clause 28 very largely remove the main bone of contention brought to the attention of the committee by individual board members. I have the greatest respect for the people who in the past, and

who will in the future, have given time on an entirely voluntary basis to run national parks. They have done a great job, and will continue to do so. That is why I take very seriously their submissions to the select committee and to me personally. Clause 28, dealing with the functions of boards, has been worrying those people, because they felt that, as it was worded, they were required to participate in the preparation, review, and amendment of management plans for parks within the jurisdiction of the board. They felt, I think with some justification, that they would only rubber-stamp management plans prepared by officials of the Department of Lands and Survey. That clause has been amended to read that the boards will be required to prepare, review, and amend management plans for parks. *[Interruption.]*

I am sure that the member for Papanui is interested in national parks. I doubt if he has ever been to one in his life. Perhaps he may like to visit the Mount Cook National Park one day to see what goes on. The amendment now requires the boards to prepare, review, and amend management plans for the parks within their jurisdiction. In other words, the board members actually have to make the management plans, and to write and prepare them with the assistance of the officers of the Department of Lands and Survey. They have to consider and determine priorities and the implementation of management plans for national parks, and to make recommendations to the Minister for honorary rangers. They are also required to supervise the day-to-day management. In other words, they will be as closely involved with park management under the new Bill as they have been in the past. If they are not happy with the way their plans are being implemented, they can have the day-to-day detailed management changed to suit them. I maintain that the boards have total control under the amended clause 28.

The other major matters involve the power of the Minister and the functions of the authority. The Opposition was helpful in this, and I give credit to the member for Christchurch Central and the member for Timaru, who made some useful suggestions in the discussions that resulted in the amendments. I thought that they would be largely in support of the Bill, because in the areas—

**Hon. Sir Basil Arthur:** Not yet; we made that clear—clause 30, and the new clause 41.

**Mr ELWORTHY:** We have not yet been told why the member is dissatisfied. He made a general statement about being dissatisfied, but we have not heard about it in detail. Where the powers of the Minister were considered to be overriding, the authority, in the amendments, has been given power in lieu of the Minister. The authority now has to have regard to Government policy, and does not need to give effect to it. That has now been cleared up; the authority has the final responsibility.

The other matter I wanted to mention briefly was that of the amenities under the new clause 14A. This deals with the tricky decision that has to be made between those who want the parks to be preserved in their natural state, and those who want to use them for ski-ing, for tourist activities, and for recreation generally. I think that the introduction of clause 14A is supported by the Opposition. The member for Christchurch Central talked about its wording not being clear, but it is a constructive move because it states: "The Minister may, on the recommendation of the Authority"—once more the authority, not the Minister, has the responsibility—"made in accordance with the management plan, . . . set apart any area of a park as an amenities area . . .". In other words, if one wants to set up a ski-ing ground, or a recreational or tourist facility, in a national park, one goes to the board for approval. The board goes to the authority, and if the authority gives its approval it makes a recommendation to the Minister. The Minister, with the safeguard of the approval of the board and the authority can then set an area aside for recreational use, ski-ing, tourism, or whatever. That seems to be a rational way to go about it, because one has the final check of an amenities area not being set aside unless the board places it in its management plan, and unless the authority agrees to the board's management plan. Everyone is involved in agreeing to the amenities area before a decision is made by the Minister. This is a good Bill. It meets the diverse opinions of those who want to preserve, and those who want to use. It goes a long way towards satisfying all the interested parties who made submissions.

**Mr MOORE (Papanui):** The member for Waitaki was obviously bored stiff with his own speech. He brings a new kind of enthusiasm to the word "apathy", and brings to the debate all the heady energy of a lazy Sunday afternoon game of cricket. I have to admit that he had a certain style when he stopped to yawn in the middle of his speech. I respect that kind of style. He was absolutely bored stiff with everything he was saying. He was dying for the bell to ring; it reminded him of the alarm clock in the morning before he goes to catch the aeroplane.

The member for Waitaki asked what would be achieved by sending the Bill back to the committee. He is a member of the Government that only a few months ago introduced a Bill that was to solve all the problems of the national parks. It was a Bill that the Government would not change. It was a Bill full of principle, ideas, and common sense. The Government would not back down. It accused the Labour Opposition of all sorts of terrible crimes because it pointed out the folly of the legislation. What happened when the Bill went to the select committee? Because of the excellent work of the member for Timaru and the member for Christchurch Central we have 18 pages of amendments. What went wrong? I visited the committee only once—what a sight to behold. The member for Christchurch Central and the member for Timaru were acting as ringmasters to confused Government members; the Opposition members had the Government members jumping all over the place. It was embarrassing to see the Government members of that select committee. The member for Waitaki sat there with his mouth open, not understanding, not knowing what to do. He was helped out and saved by the constructive work of the Opposition members. Possibly we should have kept quiet; perhaps we should not have saved the Government and its National Parks Bill. Perhaps we should have let the Bill go through in its original form.

