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Meeting close				



**Respondent No:** 1

**Login:** Anonymous

**Email:** n/a

**Responded At:** Jul 23, 2025 07:21:29 am

**Last Seen:** Jul 23, 2025 07:21:29 am

**IP Address:** n/a

Q1. **First and last name** Leighton Hale

Q2. **Email address**

[REDACTED]

Q3. **Phone number**

[REDACTED]

Q4. **Which South Wairarapa ward do you live in?**

Outside of district

Q5. **If you have used the paper road to access DOC land, what has this been for?**

**other (please specify)**

renting houses at Cape Paliser light house and being involved with illegal camping, trespass, and seafood poaching.

Q6. **Are you submitting on behalf of an organisation?**

No

Q7. **Do you wish to speak to your submission at Hearings on 3 September?**

Yes

Q8. **Do you support the Paper Road Access Bylaw 2025?**

Yes

Q9. **Do you have any comments to support your submission?**

the land has been abused for too many years. It's about times changed. Europeans wouldn't allow it.



**Respondent No:** 41

**Login:** Anonymous

**Email:** n/a

**Responded At:** Jul 24, 2025 11:28:59 am

**Last Seen:** Jul 24, 2025 11:28:59 am

**IP Address:** n/a

- Q1. **First and last name** Allan Blithe
- Q2. **Email address** [REDACTED]
- Q3. **Phone number** [REDACTED]
- Q4. **Which South Wairarapa ward do you live in?** Outside of district
- Q5. **If you have used the paper road to access DOC land, what has this been for?** hunting  
tramping  
camping  
fishing  
other (please specify)  
4x4 trips, mountain biking
- Q6. **Are you submitting on behalf of an organisation?** No
- Q7. **Do you wish to speak to your submission at Hearings on 3 September?** Yes
- Q8. **Do you support the Paper Road Access Bylaw 2025?** No

**Q9. Do you have any comments to support your submission?**

Myself and my family have been enjoying that coastline for 4 generations now. Including camping legally when the local Māori collected a camping fee for families to use sites they had for generations. We continue to use the area regularly for a mixture of fishing, hunting, mountain biking and use 4x4 vehicle to access the area. We use the paper road and always have. By and large most of the ruts are caused by people following the tracks of the previous vehicle be that in convoy or one that went through weeks ago. Being respectful and not forming a new track across grass but keeping to the clearly formed muddy and sometimes boggy rutted track. The hard nature of the track means common car traffic is kept out. Other than the large eroded area before the big gravel slide on the other side of stonewall creek there has been minimal erosion and that erosion was caused 100% be water and sea eroding the base of the gravel slide. Flood waters coming down the water way and washing away the track. And that's where vehicle traffic now stops. This was not caused by 4x4 vehicles. Last fire in 1990 so 35 years ago, so no real risk then in reality. There is a doc camp area by stonewall creek enjoyed by many, if you remove the paper road there will be now way for people to access that camp and the great outdoors. In the 55years I've been going to this area it has hardly changed at all, there is no widespread damage, erosion or risks.





**Respondent No:** 59

**Login:** Anonymous

**Email:** n/a

**Responded At:** Jul 24, 2025 14:23:01 pm

**Last Seen:** Jul 24, 2025 14:23:01 pm

**IP Address:** n/a

Q1. **First and last name** Joshua James-Durrant

Q2. **Email address**

[REDACTED]

Q3. **Phone number**

[REDACTED]

Q4. **Which South Wairarapa ward do you live in?** Featherston

Q5. **If you have used the paper road to access DOC land, what has this been for?**  
hunting  
tramping  
camping  
fishing

Q6. **Are you submitting on behalf of an organisation?** No

Q7. **Do you wish to speak to your submission at Hearings on 3 September?** Yes

Q8. **Do you support the Paper Road Access Bylaw 2025?** No

Q9. **Do you have any comments to support your submission?**

I very strongly OPPOSE the closure of the paper road past Cape Palliser Lighthouse. This access has been used by my family and friends for FOUR generations for recreational Hunting, Camping & Fishing. The rate at which paper roads and access to secluded parts of our beautiful country are being locked up by council is extremely frustrating. The argument that bush fires and deep rutting isn't a valid argument to close access to this paper road. If anything I would support the closure during winter/raining season to avoid rutting but to put a full blanket closure on this access is just another cheap shot by SWDC. You might suggest there are plenty of other places to go but in reality they there are not many places like this. And I would like my kids and there's to be able to access this for many future generations



**Respondent No:** 145 **001277**

**Login:** Anonymous

**Email:** n/a

**Responded At:** Aug 07, 2025 20:26:50 pm

**Last Seen:** Aug 07, 2025 20:26:50 pm

**IP Address:** n/a

Q1. **First and last name** Jacob bassett

Q2. **Email address**

[REDACTED]

Q3. **Phone number**

[REDACTED]

Q4. **Which South Wairarapa ward do you live in?** Outside of district

Q5. **If you have used the paper road to access DOC land, what has this been for?** camping  
fishing

Q6. **Are you submitting on behalf of an organisation?** No

Q7. **Do you wish to speak to your submission at Hearings on 3 and 4 September?** Yes

Q8. **Do you support the Paper Road Access Bylaw 2025?** No

Q9. **Do you have any comments to support your submission?**

Why shut the public of from tungata whenua? We have fished and dived this coast line for generations and we will continue to do so.



**Respondent No:** 135

**Login:** Anonymous

**Email:** n/a

**Responded At:** Jul 24, 2025 18:45:13 pm

**Last Seen:** Jul 24, 2025 18:45:13 pm

**IP Address:** n/a

Q1. **First and last name** David Garrett

Q2. **Email address**

[REDACTED]

Q3. **Phone number**

[REDACTED]

Q4. **Which South Wairarapa ward do you live in?** Outside of district

Q5. **If you have used the paper road to access DOC land, what has this been for?**  
hunting  
tramping  
camping  
fishing

Q6. **Are you submitting on behalf of an organisation?** No

Q7. **Do you wish to speak to your submission at Hearings on 3 September?** Yes

Q8. **Do you support the Paper Road Access Bylaw 2025?** No

Q9. **Do you have any comments to support your submission?**

It would be such a shame to loose access to wild new Zealand landscape to share with the somewhat sheltered children of today. To use an example of destruction of a fire that happened 34 years ago as example is just plain lazy. The net gain of having our children understand the natural environment, and respectfully enjoying the few wild landscapes we have left in a relatively free yet mature way adds immense value to our young people, in tern, the respect they gain for the natural land will be paid in attitude, political persuasion and in environmental creativity. In an age of computers, ai, political correctness, and risk adverseion. A small amount of risk (a small fire every 50 years), compared to the gains for our young people, who are growing up on social media and having an out of control rate of suicide, the risks to nature are nullified compared to the risks to the zombi youth. By taking away yet another environment assest, would be a huge loss to the next generation.



**Respondent No:** 402 **001594**

**Login:** Anonymous

**Email:** n/a

**Responded At:** Aug 10, 2025 06:17:21 am

**Last Seen:** Aug 10, 2025 06:17:21 am

**IP Address:** n/a

Q1. **First and last name** Stevie Whitton

Q2. **Email address**

[REDACTED]

Q3. **Phone number**

[REDACTED]

Q4. **Which South Wairarapa ward do you live in?**

Outside of district

Q5. **If you have used the paper road to access DOC land, what has this been for?**

**other (please specify)**

Accessing areas of New Zealand beauty for cultural enjoyment and gratitude.

Q6. **Are you submitting on behalf of an organisation?**

No

Q7. **Do you wish to speak to your submission at Hearings on 3 and 4 September?**

Yes

Q8. **Do you support the Paper Road Access Bylaw 2025?**

No

Q9. **Do you have any comments to support your submission?**

As Roading Engineer for Raglan County Council in the late '80's, I assisted my 4WD Club to access coastal and bush areas where we could enjoy the raw beauty New Zealand back country provides. 4WD Club members are not delinquents, but instead help to preserve local cultural values and land management aims. If the Council proposes to close the road at the request of the local iwi land owners, it would smack of collusion for political and potentially corrupt gains by the iwi. It's a sad day when one influential group is able to influence a body for its own agenda. I wouldn't be surprised if this bylaw is really just to prevent local iwi members from accessing iwi land for the purpose to steal sheep, goats and cattle. Council needs to be strong and NOT support the proposed road closure.



**Respondent No:** 478 **001610**

**Login:** Anonymous

**Email:** n/a

**Responded At:** Aug 10, 2025 08:42:26 am

**Last Seen:** Aug 10, 2025 08:42:26 am

**IP Address:** n/a

Q1. **First and last name** Ian Cardno

Q2. **Email address**

[REDACTED]

Q3. **Phone number**

[REDACTED]

Q4. **Which South Wairarapa ward do you live in?** Outside of district

Q5. **If you have used the paper road to access DOC land, what has this been for?** fishing  
**other (please specify)** sightseeing

Q6. **Are you submitting on behalf of an organisation?** No

Q7. **Do you wish to speak to your submission at Hearings on 3 and 4 September?** Yes

Q8. **Do you support the Paper Road Access Bylaw 2025?** No

Q9. **Do you have any comments to support your submission?**

Quote "An unformed legal road (ULR) provides the same public access rights as the formed legal roads that make up our public road network. Unformed legal roads are recorded on survey plans but not always readily identifiable on the ground, which is why they are often referred to as 'paper roads'. Ownership lies with either a territorial authority or the Crown. ULRs may be unsuitable for vehicle use and even for walking, because of the topography that they traverse. However, ULRs are an important component of the transport and recreation network. The public has the same right to use them, and the adjoining landowners are obliged to respect public use. No new ULR have been created since the 1950s." Notwithstanding the above, I understand the concerns raised by land owners, and SWDC. I am appalled at the damage that has been caused (as highlighted in the SWDC proposal). However, this access way should remain open to the public but using much more controlled methods. E.g. restrictions to non-Motorised vehicles - 4WD, motorcycles and Quad bikes. The access way should remain open, without permission required to be obtained by pedestrians, cyclists (including e-bikes) and equestrians. Restrictions for access to hunting from this paper road could be via permissions, and again without motorised vehicles. I am concerned about access for surfers and fishers, who may need access from the UPR to the beach, but this could also be restricted with permission to cross private land, again without motorised vehicles. I request that SWDC provide all relevant documents and evidence, including legal interpretations, on its webpage, for public review prior to submissions closing. I wish to be heard during the submission hearing process.



**Respondent No:** 497 **001629**

**Login:** Anonymous

**Email:** n/a

**Responded At:** Aug 10, 2025 13:26:43 pm

**Last Seen:** Aug 10, 2025 13:26:43 pm

**IP Address:** n/a

Q1. **First and last name** Bruce butters

Q2. **Email address**

[REDACTED]

Q3. **Phone number**

[REDACTED]

Q4. **Which South Wairarapa ward do you live in?** Outside of district

Q5. **If you have used the paper road to access DOC land, what has this been for?** hunting

Q6. **Are you submitting on behalf of an organisation?** No

Q7. **Do you wish to speak to your submission at Hearings on 3 and 4 September?** Yes

Q8. **Do you support the Paper Road Access Bylaw 2025?** Unsure

Q9. **Do you have any comments to support your submission?**

I have hunted stonewall many times. Access is hard enough now to climb into let alone blocking road. I support people been fined for doing stupid things. We only drive as far as possible then climb into doc land. There is no other access. Mungatoe being the closest. That would involve 4 or more hours just to get above stonewall. This is just another piece of legislation affecting normal people because of few rednecks. Bruce.



**Respondent No:** 903 **001635****Login:** Anonymous**Email:** n/a**Responded At:** Aug 10, 2025 15:14:57 pm**Last Seen:** Aug 10, 2025 15:14:57 pm**IP Address:** n/a

Q1. **First and last name** Matthew Bismark

Q2. **Email address**

[REDACTED]

Q3. **Phone number**

[REDACTED]

Q4. **Which South Wairarapa ward do you live in?** Outside of district

Q5. **If you have used the paper road to access DOC land, what has this been for?** tramping  
fishing

Q6. **Are you submitting on behalf of an organisation?** No

Q7. **Do you wish to speak to your submission at Hearings on 3 and 4 September?** Yes

Q8. **Do you support the Paper Road Access Bylaw 2025?** No

Q9. **Do you have any comments to support your submission?**

This is a serious infringement against rights of public access. It appears that no thought has been given to restrictions to cyclist and pedestrians only. This is a dangerous precedent and effectively confiscates suitable access to public land. Many other paper roads in the area are infringed upon by the landowners whose properties adjoin the ULRs. Some are those are referenced as access to the Aorangi Park. How will SWDC be able to compensate the public for loss of our rights of access to public land. I would be interested to hear from Council whether they have sound legal opinion that this bylaw would be legal, if passed. I wish to be heard in support of my submission.

003542

**From:** [Yvonne Wilson](#)  
**To:** [Have your Say](#)  
**Subject:** Paper Road Access Bylaw 2025  
**Date:** Tuesday, 19 August 2025 3:58:35 PM  
**Attachments:** [C2\\_signature\\_email-banner-02@2x\\_9a7742a6-1649-4599-8780-ffa1bc01a156.png](#)  
[Submission Paper Road Access.pdf](#)

You don't often get email from [REDACTED]

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Submission attached

Ngā mihi,

**Yvonne Wilson**

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

# **Paper Road Access Bylaw 2025**

## **Submission form**



### **Have your say before 19 August 2025.**

South Wairarapa District Council is proposing a new bylaw to help protect the fragile and culturally significant land beyond the Cape Palliser Lighthouse. This area includes a paper road that crosses private Maori land and Crown Land, and has unfortunately been damaged over time by off-road vehicles, illegal camping, and other harmful activities.

The proposed bylaw would restrict public access to the unformed paper road to prevent further environmental harm, protect cultural heritage, and respects the rights of landowners.

We invite you to read more and share your thoughts on how we can care for this special place — for today, and into the future.

# Have your say

We want to hear from you about what you think about the Paper Road Access ByLaw 2025, including any suggested amendments or considerations you might have. Supporting information, including FAQs, can also be found on our website.

## How to provide your feedback

Please share your feedback between 22 July and 19 August 2025.

### Online (preferred)

Visit [haveyoursay.swdc.govt.nz/paper-road-access-bylaw](https://haveyoursay.swdc.govt.nz/paper-road-access-bylaw) and complete the online survey.

### Paper form

Fill in the paper form at the back of this document, or collect one from any South Wairarapa library.

The paper forms can be Left at any of the above Locations, or posted to  
PO BOX 6, Martinborough 5741, addressed to 'Paper Road Access Bylaw feedback'

### Email

[haveyoursay@swdc.govt.nz](mailto:haveyoursay@swdc.govt.nz) subject line 'Paper Road Access Bylaw feedback'

### Present

You can present your feedback verbally at a hearing, with or without making a written submission first, in person or via a live or recorded statement. Let us know in your feedback form if you wish to do a verbal presentation in person or online.

## Timeline

22 July - 19 August | Consultation period



3 September | Hearings



24 September | Deliberations



October | Paper Road Access Bylaw 2025 adopted by Council

## Submission form

This submission form allows you to provide feedback on the South Wairarapa District Council Paper Road Access Bylaw 2025. Tell us what you think between 22 July and 19 August 2025. You can drop this form into any of the South Wairarapa Libraries, or email it to [haveyoursay@swdc.govt.nz](mailto:haveyoursay@swdc.govt.nz)

### Privacy Statement

Your name and feedback will be in public documents. All other personal details will remain private. The Privacy Act 2020 applies when we collect personal details. Any details that are collected will only be used for the purposes stated. You have the right to access and correct any personal information we hold.

### Your details

First and last name **(required)** Yvonne Wilson

Email address **(required)** [REDACTED]

Phone number [REDACTED]

Which ward do you live in? **(required)** Outside of district

Have you used the paper road to access DOC land? Yes?

- hunting
- tramping
- camping
- fishing - yes
- other – y e s historical and cultural reconnection back to the whenua

Are you submitting on behalf of an organisation? No > if yes, which organisation? n/a

Do you wish to speak to your submission at Hearings on 6 September? Yes

## Submission form

This submission form allows you to provide feedback on the South Wairarapa District Council Paper Road Access Bylaw 2025. Tell us what you think between 22 July and 19 August 2025. You can drop this form into any of the South Wairarapa Libraries, or email it to [haveyoursay@swdc.govt.nz](mailto:haveyoursay@swdc.govt.nz)

### Question one

Do you support the Paper Road Access Bylaw 2025? Yes

**Final Comments** I am in total support of the Paper Road Access Bylaw 2025





**Respondent No:** 203

**Login:** Anonymous

**Email:** n/a

**Responded At:** Jul 25, 2025 13:49:16 pm

**Last Seen:** Jul 25, 2025 13:49:16 pm

**IP Address:** n/a

Q1. **First and last name** Steven Goodfellow

Q2. **Email address**

Q3. **Phone number**

Q4. **Which South Wairarapa ward do you live in?** Outside of district

Q5. **If you have used the paper road to access DOC land, what has this been for?**  
camping  
fishing  
other (please specify)  
Photography

Q6. **Are you submitting on behalf of an organisation?** No

Q7. **Do you wish to speak to your submission at Hearings on 3 September?** Yes

Q8. **Do you support the Paper Road Access Bylaw 2025?** No

Q9. **Do you have any comments to support your submission?**

My family has been camping in the area for 4 generations. I would like to continue that. My last visit to the waitetuna waterfall was an amazing camping trip with 3 friends, we stayed for multiple days. It would be impossible to carry the camping gear without a 4x4. Most people respect the area and I didn't see any rubbish etc left behind by other people. Saying that there was a fire there 35 years ago proves that people who go there are very responsible when making a fire for cooking and warmth. Some rutting in the road only serves to keep the area for more serious 4x4 enthusiasts who are generally very responsible, resourceful men.



