



Submission on the proposed National Conservation Policy Statement

To: Department of Conservation Te Papa Atawhai (landlegislation@doc.govt.nz)

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Tēnā koutou

Introduction

About us

1. The Outdoor Access Commission, Herenga ā Nuku Aotearoa, is the Crown agent responsible for leading outdoor access issues. Under the Outdoor Access Act 2008, our job is to give New Zealanders free, certain, enduring and practical access to the outdoors.

Summary

2. We support a clearer, more efficient conservation framework, and acknowledge the Department of Conservation's goals of faster regulatory decisions, stronger biodiversity protection, and new economic opportunity where risk is manageable. This submission examines those goals from an access perspective. It identifies where free public access – the right to walk, ride, swim, camp, hunt and fish – can be more firmly built into the proposed National Conservation Policy Statement (NCPS) alongside them.
3. The policies that the NCPS will replace guarantee free public access to public conservation land. Carrying that guarantee through – and strengthening it in a few key places – would give the new framework the same certainty New Zealanders already rely on. (see Appendix A for a full comparison).

Our key requests

- a. Add a standalone policy that makes free public access a fundamental purpose of the NCPS.
- b. Define “manageable risk” to include risk to public access, and state that losing access without an equivalent replacement is not managing the risk.
- c. Require an access impact assessment before any land exchange or disposal, and set a presumption against disposing of land with access value.
- d. Confirm the existing presumption that access for New Zealanders stays free, and that booking or charging systems cannot be used as access barriers.
- e. Add a policy to manage reverse-sensitivity effects for new visitor amenities and visitor amenity areas, confirming that free public access is the primary, pre-existing use.
- f. Protect existing access infrastructure (huts, tracks, bridges) from removal without public process, and commit to reinstating them wherever and as soon as possible after storm damage, with loss of public access infrastructure being a last resort.
- g. Support meaningful public participation in area plans, give conservation boards a substantive role, and require every area plan to include a recreational access objective.
- h. Strengthen conditions on pre-approved concessions such as filming, events and drone use, to ensure consideration is given to the impact the concession activity will have on public access and public enjoyment of a location or facility.
- i. Add free access as a baseline objective in every visitor zone, and confirm zones are subordinate to the statutory purpose of the underlying land.
- j. Create a formal, low-cost pathway for community and volunteer access work.
- k. Confirm the access protections in the current general policies will continue (transport access, fishing and hunting, grazing conditions, monitoring, and DOC’s advocacy role).

Section 1: Free public access as a primary purpose

4. The Conservation Amendment Bill gives the Department of Conservation (DOC) a significant new function: to recognise economic opportunities from using and developing conservation land, and to enable this “to the greatest extent practicable.” This sits alongside DOC’s existing conservation functions.
5. The NCPS is where these functions are put into practice. Through this public consultation process, we want to confirm that free public access is a fundamental function in its own right. In the current draft of the NCPS, it appears only in the concession conditions and glossary definitions. The current general policies guarantee: “Public access to public conservation lands and waters will be free of charge” (CGP 9.1(g); GPNP 8.1(g)). This guarantee is missing from the draft NCPS.
6. The new economic function also uses the phrase “to the greatest extent practicable” — the same wording used to define conservation itself. With two purposes carrying similar language, it’s unclear which one wins in a conflict. Without clear guidance, it is unclear what weight public access carries. We wish to see it prioritised as it is now.
7. Policy 19 allows, but doesn’t require, area plans to set recreation objectives — and only until visitor zones are mapped, after which the permission lapses. Visitor zone objectives focus on the visitor experience, not on the right of access: a zone can deliver an excellent experience for some visitors while restricting access for others.
8. Policy 56 (land acquisition) appropriately recognises public access as a purpose worth Crown investment, allowing DOC to acquire land “to secure practical walking access to public conservation lands and waters, rivers, lakes or the coast.” However, that recognition is not carried through into the concession framework. The draft NCPS could allow existing public access to be reduced or displaced by commercial activity when the risk is considered “manageable”. The result is a policy gap: access is recognised as an important value when DOC is buying land, but is not adequately protected when concession decisions may diminish that access.

