

# **AGENDA**

## **RĀRANGI TAKE**

**Huihuinga O Te Poari O  
Te Oneroa-A-Tōhe**  
Te Oneroa-a-Tōhe Board  
Thursday 22 October 2020 at 10.00am

**Te Oneroa-a-Tōhe**



## 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, Kaitāia  
on Thursday 22 October 2020, 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

Chair: Haami Piripi, Te Rarawa

Deputy Chair: Cr Mate Radich  
Far North District Council

Graeme Neho  
Ngāti Kuri

Rick Witana  
Te Aupouri

Wallace Rivers  
Ngāi Takato

Cr Colin (Toss) Kitchen  
Northland Regional Council

Cr Marty Robinson  
Northland Regional Council

Hon John Carter QSO  
Far North District Council Mayor

### KARAKIA/WHAKATAU

Item	Page
<b>1.0 NGĀ WHAKAPAHĀ   APOLOGIES</b>	
Mate Radich, Wallace Rivers, John Carter	
<b>2.0 NGA WHAKAPUAKANGA   DECLARATIONS OF CONFLICTS OF INTEREST</b>	
<b>3.0 WHAKĀE NGĀ MINITI   CONFIRMATION OF MINUTES</b>	
3.1 Confirmation of Minutes	3
<b>4.0 NGĀ RĪMITI   ITEMS</b>	
4.1 Financial Report	9
4.2 Te Rautaki o Te Oneroa-a-Tōhe   Draft Te Oneroa-a-Tōhe Beach Management Plan - submission hearing	11

### KARAKIA WHAKAMUTUNGA

**TITLE:** Confirmation of Minutes

**ID:** A1357026

**From:** Rachael King, Board Secretary

**Authorised by:** Ben Lee, GM - Strategy, Governance and Engagement on 9 October 2020

---

**Tūtōhutanga | Recommendation**

That the minutes of the Te Oneroa-a-Tōhe Board meeting held on 21 August 2020 be confirmed as a true and correct record.

---

**Ngā tapirihanga | Attachments**

Attachment 1: Minutes of Meeting - 21 August 2020

Te Oneroa-a-Tōhe Board  
21 August 2020

## Ngā Minitī O Te Poari O Te Oneroa-a-Tōhe Te Oneroa-a-Tōhe Board Minutes

Meeting held via Zoom video and teleconferencing  
on Friday 21 August 2020, commencing at 10.00am

<b>Tuhinga:</b>	Haami Piripi	Te Rūnanga o Te Rarawa	(Chair)
	Cr Mate Radich	Far North District Council	(Dep Chair)
	Graeme Neho	Ngāti Kuri Trust Board	
	Rick Witana	Te Rūnanga Nui o Te Aupouri Trust	
	Cr Colin Kitchen	Northland Regional Council	
	Cr Marty Robinson	Northland Regional Council	
<b>I Tae Mai:</b>	<b>Huihuinga i te katoa   Full Meeting)</b>		
	Ben Lee	NRC - GM: Strategy, Governance and Engagement	
	Auriele Ruka	NRC - Kaiwhakahaere Hononga Māori	
	Sheila Taylor	NRC - Kaiārahi Kaupapa Māori	
	Rachael King	NRC - Planning & Policy Administrator (minutes)	
	Rachel Ropiha	FNDC - Team Leader, Māori Relationships	
	Rayna Crymble	FNDC - Senior Planner, Māori Relationships	
	Robert Akuhata	FNDC - Manager, Te Hono	
	Theresa Burkhardt	FNDC - Policy Planner	
	David Badham	Barker & Associates	
	Steven Sanson	Sanson & Associates	
	<b>Huihuinga i te wahanga   Part Meeting</b>		
	Jonathan Gibbard	NRC - GM: Environmental Services	

The Chair declared the meeting open at 10.09am.

### KARAKIA TIMATANGA ME WHAKATAU

Piripi / Neho

#### 1.0 NGĀ WHAKAPAHĀ | APOLOGIES

Moved (Robinson / Witana)

THAT the apologies from John Carter and Wallace Rivers for non-attendance be received.

Carried

#### 2.0 NGĀ WHAKAPUAKANGA | DECLARATIONS OF CONFLICT OF INTEREST

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

Te Oneroa-a-Tōhe Board  
21 August 2020

### **3.0 WHAKĀE NGĀ MINITI | CONFIRMATION OF MINUTES**

#### **3.1 Confirmation of Minutes**

**ID: A1335949**

**Report from Rachael King, Planning & Policy / Māori Relationships Administrator**

**Moved (Robinson / Kitchen)**

THAT the minutes of the Te Oneroa-a-Tōhe Board meeting held on 22 June 2020, be confirmed as a true and correct record.

**Carried**

### **4.0 NGĀ RIMITI | ITEMS**

#### **4.1 Adoption of the Draft Beach Management Plan for Consultation**

**ID: A1348297**

**Report from Sheila Taylor, Kaiārahi Kaupapa Māori**

**Moved (Neho / Robinson)**

1. THAT the report 'Adoption of the Draft Beach Management Plan for Consultation' by Sheila Taylor, Kaiārahi Kaupapa Māori and dated 4 August 2020, be received.
2. THAT the Te Oneroa-a-Tōhe Beach Management Plan and Supporting Evaluation Document be approved for notification, subject to any minor amendments approved by Ben Lee (Group Manager – Strategy, Governance and Engagement, Northland Regional Council) prior to notification including:
  - a. Consistency of Referencing
  - b. Karakia insertion
  - c. New Desired Outcome inserted
  - d. Glossary inserted
  - e. Acknowledgements updated
3. THAT Te Oneroa-a-Tōhe Board approves Graeme Neho and Haami Piripi to provide the Te Reo Māori translation for all written public engagement material in relation to public consultation on the draft beach management plan.
4. THAT the Iwi members of Te Oneroa-a-Tōhe Beach Board approve for notification, subject to any minor amendments approved by Ben Lee (Group Manager – Strategy, Governance and Engagement, Northland Regional Council) prior to notification the:
  - a. Draft Site A Reserve Management Plan; and
  - b. Draft Site B Reserve Management Plan; and
  - c. Draft Site C Reserve Management Plan; and
  - d. Draft Site D Reserve Management Plan.

**Carried**

*10.42am – Mate Radich left the meeting*

Te Oneroa-a-Tōhe Board  
21 August 2020

#### 4.2 Draft Beach Management Plan: consultation plan

ID: A1348300

Report from Sheila Taylor, Kaiārahi Kaupapa Māori

Moved (Witana / Kitchen)

1. THAT the report 'Draft Beach Management Plan: consultation plan' by Sheila Taylor, Kaiārahi Kaupapa Māori and dated 4 August 2020, be received.
2. THAT Te Oneroa-a-Tōhe Board approves the consultation plan for the Draft Beach Management Plan, as outlined in the attached Consultation Plan;
3. THAT Te Oneroa-a-Tōhe Board approves up to \$26,900 (excluding GST) being made available for the engagement and provision of goods and services, for the purposes of consulting with the public on the draft Beach Management Plan, as outlined in the attached Consultation Plan.
4. THAT Te Oneroa-a-Tōhe Board approves:
  - a. The draft content of the consultation pamphlet (attached);
  - b. The draft feedback form (attached);
  - c. The production of a consultation pamphlet; and
  - d. The production of a consultation poster.
5. THAT Te Oneroa-a-Tōhe Board delegates to Ben Lee, Group Manager – Strategy, Governance and Engagement of the Northland Regional Council, on behalf of Te Oneroa-a-Tōhe Board, the authority to decide the successful contracted services for providing the goods or services as outlined in the attached Consultation Plan and that the procurement process be subject to the Northland Regional Council procurement policy.
6. THAT Te Oneroa-a-Tōhe Board approves Graeme Neho and Haami Piripi to provide the Te Reo Māori translation for all written public engagement material in relation to public consultation on the draft beach management plan.
7. THAT Te Oneroa-a-Tōhe Board delegates to the Chair of Te Oneroa-a-Tōhe Board the approval of any minor changes to the consultation documents, **including timeframes and deliverables**. The delegation does not include amending the funding available for consultation outlined in the consultation plan.
8. THAT Te Oneroa-a-Tōhe Board delegates to the Chair of Te Oneroa-a-Tōhe Board the authority to approve written or scripted public engagement material for the consultation on the draft beach management plan, including media releases, website and the consultation documents.
9. THAT Te Oneroa-a-Tōhe Board delegates to:
  - a. the Chair of Te Oneroa-a-Tōhe Board the role of designated spokesperson on behalf of Te Oneroa-a-Tōhe Board throughout the consultation period of the draft beach management plan; and
  - b. Ben Lee, Group Manager – Strategy, Governance and Engagement of the Northland Regional Council, the role of designated spokesperson on behalf of Te Oneroa-a-Tōhe Board in relation to any draft Beach Management Plan technical matter for the duration of the consultation period on the draft beach management plan.
10. THAT Te Oneroa-a-Tōhe Board delegates authority to approve expenditure, in accordance with Board Resolutions 3 approved by the Board to Ben Lee, Group Manager – Strategy, Governance and Engagement of the Northland Regional Council.

ID: A1355152

3

Te Oneroa-a-Tōhe Board  
21 August 2020

11. THAT Te Oneroa-a-Tōhe Board delegates to the Chair the authority to defer or cancel any public engagement in response to any real or perceived threat of COVID-19 to public safety.

**Carried**

#### **4.3 Financial Report**

**ID: A1335951**

**Report from Rachael King, Planning & Policy / Māori Relationships Administrator**

**Moved (Neho / Robinson)**

THAT the 'Financial Report' by Rachael King, Planning & Policy / Māori Relationships Administrator and dated 10 August 2020, be received.

**Carried**

#### **4.4 Level Contract Variation Request**

**ID: A1352525**

**Report from Sheila Taylor, Kaiārahi Kaupapa Māori**

**Moved (Robinson / Neho)**

1. THAT the report 'Level Contract Variation Request' by Sheila Taylor, Kaiārahi Kaupapa Māori and dated 14 August 2020, be received.
2. THAT Te Oneroa-a-Tōhe Board approve an additional \$3,500 (excluding GST) of budget be assigned to the production of the design work for Te Oneroa A Tōhe Board - Beach Management Plan and associated documents.

**Carried**

#### **4.5 Approval of Ongoing Costs for Website Hosting**

**ID: A1351925**

**Report from Rachael King, Planning & Policy/Maori Relationships Administrator**

**Moved (Witana / Kitchen)**

1. THAT the report 'Approval of Ongoing Costs for Website Hosting' by Rachael King, Planning & Policy / Māori Relationships Administrator and dated 13 August 2020, be received.
2. THAT Te Oneroa-a-Tōhe Board approve the ongoing website hosting costs of \$420 + GST per year.
3. THAT Te Oneroa-a-Tōhe Board approve invoices for website hosting being sent directly to Northland Regional Council, as administrators of the Board's accounts, for payment.

**Carried**

#### **4.6 Endorsement to remediate dune damage north of Waipapakauri ramp**

**ID: A1348365**

**Report from Sheila Taylor, Kaiārahi Kaupapa Māori**

**Moved (Robinson / Witana)**

1. THAT the report 'Endorsement to remediate dune damage north of Waipapakauri ramp' by Sheila Taylor, Kaiārahi Kaupapa Māori and dated 4 August 2020, be received.

**Carried**

---

ID: A1355152

**4**

Te Oneroa-a-Tōhe Board  
21 August 2020

## **5.0 GENERAL BUSINESS**

### **5.1 Macrons on the name of the beach**

- Graeme advised that there should only be one macron in the name of the beach – Te Oneroa-a-Tōhe
- David advised that Level have been provided with the changes required
- Website and logo and agenda will all need to be altered as well
- Rachel advised that staff were working from the settlement legislation and the gazetted name – both of which contained two macrons and which government is legally required to follow

#### **Moved (Witana / Robinson)**

THAT the Chair write to the New Zealand Geographic Board Ngā Pou Taunaha o Aotearoa to have the name of the beach corrected.

