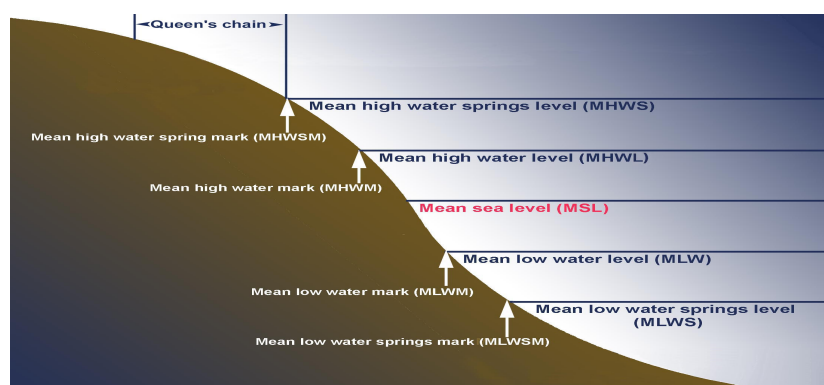


## Where the land meets the sea: more than meets the eye

Green MP Metiria Turei has claimed repeatedly over the last few weeks that 12,243 private land titles exist in the foreshore and seabed. That figure is technically correct, but it adds nothing to the discussion on whether National's Marine and Coastal Area (Takutai Moana) Bill would make good law or not. This is because the figure is simply a consequence of how National defines the foreshore and seabed.

Under National's Bill the foreshore and seabed is all land seaward of what is called the 'mean high water springs level'. This level is further landward than the 'mean high water level', a measure that was used in the past to define the foreshore.



*(Source: LINZ report of the foreshore and seabed, prepared for the Minister for Land Information, December 2003)*

The 12,243 titles that Ms Turei refers to all lie between the 'mean high water springs level' and the 'mean high water level'. Therefore, whether there are a large number of private titles in the foreshore and seabed is purely a matter of definition. If you choose one level you can claim that thousands of private titles in the foreshore exist, if you choose the other level you cannot. Where the line is drawn is somewhat arbitrary. The 12,243 figure is meaningless. It does not show that New Zealand has been granting large numbers of private titles to the foreshore and seabed for a long time. It simply shows that definitions have changed.

*A much more interesting figure is how many private titles exist seaward of the mean high water level (ie: how many private titles exist in that part of the foreshore and seabed that has always been regarded as foreshore and seabed and which has not been affected by changing definitions). The answer is only 1,256 titles. Of these, 1,208 titles represent dry land that has been partially or fully eroded. In other words, while private titles to the foreshore and seabed do exist and such titles have consciously been granted, they are few in number (only in fact 48) Granting extensive private interest in the foreshore and seabed would be a new step for New Zealand.*