“Manageable risk” is undefined

9. “Manageable risk” is the test used throughout the NCPS for concession decisions, but it is not defined and does not mention access. We believe the clearest way to provide certainty here is to state that losing existing access without an equivalent replacement poses an unmanageable risk. We acknowledge that it will be important to leave DOC free to restrict access that is incompatible with conservation or with other visitors’ enjoyment, such as restricting 4WD access to sensitive terrain.

10. Ensuring that an equivalent access replacement is provided when decisions on concessions are made would prevent free public access from being displaced by commercial interests in the name of risk management.

What we ask for

- A standalone NCPS policy that makes free public access a fundamental purpose, with which other NCPS policies must be consistent. A rule that, where economic activity conflicts with free public access, access prevails. The expectation is that economic activity should be compatible with existing public access.
- A requirement – not a permission – for area plans to include a recreational access objective, independent of visitor zone mapping.
- Language used as a governing principle throughout the NCPS that reflects the function of DOC under the Conservation Act, which states that public conservation land is managed “for conservation purposes”, including “providing for their appreciation and recreational enjoyment by the public”.
- Extending Policy 56’s access language from land acquisition to a governing principle across the whole NCPS.
- A policy stating that any access loss without equivalent replacement is not a manageable risk.
- A glossary definition of “manageable risk” that explicitly includes risk to existing public recreational access.
- A policy confirming that vehicles and other transport on conservation land must suit the land’s statutory purpose and the free enjoyment of other visitors – recognising that restricting some access can itself protect others’ access.
- A requirement for full public notification and consultation before any decision that would reduce existing public access.

Proposed new policy – Public Access (to be inserted before existing Policy 1)

PA 1 Public conservation land is held for the benefit, use and enjoyment of the public. Free public access to public conservation land is a fundamental purpose of conservation management under the Conservation Act 1987 and all Acts listed in its First Schedule. All NCPS policies and area plans must be consistent with this purpose.

PA 2 Where enabling economic activity on public conservation land conflicts with free public access, free public access prevails.

PA 3 Any reduction in existing public access – whether through concession, land exchange, reclassification, or area plan – is an unmanageable risk. It can only be

mitigated by measures that provide access of equivalent practical utility (location, accessibility and type of use) as a direct replacement.

PA 4 Public access to public conservation land and waters will be free of charge. Charges may be made for accommodation, facilities and services, but not for structures such as bridges, boardwalks and viewing platforms that form part of the access network.

Proposed amendment – Policy 19

Current: “Area plans may set recreational objectives unless the area plan includes visitor zones.”

Proposed: “Area plans must include recreational access objectives regardless of whether the area plan includes visitor zones. These objectives may not be subsumed into or replaced by visitor zone descriptions.”

Our comments and proposals in our above Section 1 respond to consultation questions 1 (area plan content), 2 (transitional policies) and 3 (visitor zones).

Section 2: Mandatory impact assessments for land exchange and disposal

11. The Conservation Amendment Bill loosens the rules governing the exchange and disposal of conservation land. Disposal is currently limited to land of “no or very low” conservation value— the Bill drops that test for exchanges, requiring only that the land received has higher conservation value than the land given up. Up to 60% of public conservation land could become eligible.
12. The NCPS's reclassification policies (55–67) support this, and Policy 67 allows land to be excluded from national parks where it “does not have national park values” — a judgement call that could enable disposal of parts of parks.
13. The Conservation Act defines conservation to include “providing for appreciation and recreational enjoyment by the public,” but the Bill's exchange test measures only ecological value. A parcel of land at a popular river mouth — the only legal walking access to a kilometre of coastline — could have low ecological value and pass the test easily. In contrast, the land received in exchange may be a remote wetland. The ecological ledger improves— the access ledger worsens. Ecological improvement matters, but the value of access also needs to be assessed.
14. Stewardship land — more than a quarter of all public conservation land — includes bush remnants, river corridors, and lake and coastal margins that provide informal

or legal access near towns and cities. It may have disproportionate access value relative to its ecological status and is therefore disproportionately at risk under the new framework.

