

## Waikawa Beach Ratepayers Association (WBRA)

### Submission to Horowhenua District Council on vehicular access to Waikawa Beach

February 2024

**Executive Summary:** For over six months Waikawa Beach residents and visitors have been unable to access Waikawa Beach by vehicle, something they have enjoyed for decades.

Horowhenua District Council (HDC) has studied options for reinstating vehicular access either by means of the historical access way or by establishment of a new access point across council owned land, has identified a number of options and sought input from the public by way of a public consultation process.

WBRA has conducted its own survey of its members and 63% favour vehicular access to Waikawa Beach whereas 37% are opposed.

The issue of vehicular access and the current lack of it has caused significant division within the community, animosity towards the owners of the land over which the vehicle access has historically run and towards the council for a perceived lack of attention and action.

The current situation has led to some instances of anti-social behaviour including vandalism, threats and abuse towards residents by a small number of people who seem to consider vehicular access to the beach their right. It is unclear whether this has involved residents or holiday period visitors. Such behaviour has abated to some extent but not ceased entirely.

The WBRA committee supports the majority view of respondents to its survey, awaits the outcome of the council consultation process and urges the council to employ all means at its disposal to comply with the majority view of respondents to the WBRA survey and the council consultation process.

**Introduction:** For approximately 50 years residents of and visitors to Waikawa Beach have been able to access the beach by vehicle by means of a formed path and sand-based ramp at the southern end of Manga Pirau Street. The path and ramp cross privately owned land and have historically been maintained by local residents.

It is unclear whether there has ever been a formal agreement between the land owners and the Waikawa Beach community or whether permission to cross the land and maintain the beach access has simply been by way of verbal agreement or implied permission over a considerable period of time.

The ramp in particular lacks any form of permanent construction and protection from the elements and from time to time has been washed away by the Waikawa Stream altering course and by tidal surges, usually the result of westerly storms. When this has occurred in the past the ramp has been reinstated by combined efforts of Waikawa Beach residents.

In the late winter of 2023 the ramp was again washed away and at that point the land owners withdrew their consent for its reinstatement and expressed a desire to deal exclusively with the HDC in regard to access to the land and reinstatement and maintenance of the beach access point.

On a number of past occasions, in particular a petition presented to council in 2021, Waikawa Beach residents have requested that HDC establish an alternative and more permanent beach access point over council owned land and in a location that is less prone to damage by weather and tidal activity.

In response, council commissioned a study by Boffa Miskell the results of which are now widely known. In short, that study and consideration of it by council officers and council itself resulted in three options being decided upon for further study and public consultation. Two options involve reinstatement of the historical access in Manga Pirau Street with the third being no reinstatement and therefore no legal or authorized vehicular access to Waikawa Beach.

**Current situation:** There still remains no authorized or legally established vehicular access to the beach. The lack thereof, particularly over the summer holiday period, has caused considerable disquiet and even anger within the Waikawa Beach community and amongst visitors to the area and has resulted in the unauthorized establishment of access tracks over private and council owned land with resultant damage to vegetation, wildlife habitat and the dune environment. There has also been vandalism of council installed barriers and signage. On occasion when residents have objected to the activities of some there have been threats and abuse levelled at them. It is unclear whether this has involved residents or holiday period visitors. Such behaviour has abated to some extent but not ceased entirely. It's no exaggeration to say that to some extent the community has turned on itself with those advocating for the reinstatement of vehicle access in one camp and others favouring no vehicles on the beach in another. There are others who favour vehicle access but with conditions attached.

There are cogent arguments put forward by both camps with advocates for beach access arguing that the vast majority of vehicle users are responsible and respectful of the environment and access the beach to fish, launch boats or for other recreational purposes such as swimming or picnicking. The issue of persons with reduced mobility or disability being denied access by the lack of vehicular access is also raised as is the issue of vehicles being unable to access the beach in case of emergency. It has even been argued that vehicular access to the beach is some form of historical right.

