

# **AGENDA**

## **RĀRANGI TAKE**

**Huihuinga O Te Poari O  
Te Oneroa-A-Tōhe**  
Te Oneroa-a-Tōhe Board  
Friday 16 February 2024 at 10.00am



## **Rārangi Take O Te Poari (Te Oneroa-a-Tōhe Board Agenda)**

Meeting to be held in the Banquet Room, Te Ahu Centre  
cnr State Highway 1 & Matthews Ave, Kaitaia  
on Friday 16 February 2024, commencing at 10.00am

**Recommendations contained in the agenda are NOT decisions of the meeting. Please refer to minutes for resolutions.**

### **NGĀ MANA WHAKAHAERE (MEMBERSHIP OF THE TE ONEROA-A-TŌHE BOARD)**

Ngāti Kuri Trust Board Graeme Noho	Te Rūnanga Nui o Te Aupōuri Trust Waitai Petera	NgaiTakoto Wallace Rivers
FNDC Mayor Moko Tepania	Deputy Chair, FNDC Hilda Halkyard-Harawira	NRC Councillor, Joe Carr
NRC Councillor, Peter-Lucas Jones	Te Rūnanga o Te Rarawa Lisa McNab	

### **KARAKIA/WHAKATAU RĪMITI (Item)**

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#### **1.0 NGĀ MAHI WHAKAPAI/HOUSEKEEPING**

#### **2.0 NGĀ WHAKAPAHĀ/APOLOGIES**

#### **3.0 NGA WHAKAPUAKANGA/DECLARATIONS OF CONFLICTS OF INTEREST**

#### **4.0 WHAKĀE NGĀ MINITI / CONFIRMATION OF MINUTES**

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### **KARAKIA WHAKAMUTUNGA**

**TITLE:** Confirmation of Minutes - 17 November 2023

**From:** Meloney Tupou, Maori Governance and Engagement Support Admin and Kim Peita, Māori Relationships Manager

**Authorised by** Auriole Ruka, Pou Manawhakahaere - GM Governance and Engagement, on  
**Group Manager/s:** 09 February 2024

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**Ngā mahi tūtohutia / Recommendation**

That the minutes of the Te Oneroa-a-Tōhe Board meeting held on 17 November 2023, be confirmed as a true and correct record.

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**Attachments/Ngā tapirihanga**

Attachment 1: Confirmation of Minutes - 17 November 2023 [↓](#) 

Te Oneroa-a-Tōhe Board  
17 November 2023

## Ngā Miniti O Te Poari O Te Oneroa-A-Tōhē Te Oneroa-A-Tōhē Board Minutes

Meeting held in the Banquet Room, Te Ahu Centre  
cnr State Highway 1 & Matthews Ave, Kaitaia  
on Friday 17 November 2023, commencing at 9.30am

### Tuhinga (Present):

Chairperson, Haami Piripi	Te Rūnanga o Te Rarawa
Graeme Noho	Ngāti Kuri Trust Board
Deputy Chair, Hilda Halkyard-Harawira	Far North District Council
Mayor Moko Tepania	Far North District Council
Wallace Rivers	NgaiTakoto
Cr Joe Carr	Northland Regional Council (via audio visual link)

### I Tae Mai (In Attendance):

#### Huihuinga i te katoa (Full Meeting)

Lisa McNab	Te Rūnanga o Te Rarawa
George Riley	CEO, Te Rūnanga o Te Rarawa
Kim Peita	NRC Kaiwhakahaere Honongā Māori
Meloney Tupou	NRC Kaiāwhina Tari
Sandra Harris	NRC PA Environmental Services
Robert Nathan	NRC Kaiarahi Tikanga Māori
Gavin Dawson	NRC Governance Specialist (via audio visual link)
Tui Qauqau	Te Rarawa Anga Mua Trust
Theresa Burkhardt	FNDC Policy Planner
Rachel Ropiha	MfE Kaiwhakatere
Lawrence Wharerau	FNDC Kaiarahi Kaupapa Māori, Te Hono (via audio visual link)
Deana-Maree Hemara	FNDC Kaiarahi Kaupapa Māori, Te Hono

#### Huihuinga i te wahanga (Part Meeting)

Richard Murray                      Te Oneroa-a-Tōhe Signage

The Chair declared the meeting open at 9.45am.