15. Reinstating the current bar on disposing of land that secures practical walking access (CGP 6(d)(vii)) would carry forward a protection that has worked well.
16. Policy 55 allows land to be reclassified on broad grounds, including to “reflect values present”, which could lower its protection status and make it eligible for exchange or disposal. The NCPS should prohibit reclassification where a foreseeable effect is the later disposal of land with public access value.
17. Once public land is disposed of access is lost permanently. Given how easy it is to lose access and how hard it is to regain it, the NCPS should adopt a precautionary standard.

What we ask for

- A mandatory, publicly notified public access impact assessment for every proposed exchange and disposal.
- A presumption against exchange or disposal of land that provides access corridors, coastal, lake or river margins, or other areas of public recreational value.
- A ban on using reclassification to facilitate the disposal of land with access value.
- A requirement that any lost access be replaced with access of equivalent practical utility, not just equivalent ecological value elsewhere.
- Reinstating the CGP 6(d)(vii) bar on disposing of land that secures practical walking access.

Proposed addition to Policy 56 (land acquisition criteria)

Land acquisition or exchange may also be undertaken to maintain or protect existing public recreational access corridors, coastal, lake, or river margins, or other areas of public recreational value.

Proposed new policy – Access Impact Assessment (land exchange and disposal)

PA-D 1 Before any exchange or disposal of public conservation land, DOC must complete and publicly release a public access impact assessment. It must identify all existing and potential public recreational access over the land, the effect of the exchange or disposal on that access, and whether equivalent replacement access will be provided.

PA-D 2 Land must not be exchanged or disposed of if it forms part of a public recreational access corridor, is a coastal, lake or river margin, or is an area of public recreational value – unless access of equivalent practical utility is secured as a condition of the exchange or disposal.

PA-D 3 Reclassification must not be used to facilitate the later exchange or disposal of land with public-access value. Every reclassification proposal must be assessed for its effect on public access.

This section responds to consultation question 16 (reclassification policies).

Section 3: Keeping access free for New Zealanders

18. The Conservation Amendment Bill introduces a charge for international visitors at specified sites. New Zealanders are proposed to be exempt, by regulation, subject to review every five years. The consultation document also treats charging and booking systems as tools for managing visitor numbers generally, as an alternative to area-plan limits on commercial activity.
19. A mandatory booking system creates a practical barrier for people without smartphones, reliable internet, or the ability to plan – disproportionately affecting older people, lower-income families and rural communities.
20. We're concerned that the consultation document suggests charging and booking systems as a substitute for area-plan limits on commercial crowding. That would mean the tool meant to manage commercial pressure ends up disadvantaging the independent visitors it should protect.

What we ask for

- A policy that ensures New Zealanders' access remains free.
- A requirement that any booking system is free, has a non-digital option, and isn't mandatory for independent visitors.
- A requirement to use area plans to limit commercial activity, rather than using charging and booking systems for that purpose.

Proposed policy – Public access must remain free

Public access to public conservation land and waters for New Zealanders is and will remain free of charge. No booking, registration or other precondition may be imposed on New Zealanders' access, except where clearly necessary for safety or proven conservation protection. Demand management and control of commercial pressure must not be achieved by restricting or deterring New Zealanders' access. Any booking system must be free to use, available through non-digital channels, and not mandatory for independent visitors.

This section responds to consultation question 12 (other management matters).

Section 4: Visitor amenity areas

21. Visitor amenity areas (VAAs) provide an opportunity to enable commercial accommodation, food and tour facilities in the right places. To make the most of that opportunity, free access infrastructure, including camping areas, day shelters, toilets, and picnic spots, should be explicitly protected as commercial development grows around it. New operators should build around existing free access rather than the other way around, which risks displacement of existing public access.
22. There's also a reverse sensitivity risk. Once a commercial operator is established within a VAA, they have an economic interest in shaping the surrounding environment to suit their clientele. Free public access, which predates them, could then be characterised as incompatible with the commercial experience – too noisy, too unpredictable. This is a familiar dynamic in planning law, where a new activity moves in and then tries to restrict the pre-existing one. It's especially acute here because the NCPS actively invites commercial development into VAAs, placing operators directly alongside the public access they may later want to limit. Unlike general planning law, the NCPS has no policy establishing free public access as the pre-existing use that commercial operators must accommodate.

