

Council Briefing Meeting Minutes

Date: Tuesday, 27 August, 2019
Time: 12:30 p.m.
Location: Council Chamber
Forum North, Rust Avenue
Whangarei

In Attendance Her Worship the Mayor Sheryl Mai
Cr Gavin Benney
Cr Vince Cocurullo
Cr Tricia Cutforth
Cr Shelley Deeming
Cr Phil Halse
Cr Greg Innes
Cr Greg Martin
Cr Sharon Morgan

Not in Attendance Cr Crichton Christie
Cr Sue Glen
Cr Cherry Hermon
Cr Anna Murphy

Scribe Sue Reid (Democracy Adviser)

1. Apologies

Cr Crichton Christie (leave of absence) and Crs Sue Glen, Cherry Hermon and Anna Murphy (absent).

Cr Morgan declared a conflict of interest and left the meeting.

2. Reports

2.1 Control of Vehicles on Beaches Bylaw 2009 Proposed Amendment - Key Issues

Her Worship the Mayor convened the meeting. Council heard submissions on 22 August 2019 and formal deliberations will take place on 5 September 2019.

Her Worship the Mayor handed over to Shawn Baker (Contractor – Infrastructure Development).

Mr Baker said the Council's Control of Vehicles on Beaches Bylaw was adopted in 2009 and last reviewed at the end of 2016. At its meeting on 27 June 2019, Council decided to consult with the community on a proposed amendment to the Bylaw to restrict vehicle access on part of Langs Beach.

A total of 51 submissions were received, most of which were in support of the proposed change. Mr Baker said the briefing today would provide Councillors with some background and address the following key issues raised by submitters:

- Setting a lower speed limit on the beach and enforcing that speed limit
- Creating a new vehicle access point for launching boats nearer the boat launching area
- Restricting access only to vehicles launching or retrieving boats or actively engaged in fishing
- Allowing some vehicle access to the north-western part of the beach during winter and outside peak times
- Prohibiting vehicles on other beaches, including Uretiti, Waipu Wildlife Refuge and Ngunguru Sandspit
- Environmental issues, including Dotterel nesting and coastal erosion

Discussion and Feedback

Beach behavior generally

Mr Baker noted that the community raised concerns that more people were driving on the beach for no real purpose and these people were causing the issues, particularly with children playing on the beach.

Under the Land Transport Act 1998, the beach is defined as a road, all normal road rules apply and the speed limit is 30 km/h. The only way Council can deal with people behaving illegally is through signage but there is not much this bylaw can do about the behavior in general. When questioned, Mr Baker confirmed that behavior on beaches is based on normal road law and can be supported with additional road signs.

Mr Baker was asked if providing increased car parking would prevent more people driving on the beach and he responded that he was not aware of any request for more parking. He believed the complaints were about the behavior and interaction with families using the beach and perhaps some arrangements could be made to use the north side for families and the south side for people launching boats.

Jeff Devine (Strategy and Planning Manager) said other issues may also be included in the overall management of the beach.

Enforcement and fines

Mr Baker said that enforcement comes back to the issue of resources. He said that potentially Council could suggest the Police have a visible presence on a day or two during the summer season to look at bad behavior.

He said this change to the bylaw would certainly assist Armourguard in approaching people if they had a clear reason to talk to them about their behaviour. Although only Police can give notices this would be self-policing and, in addition, the community would police for the Council by reporting bad behaviour.

It was mentioned that people drive north to be able to drive on the beach and Mr Devine responded that it comes down to appropriateness whether to drive on some beaches for fishing and other activities. He said it is something Council needs to continue to monitor and that the support of the community is needed to enforce the bylaw.

There was discussion around the launching and retrieval of boats and the safety around where to launch depending on the swell and certain weather conditions. Seasonal access to beaches was also discussed as a possibility and also no vehicles on the beach except for boat launching and retrieval. It was requested that this be looked at as an option and information be provided for the meeting on 5 September.

Mr Devine said the fishing community also wanted access to the beach and if there is only access for boat trailers, this cuts out another group of the community. He suggested the change be monitored and if there are further issues these are relooked at, but they were seeking guidance from the Councillors on these issues.

Setting a lower speed limit on the beach

There was discussion around changing the current speed limit of 30 km/h which is consistent with speed limits on other beaches in the district. Mr Devine said it has to be seen as practical and most car parks have a 10 km/h speed limit and people understand it is a shared space. Mr Baker said that there is no reason why, as part of the next lot of reviews, we can't review speed limits on all beaches. Mr Devine said reducing the speed limit to 10km/h could be brought into the next round of bylaws.

Key access to the beach

A gate and key system was suggested by one submitter to regulate vehicle access but this could raise issues associated with restricting public access.

New vehicle access

Current vehicle access to the beach is primarily from Cove Road near the public toilet block where vehicles must cross a section of soft sand and a shallow stream to access the harder sand and boat launching area.

Some submitters suggested installing a new vehicle access closer to the boat launching area in the shared open space off Hector Lang Drive. Mr Baker said this land is privately owned by the Lang Cove Conservation Trust and the trustees are not interested in allowing vehicle access over their land. To achieve access would require Council to purchase new land and spend additional money and Parks have no current plans for additional or new access.

Restricting access only to vehicles launching or retrieving boats or actively engaged in fishing

Mr Baker said the issue is not necessarily vehicles that have a purpose for accessing the beach (for example fishing and the launching and retrieval of boats) but the ones that behave badly and have no reason to be there.

Mr Baker said he would have a look at how other councils, including Auckland Council, have addressed that issue. Mr Devine said signs can be put up to restrict vehicles on the beach but the problem would be enforcement as the Police would have to prove the person parking the car is not fishing. He said that community policing may discourage the majority of people not to drive on the beach unless they have a purpose.

Mr Baker said one option would be for Council to put in place what is proposed and see if that has an impact on reducing complaints. Later on, a review of the bylaw for all beaches could be undertaken, after seeing what has worked on Langs Beach.

Mr Devine said he would check the legality of the bylaw to match the launching and retrieving of boats and fishing.

Allowing some vehicle access to the north-western part of the beach during winter and outside peak times

Some submitters suggested allowing vehicle access to the north-western part of the beach outside of peak times to use quad bikes for the launching of kontikis. Mr Devine recommended that if Council wishes to do this, it should be in the winter months and that he could go back and check with locals what would be the appropriate months to allow winter use.

Prohibiting vehicles on other beaches, including Uretiti, Waipu Wildlife Refuge and Ngunguru Sandspit

Mr Devine said Council is only dealing with Langs Beach at the moment, but if there are other locations where there is an issue, this exercise can be repeated.

Environmental issues, including Dotterel nesting and coastal erosion

Mr Baker said he had spoken to the Department of Conservation about the impact on Dotterels who advised there are six to eight regular nests but these are mainly on the walking part of the beach and during the season a local group fence this area off.

Next steps

Additional information will be provided to Councillors for the meeting on 5 September.

3. Closure of Meeting

The meeting concluded at 13:13.