



**WALKING ACCESS**  
ARA HĪKOI AOTEAROA

# NEW ZEALAND WALKING ACCESS COMMISSION *LINKING NEW ZEALAND*

## **PELORUS RIVER ACCESS**

This access route passes through private land to unformed legal road leading to river.

Dry weather vehicle access only, not suitable for campervans or low vehicles.

Vehicle access prohibited in winter when gate may be locked. Foot access available all year round.



## **2016 RCA Forum Conference**

> Ric Cullinane, Operations Manager

11 November 2016



## ► THIS PRESENTATION:

- **A bit about the Commission**
- **What we do**
- **Our mapping system (WAMS)**
- **Working with TAs**
- **Questions**

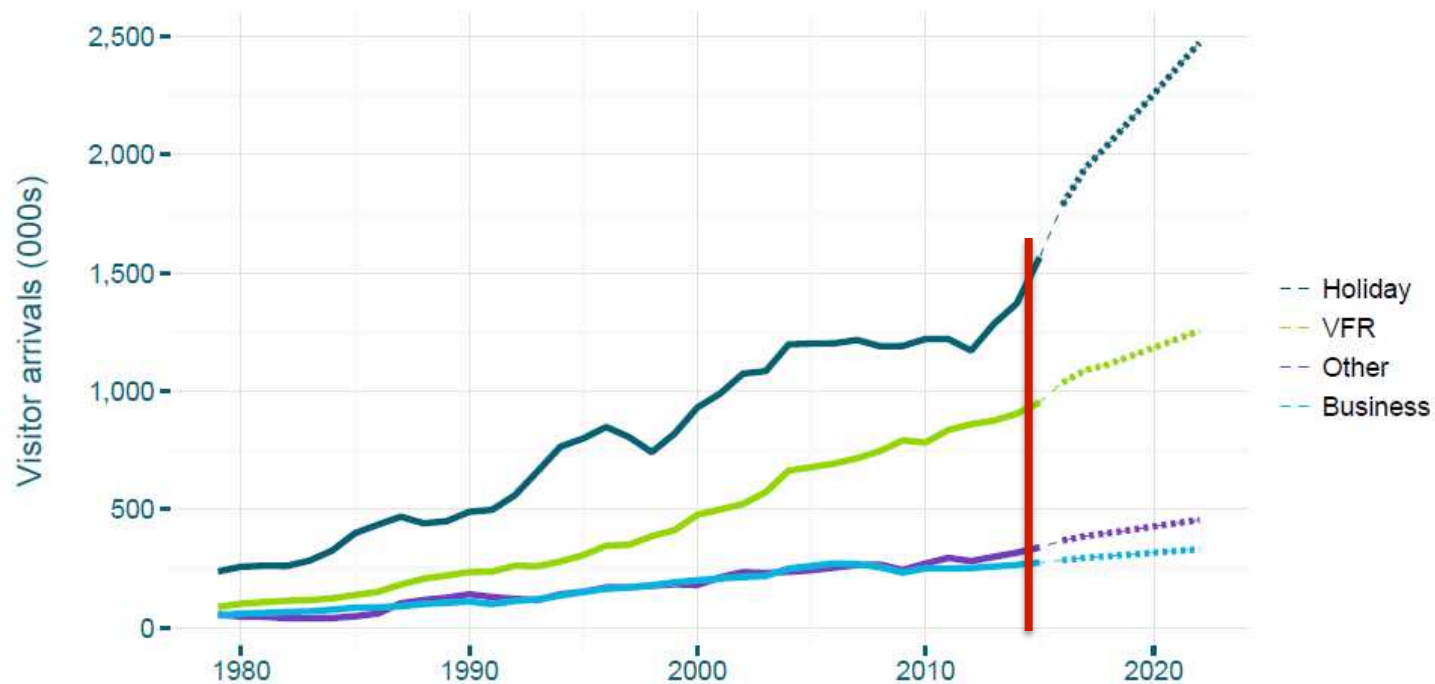


## ➤ WHY IS ACCESS IMPORTANT?

- Community and economic benefits
- 95% of Kiwis agree free and easy access to the outdoors is important
- 35% have sought info on land status in the past year
- 53% feel very nervous about asking for permission
- Walking is the most popular activity in NZ

## ➤ WHY IS ACCESS IMPORTANT?

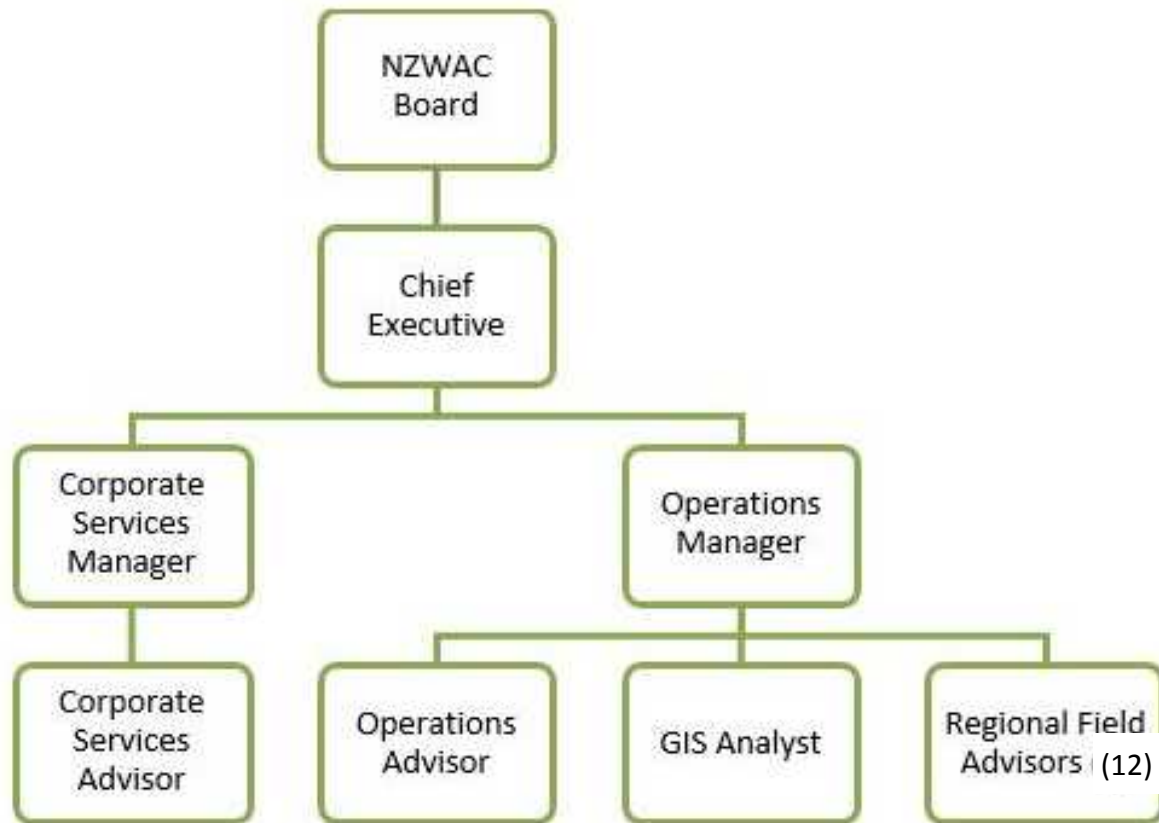
Figure 13: Growth of international visitors will be largely driven by holidaymakers – visitor arrivals by purpose of visit