**Mr Peters:** He didn't have his foot in his mouth, though.

**Mr MOORE:** The member could put both feet in his mouth. He would have to, he has had so much experience.

The Government wondered why the committee should take more submissions. I believe there has been a political double-cross, because the Government has backed down on most of the important clauses. It is now expecting us to support the passage of the Bill without giving good New Zealanders time to come again to make submissions. It is a personal blow to the Minister of Lands. He is a discredited Minister in many ways, and the Bill shows how bad, how inept, and how useless he is. He has done a terrible job. What an absolute humiliation for the Minister to have 18 pages of amendments to a Bill that he said was well researched, and would not be amended or changed. It is the biggest retreat since Napoleon retreated from Moscow. It is an absolute disgrace.

**Dr Bassett:** He'd probably lose some men along the way, too.

**Mr MOORE:** Especially the member for Hunua, who was talking about feet. His real problem is that he cannot get shoes big enough to fit his feet. It is the biggest retreat since the Remuneration Act. The Government is demanding that we pass the legislation this year. The power of the bureaucracy—and the research officers—has been at work. The caucus committee even sent the member for Awarua around the world to investigate national parks.

**Hon. Sir Basil Arthur:** He doesn't like the Bill.

**Mr MOORE:** He does not like it. He investigated national parks all around the world. The caucus committee met in secret, and, at great cost to the taxpayer, prepared a report. The Bill went to Cabinet, which examined it and decided to introduce it. This was going to be the answer to the problems of national parks. What happened? It was an absolute humiliation, an absolute retreat, for a confused, bewildered, and leaderless Government. Originally, the Government wanted us to pass a Bill that would have allowed the Minister to put a nuclear power station in a national park. It thought we would fall for that. That was the Minister who was going to appoint all the directors, and who somehow was going to resolve the conflict in his department between those who develop and sell land and those who wish to look after the national parks. The comments at the time were amazing—"Power hungry Ministers"; "Discredited Minister wants more power"; "Parks Bill made for developers". It was said to be a companion measure to the National Development Act.

The Government has backed down on most of the main points for two reasons. One was the work done by the member for Timaru, the member for Waitakere, and the member for Christchurch Central. The other was the overwhelming weight of evidence from sensible people around the country. The people did not want it. They beat the Government. The people drove the Government back from the national parks and said "Hands off! These belong to all New Zealanders." Another reason is that the Government had a leadership crisis at the time. One of the many reasons that was put up by some of the more liberal members of its caucus as to why the Government was in such chaos was that it was not taking notice of what the people were saying, it was not believing what the people were saying, and it was not trusting the people. The member for Fendalton is interjecting. His newspaper said, "Government must keep its hands off national parks".

**Hon. E. S. F. Holland:** What was that again?

**Mr MOORE:** The Christchurch *Star*.

**Hon. E. S. F. Holland:** Say that again.

**Mr MOORE:** "Government must keep its hand off national parks"; I will give it to the Minister. He should be able to read it—it is in big type, it is a headline, and there are one or two cartoons that we could photostat and send off to him. The Bill is a retreat by a discredited Minister and a discredited Government. When the Opposition exposed the Bill's weaknesses, the Minister went out and batted for it. He said, "Parks Bill defended", "Parks Bill critics unfair". Everybody was wrong, except the Minister. What a retreat and a humiliation this is for him. The interesting point is that the member for Tarawera and others who are seeking the Minister's job in the reshuffle, are gloating over it. The member for Albany thinks it is a joke, because he knows the only way he can get into Cabinet is to open up a gap, and the most convenient way to do that is to pick on a lame-duck Minister, such as the Minister of Lands. The invisible hand will be moving at any time to get him. It can be seen now. What an embarrassment it is for the Government.

