

Chairperson and Community Board Members
ŌTAKI COMMUNITY BOARD

6 SEPTEMBER 2011

Meeting Status: **Public**

Purpose of Report: For Decision

TE HORO BEACH CAR PARK

PURPOSE OF REPORT

- 1 This report recommends actions for the Community Board to consider to respond to community opposition to work carried out in the Te Horo Beach car park to limit vehicle movement in the area.

SIGNIFICANCE OF DECISION

- 2 This report does not trigger the Council's Significance Policy.

BACKGROUND

- 3 At a meeting on 11 May 2010 the Community Board considered a report (SP-10-892) on the outcomes of consultation on priorities for the Ōtaki Reserve Fund and made decisions on a recommended priority list as input into the parks asset management planning process.

- 4 Amongst the ideas received during the consultation process was the following project for Te Horo Beach:

“Installation of small barriers at the north end of Te Horo Beach. These would be installed around the edge of the parking area adjacent to the public toilets as a way to try and limit vehicle activity in the area. The Residents Association has also raised general issues about improved signage and access to the beach from the south end. This further work would assist. The cost would be approximately \$4-5,000.” (Ref. paragraph 20, report SP-10-892, 11 May 2010)

- 5 The Community Board recommended to the Council the project should be funded from the Ōtaki Reserve Fund and that it should be included in the highest priority category, ‘initiatives which relieve existing pressures on key natural ecosystems’.

CONSIDERATIONS

Log barriers

- 6 While the consultation process established a clear outcome for the project, ie limited vehicle activity in the area, the nature of the barriers was not defined. In the absence of such direction staff looked at the options to establish what could be done to most effectively achieve the outcome within the identified budget of approximately \$5,000. These discussions determined that the option most likely

to be successful was to arrange logs from the beach to mark the car park boundaries.

- 7 The project also created an opportunity for a priority in the Coastal Strategy to be implemented – to protect dune systems (described as being 1 metre landward of the last high tide mark) by restricting vehicle movements to permitted areas outside the dune area. At Te Horo Beach this was achieved by using logs to block the informal access route running between the beach and the residential properties. The use of logs from the immediate surrounds would result in a solution that reflected the nature of the beach environment on this part of the coast.
- 8 After informal discussion with the Board Chair, staff instructed a contractor to establish the log barriers. In March 2011 the work was carried out over several days, at a cost of \$4,520 + GST. Photographs of the completed work are included at Appendix One to this report (CS-11-334.)

Community concerns

- 9 Very soon after the work was completed there were complaints from local residents about the finished work. A community meeting at the car park in April was attended by approximately 80 people and it is reported that the majority who attended wanted the logs removed. The Community Board also heard public speakers at its meeting on 3 May 2011. Some speakers were opposed to any restriction on access, others did not like the logs, others were critical of the communication process but were comfortable that the logs remain, provided the issue of access for fire services was adequate. The Board and Council also received communication from people who were appreciative of the improving ecological conditions with reduced vehicle access. The Board resolved to meet the Te Horo and Te Horo Beach communities to provide an opportunity for people to discuss their concerns. The board also sought feedback and residents' views about processes by which the Council, Community Board and Te Horo community could continue to exchange ideas about future issues or projects in the Te Horo area.
- 10 Approximately 70-80 people attended the meeting on 2 August in the Te Horo Hall. The Chair opened the meeting and explained its purpose was to listen to peoples' views. He explained that, following the meeting, Council officers would bring a report to the Otaki Community Board (this report) which might result in a recommendation to the Council to take action in response to community concerns.
- 11 A number of residents at the meeting spoke on the topic of the logs. Almost all were opposed to the use of the logs to mark the car park boundaries. Many also mentioned they were unhappy about the Council's actions to prevent vehicles using the informal access way between the beach front properties and the beach.

Vehicle Access

- 12 While the car park project originated through a consultation process about the use of the Otaki Reserves Fund, the 2006 Coastal Management Strategy is the guiding document that sets out how activities in the coastal area will be managed. The primary objective of the Coastal Strategy is "*That the environment and*

lifestyle values that have always attracted people to the area are protected and enhanced and the historical, geological and cultural values are preserved.”

- 13 As stated earlier in this report, the work carried out in March implements one of the key goals of the Coastal Strategy – the restriction of vehicle movements in the coastal area to protect dune systems. Specifically, the placement of logs means vehicles have been prevented from using the informal access way on the beach in front of residential properties. This is not only in keeping with the Coastal Strategy but also serves to manage vehicle movements in accordance with the Beach Bylaw 2009.
- 14 The Beach Bylaw went through an extensive consultation process as it was developed and the two most significant issues, the management of dogs and vehicles, attracted a great deal of public comment and media attention. Under the Bylaw vehicles are not permitted to use the informal access way. The following restrictions on vehicles are in the Bylaw:
 - 14.1 No person may drive a vehicle in a manner which has adverse effects on plants, native animals or their habitats (Beach Bylaw 2009, paragraph 8.1.2)
 - 14.2 No person may drive any vehicle in a prohibited driving area of the beach or on any dunes or coastal protection works (Beach Bylaw 2009, paragraph 9.2) (The Bylaw defines dunes as the area lying generally above the high tide mark.)
 - 14.3 All beaches in the District are prohibited areas for driving apart from the following: ...