## ➤ WALKING ACCESS COMMISSION:

- Free, certain, enduring and practical access to the outdoors – coast, lakes and rivers.
- No coercive powers
- Roles and functions include providing leadership and advice, facilitating resolution of disputes, and publishing maps and information
- Not only walking access; other associated access with firearms, dogs, bicycles and motor vehicles

## ➤ NZWAC STRUCTURE



## ➤ NZWAC STRUCTURE

<6.0 FTE Staff

12 part time contracted RFAs





## ➤ REGIONAL FIELD ADVISORS





# ► PUBLICATIONS, RESEARCH, INFORMATION



December 2011

## 4. Unformed legal roads Frequently Asked Questions



### What is an unformed legal road?

An unformed legal road (ULR) - sometimes known colloquially as a paper road - is a parcel of land that has been legally designated as a road but has not been formed. Formed means physically

### How much ULR is there in New Zealand?

The amount of ULR in New Zealand is estimated to be around 56,000 kilometres. The proportion of ULR varies considerably from local authority to local authority.

## NOKOMAI STATION

### ► ACCESS INFORMATION



Access is over a working farm with associated hazards

- The "Green Chain" on the Makarewa River is not continuous and is important in places. Nokomai Station provides additional practical public access to facilitate recreational access. Please respect this generosity by responsible behaviour when utilizing private land.
- Foot Access is the river at marked locations only
- Please leave gates as found and park vehicles on the roadside as they do not block the main Nokomai Road.
- No hunting or shooting
- No dogs NO DRUGS
- No Open Fires
- Camping only in designated sign posted areas



New Zealand Walking Access Commission

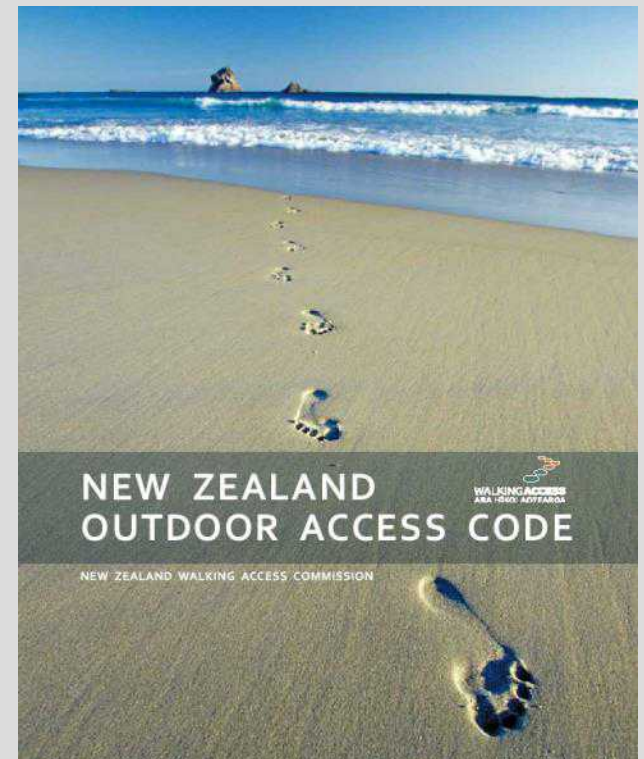
## Guidelines for the Management of Unformed Legal Roads

Edition 1 February 2011



# ➤ ON LINE EDUCATION RESOURCES

[www.walkingaccess.govt.nz](http://www.walkingaccess.govt.nz)



