

Submission on the Review of the Adventure Activities Regime

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Submitter details

Name of contact person	Sam Newton – Advocacy Manager
Organisation name	New Zealand Recreation Association
Postal address	PO Box 11132, Manners Street, Wellington 6142
Telephone number	027 723 9380
Email	sam@nzrecreation.org.nz

Submission

Introduction

1. Recreation Aotearoa is a registered charity and the organisation responsible for providing leadership, advocacy, and professional development opportunities for those involved in the broader recreation sector. We work at an agency, industry, and professional level to build capability, develop partnerships, and equip individuals and organisations with the skills they need to deliver high-quality recreation experiences that engage participants.
2. The Recreation Aotearoa membership includes recreation policy makers, territorial local authorities, voluntary organisations, regional sports trusts, outdoor recreation businesses, and others involved in the delivery of recreation throughout New Zealand.
3. Our mission is enhancing wellbeing through recreation.
4. In partnership with Tourism Industry Aotearoa (TIA), Recreation Aotearoa provides the SupportAdventure website, publishes the SupportAdventure newsletter and coordinates the production of Activity Safety Guidelines (ASGs). These are critical pieces of infrastructure for the Adventure Activity sector.
5. Two staff members of Recreation Aotearoa and their counterparts from TIA served, at the request of MBIE, on the Expert Reference Group at an earlier stage of the review process. As was stated by both industry bodies in the introduction of the consultation document: *“there are some ideas in this document that will be challenged in submissions from our own organisations.”*
6. At any given time, dozens of registered Adventure Activity Operators (AAO's) are organisational members of Recreation Aotearoa. A similar amount of AAO's are members of TIA, however it is important to note that many registered AAO's, perhaps a small majority, are not members of either industry body. Regardless, numerous individuals employed at the Governance,

Management and operational levels of AAOs are members of Recreation Aotearoa, as well as many auditors and technical experts.

7. The perspectives conveyed in this submission are, in part, gleaned from the information Recreation Aotearoa gathered from a survey of 96 outdoor professionals on the Adventure Activity Regulations and nine in-depth interviews of industry leaders.

General comments

8. Recreation Aotearoa submits, as has been noted by MBIE in at least two documents, not all adventure activities are the same. Each adventure activity has a unique and dynamic mixture of technical and environmental risks. Participants in different types of adventure activities have variable risk appetites. Recreation Aotearoa acknowledges the inherent difficulty of formulating a regulation regime that covers such a variety of contexts. It follows that not all adventure activities and thus operators, should be regulated in exactly the same way.
9. As has been acknowledged by MBIE, Recreation Aotearoa notes that the adventure activities regime has been working well, as the 2016 performance review found. Recreation Aotearoa submits that there is a risk of regulatory over reaction. Most operators adequately account for natural hazard risk. The Whaakari/White Island tragedy has highlighted the volcanic risk, which is quite specific, being present in only a few locations in New Zealand.
10. Recreation Aotearoa cautions against the assumption that accidents indicate that the audit process is inadequate. Most fatalities noted in the media or review documents couldn't be prevented through auditing, being outside the Adventure Activities regime or due to operators failing to follow their certificated processes.
11. Recreation Aotearoa notes that Table 2 in the consultation document, which lists natural hazard events in the adventure activities sector, is irrelevant to the

Adventure Activities regime. Only two of the 10 catastrophic events in the consultation document (page 60) involved activities that are (or would have been) subject to the Adventure Activities Regulations. Furthermore, noting that catastrophic events in the sector occur every 10 years on average based on a sample of three is not useful analysis. Such information may indicate problems within the regime that don't actually exist.

12. Recreation Aotearoa has observed that since the Whakaari/White Island catastrophe, various arms of the government and judiciary have engaged in a variety of reviews and actions. These include but are not limited to; a DIA review of the ownership of Whakaari/White Island, a DOC review of Natural Hazard management, an internal WorkSafe review of processes, 13 WorkSafe prosecutions, coronial inquests, the recently released independent (Laurenson) review of WorkSafe in relation to Whakaari/White Island, as well as this MBIE review that affords the opportunity to submit our perspectives.
13. Recreation Aotearoa submits its concern that many of these reviews and actions present a sequencing issue and risk crossover. For example, we note that WorkSafe are contemplating changes to guidance and sector leadership that cut across, or are at least very similar to, issues being consulted upon with the public by this MBIE Review. Similarly, we note that in his review findings QC Laurenson concluded that visiting Whakaari/White Island should have been regarded by WorkSafe as a separate and discrete Adventure Activity by WorkSafe. He also found that WorkSafe fell short with regard to monitoring and enforcement of unregistered operators. *Prima facie*, this would indicate that many of the proposals in this consultation document are an over-reach and possibly moot.
14. When considering any reform of the Adventure Activity Regulations, it should be kept in mind that only a small segment of the broader recreation community will be exposed to the regulations. When imposing restrictions or costs on commercial providers, we must accept that participants are free to pursue adventurous activities independently. As they should be. We must be guarded against the unintended outcome of participants moving away from

