



**Herenga  
ā Nuku**

AOTEAROA

**Connecting people  
Connecting places**

Committee Staff  
Environment Committee  
Parliament Buildings  
Wellington

2 February 2023

**HERENGA Ā NUKU AOTEAROA SUBMISSION**

**TO**

**THE ENVIRONMENT SELECT COMMITTEE**

**ON**

**THE NATURAL AND BUILT ENVIRONMENT BILL**

Herenga ā Nuku Aotearoa, the Outdoor Access Commission (formerly the New Zealand Walking Access Commission Ara Hīkoi Aotearoa), is the Crown agent responsible for providing leadership on outdoor access issues. Our governing piece of legislation is the Walking Access Act 2008. The primary purpose of the Walking Access Act 2008 is 'to provide the New Zealand public with free, certain, enduring, and practical walking access to the outdoors.

Our role is to advise on and advocate for free, certain, enduring, and practical access to the outdoors. We administer a national strategy on outdoor access, including tracks and trails.

Herenga ā Nuku plays a key role in negotiating, establishing and improving outdoor access for New Zealanders. This includes raising awareness of public access locations, providing outdoor access maps and ensuring that access endures over time. Our mandate includes all forms of public access, including by foot, bike, horse and vehicle.

Level 12, Majestic Centre  
100 Willis Street  
Wellington, 6011

[herengaanuku.govt.nz](http://herengaanuku.govt.nz)

## **General comments on the Natural and Built Environment Bill (the Bill) and public outdoor access**

Public access to the outdoors is a broad concept connecting urban, peri-urban and rural landscapes. It ranges from very local to landscape scale.

When enacted, the Bill will be critical for protecting existing public access and ensuring future development progresses with public access in mind from the outset. To that end, this submission supports setting national outcomes and consolidating planning instruments.

Increasing population and development pressures are already impacting the quality, quantity and connectivity of public access, and these impacts are likely to continue.

Herenga ā Nuku has several concerns about how the Bill addresses the pressures on, and protections for, public outdoor access. We outline these below, along with our recommendations for improving public access outcomes – and the consequent benefits.

Key among our concerns is the Bill's need for clear direction when dealing with potentially conflicting aspirations. The stated purpose of the Bill is to "enable use, development and protection of the environment...". Multiple system outcomes are listed in section 5 – but there is no weighting or hierarchy. It is left to planning, legal and political discretion to find a path through maintaining ecological integrity and allowing some form of use, such as development, primary production or access.

While advocating for public access at every level, we recognise the primary role of the natural environment in generating individual and community well-beings, enabling urban development and fuelling the country's economy. A hierarchical structure of outcomes would better provide the consistency required to protect the environment and support a clear understanding and application of the new Natural and Built Environment Act.

We also have concerns that the Bill contains numerous drafting errors.

We have shown the changes to the wording of the Bill that Herenga ā Nuku is seeking in red or as strikethroughs in the recommendations below.

### **Key considerations**

In compiling this submission, we considered the following:

- I. **Well-being and connectivity** – quality public access and connectivity for active transport and recreation within and between communities contribute to community well-being. Well-being and connectivity need to be considered in urban form and design from the neighbourhood scale upwards.
- II. **Protection and use** – the Bill is the opportunity to enhance environmental protection and use. This submission seeks greater explicit protections for both te Oranga o te Taiao (environmental well-being) and public access within the bill.

- III. **Outdoor access provides opportunities for supporting the well-being of the environment** – te Oranga o te Taiao – and reducing climate emissions.
- IV. **Landscape access and connectivity is important** – landscapes can be local, they can be urban, and they extend to outstanding natural landscapes. Each has a value as a coherent whole to a community, whether at a community, neighbourhood, hapū, iwi rohe, regional or national level.
- V. **Outdoor access interests arise in many different environments** – from the coastal marine area, lakes and rivers to maunga, wetlands, urban footpaths, pocket parks and cultural landscapes.
- VI. **Including outdoor access and landscape connectivity considerations at the start of land-use planning is key.**
- VII. **Not all access is created equal** – ensuring appropriate protection and access may result in some restrictions, for example, on vehicular access.

## Submission points

### Part 1 – Subpart 1 – section 3 Purpose of this Act

The well-being of the natural environment – te Oranga o te Taiao – must be at the core of the proposed legislation. The health of the natural environment determines the well-being of individuals, groups, the economy, future human generations and every other aspect of life.