**Carried**

## **KARAKIA WHAKAMUTUNGA**

Witana

**The meeting closed at 12.00pm**



**TITLE:** Financial Report

**ID:** A1373415

**From:** Rachael King, Board Secretary

**Authorised by:** Ben Lee, GM - Strategy, Governance and Engagement on 9 October 2020

---

### 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 30 September 2020.

---

### Tūtohutanga | Recommendation

That the 'Financial Report' by Rachael King, Board Secretary and dated 9 October 2020, be received.

---

### Tuhinga | Background

A detailed Financial Report is provided as Attachment 1.

In summary, to date the Board has expended \$182,462.48 from the following funds:

- |                           |           |                        |
|---------------------------|-----------|------------------------|
| 1. Board Operational Fund | \$150,000 | \$107,412.76 remaining |
| 2. Plan Development Fund  | \$250,000 | \$110,124.76 remaining |

---

### Ngā tapirihanga | Attachments

Attachment 1: Financial Statement - as at 30 September 2020

Period	Actual Income and Expenditure as at 30 September 2020 (NZ\$ GST exclusive)			TOTAL (A/c 00-6259)			OPERATIONS (CC4701)			PLAN DEVELOPMENT (CC4702)		
				Income	Expenditure	Fund Balance	Income	Expenditure	Fund Balance	Income	Expenditure	Fund Balance
	<b>OPENING BALANCE - 1 JULY 2020</b>					<b>230,238.22</b>			<b>107,372.16</b>			<b>122,866.06</b>
	<b>Income</b>											
1	Interest July 20			29.33			13.68			15.65		
2	Interest August 20			29.34			13.68			15.65		
3	Interest September 20			26.82			13.24			13.58		
						<b>85.48</b>			<b>40.60</b>			<b>44.88</b>
	<b>Less Payments</b>											
3	Barker & Associates	July 2020			2,093.05			-			2,093.05	
3	Barker & Associates	August 2020			10,693.13			-			10,693.13	
						<b>(12,786.18)</b>			<b>0.00</b>			<b>(12,786.18)</b>
	<b>ACTUAL CLOSING BALANCE</b>			<b>85.49</b>	<b>12,786.18</b>	<b>217,537.52</b>	<b>40.60</b>	<b>-</b>	<b>107,412.76</b>	<b>44.88</b>	<b>12,786.18</b>	<b>110,124.76</b>

**TITLE:** Te Rautaki o Te Oneroa-a-Tōhe | Draft Te Oneroa-a-Tōhe Beach Management Plan - submission hearing

**ID:** A1374005

**From:** Sheila Taylor, Kaiārahi - Kaupapa Māori

**Authorised by:** Ben Lee, GM - Strategy, Governance and Engagement on 19 October 2020

---

### **Whakarāpopototanga | Executive Summary**

The purpose of this paper is to receive and/or hear the public submissions to Te Rautaki o Te Oneroa-a-Tōhe and/or concurrent consultations.

---

### **Tūtohutanga | Recommendations**

1. That the report 'Te Rautaki o Te Oneroa-a-Tōhe | Draft Te Oneroa-a-Tōhe Beach Management Plan - submission hearing' by Sheila Taylor, Kaiārahi - Kaupapa Māori and dated 12 October 2020, be received.
  2. That the submissions relating to Te Rautaki o Te Oneroa-a-Tōhe and concurrent consultations be received, and where appropriate, heard.
  3. That any submissions identified as being received after the close of the submission period (prior to the closure of this meeting) be accepted and considered.
- 

### **Tuhinga | Background**

On 21 August 2020, Te Oneroa-a-Tōhe Beach Board approved, for consultation, the following draft documents:

- Te Rautaki o Te Oneroa-a-Tōhe | Draft Te Oneroa-a-Tōhe Beach Management Plan
- Te Oneroa-a-Tōhe Kōhangatī ki Waikanae (A)
- Te Oneroa-a-Tōhe Waīmāhuru ki Hukatere (B)
- Te Oneroa-a-Tōhe Hukatere ki Waīmoho (C)
- Te Oneroa-a-Tōhe Waīmoho ki Waīmimihā (D)
- Te Oneroa-a-Tōhe Supporting Evaluation Document

These documents were available to the community for consultation between 14 September and 9 October 2020 in accordance with treaty settlement legislation and the Local Government Act 2002.

Over the consultation period, 32 individual submissions were received from members of the public, organisations, groups or businesses as well as several comments from people who wished to remain anonymous.

Copies of all submissions and anonymous comments, are attached to this agenda item and provided in full. No submissions have withdrawn or rejected due to indiscernible handwriting. Two submissions were rejected as either duplicates.

### **Informal feedback**

Informal feedback has been received via social media. Further information pertaining to feedback received via social media will be circulated once available.

### **Verbal hearings**

Nine submitters have confirmed that they will to speak to their submission on 22 October 2020.

Attached is the schedule of these speakers, in alphabetical order.

Due to some speakers being unable to confirm a time, the order of speakers will be circulated closer to the date of public hearings.

---

### **Ngā tapirihanga | Attachments**

Attachment 1: Te Rautaki o Te Oneroa-a-Tōhe | Draft Te Oneroa-a-Tōhe Beach Management Plan - submission booklet

Te Oneroa-a-Tōhe Beach Board

# Te Rautaki o Te Oneroa-a-Tōhe Draft Beach Management Plan

Submission booklet

## CONTENTS

<b>SUBMISSIONS BY INDIVIDUALS</b> .....	3
Andrea Schmid.....	3
Bob Dey (hearing requested).....	3
Chris Adams.....	5
Colleen Montgomery.....	5
Colleen Rodgers.....	5
James Thompson.....	6
Jasmine Marino.....	6
Joanne Thompson.....	6
Kaleece Taitimu-Campbell (hearing requested).....	6
Mary Jane Ardley (hearing requested).....	7
Megan Fitzpatrick.....	7
Mike Hutchins.....	7
Peter Conroy.....	7
Regina Becher-Tatnell.....	7
Roberta Jones.....	8
Rose Vazey.....	8
Sarah Fountain (hearing requested).....	8
Selina King.....	8
Troy Churton (hearing requested).....	8
Walter Tangi Collins.....	9
Wendy Hobson.....	9
Wendy Henwood.....	9
Wiki Record.....	9
Yvonne Steinemann.....	10
Kaitaia Markets.....	10
<b>SUBMISSIONS ON BEHALF OF ORGANISATIONS</b> .....	11
Aquaculture New Zealand.....	11
Department of Conservation (hearing requested).....	14
Garton Mechanical Services (hearing requested).....	21
Northern 90-Mile Beach Development Ltd.....	23
Sanford Limited (hearing requested).....	26
Te Hiku Conservation Board.....	28
Te Ohu Kaimoana.....	29
Te Oneroa-a-Tōhe Mussel Spat – Beach Collecting and Loader Driving Code of Practice.....	35
Te Takiwā o Ahipara (hearing requested).....	43

## SUBMISSIONS BY INDIVIDUALS

Andrea Schmid

**Do you agree with the plan?**

Yes, the abuse of this beautiful piece of paradise has been abused by just a few, but a few to many for too long.

Bob Dey (hearing requested)

**Do you agree with the plan?**

Submission on Te Oneroa a Tōhe draft beach management plan.

The primary purpose of the plan, as I see it, is to protect the beach from inappropriate use.

Secondly, it will recognise the iwi relationship, particularly for kai. The plan is very worthy, but that doesn't mean it will be effective. Good wishes don't translate automatically to good deeds. While it can't include rules, it should give stronger direction for rules to be included in the regional plan and recommend courses to take both short-term and long-term to improve the health of the beach, inshore sea and the reserves adjoining the beach. My focus is on dune erosion and how to fight back to help the dunes expand again, particularly in the area from the Wainui River outlet up to the golf course. Secondly, the board should have a programme to form a safe and long-lasting beach accessway at Kaka St. Third, I believe the aspirations for the reserves fall well short of producing the improved environment the board hopes for. Overall, more direct and positive purpose: The board should word its primary purpose more constructively, not just to protect the beach but to set out constructive programmes, with timeframes, to enhance its health. The dunes: Dunes come and go. We can help them grow. An aerial photo of the beach now will show you the beach extends about 50m further inland between the Wainui River mouth and the golf course than it does immediately south and north of those two points. Houses along that strip are precariously close to being truly on the beach, and ours, second in from Kaka Street, is possibly the most precarious. The first solution often suggested is to build a wall. The alternative of letting nature take its course, as some suggest, means abandoning any notion of management. Instead, I suggest a programme to rebuild that section of dunes 20-50m beyond their present edge. You can see how sand will build up against logs brought in by the sea, eventually burying them. Using pikao sedge above a variety of large "cementing" objects, and running mesh or netting through it, will bind the sand. The intention needs to be to advance the dunes towards the sea, not just hold together what's left. Beach access: The Kaka Street beach access is popular, but seriously degraded. Part of that degradation was by the sea, part by people making the surrounds less stable, and part by water flowing down from the street.

Restorative programme:

Advancing the dunes about 50m towards the sea to restore a continuous shoreline requires a staged programme of:

- A foundation to capture sand, including a mix of solids (eg logs, rocks, concrete rubble) plus planting and overplanting as sand builds up, especially pingao to encourage sand to stay in place
- The foundation extended outward in large steps (say 10m at a time) as sand builds up on each stage
- An access ramp at Kaka St that doesn't encourage sand to fall away or vehicles to bite further into the dunes
- Prevention of vehicles from veering off a narrow course between street and beach
- Work on the street above the ramp to prevent stormwater runoff toward the beach
- No vehicles on restoring dunes. From observation, the people who cause most damage to dunes are locals on quad bikes.

Prevention requires:

- Education
- Enforcement
- Fences
- Signage.

That said, many children learn motoring skills on quad bikes on the beach, so they shouldn't be banned from the beach itself.

River clean:

The surf at Kaka St is cleaner now that the river outlet has moved south again. That tells me that the river needs a serious cleanout. This may be outside the board's realm but should be a board project along with other relevant parties.

The reserves:

Restoring waterways is a lofty cause which won't happen unless the board undertakes extensive planting programmes, waterway clearance and reintroduction of long-gone fish life and other creatures. Reverting to an unmodified (or reverse modified) state won't work based just on whanau picnics. "Avoid the establishment of permanent visitor accommodation within the reserve" is one call in the draft plan; alternatively, low-impact accommodation in keeping with the reserve tone could be a valuable resource for iwi and help to lift the condition of the waterways and the reserve. The Waimimiha vision provides for management and for extensive restoration of waterways. That is a clear message which will plainly affect others, notably adjacent farm owners. Restoration, done well, will enhance the reserve and the surrounding environment.

Alternatives assessment Taiao/ecology and biodiversity:

The objectives are vague. Implementation is either vague or negative. One will support projects to restore dunes or waterways, another will support research on streams drying up. One will prohibit access to regenerating areas. The focus should be on firm programmes to regenerate. The language is about custodianship instead of managing. Kaupapa whakahirahira/recreation: There are various don'ts & won'ts.

A reasoned policy would improve acceptance, so the board won't provide rubbish bins because collection is an uneven need and unduly expensive, and the board won't provide for accommodation for whatever reason. Submission from Bob Dey, 25 Kaka St, Ahipara 9 October 2020.



### Chris Adams

#### Do you agree with the plan?

- Here for mokopuna and as a kaumatua.
- Scattering of ashes must be banned - both on land and water
- Disagree with the beach being a highway, don't drive where juvenile spat are located.
- Spat collectors - no consultation or contact with haukainga, mana whenua or iwi prior to gathering of spat or spat collection season. Tikanga not being adhered to.
- Kaitiaki Rangers should be paid full time and visible on their vehicles ("kaitiaki" should be visible on cars and uniform) and reference made to Taitokerau.
- Agree with protecting the spiritual pathway of Māori particularly in relation to scattering of ashes.
- Agree with all early feedback on sand dunes, Kaitiakitanga, signs and cultural matters. These need to be adhered to in the plan.
- Want stronger enforceable protocol associated with whale stranding and the role/authority of iwi/hapū of the area.
- Need to deal with infrastructure, tourism, health, safety and water issues from early engagement in plan.