What we ask for

- A policy that commercial development in VAAs cannot displace existing free access infrastructure.
- A pre-approval requirement confirming new VAA development does not crowd out existing public access.
- A policy to manage reverse-sensitivity effects for visitor amenity areas, confirming that free public access is the primary, pre-existing use.

Proposed policy – Visitor amenity areas: public access priority

Free public access is a primary and pre-existing use of all public conservation land, including visitor amenity areas. Commercial development and operations are permitted where they are additional to, and compatible with, that access. Commercial development within a visitor amenity area must not reduce, restrict or displace existing free public access infrastructure. Concessions in visitor amenity areas must include a condition acknowledging and accepting that free public access is a primary and pre-existing use of the VAA.

This section responds to consultation question 12 (other management matters).

Section 5: Managing commercial activity

23. The NCPS removes the ability of area plans to set limits on concessionaires outside VAAs, relying instead on charging and booking systems. Local, place-specific limits are often a faster and more responsive tool, so we see value in keeping both options available.
24. We support the 50% hut-occupancy cap for concessionaires and suggest that it should apply consistently, whichever pathway a concession is processed through.

What we ask for

- Restore the ability of area plans to set place-specific limits on commercial activity where it crowds out free public use.
- Extend the 50% hut-occupancy cap to all guided concessions, whatever pathway they're processed through.

Proposed addition to Policy 19

Area plans may include place-specific limits on commercial concession activity when that activity materially reduces the quality or availability of free public recreational access. These limits must be assessed independently of any access-charging or booking framework and must not be replaced by those mechanisms.

Proposed standard concession condition

Concessionaires and their clients must not collectively occupy more than 50% of the bunk space in any publicly accessible hut, or 50% of publicly available camping sites, at

any one time. This applies to all guided concessions regardless of how they are processed.

This section responds to consultation question 7 (pre-approved activity conditions).

Section 6: Protecting public access infrastructure

25. Backcountry huts, tracks, road ends, car parks, toilets, bridges and boat ramps represent decades of public investment and make the conservation estate usable. As area plans become shorter and less prescriptive under the new framework, we would like to see an explicit policy that protects this infrastructure from removal without a public process. With more frequent storm damage expected, a presumption in favour of reinstatement would help make sure access is restored quickly and predictably after each event.

What we ask for

- An explicit policy protecting existing access infrastructure from removal without public process.
- A presumption in favour of reinstatement after storm or natural-event damage.
- A requirement for area plans to identify and protect access infrastructure of local or regional significance.

Proposed policy – Protection of public access infrastructure and climate resilience

- a. The existing network of public access infrastructure – huts, tracks, bridges, car parks, toilets, boat ramps and associated facilities in free public use – must be maintained and protected.
- b. Any reduction, removal or significant modification of existing public infrastructure must be subject to an access impact assessment and public consultation.
- c. Area plans must identify public infrastructure of local or regional significance and include policies for its protection.
- d. Where infrastructure is damaged or destroyed by a natural event, there is a presumption in favour of reinstatement at an equivalent or adapted location, rebuttable only on clear conservation grounds and subject to public notification.

- e. Area plans must include provisions for climate resilience of public access infrastructure, identifying infrastructure at risk and planning for its maintenance and reinstatement.

This section responds to consultation question 14 (other activities).