**Respondent No:** 109 **001301**

**Login:** Anonymous

**Email:** n/a

**Responded At:** Aug 08, 2025 05:12:01 am

**Last Seen:** Aug 08, 2025 05:12:01 am

**IP Address:** n/a

Q1. **First and last name** Bean Smith

Q2. **Email address**

[REDACTED]

Q3. **Phone number**

[REDACTED]

Q4. **Which South Wairarapa ward do you live in?** Outside of district

Q5. **If you have used the paper road to access DOC land, what has this been for?** camping

Q6. **Are you submitting on behalf of an organisation?** Yes

Q7. **Do you wish to speak to your submission at Hearings on 3 and 4 September?** Yes

Q8. **Do you support the Paper Road Access Bylaw 2025?** Yes

Q9. **Do you have any comments to support your submission?**

not answered



**Respondent No:** 237

**Login:** Anonymous

**Email:** n/a

**Responded At:** Jul 25, 2025 18:57:24 pm

**Last Seen:** Jul 25, 2025 18:57:24 pm

**IP Address:** n/a

Q1. **First and last name** Rob Christie

Q2. **Email address**

[REDACTED]

Q3. **Phone number**

[REDACTED]

Q4. **Which South Wairarapa ward do you live in?** Outside of district

Q5. **If you have used the paper road to access DOC land, what has this been for?** other (please specify)  
Surfing

Q6. **Are you submitting on behalf of an organisation?** No

Q7. **Do you wish to speak to your submission at Hearings on 3 September?** Yes

Q8. **Do you support the Paper Road Access Bylaw 2025?** No

Q9. **Do you have any comments to support your submission?**

There are some surf spots around there that people should be allowed access to. surfing is good for people's mental health and natural surf breaks are special places that provide a much needed positive impact to many members of the community. This area hosts some of the best natural point and reef breaks in the country. It's unfair that surfers who respect the land and nature should have access to this taken away from them



**Respondent No:** 159 **001291**

**Login:** Anonymous

**Email:** n/a

**Responded At:** Aug 08, 2025 04:29:00 am

**Last Seen:** Aug 08, 2025 04:29:00 am

**IP Address:** n/a

Q1. **First and last name** Glenn Henson

Q2. **Email address**

[REDACTED]

Q3. **Phone number**

[REDACTED]

Q4. **Which South Wairarapa ward do you live in?** Martinborough

Q5. **If you have used the paper road to access DOC land, what has this been for?**  
hunting  
camping  
fishing

Q6. **Are you submitting on behalf of an organisation?** No

Q7. **Do you wish to speak to your submission at Hearings on 3 and 4 September?** Yes

Q8. **Do you support the Paper Road Access Bylaw 2025?** No

Q9. **Do you have any comments to support your submission?**

not answered



**Respondent No:** 289

**Login:** Anonymous

**Email:** n/a

**Responded At:** Jul 26, 2025 07:42:13 am

**Last Seen:** Jul 26, 2025 07:42:13 am

**IP Address:** n/a

Q1. **First and last name** Scott Williams

Q2. **Email address**

[REDACTED]

Q3. **Phone number**

[REDACTED]

Q4. **Which South Wairarapa ward do you live in?** Outside of district

Q5. **If you have used the paper road to access DOC land, what has this been for?** camping  
fishing

Q6. **Are you submitting on behalf of an organisation?** No

Q7. **Do you wish to speak to your submission at Hearings on 3 September?** Yes

Q8. **Do you support the Paper Road Access Bylaw 2025?** No

Q9. **Do you have any comments to support your submission?**

We have spent many nights camped on the doc land. It is of up most important areas like this are keep available for our tamariki can experience the mana of the outdoors. I have never seen any irresponsible behavior or rubbish left in the camp sights.



**Respondent No:** 319

**Login:** Anonymous

**Email:** n/a

**Responded At:** Jul 26, 2025 11:38:59 am

**Last Seen:** Jul 26, 2025 11:38:59 am

**IP Address:** n/a

Q1. **First and last name** Joe Howells

Q2. **Email address**



Q3. **Phone number**



Q4. **Which South Wairarapa ward do you live in?** Martinborough

Q5. **If you have used the paper road to access DOC land, what has this been for?**

tramping

**other (please specify)**

We (Green Jersey) run cycle tours along this coast

Q6. **Are you submitting on behalf of an organisation?**

**If yes, which organisation?**

Green Jersey Explorer Tours Ltd

Q7. **Do you wish to speak to your submission at Hearings on 3 September?**

Yes

Q8. **Do you support the Paper Road Access Bylaw 2025?**

Yes

Q9. **Do you have any comments to support your submission?**

The coastline north from Matakaitaki a Kupe Cape Palliser is a national treasure. It contains many sites of significance to Iwi, is a nesting ground for many of our threatened native coastal birds, and is rich in marine resources. The more it can all be protected the better this environment will be preserved for future generations. The damage that vehicles have inflicted on this landscape in the past is not ok and action must be taken to avoid it getting worse in the future. Local Iwi must be supported to protect their own land and the associated marine resources from reckless abuse.





**Respondent No:** 003091

**Login:** Anonymous

**Email:** n/a

**Responded At:** Aug 18, 2025 09:03:02 am

**Last Seen:** Aug 18, 2025 09:03:02 am

**IP Address:** n/a

Q1. **First and last name** Felicity Holmes

Q2. **Email address**

[REDACTED]

Q3. **Phone number**

[REDACTED]

Q4. **Which South Wairarapa ward do you live in?** Outside of district

Q5. **If you have used the paper road to access DOC land, what has this been for?** camping

Q6. **Are you submitting on behalf of an organisation?** No

Q7. **Do you wish to speak to your submission at Hearings on 3 and 4 September?** Yes

Q8. **Do you support the Paper Road Access Bylaw 2025?** No

**Q9. Do you have any comments to support your submission?**

Cape Palliser is a very special place to myself and my family, with many years of memories made and hopefully many more to come. My father grew up camping there with his family over 60 years ago, and as he has grown up he has continued to visit. I was brought up camping at Cape Palliser right from when I was very young and enjoyed visiting many times a year, and now that my young children are at an age where they can start making memories (five and two), our family has saved to acquire what we need to head out there camping too. Our children have been there a few times and love it. The area within Cape Palliser where we have always camped is on the Crown-owned DOC land, across the Stonewall Creek (on the east side of the Waitutuma Stream). In the past, this DOC camping spot has been able to be accessed via White Rock/Ngapotoki Station. I understand that the gate is now locked; however due to land erosion, the track is no longer intact, and vehicle access to the DOC land where we camp is impossible. Because of this, we rely on the paper road from the lighthouse to gain access to our camping spot. If the bylaw goes ahead, we will be completely blocked out from accessing the campsite on DOC land as there is only one way in with a vehicle. Given our circumstances, we require a vehicle to enjoy our recreation at Cape Palliser. Camping requires a lot of equipment, too much to take in on foot and the distance from Cape Palliser light house to our camping spot is too great. Going with young children not only requires a lot of gear, but also that a vehicle be on site in case a faster exit is required due to an unforeseen event (sickness, injury, dangerous weather conditions). Previously, when the land we camp on was privately owned by Trino Koers, we would phone him each time and gain his approval to camp out at the land. Our family respect the land – we take our rubbish home, we don't light campfires, and we don't take guns. We are quiet campers that simply enjoy the land. We mostly walk everywhere by foot whilst out there. We simply enjoyed being out there, enjoying the nature, where all you could hear were the cicadas, waking up to the sound of the sea, and being away from everything in such a beautiful and remote location. My husband and I were engaged there, and my grandparent's ashes were scattered out there and it is in mine and my husband's wills that we wish to have our ashes scattered out there too. We have great respect for the land, and all we would take away is photos and beautiful memories. I understand that vehicles have caused damage, most of this damage is right near Cape Palliser Lighthouse. I believe that rather than banning all vehicles, meaning that people in situations like mine miss out, there are other things that can be done. Fencing or marking the paper road is one suggestion, another is taking a bulldozer through the paper road so it remains usable enough to ensure that vehicles stick to the one road and other tracks are not being put through the land. I know that in the past this has been done and I believe better markings of the paper road would reduce damage to the area. As a respectful and long-standing visitor to Cape Palliser, who relies on having access to our DOC camping spot via the Paper Road, it is very important to myself and my family that we are able to continue to camp on the land, and keep the tradition of building on these experiences for our children. I hope that we can continue to take our vehicle through the paper road, to access our DOC camping spot, and ask that you consider allowing my family access to continue doing so.

---

**Respondent No:** 954 **001686****Login:** Anonymous**Email:** n/a**Responded At:** Aug 11, 2025 07:28:01 am**Last Seen:** Aug 11, 2025 07:28:01 am**IP Address:** n/a

Q1. **First and last name** William (Bill) Brierley

Q2. **Email address**

[REDACTED]

Q3. **Phone number**

[REDACTED]

Q4. **Which South Wairarapa ward do you live in?** Outside of district

Q5. **If you have used the paper road to access DOC land, what has this been for?** **other (please specify)**  
Mountainbiking

Q6. **Are you submitting on behalf of an organisation?** No

Q7. **Do you wish to speak to your submission at Hearings on 3 and 4 September?** Yes

Q8. **Do you support the Paper Road Access Bylaw 2025?** No

Q9. **Do you have any comments to support your submission?**

What is proposed is unlawful. The Land Transport Act doesn't entitle the Council to forbid the use of a legal (albeit Unformed) road by the general public. Nor is that required in this instance. The proposed solution is far too draconian. If the concern is that people are driving vehicles over and camping on private land, then the Council needs to address those issues, which it could simply do by restricting motor vehicle access. The ability for others to access the coast, on foot or by bike (neither of which cause any significant damage to the land, the flora or fauna when managed properly), is an asset that the Council should be pleased to provide and is one that it has a legal responsibility to do so. There are numerous examples around the country of all parties working together to ensure their respective needs are met, for the benefit of all concerned. A similar approach should be taken by the Council and it would receive assistance from the various groups if it was to take a more collaborative approach. I urge the Councillors to see this as an opportunity to improve a valuable asset for all, not lock it away for the few.



**Respondent No:** 982 **001714**

**Login:** Anonymous

**Email:** n/a

**Responded At:** Aug 11, 2025 12:10:32 pm

**Last Seen:** Aug 11, 2025 12:10:32 pm

**IP Address:** n/a

Q1. **First and last name** John Priest

Q2. **Email address**

[REDACTED]

Q3. **Phone number**

[REDACTED]

Q4. **Which South Wairarapa ward do you live in?** Martinborough

Q5. **If you have used the paper road to access DOC land, what has this been for?**

hunting

tramping

camping

fishing

**other (please specify)**

Sightseeing

Q6. **Are you submitting on behalf of an organisation?**

No

Q7. **Do you wish to speak to your submission at Hearings on 3 and 4 September?**

Yes

Q8. **Do you support the Paper Road Access Bylaw 2025?**

No

Q9. **Do you have any comments to support your submission?**

not answered

**Respondent No:** 993 **001725****Login:** Anonymous**Email:** n/a**Responded At:** Aug 11, 2025 14:44:08 pm**Last Seen:** Aug 11, 2025 14:44:08 pm**IP Address:** n/a

Q1. **First and last name** TERESA BARDELLA

Q2. **Email address**

[REDACTED]

Q3. **Phone number**

[REDACTED]

Q4. **Which South Wairarapa ward do you live in?** Outside of district

Q5. **If you have used the paper road to access DOC land, what has this been for?** tramping

Q6. **Are you submitting on behalf of an organisation?** No

Q7. **Do you wish to speak to your submission at Hearings on 3 and 4 September?** Yes

Q8. **Do you support the Paper Road Access Bylaw 2025?** No

Q9. **Do you have any comments to support your submission?**

I oppose the proposed Paper Road Access Bylaw 2025 in its current form. While I fully understand and agree there is a strong case for restrictions on motorised access – especially 4WDs, quad bikes, closing access entirely to walkers and cyclists is an extreme overreach. It is also, in my view, an unenforceable and probably unlawful precedent for the whole of New Zealand, not just the Wairarapa. This proposal goes against the long-standing Kiwi culture of free and open access to our great outdoors. If adopted, it will send the message that public coastline can simply be closed off, even to those using it in the most low-impact ways. That is an awful precedent to set. I oppose the blanket ban on all access. I oppose targeted restrictions on walking or cycling boarding/surfing and horse riding. I want to keep the public access for future generations. Don't change what New Zealand stands for or ruin it for others. Just because a handful of people don't want us on this land why should hundreds of people and generations lose out on seeing this part of the beautiful Wairarapa. If health and safety is a concern then the council should be repairing the road not restricting access to the public. Teresa Bardella 11th August 2025



**Respondent No:** 003092

**Login:** Anonymous

**Email:** n/a

**Responded At:** Aug 18, 2025 09:11:13 am

**Last Seen:** Aug 18, 2025 09:11:13 am

**IP Address:** n/a

Q1. **First and last name** Brendon Redfern

Q2. **Email address**

[REDACTED]

Q3. **Phone number**

[REDACTED]

Q4. **Which South Wairarapa ward do you live in?** Greytown

Q5. **If you have used the paper road to access DOC land, what has this been for?** fishing

Q6. **Are you submitting on behalf of an organisation?** **If yes, which organisation?**  
Avatar Honey NZ Ltd

Q7. **Do you wish to speak to your submission at Hearings on 3 and 4 September?** Yes

Q8. **Do you support the Paper Road Access Bylaw 2025?** No



**Q9. Do you have any comments to support your submission?**

I oppose the Bylaw in its entirety for the following reasons: 1/Access to our coastline is a birth-right of all New Zealanders. 2/The topography of this stretch of coastline creates a higher level of risk to the people that use it for recreational purposes, meaning close vehicle access is conducive to safer recreational enjoyment. 3/No definitive data has been provided by council as to the traffic counts over the paper road it wishes to close over any time frame. 4/No definitive data has been provided by council regarding if the damage caused has been as a result of public, landowner or DOC vehicles, or if the damage has just been decades of accumulative use, compounded by weather events and lack of maintenance. 5/No alternative options have been put forward to allow safe vehicle access while addressing the concerns of the landowners. ( e.g. maintaining a defined fenced, metalled track with sign writing). 6/Banning vehicle access is dangerous for the typical high-risk leisure activities, surfing, diving, rock fishing that is commonly enjoyed at this coast. This would cause delays in retrieving any injured party or even potentially raising an alarm to emergency services. 7/Banning vehicle access is inherently unjust and discriminatory from an ageism perspective. At my age, the prospect of carrying diving/fishing gear up to 3km in and then returning with the same gear wet with the extra weight of any catch, means the Bylaw is essentially excluding me from this stretch of coastline. 8/The alternative access of walking the Kings chain along this stretch is dangerous and could catch people out who walk in at low tide and try to return at high tide. 9/The only other option is for users to travel the largely unsealed, narrow and poorly maintained White Rock Rd. Restricting vehicle access at the Palliser end will only shift the problem to the White Rock Rd end. This is inefficient and will result in more Km's travelled on White Rock Rd resulting in increased maintenance spend. It also creates a higher risk to me, my employees and other road users. 10/ Vehicle access via the Ngawi /Palliser end is via a wide, two lane arterial sealed road and provides far safer, shorter and efficient access for recreational users to this stretch of coastline and safer, faster access for emergency services. 11/ Given the degree of push-back from the community and the wider national interest this proposed Bylaw has sparked, the council risks exposing itself and its rate-payers to incurring costs of defending legal challenges and vigilante vandalism to any access restriction measures it imposes as a result of implementing this Bylaw. 12/ I encourage the council to consider the work Horowhenua District Council (HDC) has done to protect the fore dunes at Waikawa Beach on the Kapiti Coast. The fore dunes area is designated an Outstanding Natural Landscape. This beach is frequently used by motor vehicles and it used to have a problem with motorbikes and quads ripping up the sand dunes and destroying the vegetation. The HDC installed a basic 3 wire fence around the dunes, with informative signs at regular intervals along the fence line and the problem disappeared over night. A similar formed metal track, fenced off should be the starting point for council instead of the proposed restrictive Bylaw. (sent via email also to haveyoursay@swdc.govt.nz 11:00am 18/08/25.)

---

003507

**From:** [Ian Hutchings](#)  
**To:** [Have your Say](#)  
**Subject:** SUBMISSION ON PROPOSED BYLAW  
**Date:** Sunday, 17 August 2025 7:15:42 PM  
**Attachments:** [SUBMISSION TO SWDC CAPE PALLISER.docx](#)

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Submission attached

Contact details are included.

We do wish to follow up the submission and present at hearings.

Your document says hearings are on both 3 and 6 September dates

Which is correct

Cheers

Ian Hutchings

for CCVC

## **PROPOSED BYLAW**

### **PROPOSED LEGAL ROAD CLOSURE TO VEHICLES**

**TO: SOUTH WAIRARAPA DISTRICT COUNCIL**

**FROM: CROSS COUNTRY VEHICLE CLUB Inc**

**17 AUGUST 2025**

#### **INTRODUCTION**

It appears that Council is making proposals:

- To create a Bylaw that indefinitely and wholly restricts access to a section of Legal Road;
- To allow access for adjacent landowners and to require approval of adjacent landowners for any “permitted” use application;
- To review the Bylaw after 3 years based on allowing pedestrian access, but without involvement of all affected parties and with no certain re-opening of the legal road.

The Cross Country Vehicle Club (CCVC) **OBJECTS** to all three proposals (if indeed they are proposed as such).

The Club represents some 200 members who undertake 4WD trips managed by approved trip leaders using the tread lightly principles. Trips along the legal road have been undertaken over several decades, but less frequently in current years due to locked gates at the far end. None of these trips have encountered any significant risks to the public or participants.

#### **COMMENTARY**

CCVC understands that Council is concerned with the actions of a few members of the public who act irresponsibly on the road and potentially on adjacent private land.

CCVC recognizes that there are areas sensitive to the adjacent Iwi land owners and has no wish to cause damage to such areas, but does not agree that the presence of such areas should prevent current legal access along the coast. If necessary appropriate signage, fencing and/or diversions can be implemented.

CCVC will be happy to work with stakeholders to find sensible solutions to identified problems while maintaining public access.

#### **THE PROPOSALS**

The use of language such as “Paper Road” is of course legally incorrect and tends to downplay the true position. The land would appear to be an **Unformed Legal Road** (ULR) and is a part of a legal road that exists from Cape Palliser, through specific exclusions in the DoC Reserve and continuing to the formed road at Ngapotiki Road.

It is also incorrect to state that the “stretch of coastline” crosses Māori Land and Crown land managed by DOC. These lands are of course potentially adjacent to the legal road but are separate landholdings.

The ULR is not a dead end but as above continues with legal right of way to Ngapotiki Rd.

We note that there is considerable confusion in the documents between the private land and the legal road. Council should obviously be responsible for *managing the public road in trust for the public*, but much of the commentary refers to private lands and the owners wishes, which are not a Council responsibility.

As a statement of position, Council is obviously misinformed or simply providing a poor or casual representation of the correct position.

The actual area under consideration is not well defined. The only information seems to be a photograph in an Appendix which does not appear to be complete on the right margin. The Appendix does not even appear to be referenced in the proposed text! The photograph suggests only a 450 m stretch of the ULR is involved, but the ULR is far greater than this. How is access to the remaining section to be arranged?

The Council documentation clearly outlines that the Bylaw is simply a mechanism to completely exclude the public, avoiding the envisaged complexity of Stopping or closing the Road, but to give the same effects. It is largely, if not wholly, related to the adjacent (Iwi) landowner (refer to the preface which was supplied by Iwi and incorporated into Council documents).

However, in addition to a public closure, Council proposes that adjacent private landowners (presumably Iwi) would have access to the closed road, despite the Council outlining various potential risks and hazards.

CCVC does not believe there is any legislative authority that would enable creation of a bylaw as proposed.

As such, a Bylaw or Stopping is likely to be disallowed by the Minister and not supported by the Courts which have traditionally prioritized public access over private interests.

As stated in the Outdoor Access Commissions material

The statutory decision making framework of the Local Government Act 2002 and the detailed road stopping processes and controls of the Local Government Act 1974 help councils to place the wider interests of the public ahead of private interests. The courts uphold the priority of the public’s right of passage over private interests. Blanchard J emphasised this in the when he stated: Man O’ War case

**The integrity of the roading infrastructure is of such importance to the economic and social welfare of any society that it is to be anticipated that the public right to the use of roads will be given a measure of priority when it comes in conflict with private claims.**

## **OPTIONS**

In creating a bylaw Council is required to give consideration and assessment of options other than a bylaw as a part of managing the stated problem. There is no information provided on any such considerations. A belatedly released SWDC document claims compliance with the requirement but does not offer any evidence to support such.

