



Submission on Land Transport Bylaw 2008 (Amended 2026) to Matamata-Piako District Council

28 April 2026

Tēnā koe Josy

Introduction

1. Herenga ā Nuku Aotearoa, the Outdoor Access Commission, is the Crown agent responsible for providing leadership on outdoor access issues. We welcome the opportunity to submit on the amendments to the Land Transport Bylaw 2008 (Amended 2026).
2. 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'.
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 advisors. An independent board governs our work.
5. The commission supports the inclusion of specific reference to Unformed Legal Roads in the updated Land Transport Bylaw 2008 (Amended 2026).

Clause 7

6. The commission recommends strengthening the definition of a Road in Clause 7 to clarify that “Road” includes Unformed Legal Roads, by adding a paragraph to the end of the definition:

“For the avoidance of doubt, *Road* includes paper roads and unformed legal roads that are legally vested in, or under the care, control, or management of the Council, whether or not they are formed or maintained.”

Explanatory Notes

7. Sometimes confusion exists over the legal status of unformed legal roads. However, the law relating to the use of roads does not differentiate between formed and unformed roads.
8. The commission recommends the bylaw Explanatory Notes refer to Guidelines for the Management of Unformed Legal Roads (available on Herenga ā Nuku Aotearoa, the Outdoor Access Commission website – <https://www.herengaanuku.govt.nz/types-of-access/unformed-legal-roads>).

8.1 Council’s Powers

9. The commission requests consideration of how these clauses might impact unformed legal roads. Given that unformed legal roads are legal roads, we expect them to be included in the Bylaw definition of a Road.

8.1 Clause 11, 12, 13

10. The commission notes the following clauses are specifically relevant to unformed legal roads:
 - a. 11 – Objects and Hazards on the road – 11.1.
 - b. 12 – Vegetation and Encroachment – 12.1, 12.2, 12.3
 - c. 13 – Activities that Damage Roads – 13.1
11. Blocked access using locked gates and construction of buildings over unformed legal roads are an infringement that the public often seeks advice and support to resolve from the commission.

Thank you for the opportunity to provide feedback on the draft Bylaw.

We do not wish to speak to this submission.

Ngā mihi,

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Waikato me Taupō