The committee received 450 submissions, most of them opposed to the national parks policy. The best alteration the Government made was to change the implementation date to 1 April. That was significant; it is probably the Minister's birthday. There are still one or two obnoxious clauses that should not be in the Bill, especially the one about membership of the board, under which the Minister can appoint—

**Mr Peters:** What clause was that?

**Mr MOORE:** It is clause 30, about interested groups. However, the Minister can still appoint members to the board, and I want to know from him, or from the next Government speaker, what was wrong with the original legislation? What was wrong with the 1951 Act? Why did it have to be changed from members being nominated and going through the authority, to the Minister—

**Mr Comber:** If the honourable member had been there, I would be worried.

**Mr MOORE:** If the member could find a seat—of course, he is probably practising for 1982, when he will not have one. The simple truth is that I do not trust the Government. It should send the legislation back to the committee, and ask the 450 people who bothered to make submissions, at great cost to themselves—all volunteer groups, not tax deductible—to have another go, to have another lick at the Bill, because the Minister failed in the first instance. How can we trust him? There are 18 pages of amendments—what a joke! Government members had rings run around them in the select committee, and they have had rings run around them in the Chamber. It is a Government without a philosophy. We have a power-mad Minister being run by a department, which is the greatest empire-building department since the days of Polaschek and the Ministry of Transport. The Minister does not know where to go. Why can he not support the 1951 legislation introduced by the National Government, when we had a National Government that allowed the people the power over their own national parks? This Government still basically believes in centralism. It still believes that it knows what is best for the rest of New Zealand, and that it has in its Cabinet and its caucus people who are capable of doing everything. That is not true. I remember being in this Chamber when Sir Keith Holyoake was here, and he used to say, "Tell the people, and trust the people". Why does the Government not do so?

**Mr SCHULTZ (Hauraki):** First, I have never heard such soap-box, street-corner rubbish as I have just heard from the member for Papanui, who referred to the Bill in only 2 of his 10 minutes. He had the Bill wrapped up in his hand, and beat the table with it for most of the time. One comment I noted was the member's reference to Moscow. I suggest that he knows more about Moscow than he knows about the Bill. The member for Christchurch Central made the misleading comment that 64 submissions had not been heard. That is quite incorrect. I am surprised that the member did not look at the list he had before him at the select committee. Every time the member for Timaru does not know what to do about a Bill he recommends, parrot-like, that it go back to the select committee. When the committee recommended that the Bill be reported back, the Opposition did not suggest any changes. It is the same old story—if you do not know what the Bill is about, send it back to the select committee and have another go. That is not a very positive outlook.

**Hon. P. I. Wilkinson:** They don't know what else to say.

**Mr SCHULTZ:** That is probably right. I want to deal briefly with some of the main points in the Bill. In clause 18, the powers of the Minister have been reduced, with more responsibility being given to the authority and to the boards. The authority and the boards are responsible for planning, and the department is responsible for administration. The Minister now takes a minor role.

Clause 14A includes a new definition of amenities within the national parks. That is an improvement. There will now be greater opportunities for the use of recreational parks, instead of having them locked up as some people would have them. Appointees to the authority will now be recommended to the Minister, instead of the Minister appointing members after consultation with the various bodies. That is more democratic. The authority will be in complete control, with the department carrying out the day-to-day work and the administration of the needs of the parks boards. It must be made clear that the authority, not the department or the Minister, will be in control. Apparently that is not the way the Opposition sees it. The changes made to the Bill, as recommended by the select committee, were made after taking note of widespread public interest. That democratic process happens many times when a select committee takes note of submissions and public reaction. As members know, substantial changes are often made. I think we should make the best use of this democratic process instead of trying to rubbish it as some Opposition members do.

The Bill as amended should be acceptable to most of the people who have taken any interest in it. The only reaction to the ideas and suggestions incorporated in the Bill has come from the Opposition. The Bill will be endorsed by most people interested in national parks; it should be supported. I oppose the amendment moved by the member for Timaru. There is no need to send the Bill back to the select committee. The wishes of the people have been heeded, and the report will satisfy the needs.

The House divided on the question, *That the amendment be agreed to.*

#### Ayes, 33

Arthur; Bailey; Bassett; Batchelor; Burke; Caygill; Christie; Connelly; Couch; Douglas; Elworthy; Faulkner; Gerbic; Hercus; Kirk; Knapp; MacDonell; Marshall; Maxwell; Moore; O'Flynn; Palmer; Reweti; Ridley; Rowling; Terris; Tirikatene-Sullivan; Tizard; Walding; Wall; Young, T. J.

*Tellers:* Hunt, J.; Rodger.