### Colleen Montgomery

#### Do you agree with the plan?

Yes, I agree with the plan for Te Oneroa-a-Tohe one hundred percent. Te Oneroa-a-Tohe is a taonga and should be treated with respect.

### Colleen Rodgers

#### Do you agree with the plan?

Mostly, the speed limits long overdue. No mention of means of enforcement of these nor of any limits for numbers of ATV's and other vehicles having access at one time. I have concerns about the "making a living" clause. Will the fishing and other activities be restricted to permit holders? Visitors from other parts of NZ should be able to enjoy this wonderful area and it is not for locals and Maori only.

### James Thompson

**Do you agree with the plan?**

Yes. Cars should be going a lot slower on the beach, especially around areas where other people use the beach recreationally.

### Jasmine Marino

**Do you agree with the plan?**

- Reduction of speed on the beach by vehicles.
- Environmental standards introduced re: mechanical harvesting. Hopefully remove motorised vehicles off the Beach totally in time to come.
- Kaitiaki Ranges should be funded properly.
- People need to be educated about the dangers of the beach with tides. This includes signage.
- 

### Joanne Thompson

**Do you agree with the plan?**

Overall agree with caring for the beach and currently participate in clean up days myself. My concern is with point A7 All commercial activities proposed within the reserve requires a permit/concession prior to being undertaken. Does this mean that any of the reserve sites can stop the buses and mussel spat vehicles from using their reserve areas? For example, site B Hukatere to Bluff refuses access they cannot get to north of the Bluff. Is permission applied for on a year by year basis or day by day as use is required? (which obviously would not be practical) These businesses bring a lot of employment to the far north and I am concerned that they could be stopped from operating. This would be a shame as these are two of the things 90-mile beach is famous throughout the country for.

### Kaleece Taitimu-Campbell (hearing requested)

**Do you agree with the plan?**

I HIGHLY disagree with the fact that these people are trying to create a 'formal management plan' for our beach. To me, this is not acceptable, and the Locals shall have a prominent say on what their opinion is. This is something that is going to create conflict between everyone in our community if this is to be proceeded.

**Mary Jane Ardley (hearing requested)**

**Do you agree with the plan?**

Strong opposition to vehicles on dunes.

**Megan Fitzpatrick**

**Do you agree with the plan?**

Ae, kei te tautoko ahau tenei kaupapa, nā te mea, he tino taonga tenei whenua, tenei takutai. Ko te wahi kē he wahi mo mātou ki te kitea te orange o te moana, te takutai me te whenua hoki.

Translated:

Yes, I support this project, because this country and this coast are very rich. The place was a place for us to experience the life of the sea, the beach and the land.

**Mike Hutchins**

**Do you agree with the plan?**

Yes. Absolutely. Looks to me to be exactly what is needed!

**Peter Conroy**

**Do you agree with the plan?**

Yes, bicultural partnerships to future focused management of environmental assets are essential and have worked well in many other areas. The desired outcomes would be excellent achievements.

**Regina Becher-Tatnell**

**Do you agree with the plan?**

No, there should be no access for cars to the beach at all to save bird live, shellfish and have harmony and peace and only the noise of nature instead of cars at the beach.

Roberta Jones

Do you agree with the plan?

Yes.

Rose Vazey

Do you agree with the plan?

- I do call outs, 60km/hour is too fast.
- Parents also need to be educated
- Abused our region for too long.
- Kaitiaki Ranges should be funded properly.
- Must look after for future generations.

Sarah Fountain (hearing requested)

Do you agree with the plan?

Yes.

Selina King

Do you agree with the plan?

Yes, with a plan. But want to see more done to recognise and protect the spiritual significance of the beach.

Troy Churton (hearing requested)

Do you agree with the plan?

Agree in part. Oppose to the extent your recreation proposals seeking changes to Council By laws fail to include seeking changes to local bylaws about dog controls on beaches. Your plan needs to support changes to dog control by laws that reintroduce stronger dog control on beaches, which means changing the district wide rule to ON leash, and also you plan fails to identify any dog prohibited areas at all times. Your foreshore birdlife is taonga. You fail to support one of the greatest disturbances to it = unleashed dog disturbances.

### Walter Tangi Collins

**Do you agree with the plan?**

Yes, the abuse of this beautiful piece of paradise has been abused by just a few, but a few to many for too long.

### Wendy Hobson

**Do you agree with the plan?**

Yes, somewhat. It is very well thought out. However, whilst there is consideration for all NEW business ventures on Oneroa-a-tohe, there is NO mention of existing business ventures that are damaging the resource. In particular, I take exception to the current business practice of a group of trucks with bulldozer metal scoops on the front of them, that scrape up mussel-spat for their own mussel farm venture elsewhere. Traditionally, metal digging were PROHIBITED due to the iwi view that this chased away the shellfish and damaged the baby ones/environment. Put simply, revoke their RMA and start Te Taitokerau (Muriwhenua) hand collection of spat and kelp for their IWI-RUN mussel farms and kelp sales business(es).

### Wendy Henwood

**Do you agree with the plan?**

I don't agree with any vehicles being on the beach regardless of any speed limit.

### Wiki Record

**Do you agree with the plan?**

We need to do more to recognise the spiritual significance of the beach.

## Yvonne Steinemann

### Do you agree with the plan?

Yes, fully agree with all contained in this amazing plan. Much thought and focus has produced a comprehensive staged plan with clear responsibilities laid out for organisations, iwi and community to work in together. Thank you to all who have contributed to bring it to this stage and best wishes going forward. My personal view regarding vehicles on the beach Page 36 sections A36, A37: Vehicles should be discouraged from using the beach as much as possible. The beach is not a highway. It is a peaceful nature place where wildlife, shellfish and dune ecology should not be disrupted and disturbed along its whole length. There are enough access points on the beach where people can walk to go fishing etc. I have found it extremely dangerous, noisy and disconcerting to be on the beach at Ahipara with vehicles and motor bikes driving nearby to families and people seeking peace and ocean beach time. Understanding the value of the natural world there Respecting it Using it quietly. Thanks for the opportunity to see this awesome plan. Keep up the good work.

## Kaitaia Markets

### Feedback received anonymously:

- More community day clean ups - submitter fondly remembers family clean up days
- This is my beach, why are you making a plan? Why is there digging behind the fire station?
- Beach access to dunes has been deliberately opened up.
- What about tuatua harvesting?
- Board should be proactively seeking scientific research, not waiting for scientists to request support for ad hoc projects.

## SUBMISSIONS ON BEHALF OF ORGANISATIONS

### Aquaculture New Zealand



Kei te rangatira, tēnā koe

Thank you for the opportunity to submit on the draft Te Oneroa-a-Tōhē Beach Management Plan. This submission is made by Aquaculture New Zealand, on behalf of the New Zealand mussel industry, including mussel farmers and the collectors of green-lipped mussel spat (kuku/kutai).

The New Zealand Greenshell mussel farming industry relies on wild, green-lipped mussel spat attached to beachcast seaweed that is collected from Te Oneroa-a-Tōhē and then ongrown on marine farms around New Zealand.

The mussel spat resource and Te Oneroa-a-Tōhē are highly valued and respected by the whole mussel farming industry, from collectors to growers and producers. Regarding the draft Te Oneroa-a-Tōhē Beach Management Plan, we make the following key points:

- We recognise the importance of Te Oneroa-a-Tōhē to Te Hiku o Te Ika Iwi.
- We support the development of the Te Oneroa-a-Tōhē Beach Management Plan.
- We want to work collaboratively with the Beach Management Board, Te Hiku Iwi, the Te Oneroa-a-Tōhē Mussel Spat Management Board, councils and communities to implement the Plan.
- We seek for Te Oneroa-a-Tōhē to be managed in a way that ensures cultural, spiritual, environmental, economic and social wellbeing is maintained.
- The green-lipped mussel spat fishery is a legitimate, valuable, and sustainable activity on Te Oneroa-a-Tōhē, and is consistent and compatible with the values, vision and desired outcomes of the Beach Management Plan.

#### ***Mussel spat collection is a legitimate managed fishery***

Mussel spat collection is a legitimate fishery managed under the Fisheries Act. Harvesting of spat and seaweed has been occurring at Te Oneroa-a-Tōhē since the 1970s and has been managed within the Quota Management System since 2004.

Spat collectors must hold a fishing permit issued by Fisheries New Zealand and balance their catch with commercial quota<sup>1</sup>. They are bound by the rules set out by fisheries regulations, as well as their commitment to the Spat Management Plan and code of practice.

The *Te Oneroa-a-Tōhē Mussel Spat Collecting and Loader Driving Code of Practice* was recently revised by the Te Oneroa-a-Tōhē Mussel Spat Working Group, a collaboration between Te Hiku Iwi, Te Ohu Kaimoana, Fisheries New Zealand, spat collectors and the mussel industry. The Code sets out rules

---

<sup>1</sup> 2018 fisheries management decisions for GLM9 set the Total Allowable Commercial Catch at 135 tonnes, maintained the allowance for customary Māori fishing at 59 tonnes, and the allowance for recreational fishing at 39 tonnes.

around hand gathering, the use of mechanical loaders and other vehicles, environmental best practices, and health and safety.

Particularly:

- Spat operators will not collect from the rocks, including at Wakatehaua (The Bluff), Kahokawa (Scott Point) and Whaaro (Ahipara)
- Only hand gathering of seaweed and spat is permitted south of the Waimimiha Pou and in the area between the Te Karaka and Waikoropupunua Creeks approximately 300m either side of Wakatehaua (The Bluff)
- No loaders will be operated on the beach anywhere over summer from December 15 to March 31
- There will be no more than fourteen loaders working anywhere on Te Oneroa-a-Tōhē at any time during 2020 and no more than nine loaders working in a 50-metre zone. This represents a 25% reduction in the total loaders operating from previous seasons and the nine loader limit within a 50 metre zone replicates the recent research which concluded no significant ecological effects of this activity on taonga shellfish populations.

The revised Code has been adopted and signed by all permitted spat collectors. In addition, each year all parties to the Te Oneroa-a-Tōhē Mussel Spat Management Plan will sign a Deed of Agreement to fulfil their responsibilities under that Plan, including complying with the Code. The Mussel Spat Management Board will review the performance and compliance of the spat collectors against the Code, including monitoring (with electronic catch and position reporting) of their activities. In addition, Aquaculture New Zealand's A+ sustainability programme will include reporting of marine farmers who formally commit to only purchase mussel spat from Te Oneroa a Tōhē from spat collectors who are signatories to the Code of Practice.

In a typical year, spat collection occurs on the beach on no more than 30 days, with most spat collected in Spring. Spat collection can occur at any time of the night or day, in response to whenever the spat-seaweed washes ashore. Spatfall is naturally highly variable and sporadic, in terms of when and how much drift seaweed may wash onto the beach, and the amount, size and quality of the mussel spat attached to the seaweed.

***Mussel spat collection is a positive contributor to the region***

The mussel spat collecting industry in the Far North provides jobs, opportunities and revenue for the region. The industry employs around 100 part-time, seasonal and full-time employees in the Far North, most of whom are local, and is worth around \$6 million annually to the region. This activity is also critical to New Zealand's mussel industry which employs more than 2,000 people supporting families and communities in other regions.

***Mussel spat collection has a low impact on the environment***

It is in the best interests of the spat collectors that their activities are undertaken in a safe, respectful and responsible manner. For the mussel spat fishery on Te Oneroa-a-Tōhē to be sustainable in the long term, it is absolutely critical that there is minimal impact on the environment of the beach.