more costly, but probably safer, commercial providers and undertaking activities without the (safety) benefit of a guide or instructor.

15. Recreation Aotearoa submits that while risk classification and risk disclosure are considered in two separate sections of the consultation document, these two issues should be considered together. Changes to the aspects of the regime, if any, should be aligned and compatible.
16. Page 16 of the consultation document outlines four broad tools in the adventure activities system that that can be used to improve safety standards; (a) change regulations; (b) change the safety audit standard; (c) adjust the audit process; and (d) change or add to guidance. Recreation Aotearoa commends the identification of those tools but has a strong order of preference with regard to those tools.
17. Recreation Aotearoa submits its strong support for additions to guidance. This would be by far the most cost-effective and welcomed change by the adventure activity sector.
18. With caveats and specifics that will be described in further detail, Recreation Aotearoa submits cautious support for both adjustment to the audit process and minor changes to the audit standard.
19. Recreation Aotearoa cautions against fundamental changes to the regulations, which would risk costly and ineffective outcomes for the system.

Managing natural hazards

20. Recreation Aotearoa submits that natural hazards are generally well managed in the adventure activities regime. Operators tend to know well what they're dealing with, and technical experts review their work, both their safety management planning and their practice.
21. Potential catastrophic events from hazards such as a volcanic eruption are outside adventure activity technical experts' expertise and require consultation with different experts. A breakdown in that process or inaccurate

advice shouldn't lead to a knee jerk change to the wider risk-management process. The Whakaari/White Island catastrophe was a tragic but unique event.

22. It is widely acknowledged within the adventure activity sector that the best risk-management system has a process of hazard identification, risk management, and residual risk assessment summarised in brief activity plans. This makes the system usable for instructors and guides (leaders), rather than being a detailed document rarely used, as is often the case with traditional hazard and risk registers.

Duties for operators in managing natural hazards

23. Recreation Aotearoa submits that the *Safety Audit Standard*, s5.1 already explicitly requires operators to '...assess and manage natural hazard risks...' and auditors review the result. Recreation Aotearoa is not aware of any evidence to suggest that operators are not adequately assessing and managing natural hazard risks. If they are not doing so, they are not complying with the existing Safety Audit Standard and should be deregistered.
24. Potentially, activities could be called off for environmental, technical, or personnel reasons. Environmental factors vary considerably depending on the activity. Activities are affected by wind speed and direction, temperatures, precipitation, volcanic activity, tides, currents, waves, and swell levels. Usually, operators plan cut-off levels for their activities, the most common being river levels (accessing remote telemetry readings), wind levels (see the SKOANZ guidelines), and snow stability (see the MSC avalanche advisory). However, forecast and actual conditions are often different, and measuring the conditions during the activity is usually a subjective and skilled process, undertaken within geographical and temporal bounds that are much smaller than what pre-set parameters could.
25. The key to calling off an activity is staff competence. A qualified guide/instructor will continually assess the dynamic environmental conditions

as well as their client's ability and equipment to cope with those conditions. It's important then that staff have the authority to halt an activity, and that is clearly required in the Safety Audit Standard, s6.3.

26. Hazard identification would be improved by establishing local operator message groups. Since the introduction of the Adventure Activities Regulations, operators have increasingly realised that safety information should be shared for everyone's benefit. However, only a few groups have established systems for doing that. Examples include the Mountain Guides Association website, or the public reporting of avalanche events facilitated by the New Zealand Mountain Safety Council. WorkSafe could support this concept to be established across the country and within various adventure activities.