## ➤ CASE MANAGEMENT





# MAPPING SYSTEM

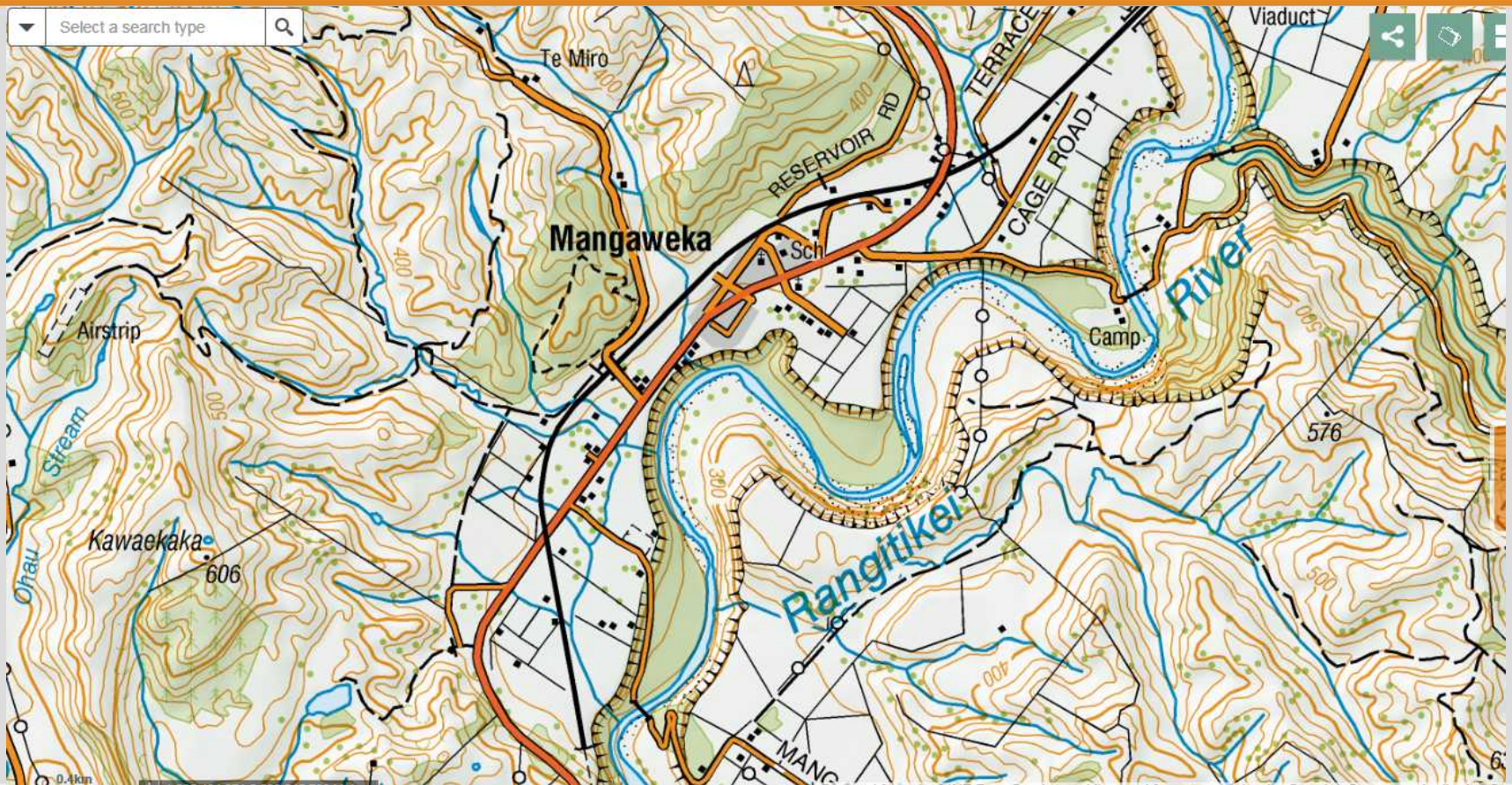
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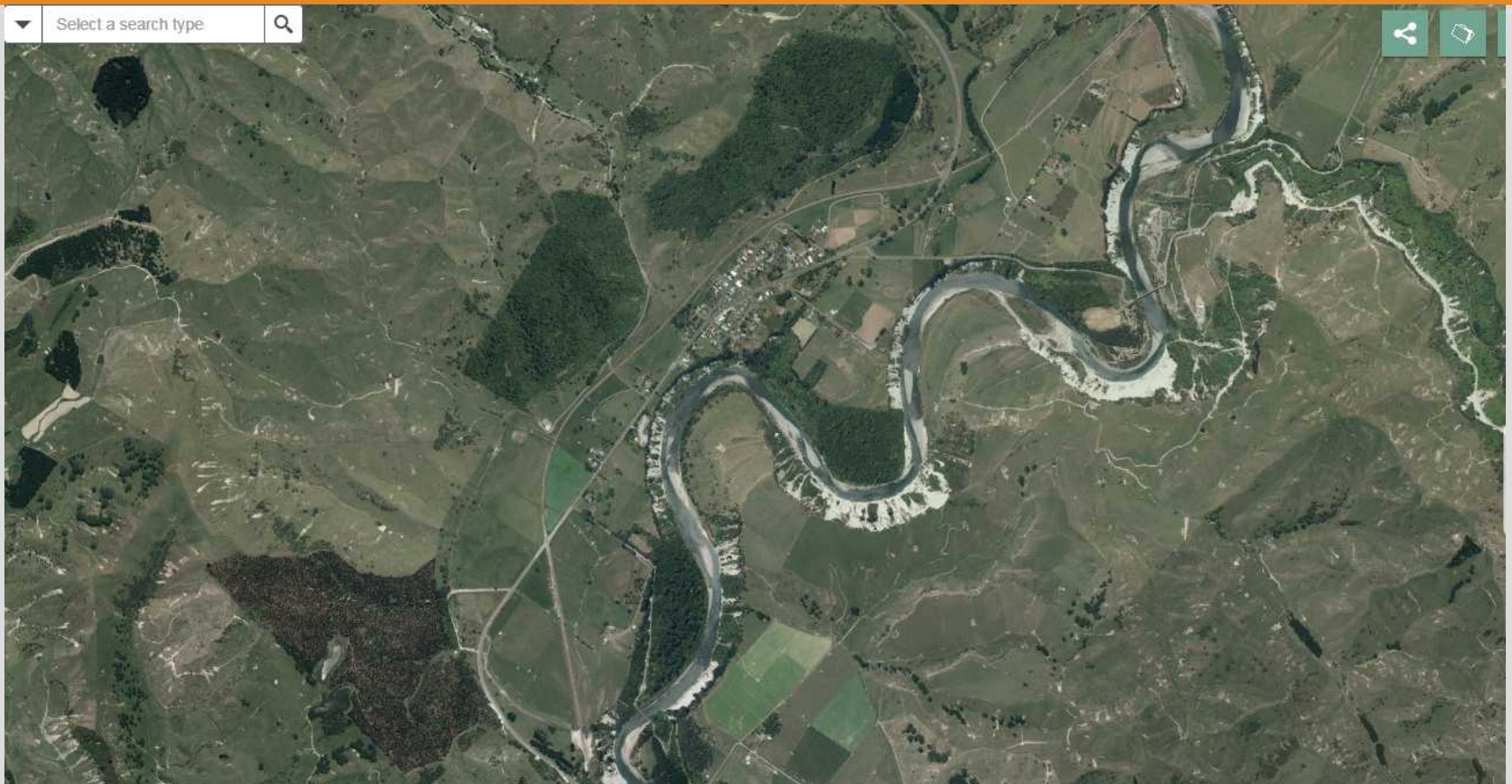
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