### Whakamoemiti Timatanga

Ngā Mahi Whakapai/Housekeeping (Item 1.0) Nil

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## **Ngā whakapahā/Apologies (Item 2.0)**

### **Moved (Halkyard-Harawira/Neho)**

That the apologies from Waitai Petera, NRC Cr Peter Lucas-Jones and Auriole Ruka for non-attendance be received.

### **Carried.**

*Secretarial Note: Apologies from Wallace Rivers who is delayed.*

## **Nga whakapuakanga (Declarations of Conflicts of Interest)**

It was advised that members should make declarations item-by-item as the meeting progressed. Nil.

## **Confirmation of Minutes - 15 September 2023 (Item 4.1)**

### **Report from Meloney Tupou, Maori Governance and Engagement Support Admin**

### **Moved (Tepania/Halkyard-Harawira)**

That the minutes of the Te Oneroa-A-Tōhe Board meeting held on 15 September 2023, be confirmed as a true and correct record.

### **Carried.**

## **Financial Report (Item 5.1)**

### **Report from Meloney Tupou, Maori Governance and Engagement Support Admin**

### **Moved (Halkyard-Harawira/Neho)**

That the report 'Financial Report' by Meloney Tupou, Maori Governance and Engagement Support Admin and dated 31 October 2023, be received.

### **Carried.**

*Secretarial Note:*

1. *Provide a breakdown of the NRC and FNDC Operational Funds to the Board members.*

## **Meeting Schedule for 2024 (Item 5.2)**

### **Report from Kim Peita, Māori Relationships Manager**

### **Moved (Neho/Halkyard-Harawira)**

1. That the report 'Meeting Schedule for 2024' by Kim Peita, Māori Relationships Manager and dated 6 November 2023, be received.
2. Set the March 2024 board meeting to 22 March 2024.
3. That the Board:
  - a. Set the frequency of the 2024 Board meetings, commencing March 2024, to bi-monthly on the third Friday of that month.
  - b. Contingent on recommendation 3a. being approved, the Board set the meeting dates for 2024 to the third Friday of the month in which the Board shall meet.
    - i. 22 March Te Ahu Centre, Kaitaia

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- ii. 24 May Te Ahu Centre, Kaitaia
- iii. 12 July Te Ahu Centre, Kaitaia
- iv. 20 September Te Ahu Centre, Kaitaia
- v. 22 November Te Ahu Centre, Kaitaia

**Carried.**

*Secretarial Note: Board nominated an extra meeting be held in February in order to continue work at the earliest convenience in 2024. Confirming 16 Feb 2024 be added to the Formal Calendar.*

### **Ngā Puāwai o Te Oneroa-a-Tōhe (Item 5.3)**

**Report from Kim Peita, Māori Relationships Manager** This report was introduced by Kim Peita and presented by Tui Qauqau.

**Moved (Halkyard-Harawira/Rivers)**

That the report 'Ngā Puāwai o Te Oneroa-a-Tōhe' by Kim Peita, Māori Relationships Manager and dated 6 November 2023, be received.

**Carried.**

*Secretarial note – the report was received in its entirety including recommendations.*

### **Speed Limit Signage (Item 5.4)**

**Report from Kim Peita, Māori Relationships Manager**

**Moved (Tepania/Piripi)**

1. That the report 'Speed Limit Signage' by Kim Peita, Māori Relationships Manager and dated 8 November 2023, be received.
2. That the board endorse the fully scoped proposal
3. In the event that quotes are provided for consideration that the board approve the quote provided by \_\_\_\_\_ for the amount of \_\_\_\_\_.
4. In the event that no quotes or insufficient quotes are provided that the Board appoint a sub-group to approve a quotes/contractors for the installation of signage.
5. That a budget of **\$5000.00** for the development of a communications strategy be approved.
6. That a sub-group of Board members be appointed to approve a communications strategy and communications prior to release. Sub-group members are: **Graeme Neho, Hilda Halkyard-Harawira, Lisa McNab.**

**Carried.**

*Secretarial Note: Sub-group to insure timeframe on signs are to be erected by Christmas season 2023. Richard Murray to work with sub-group.*

Te Oneroa-a-Tōhe Board  
17 November 2023

## **Te Rūnanga o Te Rarawa Iwi Representative (Item 5.5)**

**Report from Kim Peita, Māori Relationships Manager**

### **Ngā mahi tūtohutia / Recommendation**

1. That the report 'Te Rūnanga o Te Rarawa Iwi Representative' by Kim Peita, Māori Relationships Manager and dated 14 November 2023, be received.