As proposed in the Environmental Defence Society’s submission on the earlier exposure draft of the Bill,<sup>1</sup> “The relationship between protecting the natural environment and using it should be one involving a clear hierarchy. This needs to be more strongly articulated in the Bill’s purpose.”

### Part 1 – Subpart 1 – s.5 System outcomes

Outdoor public access contributes strongly to individual and community well-beings. It is the main contributor to, and a significant determinant of, participation in active recreation across Aotearoa New Zealand.

Access to the outdoors comes in many forms, for example:

- a short and safe walk to school or neighbourhood destination by young children or by a carer with a pushchair,
- a walking or cycle route to school, work, park, recreation facility, beach, shops, and other community facilities,
- longer walks and cycle trails used by residents and visitors,
- access to nearby mahinga kai, cultural resources, wild-caught food and rongoā māori,
- recreational access to the coast, rivers, lakes, and public land access to remote wilderness areas and outstanding natural landscapes, and

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<sup>1</sup> <https://eds.org.nz/wp-content/uploads/2021/12/16.-EDS-submission-NBEB-AS-FILED-2021-08-02.pdf>

- access to the whenua for the maintenance of mana whenua – including for kaitiakitanga and manaakitanga, restoration of mauri and other cultural purposes.

### **Include public access as a system outcome**

Public access – and the community values that access enables – can be enhanced through the stated objective under the General Policy Statement for “timely provision of appropriate infrastructure, including social infrastructure”. The recommendations that follow relate to this overarching submission point.

Public access may also be seen as a “use” within the Purpose of the Bill, to “enable the use, development, and protection of the environment in a way that supports the well-being of present generations, without compromising the well-being of future generations”.

However, without specific legislative requirements to consider public access, it will continue to be treated as an afterthought in environmental management and spatial planning, leading to loss of public access and – ultimately – a disconnection between people and the whenua.

### **Broaden the scope of public access included within system outcomes**

Outdoor access can strengthen the connection between humans and the natural world and improve environmental awareness and stewardship. Being outdoors, engaging in active recreation, and visiting natural attractions provide opportunities to learn about nature and develop attachments to places that contribute to positive effects. These positive effects include reducing our carbon footprint and improving mental health.

Outdoor access is also important for realising ecosystem enhancement opportunities such as trapping, reforestation and environmental monitoring.

Active transport is key to reducing the negative impacts of vehicle use, including, but not limited to, carbon and other emissions, noise, the dominance of our urban landscape and damage to the natural environment.

We recommend including a new clause s5(b) (iv) and amending existing clause s5(c) (iv) (note this is incorrectly labelled as (ii) in the draft):

*... (b) in relation to climate change and natural hazards, achieving –*

*... (iv) **Access infrastructure that provides for active transport modes and improved connectivity to outdoor access opportunities***

*(c) well-functioning urban and rural areas that are responsive to the diverse and changing needs of people and communities in a way that promotes*

*(iv) **An adaptable and resilient urban form with good accessibility that prioritises connectivity and active transport modes** for people and communities to social, economic, and cultural opportunities*

*Enhanced public access to and along the coastal marine area, lakes, and rivers* is already provided for in the draft Bill section 5(h). This recognises the significant value communities place upon access to and along water courses.

However, public access to the outdoors extends beyond the coastal marine area, lakes and rivers. It includes rural and urban areas, opportunities to go to and through reserves and other green spaces, visits to pocket parks, opportunities to appreciate cultural taonga – including geological formations, churches, sites of significance to Māori, and places of historical, recreational, spiritual or creative interest.

Herenga ā Nuku seeks the following amendments to broaden s5(h):

*(h) enhanced public access to and along the coastal marine area, lakes, and rivers; forests, maunga, cultural and heritage sites; and any other access to or along areas of recreational or other interest*

### **Environmental protection and managing access**

The Bill requires the national planning framework and all plans to provide for several *system outcomes*, including:

- “(a) the protection or, if degraded, restoration of
  - (i) the ecological integrity, mana and mauri of - ...
  - (B) the coastal environment, wetlands, estuaries, and lakes and rivers and their margins; and...
  - (iii) the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins:

Our submission on this aspect of the Bill recognises that different modes or forms of access create different pressures and impacts on the environment.

