

## **MEETING NOTES: Public Meeting re Motu Trails Coastal Section**

**DATE:** 2 February 2011, 6.00pm

**LOCATION:** Opotiki District Council Chambers

### **BACKGROUND**

Concerns were expressed at a public information evening held on January 12<sup>th</sup>, that consultation on the coastal component of Motu Trails had not been adequate. As a consequence a consultation process was proposed that met with approval of those present.

Public comments were invited by radio and newspaper advertising

Submissions closed 21 January.

Summary and response by Working Group completed 28<sup>th</sup> January.

The Summary and Response' document was forwarded to submitters and was available on the ODC website.

Public Meeting to discuss issues and responses, 2 February 2011.

### **MINUTES**

Chairman, Cr Doug Leeder

Welcomed everyone to the meeting and expressed his condolences that a Tirohanga resident, Mr Jeff Jaffarian, had passed away that morning.

He provided some background to the cycletrail project including; the route selection during the development of the Feasibility Study, funding from the Ministry of Economic Development and relationship of the partner agencies to Motu Trails.

He understood that there were concerns, especially from some Tirohanga residents, that there had been insufficient consultation on the coastal section of Motu Trails; and that to date there had possibly been more 'communication' than 'consultation'.

The result was that at the January 12 meeting there was some 'push back' from some residents which led to the current consultation process.

He explained that Motu Trails was one of 18 funded nationally by the Ministry and that the community should aspire that Motu Trails be in the top five.

He then asked John Galbraith to describe the coastal section of Motu Trails.

LOUISA PALMER

Sought clarification – is this meeting communication or consultation?

DOUG LEEDER

There has been a clearly defined process in terms of submissions, response and feedback so this is consultation.

LOUISA PALMER

Challenged this view and the process on a 'point of law'

JOHN GALBRAITH

Since the 12 January meeting, 33 submissions were received from 27 submitters; the Working Group had summarised and grouped issues and written responses.

Documents were emailed to submitters and put onto ODC web site. Said the

responses would not satisfy everyone but that this meeting is an opportunity to discuss and address any outstanding questions.

The Working Group will consider any new information that may be presented at the meeting then report to the Governance Group with a recommendation to the land owners of the coastal section – Opotiki District Council and Department of Conservation – to make a decision on resource consent applications.

Advised that work on the 20km Pakihi track upgrade was progressing well, a Task Force Green crew had been working since November and had formed over 5km of track; contracts were in place for further track upgrading and bridge construction. A second TFG crew is due to start on mid-February to work on the stop bank and coastal sections.

Currently there are 7 Full Time Equivalent positions employed on the trail and this will double in the next month representing a significant benefit to the community. Described a recent visit to the Heretaunga Trail in Napier to inspect trail construction methods and witness the wider economic benefits derived by, for example; cafes and accommodation providers and cycle sales. Similar successes have been reported from Waikato Trails where the trail is particularly suitable for enjoyment by family groups.

Using projected images of aerial photographs including cadastral information and cycle trail route, described the route from Snells Beach Road along the dunes to Waiaua.

ALAN TROTTER

Asked about the option to go by Waiwhero and alongside the Waiaua River instead of SH35

MIKE HOUGHTON

That route has benefits in terms of scenery and avoiding highway but faced difficulties in terms of flooding inundation and the close proximity of a culturally significant site.

JOHN GALBRAITH

Explained that the route alongside the highway at Waiaua was relatively simple to construct and accommodate a trail with physical separation from the carriageway which is a criteria of NZCT, promoted by NZTA.

ALAN TROTTER

Advanced the option to go along the road verge beside Tirohanga houses from the camp eastwards to avoid the dunes and issues of erosion / environment

JOHN GALBRAITH

Referred to the assessment by Jim Dahm that the cycleway posed no threat to dune welfare – either erosion or flora and fauna.

Clarification was provided as to the location of the cycle trail on the aerial photos.

ALAN TROTTER

Questioned the accuracy of the aerial photos , especially the cadastral information.

It was explained that the cadastral layer was displaced approximately 10 metres to the west and 2.5 metres north – data as supplied by map info services and beyond the control of the applicants.

ALAN TROTTER

Requested that it be placed on record that erosion is greater than 2metres proving that the aerial photos are unreliable

JOHN GALBRAITH

Explained that while the cadastral info was ‘displaced’ the aerial photos and cycle trail is accurate albeit that the photos were taken in 2007.