#### Noes, 42

Adams-Schneider; Allen; Austin, W. R.; Bell; Brill; Comber; Cooper; Couch; Cox; East; Elliott; Elworthy; Falloon; Friedlander; Hight; Holland; Hunt, T. de V.; Jones, N. P. H.; Kidd; Luxton; MacIntyre; McLachlan; McLean; Malcolm; Minogue; Peters; Quigley; Schultz; Shearer; Talbot; Talboys; Templeton; Thompson; Thomson; Townshend; Waring; Wellington; Wilkinson; Young, V. S.; Young, W. L.

*Tellers:* Austin, H. N.; McKinnon.

*Majority against:* 9

Amendment negatived.

**Mr JONATHAN HUNT** (New Lynn): A point of order, Mr Speaker. I think that, if you examine the division lists, you will find that two members—the Minister of Maori Affairs, and the member for Waitaki—voted on both sides. In consultation with the member for Bay of Islands, who was counting the votes, I went out into the lobby, and the two members quite clearly indicated that their names were to be crossed off in our lobby. You will have the concurrence of the member for Bay of Islands that that, in fact, was the case. How can any member, under our Standing Orders, vote in both lobbies?

**Mr FRIEDLANDER** (New Plymouth): Mr Speaker—

**Mr SPEAKER:** I will not hear any further discussion on the matter. I shall call the division again.

**An Hon. Member:** What, again?

**Mr SPEAKER:** There is a dispute on the division, and under the Standing Orders I can call another division so that members can vote again. A lot of time can be spent discussing matters like this. Members ought to be very careful about where and how they vote. They have to make up their mind and to vote properly, and the Whips have to make sure that the voting is done properly.

The House divided on the question, *That the amendment be agreed to.*

**Ayes, 31**

Arthur; Bailey; Bassett; Batchelor; Burke; Caygill; Christie; Connelly; Douglas; Faulkner; Gerbic; Hercus; Kirk; Knapp; MacDonell; Marshall; Maxwell; Moore; O'Flynn; Palmer; Reweti; Ridley; Rowling; Terris; Tirikatene-Sullivan; Tizard; Walding; Wall; Young, T. J.  
*Tellers:* Hunt, J.; Rodger.

**Noes, 42**

Adams-Schneider; Allen; Austin, W. R.; Bell; Brill; Comber; Cooper; Couch; Cox; East; Elliott; Elworthy; Falloon; Friedlander; Highet; Holland; Hunt, T. de V.; Jones, N. P. H.; Kidd; Luxton; MacIntyre; McLachlan; McLean; Malcolm; Minogue; Peters; Quigley; Schultz; Shearer; Talbot; Talboys; Templeton; Thompson; Thomson; Townshend; Waring; Wellington; Wilkinson; Young, V. S.; Young, W. L.  
*Tellers:* Austin, H. N.; McKinnon.

**Pairs**

*For:* Butcher; Fraser; Lange.  
*Against:* Gair; McLay; Muldoon.

*Majority against:* 11

*Amendment negated.*

**Mr H. N. AUSTIN** (Bay of Islands): With the leave of the House, I want to make a personal explanation about the allegation of the Senior Opposition Whip that I recorded the votes of the Minister of Maori Affairs and the member for Waitaki incorrectly. When I arrived to act as teller in the previous division to assist in the recording of the votes, my colleague the Minister of Maori Affairs had already had his name crossed off the list, and I was not present to see his name crossed off.

The House divided on the question, *That the report do lie upon the table.*

**Ayes, 42**

Adams-Schneider; Allen; Austin, W. R.; Bell; Brill; Comber; Cooper; Couch; Cox; East; Elliott; Elworthy; Falloon; Friedlander; Highet; Holland; Hunt, T. de V.; Jones, N. P. H.; Kidd; Luxton; MacIntyre; McLachlan; McLean; Malcolm; Minogue; Peters; Quigley; Schultz; Shearer; Talbot; Talboys; Templeton; Thompson; Thomson; Townshend; Waring; Wellington; Wilkinson; Young, V. S.; Young, W. L.  
*Tellers:* Austin, H. N.; McKinnon.

**Noes, 30**

Arthur; Bailey; Bassett; Batchelor; Burke; Caygill; Christie; Connelly; Douglas; Faulkner; Gerbic; Hercus; Kirk; MacDonell; Marshall; Maxwell; Moore; O'Flynn; Palmer; Reweti; Ridley; Rowling; Terris; Tirikatene-Sullivan; Tizard; Walding; Wall; Young, T. J.  
*Tellers:* Hunt, J.; Rodger.

**Pairs**

*For:* Gair; McLay; Muldoon.  
*Against:* Butcher; Fraser; Lange.

*Majority for:* 12

*Motion agreed to.*