Independent research has been undertaken by the University of Auckland, University of Waikato, and NIWA that has helped build our understanding of the fishery and its potential environmental effects. Recent research demonstrated that mussel spat collecting, including the use of mechanical harvesters and other vehicles in line with the code of practice, does not have significant ecological effects on the beach or its taonga shellfish species, such as toheroa or tuatua. We are committed to further research to build our understanding of the beach environment and its resources.



It is worth noting that the collection of the beachcast mussel spat does not negatively affect the wild mussel resource. By the time the mussel spat has washed ashore at Te Oneroa-a-Tōhē, it has already been disrupted from settling and growing in its natural habitat and is unlikely to survive and contribute back to the stock.

***Whakakotahitanga: collaboration towards shared outcomes***

We support continuing to work collaboratively with Te Hiku Iwi, the Beach Management Board, and other parties to implement the Beach Management Plan.

The *Te Oneroa-a-Tōhē Mussel Spat Management Plan* is also an example of this collaborative co-management approach in action, as it is being developed by a working group of representatives of Te Hiku Iwi, Te Ohu Kaimoana, Fisheries New Zealand, spat collectors, and the mussel industry. The Mussel Spat Management Plan will include the revised Code of Practice, monitoring, information exchange, and plans for research, community support and engagement. The plan will be implemented by the Te Oneroa-a-Tōhē Mussel Spat Management Board, comprising all key parties working together to ensure actions support the long-term sustainability of Te Oneroa-a-Tōhē and respect the values of Iwi. The Mussel Spat Management Plan will also set out an annual programme of work to be jointly undertaken. This will likely include environmental research, beach clean-ups, efforts to restore historical kuku/kutai beds along the coast, and opportunities for Far North Maori to pursue a career in aquaculture. Progress on the plan for the current collecting season has been hampered by the various Covid-19 related lock-downs and travel restrictions. Despite the interruptions, positive progress has occurred and we remain committed to this mahi to deliver meaningful outcomes for all.

We value ongoing constructive discussion between the Beach Management Board and the Mussel Spat Management Board. We also acknowledge the need to engage the wider community to improve the insight and understanding of spat collecting activity.

We too, seek for Te Oneroa-a-Tōhē to be managed in a way that ensures cultural, spiritual, environmental, economic and social wellbeing is assured for all.

## Department of Conservation (hearing requested)

To: Te Oneroa a Tohe Beach Management Board

Name of submitter: Abraham Witana, Acting Operations Manager Kaitaia

My submission relates to: Te Rautaki o Te Oneroa-a-Tohe/ Draft Te Oneroa a Tohe Beach Management Plan (BMP)

My submissions are:

1. Acknowledgement of the Te Hiku Treaty Settlement Claims 2015 was dubbed the year where dreams were realised for the Te Hiku o Te Ika Iwi collective. The passing of settlement legislation for four of five Te Hiku Iwi – Ngati Kuri, Te Aupouri, Ngai Takoto, and Te Rarawa. This has led to much needed social and economic opportunities invested by Iwi to achieve their environmental, economic, social and cultural aspirations. The settlements have necessitated change that introduces new behaviours, systems changes, innovative thinking and a different way of working together to truly give effect to the principles of the Treaty and the obligations made by the Crown.

2. The Te Oneroa a Tohe Beach Management Board We acknowledge the Beach Management Board and its members for progressing one of the many settlement mechanism's that have been provided to Te Hiku Iwi. Congratulations on developing the first iteration of the BMP. This can only be achieved through good relationships, strong leadership, shared discussion and idea's, engaging with community to create a shared vision for Te Oneroa-a-Tohe – 'Kia roa to titiro pera I te hikoi o Tohe – Let your lens be long like the pathway of Tohe'.

3. The BMP and specific sections

- a) Design: The design of the BMP reflects the Te Oneroa-a-Tohe. The use of bilingualism within the document reflect the importance of Te Reo Maori and use of graphics reflects the new relationship and partnership formed.
- b) Content: The content of the BMP is easy to read. It provides a clear vision statement – Nga Tumanako; and objectives with desired outcomes – Nga Wawata, clear actions - A matou mahi; and a great piece of cultural history that captures Te Hiku association to Te Oneroa-a-Tohe.
- c) Structure: The structure of the plan is easy to follow. It provides guidance to the reader, and any user that may want to conduct activities on Te Oneroa-a-Tohe and how everyone can contribute to the vision of the BMP.
- d) Te Hiku Treaty Settlements – Legal review:
  - i. DOC supports paragraph 4 of the submission of the Te Hiku Conservation Board namely: 1. The Northland Conservation Management Strategy is referred to on page 18 and 38. Under treaty settlement the Northland Conservation Management Strategy will be superseded by the Te Hiku Conservation Management Strategy. It would be appropriate to refer to the Te Hiku Conservation Management Strategy on page 18 and in action A49 on page 38.

The table below provides some suggested wording changes to reflect consistency with the settlement Acts.

Page	Reference	Comment
8+	Introduction	It is encouraging there are clear set of guiding principles and identification spatially of the different reserves and its location along the whole beach. Also, that the plan aims towards creating a clear pathway for 50-year intergenerational vision based on the guiding principles.
		The Pathway of Tōhe: The documentation of the great story of Tōhe is a great contribution from this document, with an added value of spatially identifying significant sites in this journey from Te Kapua a Ripoi in the north all the way to Manuwhetai in the south. (Te Rerenga Wairua to Ahipara).
		This spatial allocations and brief story behind it create great opportunity for cultural tourism (if mana whenua wants to share the stories with manuhiri/ visitors), which will benefit the whole Te Hiku o Te Ika region.
17	Background	It is very encouraging that that one the main jobs of the board and Beach Management Plan (BMP) is “Protecting and preserving the beach from inappropriate use and development” which aligns perfectly with the Protect principle of the Heritage & Visitor strategy (yet to be released).
		Also, the job of “Recognising and providing for the spiritual, cultural and historical relationship of Te Hiku o Te Ika iwi / hapū with the beach” as a principle job for the board and controlled by Mana whenua.
		In the connection with other strategic documents (p.19) it is not clear what is the role of the Environmental iwi management plans. Especially, that those plans are already fully developed by three of the Iwi in Te Hiku o Te Ika region.
		Also, is there a consideration to other non-statutory documents such as Aotearoa Tourism Strategy, and NIWA climate change and environmental reports about costal erosion.
		This connection will provide ability to have different management models for different future scenarios, to ensure resilience of Te Oneroa-a-Tōhe with all its culturally significant sites. Especially, with challenging rapid changes such as climate change.
17	F Treaty settlement— para 4	The collective settlement legislation established the Board, provided for iwi, regional and district council appointments, and provides for the preparation of the Beach Management Plan. There is an enhanced opportunity for iwi, councils, Crown agencies and the community to work together, creating a framework for how we can all look after our beach.

Page	Reference	Comment
18	The Beach Management Plan has the following influence on other statutory documents:	<p>The Beach Management Plan has the following influence on other statutory documents:</p> <ul style="list-style-type: none"> <li>Resource Management Act 1991 planning documents including: - Regional and district plans – Northland Regional Council (NRC) and Far North District Council (FNDC) “must recognise and provide for” the vision, objectives, and desired outcomes identified in the Beach Management Plan in the development of their plans Relevant regional and district plan resource consent applications “must have regard” to the Beach Management Plan until the obligation to recognise and provide for the vision, objectives and desired outcomes are complied with. Conservation Documents –the Northland Conservation Management Strategy, the future Te Hiku o Te Ika CMS and a conservation management plan “must have particular regard” to the vision, objectives and desired outcomes in the Beach Management Plan Local Government Act 2002 – NRC and FNDC “must take the Beach Management plan into account when making decisions.</li> </ul>
20+	Objectives & Desired Outcomes:	It is encouraging to see that the main principles are related to the four domains (cultural, environmental, social and economic), which make it easier to link the document with frameworks such as living standards framework and ensuring creation of sustainable solutions
28	Our actions	This section should outline only action to be taken by the Board. There’s no authority to require the actions of others. Suggest the following: This section outlines actions to be taken by the Board, and the requests it makes to iwi, hapū, councils and others in order to achieve the vision, objectives and desired outcomes outlined previously.
28	Our Actions	<p>It is encouraging to see that the main principles are translated to a set of actions and relating it to specific board members or organisations.</p> <p>It is interesting to see what role DOC could be playing in terms of supporting those actions in the light of the current CMS and our statutory obligations, so that DOC could be a real partner to achieve the vision of this plan and its intergenerational goals.</p>
29 +	Our Actions	Which actions: the Board will do; and requests others to do
31+	Nga Kaiārahi/ Leadership	<p>We support the desired outcomes for leadership; and</p> <p>Whilst there is no leadership actions for DOC, the Department will provide expertise and advice as required to support the Leadership for Te Oneroa-a-Tohe</p>
34	Taiao/ Ecology & Biodiversity	Aupouri Peninsula is a major dune-sand tombolo, with Te Oneroa a Tohe being the longest sandy beach in New Zealand that is broken only by a low rocky headland at Te Whakatehaua Island. Te Oneroa a Tohe

Page	Reference	Comment
		forms the western extent of Aupouri Ecological District which is one of the most unique Ecological Districts in New Zealand given the vast length of coastline relative to land area. A distinctive aspect of the Aupouri Ecological District is that there is virtually no indigenous forest, while wetlands and dune systems are frequent and vast.
		Te Oneroa a Tohe together with a series of long sandy beaches on the east coast and on the Karikari Peninsula, provides several sites of threatened plants and a coastal margin which is habitat for a large number of bird species.
		Te Oneroa a Tohe is recognized as an ecologically significant coastal area. A mixture of native and exotic flora exist while notable communities of sand-binding plants are important features that are generally dominated by Spinifex, with pingao, Carex pumila, and in some areas, the exotic marram grass. Knobby clubbrush and oioi are common in dune depressions, with knobby clubbrush and toetoe being locally dominant, and the dunelands to the north being more intact. In areas surrounding the dunes are rare Pimelea arenaria, while Hydatella inconspicua is present in wetland areas. The coastal stretch is also home to numerous native birds and an important feeding area for the rare variable oystercatcher, northern NZ dotterel, and Caspian tern. The beach is also of significance as one of the country's few remaining toheroa populations (although declining) found within the intertidal region of the beach, while the coastline also supplies the large majority of green-lipped mussel seed used by New Zealand's mussel aquaculture industry.
38	Whakakotahitanga/ Collaboration	DOC will engage and collaborate with the Board and provide advice and expertise as requested to achieve A49.
39	Matauranga/ Education	DOC Will contribute to the actions of the Board; to achieve the specified outcome to achieve A52.

General comments:

- The document is in a strategic level and creates clear principles for the future management of the beach which is based on mana whenua aspirations and Tōhe walk cultural story. As well the preservation and enhancement of the mauri of Te Oneroa-a-Tōhe.
- There is a great need to connect and align the recommendations from BMP with the proposed Northland Destination Management Plan (currently at stakeholder engagement stage), so that the conservation and tourism opportunities along with cultural preservation and iwi aspirations are realised.
- Te Araroa Trail spans the length of Te Oneroa-a-Tōhe (the 3000km route stretching from Cape Reinga in the North of New Zealand to Bluff in the South) and is increasing in popularity and numbers. There are opportunities for mana whenua to tell more of Tōhe's story to the thousands of visitors that follow in Tōhe's footsteps and to financially benefit from these visitors.
- Has there been a review of other regional strategic documents and plans which are in development, including the Far North 2050 strategy and the FNDC Integrated Transport Plan, Tai Tokerau Northland Economic Action Plan?