Duties for landowners in managing natural environments

27. Recreation Aotearoa submits that these proposals would have a chilling effect on adventure activities. The Health and Safety at Work Act 2015 s37 is clear that farmers are responsible only for the hazards they create on their property. However, it took a number of years of advocacy by Recreation Aotearoa and the New Zealand Alpine Club, before WorkSafe issued a 'clarification' that helped farmers and other landowners understand the limits of their liability. That mitigation of a barrier to access would likely be undone by these proposals.
28. Recreation Aotearoa submits that the premise that a 'landowner' understands the natural hazard better than the operators or is in a position to assess natural hazards as they pertain to adventure activities, is flawed. Natural hazards are best assessed and managed by qualified and competent adventure activity professionals, subject to audit. This is already provided for by the existing Safety Audit Standard.
29. Additionally, Recreation Aotearoa submits that imposing a duty on landowners would impose yet another barrier to recreational access for the wider, unregulated, recreation community. It would likely result in the denial

of access and/or increased costs for both operators and ordinary New Zealanders engaging in their own personal recreation.

30. It has been suggested by others, that landowner duties are only applied to public agencies such as DOC, LINZ or councils. Even in that case, we would expect an over-abundance of caution from those entities and a decline in access opportunities. If large public agencies did provide natural hazard assessment and advice, it would likely be generic in nature and on a wide geographical scale that would not provide any particular value to AAO's.
31. At the very least, these entities would seek to recover the costs of assessing natural hazards, which would be passed on to AAO's that cannot afford it. It would be particularly frustrating to pay that duplicate cost, as the Safety Audit Standard already requires natural hazard assessment by the AAO.
32. Recreation Aotearoa submits that a more productive use of limited time and resources would be the provision by WorkSafe, in collaboration with industry bodies, of guidance for landowners who allow access for AAO's.
33. Recreation Aotearoa submits that the only possible instances in which landowners should have a duty applied to them is in areas of volcanic activity and the rare occasions that landslides or earthquakes create natural (and sometime temporary) dams. These rare circumstances present a natural hazard that is typically beyond the expertise of AAO's or the audit bodies and could be better assessed, communally, by an agency such as GNS.

Risk classification system

34. Recreation Aotearoa submits that this is a sensible approach in theory but has severe practical limitations, which have been demonstrated internationally in other sectors such as the oil and gas industry. The application of risk ratings for adventure activities is difficult. ACC does not have data granular enough to be applicable to adventure activities, making ratings subjective. This category ambiguity will extend the difficulties that already exist in defining an adventure activity. Much of the data that is used is simply scattergun information, especially when the media and agencies conflate personal

recreation and commercial incidents. Only two of the 10 catastrophic events in the consultation document (page 60) involved activities that are (or would have been) subject to the Adventure Activities Regulations. The list only furthers to colour perceptions of a problem that is often overstated.

35. Additionally, subjective assessment of activity risk tends to default to the simplistic conclusion that, for example, high-grade mountain biking and white-water rivers have greater risk. This view ignores factors such as the competence of the participants, e.g. riders fall off bikes on easy trails, and hazards such as logs that may litter easy waters. Nor does it take into account the differing appetites for risk that various user groups have. These complexities indicate that any risk classification system, if implemented, must be simple and a guideline only.
36. This isn't to say that risk classification isn't useful. It simply becomes one more guideline for risk management, but it may be too inaccurate for other uses such as audit frequency or risk disclosure. If an inadvertent incentive is applied relating to audit frequency, there could be a 'gaming' of risk classifications by operators.
37. If adventure activity operators were categorised for audit-cycle purposes, the number of operators in the high-risk category will be critical. Both the 2016 performance study of the regime and the Recreation Aotearoa 2021 survey of members showed high sensitivity to audit costs. If so-called high-risk operators were required to have a full audit every two years, there would certainly be increased cost pressures that would result in operators exiting the sector. That may result in an unintended decline in overall safety if individuals choose to undertake adventurous activities without the expertise of a guide or instructor.
38. Recreation Aotearoa submits that an alternative option to the one proposed for varying audit frequency would be three years for high-risk operators, four years for medium-risk operators, and five years for low-risk operators, accompanied by stringent surveillance between full audits. However, this assumes that operators can be clearly categorised.