On the other hand, those opposed to vehicular access largely base their argument on environmental grounds, damage to and disturbance of fauna and flora and of wildlife, particularly the bird population of which there is considerable variety at Waikawa Beach, some endangered. Also raised is the irresponsible and at times dangerous use of vehicles on the beach, particularly trail bikes, and the occasional abusive and threatening behaviour of those operating them. Both atmospheric and noise pollution and general nuisance is also raised.

The WBRA finds itself in the unenviable position of being mandated to represent the interests of the community at large but finds itself dealing with a community quite severely and in many cases passionately divided over this particular issue. In fact, its own committee is not unanimous in support of either position. However, a recent poll of committee members reveals that a majority support the reinstatement and ongoing maintenance of vehicular access.

**WBRA Survey:** In order to better inform itself of the views of the community WBRA initiated a survey of all members and other residents for which it has contact details. The survey ran for one week and essentially asked two questions. Do you support vehicular access to Waikawa Beach or are you opposed. It also provided a facility for comments. Summarized results of the survey are attached hereto. The survey was emailed to 187 individual email addresses and 177 responses were received. In

percentage terms 63% of respondents supported vehicular access whereas 37% were opposed. A sample of comments submitted by respondents is contained in the attached summary.

**Community Initiative:** A group of community members, at this stage not formally associated with the WBRA other than membership thereof, has offered to substantially fund the reinstatement and ongoing maintenance of the Manga Pirau Street vehicular access point. It is intended that this funding be made available to HDC to assist it in undertaking work in line with option 1 of the council consultation paper. The offer also extends to assisting with environmental initiatives such as protective planting, fencing of sensitive areas and informative signage in those areas. A separate submission containing details of this offer has been submitted to council.

Part of this proposal is that a sub committee of WBRA be established to oversee and contribute to efforts at public education as regards responsible use of the beach environment and engagement with various stakeholders such as HDC, Horizons Regional Council (HRC), Department of Conservation (DOC), Police etc.

In line with the majority of views put forward in the WBRA survey the a majority of the WBRA committee supports this proposal in its entirety and acknowledges and appreciates the generosity and community spirit from which it derives.

The WBRA committee urges council to accept this offer and apply the money to reinstatement of vehicular access to Waikawa Beach in line with option 1 of the council consultation paper. If council has funds allocated to this purpose already then the WBRA committee suggests, subject to the donators' approval, that all or part of the money offered is put towards ancillary work such as planting, fencing and signage and ongoing maintenance of the access point. Some type of community based mechanism, yet to be determined but involving the participation of HDC and other interested parties, could administer and oversee the allocation of monies to these various activities.

**Conclusion/Recommendations:** Whilst the concerns of those opposed to vehicular access to Waikawa Beach are acknowledged and, at least in part, shared by many who do favour such access it is clear that a majority of residents are in favour of vehicular access to the beach and consequently a majority of the WBRA committee supports the majority view.

At the moment Waikawa Beach would appear to be the only beach in the region, including nearby Otaki Beach (outside the region), without either controlled or unfettered access for vehicles. It is a widely held view within the Waikawa Beach community that the community receives few council services or council attention for their rates when compared to other parts of the region and so a majority within the community would very much appreciate the council adopting a favourable attitude towards taking whatever measures are necessary to reinstate a facility that has been enjoyed by the community for many years and which contributes significantly to the appeal of the area and, in the view of many, to property values in the area.

On behalf of the Waikawa Beach community a majority of the WBRA committee recommends the following:

- That council adopts either option 1 or option 2 presented in the council consultation paper.
- That council uses its own (rate payers) financial resources to undertake the proposed work.

- In the absence of council funds or a shortfall in funding that council accepts funding offered by the community and, in partnership with the land owners and community, undertakes the proposed work.
- If council is able to apply its own funds to the work then, subject to the approval of the donors', council accepts the donated funds and applies them to ancillary works such as planting, fencing, signage, ongoing maintenance of beach access etc.
- That council cooperates with and contributes expertise to any community based entity established for the purpose of administering, allocating and overseeing the distribution of community donated funds and any work carried out using those funds.