### Comments pertaining to Reserve Management Plans

Reserve Management Plans Management Planning Review of Planning Documents for Te Oneroa-a-Tōhe Reserve Management Plans (comments relate to all four plans unless otherwise stated) General comments

- The Reserves Act 1977 is incorrectly referred to as the Reserves Management Act 1977 on page 8 of each of the four Reserve Management Plans.
- Possible mis-numbering of 'Implementations' in the Reserve Management Plan for Beach Site D.
- Hukatere - Title on page 18 records 44.2385 ha whereas the description on page 8 records 80.8425 ha.
- Waimoho - Title on page 18 records 18.750 ha and SO 470146 whereas the description on page 8 records 44.2385 ha and SO 469833
- Page 9 In the section "Future Uses, Activities and Facilities Available", the following paragraphs are listed as ways that value could be added to the reserves: "Provide some facilities in the reserve i.e parking, toilets and caretaker mirco camp and information sites." "Exploring whether this reserve and current forestry tracks leading to the Beach could be used for parking and access ways to this reserve."
  - Comments: Given that vehicle access to the reserves is only via the beach (as is outlined in the draft Te Oneroa-a-Tōhe Beach Management Plan), it is recommended that references to parking in the reserves be deleted.
- Implementation A2. "The cutting or taking of plant material or the taking or killing of fauna where it is for private use shall not be permitted within this reserve unless specific dispensation is granted by the Joint Management Board."
  - Comment: Need to ensure any dispensation granted by the Joint Management Board takes into account relevant provisions within the Reserves Act 1977 and the Wildlife Act 1953. Such activity may require authorisation under Section 53 of the Wildlife Act 1953 and/or Sections 42, 49 and 50 of the Reserves Act 1977. Mahinga kai could be considered to be included within "private use". Given the Draft Te Oneroa-a-Tōhe Beach Management Plan specifically supports mahinga kai, the implementation could note that "private use" does not include mahinga kai.
- Implementation A3. "The Joint Management Body will support and grant concession (sic) to projects that carry out ecological restoration in dunes and waterways in conjunction with pest control within the reserve."
  - Comment: The current wording could be seen to be pre-empting a decision to grant a concession by use of the words "will" and "grant". Each concession application must be considered on its merits, without a predetermined decision being made. As such, the following wording is recommended: "The Joint Management Body should support concession applications for projects that carry out ecological restoration in dunes and waterways in conjunction with pest control within the reserve."
- Implementation A5. "The Joint Management Body will seek an amendment to the FNDC dogs bylaw to prohibit dogs within the reserve unless:Specific dispensation has been provided by the Joint Management Body."
  - Comment: If dispensation was being granted by the Joint Management Board then this would need to be in accordance with the Reserves Act 1977. It should be noted that in some situations, dogs may be taken onto public conservation

land without a permit/authorisation (including dogs used by police, support/guide dogs, and dogs used for conservation management, and search and rescue purposes), as is outlined in Section 26ZZK of the Conservation Act 1987.

- Implementation A13. “Concessions for public and private accommodation will not be provided unless specific dispensation is granted by the Joint Management Body.”
  - Comment: The possibility of a dispensation by the Joint Management Body for private accommodation is not in accordance with CMS Policy [16.6.1.1](#), which states that new private accommodation and related facilities should not be authorised.
  - It is recommended that the “specific dispensation by the Joint Management Body” relate only to public accommodation. [16.6.1.1](#) Should not authorise new private accommodation and related facilities, including encampments, on public conservation lands and waters.

Relief sought: That the Board considers the contributions contained within this submission enabling DOC to support the BMP.

Thank you for the opportunity to comment on Te Rautaki o Te Oneroa-a-Tohe A PDF copy of this submission can be provided on request.



## Garton Mechanical Services (hearing requested)

### Submission to the Draft Te Oneroa-a-Tohe Beach Management Plan

Thank you for the opportunity to submit our views on the Draft Te Oneroa-a-Tohe Beach Management Plan (the Draft Plan).

We request to be heard in support of this submission.

**Garton Mechanical Services (GMS)** is a local business which services, repairs and maintains agricultural machinery. In addition, we are closely aligned to the fast growing off road driving and camping sector. We supply parts and advice to customise four-wheel-drives as well as off road camping equipment. We are all enthusiasts and this side-line of our business has been established primarily to support people in this hobby.

**Our submission relates to** the provision on page 36 of the Draft Plan which states that driving vehicles in the sand dunes is to be prohibited.

**We request that** this provision be removed and that driving in the sand dunes continue to be allowed as it always has been.

**Our rational** is that driving on unvegetated sand dunes does no harm what so ever. We agree that driving on sand dune vegetation is highly destructive. Sand dune vegetation is very fragile and when damaged, the sand dune can become mobilised. Responsible off-roaders therefore always keep to areas of open sand, avoiding driving on dune vegetation and encouraging others to do the same.

Areas of open sand are ideal for four-wheel-driving. They cannot be damaged; the wind just blows your tyre tracks away once you are gone. They say "take on photographs, leave only foot prints" but in this environment even footprints are soon erased. The area adjoining 90 Mile Beach has some very extensive areas of open sand which are constantly moving and changing at the mercy of the wind. Almost nothing lives in these areas – shore birds nest where they can see the water, shell fish beds are only where the sand gets covered by the tide. The hot dry unvegetated sand of the dunes is a place we can enjoy our hobby knowing we are enjoying, exploring but not harming this amazing landscape.

And what an amazing landscape it is!!! Ninety Mile Beach is the most famous part of a sandy landscape that stretches from Muriwai to South Head, Pouto to Maunganui Bluff and Ahipara to Cape Reinga. This land of sand includes seemingly endless beaches, beautiful sand dune vegetation, pristine dune lakes and kahikatea forests as well as large areas of shifting sand that led Captain Cook to call this area the "desert coast". This is truly one of New Zealand's great wildernesses and one that can only really be experienced from a four-wheel-drive. Sure, some of us who are fit and looking for an adventure could hike into the dunes with a lot of water to keep us going. But for most people, our wives, our children, those who are older and those who are disabled, the only way they can ever see and explore this land scape is from the comfort of a four-wheel-drive.

It is these family experiences that has led us to become off-road enthusiasts. It is not about cars and hooning around. It is about exploring these amazing places with our families and getting back to nature.

**We want** Te Oneroa-a-Tohe Beach Management Plan to set a precedent of good practice. A good practice that allows for responsible off roading and exploring with our families.

**We are concerned** that Te Oneroa-a-Tohe Beach Management Plan will set a precedent of red tape and locking kiwis out of New Zealand's great wildernesses – our heritage. We are concerned that, if passed, this precedent will soon spread to other areas such as Ripiro Beach.

**Tourism will suffer** if off roaders are prohibited from these amazing areas. While we often think of tourism as foreign visitors, most tourism spending is from domestic tourists (even before COVID-19). New Zealand's biggest domestic tourism market is Auckland and research shows Aucklanders favour activities within driving distance of the city. The "weekend mission" is where the market is. The ability to get the kids in the car and head off to explore. These are the visitors who bring their city dollars into the local economy and keep local food outlets and accommodation open – especially in these tough times.

**Off road camping is on the rise.** With housing unaffordable and a generation of renters rather than home owners, DIY home improvement projects and gardening are giving way to customising the family four-wheel-drive into something that will carry them away to many unforgettable family holidays.

**Ninety Mile Beach is famous for being the beach you can drive on.** The following pictures illustrate what we do and hopefully dispel thoughts of what we are accused of doing.

*Photo above: the dunes are constantly moving so driving on them does no harm.*

*Photo above: Not all dunes are covered in vegetation – we think there is a place for us.*

*Photo above: It is an area too vast to explore on foot – unless you are really really fit.*

*Photo above: Watching your tyre tracks disappear behind– you don't get dunes without wind.*

Reckless people will always break the rules and do harm to the environment we love regardless of what the rules are. Please do not punish us all because of the actions of a few.

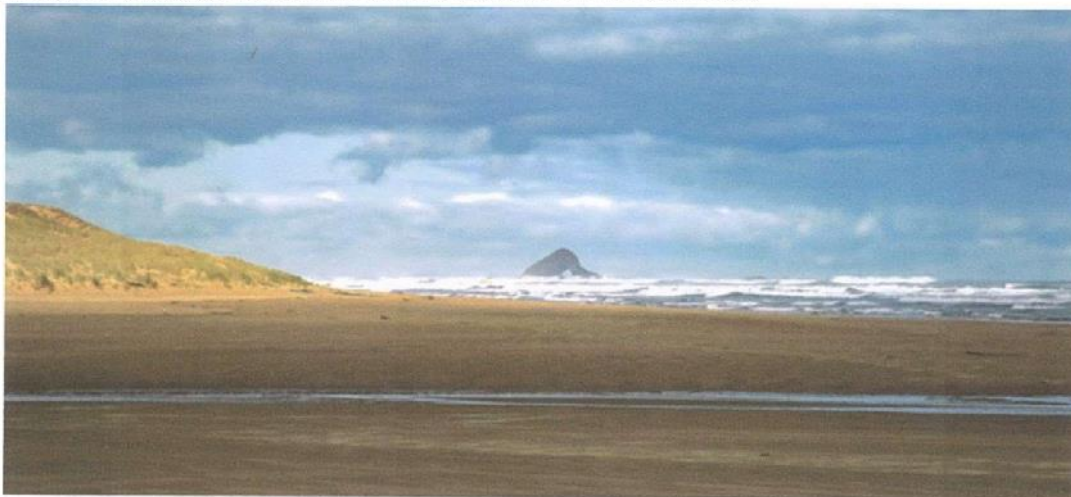
Yours scenically, Kyle Garton.

## Northern 90-Mile Beach Development Ltd

Submission by Northern 90-Mile Beach Development Ltd

This submission is in response to requests for feedback to the Draft Te Oneroa-a-Tōhe Beach Management Plan.

Northern 90 Mile Beach Development Ltd is a private company that owns approximately 290 Hectares of land adjacent to 90 mile beach just south of the Te Paki reserve.



Following is our feedback:

We congratulate the board on their progress towards management of the beach.

A 20 Change the regional and district plans so that activities that require resource consent in the Te Oneroa-a-Tōhe Management Area, or adjacent to the Te Oneroa-a-Tōhe Management Area which may have an impact on Te Oneroa-a-Tōhe, must include in their assessment of environmental effects an analysis of the effects on Te Oneroa-a-Tōhe.

We are concerned that activities adjacent to the beach may be restricted or controlled. We are aware that often a requirement for environmental and/or cultural assessments can result in intentional disruption or delays to normal activities.

A 24. Support and encourage the development of iwi and hapū management plans within, and adjacent to, the Te Oneroa-a-Tōhe Management Area.

We are comfortable with iwi and hapu having management plans for the Te Oneroa-a-Tōhe Management Area. We are not comfortable for those plans to cover private land adjacent to the beach. That management is better to be conducted by the Far North District Council and NRC.

A30. Promote initiatives that will lead to a better understanding of the health of the beach  
We would be interested to see what these initiatives are before they were implemented.

A33. Amend regional and district plans to require resource consent for new commercial activities related to Te Oneroa-a-Tōhe including requirements:

2/3

1. For the assessment of consistency with the vision, objectives and desired outcomes outlined in this Beach Management Plan.

2. That specify that the Board is an affected person regarding notification of an application, where the adverse effects on Te Oneroa-a-Tōhe are considered minor or more than minor.

This is an extremely broad desired outcome. While we have some sympathy with the intentions, this restriction on any commercial activity appears to undermine the current legal status. This has the potential to have a dramatic effect on property value.

A34. Endorse temporary activities along Te Oneroa-a-Tōhe that do not unnecessarily detract from other activities, and which uphold the values expressed in the Beach Management Plan and improve the mauri of the beach.

What sort of activities are envisioned? How will these be approved? What process is in place to review these decisions?

A35. Educate tourists and tourist operators to respect the culture, history, importance and sacredness of Te Oneroa-a-Tōhe.

What does this entail? Would all beach users be required to sit a course? Or pass an exam?

A36. Undertake changes to the FNDC Bylaw(s) specifying safe speed limits and other measures along Te Oneroa-a-Tōhe including:

1. 30km/per hour speed limit within 200m of any beach accessway or any activity (e.g. boat launching, people fishing etc) on the beach;
2. 60km/per hour speed limit for the remainder of the beach;

90 mile beach is legally a road with a 100 km/hr speed limit. If any changes were made, we believe that 60 km/hr is too slow. We believe 80 km/hr is safe on the open beach.