The Department of Conservation oversees the New Zealand Coastal Policy Statement 2010 (NZCPS 2010). This provides advice local authorities on how to support conservation when managing the coastal environment. The Preamble to NZPCS 2010 acknowledges key issues facing the coastal environment, including:

- continuing coastal erosion and other natural hazards that will be exacerbated by climate change and which will increasingly threaten existing infrastructure, public access and other coastal values as well as private property, and
- compromising of the open space and recreational values of the coastal environment, including the potential for permanent and physically accessible walking public access to and along the coastal marine area,
- the use of vehicles on beaches causing ecological damage and creating conflicts with other recreational uses and values of the coastal environment.

The NZPCS 2010 policy 20 lays out the policy basis for restricting vehicular access to the coast to where vehicle access will not cause adverse effects and seeks to maintain and enhance public walking access to, along and adjacent to the coastal marine area (NZCPS 2010 policy 19). However, this guidance does not appear to be reflected in the mechanisms that territorial authorities use to manage access to and along the coastline.

The New Zealand Coastal Policy Statement could be further strengthened to support appropriate access when next reviewed. However, we submit that achieving the desired system outcomes of protecting and restoring the coastal environment also requires careful consideration in the Bill for managing types, modes and methods of access.

This can be achieved through the general duties contained in the Bill section 14, but a requirement to manage public access – by restrictions on access mode, for instance – would be better. The duty to prevent inappropriate vehicular access could be modelled on the section 15 *Duty to avoid unreasonable noise*.

#### **Part 1 – Subpart 2 – section 7 Interpretation**

We submit that a wider range of public access instruments – including Walkway Easements under the Walking Access Act 2008 and other easements which provide public access – should be included as environmental contributions in section 7 Interpretation. A new sub-section c should be included as below.

Section 7 Interpretation defines environmental contribution as meaning a contribution—

*(a) in money:*

*(b) in land, including an esplanade **reserve** or esplanade strip (other than if required in respect of a subdivision):*

*(c) **in other public access grant such as a Walkway Easement***

*(d) as a combination of money and land...*

#### **Part 4 Natural and built environment plans: Subpart 2 – contents of Plans – section 102**

Natural and built environment plans must provide for section 5 outcomes – including public access. Herenga ā Nuku's view is that public access must be noted explicitly in plans to ensure it is protected, valued and included in local, regional and national decision-making. We propose the following changes to the text of the bill:

*102(2)(g) identify land, the coastal marine area, or any natural resource in the region for which protection, **including public access**, is a priority;...*

AND

*102 (2) (i) ensure the integration of infrastructure, **including public access**, with land use;...*

## Part 8, Subpart 3 – places of national importance – section 555 Interpretation

Places of national importance include areas that provide *public access to the coastal environment, or to a wetland, lake or river or its margins*. . As previously noted, this definition does not account for the many other desirable destinations that excite and inspire the public, including forests, maunga, parks, reserves, wāhi tipuna and other significant sites.

Sub-section (e) should be broadened to include public access, as below:

*(e) an area that provides public access to the coastal environment, or to a wetland, lake, or river or its margin; **forests, maunga, cultural and heritage sites; and any other access to or along areas of recreational or other interest.***

### Landscapes in Part 8, subpart 3, s 555 Interpretation

The Bill protects landscapes only where they have been assessed as outstanding natural landscapes and, thus, a place of national importance.

However, other less obvious landscapes deserve consideration so that their values may be protected. Such landscapes may be at a regional or local scale. It will be essential that Regional Planning Committees and resource consent processes address public interest and include risk to – and opportunities for improving – public access by way of public consultation, including via discretionary activities.

Protection is a critical consideration but can also be viewed through the lens of enjoyment, use and appreciation. For instance, access to and within the restoration landscape can enable, incentivise and engage community ecological restoration activities within a catchment.

We submit that the category of landscapes prioritised for protection in the draft Bill is too narrow – human interest and the need for connection with the whenua is far more varied, can be very local and is no less vital than the need to connect to outstanding natural landscapes. For example, highly modified open space environments are still critical spaces for public recreation, connection and enjoyment.

The scope of places of national importance in Part 8 sub-part 3 of the bill includes “an area that provides public access to the coastal environment, or a wetland, lake or river or its margins”. However, the proposed scope is insufficient to protect and provide for landscape-scale access and connectivity in general and cultural landscape connectivity specifically.

For example, access between and across multiple sites of significance to Māori, that together tell a coherent story of ancestral relationships with that whenua, is critical for:

- the expression of mana whenua,
- the practice of kaitiakitanga,
- the maintenance of mauri,
- the provision of manaakitanga, and
- for securing cultural landscape connection for future generations.