The foreshore between the Official Beach Access Point at Olliver Grove, North Waikanae, and the Official Beach Access Point at the southern end of Rodney Avenue, Te Horo;

The formed shingle track through the reserve area adjacent to the foreshore between the northern bank of the Mangaone stream, Te Horo Beach, to the southern bank of the Otaki River Mouth (Beach Bylaw 2009, paragraph 9.3)
- 15 It is clear vehicles are prohibited from using the access way under the Beach Bylaw 2009 and it is not recommended the access way is reopened to vehicles. However, it is clear the track is an important local connection and pedestrians, cyclists and horse riders should be able to continue to use it. An option to enable this is described in the following section of this report.
- 16 A concern has been raised that the Te Horo Rural Fire Brigade may require access along the track to fight fires on the beach. The Brigade was specifically consulted on this matter when the Bylaw was developed and was satisfied fire fighting activity would not be hindered by the Bylaw restrictions. In addition, further assurance has been sought, and has been received, from the Principal Rural Fire Officer that the Brigade does not require the use of the track for fire fighting purposes.

Car park boundaries

- 17 In addition to continuing to limit vehicle access the other purpose of the logs was to formalise the boundaries of the car park. This is both to clearly identify the area where freedom camping is permitted and to prevent vehicles gaining access to the beach at this point. A number of residents had complained for some time about the unrestricted freedom camping. The Official Beach Access Point in Te Horo is at the southern end of Rodney Avenue.
- 18 The following action is proposed to respond to the community objections to the use of the logs to mark the car park boundaries.
 - 18.1 Remove the logs from the northern and southern edges of the car park (visible in Figures 1, 2, 5 in Appendix One) and place them amongst other logs washed up at the high tide mark in the area more or less to the north and south of the car park.
 - 18.2 Move the logs on the seaward boundary (visible in Figures 3 and 4 in Appendix One) further towards the sea to lie among others on the high tide line.
 - 18.3 Extend the round timber fencing (visible in Figure 1, Appendix One) on the northern and southern ends of the car park further towards the high tide mark and the other logs, ensuring pedestrian and cycle access is possible along the back of the properties. The length of this fence would be dictated by the ability of the contractor to drive the posts into the loose metal and ensure that the fence would be stable and not be able to be easily removed from the ground.
- 19 There was a suggestion at the community meeting on 2 August that local residents could remove the logs. Staff believe the logs should only be removed by an appropriate person using the correct heavy equipment to be able to lift the logs into the new positions. If the logs are dragged this will cause damage to the dunes, the vegetation and the car park surface. The Council owns this area and the use of the correct equipment by an appropriate contractor will limit liability if an accident occurred.
- 20 It should be noted that several previous attempts to restrict vehicle access have been unsuccessful as the barriers have been removed by members of the public. If the measures proposed here are not successful the situation will need to be reviewed.

Financial Considerations

- 21 There is no specific budget for this work. If the Community Board decides the project should proceed the cost would be met from the Otaki minor reserve maintenance budget. This will reduce the amount available for that maintenance but this is not expected to have a significant or long lasting effect on other reserves.

Legal Considerations

- 22 There are no legal considerations.

Delegation

- 23 The Otaki Community Board has the ability to recommend to Council on any matter before it. In particular, under D 6.3 of the Governance Structure it has the ability to:

listen, advise and act on any matter of interest or concern to the local community... in particular over the desired levels of service for Council services and assets across the 15 activity categories.

Consultation and Publicity Considerations

- 24 This report is presented in response to a community meeting attended by approximately 70-80 people on 2 August 2011. The Community Board may wish to consider holding a further period of consultation or communication with the community, perhaps through the Te Horo Resident's Association, after making a decision on this matter but before proceeding with further physical works.

Policy Implications

- 25 Relevant portions of the Coastal Strategy 2006 and the Beach Bylaw 2009 have been included or referred to in the discussion in the body of this report.
- 26 As far as staff have been able to ascertain, the informal access way that has been formed behind the beach front properties in this area is not a legal road or part of the Old Coach Road.

Tāngata Whenua Considerations

- 27 There are no tāngata whenua considerations.

RECOMMENDATIONS

- 28 That the Community Board recommends to Council that the logs are removed from the northern and southern boundaries of the Te Horo Beach Car Park and that the logs are placed on the beach amongst other logs washed up at the high tide mark in the area more or less to the north and south of the car park.
- 29 That the Community Boards recommends to Council that the logs on the seaward boundary of the car park are moved further towards the sea to lie among others on the high tide line.
- 30 That the Community Board recommends to the Council that the round timber fencing on the northern and southern ends of the car park be extended as far as possible towards the high tide mark and the logs on the seaward boundary, ensuring pedestrian and cycle access is maintained along the back of the properties.
- 31 That the Community Board notes vehicles are not permitted on the beach except in areas described in the Beach Bylaw 2009 and vehicles may only gain access to the beach from Official Beach Access Points.

- 32 That the Community Board agrees access for pedestrians, cyclists and horse riders will continue to be permitted along the informal access way running between the beach and residential properties on the beachfront.

Report prepared by:

Approved for submission by:

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ATTACHMENTS:

Attachment One: Log barriers at Te Horo Beach Car Park, Figures 1-5

ATTACHMENT ONE

Log barriers at Te Horo Beach Car Park (9 August 2011)

Figure 1



Figure 2



Figure 3



Figure 4



Figure 5