A39. Encourage the Police and tangata kaitiaki to actively monitor speed restrictions to ensure that they are upheld.

We do not believe that tangata kaitiaki should have authority to intercept public vehicles. The beach is a legal road, enforcement is already covered by current legislation. We are all guardians of the beach

We strongly support the following desired outcomes:

A40. Identify and monitor commonly used areas for dumping rubbish.

A41. Support local community clean-up initiatives.

A42. Encourage activities and events based at or near Te Oneroa-aTōhe to be undertaken on a zero-waste basis (para kore).

A43. Provide suitable signage at beach accessways to encourage people to deal with their own rubbish on Te Oneroa-a-Tōhe.

A51. Prepare and implement a communication and education strategy for Te Oneroa-a-Tōhe.

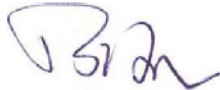
As above. We are concerned that under the cover of "education", limitations to access and enjoyment of the beach may be excessive.

As property owners we would expect consultation regarding any changes that may impact on our property

Signed on behalf of Northern 90 Mile Beach Development:



Alastair Bax — Shareholder



Barry Kernot — Chairman of the Board of Directors

## Sanford Limited (hearing requested)

7 October 2020

Tēnā koutou katoa

### Te Oneroa-a-Tōhe Beach Management Plan

Sanford welcomes the opportunity to provide our comments on the Te Oneroa-a-Tōhē Beach Management Plan.

- Sanford is positive and in support of the plan
- Sanford welcomes the inclusion of stronger Maori cultural concepts
- Sanford recognises that access to Maori views is not always accessible and we appreciate that the Plan shows us what is important
- Sanford supports continuing our conversations to identify more actions that will increase iwi inclusion and leadership on the beach
- Sanford supports the Plan being clear on the roles and purposes of the different parties, and for giving us clear directional markers to what is important and what matters
- Sanford recognises that partnering with iwi on the Beach Management Plan will bring strength and clarity – we welcome this as an important step in moving forward.

### Thank you for developing the plan.

While Sanford acknowledges the submission of Aquaculture New Zealand, we want to also provide our own comments and support.

It doesn't matter where our Sanford mussel farms are located around Aotearoa, whether it be in Coromandel or down on Rakiura, our business and that of our neighbouring marine farmers relies on the green-lipped mussel spat that is cast onto the beaches clinging to seaweed and collected from Te Oneroa-a-Tōhē.

This spat is an important resource that provides for the wellbeing of many small coastal communities. We also acknowledge that without access to this spat many farms in New Zealand, including our own would struggle. We also acknowledge that the wellbeing of the beach and all its life are important to iwi.

Sanford

- Welcomes the Plan, and the role it will have as the facilitator of our relationships with iwi
- We support the development of the Te Oneroa-a-Tōhē Beach Management Plan evolving and growing
- We undertake to work collaboratively with the Beach Management Board, Te Hiku Iwi, the Te Oneroa-a-Tōhē Mussel Spat Management Board, councils and your local communities to implement the Plan

26

- We acknowledge and agree that Te Oneroa-a-Tōhē is cared for by the leadership of local guardians – we respect their knowledge
- We commit to work collaboratively and to come to your meetings being forward thinking and open with our ideas on ways we can build the health and wellbeing of the beach and its people - safely, sustainably and in a culturally sensitive manner.

Sanford recognises the work to revise the *Te Oneroa-a-Tōhē Mussel Spat Collecting and Loader Driving Code of Practice* and we will ensure that spat collectors that work on behalf of our company will abide the new rules including the key agreements of:

- Spat operators will not collect from the rocks, including at Wakatehaua (The Bluff), Kahokawa (Scott Point) and Whaaro (Ahipara)
- Only hand gathering of seaweed and spat is permitted south of the Waimimiha Pou and in the area between the Te Karaka and Waikoropupunua Creeks approximately 300m either side of Wakatehaua (The Bluff)
- No loaders will be operated on the beach anywhere over summer from December 15 to March 31
- There are to be no more than nine loaders working in a 50-metre zone, no more than 14 loaders working within a kilometre and no more than 14 loaders working anywhere on Te Oneroa-a-Tōhē at any time during 2020.

#### ***Whakakotahitanga: collaboration towards shared outcomes***

We support and undertake to continue to work collaboratively with Te Hiku Iwi, the Beach Management Board, and other parties to implement the Beach Management Plan.

This includes actions where we can work together, research projects and information sharing.

We acknowledge the importance of the Plan in bringing us together and keeping us together.

Sanford welcome opportunities for us to learn when we are alongside iwi to ensure that we as a company can step up to our obligations and responsibilities.

We want to do what is right and this Plan will help us do that.

Should you have any questions or want to contact us, we welcome your call.

Nga mihi nui

Ted Culley, 027 435 0919

Sanford GM Aquaculture

Mike Mandeno, 027 208 9099

Sanford Mussel Farmer Manager



## Te Hiku Conservation Board

Tena koutou,

**SUBMISSION:      TE RAUTAKI O TE-ONEROA-A-TOHE  
DRAFT TE ONEROA-A-TOHE BEACH MANAGEMENT PLAN**

Thank you for the opportunity to provide feedback on *Te Rautaki o Te Oneroa-a-Tohe (Draft Te Oneroa-a-Tohe Beach Management Plan)* and draft Reserve Management Plans.

The Te Hiku o Te Ika Conservation Board, like the Beach Board was formed under treaty settlement legislation.

We have the following comments:

1. Congratulations for completing these documents. We are aware of some of the challenges the Beach Board has faced and acknowledge your persistence and hard work.
2. One of the complexities the Beach Board faced in drafting this Plan is the amount of overlap it has with other plans and processes both from and outside treaty settlements. For example, the Regional Coast Plan, Cultural Materials Plans and Joint Fisheries Advisory Committee. As a suggestion it might be worth summarizing these various other documents and processes in an appendix to help readers understand some of the complexity the Beach Board is dealing with and highlight areas where future work may reduce complexity.
3. The structure of the plan with principles and explanation of Te Huarahi o Tohe at the front of the plans is endorsed as it provides the logic for subsequent actions and outcomes.
4. The Northland Conservation Management Strategy is referred to on Page 18 and 38. Under the Te Hiku settlement legislation the Northland Conservation Management Strategy will be superseded by the Te Hiku Conservation Management Strategy. While it has taken the parties (DOC and Iwi) some time to get this Strategy underway the Conservation Board is ever hopeful it will be prepared in the near future. It would therefore be most appropriate to refer to Te Hiku Conservation Management Strategy on page 18 and in action A49 on page 38.
5. We note the plan makes no reference to some high-profile activities such as major fishing competitions and marine mammal strandings. Given the significance and profile of these events it would seem appropriate to refer to them and if possible, describe how they will be managed.
6. Monitoring the health of the beach is referred to in Action A28 and A 30 (page 34). This monitoring will be an important way of assessing the success of the plan and therefore it would be good to see if these could be re framed in a way that shows action will be taken rather than the current wording which looks like something the Beach Board is aspiring to achieve rather than being determined to achieve.
7. The Te Hiku Conservation Board is keen to work with the Beach Board.

Chris Jenkins, Co-Chair

Te Runanga Papa Atawhai o Te Hiku O Te Ika  
9 October 2020



## Te Ohu Kaimoana



Te Oneroa-a-Tōhe Board

Via email: [info@teonerora-a-tohe.nz](mailto:info@teonerora-a-tohe.nz)

09 October 2020

Dion Tuuta

Te Mātārae

Te Ohu Kaimoana

RE: Draft Te Oneroa-a-Tōhē Beach Management Plan

1. Te Ohu Kaimoana welcomes the opportunity to respond to the draft Te Oneroa-a-Tōhē Beach Management Plan (the draft plan).
2. Te Ohu Kai Moana Trustee Ltd (Te Ohu Kaimoana) is a representative organisation that was established through the passage of the Maori Fisheries Act 2004. Our role is to protect and enhance Iwi and Māori interests in the marine environment, particularly in relation to customary Māori rights in the marine environment including commercial and non-commercial fishing interests as well as aquaculture.
3. Te Ohu Kaimoana works on behalf of 58 Mandated Iwi Organisations (MIOs) and their Asset Holding Companies on behalf of their iwi, whose members are all Māori throughout Aotearoa. We work on priorities agreed by MIOs to protect and enhance the Fisheries Settlement and regional aquaculture settlements.
4. This response is not intended to usurp the mana of ngā Iwi o Te Hiku o te Ika ("Te Hiku Iwi") or any MIO to independently provide their own responses, but rather, provide support that is based on our experience in other collaborative community processes. We also acknowledge the response provided by Aquaculture New Zealand.

### Our commentary:

Partnership with Iwi/ Māori is key to the Te Oneroa-a-Tōhē Beach Management Plan

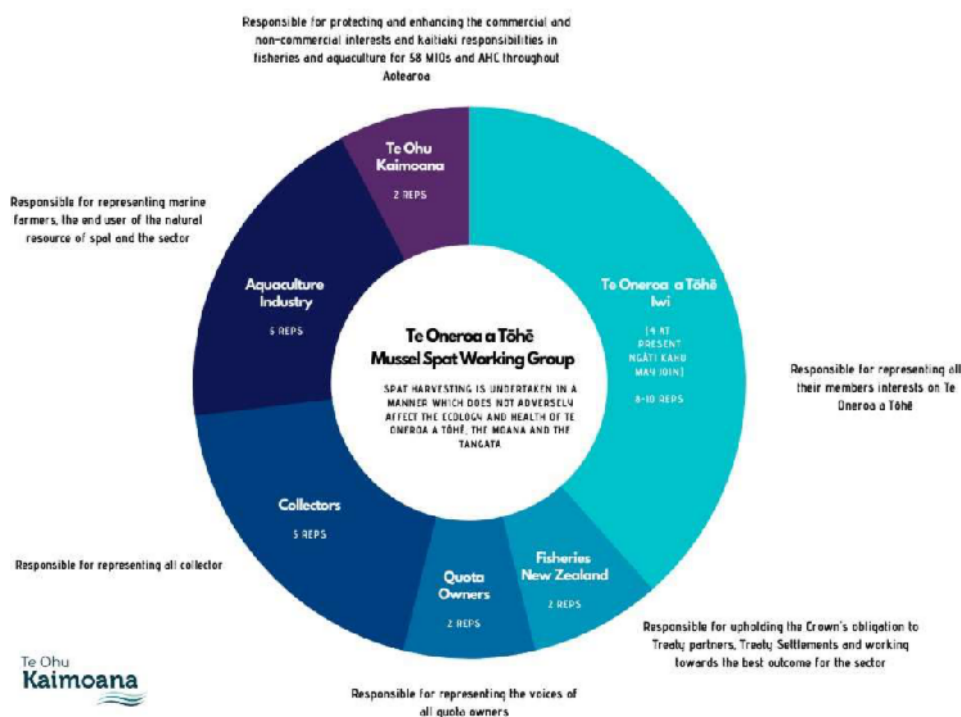
5. Te Oneroa-a-Tōhē is a taonga to Te Hiku Iwi. This plan creates a pathway for such recognition. We commend the Beach Management Board (the Beach Board) on developing a plan that promotes holistic management of the beach through developing management measures that take into account the land and sea interface. We consider that this wellcrafted plan reflects the meaningful collaboration between Iwi and councils arising from the equal representation partnership on the Beach Board.