Section 7: Strengthening public participation in area plans

- 26. The Conservation Amendment Bill removes the New Zealand Conservation Authority's role in approving conservation management strategies and plans, and limits conservation boards to having an advisory role.
- 27. We think there is an opportunity to:
 - a. utilise conservation boards' public-access expertise and interests on behalf of local communities. Conservation Boards ensure that the local community's right to have a voice is not lost, and
 - b. keep the public and conservation boards closely involved in area plan development where it relates to recreational access.
- 28. We recommend ensuring that every area plan clearly states how access is provided.

What we ask for

- Mandatory public participation rights in area plan development, specifically covering recreational access.
- A substantive role for conservation boards on recreational access.
- A requirement that area plans include a recreational access objective and identify current recreational opportunities.
- A requirement that area plans assess access across the area and identify actions to address gaps.

Proposed policy – Public participation in area plans

Area plan development and review must include meaningful public participation, including the right to submit and have submissions considered, on recreational access and access infrastructure. Area plans must be publicly notified. Conservation boards must have a substantive role in relation to area plans, particularly on recreational access and recreation objectives.

Proposed policy – Recreation and access in area plans

Each area plan must include:

- a. a public recreational access objective
- b. identification of current recreational opportunities and the experience to be maintained
- c. identification of access infrastructure of local or regional significance, and
- d. an assessment of access across the area and actions to address inadequate access.

This section responds to consultation question 1 (area plan content).

Section 8: Strengthening safeguards on pre-approved commercial activities

29. The NCPS proposes pre-approving 16 commercial activities. Three of those would benefit from stronger conditions to keep them compatible with everyday public use: commercial filming (currently pre-approved for up to 21 days and 30 people, with no notification requirement), small commercial events (no advance notification), and drone use (no condition protecting natural quiet or privacy).

Proposed additional conditions

- **Commercial filming:** Advance public notification, at the relevant DOC office and by on-site signage, is required for filming lasting more than one day. Filming must not occupy more than 40% of the publicly accessible space at any one location at any one time.
- **Commercial events:** Advance public notification, on-site and in appropriate public media, is required for events lasting more than one day.
- **Drone use:** Drones must not be flown in a way that interferes with other visitors' enjoyment of natural quiet. Area plans may designate no-fly zones to protect the visitor experience in medium and low visitor zones.

This section responds to consultation questions 6 and 7 (pre-approved activities and conditions).

Section 9: Including free public access in visitor zone objectives

30. The five visitor zones (Visitor Amenities, High, Medium, Low, Wilderness) form the main framework for concession and infrastructure decisions. Their objectives focus on visitor experience – tranquillity, naturalness, solitude – rather than the right of access.
31. Adding an explicit baseline objective would make clear that free access is guaranteed in every zone, and a hierarchy provision would confirm that zones sit below the statutory purpose of the underlying land, so a land's classification takes precedence.

What we ask for

- An explicit baseline objective in every visitor zone affirming free public access.
- A hierarchy provision confirming visitor zones are subordinate to the statutory purpose of the underlying land.

Proposed addition to Appendix 1 objectives (all zones)

Free public access to all zones is a baseline. Commercial development, concessions and access management measures must not restrict, deter or charge New Zealanders for access to areas that are currently freely accessible.

Visitor zone classifications are subordinate to the statutory purpose of the underlying land classification. Where a zone characteristic conflicts with that statutory purpose, the statutory purpose prevails – particularly for land held for public recreational access and enjoyment, where the visitor zone framework cannot be used to restrict access below the level the statute requires.

This section responds to consultation question 3 (visitor zones).

Section 10: Recognising community and volunteer access work

32. Tramping clubs, trail trusts, mountain biking groups, hunting clubs and local conservation groups contribute huge amounts of unpaid labour to build and maintain the tracks, huts and bridges New Zealanders rely on. This work does not fit into any of the four exempt categories, the 16 pre-approved categories, or the 26 standardised pre-assessment categories, leaving community groups in a grey zone. It should not be treated as a recreational activity. Technically, these groups could need a commercial-style concession, with complex terms. The NCPS is well

placed to close the gap in what is correct and what is practical with a clear, low-cost pathway.