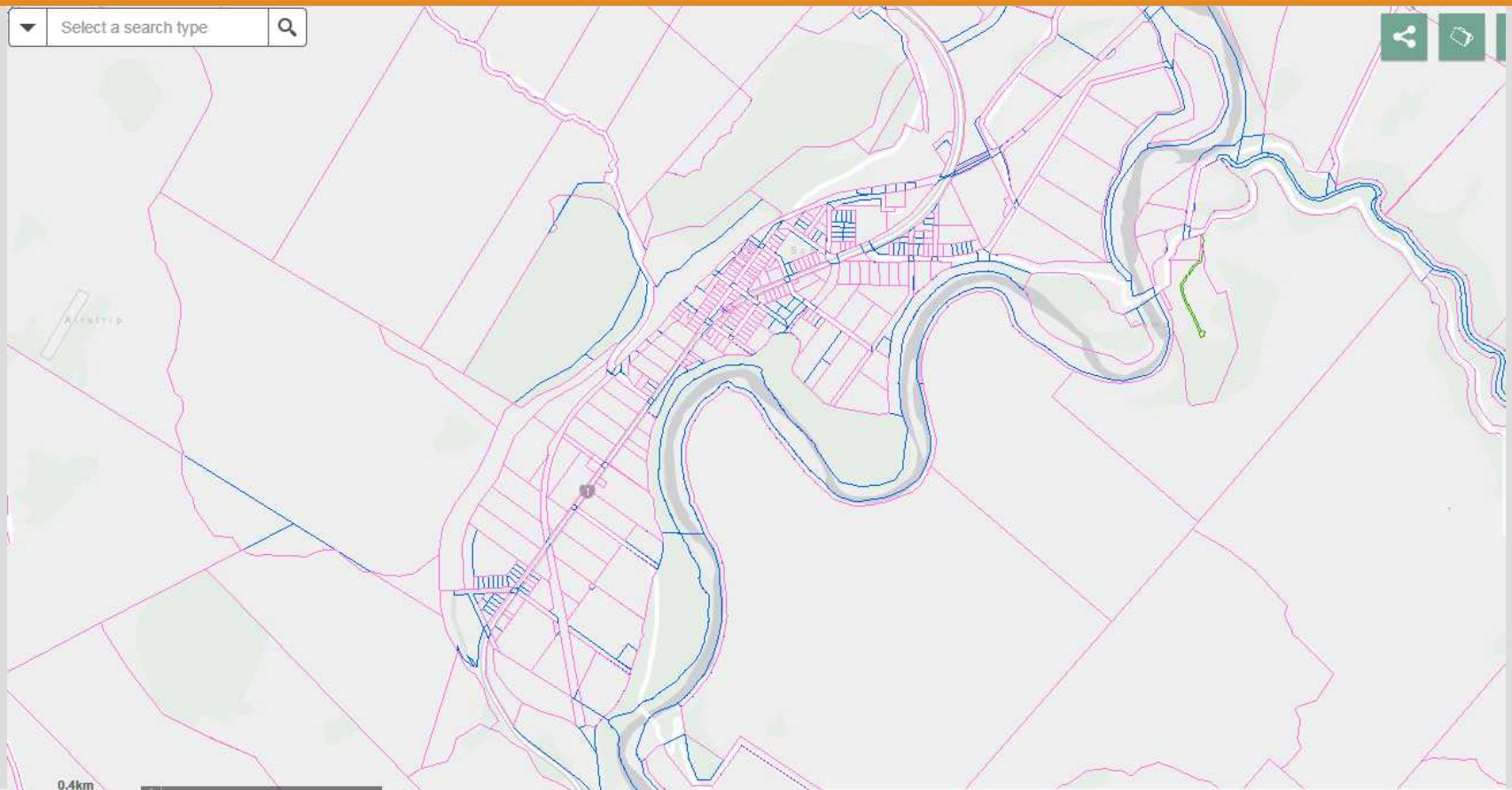
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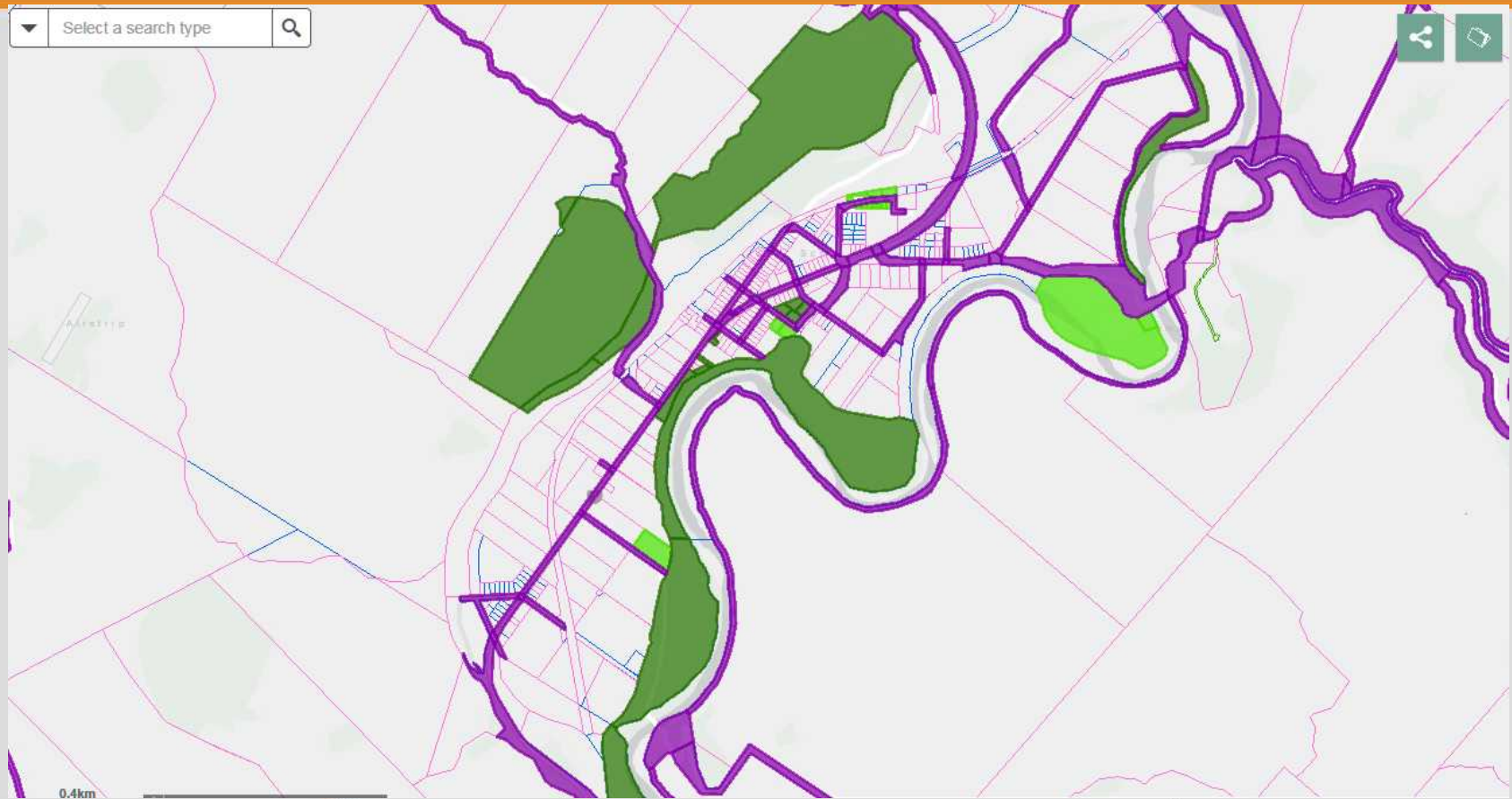
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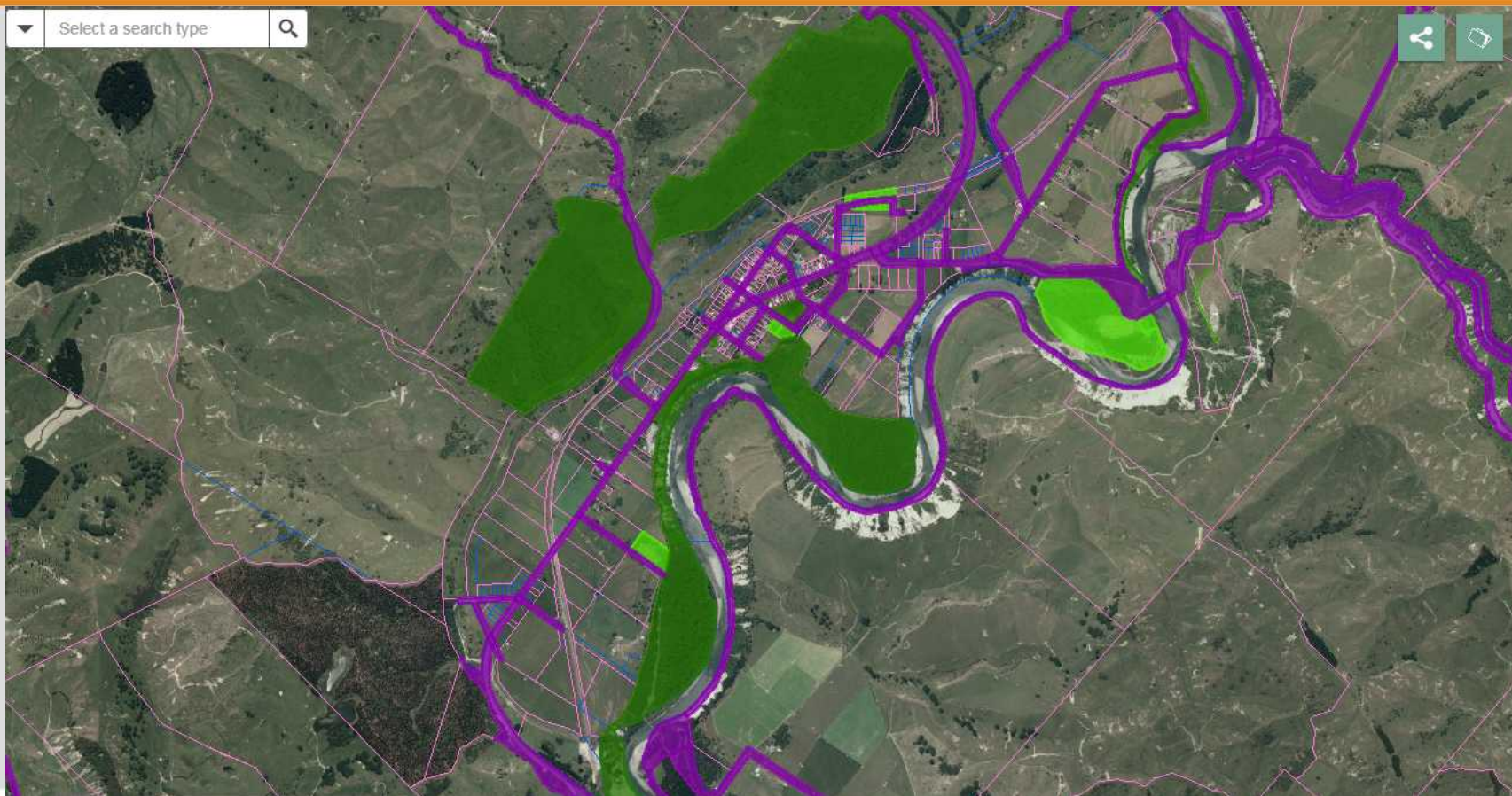
