

15 April 2016

To: Ian Dobson  
Manager Northern Resource Consenting  
Auckland Council

Mace Ward  
Manager Regional and Specialist Parks  
Auckland Council

## **Open Letter Regarding Reserve Vesting and Relocation of the Pacific Road Carpark, Te Arai North**

We are writing to Council on two matters regarding Te Arai North.

### Proposed Reserve – Lots 301, 302, 303 DP 486388

The first matter concerns vesting of the proposed reserve in Auckland Council. We raise this matter because we are concerned that decisions are being made within Council on a non notified basis which could adversely affect the public's ability to access the coastline adjacent to the reserve in advance of the management planning process. A specific concern is the proposed relocation of Pacific Road carpark through the granting of consent SLC63818 and the resulting potential impact on public access to the beach adjacent to Te Arai North known locally as Pacific Beach. The proposal is to relocate the carpark a distance of some 450 metres back beyond the row of house sites created by this subdivision consent. Moving the carpark such a distance will make access to the beach difficult because of the distance to walk and carry gear particularly disadvantaging older people, those with disability and those with young children.

We understood that the reserve would vest on consent being granted to the first subdivision application. We note that consent to the subdivision of Lots 2-11 (SLC63818) was granted on 19 May 2015. This consent includes conditions requiring the provision of information and documentation to enable the reserve to be vested. We are not aware of any progress of this matter.

Could you please advise whether these conditions have been met and what the timeline is for vesting?

### Consultation on Relocation of the Pacific Road Carpark

The second matter concerns Pacific Road carpark and the consultation process around proposed relocation.

Relocation of the Pacific Road carpark appears to have come about as the configuration of residential sites in the second subdivision application for lots 12-20 (SLC 65973) impacts on the alignment of the public access easement known as Pacific Road. The consent application included a realignment of the beach end of Pacific Road and relocation of the carpark as outline above. (Plan attached).

We understand that consent was granted to application SLC-65973 on 15 February 2016. As members of the Community Liaison Group set up for Te Arai North as a result of the Environment Court decision on PC166, the Society and the Trust receive information regarding consent applications and decisions for Te Arai North. A perusal of this information indicates that the Lots 12-20 and carpark relocation application was lodged 20 October, 2015. We note also that the application states in paragraph 10.1 Consultation (pg 54) – that the applicant had undertaken consultation with the members of the Community Liaison Group (CLG). The applicant did consult with the CLG but not until the Group meeting held on 25 November 2015. The consent application was made available through Dropbox on 17 November, 2015.

The CLG meeting of 25 November 2015 was the first opportunity for any discussion to take place between the applicant and the Trust and the Society whereas the wording of the application documents dated 20 October 2015 implies that the CLG members had already been consulted. This may not have been a matter for concern given that the Environment Court decision requires “best endeavours” on the part of the applicant to inform the CLG, except that the application contained a matter that is of considerable public interest, namely the relocation of the carpark. Further by stating that consultation had been undertaken with the members of the CLG, the application is misleading.

And because we were not consulted prior to the application being lodged it has not been possible to communicate our concerns to Council’s consents processing team in a timely fashion, though we have to say that the applicant has chosen to represent the view of the Society and the Trust on the matter as acknowledging the importance of protecting the sensitive foredune and therefore that we are in support of the carpark being moved. While we are aware of ecological issues, it is categorically not the case that we support the move of the carpark 450 m inland especially as there are house sites closer to the beach.

We wrote to Mace Ward on 3 December 2015 at his request at which time we were not aware that a decision to relocate the carpark had been made. A copy of this letter is attached. We reiterate our point from that letter :

*“1. We have been led to believe that the rationale for the move is on ecological grounds but the carpark has been in its current location for many years and from our experience there has been little or no adverse effect on the NZ fairy tern or northern NZ dotterel. We agree that preventing access of vehicles and trail bikes to the foredune areas is important but this is a wider issue and not directly attributable to the location of the carpark. “*

With the community becoming aware of what has been proposed, there has been considerable outrage. The effect of the decision to relocate the carpark 450 metres inland will effectively diminish public access to the beach. The public perception is that the intention is to privatise access to the beach. This is in the midst of a proposed new regional park.

The decision to relocate the Pacific Road carpark 450metres inland, a matter of considerable public interest, seems to us to have been made without any meaningful public consultation. We would appreciate an explanation from Council as to how this situation has been allowed to arise.

We look forward to a reply on the two matters that we have raised.

Kind regards

Heather Rogan  
Convenor  
New Zealand Fairy Tern Charitable Trust

Marie Alpe  
Co-Vice President  
Te Arai Beach Preservation Society

Copy to:

Diana Hartley , Legal counsel  
Cllr Chris Darby,  
Cllr Mike Lee,  
Cllr Christine Fletcher, Chair Parks Committee  
Cllr Wayne Walker  
Cllr Cathy Casey  
Cllr Penny Webster

Brenda Steele, Chair Rodney Local Board

Eric Oosthuizen, Team Leader Resource Consents Northern  
Ryan Bradley (senior planner)

Richard Hollier, Parks