A comment on historical signage is not such a consideration. There are obviously several options under present authorities that should be considered that have not been canvassed by Council. The main issue appears to be that no effective enforcement has occurred in past years. Yet Council suggest enforcement will occur under a Bylaw.

- Boundary delineation<sup>1</sup>. This seems a primary consideration and can be fencing but could also be just a few posts or large boulders at strategic intervals with suitable signage. Landowners throughout the SWDC district prevent trespass onto their land by fencing and this can be required by Council where appropriate. It is however not a Council responsibility to fence the public road boundaries.
- Fire risk is not a primary Council responsibility but restrictions are possible along with enforcement. Even signage would be useful.
- Trespass and camping on private land can be managed by the landowner, with Police as required. Photographing vehicles Registration Plates will provide evidence. Preventing camping will materially reduce the fire risk.
- Seasonal restriction to limit damage to soft or muddy areas,

## **PROCESS FOR BYLAWS**

The Process of creating a Bylaw is clearly laid out and requires a consideration and evaluation of alternatives such as above, and a consultation process.

Council appears to be following a process that does not meet either the Road Stopping process or the bylaw creation process required. The restrictions proposed are clearly not temporary. They are an absolute and indefinite prohibition of all public access.

The stated concern from the Department of Conservation is unclear and no correspondence has been provided to support claims in the Council documents.

It is unclear what the “Council perceived problems” are and therefore what other alternatives may exist and why a Bylaw is the most appropriate way of addressing them. A simple Council Resolution clearly needs to be properly supported.

The Courts have strongly supported the public right of access to legal roads, whether formed or unformed. It is clear there is little legal difference, in the Court’s view, as to whether a road is pegged out or formed, they are all legal roads.

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<sup>1</sup> CCVC notes that routes based on legal roads can and do diverge in to other land for practical and common sense reasons (hydro parcels for example). The road to Cape Palliser is a good example.

As a general comment, there are different parties involved who use 4WD vehicles for access and recreation. Some are individuals or small groups that may access areas with little reference to any effects they may cause. Others are more organised (for example Clubs that are affiliated to the NZFWDA) and operate under protocols and standards that are designed to recognize established access conditions and seek to protect the environment. CCVC operate within a set of NZFWDA internal rules designed to ensure compliance with Legislation, Regulations, Consent requirements and other applicable standards.

CCVC supports the use of the guidelines published by the Walking Access Commission on the use and management of Unformed Legal Roads.

## **Conclusion**

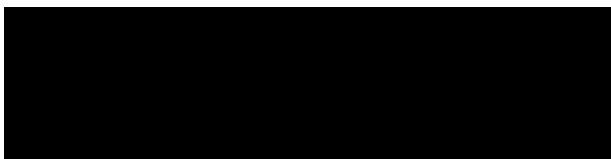
CCVC submits that the current proposals are fraught with the lack of required information, and an inadequately documented and supported process. It is far from clear how Council has met its statutory requirements in proceeding to create a Bylaw without seriously considering existing options. A relatively small section of ULR should be able to be managed using existing provisions without excluding the public.

The Club is prepared to work with Council in discussions on any future action seen as necessary. Even a work party would be possible.

The best decision for Council at this stage is to abandon the bylaw proposal and enter into discussion with ALL interested parties. Such is an appropriate action for the body managing ULR in trust for the public.

Ian Hutchings

For CCVC (Inc)





**Respondent No:** 352

**Login:** Anonymous

**Email:** n/a

**Responded At:** Jul 26, 2025 19:00:55 pm

**Last Seen:** Jul 26, 2025 19:00:55 pm

**IP Address:** n/a

Q1. **First and last name** Daniel Fazackerley

Q2. **Email address**



Q3. **Phone number**



Q4. **Which South Wairarapa ward do you live in?** Outside of district

Q5. **If you have used the paper road to access DOC land, what has this been for?** other (please specify)  
Marine observation

Q6. **Are you submitting on behalf of an organisation?** No

Q7. **Do you wish to speak to your submission at Hearings on 3 September?** Yes

Q8. **Do you support the Paper Road Access Bylaw 2025?** No

Q9. **Do you have any comments to support your submission?**

I oppose the bylaw to restrict access past Cape Palliser Lighthouse. Sea erosion causes far more damage than the occasional 4WD. The tracks already formed act as swales—holding water, reducing runoff, and supporting vegetation and wildlife. There's little option but to use these tracks—go off them and you'll hit hidden boulders and risk serious damage. Blocking access removes the public rights while allowing landowners, friends, and tribal affiliates to keep using it. If Council is serious about safety and environmental protection, they should focus on fixing the severely eroded access road into the village—where thousands of tonnes of sediment are washing into Palliser Bay every year.





**Respondent No:** 368

**Login:** Anonymous

**Email:** n/a

**Responded At:** Jul 27, 2025 06:30:41 am

**Last Seen:** Jul 27, 2025 06:30:41 am

**IP Address:** n/a

Q1. **First and last name** Jordan Charles

Q2. **Email address**

[REDACTED]

Q3. **Phone number**

[REDACTED]

Q4. **Which South Wairarapa ward do you live in?** Outside of district

Q5. **If you have used the paper road to access DOC land, what has this been for?**

tramping

**other (please specify)**

Off-roading, a drive around the bay past the lighthouse and to the waterfall at the river. We always take care to stick to the track and not disturb the land as much as possible. This is a great outing for myself, partner, and rest of my family that allows us to comfortably enjoy a stunning part of the beautiful country we live in. We always take care of the bush around us and on the off chance we see any litter or anything like that it is picked up and taken home. In short we have a huge respect and realise it is a privilege to use the land. It seems unfair that the majority of people like us should be punished for the carelessness of a few. I'd like New Zealand to have access to places like this years down the line, or do we really want it to be a country where it's forbidden to get anywhere cool?

Q6. **Are you submitting on behalf of an organisation?**

No

Q7. **Do you wish to speak to your submission at Hearings on 3 September?**

Yes

Q8. **Do you support the Paper Road Access Bylaw 2025?**

No

Q9. **Do you have any comments to support your submission?**

Off-roading, a drive around the bay past the lighthouse and to the waterfall at the river. We always take care to stick to the track and not disturb the land as much as possible. This is a great outing for myself, partner, and rest of my family that allows us to comfortably enjoy a stunning part of the beautiful country we live in. We always take care of the bush around us and on the off chance we see any litter or anything like that it is picked up and taken home. In short we have a huge respect and realise it is a privilege to use the land. It seems unfair that the majority of people like us should be punished for the carelessness of a few. I'd like New Zealand to have access to places like this years down the line, or do we really want it to be a country where it's forbidden to get anywhere cool?





**Respondent No:** 388

**Login:** Anonymous

**Email:** n/a

**Responded At:** Jul 27, 2025 11:59:47 am

**Last Seen:** Jul 27, 2025 11:59:47 am

**IP Address:** n/a

- Q1. **First and last name** Andrew MacDonald
- Q2. **Email address** [REDACTED]
- Q3. **Phone number** [REDACTED]
- Q4. **Which South Wairarapa ward do you live in?** Outside of district
- Q5. **If you have used the paper road to access DOC land, what has this been for?** tramping  
other (please specify)  
Photography and botanical adventures.
- Q6. **Are you submitting on behalf of an organisation?** No
- Q7. **Do you wish to speak to your submission at Hearings on 3 September?** Yes
- Q8. **Do you support the Paper Road Access Bylaw 2025?** No

**Q9. Do you have any comments to support your submission?**

This is an intentional and gross overstepping on the public's right to access public (doc) land that is of huge significance to all New Zealanders. Whilst I have witnessed the damage caused by vehicles I feel like this is being used as an excuse to exclude regular people from the area. Allowing pedestrian or mountain bike access only would be a solution that would prevent the motor vehicle damage whilst still keeping access to public land. Due to the distance from the lighthouse to the stonewalls the number of vandals would be severely reduced purely because of the effort required to reach the area. Furthermore, I recently accessed the Ngapotiki area from White Rock and found there to be a locked gate on the paper / public road. I emailed the council and was told I would receive an answer as to the legality of this, yet received no answer - potentially hinting at the councils exclusionary agenda for the area?



**Respondent No:** 444

**Login:** Anonymous

**Email:** n/a

**Responded At:** Jul 28, 2025 09:11:40 am

**Last Seen:** Jul 28, 2025 09:11:40 am

**IP Address:** n/a

Q1. **First and last name** Russell hight

Q2. **Email address**

[REDACTED]

Q3. **Phone number**

[REDACTED]

Q4. **Which South Wairarapa ward do you live in?** Greytown

Q5. **If you have used the paper road to access DOC land, what has this been for?**  
hunting  
tramping  
camping  
fishing

Q6. **Are you submitting on behalf of an organisation?** No

Q7. **Do you wish to speak to your submission at Hearings on 3 September?** Yes

Q8. **Do you support the Paper Road Access Bylaw 2025?** No

Q9. **Do you have any comments to support your submission?**

I have used this paper road for access to this section of coastline for 27 years and have always stuck to the track, have always looked to minimise any impact, always pick up any rubbish mine or anyone else's that I see and the effect on the environment by responsible individuals certainly isn't negative from my experience. I think this approach is going too far and would like to see an approach to this paper road that would be in line with most other accessible paper roads around New Zealand. I.e. signage, fencing, education etc.



**Respondent No:** 091 **003131**

**Login:** Anonymous

**Email:** n/a

**Responded At:** Aug 18, 2025 11:58:36 am

**Last Seen:** Aug 18, 2025 11:58:36 am

**IP Address:** n/a

- Q1. **First and last name** Sophie Tucker
- 
- Q2. **Email address** [REDACTED]
- Q3. **Phone number** [REDACTED]
- Q4. **Which South Wairarapa ward do you live in?** Outside of district
- Q5. **If you have used the paper road to access DOC land, what has this been for?** hunting  
tramping  
camping  
fishing  
**other (please specify)**  
We advocate on behalf of over 22,000 New Zealanders, comprising almost 100 member clubs and 1,000 individual supporters, who enjoy non-commercial outdoor recreation in New Zealand's front and backcountry. We also speak for the large number of other New Zealanders who enjoy our public lands for outdoor recreation.
- Q6. **Are you submitting on behalf of an organisation?** Yes
- Q7. **Do you wish to speak to your submission at Hearings on 3 and 4 September?** Yes
- Q8. **Do you support the Paper Road Access Bylaw 2025?** No
- Q9. **Do you have any comments to support your submission?**  
Yes. We have submitted a 9-page letter to haveyoursay@swdc.govt.nz dated 18 August 2025.

**From:** [Sophie Tucker](#)  
**To:** [Have your Say](#)  
**Subject:** Paper Road Bylaw  
**Date:** Monday, 18 August 2025 2:06:46 PM  
**Attachments:** [20250818 Submission on South Wairarapa District Council Paper Road Access Bylaw 2025.pdf](#)

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Dear South Wairarapa District Council,

On behalf of the Federated Mountain Clubs of New Zealand Inc (FMC), please find attached our submission regarding feedback on the proposed Paper Road Access Bylaw 2025.

Our attached submission also confirms that we wish to be heard in support of our submission at the hearings scheduled to take place on 3rd and 4th September 2025, and I look forward to hearing from you on this.

Ngā mihi

**Sophie Tucker**  
Executive Officer Operations  
Federated Mountain Clubs of NZ  
m: [REDACTED]  
e: [REDACTED]  
w: [fmc.org.nz](http://fmc.org.nz)

18 August 2025

South Wairarapa District Council

Submitted via email to: [haveyoursay@swdc.govt.nz](mailto:haveyoursay@swdc.govt.nz)



**Federated Mountain Clubs of New Zealand Inc.**  
**Submission on South Wairarapa District Council Paper Road**  
**Access Bylaw 2025**

Dear South Wairarapa District Council,

**Summary of our submission**

- a) FMC strongly opposes the proposed Paper Road Access Bylaw 2025. The Council has not provided sufficient information or evidence to justify this Bylaw.
- b) The Council does not have the legal power to restrict non-motorised access along an unformed legal road. The Local Government Act 1974 sets out the formal process for stopping a road.
- c) Many of the long standing problems with illegal activities or poor public behaviour on private land lie outside the scope of the proposed Bylaw. There are other civil and criminal legal options to address these problems.
- d) We recognise that local authorities have a general duty to provide for public access along the coastal marine area, while providing for the relationship of Māori and their traditions and culture with their ancestral lands, water, sites wāhi tapu and other taonga. The Wairarapa Coastal Strategy promotes walking access to, and along, the Wairarapa Coast, and to manage vehicle access, and encourage responsible use of vehicles so that impacts on native ecosystems and other beach users are avoided or minimised.
- e) Many of the problems could be resolved by applying practical 'on the ground' measures. For example:
  - i) Regional park plans are an example of local authorities working with iwi and local communities to provide the public with amenities for outdoor recreation while protecting natural, cultural and heritage values.
  - ii) Greater Wellington Council's Native Ecosystem Plan for Cape Palliser-Te Mātakitaki a Kupe could be extended to Waitetuna Stream, and be used to guide the restoration of damaged native ecosystems.

- iii) Easements or legal access ways from the unformed legal road to the foreshore could be negotiated with landowners. Signs and markers could be used to show the position of the unformed legal road and public access easements.

We wish to be heard in support of this submission at the hearings scheduled to take place on 3rd and 4th September 2025, or any other date that is scheduled.

## Introduction

1. Thank you for the opportunity to submit on the Council's proposed Paper Road Access Bylaw 2025 ('Bylaw').
2. Federated Mountain Clubs of New Zealand Inc. (FMC) was founded in 1931 to, amongst other things, promote public access to our outdoors, to preserve our public lands and to promote non-commercial outdoor recreation. We advocate on behalf of over 22,000 New Zealanders, comprising almost 100 member clubs and 1,000 individual supporters, who enjoy outdoor recreation in New Zealand's front and backcountry. We also speak for the large number of other New Zealanders who enjoy our public lands for outdoor recreation.
3. Our submission on the proposed Bylaw considers it from the perspective of the outdoor recreation community, and in particular, the implications for public access to public land and along the coast. The provision of safe, practical, legal access to public land is often overlooked by decision makers.

## Background

4. The Cape Palliser / Te Mātakitaki a Kupe coast lies at the southern end of the Aorangi Range. The landscape is similar to other south facing coastal areas of the Wellington region, with steep coastal escarpments, coastal beach ridges, gravel beaches and subtidal rocky coastal reefs.
5. The Aorangi Forest Park, managed by the Department of Conservation (DOC), occupies a large part of the Aorangi Range, and extends to the coast between Waitetuna Stream and Te Rakauwhakamataku Point. The Ngāpotiki Scenic Reserve (Stonewall Scenic Reserve), a Nature Heritage Fund purchase, lies between the Forest Park and the foreshore. The Reserve is a 'Whenua Tūturu' site, and is managed under a relationship agreement between DOC and the Rangitāne Tū Mai R ā Trust<sup>1</sup>, as part of a Treaty of Waitangi Settlement with the Crown. The coastal strip from Little Mangatoetoe Stream and Waitetuna Stream and the blocks of land on the Mangatoetoe ridge is a mix of Māori and private land.
6. The south-eastern part of the North Island is especially important to Māori with its connections to Kupe – the legendary Polynesian explorer. There are many seasonal and

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<https://www.govt.nz/assets/Documents/OTS/Rangitane-o-Wairarapa-and-Rangitane-Tamaki-nui-a-Rua/Rangitane-o-Wairarapa-and-Rangitane-Tamaki-Nui-a-Rua-initialled-documents-schedule.pdf>

permanent occupation sites. Humans have occupied the area since the 12th Century<sup>2</sup> and numerous archaeological sites - kūmara gardens, stone walls, pā and urupā sites - can be found throughout the area. The Cape Palliser / Matakītaki coast and Ngā ra a Kupe coast are classified as sites with significant mana whenua values<sup>3</sup>.

7. The Cape Palliser / Te Mātakitaki a Kupe coast contains a diverse range of coastal vegetation communities – regenerating native forest on the coastal hill sides, gravel herbfields, shrublands, wetlands, and turf communities, and are classified as regionally important ecosystems or significant natural areas<sup>4</sup>. The area also has an important breeding colony of New Zealand fur seals. The Greater Wellington Regional Council is funding an ecological restoration programme along the south west facing coastal block of land between Kupe's Sail and the Cape Palliser Lighthouse<sup>5</sup>.
8. The wild exposed coastline has high landscape and amenity values<sup>6</sup>. Three significant geological features have been identified in the coastal area – a pillow lava association at Cape Palliser/Matakītaki, the fossiliferous sandstone outcrop - Kupe's sail / Ngā Rā a Kupe; and the reef at Te Rakauwhakamataku Point<sup>7</sup>.
9. The coastal area and forest park are popular areas for recreational activities. Legal public access to the western and southern sides of Aorangi Forest Park is via a circuit track between Te Kopi and Mangatoetoe Stream. Other routes into the forest park cross private land and require the permission of the landowners. A day walk or mountain biking trip can be undertaken along the coast between the Cape Palliser car park and the road end at Ngapotiki<sup>8</sup>. Surfcasting from shore and diving are also popular activities,

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<sup>2</sup> [https://www.researchgate.net/publication/363534686\\_Leach\\_BF\\_Leach\\_HM\\_and\\_RG\\_Law\\_2022\\_The\\_Chronology\\_of\\_Pre-European\\_Settlement\\_in\\_Palliser\\_Bay\\_A\\_Re-Evaluation\\_of\\_Radiocarbon\\_Dating\\_Fifty\\_Years](https://www.researchgate.net/publication/363534686_Leach_BF_Leach_HM_and_RG_Law_2022_The_Chronology_of_Pre-European_Settlement_in_Palliser_Bay_A_Re-Evaluation_of_Radiocarbon_Dating_Fifty_Years)  
On Downloaded 9 August 2025

<sup>3</sup> Greater Wellington Regional Council 2023 *Natural Resources Plan Schedule C Sites with significant mana whenua values*. Downloaded 9 August 2025  
<https://www.gw.govt.nz/assets/Documents/2023/07/CORRECT-Natural-Resource-Plan-Operative-Version-2023-incl-maps-compressed.pdf> See also Proposed Wairarapa Combined District Plan Schedule 4  
[https://cdn.prod.websitefiles.com/615b81c9bbf626f0003ff5c3/651e294d65f560e0c5abf49e\\_10%20Proposed%20Schedule%204%20ASAM%2020230927.pdf](https://cdn.prod.websitefiles.com/615b81c9bbf626f0003ff5c3/651e294d65f560e0c5abf49e_10%20Proposed%20Schedule%204%20ASAM%2020230927.pdf) Downloaded 10 August 2025

<sup>4</sup> Greater Wellington Regional Council 2021 *Key Native Ecosystem Operational Plan for Cape Palliser - Te Mātakitaki a Kupe* 2020-26  
<https://www.gw.govt.nz/assets/Documents/2021/11/Key-Native-Ecosystem-Plan-Cape-Palliser-2021-26.pdf>

<sup>5</sup> <https://www.gw.govt.nz/assets/Documents/2021/11/Key-Native-Ecosystem-Plan-Cape-Palliser-2021-26.pdf>  
Downloaded 17 August 2025

<sup>6</sup> Proposed Wairarapa Combined District Plan Schedule 8 & 10  
[https://cdn.prod.website-files.com/615b81c9bbf626f0003ff5c3/651e294f561c984cafc8cde6\\_16%20Proposed%20Schedule%2010%20HVNHC%2020230927.pdf](https://cdn.prod.website-files.com/615b81c9bbf626f0003ff5c3/651e294f561c984cafc8cde6_16%20Proposed%20Schedule%2010%20HVNHC%2020230927.pdf) Downloaded 10 August 2025

<sup>7</sup> Greater Wellington Regional Council 2023 *Natural Resources Plan Schedule J Significant geological features in the coastal marine area* Downloaded 9 August 2025  
<https://www.gw.govt.nz/assets/Documents/2023/07/CORRECT-Natural-Resource-Plan-Operative-Version-2023-incl-maps-compressed.pdf>

<sup>8</sup> <https://www.stuff.co.nz/travel/back-your-backyard/120429501/get-on-your-bike-to-a-dramatic-part-of-new-zealand-cape-palliser>. See also  
<https://cycletour.org.nz/rides/north/cape-palliser/> Downloaded 9 August 2025



attracted by the abundant coastal fishery<sup>9</sup>. Three significant surf breaks - 'Schnappes', 'The Desert' and 'Seconds' lie between Waitetuna Stream and Te Rakauwhakamataku Point<sup>10</sup>.