What we ask for

- An explicit exempt category for non-commercial community and volunteer access works.
- A policy framework for community access agreements, distinct from commercial concessions and free of charge.
- Transitional provisions protecting existing community arrangements from lapsing.
- A policy affirming that DOC should actively facilitate community access initiatives.
- Clarification as to those activities not requiring authorisation in the form of a concession (Background section, Footnote 1, page 4 of consultation document), so that voluntary activities supplement the recreational activities exception.

Proposed additional exempt activity – community access works

Non-commercial track building, maintenance, bridge or culvert installation, signage, hut maintenance, and other access enhancement or conservation works carried out by community or volunteer groups without gain or reward, subject to:

- a. consistency with a DOC-approved works plan or community agreement
- b. environmental care code compliance, and
- c. biosecurity compliance.

Proposed policy – Community access agreements

DOC may enter community access agreements with community or volunteer groups for non-commercial access enhancement and conservation works. These agreements are distinct from commercial concessions and must not require concession-equivalent fees, cost recovery, processes, or conditions. Area plans must specifically provide for and protect existing community access agreements. There must be no charge for entering into a community access agreement for genuine voluntary community activity.

Proposed transitional policy

Existing community access arrangements and memorandums of understanding in effect when this NCPS commences continue in effect and do not require reauthorisation. Area plans will continue to recognise them.

Section 11: Carrying forward existing access protections

33. The current general policies contain many specific protections for public access that are missing from the proposed NCPS. Appendix A provides a full comparison—the most important points are below.
- a. **Free access guarantee.** Both general policies contain the unconditional directive that public access “will be free of charge.” The NCPS has no equivalent (see also our Issue 1).
 - b. **Vehicle, watercraft and aircraft access.** GPNP 8.6 sets out a category-by-category framework covering powered aircraft, jet skis (excluded from national parks), powered and non-powered vehicles (including trail bikes and mountain bikes), and non-powered watercraft. CGP 9.5 similarly requires strategies to identify where each transport type may be used. None of this is in the NCPS, so existing mountain biking routes, kayaking access and other transport uses may not survive into area plans without a national policy basis. We support fewer prescriptions and shared-use tracks where practical, and recognise that growing e-bike use needs to be enabled without displacing other users from tracks not designed for higher speeds — but this requires a national framework rather than area-plan decisions.
 - c. **Fishing, hunting and grazing.** CGP 9.4 and GPNP 8.4 require strategies and plans to provide access for recreational fishing and game bird hunting— the NCPS has no equivalent, so long-established access could be lost from planning documents without being explicitly excluded. CGP 11.2(a) (ix) and GPNP 10.2(b) (vi) require public access to be maintained as a condition of grazing concessions— the NCPS’s pre-approved grazing framework omits this, and is more permissive than the current framework — potentially allowing grazing (and fences) back onto land that has existing significant ecological values or has been retired for ecological restoration.
 - d. **Companion dogs.** The NCPS defines companion dogs by reference to the Top Dog Companion Trust, which no longer exists. This should be updated to a current certifying framework, with separate provisions for working and hunting dogs.

- e. **Monitoring and advocacy.** Both general policies require monitoring of accommodation and concession effects on public access, and create an advocacy function for DOC to secure practical access to conservation land, rivers, lakes and the coast – including where existing access is inadequate. Sections 6(b) and 6(c) of the Conservation Act preserve this advocacy function in law, but the NCPS needs to give it operational content, or it becomes a function without direction. This matters most for access to public conservation land itself, much of which is surrounded by private land with limited or contested legal access routes.

What we ask for

- Reinstatement of the binding free access guarantee.
- A national framework for vehicle, watercraft and aircraft access, carrying through GPNP 8.6's category-by-category approach, updated to be less prescriptive.
- Policies requiring area plans to provide for recreational fishing and game bird hunting where currently lawfully carried out.
- Reinstatement of public access as a mandatory condition of grazing concessions, and prohibit grazing pre-approval on land with significant conservation values or retired for ecological restoration.
- Update companion animal references, with a separate provision for working and hunting dogs.
- Reinstatement of mandatory monitoring of concession effects on public access.
- An explicit advocacy policy directing DOC to identify and act on inadequate public access, including access to conservation land itself, working with the Outdoor Access Commission and others.

