Outdoor Access Commission
Herenga ā Nuku Aotearoa

Connecting people
Connecting places

Submission on the Illustrative National Policy Direction (NPD)

to the Ministry of Cities, Environment, Regions and Transport

16 October 2026

Tēnā koutou,

Introduction

1. The Outdoor Access Commission, Herenga ā Nuku Aotearoa, is the Crown agent responsible for improving and protecting outdoor public access. We welcome the opportunity to submit on the parts of the Illustrative NPD relevant to public outdoor access.

2. Our governing piece of legislation is the Outdoor Access Act 2008. The primary purpose of the Outdoor Access Act 2008 is 'to provide the New Zealand public with free, certain, enduring, and practical walking access to the outdoors'.

3. We administer a national strategy on outdoor access, including tracks and trails. We play a role in negotiating, establishing and improving outdoor access for New Zealanders. This includes increasing awareness of public access and ensuring it endures over time.

4. Our mandate includes all forms of public access, including by foot, bike, horse and vehicle – and for a variety of uses, including hunting and fishing. We map outdoor access, provide information to the public, oversee a code of responsible conduct in the outdoors, help to resolve access issues and negotiate new access. The commission has a team in Wellington and a network of regional field advisors. An independent board governs our work.

Executive summary

5. We strongly support the inclusion of public access as a sub-theme in the Illustrative NPD.

6. We support that the Illustrative NPD includes enhancing public access in Sub-theme 3.

7. We recommend that the Illustrative NPD can be improved by expanding public access in Sub-theme 3 to reflect the full scope of public access priorities contained in section 11 of the Outdoor Access Act 2008.

8. We recommend that the Illustrative NPD can be improved by including recreation alongside public access in PV-Directive 3.1 and 3.2.

9. We recommend that the Illustrative NPD can be improved by recognising that public access can support and protect the matters identified for restricting public access in PV-Directive 3.3.

10. We recommend that the Illustrative NPD can be improved by including public access as a public value in Sub-theme 6.

Improvement 1: Public access in the Illustrative NPD should align with the Outdoor Access Act

11. The Outdoor Access Act 2008 is the NZ legislation that deals with public outdoor access. Section 11 of the Act lists access that should be prioritised. This includes:

    - over land on the coast where there is not already walking access over the foreshore or the land adjoining the foreshore on its landward side;
    - over land adjoining rivers or lakes where there is not already walking access over the land;
    - to parts of the coast, rivers, or lakes to which there is not already walking access;
    - being continuous over land adjoining the coast, rivers, or lakes (for example, by replacing walking access that has become obstructed by being submerged beneath a body of water);
    - to conservation areas (within the meaning of section 2(1) of the Conservation Act 1987);
    - to areas of scenic or recreational value;
    - to sports fish (within the meaning of section 2(1) of the Conservation Act 1987) and game (within the meaning of section 2(1) of the Wildlife Act 1953).

12. The Illustrative NPD can be improved by extending public access to include the full scope of public access as prioritised in the Outdoor Access Act 2008, being the legislation established specifically for public access matters.

Improvement 2: Public access is expanded to include recreation

13. Public access is not only about getting from one place to another. It is about how the public uses this access.

14. Tracks and trails for public access provide regional economic growth as part of cycle networks. This recreational use of public access has grown significantly over recent years.

15. Public access along waterways provides important recreational fishing opportunities, shown to improve the wellbeing of those who do this.

16. Recreation sits alongside public access as a public value, yet there is a gap in the Illustrative NPD where this is not identified in the Illustrative NPD in Sub-clause 3.

17. The Illustrative NPD can be improved by including recreation alongside public access in PV-Directive 3.1 and 3.2.

Improvement 3: Public access supports and protects, rather than requiring restriction

18. Directive 3.3 identifies 6 situations where it proposes public access must be restricted. However, public access can help protect and support many of the matters covered by these situations.

19. Protection of areas of indigenous biodiversity usually relies on undertaking pest control. Volunteers carry out much of this work and need access to reach the areas they help protect. Requiring plans to restrict public access could prevent access from supporting biodiversity protection.

20. Protecting areas of high natural character, outstanding landscapes, and historic and cultural heritage depends on people engaging with and valuing these places. Public access enables people to engage with and sustain the values that make these places important. Requiring plans to restrict public access could prevent access from supporting their long-term protection.

21. Public access can help safeguard communities from the effects of natural hazards by providing alternative routes when existing routes are disrupted. Plans that must restrict public access could reduce these options and make communities less resilient.

22. Replacing “must restrict public access” with “may restrict public access” would recognise that public access can support and protect some of the matters identified in Directive 3.3.

23. We recommend improving the Illustrative NPD PV-Directive 3.3by recognising that public access can support and protect the matters it identifies.

Improvement 4: Public outdoor access is a public value.

24. Sub-theme 6 outlines policy intent on natural hazards and public values. It recognises and supports opportunities to avoid or mitigate hazards. It gives examples of restoring indigenous biodiversity and significant historic heritage.

25. Public access provides the infrastructure for enabling restoration work. It provides the infrastructure to access historic heritage sites. It is an integral public value that supports other public values.

26. Public access provides resilience to natural hazards, helping mitigate risks by providing opportunities for alternative access options. Public access is an important public value that can improve resilience to natural hazards.

27. We recommend that the Illustrative NPD can be improved by including public access as a public value in Sub-theme 6.

Conclusion

28. We strongly support protecting and enhancing public access in the Illustrative NPD. Our four recommendations address gaps in how Sub-clause 3 frames public access and would make it more effective in achieving its policy intent.

29. We would welcome the opportunity to comment on the improvements to the Illustrative NPD we have recommended. Our contact details are info@herengaanuku.govt.nz and 04 815 8502.



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