10. The Cape Palliser Road runs along the south coast, and finishes at the carpark by the Cape Palliser lighthouse. On the eastern side of the Aorangi Range, the formed road from White Rock finishes at Ngapotiki. The two formed roads are connected by an unformed legal road, which runs along the coastal terrace, crossing over the coastal portion of the Ngāpotiki Scenic Reserve (Stonewall Scenic Reserve). A rough four wheel drive (4WD) track runs along the coast, generally following the line of the unformed legal road. Near Te Rakauwhakamataku Point, part of the unformed road crossing the forest park now lies offshore in the Coastal Marine Area, where local erosion has moved the shoreline landward. Here the 4WD route deviates from the unformed legal road and climbs above eroding gullies and cliffs. Beyond the Cape Palliser Road carpark there are numerous 4WD drive tracks on private land, either side of the unformed legal road<sup>11</sup>.
11. In response to years of poor public behaviour – trespassing on private land, illegal camping, illegally lit fires and 4WD vehicles damaging the soil and vegetation cover<sup>12</sup>, the South Wairarapa District Council ("Council") is proposing a new Bylaw to restrict all pedestrian, cycle and vehicular traffic along the legal road, except for landowners or officially authorised vehicles. The restricted zone would start at the Cape Palliser car park and would extend approximately 380m along the unformed legal road (Bylaw Appendix 1)<sup>13</sup>. The effectiveness of the Bylaw will be reviewed within three years after it has commenced.

Note: it is not clear from the draft Bylaw (Appendix 1) whether this is the entire length of road covered by the Bylaw, or if the restricted zone would extend further along the coast to the Ngapotiki Scenic Reserve (Stonewall Scenic Reserve).

## Specific comments on the proposed Bylaw

12. A road includes any land vested in a council for a road as shown on a deposited survey plan<sup>14</sup>. A legal road may be formed i.e. sealed or gravelled, or unformed (a 'paper road'). Unformed legal roads have the same legal status as a formed road. Under common law, the public are entitled to use them, provided they do not cause damage to the surface or trespass onto adjoining private property<sup>15</sup>. A council may make a bylaw to restrict only the use of motor vehicles on an unformed legal road to protect the environment, the road and adjoining land and the safety of road users<sup>16</sup>. The Council does not have the

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<https://www.fishing.net.nz/fishing-destinations/new-zealand/gisborne-hawkes-bay/destination-fishing-at-cape-palliser/> Downloaded 9 August 2025.

<sup>10</sup> Greater Wellington Regional Council 2023 Natural Resources Plan Schedule K Significant surf breaks

<sup>11</sup> These are very obvious from the aerial photos of the area

<sup>12</sup> South Wairarapa Paper Access Road Bylaw 2025 Consultation Document

<sup>13</sup> Ibid

<sup>14</sup> s. 315(1) Local Government Act 1974 & s. 43(1) Government Roading Powers Act 1989

<sup>15</sup> Herenga ā Nuku Aotearoa (2022) *Guidelines for the Management of Unformed Legal Roads* 2<sup>nd</sup> edition.

<sup>16</sup> s. 22AB(1)(g) Land Transport Act 1998



power to restrict non-motorised access along an unformed legal road. There is in principle a legal right to pass and repass over any part of any road land. (See *R v United Kingdom Electric Telegraph Co* (1862) 31 LJ (MC) 166 at 167.)

13. If the Council wishes to restrict the free pedestrian movement on the legal road, as it is proposing in Clause 5 of the Bylaw, then it must first 'stop' the road i.e. alter its legal status. Without a road stoppage, a bylaw that purported to prevent non motorised access to road land could easily be overturned.
14. The Local Government Act 1974 sets out a formal rigorous process for stopping a road<sup>17</sup>, including public notification, and if there are objections to the proposed stoppage, the final decision would be made by the Environment Court. The Council has chosen not to use this process, citing the length of time and costs<sup>18</sup>.
15. The Council may close a public road temporarily for repairs to the road or associated infrastructure, problems with traffic, public disorder, sporting events or public functions<sup>19</sup>. None of the reasons cited by the Council in the Consultation Document meet these criteria.
16. The Bylaw is secondary legislation for the purposes of the Legislation Act, (FN: s 161A, Local Government Act 2002) and the Bylaw would be subject to the scrutiny of Parliament's Regulations Review Committee. FMC would consider making a complaint to the Committee if the Council approved the Bylaw.

### **FMC's position**

17. FMC opposes the Bylaw because the reasons cited by the Council for the closing of the legal road (and therefore the Bylaw) are, in our view, illegal. Many of the problems are created by poor public behaviour, which could be dealt with by managing vehicle access.
18. One justification for the Bylaw is to prevent adverse effects of public activities on properties adjoining the unformed legal road, such as soil disturbance, damage to vegetation and habitats, biosecurity risks and trespassing. This will continue without fences, other physical barriers or route markers.
19. We disagree with the statement that "*..the bylaw recognises that paper roads can adversely impact nearby property owners - through issues like trespassing, biosecurity risks or disrupted land use*"<sup>20</sup> Unformed legal roads ("paper roads") are legally no different from formed legal roads, and it is questionable whether the Council would apply the same Bylaw to deal with similar problems in an urban area. There are other civil and criminal legal options for dealing with illegal access, intentional damage, illegal fires, and other nuisance effects on private property, e.g. the Trespass Act 1980.
20. Other reasons cited for the proposed Bylaw are also unsound. They include coastal erosion and unstable terrain and hazardous natural features. By overlaying the

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<sup>17</sup> s. 342, Schedule 10 Local Government Act 1974

<sup>18</sup> South Wairarapa Paper Access Road Bylaw 2025 Consultation Document pg 5

<sup>19</sup> s. 342 & Schedule 10 Local Government Act 1974

<sup>20</sup> South Wairarapa Paper Access Road Bylaw 2025 Consultation Document pg 3.

unformed legal road line over aerial imagery for the area, it is clear most of the road is largely unaffected by coastal erosion (see Para 10). The Council's discussion document does not offer any evidence or examples of "unstable terrain and hazardous natural features" that would affect public access. The road line largely follows the flat terrace at the base of the coastal escarpment, and like many other unformed legal roads in New Zealand, users would need to use their judgement where the road crosses unbridged streams or alluvial fans. Closure of the road, whether legitimate or not, will simply displace traffic to other areas of the coastal strip.

21. Public access along the foreshore is not a practicable alternative. Sea conditions would, at times, make the foreshore too hazardous. The only direct legal access to the foreshore is from the road in the vicinity of Rocky Point and the Cape Palliser Lighthouse. Further along the coast before Waitetuna Stream, several blocks of private land lie between the unformed legal road and the foreshore. There is no direct legal access to the foreshore without permission from the land owners.
22. Local authorities have a general duty (among other matters) to recognise and provide for public access along the coastal marine area, lakes and rivers, and the relationship of Māori and traditions and their culture with their ancestral lands, water, sites wāhi tapu and other taonga<sup>21</sup> This statutory duty is reflected in the planning documents for the area.<sup>22</sup> To summarise, the planning provisions require local authorities to manage activities to safeguard and maintain sites of significance to Māori and Outstanding Natural Features and Landscapes, maintain and enhance indigenous biodiversity, and to maintain and enhance public access to the coast, except where restrictions are required to protect natural habitats, mana whenua sites and activities, heritage features and public health and safety<sup>23</sup>.
23. The Wairarapa Coastal Strategy<sup>24</sup> – a planning document prepared by the local territorial authorities and Greater Wellington Regional Council - contains a suite of non-statutory policies and methods to manage the increasing pressures on the zone between the top of the escarpment and Mean High Water Springs. The Strategy seeks to encourage walking access to, and along, the Wairarapa Coast, and to manage vehicle access and encourage responsible use of vehicles so that impacts on native ecosystems and other beach users are avoided or minimised<sup>25</sup>.

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<sup>21</sup> s. 6(d) & (e) Resource Management Act 1991

<sup>22</sup> Wairarapa Proposed District Plan <https://www.wairarapaplan.co.nz/wairarapa-proposed-district-plan>  
Greater Wellington Natural Resource Regional Plan  
<https://www.gw.govt.nz/assets/Documents/2023/07/CORRECT-Natural-Resource-Plan-Operative-Version-2023-incl-maps-compressed.pdf> Downloaded 10 August 2025.

<sup>23</sup> Section PA Public Access, Wairarapa Proposed District Plan See also Policy P8, Policy P21 & Policy P48 Policy P52 Greater Wellington Natural Resource Regional Plan

<sup>24</sup> <https://www.gw.govt.nz/assets/Documents/2022/05/711FinalStrategywis1347-1.pdf> Downloaded 11 August 2025

<sup>25</sup> Ibid Access and Recreation policies 3 & 6 pg 16

## Managing public access

24. Local authorities must determine whether a bylaw is the most appropriate way of addressing the perceived problem<sup>26</sup>. In our view, many of the problems could be resolved by implementing practical 'on the ground' measures to manage public access. For example, the Council could restrict motorised vehicle access beyond the Cape Palliser carpark, but continue to allow low impact activities, such as people walking or cycling access along the coast. This would fulfil the Council's statutory obligations to provide for public access while protecting the cultural values of the area. We acknowledge that fencing off the unformed legal road is not a practical option as it would require significant additional costs and time to complete archaeological surveys before disturbing the ground.
25. Other approaches are being successfully applied elsewhere. For example, the Greater Wellington Regional Council's regional parks offer a useful model and ideas for the future management of the Cape Palliser / Te Mātakitaki a Kupe area. The regional parks have to manage a wide range of activities with multiple land owners while protecting core natural and cultural values<sup>27</sup>. The Parangarahu Lakes are jointly managed by the Greater Wellington Regional Council and the Port Nicholson Block Settlement Trust as part of the East Harbour Regional Park. This area has high natural, cultural and heritage values, and is the focus of extensive restoration work by iwi and conservation groups. Cycle and walking tracks provide access around the lakes, and motorised vehicle access is restricted by the use of specially designed barriers that stop vehicles but allow pedestrians and cyclists, including those with heavy e-bikes.<sup>28</sup> Eventually, the park may be linked to the Ngā Haerenga / Remutaka Cycle Trail via a cycle trail along the coast to Baring Head / Ōrua-pouanui<sup>29</sup>.
26. The Greater Wellington Council's Native Ecosystem Plan for Cape Palliser-Te Mātakitaki a Kupe<sup>30</sup> could be another option for restoring the damaged indigenous plant communities. The plan boundary could be extended to Waitetuna Stream, and involve the local land owners. These efforts could be assisted by the creation of a Community Coast Care Group<sup>31</sup> to enable other members of the local community to contribute to the restoration and management of the area.
27. The public are required to stay on the unformed legal road unless they have the permission of landowners to be on their land. However, the legal road line is often not always obvious. Similarly, the Council could negotiate public access easements or access

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<sup>26</sup> s. 155(1) Local Government Act 2002.

<sup>27</sup> Greater Wellington Regional Council (2020) *Toitu Te Whenua Parks Network Plan 2020- 30* <https://www.gw.govt.nz/assets/Documents/2022/05/Parks-Network-Plan-2020-30-3.0.pdf> Downloaded 10 August 2025

<sup>28</sup> Ibid pg 15

<sup>29</sup> Ibid pg 130

<sup>30</sup>

<https://www.gw.govt.nz/assets/Documents/2021/11/Key-Native-Ecosystem-Plan-Cape-Palliser-2021-26.pdf> Downloaded 17 August 2025.

<sup>31</sup> <https://www.coastalrestorationtrust.org.nz/coast-care-groups/groups/> Downloaded 17 August 2025.

routes with landowners to provide access from the road to the foreshore. Simple practical measures, such as poles or markers, could be used to show the line of the unformed legal road and/or easements or rights of way. These are widely used elsewhere to guide people over public access easements on private land. Other measures, such as story boards, can educate and enrich people's understanding of an area, and give them a greater appreciation of an area's cultural and natural history.

Yours faithfully,



Megan Dimozantos

President

Federated Mountain Clubs of NZ



**Respondent No:** 723 **001855**

**Login:** Anonymous

**Email:** n/a

**Responded At:** Aug 12, 2025 12:11:22 pm

**Last Seen:** Aug 12, 2025 12:11:22 pm

**IP Address:** n/a

Q1. **First and last name** Joe hart

Q2. **Email address**

[REDACTED]

Q3. **Phone number**

[REDACTED]

Q4. **Which South Wairarapa ward do you live in?** Greytown

Q5. **If you have used the paper road to access DOC land, what has this been for?** **other (please specify)**

Visiting with family to see the beautiful landscape

Q6. **Are you submitting on behalf of an organisation?** No

Q7. **Do you wish to speak to your submission at Hearings on 3 and 4 September?** Yes

Q8. **Do you support the Paper Road Access Bylaw 2025?** No

Q9. **Do you have any comments to support your submission?**

To close this to Bikes and even ATV,s is very short sighted . We have taken people from all around the World to this beautiful spot for over 22 years. Can see that 4WD vechiles do damage the grass area which is disappointing. Not hard to have heavy Posts to restrict the width of vechiles allowed through. ATV or side by sides to not damage pasture There was a time that the whole track was open through to White Rock Station thanks to [REDACTED] .



**Respondent No:** 333

**Login:** Anonymous

**Email:** n/a

**Responded At:** Jul 26, 2025 14:58:40 pm

**Last Seen:** Jul 26, 2025 14:58:40 pm

**IP Address:** n/a

Q1. **First and last name** Brieah Williams

Q2. **Email address**

[REDACTED]

Q3. **Phone number**

[REDACTED]

Q4. **Which South Wairarapa ward do you live in?** Outside of district

Q5. **If you have used the paper road to access DOC land, what has this been for?** camping

Q6. **Are you submitting on behalf of an organisation?** No

Q7. **Do you wish to speak to your submission at Hearings on 3 September?** Yes

Q8. **Do you support the Paper Road Access Bylaw 2025?** No

Q9. **Do you have any comments to support your submission?**

Me and my dad, brother ,cousins and family friends have gone camping at the stone wall spot several times now and we love how you can see the stars this one time me and my best friend Mackenzie freeman layed on the grass in our Swannndri's and gum boots and layed their looking at the stars and talking for hours at stone wall we have made endless memories there and would hate to see it go When you make your final decision I want you to know that we have loved having the place there and don't want to see it go



**Respondent No:** 541

**Login:** Anonymous

**Email:** n/a

**Responded At:** Jul 29, 2025 09:34:57 am

**Last Seen:** Jul 29, 2025 09:34:57 am

**IP Address:** n/a

Q1. **First and last name** Stuart Campbell

Q2. **Email address**

[REDACTED]

Q3. **Phone number**

[REDACTED]

Q4. **Which South Wairarapa ward do you live in?** Martinborough

Q5. **If you have used the paper road to access DOC land, what has this been for?** fishing

Q6. **Are you submitting on behalf of an organisation?** No

Q7. **Do you wish to speak to your submission at Hearings on 3 September?** Yes

Q8. **Do you support the Paper Road Access Bylaw 2025?** No

Q9. **Do you have any comments to support your submission?**

I do not want to see public 4wd access stopped just because of a small number of idiots.



**Respondent No:** 001 **001993**

**Login:** Anonymous

**Email:** n/a

**Responded At:** Aug 13, 2025 17:11:45 pm

**Last Seen:** Aug 13, 2025 17:11:45 pm

**IP Address:** n/a

Q1. **First and last name** Kim Hayes

Q2. **Email address**

[REDACTED]

Q3. **Phone number**

[REDACTED]

Q4. **Which South Wairarapa ward do you live in?**

Martinborough

Q5. **If you have used the paper road to access DOC land, what has this been for?**

fishing

**other (please specify)**

Visiting the stone wall and swimming in the waterfall

Q6. **Are you submitting on behalf of an organisation?**

No

Q7. **Do you wish to speak to your submission at Hearings on 3 and 4 September?**

Yes

Q8. **Do you support the Paper Road Access Bylaw 2025?**

No

Q9. **Do you have any comments to support your submission?**

not answered



**003539**

**From:** [Mihirangi Hollings](#)  
**To:** [Have your Say](#)  
**Subject:** Paper Road Bylaw  
**Date:** Tuesday, 19 August 2025 11:24:24 AM  
**Attachments:** [image001.png](#)  
[Rangitāne o Wairarapa Inc SWDC Paper Road submission.pdf](#)

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Kia ora ki a koutou e noho mai nā

Please find attached a submission on the Paper Road Bylaw for Council consideration.

Ngā mihi

Mihirangi

Mihirangi Hollings

Pou Whakahaere





## **Rangitāne o Wairarapa Incorporated Submission on the South Wairarapa District Council Proposed Paper Road Access Bylaw 2025**

### **SUBMITTER INFORMATION**

Name: Rangitāne o Wairarapa Inc  
Iwi: Rangitāne o Wairarapa  
Address: [REDACTED]  
Email: [REDACTED]  
Phone: [REDACTED]  
Contact: Mihirangi Hollings Pou Whakahaere

*Tini whetū ki te rangi, ko Rangitāne ki te whenua  
Rangitāne ki runga, Rangitāne ki waho, Rangitāne ki roto, Rangitāne ki raro  
Tū mai rā Rangitāne, upoko ki runga!*

### **Introduction**

1. Our vision is Rangitāne ki runga, Rangitāne ki waho, Rangitāne ki roto, Rangitāne ki raro. All our actions are considered in the context of whakapapa. We are responsible for upholding the mana of our Atua, our tūpuna who have come before us, and ensuring we leave this world in a better state for our mokopuna to come.
2. Rangitāne o Wairarapa Inc acknowledges South Wairarapa District Council (SWDC) and its proactive approach to consulting on the Proposed Paper Road Access Bylaw 2025.
3. Rangitāne o Wairarapa Inc support the proposal, and we wish to make an oral submission to this written submission.