BRUCE JAMES

Asked how the cycle trail is going to create erosion?

JOHN GALBRAITH

Referred to Jim Dahms report that advised the trail be located 10 – 15 metres from the crest of the eroding dune face and thereby be at no risk of contributing to erosion or by being affected by natural erosion processes.

RAE TEE

Asked how the matter of vehicles accessing the trail from the beach will be addressed?

JOHN GALBRAITH

Replied that access points will be provided from trail to beach but not for vehicles – controls will be installed to prevent vehicle access where possible and that it is also a matter that the community needs to address in partnership with agencies.

RAE TEE

Asked if anyone had seen the damage caused by vehicles at Waiotahi Drifts?

DOUG LEEDER

Yes he has visited this site and also seen how in Napier the cycle trail had the effect of reducing a range of anti social / crime on rivers and beaches. Agrees it is a valid concern

LOUISA PALMER

Aucklanders visit over summer months in 4WD along beach / dunes and that Napier is more affluent than Opotiki with a higher population.

DOUG LEEDER

We aspire to a more affluent Opotiki and see the cycle trail as contributing to that

RAE TEE

Considered locals more responsible for vehicles on dunes than Aucklanders.

DOUG LEEDER

Offered the assurance that the promoters of the cycle trail did not want either vehicles on the trail or in the dunes and will take practical steps to control and prevent access

ALAN TROTTER

Considered that the Vehicles on the Beach Bylaw was 'useless' as he counted 12 vehicles over the past weekend

DOUG LEEDER

Described the gates systems used in Napier and the experience that the cycle trail development had resulted in more responsible use. Further, offered the successful outcome to a similar issue at Ohiwa whereby the local residents exert control over responsible use of vehicles in the harbour and on the beach

CORAL CHALMERS

Asked if the Tirohanga Dunes might be landbanked as part of the Treaty of Waitangi settlement process

Andy Bassett

Cannot pre-empt the treaty negotiation or settlement but that all Crown land, which includes DOC land, is under consideration as part of the redress process

MANNY MOKOMOKO

Confirmed that, in his view, the Tirohanga Dunes are part of the settlement negotiation but that Whakatohea Iwi support the cycle trail project

DEBRA SKELLEY

Requested location of points to access the beach from the trail

JOHN GALBRAITH

Confirmed that there will be some access provided at selected locations, these have not been determined yet and it was something to talk liaise with the community / residents about to integrate existing access tracks.

LOUISA PALMER

Existing access ways are not looked after by Council / DOC, would like better maintenance of these and what will the impact be on ratepayers

JOHN GALBRAITH

Agreed, it has been noted existing access is not well managed and that as part of the cycle trail a more integrated approach is needed. Access to the beach is not funded by NZCT so cost would be to the landowner – Council or DOC

AILEEN LAWRIE

Agreed that access should be improved and suggest submitting to the Annual Plan to enhance access. Also, the Motu Trails Charitable Trust might support such initiatives.

RAE TEE

Such additional costs, over and above the cycle trail will be a burden on ratepayers

AILEEN LAWRIE

Council or DOC as owner of the asset is responsible to manage, much the same as owning a road requires continual upgrade maintenance with associated costs, access to the beach needs to be better managed - irrespective of the cycle trail.

CLIFF INSKEEP

As an example, he has worked with Coast Care in managing and improving the access to the beach adjacent to his property.

BRUCE JAMES

Disputed the inference that out of town 'hoons' are responsible for vehicle damage – in his experience it is local residents who do the most damage

DOUG LEEDER

No matter who they are or where the perpetrators come from it is a management issue that exists now and needs to be addressed

MANNY MOKOMOKO

Promoted the development of a limited number of good beach access points and used the example that in front of his property he has worked with Coast Care to provide this.