Our involvement with the Te Oneroa-a-Tōhē Mussel Spat Working Group

6. Te Oneroa-a-Tōhē is important to all iwi in Aotearoa, Te Oneroa-a-Tōhē contains Te Ara Wairua, the spiritual pathway to Te Rerenga Wairua where the spirits of the dead are believed to depart.
7. Te Oneroa-a-Tōhē is of great significance to its kaitiaki. There is much responsibility on mana whenua to maintain the physical and spiritual health of Te Oneroa-a-Tōhē for their people, as Te Oneroa-a-Tōhē provides spiritual value, is a food basket, offers economic opportunities including tourism and fisheries (including supply of mussel spat) as well as much other functions.
8. Te Oneroa-a-Tōhē also provides the majority of mussel spat resources for the aquaculture industry. Te Hiku Iwi had concerns that spat was collected to the detriment of Te Oneroa-a-Tōhē. A working group had previously existed between 2008 and 2010 to address some of Iwi's concerns. From that working group a management plan (GLM9 Mussel Spat Plan) and a Code of Practice were established, however it was not consistently implemented.
9. In August 2019 Te Hiku Iwi, Aquaculture New Zealand, Te Ohu Kaimoana, central government, marine farmers, quota holders and spat collectors (see figure 1) came together to form the Te Oneroa-a-Tōhē Mussel Spat Working Group (Spat Working Group). The Spat Working Group worked towards addressing these issues, discuss more broadly how spat could be collected safely on Te Oneroa-a-Tōhē and build improvements into the Te Oneroa-a-Tōhē Mussel Spat Management Plan and its accompanying Code of Practice including mechanism for monitoring.
10. The Spat Working Group has been co-chaired by Kevin Robinson (acknowledging his extensive involvement with Te Hiku iwi over decades) and Jonathan Large who is Chair of the Marine Farming Association - a key leadership role in the mussel farming industry. The Spat Working Group has met six times with the timetable being affected by Covid-19 during 2020.

11. After the Spat Working Group's second meeting Jonathan Large, Gary Hooper (CE of Aquaculture New Zealand) and Laws Lawson (Te Ohu Kaimoana) met with the Beach Board and proposed to work collaboratively. They suggested that both work towards the same overall goals but that the Spat Working Group would work at a greater level of detail through a Code of Practice. The Code of Practice and other actions will ensure that spat collection and associated activities will be conducted in a manner that respects the values of iwi and is carried out safe and sustainably. We consider the draft plan has taken forward that approach in a constructive way and we endorse the level of detail included in your draft plan.
12. At its most recent meeting in July 2020 the Te Oneroa-a-Tōhē Mussel Spat Collecting and Loader Driving Code of Practice (the Code of Practice) was finalised and agreed by all groups to be recommended to their parent authorities. It was recognised by the Spat Working Group that the regime being put into action will follow an adaptive management approach – we will learn more about the ability to efficiently collect mussel spat from the detailed information being gathered and can then assess whether any adjustments are needed before the 2021 spat collecting season (starting 1 April 2021) commences.

**Figure 1.** The entities that make up the Te Oneroa-a-Tōhē Mussel Spat Working Group and their respective responsibilities to the working group and whom they represent.



13. All spat collectors have signed the Code of Practice. The signed Code of Practice is attached. In summary, it addresses specific concerns raised by Iwi including:

- no mechanical collection of spat at culturally important sites,
- health and safety of individuals operating the loaders and those around them,
- acting in accord with regulated speed limits for the vehicles used,
- no spat collection during peak summer months,
- reducing the number of loaders that could operate in a specific space and the total number across the whole beach,
- agreement that the spat collectors will provide the statutory data and position reporting that can be used to assess compliance with the Code,
- agreement that their collective and individual performance against the Code will be analysed and reported to the Te Oneroa-a-Tōhē Mussel Spat Management Board, generally on an annual basis but with any serious breaches investigated immediately.

14. The Code of Practice also sets out the maximum number of loaders that each spat collecting firm can operate on Te Oneroa-a-Tōhē at any time for the 2020 season. The Code of Practice encourages time on the beach to be used efficiently

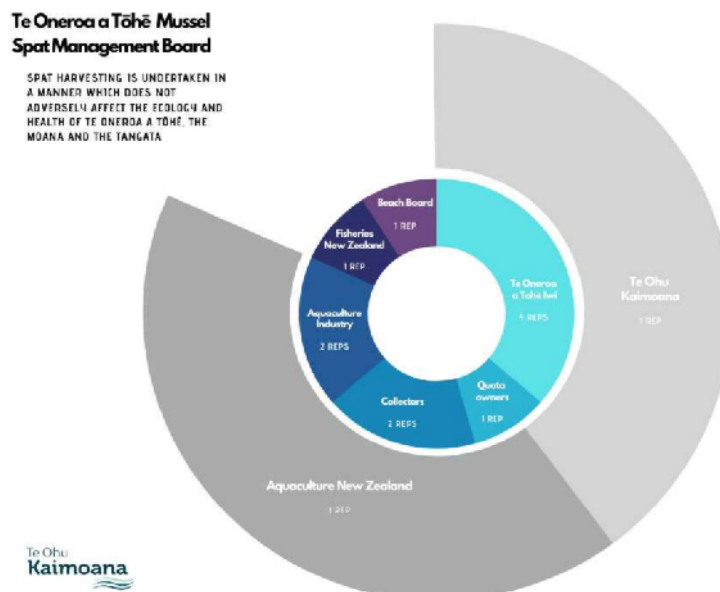
including through operators working together to minimise the number of vehicles necessary to collect spat orders.

15. There is strong commitment from all parties involved in the Spat Working Group as evident by the work put in to reach an agreed Code of Practice.
16. The Spat Working Group considered that the intensive work it had instigated needs to be drawn together into the overall Spat Management Plan and responsibility for its implementation be handed to the proposed Te Oneroa-a-Tōhē Mussel Spat Management Board (see figure 2). As can be seen in the diagram below, the Spat Management Board has a representative of the Beach Management Board as one of its members.
17. To implement the Te Oneroa-a-Tōhē Mussel Spat Management Plan, it is proposed that, prior to the spat catching year commencing in April, the Spat Management Board will establish its programmes of joint work for the year. That work programme will set out each party's responsibilities for activities that implement aspects of the Plan. Acceptance of those responsibilities by each party will be sought through the signing of an annual management deed. Acceptance of responsibilities by each party will be a key factor for both Boards.

**Collaboration with the Beach Board and alignment with the draft plan is key to reach shared outcomes:**

18. As set out in the diagram, the Spat Management Board will be a smaller group but enhanced by having a Beach Board representative. This is both for the purpose of transparency and collaboration. The group considers that having both regulatory agencies (Fisheries New Zealand and the Beach Board) present will mean those agencies are well informed about the range of voluntary programmes underway. It is also expected that there will be overlap in work that both Boards would be wishing to achieve. These will be better advanced by working together.

**Figure 2.** The entities that make up the Te Oneroa-a-Tōhē Mussel Spat Management Board and the number of representatives allocated to each entity. The Spat Management Board will be formed out of the Spat Working Group. Te Ohu Kaimoana and Aquaculture New Zealand will provide administrative and facilitation to the Spat Management Board.



19. Examples of work that the Spat Management Board expect to undertake where Te Ohu Kaimoana considers there is strong alignment with your draft plan includes:

- further environmental research and longer-term monitoring
- beach clean-ups - spat collectors currently participate in an annual beach cleanup day, using their loaders to remove large debris from the beach
- working with iwi to reseed beaches identified by iwi with mussel spat collected by the spat collectors and
- increase economic opportunities for the region in the aquaculture industry

#### Conclusion

20. To conclude, we value ongoing open free and frank dialogue between the Beach Board and the Spat Management Board to continue to operate in a way that is respectful to Te Oneroa-a-Tōhē and its kaitiaki. We seek to ensure the health of the beach is maintained, the natural mussel spat resource thrives, and spat can be collected safely, sustainably and respectfully in the future.

21. Please contact Laws Lawson if you would like to discuss any issues raised in this letter

[Laws.Lawson@teohu.maori.nz](mailto:Laws.Lawson@teohu.maori.nz)

Ngā manaakitanga,

Dion Tuuta

TE MĀTĀRAE

## *Te Oneroa-a-Tōhē Mussel Spat*

### *Beach Collecting and Loader Driving Code of Practice*



#### *Responsible Utilisation and Care for Te Oneroa-a-Tōhē*

### Introduction

The harvesting of Te Oneroa-a-Tōhē (GLM9) mussel spat off Te Oneroa-a-Tōhē (90 Mile Beach) is mostly a seasonal operation relying on the natural and random stranding of seaweed and spat. The stranding is sporadic and may take place any time, day or night along the length of the beach. In a typical year, spat collection occurs on the beach on no more than 30 days.

The stranded spat is collected by permitted collectors and then shipped to mussel farming locations around New Zealand. Te Oneroa-a-Tōhē mussel spat currently contributes around 70-80% of the spat used to farm Greenshell mussels throughout New Zealand by the Greenshell mussel industry.

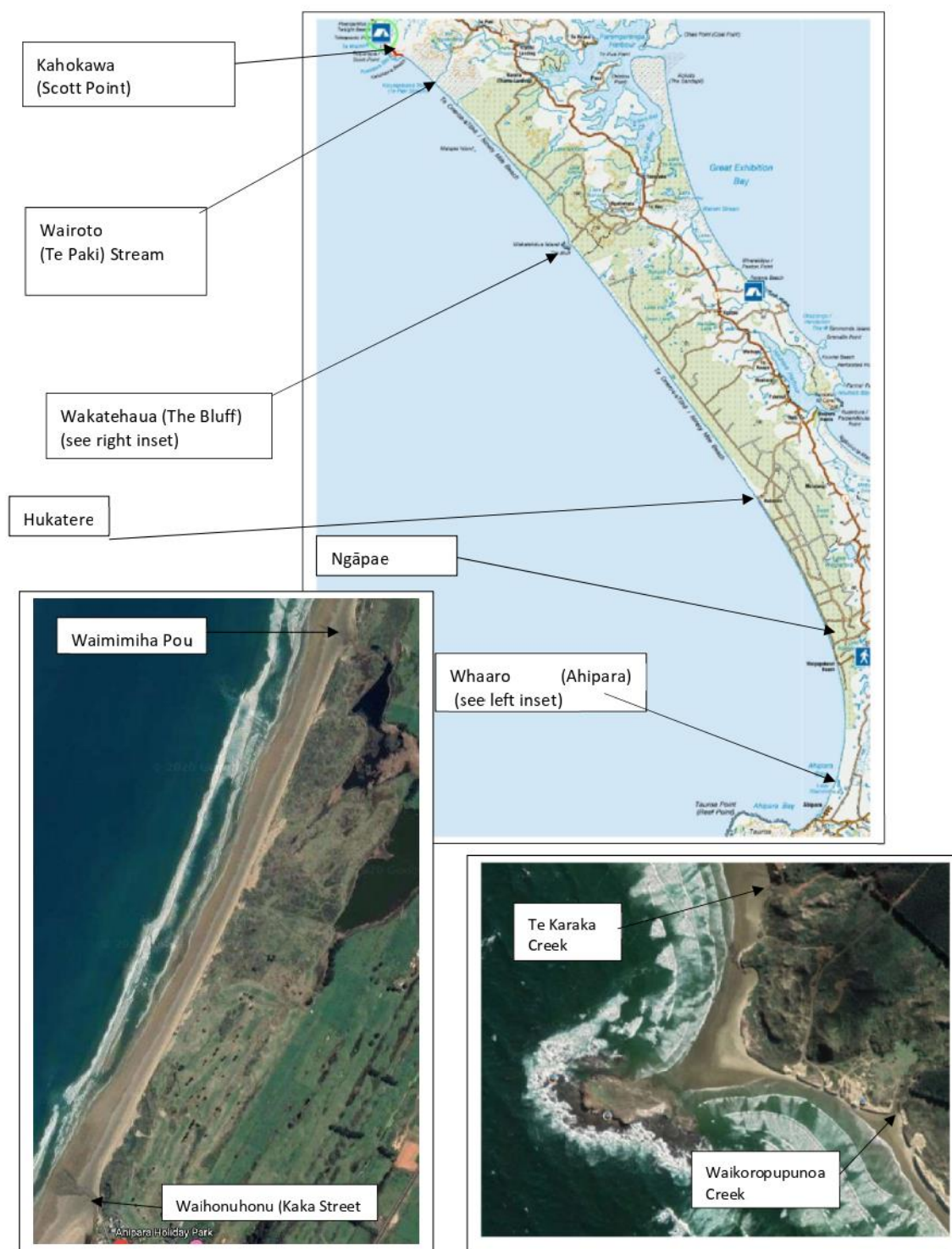
The spat collecting industry employs some 100 part-time, seasonal, and full-time employees in the Far North, and generates in excess of \$5 million in Far North communities.