Landscape connectivity between towns, linking urban and rural areas and providing access to a range of recreational, scenic, amenity, social and natural heritage areas is a significant contributor to human well-beings. Such connective infrastructure is also of national importance.

As outlined above, landscape-scale access is a critical value and matter of concern within the broader public access interests we outline in this submission. Therefore, we propose expanding the scope of Places of National importance Part 8 sub-part 3 clause 555 to include *cultural landscapes*.

We are also concerned that areas that provide public access are excluded from the requirement for identification in every plan – see section 556.

The lack of geospatial and planning identification of public access, cultural landscape interests and features is a problem that Herenga ā Nuku deals with continuously. Where district and regional plans do identify both current access and aspirational connectivity, such plans are very powerful tools for protecting future routes and landscape links and achieving community aspirations and well-beings. Without identifying access and connectivity values in plans, the opportunities to protect them are almost non-existent.

We recommend that S556(1) (a) be deleted, that is:

*556 (1) Every plan must identify each place in the region that that is a place of national importance, other than—*

*(a) areas that provide public access to the coastal environment, or to a wetland, lake, or river or its margins; and Significant biodiversity areas...*

### **Urban form and access**

The Bill clause s5(c) (iv) promotes well-functioning urban and rural environments with good accessibility for people and communities to social, economic and cultural opportunities. Social opportunities may include recreational infrastructure. However, we submit that the public access element of a well-functioning human landscape needs further definition and emphasis in the bill.

The Bill s5(i) includes providing infrastructure services to support people's and communities' well-being. Infrastructure services are defined in section 7 of the Bill in terms of supporting the functioning of communities and the health and safety of people. In addition, s5(b) refers to reducing greenhouse gases. We interpret these outcomes as enabling and including safe and practical active transport routes. However, we are concerned that such aspects could be interpreted only on a large scale.

The value of safe walking and cycle connectivity within and between neighbourhoods, for example, with the development of new subdivisions, must be enabled within section 5 and could be included in the definition of infrastructure in section 7 or within section 5 itself.



Herenga ā Nuku seeks the following amendments in section 5(c):

*Well-functioning urban and rural areas that are responsive to the diverse and changing needs of people and communities in a way that promotes*

- i. the use and development of land for a variety of activities, including for housing, **outdoor access**, business use, and primary production; and...*

### **Planning for outdoor access at the start of land-use planning is essential**

Planning processes need to consider access issues and opportunities in the same way they consider other key connective infrastructure. Planning authorities and developers should identify opportunities to create and enhance networks between open spaces and within neighbourhoods and communities, avoid fragmentation and incorporate new and enhanced access opportunities linked to wider access networks.

Planning processes need to support a pattern of development which reduces the need to travel by personal vehicle, facilitates travel by active and public transport, and provides safe and convenient opportunities for outdoor access to align with other legislative requirements. Any type of development proposal, and many policies and plans, are likely to have opportunities to improve or enhance outdoor access.

Early consideration of outdoor access can identify access opportunities by:

- Recognising existing access instruments and infrastructure, such as public access easements, foot and bridle paths or cycleways,
- Identifying existing activities and uses, for example, walking, cycling, horse-riding, swimming, group activity, school and commuter routes,
- Identifying how existing and new settlements and residential areas may use recreational or other community facilities and infrastructure, now or in future,
- Identifying any natural and built landscapes that are taonga to any part of a community, for example, conserved landscapes, protected species and habitats, laneways, opportunities to create new access and develop active transport networks,
- Identifying key community facilities adjacent to a proposed development site, for example, schools, churches, health centres, libraries, post offices, and shops which are connected by an existing access network or which would benefit from the extension of an active transport network, and
- Identifying access links to public transport infrastructure, for example, bus stops and bus and rail stations.

The Bill s5 (c) (iv) promotes “an adaptable and resilient urban form with good accessibility for people and communities to social, economic, and cultural opportunities”. “Good” accessibility is subjective and needs a better definition. Access should aim to:

- provide equal opportunity,
- support active modes of travel,

- place climate change mitigation as a primary consideration, and
- contribute to a cohesive social environment.

In terms of achieving better public access to the outdoors through the planning process, the key system outcome S5(i) is “the ongoing and timely provision of infrastructure services to support the well-being of people and communities”. An essential component of human well-being is access to the outdoors. That access needs to be safe and convenient.