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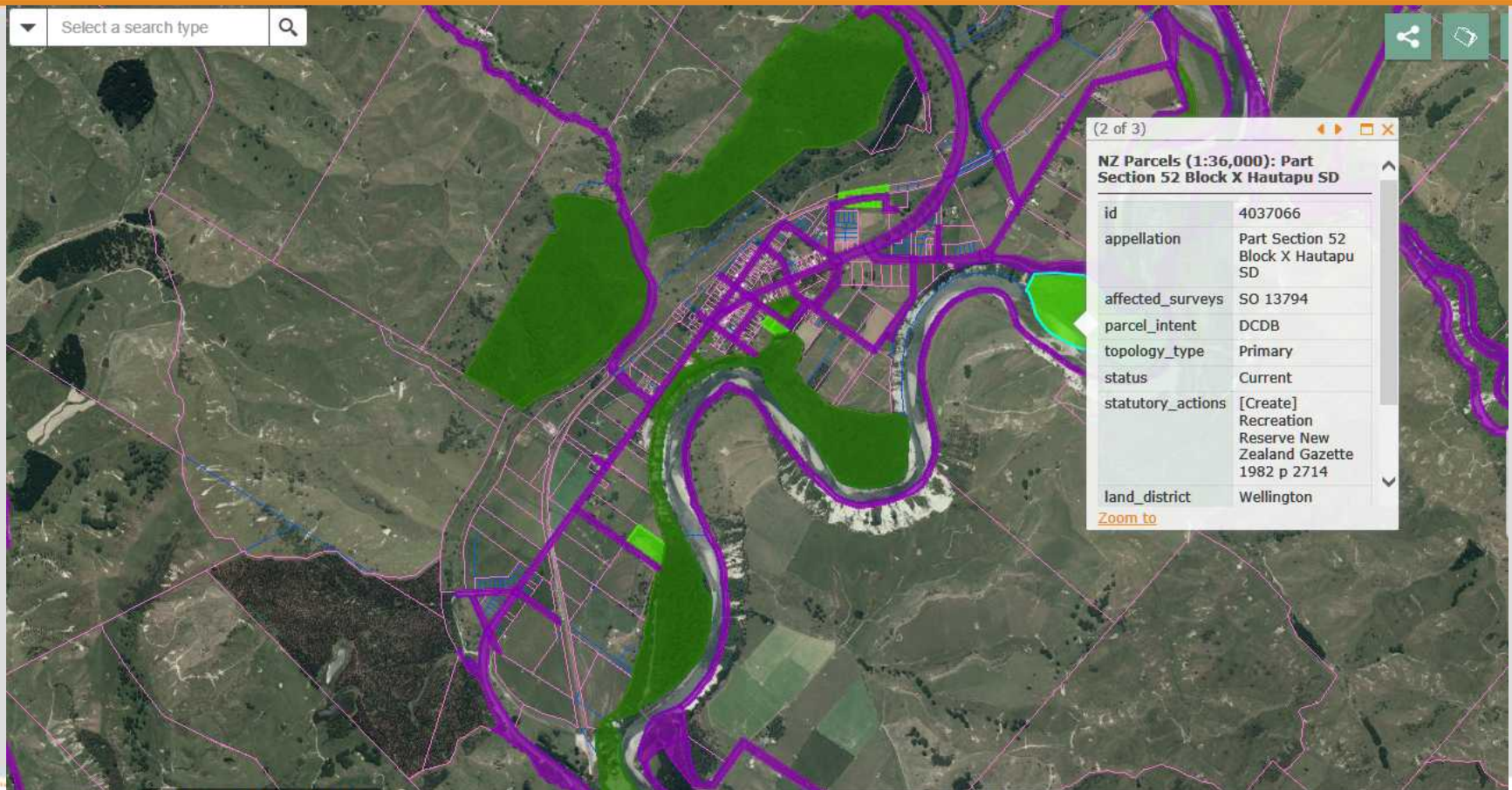
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## ➤ PARTNERSHIP & COLLABORATION