Proposed new policies

Free public access guarantee (reinstating CGP 9.1(g) and GPNP 8.1(g)). Public access to public conservation lands and waters will be free of charge. Charges may be made for accommodation, facilities and services, but not for access infrastructure, including tracks, bridges, boardwalks and viewing platforms.

Vehicle, watercraft and aircraft access. Existing vehicle, watercraft and aircraft access will be protected. New access will be enabled only where it poses no increased risk to threatened or at-risk species, and where the enjoyment of other visitors is prioritised in medium and low visitor zones or wilderness areas. Transport use must be compatible with the statutory purpose for which the land is held. It may be restricted or excluded in area plans where it is incompatible with conservation values or the free and quiet enjoyment of other visitors.

Area plans may identify where, and on what conditions, the following may be used:

- powered aircraft
- non-powered aircraft, including hang-gliders
- powered watercraft
- non-powered watercraft, including kayaks, canoes and waka
- powered vehicles, including motorcycles, trail bikes and snowmobiles
- non-powered vehicles, including mountain bikes and e-bikes
- and horses and other animals used for access.

Jet skis and powered personal watercraft must not be used in national parks. Area plans must include provisions that protect natural quiet in medium— and low-visitor zones and wilderness areas, and address the effects of transport access on that value and on other visitors.

Recreational fishing and hunting access (reinstating CGP 9.4 and GPNP 8.4). Area plans must provide for access to recreational fishing for sports fish legally present in public conservation waters, and for hunting of introduced game birds, where consistent with the land's statutory purpose and subject to licensing and safety requirements.

Grazing concessions and public access (reinstating CGP 11.2(a) (ix) and GPNP 10.2(b) (vi)). All grazing concessions must include a condition maintaining freedom of entry and public access at all times. Grazing concessions must not be granted over land with significant conservation values, or that has been retired from grazing for ecological restoration, whether before or after this NCPS commences.

Companion, assistance, working and hunting dogs. Animals must not be taken onto public conservation land unless specifically provided for by the NCPS, an area plan, bylaw or other authorisation. Disability assistance dogs certified under a current approved framework may be taken onto conservation land, including national parks, without further authorisation. Working dogs used in lawful hunting, farming or pest control may be taken onto conservation land where authorised by concession, permit or area plan provision.

Monitoring of concession effects on public access (reinstating CGP 10(f) and GPNP 9(f)). DOC and concessionaires must monitor the effects of concession activities on public access and public enjoyment. Results must inform future decisions and be publicly available.

DOC advocacy for public access (reinstating CGP 9.1(h), GPNP 8.1(f) and CGP 7(d) (xi)). DOC must actively advocate and work cooperatively with landowners, local authorities, iwi, community groups, the Outdoor Access Commission and others to secure practical public access to conservation land and waters where access is absent, inadequate, contested or at risk. DOC must take reasonable steps to secure or improve access where

there is no practical walking access to an area, where existing access is at risk, or where access to rivers, lakes or the coast is inadequate. Area plans must identify access gaps and set out the steps DOC will take to address each one, including advocacy and land acquisition.

Section 12: An explicit access condition for utilities

34. Utilities are listed in Appendix 4 as pre-assessable across most land classifications, with conditions that are largely environmental and have no explicit protection for recreational access. Construction or maintenance access could close or degrade tracks and road ends with no reinstatement requirement, and the operator could gate new access tracks or roads built for utilities. GPNP 10.3(a) (iii) currently requires utilities not to be inconsistent with a site's recreational uses – this protection is missing from the NCPS.

Proposed standard utility condition

All utility activities, however they are assessed, must not reduce, block or permanently divert existing public recreational access. Where construction or maintenance temporarily affects access, reinstatement to the same standard is required. Where a utility requires exclusive possession of land that currently provides public access, an equivalent alternative access must be provided as a condition of the concession.