Connectivity across urban areas, urban/rural connectivity and in rural areas is important for enabling people to access the outdoors. ‘Infrastructure services’, therefore, need to reflect the importance of outdoor access and active travel.

We recommend altering s5 clause (c) (iv):

*an adaptable and resilient urban form **providing connectivity and enhanced opportunities for active transport modes** with good accessibility for people and communities to social, economic, **outdoor access** and cultural opportunities.*

We recommend altering s5 clause (i):

*the ongoing and timely provision of infrastructure services to support the well-being of people, communities **and our natural environment.***

## **Schedule 7 – Preparation, change and review of natural and built environment plans - section 22 Consultation during preparation of plan**

We submit that Herenga ā Nuku should be added to the list of parties that Regional Planning Committees must consult during the preparation of a plan. As the government’s lead agency on outdoor access, Herenga ā Nuku collates and maintains information on existing public access and knowledge of connectivity requirements at local and regional scales.

## **Submission points regarding access instruments**

For legislation intended to simplify the existing RMA, the Bill appears to repeat previous RMA provisions. Herenga ā Nuku recommends the following amendments:

### **Part 9 – Subdivision and Reclamation**

**Section 576(5) (a)** – We propose that this section is deleted. An esplanade strip should be visible in modern GIS systems and, therefore, must be captured as a non-primary cadastral parcel:

*(5) Despite anything in the Land Transfer Act 2017, –*

*~~(a) an esplanade strip must not be required to be surveyed; but~~*

**Section 606(3)(b) – New reserves and strips required when land is subdivided.** The reference should be to section 612, not section 611, as section 612 deals with esplanade strips.

*(b) an esplanade strip must be created under section ~~611~~ **612**, but only if—*

*(i) the plan requires the strip to be created; and*

*(ii) the requirement is not waived by a resource consent.*

**Section 612(1) and 612(3)** – We propose the words ‘Schedule 12’ be deleted and replaced with ‘Schedule 11’, as schedule 11 has provisions about esplanade strips.

*(1) An esplanade strip is created by the registration under the Land Transfer Act 2017 of an instrument that complies with the requirements of Schedule ~~12~~ **11**.*

*(2) If an esplanade strip is required by this Part, the instrument must be lodged with the Registrar-General of Land before the survey plan for the subdivision is deposited.*

*(3) Schedule ~~12~~ **11** also sets out—*

*(a) how a strip may be varied or cancelled; and*

*(b) other provisions about strips.*

## **Other sections with reference error – should be Schedule 11 and not Schedule 12**

We propose the following amendments to correct the reference:

Section 7 – Interpretation

***access strip** means a strip of land created by the registration of an easement in accordance with clause 6 of Schedule ~~12~~ **11***

Section 613 – Closure of strips to public

*(1) An esplanade strip or access strip may be closed to the public—*

*(a) for the times and periods specified in the instrument or easement under Schedule ~~12~~ **11***

Section 616 – Conditions about esplanade reserves and esplanade strips

*(c) if an esplanade strip is required, a condition that specifies what must be included in the instrument that creates the strip (see clause 5 of Schedule ~~12~~ **11**)*

## **Clause 816 – Duty to gather information and keep records.**

**Section 816(4)(k)** – the public is entitled to be better informed on all public access types.

Propose including the words ‘access strips’ to read.

*(k) in the case of a territorial authority, the location and area of all esplanade reserves, esplanade strips, **and access strips** in the district; and...*

## **Schedule 11 – Provisions about esplanade strips and access strips.**

**Schedule 11 Section 1** – Herenga ā Nuku strongly supports the interpretation of 'relevant land'. This confirms that the relevant land is only the land where the strip is located and not the property title.

**Schedule 11 Section 2(3) (b)** – We propose that the current wording is deleted and replaced with 'consent must be provided on an approved form of consent for the Land Transfer Act 2017 and attached to the relevant instrument'. This is the accepted LINZ (Land Information New Zealand) process for obtaining the required consents. Endorsements on instruments is now outdated.

*(b) that consent must be endorsed on the instrument: **provided on an approved form of consent for the Land Transfer Act 2017 and attached to the relevant instrument***

**Schedule 11 Section 3** – Esplanade strips need to be visible in modern GIS systems and, therefore, must be captured as non-primary cadastral parcels. Herenga ā Nuku recommends that Section 3 be deleted.