Risk disclosure

39. Recreation Aotearoa notes that risk disclosure is already a requirement of the *Safety Audit Standard* s4.5 and isn't aware of any evidence, with the possible exception of Whakaari/White Island, that a lack of risk disclosure is a problem within the adventure activity sector.
40. Recreation Aotearoa submits that over the last decade there has been a steady trend of adventure activity operators moving away from attempting to absolve themselves of liability by using waivers, and to disclose the risks. While it may be the case that auditors sometimes have to remind operators to comply with the standard, compliance is achieved.
41. Invariably, leaders disclose the risks during the activity briefing. On rare occasions auditors need to point out that, important as that is, it is too late for most participants to withdraw, and that it also must be done when participants book. Recreation Aotearoa accepts that the Safety Audit Standard doesn't specify when the risk disclosure must occur, but it doesn't accept that there is actually a problem. Auditors have required two-way risk disclosure for some time – the operator discloses the risks to the potential participants and the participant discloses any personal issues that the operator may need to know to keep them safe.
42. Operators often note that their clients don't process the risk disclosure and may not fully understand the nature and risks of an activity when it's hidden from everyday view. It is a widely held view by AAO's that participants in adventure activities find it difficult to conceptualise risk and understand relative risk. Recreation Aotearoa submits that if risk disclosure requirements are reformed beyond what is already adequately mandated by the existing Safety Audit Standard, it must be contextualised in terms of comparative risk.
43. Recreation Aotearoa notes that international clients with poor English may provide additional issues for operators. Increasingly, operators provide information in other languages, or hire staff who speak other languages.

However, the potential requirements would be very costly, and it would be disproportionate to cover all language possibilities.

Acceptable levels of risk

44. Recreation Aotearoa submits that the notion of a government department defining what is acceptable risk is inconsistent with some fundamental values of the outdoor recreation community and broader New Zealand society.
45. Society has little consensus around what level of risk is acceptable and there needs to be further discussion before it could be mandated. For example, DOC has assessed some mountain huts to be in avalanche paths but has not determined whether a hut on a path with a 100-year return is acceptable to society, especially when historical data may no longer be relevant. DOC's chosen maximum risk level for an individual of a one in 33,000 chance of dying on a trip can't be reliably calculated for each adventure activity.
46. Furthermore, defining a single acceptable level of risk is simplistic. People's risk acceptance levels vary considerably, and different activities usually attract different types of people. For example, participants in a sea kayaking activity would not usually expect a high level of risk, whereas mountaineering participants might be more accepting of a higher risk. Risk classification, other than as a guideline, will almost certainly increase the complexity and cost of the scheme without enhancing safety.
47. The best process involves technical advisors and technical experts and, when the risk comes from hazards outside their field of expertise, eg a volcano, an appropriate expert or agency. This is the current practice, consistent with the Safety Audit Standard s5.1, although Recreation Aotearoa accepts that the standard could be more detailed.

Strengthening the role of WorkSafe

48. Recreation Aotearoa submits that WorkSafe should take a stronger role in the sector through auditing audit bodies. The should provide guidance through

funding the development and maintenance of Activity Safety Guidelines (ASGs), collecting and disseminating incident data, and monitoring operators.

49. Recreation Aotearoa submits that the involvement of JAS-ANZ adds another layer of bureaucracy and is low value for money, especially if it is case that their audit sampling is too low to have any statistical validity. It's simplistic for operators to cost JAS-ANZ's role at the \$A48 annual fee per audit certificate. Operators don't see that JAS-ANZ audits audit bodies annually (or twice a year in the early years) or the annual observations they make of each activity. This costs audit bodies about \$7,000 annually or \$21,000 over a three-year audit cycle, a cost that operators ultimately pay. In addition, audit providers must maintain a JAS-ANZ register of certificated operators, over and above the WorkSafe register. This is a bureaucratic requirement that adds to the administration cost.
50. Recreation Aotearoa strongly agrees with the notion that audit bodies need to be audited to maintain standards. It is a fundamental tenant of the regime. But Recreation Aotearoa submits that WorkSafe could assume that role to make the regime simpler and cheaper.
51. Recreation Aotearoa notes that the 2010 review of the sector recommended supporting and strengthening the National Incident Database (NID). However, WorkSafe (or MBIE then) was focused on implementing the Adventure Activities Regulations and gave it little attention.
52. Recreation Aotearoa submits that critical to providing safe activities is operators collecting incident information, discussing it openly with staff, and analysing trends. The Safety Audit Standard requires this, and auditors ensure it happens. Aggregating that process nationally would enhance safety considerably. Currently, even information on significant incidents is hard to obtain. WorkSafe prosecutions take a long time and 'lessons-learned' are published late, if at all. This is an indicative of a system that is focused on prosecution rather than education and has driven a degree of mistrust and resentment among operators.