### **Our Whakapapa**

4. Rangitāne o Wairarapa uri descend from our tupuna Rangitāne, who is the grandson of Whātonga, a captain of the Kurahaupō waka, and the great-great-grandson of Kupe, legendary explorer and discoverer.
5. Rangitāne o Wairarapa Inc is an Iwi Authority within Wairarapa, established in 1989. Our Post Settlement Government Entity (PSGE) is Rangitāne Tū Mai Rā Trust.

### **Comment**

6. *Mana motuhake, tino rangatiratanga, and support for Ngāti Hinewaka*

We expressly support the mana motuhake and tino rangatiratanga of Ngāti Hinewaka in relation to this paper road and coastline and acknowledge their whakaaro rangatira to protect Papatūānuku and the safety of all who may access these places. We commend SWDC's engagement with Ngāti Hinewaka and alignment with kaitiakitanga.

7. *Purpose and proportionality of the bylaw (three-year rest period)*

We agree a three-year, measured access restriction is proportionate to the scale of environmental and cultural harm and will allow the whenua to rest. A fixed term with review creates space for dialogue on future pedestrian access if appropriate. Three years is a short period in the context of intergenerational stewardship.

8. *Kaitiakitanga me te manaakitanga – protecting tangata and whenua*

As kaitiaki and kaimanaaki, Rangitāne o Wairarapa Inc recognises Ngāti Hinewaka and SWDC's shared responsibility to safeguard both people and place in their areas of interest. We know the area contains wāhi tapu, ancestral burial grounds, and historic pā sites, and sits within a Heritage NZ Historic Area and QEII covenant, warranting active protection and managed public access.

9. *Health and safety risks justify managed access*

We have experienced firsthand the unstable terrain and coastal erosion. We also acknowledge the possible fire risk from illegal camping and biosecurity threats. Furthermore we agree that lack of formed pathways and infrastructure is a risk to visitors and conservation work, making managed access an appropriate response. Emergency access remains available (e.g., keys with Fire Brigade).

10. *Environmental degradation and cultural harm are ongoing and serious*

Years of misuse (e.g., 4WD and quad bikes creating ruts, vegetation damage, and vandalism including fires destroying native bush) demonstrate that unrestricted access is not sustainable and jeopardises archaeological values.

11. *The bylaw manages access; it does not “ban the coast”*

We note that the proposal regulates access to the unformed legal road to protect sensitive areas and neighbouring private land. It provides for signage and enforcement to deter harmful behaviour, and it preserves emergency access. Alternative routes to nearby recreation/DOC areas are identified (e.g., Whakatomotomo/Logging Road walking access; Makotukutuku and Pararaki with permission; foreshore walking to Ngāpotiki/Stonewall).

12. *Legal basis is well-established*

Councils may make bylaws under the Local Government Act 2002 to protect public health and safety and prevent nuisance and may restrict motor vehicles on unformed legal roads under s22AB(1)(g) of the Land Transport Act 1998 to protect the environment, the road and adjoining land, and the safety of road users.

13. *Comparable NZ practice*

Similar provisions already exist across Aotearoa, demonstrating that managing access on unformed legal roads (paper roads) is routine where environmental and safety risks arise: Auckland Council Vehicle Use & Parking Bylaw 2025, Marlborough District Council Traffic Bylaw 2017 (and east coast vehicle controls), Kaikōura District Council Traffic & Parking Bylaw 2018, New Plymouth District Council Traffic, Parking & Stock Control Bylaw 2025, Tararua District Council Traffic & Road Use Bylaw 2025.

14. *Balance of interests – enjoyment for the many, not spoiled by a few*

The bylaw does not extinguish access rights to the wider coast; it proactively manages a specific, sensitive corridor so that the community’s long-term enjoyment and the mauri of the place are not undermined by the actions of a few. This aligns with our kaitiaki approach to care for Papatūānuku and people.

## **Recommendations**

15. Rangitāne o Wairarapa Inc recommends that SWDC:

- Adopt the Paper Road Access Bylaw 2025 as proposed.
- Work with Ngāti Hinewaka and iwi partners on monitoring (environmental, cultural, and safety outcomes) during the three-year period.
- At review, prioritise tikanga-aligned, low-impact options (e.g., limited, escorted, or permitted pedestrian access only if indicators show the whenua can sustain it).

### He kupu whakakapi

Rangitāne o Wairarapa Inc supports SWDC’s proposal. We do so in solidarity with Ngāti Hinewaka, in defence of wāhi tapu and taiao, and in fulfilment of our obligations as kaitiaki and kaimanaaki to uphold the wellbeing of both tangata and whenua—now and for those to come.



**Respondent No:** 975 **002106**

**Login:** Anonymous

**Email:** n/a

**Responded At:** Aug 14, 2025 10:58:25 am

**Last Seen:** Aug 14, 2025 10:58:25 am

**IP Address:** n/a

Q1. **First and last name** Daniel Just

Q2. **Email address**

[REDACTED]

Q3. **Phone number**

[REDACTED]

Q4. **Which South Wairarapa ward do you live in?**

Outside of district

Q5. **If you have used the paper road to access DOC land, what has this been for?**

not answered

Q6. **Are you submitting on behalf of an organisation?**

No

Q7. **Do you wish to speak to your submission at Hearings on 3 and 4 September?**

Yes

Q8. **Do you support the Paper Road Access Bylaw 2025?**

No

**Q9. Do you have any comments to support your submission?**

The proposal would unlawfully prohibit public passage on this legal road. If the council wishes to remove public access, it must use the LGA road stopping process, including ministerial consent for rural roads and environmental court oversight. This proposal also fails the LGA 2002 s 155 tests. As frequent access has already been demonstrated, the public's right to passage is also protected by common law and case law / precedent. Courts have already affirmed councils hold the roads in trust for the public, not the council. This proposal is also inconsistent with the NZ Bill of Rights Act. *Fuller v MacLeod* "The right of passage belongs to the public" and councils exercise their powers "as upon a trust for a public purpose". (*Man o'War station v Auckland City Council*) The consultation materials repeatedly state that the unformed legal road "crosses both privately owned Māori land and Crown land managed by DOC" and "passes through private land and Crown land." That is inaccurate in law and risks misleading submitters. A legal road is a distinct parcel/status that vests in the district council (LGA 1974 s 316); adjacent Māori and Crown lands adjoin it but do not subsume it. Authoritative guidance confirms adjoining owners have no ownership or occupation right over unformed legal roads. The public enjoys the same right to pass and repass over ULRs as over formed roads. Please correct the consultation documents, publish the LINZ cadastral overlay of the road corridor, and assess options on the proper legal footing. Any proposal to end public passage must proceed (if at all) by road stopping under LGA 1974 s 342 & Schedule 10, not by mischaracterising land status to justify a bylaw. Trespass only occurs when the public leave the road corridor, blanket claims of trespass are invalid, the council to mitigate this should ensure on the ground wayfinding markers or boundary signage is placed (The most appropriate recourse), rather than using this as unlawful leverage to conduct a masked road stopping activity. Councils are required to determine if a bylaw is the most appropriate way to address a problem, this has not been demonstrated, and is inconsistent with the NZ Bill of Rights Act. A blanket prohibition on vehicle access is out of line, and a blanket ban on walking / cycling on a public road is a breach of statutory authority. As you have not implemented any measures to reduce the claimed issues historically, this is a failure under LGA 2002 S155, a blanket access ban is neither appropriate or efficient and entirely disproportionate. Your comment on coastal erosion is incorrect, intentionally misleading, and not based upon fact. LGA Section 215(5) "Where any road along the bank of a river, stream or along the mean high water mark of the sea, or the margin of any lake is eroded by the action of the river or stream of the sea or lake, the portion of the road so eroded shall continue to be a road" "De facto road stopping" by traffic bylaw is not permitted, Stopping or closing a road is tightly prescribed by the LTA, this requires Ministerial consent in the rural areas reflecting the crown's residual interest. Attempting to sidestep the code is ultra vires. Coastal access is a recognised matter of national importance under the RMA 1991 s 6(d). Subsequently, esplanade measures would come into place regardless ensuring almost identical public access. Bylaw powers do not extend to banning public passage, your intent to ban pedestrians and cyclists exceeds statutory authority and would immediately be challenged in court. Case law supports priority of public road rights over private convenience, councils must manage, not extinguish access. Whilst the council may view its own rationale as valid, this simply does not expand the council's powers. The LTA provides tools to manage these concerns, but at no point does it allow for bylaws to prohibit public access, this is tightly controlled via the road stopping process.

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**Respondent No:** 001965

**Login:** Anonymous

**Email:** n/a

**Responded At:** Aug 13, 2025 10:57:55 am

**Last Seen:** Aug 13, 2025 10:57:55 am

**IP Address:** n/a

Q1. **First and last name** Owen Cox

Q2. **Email address**

[REDACTED]

Q3. **Phone number**

[REDACTED]

Q4. **Which South Wairarapa ward do you live in?**

Outside of district

Q5. **If you have used the paper road to access DOC land, what has this been for?**

tramping

camping

**other (please specify)**

Coastal activities

Q6. **Are you submitting on behalf of an organisation?**

**If yes, which organisation?**

Parawai Tramping Club

Q7. **Do you wish to speak to your submission at Hearings on 3 and 4 September?**

Yes

Q8. **Do you support the Paper Road Access Bylaw 2025?**

No

**Q9. Do you have any comments to support your submission?**

We object strongly to the proposed bylaw, especially as it affects foot access along the legal road. The Club is based on the Kapiti coast and we have been regular visitors to Cape Palliser and make use of the legal road to walk to the Aorangi Forest Park. We have sometimes camped in the beyond Waitetuna Stream and had a thoroughly good time. On these trips we usually have between 10 and 20 people. The coastal strip is quite different from the rest of the range, and unlike the bulk of the ranges in Greater Wellington is shelter during northerly weather. The paper on the proposal is particularly feeble. Weaknesses include:

- It completely ignores the legal position regarding legal roads and their closure. The process for road closure is in the Local Government Act 1974 s319 and Schedule 10. Your proposal is beyond the scope of s342 and s22AB of the Land Transport Act. It is a mickey mouse work-around that you have dreamt up to avoid the proper process in Schedule 10 concerning objections. It suggests you know the proposal would not survive proper scrutiny.
- The reasons for the closure are extremely weak. The comment that people and vehicle stray from the legal road ignores the obvious solution of indicating where the route is and also the provisions for fencing in s353(c) of the Local Government Act 1974. There are areas of mud in the first section just beyond the lighthouse. A little drainage or gravelling would fix that. Alternately, marking the boundary of the legal road would clearly indicate the area that can be crossed – normal Trespass law would apply and if fenced even better. Note that at Turakirae Head this approach suits users and the adjoining landowners.
- The comments on damage to the environment are misplaced. The area is grazed by sheep and cattle (and they also go into the adjoining conservation estate). Being told the closure of the road would let the vegetation recover is, frankly, insulting. Three years does not provide for recovery, especially if cattle can roam over the area. The fire comment also appears to be based more on guesswork and prejudice than hard evidence. If campers definitely caused the fires referred to how come nobody was challenged and the costs of firefighting were not recovered from the culprit as the law provides. In addition the fire was near the formed road – are you planning on closing that too?
- The document's comments on health and safety are absurd. The route to Waitetuna Stream is flat and is a very safe walking route. You even manage to refer to health and safety risks from biosecurity threats – is this a joke? We would remind you that thistles are found on many rural and even urban roads and no serious council could propose 3 year closures for this.
- Your document makes no mention of the benefits and purpose of the legal road line. Access is fundamental to enjoyment of the coast and the conservation estate. It seems weird that SWDC and the other Wairarapa councils cooperate on encouraging visits to the Wairarapa and at the same time you are proposing locking people out of one of the prime areas to visit. Destination Wairarapa extols the virtues of visiting Cape Palliser "From the rugged beauty of Cape Palliser in the south to the family-friendly beaches of Castlepoint and Riversdale in the north, our coastal areas showcase the best of New Zealand's natural wonders. Explore the iconic landmarks, thrilling surf breaks, and tranquil hideaways that make Wairarapa's coast an unforgettable destination. Whether you're seeking adventure or relaxation, the stunning landscapes and varied activities along our shores will leave you in awe of the region's untamed beauty." (Destination Wairarapa website 11 August)
- The comment that visits can elsewhere in the Aorangi Park is offensive. Firstly the other areas are not coastal and offer quite different experience. And how do you square it with the ethos of the Queens chain as reflected in access law and the RMA concerning access to the coast. Secondly, not all have secure public access.
- When we visit we usually spend money in Featherston, Martinborough and on the road to Ngawi – that will go west if we are locked out.
- Finally, we can see that the Council will have problems making the proposal stick legally and in enforcing it. Is really a priority for enforcement to have police and council staff miles from home to stop people walking along a legal road? How will you enforce it from people entering the road from surrounding private land? We would remind you that bylaw restrictions apply equally to all people and private individuals (including adjoining landowners) do not have the ability to provide exemptions to bylaws for others.

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**Respondent No:** 724 **002964**

**Login:** Anonymous

**Email:** n/a

**Responded At:** Aug 17, 2025 18:19:32 pm

**Last Seen:** Aug 17, 2025 18:19:32 pm

**IP Address:** n/a

Q1. **First and last name** Anthony Coomer

Q2. **Email address**

[REDACTED]

Q3. **Phone number**

[REDACTED]

Q4. **Which South Wairarapa ward do you live in?** Outside of district

Q5. **If you have used the paper road to access DOC land, what has this been for?**

hunting

camping

fishing

**other (please specify)**

Cruising

Q6. **Are you submitting on behalf of an organisation?**

No

Q7. **Do you wish to speak to your submission at Hearings on 3 and 4 September?**

Yes

Q8. **Do you support the Paper Road Access Bylaw 2025?**

No

Q9. **Do you have any comments to support your submission?**

Just stop with the ridiculous actions. Your personal preference doesn't trump common sense.



**Respondent No:** 524

**Login:** Anonymous

**Email:** n/a

**Responded At:** Jul 29, 2025 06:03:27 am

**Last Seen:** Jul 29, 2025 06:03:27 am

**IP Address:** n/a

Q1. **First and last name** Nadia

Q2. **Email address**

[REDACTED]

Q3. **Phone number**

[REDACTED]

Q4. **Which South Wairarapa ward do you live in?** Outside of district

Q5. **If you have used the paper road to access DOC land, what has this been for?** other (please specify)  
Surfing

Q6. **Are you submitting on behalf of an organisation?** No

Q7. **Do you wish to speak to your submission at Hearings on 3 September?** Yes

Q8. **Do you support the Paper Road Access Bylaw 2025?** No

Q9. **Do you have any comments to support your submission?**

Keep our freeland free from unnecessary dictatorship. Direct your attention to fixing up the roads instead. We reject the Paper Road Access Bylaw 2025 as it restricts and confines us. Please do not change what is already working.



**Respondent No:** 79

**Login:** Anonymous

**Email:** n/a

**Responded At:** Jul 24, 2025 16:32:49 pm

**Last Seen:** Jul 24, 2025 16:32:49 pm

**IP Address:** n/a

Q1. **First and last name** Paul Jonson

Q2. **Email address**

[REDACTED]

Q3. **Phone number**

[REDACTED]

Q4. **Which South Wairarapa ward do you live in?**

Outside of district

Q5. **If you have used the paper road to access DOC land, what has this been for?**

camping

fishing

other (please specify)

4wd driving

Q6. **Are you submitting on behalf of an organisation?**

No

Q7. **Do you wish to speak to your submission at Hearings on 3 September?**

Yes

Q8. **Do you support the Paper Road Access Bylaw 2025?**

No

Q9. **Do you have any comments to support your submission?**

Whilst I acknowledge and agree with the reasons for this proposal, I would suggest an alternative consideration to achieve similar outcomes. Firstly, we (well, most of us) want to protect the environment and protect it for ours and future generations, taking away access to all, and to a public road, is not acceptable. We are constantly losing access to public spaces and off road tracks and especially paper roads and this should stop. They are owned by the public and should remain accessible. To stop the environmental damage being caused by some lets consider other alternatives currently in place and being implemented by other authorities around the country. We could restrict access via key or swipe card to approved groups, i.e Tramping clubs, motorcycle clubs, 4wd clubs. We could install CCTV and the start, end and at strategic locations along the track that we are concerned about. Improve sign posting saying that inappropriate behavior and damage will be prosecuted etc.



**Respondent No:** 991 **002063**

**Login:** Anonymous

**Email:** n/a

**Responded At:** Aug 14, 2025 07:32:50 am

**Last Seen:** Aug 14, 2025 07:32:50 am

**IP Address:** n/a

Q1. **First and last name** Dylan Cliff

Q2. **Email address**

[REDACTED]

Q3. **Phone number**

[REDACTED]

Q4. **Which South Wairarapa ward do you live in?**

Outside of district

Q5. **If you have used the paper road to access DOC land, what has this been for?**

tramping

**other (please specify)**

Cycling

Q6. **Are you submitting on behalf of an organisation?**

No

Q7. **Do you wish to speak to your submission at Hearings on 3 and 4 September?**

Yes

Q8. **Do you support the Paper Road Access Bylaw 2025?**

No

**Respondent No:** 003254**Login:** Anonymous**Email:** n/a**Responded At:** Aug 18, 2025 18:50:19 pm**Last Seen:** Aug 18, 2025 18:50:19 pm**IP Address:** n/a

Q1. **First and last name** Haami Te Whaiti

Q2. **Email address**

[REDACTED]

Q3. **Phone number**

[REDACTED]

Q4. **Which South Wairarapa ward do you live in?** Outside of district

Q5. **If you have used the paper road to access DOC land, what has this been for?** not answered

Q6. **Are you submitting on behalf of an organisation?** No

Q7. **Do you wish to speak to your submission at Hearings on 3 and 4 September?** Yes

Q8. **Do you support the Paper Road Access Bylaw 2025?** Yes

Q9. **Do you have any comments to support your submission?**

I submit as a trustee of Matakītaki a Kupe A1 & A2 Māori Reserve and Matakītaki No 2 block. The damage caused by unrestricted vehicle access through our land because of a paper road is causing serious harm to our whenua. The Council in the past has insisted that we cannot block the public accessing the paper road. This is a double standard. Not only do other property owners in the district fence off and lock gates but also charge for accessing other paper roads. Our following the law has been to our's and our whenua's detriment. Te Tiriti o Waitangi guarantees unqualified exercise of their chieftainship over their lands, villages and all their treasures. In the English version the Crown guarantees to the Chiefs and Tribes of New Zealand and to the respective families and individuals thereof the full exclusive and undisturbed possession of their Lands and Estates Forests Fisheries and other properties which they may collectively or individually possess so long as it is their wish and desire to retain the same in their possession. Either way continuing to insist that vehicles can use an unformed paper road across our whenua is in breach of Te Tiriti. The paper road itself has eroded in several places and would not be suitable for vehicles. The erosion will most definitely continue meaning even walking will not be possible without trespassing on our whenua. Vehicle access must be stopped and walking access restricted guarantees to the Chiefs and walking access paused to allow the mauri of our whenua to be restored.