*Secretarial Note: Requested Data Sovereignty be on the next agenda which is scheduled for 16 February 2024.*

## **Appointment of Chair (Item 5.6)**

**Report from Kim Peita, Māori Relationships Manager**

### **Moved (Piripi/Rivers)**

That the item of business being discussed does lie on the table until all iwi representatives are available.

### **Ngā mahi tūtohutia / Recommendation**

1. That the report 'Appointment of Chair' by Kim Peita, Māori Relationships Manager and dated 8 November 2023, be received.
2. That \_\_\_\_\_ is appointed as Chairperson of Te Oneroa-a-Tōhe Board.

### *Secretarial Note:*

- *Iwi representatives agreed to delay the appointment of Chair until all Iwi Representatives are present.*
- *Hilda Halkyard-Harawira is the deputy Chair for Te Oneroa-a-Tōhe Board. The deputy will be the caretaker in the interim of a Chair being appointed.*
- *NRC to organise online meeting for Iwi representatives and bring appointment to the February meeting.*

**Whakamoemiti whakamutunga:** The meeting concluded at 12.34pm.

**TITLE:** **Appointment of Chair**

**From:** Kim Peita, Māori Relationships Manager

**Authorised by** Auriole Ruka, Pou Manawhakahaere - GM Governance and Engagement, on  
**Group Manager/s:** 09 February 2024

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### **Whakarāpopototanga / Executive summary**

The purpose of this report is to appoint a new chairperson following the resignation of Haami Piripi from Te Rūnanga o Te Rarawa and the subsequent appointment of a new iwi representative.

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### **Ngā mahi tūtohutia / Recommendation**

1. That the report 'Appointment of Chair' by Kim Peita, Māori Relationships Manager and dated 9 February 2024, be received.
2. That Lisa McNab is appointed as Chairperson of Te Oneroa-a-Tōhe Board.

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### **Background/Tuhinga**

#### **Appendix B - APPOINTMENT OF THE CHAIR AND DEPUTY CHAIR**

Iwi members will appoint a member of the Board as Chairperson. This decision will be by simple majority of those iwi members present and voting at the meeting. The Board must, by simple majority of those members present and voting, appoint a member of the Board to be the deputy chairperson of the Board. The chairperson may be reappointed as chairperson, or removed from that office, by simple majority of the iwi members of the Board present and voting. The deputy chairperson may be reappointed as deputy chairperson, or removed from that office, by simple majority of all members of the Board present and voting.

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### **Attachments/Ngā tapirihanga**

Nil



**TITLE:** Financial Report

**From:** Meloney Tupou, Maori Governance and Engagement Support Admin

**Authorised by** Auriole Ruka, Pou Manawhakahaere - GM Governance and Engagement, on  
**Group Manager/s:** 09 February 2024

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### Whakarāpopototanga / Executive summary

The purpose of this report is to provide the financial statement of the Te Oneroa-a-Tōhe Board for the period ending 31 January 2024.

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### Ngā mahi tūtohutia / Recommendation

That the report 'Financial Report ' by Meloney Tupou, Maori Governance and Engagement Support Admin and dated 24 January 2024, be received.

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### Background/Tuhinga


A detailed Financial Report is provided as Attachment 1.

In summary, to date the Board has expended **\$294,835.43** from the following funds:

- |                           |           |                              |
|---------------------------|-----------|------------------------------|
| 1. Board Operational Fund | \$150,000 | <b>\$67,144.90</b> remaining |
| 2. Plan Development Fund  | \$250,000 | <b>\$38,019.67</b> remaining |

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### Attachments/Ngā tapirihanga

Attachment 1: Financial Report [↓](#) 



**TITLE: Speed Limit Signage Update**

**From:** Kim Peita, Māori Relationships Manager

**Authorised by** Auriole Ruka, Pou Manawhakahaere - GM Governance and Engagement, on  
**Group Manager/s:** 09 February 2024

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**Whakarāpopototanga / Executive summary**

At the meeting held 17 November 2023, the Board endorsed the fully scoped signage proposal. Due to time constraints a sub-group of Board members, Graeme Neho, Hilda Halkyard-Harawira and Lisa McNab, were appointed to oversee the installation of the signs and a communications plan.