53. Recreation Aotearoa supports a system by which operators could input information directly to a National Incident Database using an electronic template, or preferably an app. Incidents would include accidents and near hits (usually called near misses) and be mandatory. The experience with the previous National Incident Database was that very few operators used it well and feedback to the sector was sporadic. It also requires an incident severity chart, which would be the basis for reporting. The existing one, that many operators currently use, could be the foundation for a revised version.
54. Recreation Aotearoa notes that studies show that operators across all sectors have more near hits than accidents. The studies vary considerably in how much more, presumably through varying definitions of a near hit. This means that a detailed definition must be provided, along with examples of what is included and what is excluded. Good operators are already doing this for their own organisations. The examples in question 20 of the consultation document are a start, although it's odd that avalanche near hits are not noted or that a fall from height incident has a minimum height. The concept needs to go back a step to a near-hit definition, which should revolve around incidents that could have caused significant injury or death. That would involve wider considerations than natural hazards and include equipment and personnel issues as well.
55. Recreation Aotearoa suggests that under such a system, operators or WorkSafe would need to share each incident report with the respective audit body to enable them to decide whether further audit action was required.
56. Currently, operators are also required to provide audit bodies with information on changes to key safety personnel. That requirement should continue for the same reason as above.
57. Over time, WorkSafe should provide workshop opportunities for operators and auditors based on the information on the aggregated incident information they collect.

58. Recreation Aotearoa submits that WorkSafe must be empowered and prepared to deregister operators in circumstances where it and/or the audit body believes that the operator is not in a position to provide safe activities. This deregistration could be permanent or temporary. It would be based on factors such as incidents, key personnel changes, complaints, and failure to report.
59. Regarding complaints, WorkSafe currently has little capability to follow through. There is limited internal cohesion – the Registrar doesn't hold a warrant to inspect or enforce and must refer onto the inspectorate who often has other priorities.
60. WorkSafe should also take a stronger role in providing guidance material and surveillance, as noted below.

Guidance and audit changes

61. Recreation Aotearoa submits that the ASGs have been hugely successful in standardising both operators' practice and the auditing process. The ASG development process has been world leading and brought positive sector ownership. However, the sector doesn't have the financial resources to develop and maintain ASGs on a sustainable basis. For several years, WorkSafe provided partnership funding with the industry bodies to develop and maintain ASGs. In recent years, this funding declined and became somewhat ad hoc, then eventually ceased. This is a lamentable loss of opportunity and system strength.
62. The result is that the current group of 12 ASGs is inadequate for such a diverse sector, and WorkSafe's lack of understanding of the need to keep them current diminishes their value. There is an urgent need for ASGs in open water paddling, white-water activities, and kite surfing, to name a few. There are also a number of ASGs that are overdue for revision. WorkSafe should take a more consistent role in this process by resuming its funding of the industry bodies to carry it out. If they opt to develop and revise in-house, sector ownership is diminished.

63. ASGs often cover more than one activity, e.g., a white-water river ASG could cover kayaking, canoeing, pack rafting, and paddle boarding. This means that there needs to be fewer ASGs than the number of activities on the register, and the cost to cover all activities would not be as great as they may appear. This would be especially the case if working groups met online.
64. Recreation Aotearoa submits that further guidance should be provided following significant incidents earlier and, in more detail, as noted in the previous section.
65. As we noted in our general comments, Recreation Aotearoa is of the view that the Adventure Activities regime has been working well as the 2016 performance review found, and there is a risk of regulatory over reaction. Most operators adequately account for natural hazard risk. The White Island tragedy has highlighted the volcanic risk, which is quite specific, being present in only a few locations in New Zealand.
66. It has been noted that the environment operators work in is dynamic; however, it may not be well understood what it means for the provision of safe activities. Because it requires good decision making in the field, often by a leader alone, staff competence is critical. This doesn't mean that the systematic planning required of operators is irrelevant; it simply means that they need good processes for selecting, inducting, deploying, monitoring, and training leaders.
67. For those reasons, Recreation Aotearoa submits that qualifications should play a larger role in the adventure activity regime.
68. Recreation Aotearoa submits that it is inconsistent to the point of being inexplicable, that the government requires people working on, for example, buildings, to be qualified but permits people responsible for others' lives in the outdoors to be unqualified.
69. Recreation Aotearoa notes that there is no question that these processes would be enhanced if the Safety Audit Standard required nationally

recognised qualifications where they exist for an activity. Currently, section 6.2 of the Safety Audit Standard is weak on this point. When independent experts have formally assessed guides/instructors over a number of days as competent, auditors have considerably more assurance of competence than they can get from documents and a short observation of practice. New Zealand has robust and well-respected training and qualification systems for adventure activities, which includes organisations such as NZOIA, NZMGA, Skills Active, PADI, EONZ, and various Polytechnics. Their impact on the sector would be considerably strengthened by a requirement to have a qualification, just as is required for most sectors from construction trades to health professionals. Currently, the most significant value to operators from hiring qualified staff is a broader location scope on their certificate. This concept would be strengthened if NZOIA was supported to develop qualifications for other activities.

