



Controlling authorities

Controlling authorities are appointed to manage walkways under the Walking Access Act 2008. For a walkway to be gazetted, first the Walking Access Commission must identify a controlling authority willing to oversee track management, maintenance, and compliance.

Factsheet
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Controlling authorities are important

Controlling authorities play a really important role allowing local communities to experience the outdoors. By looking after a walkway, they allow people to enjoy the physical and mental health benefits of access to their environment. You help connect communities, create community development opportunities and support our understanding of and love for te taiao.

Controlling authorities make an important commitment on behalf of their communities but it need not be a big commitment. The main requirement is passion for sharing access to the outdoors.

There are often committed people or groups in the community, including landholders, who are keen to care for their local trail, and just need agreement and support to do so.

The Outdoor Access Commission can help provide support such as overseeing the registration of walkways on titles and helping fund their set-up, especially surveying and legal costs.

Reasons for becoming a controlling authority

There are many reasons a public body might want to become a controlling authority:

- sharing their corner of New Zealand
- economic and tourism opportunities
- giving back to their local community
- protecting and promoting the environment, and
- providing healthy spaces for physical exercise and mental well-being.

Key benefits of a walkway easement

- Guarantees free and enduring public access
- Land remains privately owned
- Includes its own compliance and enforcement tools
- Reduces liability for landholders
- Allows flexibility, such as temporary closures for maintenance
- Low-cost and supported by an existing easement template
- Ensures effective management through a public controlling authority, while community groups help with day-to-day responsibilities

Becoming a controlling authority

The commission can appoint the following bodies to be controlling authorities of a walkway:

- government departments
- local authorities
- public bodies, and
- the Commissioner of Crown Lands

Fish & Game, the Department of Conservation and many local body councils are all examples of public bodies that have become controlling authorities.

Responsibilities of controlling authorities

Part 3 of the Walking Access Act 2008 outlines the establishment and administration of walkways. The functions and powers of a controlling authority are in Subpart 3.

The functions include:

- consulting with the commission on the design and installation of facilities, signs, stiles, fences, and notices
- providing for the proper control and use of the walkway
- promoting and maintaining the walkway for safe public use
- notifying the commission on important issues such as walkway closures due to emergency, safety or maintenance
- reporting any compliance issues to the commission.

Controlling authorities have the power to carry out their functions, including:

- development, improvement and maintenance
- establishing facilities or amenities
- charging for the use of facilities or amenities

Managing and maintaining a walkway

The commission appoints controlling authorities that have the resources or, where appropriate, agreement with community groups to manage and maintain the walkway to an agreed standard on their behalf.

If a community group maintains a walkway for a controlling authority, the two parties need to create a written agreement to record each party's roles and responsibilities and the duration of their agreement. The commission can help parties prepare an agreement, if needed.

Controlling authorities need to demonstrate that they hold, and continue to hold, appropriate insurance cover for any damage resulting from day-to-day management and maintenance of the walkway.

The commission:

- facilitates the process with landholders who wish to establish public access over their land
- may assist with costs for survey and registration of the walkway easements and establishes and gazettes the walkway
- monitors the management and compliance of walkways
- records any related prosecutions
- works with landowners to ensure the walkway takes account of heritage, cultural and natural values and has minimum impact on the environment, landholders' privacy and operations
- publicises walkways but leaves detailed promotion of individual walkways to controlling authorities and local communities.