LOUISA PALMER

Commented that access to her property is owned by Council, she is happy to share this access with the public but Council has not undertaken any maintenance

CORAL CHALMERS

Asked who wrote the responses to submissions

JOHN GALBRAITH

Replied, members of the Working Group – Kim Smith summarised the submissions and grouped them into issues, John Galbraith, Awhina White, Danny Paruru & Mike Houghton wrote responses

AWHINA WHITE

Added that DOC management team and ecologists reviewed the responses

Colin Fairbrother

Did not receive responses document

BEV INSKEEP

Inquired about options to get around Tirohanga Bluff / Stream and suggested re-routing alongside the highway citing concerns around safety, cost, and cultural sensitivities

JOHN GALBRAITH

Referring to aerial photograph, explained the current proposal and acknowledged there would be times when the stream / sea conditions would mean it would be difficult so various options are under consideration to improve the situation. These include;

- Bridge at approximately 100m upstream from the beach and walk along the toe of the bluff, estimated cost \$80k, or
- Bridge further upstream at the wetland, boardwalk over wetland to toe of bluff \$100k

- Highway-side option would require retaining walls where there is inadequate road shoulder and a clip on required to the Tirohanga bridge – likely costs would be ;

Wairakaia Rd to Tirohanga Rd \$240k plus cost to realign highway and approaches 4-5 metres southwards, cost \$300k +. Total cost likely to be in excess of 0.5 million.

Having the trail cross the highway is not desirable from a safety point of view.

#### MANNY MOKOMOKO

Identified an urupa in the dunes in proximity to the stream , cycle trail may need adjusting to avoid

#### LOUISA PALMER

Concerned at the escalated cost to ratepayers of these additional components and the environmental effects

#### ANDY BASSETT

Satisfied that environmental effects are minimal and the Tirohanga Stream options are on DOC land – it is something DOC would look at funding through Capital Expenditure

#### ALAN TROTTER

Proposed;

the highway option to negotiate access around the bluff as a satisfactory compromise and at a cheaper cost;

that while it is ‘utterly irresponsible’ for the cycle trail to go through the dunes that for the sake of 1.2 km along the highway the trail would bypass the houses and at least protect that portion of the dunes and;

offered a site in front of his house to trial the ‘composite’ material construction method

Other options were offered from the floor included cable barriers, ‘cattle’ underpasses

#### JOHN GALBRAITH

Replied;

Costs as outlined above to reroute along highway around bluff;

cable barrier costs are expensive and water tables would require piping

Approximate costs of trail in dunes is \$50 / metre and along highway verge

\$40/metre. Highway option would require additional costs as described; barriers; drains; shoulder widening, etc.

#### ALAN TROTTER

Asked for clarification that the cycle trail along side the highway at Waiaua bridge approach is not on the highway

#### JOHN GALBRAITH

Correct – it is a separate lane

DOUG LEEDER

Estimated cost for a highway cattle underpass in excess of \$100k

MICK MCKAY

Asked for clarification of the cycletrail route over SH 35 / Jackson Rd

JOHN GALBRAITH

Explained – trail goes under SH Waiaua bridge alongside Waiaua Stream and a new bridge constructed over Waiaua 800 metres upstream of the highway

AILEEN LAWRIE

Suggested the Tirohanga wetland option would be eligible for a range of external funding opportunities

ALAN TROTTER

Suggested that NZTA be approached to fund the upgrade of the highway approaches to the bluff

RON CAMPBELL

Described his observations of the success of the Waikato Trail and suggested the cycle trail should promote Tirohanga bluff / stream / wetland as a drawcard

COLIN FAIRBROTHER

Sought clarification that work will not start until issues are resolved

DOUG LEEDER

Clarified, work has already started in the Pakihi, will not start on the coastal section until resource consent has been obtained

CORAL CHALMERS

Advised that many Tirohanga residents were not happy about the consultation process to date; her concerns about erosion and privacy; asked that the residents be shown the same respect as was being afforded to iwi and the cultural concerns around Waiwhero, and; that the 1.2km highway option better supported the Tirohanga Store.

JOHN GALBRAITH

Erosion addressed in assessments and considered to be less than minor effect; keen for the shop to benefit from the trail but that it is not necessary to re route the cycle trail to their front door to achieve this; that while there was possibly some cost saving in taking the highway option, residents concerns about privacy, litter and security had to be balanced against the scenic benefits of the dunes over public land.

CLIFF INSKEEP

Mentioned the extent of encroachment by some residents onto DOC land

MANNY MOKOMOKO

Expressed that Whakatohea Trustboard and hapu supported the cycle trail through the dunes

ALAN TROTTER

Directed question to Andy Bassett – suggested that consultation to date has not been consistent with DOC ‘Policy Consultation’ and; how confident are you of securing DOC funding into the future?