70. Recreation Aotearoa wishes to make explicit that mandating qualifications wouldn't mean that all guides or instructors would need to be qualified. Just as other industries have qualified staff supervising apprentices, outdoor operators would have a similar supervisory function. It would mean that operators would require at least one qualified staff member or contractor for each of their registered activities.

71. Recreation Aotearoa supports the concept of operators directly providing WorkSafe with their audit certificates. It makes good sense if it reduces the administration time required of audit bodies and further contributes to reducing audit costs.

Other changes

72. Most key changes that should occur have been discussed above: reducing one level of bureaucracy, reducing costs to operators, establishing an incident database, committing to more extensive guidance material, and mandating qualifications.

73. Recreation Aotearoa submits that another key change could be the utilisation of mystery shoppers, which varies from spot checks in that the mystery shopper would book an activity in the same way as any other participant. This is a critical difference in that auditors and technical experts go to some trouble to avoid distraction and interference with client experiences. Spot checkers would add to that noise. Given the small size of the sector, mystery shoppers would need to be from the public. There are two potential downsides: it would likely be applicable only to short programmes, mostly day activities, and it would be contrary to the concept of audit transparency which auditors emphasise. As such, the regime could include both mystery shoppers and spot checks.
74. Recreation Aotearoa submits that there should be a mechanism (constrained at present by the regulations) to evenly spread audits over the year. Currently, the only mechanism available is for operators to move their audit time forward, effectively increasing their cost by paying for a new certificate when their current certificate remains valid. Intervening to spread audits over the year and indeed across the three-year cycle, would enhance the financial sustainability of the audit providers.
75. Recreation Aotearoa notes that the Adventure Activities regime began with five audit bodies but is now down to two. Initially audit bodies were attracted to a market that was thought to include 1500 operators. The current position of about 300 operators isn't financially viable for two or more audit bodies. It's only a matter of time before a monopoly eventuates and operators pay more through a lack of competition. This means that a different financing model needs to be introduced – subsidising audit bodies, reducing audit costs (and sustaining the number of operators), or taking the regime in-house and contracting or employing auditors directly. Recreation Aotearoa looks forward to contributing to the discussion of these critical issues in the future.
76. Regarding the individual auditors, there was clear feedback during the establishment phase of the regime that operators wanted specialist auditors who knew the sector well. This was strongly reinforced by feedback from the

Adventure Activities Licensing Authority (AALA), a UK audit regime. This is a critical point and must be held front of mind, whether auditors work for WorkSafe or a third party.

77. Recreation Aotearoa notes that operators are unaccepting of the reasons for auditors not to consult or coach. The sector is small, people tend to know one another, and information sharing is the norm. Any downside is outweighed by the potential value to operators and the goodwill it would bring. Operators would be more accepting of the audit system if they felt they were getting value for money. For this to happen, the adventure activities scheme would need to be freestanding, that is, it couldn't be based on ISO 17021. Recreation Aotearoa submits that linking to this ISO standard isn't worth the opportunity cost.

Cost implications of proposals

78. Recreation Aotearoa submits that the estimated costs associated with audit expressed in the consultation is inaccurate and are higher than those stated. The predicted increase of 5-15% is even more inaccurate. Even if 15% is correct, that would still drive many operators out of the sector and the numerous spill over benefits of adventure activity would be lost to New Zealand.

79. Recreation Aotearoa accepts that mandatory qualifications would increase costs for some operators. But we submit that this could be balanced by a mechanism that allows for a lighter or less frequent audit of operators with relevant qualifications.

80. Recreation Aotearoa submits that mystery shopping and spot checks, where applicable, could substitute for the standard forms of surveillance, thus reducing operator cost.

81. As noted in the previous section, if WorkSafe took a stronger role regarding monitoring audit bodies, and operators reported directly to WorkSafe, audit costs could be reduced.