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## ➤ PARTNERSHIP & COLLABORATION

- District and city councils throughout the country,
- DOC,
- Sector groups (eg Feds, forestry)
- Landholders and managers
- Rec groups and local trusts/advocates
- Central govt agencies

## ➤ PARTNERSHIP & COLLABORATION

Our work with councils involves:

- ULRs (lots!)
- Road stopping
- Walkways and controlling authorities
- Esplanade and access strips
- Local walkways and cycle trails



## ► UNFORMED LEGAL ROADS (ULR)



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## ➤ UNFORMED LEGAL ROADS (ULR)

- Have the same legal status as any other public road.
- Are vested in councils.
- Can be the subject of heated and complex disputes.



## ► UNFORMED LEGAL ROADS (ULR)

“...continues to be the foundation of free, public and permanent access ... next to rivers, mountains, lakes and the sea, the [road network] originally held in trust by the Crown for the people and now administered by local councils, is one of the greatest recreational assets of the nation...”

Brian Hayes; *Roads, Water Margins and Riverbeds: the law on public access*

# ► UNFORMED LEGAL ROADS (ULR)

New Zealand Walking Access Commission

## Guidelines for the Management of Unformed Legal Roads

Edition 1 February 2011

  
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# UNFORMED LEGAL ROADS

## ► TOOLS FOR MANAGEMENT

**The road stopping process**

**Legalising roads**

**‘Shifting’ Unformed Legal Roads**

**Legalising**

**Licences to Occupy**

**Managing Vehicles on ULR**

**Obstructions on ULR**

**ULR Policy Templates**

# UNFORMED LEGAL ROADS

## ➤ ROAD STOPPING

### **The road stopping process...**

- Clear processes under LGA (Sched 10) and PWA
- Clear legal precedent from Env. Court
- Save everyone time, money and drama by talking with us first.

# UNFORMED LEGAL ROADS

## ➤ ROAD STOPPING

### Auckland Transport

- The paper road is a designated access for the Big Omaha Trail.
- AT withdrew the proposal.
- WAC to work with landholder on alternatives.





# UNFORMED LEGAL ROADS

“BUT THE TRACK IS NOT ON THE ROAD  
➤ ALIGNMENT!”

**Where road and track don't align....**

Very common...