ANDY BASSETT

Confident that the consultation process meets the DOC policy requirements and; budgets are constantly reviewed year by year but that he is especially confident of this project because of its four way partnership arrangement.

BILL SHADWELL

Explained some of the unique qualities of living at Tirohanga and how the cycle trail will affect these values

JOHN GALBRAITH

Acknowledge that it is a special place but that it is DOC / public land

AWHINA WHITE

Offered that other small communities impacted by the cycle trail eg Matawai, Motu, Pakihi are choosing to embrace the opportunities it provides.

AILEEN LAWRIE

Explained that of the 18 trails funded by NZCT you can expect some will be facing similar issues as Tirohanga residents, Council and DOC need to ensure balanced decision making

ANDY BASSETT

Summarised DOC’s role is to manage – not to own – land on behalf of all New Zealanders, he will consider matters raised through consultation and make a recommendation to the Conservator backed up by expert reports on the proposal to ensure the impact on the dune environment is minimal, stressing DOC is committed to the ongoing maintenance and that the trail represents new recreation opportunities for all New Zealanders.

AILEEN LAWRIE

Explained that from the outcome of the consultation process and the recommendation of the Working Group, the Governance Group will make a decision. Asked that the residents consider submitting to the Annual Plan to address some of the issues raised, thanked everyone for attending and for the good discussion – it is always helpful to see the human side of a project.

KATE ADAMS

Introduced herself as a cyclist and ratepayer, had been initially quite concerned about project congratulated the Working Group on the consultation process and information distributed and, expressed her support for the cycle trail and noted that the website information was second to none.

DOUG LEEDER

Summarised that he understood there was some unease from some people about the proposal but that he is confident a consultation process has been undertaken and it is now for the Governance Group to make their decision based on this information. He asked Aileen Lawrie to explain the resource consent notification process.

**AILEEN LAWRIE**

From lodgement the consent authority will determine whether or not to notify the application within 10 working days (assuming no further information is requested). That decision is based on two criteria set out in the law. If there are no additional information requests the applicant would expect to receive draft conditions for comment and a decision shortly thereafter. Notification can cost in the order of \$30 – 50,000 and in this case it would be a cost to DOC and ODC ratepayers.

**LOUISA PALMER**

Asked for details of the ongoing maintenance cost of the trail to ratepayers

**JOHN GALBRAITH**

Estimate for the entire trail is in the Feasibility Study which is on the web site - \$60k per year.

Meeting closed at 8.00pm

Dear Mike

Forest and Bird are unable to attend the meeting tonight and indeed are unable to adequately digest and comment on the 53 pages in the space of a few days.

However a brief perusal has elicited the following response:

Some of the issues raised are not actually responded to e.g. the likelihood of the Tirohanga stream breaking through the dunes just west of the stream or whether camping and fires will be prohibited along the dune section, or what toilet facilities will be provided along the trail.

You also do not respond to the issue as to whether vehicles could access the cycleway from the beach.

We are also concerned at the level of policing of the already weakened ODC by-laws relating to vehicles on beaches and the implications this will have on the cycle way.

With respect, considering the applicants are 2 publicly funded statutory bodies, the conditions that are supported (and in fact appropriate conditions in general), should be offered up to the consent authority in good faith. To see the council and DoC "hiding" behind the consent authority is disappointing.

You have not said that the partners will accept some of the conditions – only that they would be incorporated into an operational plan. We all know that "operational plans" generally have no public accountability to them. Nor have you agreed to a resource consent condition requiring monitoring of use and review if adverse effects are apparent.

Re your general response to the Tirohanga stream crossing issue, we wish to point out that the Whakatane/Ohope track is NOT a cycling track (albeit it may be used by cyclists, and cycling is NOT permitted in Abel Tasman NP on coastal tracks so these comparisons are not valid, and it is worrying that a DoC project could suggest references to cycling in national parks in situations where that activity is not allowed.

We request once again that you notify the application so as to allow a reasonable and due process to take place in front of Commissioners who will take a less biased view than that of the Applicants and allow expert witnesses to discuss the options and proposal.

Kind regards

Mark Fort

Forest and Bird

Eastern BoP branch

New Zealand

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