Summary and recommendations

35. The proposed NCPS is a significant reform of conservation management policy. Free public access needs to be prioritised and on an equal footing with the Department's other conservation objectives.
36. Carrying through the protections in existing policies, and adding the clarifications set out above, would give New Zealanders the same certainty they have relied on for decades – while still delivering the Department's goals for faster decisions and stronger biodiversity outcomes.
37. In summary, we ask the Department to:
 - a. Add a standalone policy making free public access a fundamental purpose that no other NCPS policy can diminish.
 - b. Define "manageable risk" to include risk to public access, and confirm access loss without equivalent replacement is always unmanageable.
 - c. Require a mandatory access impact assessment before any exchange or disposal, and set a presumption against disposing of access-valuable land.
 - d. Guarantee New Zealanders' access stays permanently free, with booking and charging systems barred from acting as access barriers.
 - e. Add a policy to manage reverse-sensitivity effects for visitor amenity areas, confirming that free public access is the primary, pre-existing use.
 - f. Restore area plans' ability to set place-specific commercial limits, and extend the 50% hut-occupancy cap to all guided concessions.
 - g. Require public process before removing existing access infrastructure, with a presumption in favour of reinstatement after storm damage.
 - h. Require meaningful public participation in area plans, a substantive conservation board role to represent local access interests, and permanent recreational access objectives in every plan.
 - i. Strengthen pre-approved conditions for filming, events and drone use to keep them compatible with everyday public use.
 - j. Add free access as a baseline objective in every visitor zone, and confirm zones are subordinate to statutory land classification.

- k. Create an exempt category and agreement framework for community and volunteer access and other conservation work, with transitional protection for existing arrangements.
 - l. Carry through the existing free access guarantee, transport access framework, fishing and hunting access, grazing conditions, monitoring and advocacy provisions from the current general policies.
38. Public conservation land is held for the benefit of nature and of all New Zealanders. The NCPS is an opportunity to say so clearly, as policy, in terms that carry weight in every decision made under it – something every New Zealander who walks, rides, swims, camps, hunts or fishes on that land can rely on.
39. We're available to provide technical advice on any matter raised in this submission and would welcome the chance to discuss it.

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Appendix A: Access protections lost in the NCPS transition

Protection	Source (CGP/GPNP)	In NCPS?	Concern
Free public access will be free of charge (unconditional guarantee)	CGP 9.1(g); GPNP 8.1(g)	No	1, 11
Access cannot be charged for bridges, boardwalks, or viewing platforms	CGP 9.1(g); GPNP 8.1(g)	No	1
Vehicle/transport framework: aircraft, jet skis, vehicles, mountain bikes, kayaks, waka, hang-gliders	GPNP 8.6(a)–(m); CGP 9.5	No	11
Jet skis excluded from national parks	GPNP 8.6(d)	No	11
Sports fishing access is provided for in management strategies	CGP 9.4(a); GPNP 8.4(a)	No	11
Game bird hunting access is provided for in management plans	CGP 9.4(b); GPNP 8.4(b)	No	11
Public access is maintained as a mandatory grazing condition	CGP 11.2(a)(ix); GPNP 10.2(b)(vi)	No	11
Disposal is barred where land secures practical walking access	CGP 6(d)(vii)	No	2, 11
Monitoring of concession effects on public access	CGP 10(f); GPNP 9(f)	No	11
DOC advocacy to secure walking access to conservation land, rivers, lakes, and the coast	CGP 9.1(h); GPNP 8.1(f)	No	11
DOC advocacy where public walking access is inadequate	CGP 7(d)(xi)	No	11
Utilities must not be inconsistent with recreational uses of the site	GPNP 10.3(a)(iii)	No	12
Area plans/CMS to identify how public access is enabled in each place	CGP 9.1(d); 13(a)	No	7
Area plans to identify recreational opportunities and experience characteristics	GPNP 12(b)(v)	No	7
Place-specific limits on commercial concession activity in plans	CGP 9.1(e); GPNP 8.1(e)	No	5