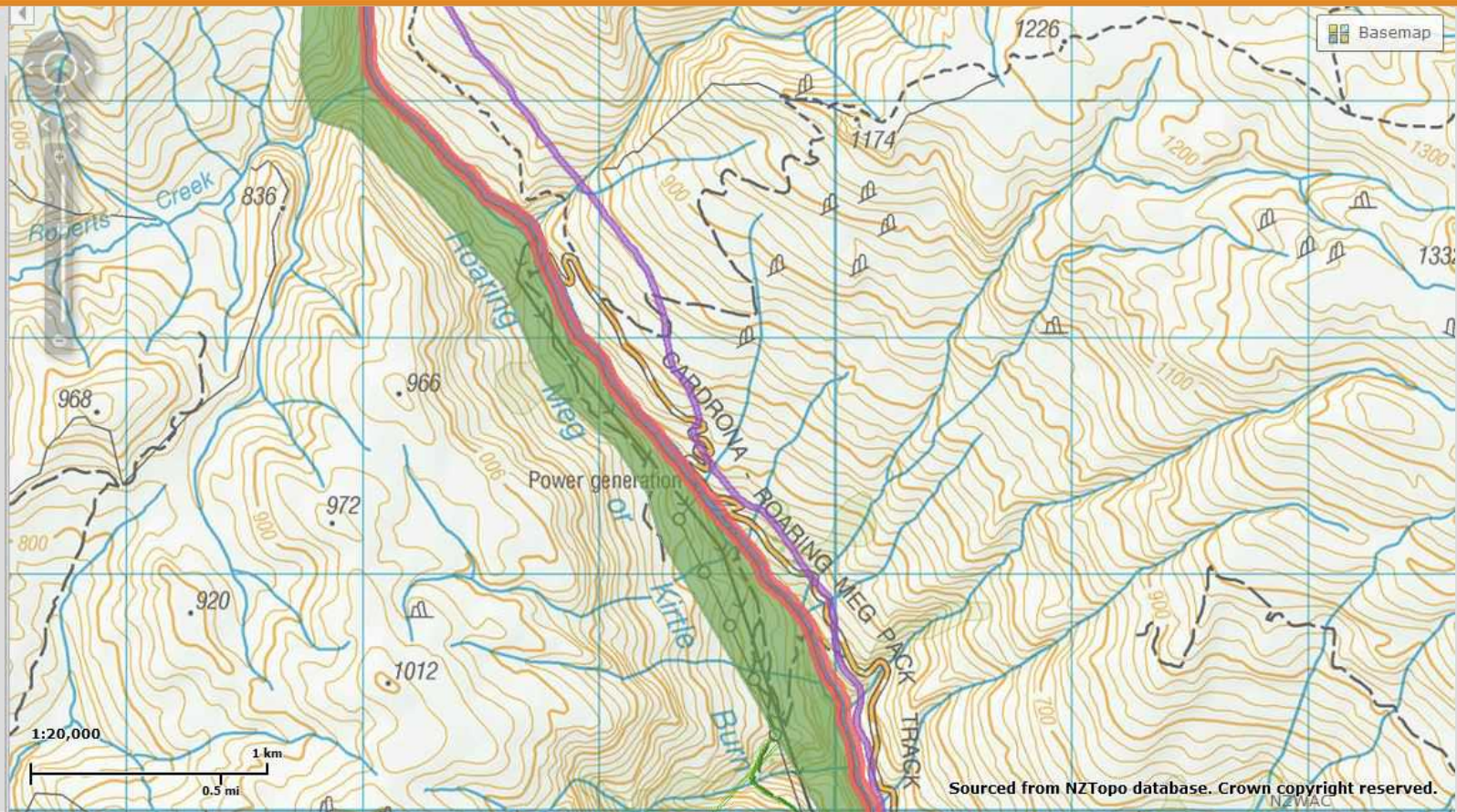
A couple of examples:

- Roaring Meg pack Track (CODC)
- Rockford Road (Waimakariri DC)
- Lake Sumner (Hurunui DC)



# UNFORMED LEGAL ROADS

“BUT THE TRACK IS NOT ON THE ROAD  
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Roaring Meg pack Track (CODC)



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Rockford Road (Waimakariri DC)



# UNFORMED LEGAL ROADS

“BUT THE TRACK IS NOT ON THE ROAD  
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Lake Sumner (Hurunui DC)

# UNFORMED LEGAL ROADS

## ➤ SHIFTING ULR

### **‘Shifting’ Unformed Legal Roads**

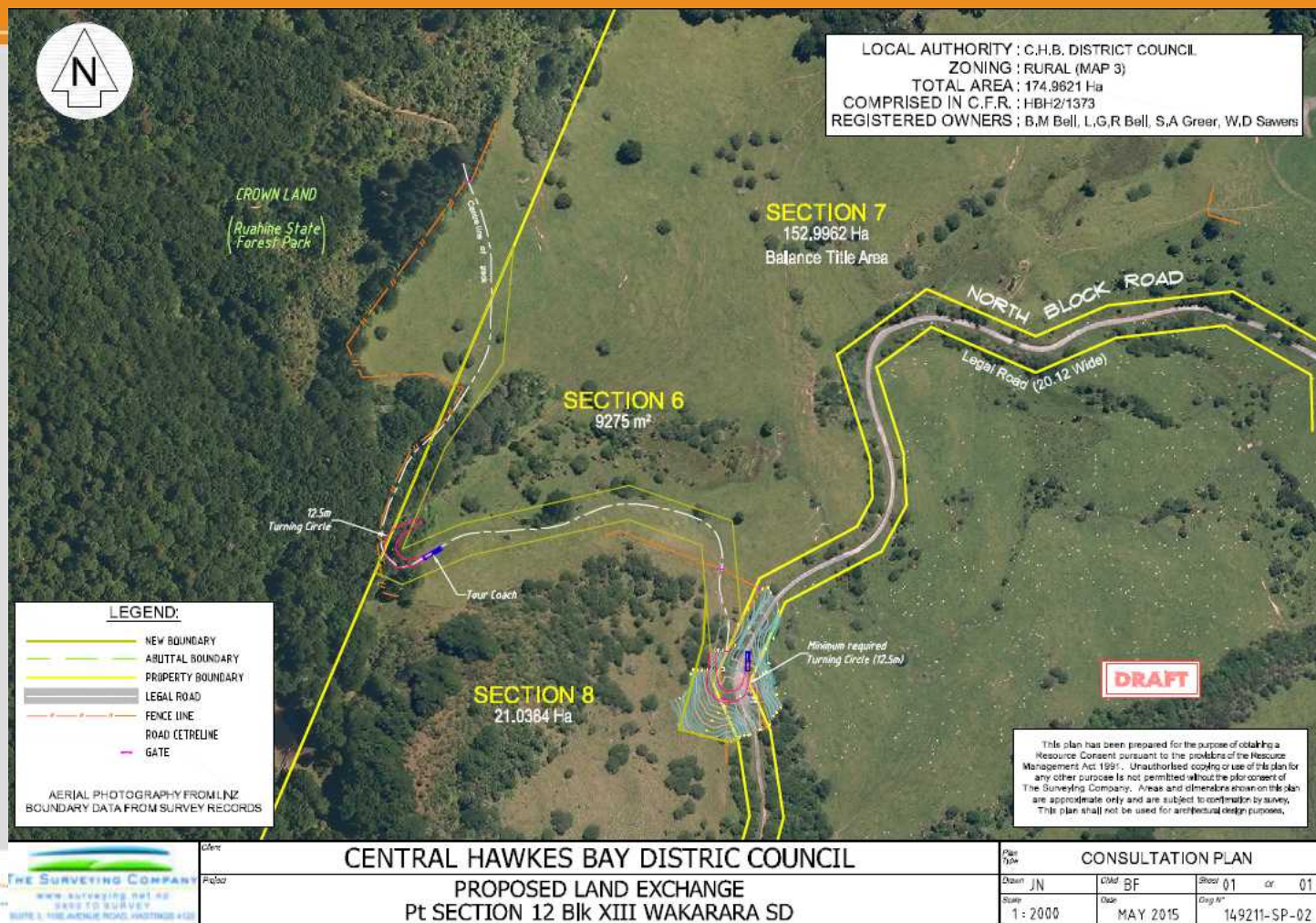
Often an elegant solution.