### ***3 Esplanade strip need not be surveyed***

*Despite anything to the contrary in the Land Transfer Act 2017, an esplanade strip—*

*(a) need not be surveyed; but*

*(b) if it is shown on a survey plan, must be clearly identified in the manner that the chief executive of Land Information New Zealand considers appropriate.*

**Schedule 11 Section 4(2) (c)** – The interest needs to be registered to ensure enduring rights continue and there is visibility to others of conditions relating to the strip. Herenga ā Nuku recommends deleting the word 'may' so it reads 'create an interest in land, and be registered under the....'.

*(c) create an interest in land, and ~~may~~ be registered under the Land Transfer Act 2017; and...*

**Schedule 11 Section 4(2) (e)** – 'Relevant land' has been defined in the interpretation section and used elsewhere in the Bill. Consistency with the use of this term is required to ensure consistent interpretation of the intent. Herenga ā Nuku recommends including the word 'relevant' before land, so it reads '... other person who has an interest in the relevant land, without...'.

Consent is required for esplanade strips by agreement (refer to Schedule 11, Section 2(3)). We recommend deleting the words '..., without that person's consent...'. Leaving these words in this section is confusing. Alternatively, the wording '..., without that person's consent for esplanade strips created under Sections 606 and 608, and with that person's consent for esplanade strips created under section 609' would be appropriate.

*(e) bind every mortgagee or other person who has an interest in the **relevant** land; without that person's consent; and...*

**Schedule 11 Section 6(2)** – We recommend replacing endorsement wording thus:

*(2) The easement cannot be registered unless every person who has a registered interest in the relevant land has endorsed their consent on the easement **has consented to the strip. That consent must be provided on an approved form of consent for the Land Transfer Act 2017 and attached to the relevant instrument**.*

This is the accepted LINZ process for obtaining the required consents. Endorsements on instruments is now outdated.

**Schedule 11 Section 8(1)** – We recommend deleting the words 'for an'. These words do not make sense: (1)

*(1) The parties to an easement ~~for an~~ must decide—*

**Schedule 11 Section 9** – Public notification of any proposed variation of an easement should be required, and this would make sense of the wording in Section 9 (3) regarding an appeal process. We, therefore, recommend inserting a new (additional) subsection (2)(c):

***(2)(b) submissions received as a result of public notification of the proposed variation.***

***(c) any change of circumstances.***

**Schedule 11 Section 11(b)(i)** – 'Relevant land' has been defined in the interpretation section and used elsewhere in the Bill. The following addition helps ensure consistent interpretation:

*(i) wilfully damages or interferes with any structure that is on or adjoins the **relevant** land, including any building, fence, gate, stile, marker, bridge, or notice:*

**Schedule 11 Section 12(2)(e) and (2)(f)** – As noted above, consistency with the use of the term "relevant land" is required to ensure consistent interpretation of the intent.

*(e) taking any animal on to, or having charge of any animal on, the **relevant** land:*

*(f) taking any vehicle on to, or driving or having charge or control of any vehicle on, the **relevant** land (whether the vehicle is motorised or non-motorised):*

**Schedule 11 Section 14(1)** – We propose the word 'or' is deleted as it doesn't make sense.

*(1) This clause applies only if an esplanade strip ~~or~~ is created for access purposes.*

**Schedule 11 Section 15(a) and (b)** – We propose including the word 'temporarily' before the word 'closed' so it reads '...may be temporarily closed to the public...' and '...is temporarily closed to the public...'.  
*The instrument or easement may specify—*

*(a) that the relevant land may be **temporarily** closed to the public for any specified period, including particular times and dates; and*

*(b) who must notify the public, by signs erected at all entry points to the relevant land and any other means agreed, that the relevant land is temporarily closed to the public as a result of closure periods specified in the instrument or easement.*

This reinforces that closures are intended to be temporary and not unnecessarily restrict public access.

**Schedule 11 Section 17(2)(b)** – Correct ‘...tony...’ and replace with ‘...to any...’

*(b) that the right of access is subject to any to any other provisions of the instrument.*

**Schedule 11 Section 19(3)** – Correct the reference to ‘2743’ and replace it with the correct reference (perhaps 274?).

## **Concluding comment**

Herenga ā Nuku Aotearoa would appreciate the opportunity to make an oral submission on the Bill to the Environment Select Committee.

Nāku noa, nā



**Ric Cullinane**

Tumuaki | Chief Executive  
Herenga ā Nuku Aotearoa