Sheila Taylor was engaged by the sub-group to provide communications that included media releases, social media campaign, updated website, posters and pamphlets.

All signs were installed, and communications provided prior to Christmas.

Invoices paid in relation to installation and communication up to 31 January 2023 are shown in the current financial report. A full breakdown of the total cost can be provided at the next Board meeting.

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**Ngā mahi tūtohutia / Recommendation**

That the report 'Speed Limit Signage Update' by Kim Peita, Māori Relationships Manager and dated 9 February 2024, be received.

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**Background/Tuhinga**

It has been the Board's wish to design and implement speed limit signage that reflects the aspirations of the Board to educate communities that access the beach. It was important that the signs are visually engaging to the local people and that they include the Te Oneroa-a-Tōhe logo to encourage a more respectful response.

Other considerations included:

- What are the legal requirements under the Setting of Speed Limits Rule 2022
- Consistency with the Te Oneroa-a-Tōhe Management Plan
- Ensuring that signage is bi-lingual
- Ensuring the signage is understandable to all beach users, including overseas tourists who may not have English as a first language

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**Attachments/Ngā tapirihanga**

Nil

**TITLE:** Response to new Speed Limits

**From:** Auriole Ruka, Pou Manawhakahaere - GM Governance and Engagement

**Authorised by** Kim Peita, Māori Relationships Manager and Auriole Ruka, Pou  
**Group Manager/s:** Manawhakahaere - GM Governance and Engagement, on 09 February 2024

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### Whakarāpopototanga / Executive summary

The Te Oneroa-a-Tōhe Board has recommended setting speed limits on the beach that are appropriate for pedestrian activity and vehicle movements. These speed limit recommendations have been adopted by council and are certified by Waka Kotahi.

Upon physical implementation of the regulatory signage required to make the new speed limits legally enforceable, it became apparent that the 2022 Setting of Speed Limits Rule did not address the difficulties surrounding signage of different speed zones on beaches.

This report outlines several options for consideration and further discussion by the Te Oneroa-a-Tōhe Board.

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### Ngā mahi tūtohutia / Recommendation

That the report 'Speed Limit Update and Options' by Elizabeth Stacey, Road Safety and Traffic Engineer, and dated 9 February 2024, be received.

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### Background/Tuhinga

The Te Oneroa-a-Tōhe Board have developed a Beach Management Plan that informed council of the Board's direction for setting speeds on beaches. In consultation with the Board, council adopted new speed limits for Te Oneroa-a-Tōhe and those speeds were subsequently certified by Waka Kotahi.

Throughout the process of developing appropriate signage to inform the public of the new speed limits, the focus of the Board has been on the educational aspect of new speed limits and ensuring that all beach goers, both those on foot as well as in motorised vehicles, have a positive experience. In previous discussions with the Board we have recognised that:

- Te Oneroa-a-Tōhe Beach Board requested a 30kph speed limit where there are pedestrians and 60kph on other parts of the beach - through the Management Plan.
- Te Oneroa-a-Tōhe is defined as a road
- Te Oneroa-a-Tōhe is unique in that it is a lengthy beach that requires two speed limits
- The Board wishes to focus on education rather than enforcement

As part of the implementation of the Board's Management Plan staff have discussed the options with Waka Kotahi for a fully enforceable, legal speed limit. The parameters that must be followed for the speed limit to be enforceable are:

- A speed limit is set using national legislation, which must be complied with.

To be a legal speed limit, signage must be in place and meet the requirements under the Traffic Control Devices Rule

- Signage must be easily visible from the vehicle and be clear about the applicable speed
-

The difficulty of signing two different speed limits on beaches is the transition point where vehicles leave or enter the 30kph zone from the rest of the beach. Without that transitional signage indicating a new speed limit, the speeds are not legally enforceable. We recognise that the installation of permanent signage on Te Oneroa-a-Tōhe may not be either desirable or practical as the first large storm would likely destroy the permanent signs.