For e.g., we worked closely with CHBDC, DOC and landholder to resolve a longstanding access dispute and improve access to the Ruahine Forest Park at North block road.



# UNFORMED LEGAL ROADS

## ➤ SHIFTING ULR





# UNFORMED LEGAL ROADS

## ➤ LICENCES TO OCCUPY

### **Licences to Occupy ULR**

- Common (in various forms) but no legal basis.
- NZWAC only concerned where rights of public access are restricted.
- Example, Arawa Rd in WBoPDC

# UNFORMED LEGAL ROADS



LI



# UNFORMED LEGAL ROADS

## ➤ LICENCES TO OCCUPY



Claytons Pack Track – Timaru DC



# UNFORMED LEGAL ROADS

## ➤ MANAGING VEHICLES

### Managing Vehicles on ULR

- Bylaws (s10 LT(RS and OM)AA 2011)
- Preventing damage to road surface
- Practical interventions



# UNFORMED LEGAL ROADS

## ➤ OBSTRUCTIONS



# UNFORMED LEGAL ROADS

## ➤ OBSTRUCTIONS

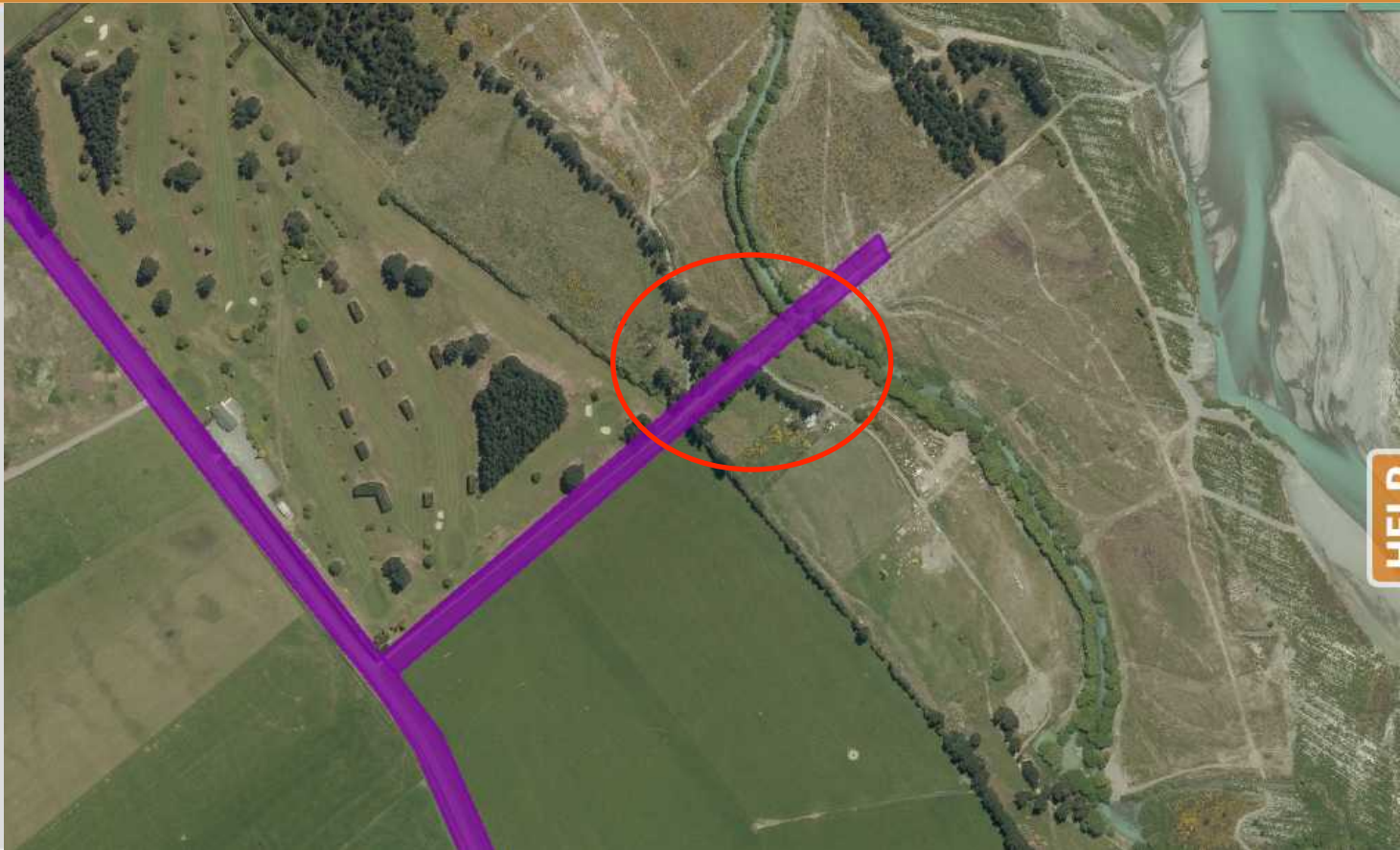


Acton Road (Ashburton DC)



# UNFORMED LEGAL ROADS

## ➤ OBSTRUCTIONS



ULR to Rakaia River Ashburton DC

# UNFORMED LEGAL ROADS

## ➤ OBSTRUCTIONS

### Recreational Access to Upper Awakino River

Access to the river for swimming and fishing is marked with Fish & Game signs. Please park carefully off the road and avoid blocking gateways.

Please keep to the marked access points and respect the adjoining private properties which are working farms.

The carpark for the start of the Mahoenui Track to Leitch's Clearing is at the end of the formed part of Gibbon Road.



# UNFORMED LEGAL ROADS

## ➤ OBSTRUCTIONS



County Road, Hauraki DC



# UNFORMED LEGAL ROADS

## ➤ OBSTRUCTIONS



A man was shot by police in Paeroa today  
(11 June 2016)

# UNFORMED LEGAL ROADS

## ► STRUCTURES



## ► QUESTIONS?



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