Respondent No: 109 **000676**

Login: Leanne Karauna

Email: [REDACTED]

Responded At: Aug 02, 2025 21:45:15 pm

Last Seen: Aug 02, 2025 09:36:25 am

IP Address: 222.153.235.203

- Q1. **First and last name** Leanne Erina Hinetaura Karauna
- Q2. **Email address** [REDACTED]
- Q3. **Phone number** [REDACTED]
- Q4. **Which South Wairarapa ward do you live in?** Martinborough
- Q5. **If you have used the paper road to access DOC land, what has this been for?** **other (please specify)**  
For cultural as hapu`and as a descendant of this whenua
- Q6. **Are you submitting on behalf of an organisation?** No
- Q7. **Do you wish to speak to your submission at Hearings on 3 and 4 September?** Yes
- Q8. **Do you support the Paper Road Access Bylaw 2025?** Yes
- Q9. **Do you have any comments to support your submission?**  
not answered



**Respondent No:** 99 **000622**

**Login:** Anonymous

**Email:** n/a

**Responded At:** Jul 31, 2025 19:59:13 pm

**Last Seen:** Jul 31, 2025 19:59:13 pm

**IP Address:** n/a

Q1. **First and last name**

Memory Te Whaiti

Q2. **Email address**

[REDACTED]

Q3. **Phone number**

[REDACTED]

Q4. **Which South Wairarapa ward do you live in?**

Martinborough

Q5. **If you have used the paper road to access DOC land, what has this been for?**

**other (please specify)**

Access to our whēnua, monitor campers

Q6. **Are you submitting on behalf of an organisation?**

No

Q7. **Do you wish to speak to your submission at Hearings on 3 and 4 September?**

Yes

Q8. **Do you support the Paper Road Access Bylaw 2025?**

Yes

003454

**From:** [David Barnes](#)  
**To:** [Have your Say](#)  
**Cc:** [Stephen Day](#)  
**Subject:** PAPER ROAD BYLAW  
**Date:** Friday, 8 August 2025 1:32:45 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[SWDC Bylaw submission Herenga ā Nuku .pdf](#)

You don't often get email from [REDACTED]. [Learn why this is important](#)

Kia ora

Herenga ā Nuku's submission on this matter is attached. We wish to speak at the hearing on 3 September.

As I will be on leave after 30 August, please send any correspondence after that date to Stephen Day [REDACTED], who will be presenting at the hearing. Correspondence prior to that date can come to me.

Ngā mihi,

David Barnes



Connecting people  
Connecting places

**David Barnes**

Kaitohutohu ā-Rohe | Regional Field Advisor  
Herenga ā Nuku Aotearoa  
Outdoor Access Commission



[herengaanuku.govt.nz](https://herengaanuku.govt.nz)



*I work part-time and variable hours, and will respond to enquiries as soon as possible.*

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8 August 2025

South Wairarapa District Council  
By email [haveyoursay@swdc.govt.nz](mailto:haveyoursay@swdc.govt.nz)

## **PAPER ROAD BYLAW**

### **Introduction**

Herenga ā Nuku Aotearoa Outdoor Access Commission (“the commission”) is the Crown agency responsible for providing leadership on outdoor access issues. Our role is to provide New Zealanders with free, certain, enduring and practical access to the outdoors. We administer a national strategy on outdoor access, including tracks and trails. We map outdoor access, provide information to the public, oversee a code of responsible conduct in the outdoors, help resolve access disputes and negotiate new access. We work with groups and individuals with outdoor access interests and aspirations, and we advocate for public outdoor access.

### **Overview**

The council proposes to create a bylaw (“Paper Road Access Bylaw 2025”) to prevent public use of an unformed legal road. The commission’s view is that the proposed bylaw is legally invalid, as it goes beyond the permissible limits of a bylaw. The council is using the bylaw as a de facto way of controlling people on adjacent non-council (private and ahu whenua) land. It would not consider that to be an appropriate measure where a formed road was involved. The bylaw also intends to protect the environment, but goes beyond the mechanisms necessary and appropriate to do so.

The correct process for stopping all public use of a road is contained in the Local Government Act 1974. If the council wishes to prevent public use of the road, it should follow that process and not attempt to do so by an approach such as the proposed bylaw.

Level 12, Majestic Centre  
100 Willis Street  
Wellington, 6011

[herengaānuku.govt.nz](http://herengaānuku.govt.nz)

## **Unformed Legal Roads**

There is a body of case law affirming that unformed legal roads (“ULR”, sometimes historically called “paper roads”) are legal, with the same status as formed roads. Further, courts have confirmed that unformed roads are legal, notwithstanding that they may not have been marked out on the ground. A leading case from the Privy Council is *Snushall v Kaikoura County*<sup>1</sup>.

## **Land Transport Act 1998**

The principal statute for controlling road users (as distinct from administering and maintaining roads) is the Land Transport Act 1998, which sets out the relevant law and provisions for regulations and rules governing road user behaviour. Section 22AB authorises councils to make specific bylaws restricting the use of motor vehicles on unformed legal roads — to protect the environment, the road and adjoining land, and the safety of road users<sup>2</sup>. It does not authorise a bylaw prohibiting use of the road generally, and makes no reference to controlling or prohibiting pedestrians.

## **Local Government Act 1974**

The Local Government Act 1974 sets out “General powers of councils in respect of roads”. This includes the power to “to stop or close any road or part thereof in the manner and upon the conditions set out in section 342 and Schedule 10”<sup>3</sup>. Stopping a road is permanent. When that happens the road no longer exists as a road. If the council wishes to prohibit public use of a road, this is the appropriate mechanism.

Section 342 and Schedule 10 allow for the temporary closure of a road to “any specified type of traffic (including pedestrian traffic)” when specified circumstances exist, including road works, public disorder, and sporting events. The reasons given by the council for prohibiting use of the road do not fall within those provisions and, if they did, are ongoing and so could not be considered to be temporary.

## **Effect on adjacent properties**

The consultation page says that “the bylaw will limit and regulate public access to the paper road to ensure safety and prevent access to the neighbouring private property” and “recognises that paper roads can adversely impact nearby property owners — through issues like trespassing, biosecurity risks, or disrupted land use”. However, that intent needs to be measured against whether it is the council’s responsibility or within its powers to control those activities and whether, if it is, doing so by prohibiting public access along a road is the appropriate mechanism.

A starting point for that analysis is whether the council would consider similar action appropriate if a landowner in, say, Jellicoe St in Martinborough requested it. It is extremely unlikely that a council would seriously entertain such a proposal. There is no legal distinction between an unformed road in a rural area and a formed urban street, so it follows that the legal, policy and political solutions to any perceived problems should be legally consistent. If someone with a legal right to be on a road moves from the road to adjacent private land and causes a nuisance or damage, that person’s actions are subject to the provisions of civil and criminal law relating to trespass, intentional damage, unauthorised fires and the like. It is not appropriate for the roading authority to limit use of the road to meet those ends. In addition to legal remedies, landowners can use fences or other mechanisms to define their property and prevent or discourage unauthorised access from a road.

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<sup>1</sup> *Snushall v Kaikoura County* (1923) NZPCC 670

<sup>2</sup> Land Transport Act 1998, section 22AB (1)(g)

<sup>3</sup> Local Government Act 1974, section 319(h)

We note that s22AB(1)(g) of the Land Transport Act 1998 does allow bylaws to control motor vehicles “to protect the ... the road and adjoining land ...”. That would only apply to damage done by motor vehicles, as distinct from people who travelled in those vehicles.

### **Protection of the environment**

Another stated reason for the bylaw is that “off-road vehicles have caused serious harm to the land, including deep ruts and erosion”. In the case of such damage within the road parcel, the council is within its powers to create a bylaw designed to stop or limit motor vehicles using the road<sup>4</sup>. Those powers do not extend to prohibiting use by non-powered means of travel, and, of course, pedestrians and cyclists do not cause “deep ruts and erosion”, so preventing their use of the road, even if permissible, would not be justified on those grounds.

### **Legal access vs practical access**

We emphasise that our submission relates entirely to the question of whether it is appropriate to restrict or prohibit use of the legal road that is within the surveyed road parcels. We note that there are vehicle tracks that lead around the coastal platform between Cape Palliser and Stonewall Scenic Reserve, which are not always within the road parcel. We accept that anyone on those tracks where they are outside the road parcel will be on private land (including ahu whenua land) and thus outside the council’s direct jurisdiction. Such people will, as noted above, be subject to legal provisions governing trespass, intentional damage, unauthorised fires and the like.

It will be incumbent on anyone using the road to stay within the road parcel at all times, unless they have permission from the adjacent landowners to be on their land. This will likely mean that access is not particularly practical for some users, but that is not of concern to the council or the adjacent landowners. Tools, such as our Pocket Maps app<sup>5</sup>, can assist users in determining whether they are on the road parcel.

### **Connectivity**

The unformed legal road continues north, through the Stonewall Scenic Reserve and on to Ngapotiki Road. The effect of the bylaw would be to lose that connectivity between Cape Palliser and White Rock. This is a recognised bikepacking route.

### **Foreshore access alternative**

A further stated reason for preventing access is that “ongoing sea erosion has already claimed part of the paper road and surrounding coastal areas, making access unsafe and unsustainable in some locations”. However, the FAQ page says “the foreshore is accessible from the carpark, where you can walk to the surf”. Such access is inherently more dangerous than walking on the legal road. Prohibiting pedestrian access on the road is for public safety while promoting a less safe alternative is contradictory. Further, if pedestrian access on the road is causing issues for adjacent landowners, then the same holds for pedestrian access on the foreshore. Prohibiting pedestrian access on the road will not achieve the stated aims.

### **Use of road stopping provisions**

If the council wishes to prohibit use of the road, it should use the stopping provisions set out in the Local Government Act 1974. We note that if, after notification, there are objections but the council still wishes to proceed, the matter is referred to the Environment Court. The Court has consistently declined to allow stopping where doing so is for a private benefit but at the expense of a public benefit. In this instance,

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<sup>4</sup> Land Transport Act 1998, section 22AB (1)(g)s.

<sup>5</sup> <https://www.herengaanuku.govt.nz/maps/pocket-maps>

stopping the road would benefit the adjacent private landowners at the expense of the right of the public to use the road.

### **Is bylaw most appropriate?**

Section 155 of the Local Government Act 2002 requires a council to determine whether “a bylaw is the most appropriate way of addressing the perceived problem” and, if so, “whether the proposed bylaw is the most appropriate form of bylaw”. The perceived problems can be summarised as damage to the road, damage and related issues on adjacent land, and public safety.

Regarding damage to the road, if the council intends to prohibit all public use, a specific legal process for prohibiting public use of a road already exists (the Local Government Act 1974 procedure. This shows that the answer to the first question in s155 is “no”. However, if council intends to prevent damage to the road, then a bylaw that only prohibits vehicles may be appropriate.

If it were necessary to consider the second question in s155 (which, as result of the answer to the first and in the draft bylaw’s present form, it is not), then the overreach contained in the proposal, where pedestrians are to be banned ostensibly to prevent damage to the road surface, shows that answer to be “no” as well.

Regarding damage and related issues on adjacent land, again, the answer to the first question is “no”. The bylaw would control use of the road. It does not control any behaviour or actions on adjacent land, and it is not the role of the council to do so. That is the role of the landowners, who already have recourse to existing civil and criminal legal remedies.

Regarding safety, the courts have held that if the council carries out no work on an unformed legal road, there is no liability<sup>6</sup>. The council also has no role in protecting members of the public from natural hazards or from their own actions and judgements so, yet again, the answer to the first question is “no”.

### **Precedent**

The council’s proposed approach is novel and has not been used before. Roads exist to provide public access, but the bylaw seeks to prohibit public access. It is therefore likely that it would be subject to judicial review. We note that, within the last year, a council has had a bylaw quashed because, in the submission of the applicant, it was *ultra vires*<sup>7</sup>. On the facts of this case, we believe that a similar outcome is likely.

### **Term of bylaw**

Without implying that we accept that the proposed bylaw is appropriate or valid, we note that the website FAQ page states that the bylaw has a term of three years. This is misleading, as the draft bylaw merely states that it will be reviewed within three years.

### **Conclusion**

The effects of the proposed bylaw are:

- to bypass the process outlined in Schedule Ten of the Local Government Act 1974,

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<sup>6</sup> Hocking v Attorney- General (1963) NZLR 513 (CA); Tombleson v Far North District Council [2020] NZDC 12171.

<sup>7</sup> New Zealand Motor Caravan Association Incorporated v Queenstown Lakes District Council [2024] NZHC 2729

- to use a bylaw to control activities on land adjacent to the road that should be controlled by the landowners,
- to seek to control damage to the road (which, in itself, may be appropriate) by attempting to control people (such as walkers and cyclists) who cannot damage the road, and
- to mistakenly assume that the council has responsibility for the safety of individuals on an unformed legal road.

We therefore strongly oppose the enactment of this bylaw.

We wish to be heard in support of this submission.

Ngā mihi,

David Barnes

Kaitohutohu ā Rohe | Regional Field Advisor  
Wellington and Wairarapa | Te Whanganui a Tara me Wairarapa



**Respondent No:** 177

**Login:** Anonymous

**Email:** n/a

**Responded At:** Jul 25, 2025 08:01:28 am

**Last Seen:** Jul 25, 2025 08:01:28 am

**IP Address:** n/a

Q1. **First and last name** David Laking

Q2. **Email address**

[REDACTED]

Q3. **Phone number**

[REDACTED]

Q4. **Which South Wairarapa ward do you live in?** Outside of district

Q5. **If you have used the paper road to access DOC land, what has this been for?** other (please specify)  
Surfing

Q6. **Are you submitting on behalf of an organisation?** If yes, which organisation?  
Wellington Boardriders Club - Eke Ngaru o Te Upoko o Te Ika

Q7. **Do you wish to speak to your submission at Hearings on 3 September?** Yes

Q8. **Do you support the Paper Road Access Bylaw 2025?** No

Q9. **Do you have any comments to support your submission?**

Our club represents surfers on the lower North Island. We are neutral on the temporary restriction on vehicles but we strongly oppose the banning of pedestrians and cyclists along what is a well established legal road. This route provides access to surfers to White Rock from Cape Palliser. The alternative is a more than two hour drive via Martinborough. Why ban pedestrians and cyclists? Why not try restricting vehicle access first and see what happens? It is the view of the club that the vast majority of issues around there are caused by people in 4WDs.



**Respondent No:** 993 **002124**

**Login:** Anonymous

**Email:** n/a

**Responded At:** Aug 14, 2025 12:15:38 pm

**Last Seen:** Aug 14, 2025 12:15:38 pm

**IP Address:** n/a

Q1. **First and last name** Jacob steinmetz

Q2. **Email address**

[REDACTED]

Q3. **Phone number**

[REDACTED]

Q4. **Which South Wairarapa ward do you live in?** Outside of district

Q5. **If you have used the paper road to access DOC land, what has this been for?**

hunting  
tramping  
fishing

Q6. **Are you submitting on behalf of an organisation?**

No

Q7. **Do you wish to speak to your submission at Hearings on 3 and 4 September?**

Yes

Q8. **Do you support the Paper Road Access Bylaw 2025?**

No

Q9. **Do you have any comments to support your submission?**

I think it's very unfair that people think they can take away access you to public road and a road that my father and his father and so on have used for so many years for diving and exploring and I want to show my kids what I was shown all these years. And it's been the way the whole time , no rubbish no nothing, just leave our footprints that's it . It would be very upsetting to think a few people can say what the rest of us can and can't do ..



**Respondent No:** 002151

**Login:** Anonymous

**Email:** n/a

**Responded At:** Aug 14, 2025 15:20:17 pm

**Last Seen:** Aug 14, 2025 15:20:17 pm

**IP Address:** n/a

Q1. **First and last name** Brian Haybittle

Q2. **Email address**

[REDACTED]

Q3. **Phone number**

[REDACTED]

Q4. **Which South Wairarapa ward do you live in?** Outside of district

Q5. **If you have used the paper road to access DOC land, what has this been for?** fishing

Q6. **Are you submitting on behalf of an organisation?** No

Q7. **Do you wish to speak to your submission at Hearings on 3 and 4 September?** Yes

Q8. **Do you support the Paper Road Access Bylaw 2025?** No

Q9. **Do you have any comments to support your submission?**

Keep the Status Quo. I would like access via all means including walking, mountain biking and four wheel drive for fishing, sight seeing and photography. IE keep paper roads open. Invite parties to attend working bees and a BBQ to attend and repairs. Invite the council to bring some diggers. Put some signs up to explain the history of the area. Keep access for all.





**Respondent No:** 1099 **002230**

**Login:** Anonymous

**Email:** n/a

**Responded At:** Aug 14, 2025 20:16:58 pm

**Last Seen:** Aug 14, 2025 20:16:58 pm

**IP Address:** n/a

Q1. **First and last name** Graeme Loh

Q2. **Email address**

[REDACTED]

Q3. **Phone number**

[REDACTED]

Q4. **Which South Wairarapa ward do you live in?** Outside of district

Q5. **If you have used the paper road to access DOC land, what has this been for?** **other (please specify)**  
Nature and scenery appreciation

Q6. **Are you submitting on behalf of an organisation?** No

Q7. **Do you wish to speak to your submission at Hearings on 3 and 4 September?** Yes

Q8. **Do you support the Paper Road Access Bylaw 2025?** No

Q9. **Do you have any comments to support your submission?**

Palliser Paper Road closure South Wairarapa District Council Submission of Graeme Loh, Dunedin. 1. I oppose the closure of the paper road. 2. I support the closure of the road to fueled vehicles and electric bikes with engines greater than 400watts 3. I recommend that the route utilized be formalized by survey and the landward side be livestock fenced to facilitate ease of public access and appreciation. 4. I oppose access decisions being given to neighbouring farms. 5. In my opinion this coast has tourism value to the district In June 2021, my partner and I made a month long visit to the North Island, mainly to attend the Wilding Pine conference in Rotorua. We made our first visit to Wairarapa District this trip, spending four days exploring the wildlife and geography while based in Carterton. The most memorable trip was along to Cape Palliser Light and beyond. We walked from the road end carpark onwards. It made us want to come back with our ebikes and do the trip through to White Rock. We enjoyed the scenery and wildlife and windswept plants; the earthquake uplift history and crumbling geology; views to the Kaikouras in snow and a wild westerly driven sea; the concept of being in the southern most point of Te Ika a Maui. We have recommended visiting the Cape Palliser coast to friends. We did observe damage from 4wd vehicles particularly in wet patches and agree that this needs to be curbed. It would be great for the oystercatchers and dotterels to be able to nest on the gravel banks free from vehicle disturbance. It is a problem that cattle have access to that nesting habitat. Can the landowners provide for their vehicle access needs on their own land? Definition of the proposal. The map provided in the appendix is insufficient for positioning and describing the proposal. Nowhere in the text are grid references given, nor survey descriptions. Landowners It is not clear in the discussion document whether the 'landowners' are mana whenua or commercial farmers. I am not in favour of farmers having control of access. In my experience in the South Island high country it is too easy for them to say no, or simply to be unresponsive. Naturally they do not have the public interest in their business agenda. I have also observed instances when farm workers and their friends have engaged in antisocial behaviour in neighbouring public camp sites. I support Council staff being responsible for access management within guidelines that promote appreciation of the natural values of the place. Conclusion I oppose closure of access to the gentler forms of public travel. I feel that I have standing to make this submission because I have walked this land and appreciate that access to Ngawha is funded by the national purse which I contribute to. Thank you Graeme Loh



**Respondent No:** 129 **000696**

**Login:** Anonymous

**Email:** n/a

**Responded At:** Aug 03, 2025 10:04:35 am

**Last Seen:** Aug 03, 2025 10:04:35 am

**IP Address:** n/a

Q1. **First and last name** William Jago

Q2. **Email address**

[REDACTED]

Q3. **Phone number**

[REDACTED]

Q4. **Which South Wairarapa ward do you live in?** Featherston

Q5. **If you have used the paper road to access DOC land, what has this been for?**

hunting

fishing

**other (please specify)**

Diving, Stone wall, Surfing

Q6. **Are you submitting on behalf of an organisation?**

No

Q7. **Do you wish to speak to your submission at Hearings on 3 and 4 September?**

Yes

Q8. **Do you support the Paper Road Access Bylaw 2025?**

No

Q9. **Do you have any comments to support your submission?**

It has been our right for over 100 years to access Stone wall, Ocean and our Doc land. It could be a good idea to fence off Farm Land and keep paper road access open and fill in the big holes which may stop some of the four wheel drive vandalls.