Staff have highlighted this issue with Waka Kotahi and it appears that speeds on beaches were not fully considered in the development of the 2022 Setting of Speed Limits Rule (Rule). The new government has indicated that they intend to amend or replace the Rule so there is an opportunity to correct this oversight. We have asked Waka Kotahi about possible short-term options including:

- 1) Can the speeds for the beach be entered into the National Speed Limit Register without the required signage since they are approved by both council and Waka Kotahi? This would allow the speeds to show up on vehicle GPS/Navigation systems.
- 2) Rather than permanent signage can the signage be installed daily at the transition points in order to inform drivers of the legal speed, similar to work zone signage?

At the writing of this report, we are still waiting on direction from Waka Kotahi on those two questions. Staff will update the Board as soon as the answer is received.

The Board may also wish to consider having an advisory speed limit until changes to the Rule can be made. This option does not involve a fully enforceable speed limit but is reliant on education. The signage which has been proposed by the Board would fit this purpose.

Staff currently recommend the following:

- That signage is installed in accordance with the Boards Design but is amended to include the map on the side of the sign to aid in the education of motorists in addition to the QR code. This option will result in an advisory speed limit
- Any **existing** 30kph stand-alone roundel signage is retained at the entry points to reinforce lower speeds at the areas with high interaction between people and vehicles.

We welcome input from the Board on other possible options and will take all suggestions to Waka Kotahi in an effort to give effect to the Board's direction under the Management Plan.

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### Attachments/Ngā tapirihanga

Nil

**TITLE:** Workplan - 2024

**ID:**

**From:** Kim Peita, Māori Relationships Manager

**Authorised by** Auriole Ruka, Pou Manawhakahaere - GM Governance and Engagement, on  
**Group Manager:** 09 February 2024

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### Whakarāpopototanga | Executive Summary

This paper seeks to provide advice to Te Oneroa-a-Tōhe Board in relation to the prioritisation of action items from Te Rautaki o Te Oneroa-a-Tōhe and the delivery of the 2024 workplan.

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### Tūtohutanga | Recommendations

1. That the report 'Workplan - 2024' by Kim Peita, Māori Relationships Manager and dated 9 February 2024, be received.
  2. That the board approve the priority action items for inclusion in the TOATB 2024 workplan.
  3. That the board approve the TOATB 2024 workplan.
  4. That the Board agree to monthly meetings of the Technical Steering Group.
  5. That the Iwi representatives of Te Oneroa-a-Tōhe Beach Board confirm/reconfirm the following Technical Steering Group members:
    - a. Te Aupōuri: \_\_\_\_\_
    - b. Ngati Kuri: \_\_\_\_\_
    - c. Te Rarawa: \_\_\_\_\_
    - d. NgaiTakoto: \_\_\_\_\_
  6. Where vacancies exist on the Technical Steering Group, the Board delegate to the respective Iwi representative, authority to appoint a member to the Technical Steering Group for their Iwi.
  7. That the Board delegate to the Chair, authority to approve of the Technical Steering Group meeting schedule for 2024.
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### Summary of workplan

The beach plan identifies 54 key action items that will assist in achieving the Boards vision, values outcomes and objectives for Te Oneroa-a-Tōhe beach management area. Of these 54 action items, 18 are a priority to be completed in the short term (39% of the action items contained in the plan).

A further eight action items have been identified as a priority due to their association with a proposed regional policy statement, regional plan change, or district plan change process update. Although these seven action items are not classified with a short-term delivery time frame, it may be more practicable for councils to fulfil their obligations in relation to these action items by completing them alongside other action items with short term delivery timeframes.

It is proposed that these 26 (18+8) action items, form the basis for the 2024 workplan which is detailed in appendix one – TOATB 2024 work plan (previously the TOATB 2024 work plan).

### Priority action items

Below is a summary of the number and percentage of priority action items for each value identified in the beach plan. From this analysis, it is evident that the primary focus of the Boards 2024 workplan will be on enhancing the values of Ngā Ture Wairua | Spiritual Value and Ngā Kaiārahi | Leadership (65% of priority action items).