**Respondent No:** 003112

**Login:** Anonymous

**Email:** n/a

**Responded At:** Aug 18, 2025 10:51:07 am

**Last Seen:** Aug 18, 2025 10:51:07 am

**IP Address:** n/a

Q1. **First and last name** Derek Morrison

Q2. **Email address**

[REDACTED]

Q3. **Phone number**

[REDACTED]

Q4. **Which South Wairarapa ward do you live in?** Outside of district

Q5. **If you have used the paper road to access DOC land, what has this been for?** other (please specify)  
surfing

Q6. **Are you submitting on behalf of an organisation?** **If yes, which organisation?**  
New Zealand Surf Journal

Q7. **Do you wish to speak to your submission at Hearings on 3 and 4 September?** Yes

Q8. **Do you support the Paper Road Access Bylaw 2025?** No

Q9. **Do you have any comments to support your submission?**

Thank you for the opportunity to be heard. I am a surfer and a photographer and the Wairarapa coastline occupies a special place in my heart. It has long been a semi-secret surf location spanning many generations. By world standards the surf is on par with the very best when conditions align, which they often do. My first adventure here was with a group of mates from Massey University. We drove on the whim of good waves: a stack of isobars on the back page of a local newspaper. That was all we needed. That was 1993. Back then the deerstalkers hut near Seconds was luxury at the end of a grueling trip in – one that often wrecked our cars and frayed our nerves. We'd stay for days, or at least until the swell backed off and the winds turned savage, which they always did at some point. We felt like kings having the hut there – it made everything easier. One table had a chess board carved into it and we'd spend the nights recounting the day's waves and bending the grey matter around the board and its pieces. Everyone in our crew held a deep love and respect for White Rock. It was a special place to escape to when the university pressure came on. We were in some sort of harmony with it all and it taught us how to survive and thrive in that environment. Yes, we saw firsthand some of the aftermath of disrespectful groups visiting the area and we did our best to call them out on it and often cleaned up after them. But they were always the few – ruining it for the rest of us. But the greater volume of surfers were respectful beyond measure and grateful to have a semi-secret coastline like this to be able to enjoy and recreate and surf as if they were the only people on the planet. Denying the ability for future generations to experience and enjoy this coastline would have far ranging affect, and not only with the surf community, but all coastal users. Ultimately, if the proposed bylaw was to go ahead it would rob the next generation of their chance to discover themselves in pursuit of waves, fishing and coastal experiences in an environment that is part moonscape, part raw South Pacific Ocean and a full dose of wildness. It was instrumental in my formative years and equipped me with the knowledge and wisdom to carry that respect for whenua and moana into my future. I'd like that to still be a possibility for future generations. Thank you, Derek Morrison Founder NZ Surf Journal

**Respondent No:** 000711**Login:** Anonymous**Email:** n/a**Responded At:** Aug 03, 2025 15:08:59 pm**Last Seen:** Aug 03, 2025 15:08:59 pm**IP Address:** n/a

Q1. **First and last name** Bowynn Noanoa

Q2. **Email address**

[REDACTED]

Q3. **Phone number**

[REDACTED]

Q4. **Which South Wairarapa ward do you live in?**

Outside of district

Q5. **If you have used the paper road to access DOC land, what has this been for?**

camping

fishing

Q6. **Are you submitting on behalf of an organisation?**

**If yes, which organisation?**

Akatarawa Forest 4X4 Club

Q7. **Do you wish to speak to your submission at Hearings on 3 and 4 September?**

Yes

Q8. **Do you support the Paper Road Access Bylaw 2025?**

No

Q9. **Do you have any comments to support your submission?**

I do agree that tracks need to be closed due to nuisances and immature people. However I believe that us guys in 4X4 clubs should be able to access it via keys or codes for locked gates. As a builder in the civil/commercial construction world, i would happily like to extend my personal hand into helping the Department of Conservation with maintenance and up keep on not just this track but every track in the Lower North Island.



Respondent No: 000778

Login: Anonymous

Email: n/a

Responded At: Aug 03, 2025 17:55:24 pm

Last Seen: Aug 03, 2025 17:55:24 pm

IP Address: n/a

Q1. First and last name Darcy Franklin

Q2. Email address

[REDACTED]

Q3. Phone number

[REDACTED]

Q4. Which South Wairarapa ward do you live in?

Outside of district

Q5. If you have used the paper road to access DOC land, what has this been for?

other (please specify)  
Surfing

Q6. Are you submitting on behalf of an organisation?

No

Q7. Do you wish to speak to your submission at Hearings on 3 and 4 September?

Yes

Q8. Do you support the Paper Road Access Bylaw 2025?

No

Q9. Do you have any comments to support your submission?

Listen to the people!!! Keep this stretch of coast open stop changing everything we have been enjoying it for the last 20 years and would like to keep doing that with my friends and family





SOUTH WAIRARAPA  
DISTRICT COUNCIL  
*Kia Reretahi Tātau*

# Paper Road Access Bylaw 2025

## Submission form



### Have your say before 19 August 2025.

South Wairarapa District Council is proposing a new bylaw to help protect the fragile and culturally significant land beyond the Cape Palliser Lighthouse. This area includes a paper road that crosses private Māori land and Crown land, and has unfortunately been damaged over time by off-road vehicles, illegal camping, and other harmful activities.

The proposed bylaw would restrict public access to the unformed paper road to prevent further environmental harm, protect cultural heritage, and respects the rights of landowners.

We invite you to read more and share your thoughts on how we can care for this special place — for today, and into the future.



## Have your say

We want to hear from you about what you think about the Paper Road Access Bylaw 2025, including any suggested amendments or considerations you might have. Supporting information, including FAQs, can also be found on our website.

### How to provide your feedback

Please share your feedback between 22 July and 19 August 2025.

#### Online (preferred)

Visit [haveyoursay.swdc.govt.nz/paper-road-access-bylaw](https://haveyoursay.swdc.govt.nz/paper-road-access-bylaw) and complete the online survey.

#### Paper form

Fill in the paper form at the back of this document, or collect one from any South Wairarapa library.

The paper forms can be left at any of the above locations, or posted to PO BOX 6, Martinborough 5741, addressed to 'Paper Road Access Bylaw feedback'

#### Email

[haveyoursay@swdc.govt.nz](mailto:haveyoursay@swdc.govt.nz) subject line 'Paper Road Access Bylaw feedback'

#### Present

You can present your feedback verbally at a hearing, with or without making a written submission first, in person or via a live or recorded statement. Let us know in your feedback form if you wish to do a verbal presentation in person or online.

### Timeline



## Submission form

This submission form allows you to provide feedback on the South Wairarapa District Council Paper Road Access Bylaw 2025. Tell us what you think between 22 July and 19 August 2025. You can drop this form into any of the South Wairarapa Libraries, or email it to [haveyoursay@swdc.govt.nz](mailto:haveyoursay@swdc.govt.nz)

### Privacy Statement

Your name and feedback will be in public documents. All other personal details will remain private. The Privacy Act 2020 applies when we collect personal details. Any details that are collected will only be used for the purposes stated. You have the right to access and correct any personal information we hold.

### Your details

First and last name (required) Megan Gillies

Email address (required) [REDACTED]

Phone number [REDACTED]

Which ward do you live in? (required)

Martinborough / Greytown / Featherston / Outside of district

Have you used the paper road to access DOC land? Yes / No

› if yes, what for?

- hunting ✓
- tramping ✓
- camping ✓
- fishing ✓
- other

Mountain bike riding, Quad riding, & gathering kaitiaki

Are you submitting on behalf of an organisation? Yes / No

› if yes, which organisation? \_\_\_\_\_

Do you wish to speak to your submission at Hearings on 6 September? Yes / No

Please ensure you include your email address and phone number above





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### Question one

Do you support the Paper Road Access Bylaw 2025?

Yes / ☒ No / ☐ Unsure

### Final comments

I have had access to the Stonewall river & waterfalls for over 45 years, I always (and my family) treated the land & resources with high respect. This coastline has provided me with significant relief in times of high stress & anxiety, providing much needed relief in my mental wellness & well-being. I've had very spiritual moments on my many trips to the Stonewall & beyond, seeing an old Maori chief sitting at the foot of the old kavaka tree on the left going up towards the kahurangi. I was very sad to hear about this proposed bylaw. Surely a win-win solution could be found that is good for all concerned parties. I acknowledge that disrespect from others is not acceptable & can't continue, but there are ways to stop or lessen those people, such as only allowing quad & bike access, allowing foot & mountain bikes. Regards  
Ollie





**Respondent No:** 002241

**Login:** Anonymous

**Email:** n/a

**Responded At:** Aug 15, 2025 00:02:40 am

**Last Seen:** Aug 15, 2025 00:02:40 am

**IP Address:** n/a

Q1. **First and last name** Puhi Te Whaiti

Q2. **Email address**

[REDACTED]

Q3. **Phone number**

[REDACTED]

Q4. **Which South Wairarapa ward do you live in?** Featherston

Q5. **If you have used the paper road to access DOC land, what has this been for?** other (please specify)  
Connecting with the taiao

Q6. **Are you submitting on behalf of an organisation?** No

Q7. **Do you wish to speak to your submission at Hearings on 3 and 4 September?** Yes

Q8. **Do you support the Paper Road Access Bylaw 2025?** Yes

Q9. **Do you have any comments to support your submission?**

Being Tangata whenua, it is importance that we exercise tino rangataira & look after our taiao.



**Respondent No:** 19 **002259**

**Login:** Anonymous

**Email:** n/a

**Responded At:** Aug 15, 2025 05:44:39 am

**Last Seen:** Aug 15, 2025 05:44:39 am

**IP Address:** n/a

Q1. **First and last name** Aaron white

Q2. **Email address**

[REDACTED]

Q3. **Phone number**

[REDACTED]

Q4. **Which South Wairarapa ward do you live in?** Outside of district

Q5. **If you have used the paper road to access DOC land, what has this been for?**

camping

**other (please specify)**

Sight seeing and get away from it all.

Q6. **Are you submitting on behalf of an organisation?**

No

Q7. **Do you wish to speak to your submission at Hearings on 3 and 4 September?**

Yes

Q8. **Do you support the Paper Road Access Bylaw 2025?**

No

Q9. **Do you have any comments to support your submission?**

Would be a huge loss to the wider community that use this area. Used to travel over from Wellington with Mum and Dad to explore this part of the coastline. I do however think security cameras at the lighthouse would stop a lot of the riff raff from damaging this precious piece of coastline. They already have cameras at a few places along that coast. I'm sure a local business would get behind the installation. Kind Regards, Aaron White



**Respondent No:** 20 **002260**

**Login:** Anonymous

**Email:** n/a

**Responded At:** Aug 15, 2025 05:55:38 am

**Last Seen:** Aug 15, 2025 05:55:38 am

**IP Address:** n/a

Q1. **First and last name** Dion Aupouri

Q2. **Email address**

[REDACTED]

Q3. **Phone number**

[REDACTED]

Q4. **Which South Wairarapa ward do you live in?** Outside of district

Q5. **If you have used the paper road to access DOC land, what has this been for?**

hunting

tramping

camping

fishing

**other (please specify)**

Surfing and marine conservation

Q6. **Are you submitting on behalf of an organisation?**

Yes

Q7. **Do you wish to speak to your submission at Hearings on 3 and 4 September?**

Yes

Q8. **Do you support the Paper Road Access Bylaw 2025?**

No

Q9. **Do you have any comments to support your submission?**

Please leave the paper road iv walked it every year for the last 10 years it's the last bit of untouched coast line we have access to the most Beautiful and most south eastern walk on the north island please keep the road open

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### Your details

First and last name (required)

Brian J Pocock

Email address (required)

Phone number

Which ward do you live in? (required)

Martinborough / Greytown / Featherston / Outside of district

Have you used the paper road to access DOC land? Yes / ~~No~~

› if yes, what for?

• hunting

• tramping ✓

• camping

• fishing ✓

• other

Are you submitting on behalf of an organisation? ~~Yes~~ / No

› if yes, which organisation?

Do you wish to speak to your submission at Hearings on 6 September? Yes / ~~No~~  
Please ensure you include your email address and phone number above



## Submission form

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### Question one

Do you support the Paper Road Access Bylaw 2025?

~~Yes~~ / No / ~~Don't know~~

### Final comments

There is too much control by Private land owners in NZ that shut out vast areas of coastline to the public through Private property.

The swdc by law 25 has excluded the damage non native animals is doing to the areas.

my submission

- all forms of vehicles access - be denied.
- that walking and push Bikes be the only form of access -
- That all stock (cattle and sheep) be removed from all areas and a control program to be put in place to rid all non native animals.

Brian Pocock

Thank you for taking the time to share your feedback with us



**Respondent No:** 72 **002312**

**Login:** Anonymous

**Email:** n/a

**Responded At:** Aug 15, 2025 09:08:56 am

**Last Seen:** Aug 15, 2025 09:08:56 am

**IP Address:** n/a

Q1. **First and last name** Joseph lee

Q2. **Email address**

[REDACTED]

Q3. **Phone number**

[REDACTED]

Q4. **Which South Wairarapa ward do you live in?** Martinborough

Q5. **If you have used the paper road to access DOC land, what has this been for?**

camping

fishing

**other (please specify)**

Coast access

Q6. **Are you submitting on behalf of an organisation?**

No

Q7. **Do you wish to speak to your submission at Hearings on 3 and 4 September?**

Yes

Q8. **Do you support the Paper Road Access Bylaw 2025?**

Unsure

Q9. **Do you have any comments to support your submission?**

not answered



**Respondent No:** 002326

**Login:** Anonymous

**Email:** n/a

**Responded At:** Aug 15, 2025 10:07:33 am

**Last Seen:** Aug 15, 2025 10:07:33 am

**IP Address:** n/a

Q1. **First and last name** Ben Kilgore

Q2. **Email address**

[REDACTED]

Q3. **Phone number**

[REDACTED]

Q4. **Which South Wairarapa ward do you live in?**

Outside of district

Q5. **If you have used the paper road to access DOC land, what has this been for?**

tramping

camping

Q6. **Are you submitting on behalf of an organisation?**

No

Q7. **Do you wish to speak to your submission at Hearings on 3 and 4 September?**

Yes

Q8. **Do you support the Paper Road Access Bylaw 2025?**

No



**003441**

**From:** [Gary Hall](#)  
**To:** [Have your Say](#)  
**Subject:** Paper Road Access submission  
**Date:** Thursday, 7 August 2025 10:19:35 PM  
**Attachments:** [2025 Paper Road submission form FINAL.pdf](#)

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You don't often get email from [REDACTED] [Learn why this is important](#)

As attached



**SOUTH WAIRARAPA  
DISTRICT COUNCIL**  
*Kia Reretahi Tātau*

# **Paper Road Access Bylaw 2025**

## **Submission form**



### **Have your say before 19 August 2025.**

South Wairarapa District Council is proposing a new bylaw to help protect the fragile and culturally significant land beyond the Cape Palliser Lighthouse. This area includes a paper road that crosses private Māori land and Crown land, and has unfortunately been damaged over time by off-road vehicles, illegal camping, and other harmful activities.

The proposed bylaw would restrict public access to the unformed paper road to prevent further environmental harm, protect cultural heritage, and respects the rights of landowners.

We invite you to read more and share your thoughts on how we can care for this special place — for today, and into the future.

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Please share your feedback between 22 July and 19 August 2025.

### Online (preferred)

Visit [haveyoursay.swdc.govt.nz/paper-road-access-bylaw](https://haveyoursay.swdc.govt.nz/paper-road-access-bylaw) and complete the online survey.

### Paper form

Fill in the paper form at the back of this document, or collect one from any South Wairarapa library.

The paper forms can be left at any of the above locations, or posted to PO BOX 6, Martinborough 5741, addressed to 'Paper Road Access Bylaw feedback'

### Email

[haveyoursay@swdc.govt.nz](mailto:haveyoursay@swdc.govt.nz) subject line 'Paper Road Access Bylaw feedback'

### Present

You can present your feedback verbally at a hearing, with or without making a written submission first, in person or via a live or recorded statement. Let us know in your feedback form if you wish to do a verbal presentation in person or online.

## Timeline





## Submission form

This submission form allows you to provide feedback on the South Wairarapa District Council Paper Road Access Bylaw 2025. Tell us what you think between 22 July and 19 August 2025. You can drop this form into any of the South Wairarapa Libraries, or email it to [haveyoursay@swdc.govt.nz](mailto:haveyoursay@swdc.govt.nz)

### Privacy Statement

Your name and feedback will be in public documents. All other personal details will remain private. The Privacy Act 2020 applies when we collect personal details. Any details that are collected will only be used for the purposes stated. You have the right to access and correct any personal information we hold.

### Your details

First and last name **(required)** Gary Hall

Email address **(required)** [REDACTED]

Phone number [REDACTED]

Which ward do you live in? **(required)** Greytown  
Martinborough / Greytown/ Featherston / Outside of district

Have you used the paper road to access DOC land? Yes / No

› if yes, what for?

- hunting
- tramping
- camping
- fishing
- other Walking and fishing

Are you submitting on behalf of an organisation? Yes / No NO

› if yes, which organisation? \_\_\_\_\_

Do you wish to speak to your submission at Hearings on 6 September? Yes / No YES  
*Please ensure you include your email address and phone number above*

# Submission form

This submission form allows you to provide feedback on the South Wairarapa District Council Paper Road Access Bylaw 2025. Tell us what you think between 22 July and 19 August 2025. You can drop this form into any of the South Wairarapa Libraries, or email it to [haveyoursay@swdc.govt.nz](mailto:haveyoursay@swdc.govt.nz)

## Question one

Do you support the Paper Road Access Bylaw 2025?