Analysis of priority action items by value			
Value	Total number of action items	Number of priority action items	Priority %
Ngā Ture Wairua   Spiritual Value	13	10	77%
Ngā Kaiārahi   Leadership	14	7	50%
Ecology and Biodiversity	7	2	29%
Mahi Oranga   Economic Wellbeing	3	1	33%
Kaupapa Whakahirahira   Recreation	8	2	25%
Whakakotahitanga   Collaboration	7	3	43%
Maātauranga   Education	2	1	50%
<b>Total action items</b>	<b>54</b>	<b>26</b>	<b>48%</b>

### Monthly meetings of Technical Steering Group

It is proposed that as a part of the TOATB 2024 workplan, the Technical Steering Group meet monthly to provide input and advice into the delivery of priority actions and refinement of the 2024 workplan.

#### **Next steps:**

Once the board has approved the TOATB 2024 workplan, staff will:

- a. Work to provide detailed information for each priority action item. This will include, estimated commencement and completion dates as well as expected costs that will need to be considered by the Board at the March board meeting for inclusion in LTP submissions; and
- b. Develop submissions to both the NRC and FNDC LTP process to secure funding for the action items assigned to these councils.

### **Options**

No.	Option	Advantages	Disadvantages
1	Endorse the workplan	<ul style="list-style-type: none"> <li>• Implementation will align to the priority actions as outlined in the beach plan</li> <li>• Staff are clear on where effort needs to be exerted</li> </ul>	<ul style="list-style-type: none"> <li>• Limited resources and existing work programmes (Both iwi and council)</li> <li>• Nearly 50% of the action items are deliverable in the short term, putting pressure on limited resources.</li> </ul>
2	Do not endorse the workplan	<ul style="list-style-type: none"> <li>• Less pressure on the limited resources of iwi and council entities</li> </ul>	<ul style="list-style-type: none"> <li>• Delay in implementing action items outlined in the beach plan</li> </ul>

The staff's recommended option is option one - endorse the work plan.

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## Considerations

### 1. Environmental Impact

This decision will increase the ability of the board to protectively respond to the impacts of climate change now or in the future.

The implementation of the workplan has the potential for positive effects for all local people including Māori. The development of the beach plan included significant Māori and community engagement and is subsequently representative of their aspirations. The ability of the Board to now deliver on feedback received during the various engagement events and included in the plans, will assist in building the relationship of the community and Māori with the Board.

### 2. Financial implications

The financial implications of the decision to commence the workplan has no financial implication in itself. However, the cost of implementing each action item still needs to be costed and will need to be considered by the Board as the financial implication of delivering each action becomes clearer.

### 3. Significance and engagement

In relation to section 79 of the Local Government Act 2002, this decision is considered to be of low significance when assessed against council's significance and engagement policy because it has previously been consulted on. This does not mean that this matter is not of significance to tangata whenua and/or individual communities, but that the board is able to make decisions relating to this matter without undertaking further consultation or engagement.

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## Attachments/Ngā tapirihanga

Attachment 1: TOATB 2024 Workplan [↓](#) 

Attachment 2: TOATB 2024 Workplan priority action items [↓](#) 











**TITLE:** Vehicles on Beaches Restricted Areas

**From:** Michael Payne, Policy Specialist

**Authorised by** Auriole Ruka, Pou Manawhakahaere - GM Governance and Engagement, on  
**Group Manager/s:** 09 February 2024

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### Whakarāpopototanga / Executive summary

New rules restricting vehicles on beaches are now in place for a number of areas around Te Taitokerau. This means you can no longer drive over certain places on the beach or in the mapped areas shown below.

The new rules have been introduced to protect significant ecological areas and habitats of threatened species. They apply below mean high water springs (effectively, below high tide) and cover:

- Places to avoid on any beach. Under the rules, vehicles must avoid pipi and cockle beds, salt marsh and sea grass meadows, other indigenous vegetation, and nesting or roosting sites of indigenous birds.
- Mapped vehicle exclusion zones. In mapped areas, vehicle use is restricted to manage the risk to significant ecological areas and threatened species. In these areas vehicle use associated with specified activities can continue – for example, access to private property, boat launching, and surf lifesaving operations.

The rules don't apply above mean high water springs or to dunes (though there are district council and/or Department of Conservation rules that apply in places).

This paper seeks to provide Te Oneroa-a-Tōhe Beach Board with further information as to how these restrictions came about.