Yes / No / Unsure [Definitely NOT](#)

## Final comments



**Respondent No:** 99 **001171****Login:** Anonymous**Email:** n/a**Responded At:** Aug 07, 2025 09:28:14 am**Last Seen:** Aug 07, 2025 09:28:14 am**IP Address:** n/a

Q1. **First and last name** Mark Jerling

Q2. **Email address**

[REDACTED]

Q3. **Phone number**

[REDACTED]

Q4. **Which South Wairarapa ward do you live in?**

Outside of district

Q5. **If you have used the paper road to access DOC land, what has this been for?**

**other (please specify)**  
Mountain bike.

Q6. **Are you submitting on behalf of an organisation?**

No

Q7. **Do you wish to speak to your submission at Hearings on 3 and 4 September?**

Yes

Q8. **Do you support the Paper Road Access Bylaw 2025?**

No

Q9. **Do you have any comments to support your submission?**

The public has every right to use an unformed road. It is as legal a road as a formed road surface. There is no justification for removing access from a legal road. It is understandable that Council may wish to limit access to only users on foot or by bicycle, or horse and so exclude motorised vehicles which may cause damage to the unformed road. But, setting a bylaw removing access entirely is a step to far. It sets a dangerous precedent so far as unformed roads (also called "paper roads") are concerned. Fencing of the road is not a council concern. If the adjoining land owners wants to erect fences, that is covered by the Fencing Act.



**Respondent No:** 412 **000979**

**Login:** Anonymous

**Email:** n/a

**Responded At:** Aug 06, 2025 05:17:14 am

**Last Seen:** Aug 06, 2025 05:17:14 am

**IP Address:** n/a

Q1. First and last name	Geraldine De Giorgis
Q2. Email address	
Q3. Phone number	not answered
Q4. Which South Wairarapa ward do you live in?	Outside of district
Q5. If you have used the paper road to access DOC land, what has this been for?	camping fishing other (please specify) Walking and up the the stone wall
Q6. Are you submitting on behalf of an organisation?	Yes
Q7. Do you wish to speak to your submission at Hearings on 3 and 4 September?	Yes
Q8. Do you support the Paper Road Access Bylaw 2025?	Yes
Q9. Do you have any comments to support your submission?	It's beautiful out those ways driving around the beach looking at everything making memories with family and friends amazing views been going around there since I was a baby



**Respondent No:** 948 **001115**

**Login:** Anonymous

**Email:** n/a

**Responded At:** Aug 06, 2025 18:45:46 pm

**Last Seen:** Aug 06, 2025 18:45:46 pm

**IP Address:** n/a

Q1. **First and last name** Patrick Morgan

Q2. **Email address**

[REDACTED]

Q3. **Phone number**

[REDACTED]

Q4. **Which South Wairarapa ward do you live in?** Outside of district

Q5. **If you have used the paper road to access DOC land, what has this been for?** **other (please specify)**  
cycling

Q6. **Are you submitting on behalf of an organisation?** **If yes, which organisation?**  
Cycling Action Network Inc.

Q7. **Do you wish to speak to your submission at Hearings on 3 and 4 September?** Yes

Q8. **Do you support the Paper Road Access Bylaw 2025?** No

Q9. **Do you have any comments to support your submission?**

We share the Council and iwi concerns about damage to private land. These deserve protection. Access to the DoC reserve and legal road is a highly valued recreation opportunity that also deserves to be protected. Public access policy should be proportionate, effective, and fair. We note the economic benefits from bicycle tourism to South Wairarapa, and the potential for this to grow. Accordingly, we recommend access is permitted for people on foot and bicycle. This is a common approach around New Zealand. About CAN CAN is New Zealand's national charity of cycling advocates. We work with government, local authorities, businesses and the community on behalf of cyclists, for a better cycling environment. <https://www.can.org.nz>





**Respondent No:** 02 **001194**

**Login:** Anonymous

**Email:** n/a

**Responded At:** Aug 07, 2025 11:37:50 am

**Last Seen:** Aug 07, 2025 11:37:50 am

**IP Address:** n/a

Q1. **First and last name** Reidtetava

Q2. **Email address**

[REDACTED]

Q3. **Phone number**

[REDACTED]

Q4. **Which South Wairarapa ward do you live in?** Greytown

Q5. **If you have used the paper road to access DOC land, what has this been for?** camping

Q6. **Are you submitting on behalf of an organisation?** No

Q7. **Do you wish to speak to your submission at Hearings on 3 and 4 September?** Yes

Q8. **Do you support the Paper Road Access Bylaw 2025?** No

Q9. **Do you have any comments to support your submission?**

not answered



**Respondent No:** 002353

**Login:** Anonymous

**Email:** n/a

**Responded At:** Aug 15, 2025 12:36:50 pm

**Last Seen:** Aug 15, 2025 12:36:50 pm

**IP Address:** n/a

Q1. **First and last name** Hamish McIlraith

Q2. **Email address**

[REDACTED]

Q3. **Phone number**

[REDACTED]

Q4. **Which South Wairarapa ward do you live in?** Outside of district

Q5. **If you have used the paper road to access DOC land, what has this been for?** camping  
fishing

Q6. **Are you submitting on behalf of an organisation?** No

Q7. **Do you wish to speak to your submission at Hearings on 3 and 4 September?** Yes

Q8. **Do you support the Paper Road Access Bylaw 2025?** No

Q9. **Do you have any comments to support your submission?**

It's an obnoxious and unsolicited move blocking access to white rock.

**Respondent No:** 156 **002376****Login:** Anonymous**Email:** n/a**Responded At:** Aug 15, 2025 15:21:31 pm**Last Seen:** Aug 15, 2025 15:21:31 pm**IP Address:** n/a

Q1. **First and last name** richard eyres

Q2. **Email address**

[REDACTED]

Q3. **Phone number**

[REDACTED]

Q4. **Which South Wairarapa ward do you live in?** Outside of district

Q5. **If you have used the paper road to access DOC land, what has this been for?**

**other (please specify)**

watching wildlife, photography, enjoying the peace and quiet and remote rugged and unspoilt coastline

Q6. **Are you submitting on behalf of an organisation?**

No

Q7. **Do you wish to speak to your submission at Hearings on 3 and 4 September?**

Yes

Q8. **Do you support the Paper Road Access Bylaw 2025?**

No

Q9. **Do you have any comments to support your submission?**

Yes - for supporting comments see below. Although not resident in the SWDC area, as an individual I am a regular visitor to the Cape Pallister region for both active and passive recreation. I own and use a 4WD vehicle in a responsible and respectful manor to access as well as enjoy the natural environment, flora and fauna of this remote spectacular and unspoilt coastline. While I agree that the disrespectful, irresponsible and antisocial behaviour of a small number of users needs to be addressed I do not support the proposed bylaw and make the submission below. I wish to make a verbal presentation in person in support of my submission. Unformed legal roads ('paper roads') have the same status in law as formed legal roads. As such they are a significant public asset which the public has the right to use. The proposed bylaw is a draconian response and explicitly prohibits ALL public access. It effectively hands control and hence 'defacto ownership' of the legal road to the adjacent landowners by requiring any person or group wanting to use the legal road to apply to council who will "in some circumstances following engagement with the landowners grant an exception ... for specific purposes" (clauses 3, 5 and 6). The bylaw does not explicitly state what form landowner engagement will take nor if Council and landowners all must agree before any request for access is approved. Clause 1 (Preface), which appears to have been written by a landowner representative, has a tone that suggests the landowners are minded to look unfavourably on any requests for access by members of the public. There are several stated justification/reasons for the bylaw. I provide the following responses:

- Health and safety concerns: The claimed potential risks listed are very similar to the potential risks that exist on the legal road to the west of the lighthouse. In the FAQ section it is suggested that walking access is available via the foreshore. Given the wild and unpredictable nature of the coastline this is considerably more hazardous than using the legal road, especially for anyone unfamiliar with the area.
- Support to affected landowners: issues like trespassing, biosecurity risks, disrupted land use etc. are sadly not unique to unformed legal roads. If a small minority of the public cause any of these or other nuisances etc on say Broadway or Jellico Streets in Martinborough are Council likely to consider a similar bylaw allowing the adjacent landowners to effectively restrict and control access to the legal roads as a way to support the adjacent landowners?
- Enforcement measures: Existing enforcement measures are available to address the inappropriate behaviour of the small minority of users. This includes the use of trespass notices, and potential prosecution for illegal camping, property damage etc. As a legal road, normal road rules requiring licencing, wof, registration and driver behaviours

etc. along with associated penalties apply and should be used. • Private landowners' rights: The documentation claims ongoing public access has disrupted the landowners right of quiet enjoyment of private land. There is no mention of the need to balance this with the rights of the public to use the legal road. Of course the right to use the legal road does not imply any right to access adjacent private land, usually this would be 'reinforced' by the land owners fencing and gating their land. The documentation suggests that fully fencing the legal road while not impossible may be problematic. If this is the case, fencing of culturally significant and other sensitive areas should be considered as this would also ensure these are respected. • Environmental Damage: There is no denying that a small minority who access the area whether by use of 4WD vehicles, quad, dirt and mountain bikes or on foot etc behave in an irresponsible, disrespectful and anti-social manor and have caused damage to both the legal road and adjacent private land. I despair to see the behaviour of some users and have considerable sympathy with the landowners in that regard. However, in no way do I support any sort of indiscriminate or total access ban as this would also significantly penalise all the responsible users. In the majority of cases I believe damage to private land is likely due to a lack of user appreciation, education, understanding and indication of where the boundaries between legal road and private land lie. The documentation makes mention of the use of signage. From recent visits the only signage of any significance was an old and faded sign on the gate from the lighthouse car park advising no camping allowed. In the absence of fencing, additional signage, whilst on its own is unlikely to change the behaviour of the irresponsible and antisocial minority, will help the majority responsible users avoid unintentionally straying from the legal road. Enforcement action should be pursued against irresponsible transgressors. Unfortunately I believe it is now necessary and appropriate to implement some form of simple and easily used permit system to control motorised access to the unformed legal road. This would serve two purposes, an opportunity to educate and/or remind users of appropriate behaviour, and also assist with identifying users in the event of any subsequent issues. Such access permits should be easily available without undue cost and access not denied without good reason. It may also be appropriate for additional restrictions to apply for short periods from time to time for example after periods of prolonged heavy rain. Suggestions In an ideal world none of this would be necessary. However, in the current environment, regrettably I have come to believe that maintaining the current 'status quo' is not sustainable and some action is required to support and ensure that the rights of both landowners and the public are respected and preserved for both the immediate and long-term future. I make the following suggestions: • The proposed bylaw is rejected in its entirety; • Existing enforcement measures are fully utilised and irresponsible users penalised; • Implement a quick, simple and easy to use permit type system for motorised access. There are already multiple tracks and unformed legal roads across New Zealand that have some form of access control or seasonal use restrictions. A small number of examples of roads/tracks (not necessarily all legal roads) that spring to mind are: o Maungatata pou Track between Nelson and Pelorus Bridge, this has locked gates with a key available on request from Nelson Council for a fully refundable deposit and reading and signing a 'good behaviour' agreement; o St James Conservation area (near Hamner Springs) – seasonal restriction, permit with gate access code (changed monthly) along with user education information available on line from DOC; o Black Forest Station (near Twizel/Lake Benmore) – a private track but permission with user education information and gate codes available from station owners via text; o 42 Traverse (Central North Island) – voluntary seasonal use restriction, with user education signage; o Maratoto (near Paeroa) seasonal and post extreme weather restriction with locked gate when closed, user education signage adjacent to gate. I believe the suggestions above will be a more equitable solution that respects the rights of both landowners and the public wishing to access the area as well as significantly reduce ongoing environmental impacts. Thank you for your consideration. Richard Eyres

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**Respondent No:** 152 **002392**

**Login:** Anonymous

**Email:** n/a

**Responded At:** Aug 15, 2025 16:26:00 pm

**Last Seen:** Aug 15, 2025 16:26:00 pm

**IP Address:** n/a

Q1. **First and last name** Scott Summerfield

Q2. **Email address**

[REDACTED]

Q3. **Phone number**

[REDACTED]

Q4. **Which South Wairarapa ward do you live in?** Martinborough

Q5. **If you have used the paper road to access DOC land, what has this been for?** not answered

Q6. **Are you submitting on behalf of an organisation?** No

Q7. **Do you wish to speak to your submission at Hearings on 3 and 4 September?** Yes

Q8. **Do you support the Paper Road Access Bylaw 2025?** Yes

Q9. **Do you have any comments to support your submission?**

Fully support SWDC and Ngāti Hinewaka in this solution. Users have taken advantage of the area, and do not have a right to access private property and cause damage like this. Given the remote area and difficulty in policing any regulation (as well as putting landowners at risk through encountering belligerent users), and full restriction on access is reasonable. There are many other areas in the district that can be used and if any particular groups want access such as surfers, they can engage respectfully with the landowners rather than assume a right to cross private property.



Respondent No: 158 **002398**

Login: Anonymous

Email: n/a

Responded At: Aug 15, 2025 16:51:11 pm

Last Seen: Aug 15, 2025 16:51:11 pm

IP Address: n/a

Q1. First and last name Jason Percy

Q2. Email address

[REDACTED]

Q3. Phone number

[REDACTED]

Q4. Which South Wairarapa ward do you live in? Martinborough

Q5. If you have used the paper road to access DOC land, what has this been for?

hunting

tramping

camping

fishing

other (please specify)

Diving, surfing

Q6. Are you submitting on behalf of an organisation?

No

Q7. Do you wish to speak to your submission at Hearings on 3 and 4 September?

Yes

Q8. Do you support the Paper Road Access Bylaw 2025?

No

Q9. Do you have any comments to support your submission?

Stop closing New Zealanders out of New Zealand! You have no right, it's a free planet, the land is fro everyone, stolen from the Maori, who stole it of those before them, now some pen pushing twat behind a desk assumes they have the right to say nobody's allowed there... based on what? Some bull shit invented law. It's a joke.



**Respondent No:** 002410

**Login:** Anonymous

**Email:** n/a

**Responded At:** Aug 15, 2025 17:21:47 pm

**Last Seen:** Aug 15, 2025 17:21:47 pm

**IP Address:** n/a

Q1. **First and last name** markus logan

Q2. **Email address**

[REDACTED]

Q3. **Phone number**

[REDACTED]

Q4. **Which South Wairarapa ward do you live in?** Outside of district

Q5. **If you have used the paper road to access DOC land, what has this been for?** tramping

Q6. **Are you submitting on behalf of an organisation?** Yes

Q7. **Do you wish to speak to your submission at Hearings on 3 and 4 September?** Yes

Q8. **Do you support the Paper Road Access Bylaw 2025?** No

Q9. **Do you have any comments to support your submission?**

I oppose the Paper Road Access Bylaw 2025. This legal road provides crucial public access to nationally significant surf breaks and outstanding natural areas. Council should explore alternatives like improved signage and education rather than blanket closure. Public access to our coastline must be protected for all New Zealanders



**Respondent No:** 948 **001680**

**Login:** Martina Day

**Email:** [REDACTED]

**Responded At:** Aug 11, 2025 06:26:19 am

**Last Seen:** Aug 09, 2025 07:49:39 am

**IP Address:** 118.82.218.233

- Q1. **First and last name** Martina Day
- Q2. **Email address** [REDACTED]
- Q3. **Phone number** [REDACTED]
- Q4. **Which South Wairarapa ward do you live in?** Featherston
- Q5. **If you have used the paper road to access DOC land, what has this been for?** **other (please specify)**  
To visit the stonewall and waterfalls with my whanau at our occasional reunions. To show visitors the beauty of the coast including Kupe's sail, the Sacred Pool, the lighthouse, Stone Wall and waterfalls (maybe once a year) We are getting on a bit - some of us can't walk that far.
- Q6. **Are you submitting on behalf of an organisation?** No
- Q7. **Do you wish to speak to your submission at Hearings on 3 and 4 September?** Yes
- Q8. **Do you support the Paper Road Access Bylaw 2025?** No



**Q9. Do you have any comments to support your submission?**

Submission on the Cape Palliser Unformed Legal Road 9/8/25 – Martina Day

1) The proposal states - restrict the access of public on foot, bike, motorbike, quad, car except landowners and govt agencies. The outcome states - limits and regulates public access. What is it - limit or prohibit?

2) I question the legality of the SWDC / land owners actions. I understand a legal road can be closed for a maximum of 31 days, or closed permanently. The proposed 3 year closure is illegal, and I question if it is permanent closure by stealth. The SWDC admits it has taken no legal advice on this bylaw. At today's public meeting at Ngawi the SWDC also confirmed the illegal road closure at the far end of this road by means of a locked gate at Ngapotiki has been in place for 27 years because the SWDC failed to ensure access was legally open.

3) I question the long term grazing leases that have been in place for years - these do not correspond to the SWDC / land owners concerns re destruction of native flora and fauna, and the protection of historical, ecological and cultural sites of significance. Also the stock grazing on the Crown owned DOC managed land is illegal.

4) I note that in the consultation document it is stated "In the past Council has insisted that the Māori landowners cannot impede public use of the paper road but simultaneously has refused to fence it off." The SWDC has failed to prevent public damage to private land. The land owners have failed to fence their land, as other parties in a similar situation have done with great effect. There is some signage on the gate past the lighthouse – it does not acknowledge the paper road, or the Crown owned land past the Stonewall, I think it needs to be a lot bigger, with maybe a map which details the unformed legal road. Also no signage on the Crown land boundary signifying DOC managed public land.

5) I acknowledge the land owners are entitled to quiet enjoyment of their land. The reality is the is a legal unformed road through their property, and many land owners throughout NZ suffer the same consequences.

6) I question the consultation document statement "While the unformed paper road passes through private land and Crown land, and leads to a dead end".. It is simplistic to call the road a dead end. It provides access to the Aorangi Forest Park for hunting / tramping purposes, it provides access to publicly owned land, it provides access to the coast for gathering kaimoana. The public access to these areas is legal, and provides food for people, a necessity for many in these hard times. The freedom to access these areas is becoming increasingly difficult, with most access being dependent on private land owners giving permission. In this case there is a legal unformed road. The alternative routes suggested in the consult document do not access this area, would still depend on private land owners permission, and would take days to get there. It is not practical to suggest these are suitable alternatives.

7) I quote " the continued vandalism, disrespect to the land and its owners and the poor social behaviours displayed are not acceptable." This is completely true. I feel the genuine users of this land respect the land, and recognise the privilege of being able to access the coast and forest. While they are not tangata whenua, many have been brought up and lived in the Cape Palliser area all their lives, and have a deep connection to the whenua.

8) Not all of Haami Te Whaiti's / Ngati Hinewaka hapu have been consulted. I have been contacted by one who does not agree on this closure "No good, and obviously not good for the locals", but they do not get asked for input.

9) In summary, I feel the uncaring few have ruined it for everyone who loves and respects the land accessed by the paper road. My dearest wish is that a solution may be found whereby the affected hapu in their generosity allow continued access via the paper road, and that the SWDC, with the hapu, reach an agreement that satisfies their wish for peaceful enjoyment of their land. I feel fencing the road is imperative. I feel walking, cycling and motorbike / quad / vehicle access should allowed - 3.5 kms is too far to car a deer back from the Stone Wall to the light house, or a weight belt any distance. Worst case scenario allow walking / cycling / quad / motorbikes. Bollards to prevent vehicle access would stop 4WD vehicles and camping / fires. Cameras and signage to prevent offending. We could try that for a period of time and then evaluate.

10) The meeting at the coast was constructive and positive. Everyone understood the concerns of the land owners, and were keen to find solutions. No one wanted the road closed. To note there are several people with the right equipment happy to assist with the road, the community are behind the land owners in their concerns.