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### Ngā mahi tūtohutia / Recommendation

That the report 'Vehicles on Beaches Restricted Areas' by Michael Payne, Policy Specialist and dated 9 February 2024, be received.

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### Background/Tuhinga

In 2017, Northland Regional Council release the Proposed Regional Plan. As a part of the plan change process, a number of appeals were made to the Environment Court seeking stronger restrictions for vehicles on beaches in Te Taitokerau, including vehicle exclusion zones in mapped areas. The appeals sought tighter controls on vehicle use on beaches throughout the region.

In October 2020 staff advised the court that council expected a hearing was likely to be required for this topic (meaning the court would make a ruling on the topic based on its hearing of evidence). The hearing process was placed on hold pending a High Court appeal that had implication on the matter before the Environment Court. With this additional time, staff worked with the appellants to develop a new rule (C.1.5.1A) which strengthened controls intended to reduce the impacts of vehicle use on sensitive habitats.

As this was an appeal process, there are limited opportunities to go back to the community to consult. In December 2022 council held a workshop to consider the mapping of exclusion zones as a potential way to resolve the appeal. This approach was subsequently endorsed.

### **Consultation and engagement with iwi and hapū**

In 2023, staff sought leave from the Court to allow for the matter to be brought to iwi and hapū. In early 2023 consultation and engagement commenced. This involved phoning, emailing and writing to iwi and hapū seeking input around the approaches being developed to protect sensitive areas.

The scope for engaging with iwi and hapū was very limited because the decision on the appeal rested with the Court as opposed to council. Council's ability to resolve the appeal outside of a hearing process was dependant on achieving an agreeable outcome with the appellants. The timeframes for this were set by the Court and if we failed to meet these timeframes the matter would have gone to a hearing.

Staff contacted iwi throughout Northland regarding the proposed vehicles on beaches provisions. Where we did not receive a response, staff followed up with emails and phone calls. Where information was received, staff presented this to the appeal parties. This information was generally well received and informed the final decision of the court.

### **Key contact list and comments**

NgaiTakoto - Craig Wells and [admin@ngaitakoto.iwi.co.nz](mailto:admin@ngaitakoto.iwi.co.nz). No response was received.

Te Aupōuri - Chloe Cooper (who forwarded info to their Taiao advisor) and [ceo@teaupouri.iwi.nz](mailto:ceo@teaupouri.iwi.nz). No response was received.

Ngāti Kuri - Sheridan Waitai and CEO. Very engaged and responses were received.

Ngāti Kahu - Bardia Matiu then hapu directly

Te Rarawa - Advised that Ngāti Takoto would take the lead in respect to this topic at Rangaunu Harbour.

### **Mussel spat specifically**

In terms of the mussel spat issue, staff discussed this with the technical steering group for the Te Oneroa-a-Tōhe Board in October 2022. It was also discussed with the Board on 17 March 2023.

Two key action points arose from that meeting:

- Advice was given that the Te Oneroa a Tohe Beach Board are managing the risk of Mussel Spat harvesting on shellfish via the Beach Management Plan and a code of conduct. In response NRC sought amendments to the rules subject to appeal to ensure the Regional Plan and Beach Management Plan did not conflict in this regard.
- NRC was advised to discuss proposed vehicle restrictions with Ahipara Takiwa. Staff engaged with the Takiwa and were advised that a proposed vehicle exclusion zone near Kaka Street Ramp should be removed. NRC successfully advocated for this via the court process.

### **Court decision**

In June 2023 the Environment Court released its final decision on new vehicle restricted areas on beaches around Te Taitokerau.

The court decision directs Northland Regional Council to implement the new rules via our Regional Plan, as the impact of vehicles in these beach areas are a risk to significant ecological areas and threatened species.

### **Future engagement**

Council are planning a similar approach to these provisions as undertaken for the marine protected areas (brought about by a court decision on appeal. As with the marine protected area rules, bringing about behaviour change will take time and will require working with iwi/hapū, the wider community and other stakeholders such as DOC and NZ Police.

This will take time and we will be focused on education and engagement. The approach around supporting compliance will be developed further next year and will be a topic brought through the Natural Resources Working Party.

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### **Attachments/Ngā tapirihanga**

Attachment 1: Vehicle restricted areas on beaches – Frequently Asked Questions [↓](#) 