It is in the best interests of the collectors and loader drivers that the operation on the beach is conducted in a safe, considered, and responsible manner. For the Te Oneroa-a-Tōhē fishery to be sustainable in the long term, it is absolutely crucial that there is minimal impact on the environment and our people are kept healthy and safe.

It is recognised that the use of loaders when collecting spat on Te Oneroa-a-Tōhē in the manner set out in the Code does not have a material ecological impact on the taonga shellfish species such as toheroa or tuatua however it is also important to recognise areas on the beach that have particular cultural sensitivity for Iwi and manage any health and safety risks associated with the harvest activity.

This *Te Oneroa-a-Tōhē Mussel Spat Beach Collecting and Loader Driving Code of Practice* has been adopted by the Te Oneroa-a-Tōhē Mussel Spat Collecting Group and has been signed by all permitted Te Hiku mussel spat operators. It will be reviewed as appropriate but at least every five years by the Te Oneroa-a-Tōhē Mussel Spat Management Board.







## Areas of Sensitivity

- Operators will not collect spat from the rocks including at Wakatehaua (The Bluff), Kahokawa (Scott Point) and Whaaro (Ahipara)
- No loaders will be operated on the beach anywhere from 15<sup>th</sup> Dec until 31<sup>st</sup> March each year\*
- If possible, operators will avoid being onto the beach with loaders during other periods of high public activity
- Hand gathering\* only south of the Waimimiha Pou
- Hand gathering\* only in the area between the Te Karaka and Waikoropupunua creeks approximately 300m either side of The Bluff

*\* Protocols to follow may be developed/agreed with the appropriate Iwi if exceptional circumstances create a need to request access to these areas for a limited period with loaders.*

## Safe Operation of Vehicles

- Each operator will follow safe work practices and have health and safety policies and procedures in place to ensure compliance with the Health and Safety at Work Act 2015 and relevant regulations
- Vehicles used in the water won't travel faster than 5 km/hr (the speed a man can wade)
- Machinery operators will be fully conversant with their machines, and able to operate them safely
- Operators won't ever allow passengers to ride on machinery forward of the axles, except in emergency situations
- Operators will treat the beach as a road and obey road rules but will also provide courtesy to other users and clearly indicate what side they will cross another vehicle coming towards them
- If driving machinery, operators will be aware of workers around them, in front, behind and both sides (as turning loaders swing a bucket sideways). It is an offence to injure anyone through careless use of a vehicle anywhere. Where more than one loader is operating the loader coming out of surf has right-of-way to safely allow unloading. Where both handgathering and loaders are collecting in the same area, loaders will be spaced sufficiently far apart to ensure there is a 3-metre gap between the turning circles of loaders – hand gatherers have the right-of-way
- Any vehicle or operational problems must be rectified as soon as practical
- Fire extinguishers, first aid kits, telephones, and (if practicable) an effective oil spill kit, should be carried in all search and transport vehicles
- Vehicle drivers should hold the appropriate licence for the vehicle being driven
- When harvesting, during daylight hours the associated trucks will have its hazard lights on and warning signage in place. When harvesting at night, if there is more than one harvesting operation, the northern and southern trucks will have their hazard lights operating
- Speed on the beach will be kept within safe limits, namely:
  - All vehicles will abide by the relevant speed limits at the time<sup>2</sup>
  - For spotting vehicles and trucks (with road registration) towing unloaded trailers the official maximum speed limit is 90km/hr – obviously, these trucks when towing loaded trailers will travel at lower speed

---

<sup>2</sup> Any change in maximum speeds determined by the relevant authority will immediately update the relevant limits set out here

- 
- The speed limit within 200m access points off and on to the beach is 30 km/hr
  - All spat collecting vehicles will slow when within 200m of stationary vehicles
  - All spat collecting vehicles will slow to less than 20km/hr to cross Te Paki Stream, Butlers Creek, Waikanae stream, Stream north of Bluff
  - In addition, vehicles are to be driven safely for the conditions and avoid any loss of traction.

### Search for Spat Fall, Harvesting & Transporting Spat

- Time on the beach should be used efficiently
- Where possible sampling/testing of the spat quality will be undertaken to make sure it is of sufficient quality to collect
- Toheroa beds are the most sensitive to vehicular travel. The highest density of toheroa is found in the dry sand area below high-water mark, not in the inter-tidal or below low water. The area of dry sand, and any other area showing signs of toheroa will be avoided, wherever and whenever possible
- Tuatua beds occasionally rise to the surface and are easily visible. These areas will be avoided, wherever and whenever possible
- Other wildlife on the beach such as birds, penguins, seals, and horses should not be disturbed
- Only the minimum number of vehicles necessary to collect orders should be used
- When weather conditions and season suggest spat fall is likely, spat collectors will keep the spat coordinator informed of their activities
- There will be no more than 9 loaders working in a 50-metre zone, no more than 14 loaders working within a kilometre and no more than 14 loaders working anywhere on Te Oneroa-a-Tōhē at any time during 2020. The maximum number of loaders for the season for each collecting firm is based on compliance with the Code, cooperation with parties and catch from the previous year with the applicable number for the nominated year shown in Appendix 1.

### Loaders and Vehicles

- Vehicles must be checked for oil or fuel leaks prior to use on the beach. Maintenance of the vehicles in this respect is of high priority. Loaders are checked every tide for oil leaks and maintained to a high standard
- Biodegradable hydraulic fluid is used in all loaders
- All batteries and fuel tanks are set well above the water line (>2m above ground)
- Any vehicles that are leaking oil or fuel will not be used in or near the water. If vehicles are found to be leaking oil or fuel, they will be immediately transported back to base
- Vehicles entering the water are marinized with enclosed hydraulics
- Only non-petroleum-based protectants are to be used i.e Prolan, LanoCoat etc
- All loaders shall not have a roof
- All spotting vehicles must have warrant of fitness and registration (and pay road user charges where diesel)
- All trucks are minimum agriculture registered with number plates and working lights
- All trailers will have a warrant of fitness and registration
- All loaders shall be agriculture registered
- All loaders shall have a minimum tyre width of 400mm in order to maximise the distribution of load weight
- Loaders will be operated in a way that minimises contact and disturbance of the sand substrate beneath the spat/weed material being scooped

- To meet Government requirements and assist with monitoring of this Code, each loader will have a GPR device attached that records the position and speed of the loader throughout the operation with trip start commencing when the loader leaves the base and trip finish concluding when the loader returns to the base. In addition, collectors will record any marine mammal stranding's sighted

## Hand Gathering

- High visibility vests or clothing will be worn at all times
- Operators are to remain within a well-lit area when working at night
- Operators are to manage their activity recognising the danger of cold when operating in the water – wet suits are recommended in cold water temperatures, or at any time when prolonged exposure is likely. The added buoyancy is also a safety factor
- Protective clothing suitable for the conditions should always be considered
- Gumboots are dangerous in surf and will not be worn. Suitable lightweight footwear is recommended
- Appropriate Personal Protective Equipment (PPE) will be worn where necessary

## Waste

- All non-organic material collected during harvesting will be removed from the beach and disposed of in appropriate waste facilities
- Unused seaweed collected during harvesting is to be returned to the beach well below the high tide line and at least 1km away from any beach access entry point
- All personal litter must be retained in the vehicles and disposed of appropriately
- A minimum of one coordinated beach clean-up to remove waste left by others will be undertaken annually

## General Considerations

- Any hazards such as logs, or abandoned vehicles will be removed from the beach where possible. The Far North District Council will remove vehicles if it is advised of them. Other operators working day or night will be advised of any particular hazards
- Operators will be considerate of other operators and users of the beach – and walk away from all confrontations
- Unlawful activity on the beach should be noted and the appropriate authority advised
- This Code of Practice is not a health and safety policy and each entity is responsible for its own health and safety policy and manual
- Health and safety policies will be updated regularly as appropriate in response to emerging issues such as to incorporate measures to prevent the spread of COVID-19
- Health and safety signage will indicate that heavy machinery is in use, identify the areas of use and the hazards within the area
- The operators agree that monitoring of their activities will be undertaken and reported at an industry level to demonstrate compliance with this Code. To assist this, the operators have agreed to make the electronic catch and position reporting data they must supply to MPI, to also be provided to Aquaculture New Zealand
- The operators agree that their collective and individual performance against the Code of Practice shall be analysed and reported to the Te Oneroa-a-Tōhē Mussel Spat Management

Board. This will generally be on an annual basis, but any serious breaches will be investigated and reported immediately

- The operators will meet at least once per season to set health and safety rules as per their duties under s34 of the Health and Safety at Work Act 2015

## List of Operators

The operators that have committed to this Code of Practice are as follows:

Reichardt Contracting Limited	Sean Reichardt	
Dan's Contracting	Dan Lovell	
Kirk Denison	Kirk Denison	
KADJ Fishing	Greg Gemmell	
Liberty Fishing Company	Marty Doody	
	Diane Wedding	
Top Spat	Jason Herdman	

## APPENDIX 1 MAXIMUM LOADERS BY OPERATOR FOR 2020 i.e. until 31st December 2020

FIRM	COLLECTOR	MAXIMUM LOADERS
Reichardt Contracting Limited	Sean Reichardt	1
Dan's Contracting	Dan Lovell	1
Kirk Denison	Kirk Denison	2
		41

KADJ Fishing	Greg Gemmell	3
Liberty Fishing Company	Marty Doody Diane Wedding	3
Top Spat	Jason Herdman	3
TOTAL		13

**Note 1: A 14<sup>th</sup> loader may be allocated if the circumstances warrant it – this will be determined by the industry working group after discussion with Iwi and the spat collectors**

**Note 2: The allocation of loaders for the 2021 season (i.e. from 1 January 2021 to 31 December 2021) will be determined before 31 March 2021 and will be based on compliance with this Code, cooperation with parties and catch in period from 1 January 2020 till 15 December 2020.**

Te Takiwā o Ahipara (hearing requested)



**Submission to:**

**Te Oneroa-a-Tōhe Management Plan**

[Te Rautaki o Te Oneroa-a-Tōhe | Draft Te Oneroa-a-Tōhe Beach Management Plan](#)

**From: Te Takiwā o Ahipara**

What is the Board proposing to do to clean up the beach and what strategies will be put in place to keep the beach clean?

*Page 17:* the use of common nouns. Iwi, Councils and Crown should be all upper case or **all** lower.

*Page 19.* Local Government are acting for the Government (Crown), and Local Government/ Councils have been given the responsibility from the Crown to act on their behalf as Treaty Partners. The iwi needs to be part of the decision-making regarding bylaws, long term plans and annual plans.

*Page 24.* People can earn a living on the beach, but not industries that are detrimental to the eco-system within the marine ecology. Any industry that earns a living on Te Oneroa-a-Tōhe will be forbidden to harm any species/eco-system within, under, on top of the water. This also includes the shoreline and surrounding dunes. An example of an industry that is damaging the eco-system is spat mining by machinery. This should be banned due to the environmental carnage. This type of spat collecting is damaging the mauri, the well-being of Te Oneroa-a-Tōhe. To remedy spat mining is to support collecting spat by hand or with nets.

*Page 25.* What/when will research be done on the impact of the use of torpedo's and the increase of fishing competitions on the environment and biodiversity of Te Oneroa-a-Tōhe.



There is no mention of what the plan intends to do to re-invigorate and re-instate the many tributaries that are named in the foreword of the plan. What is planned?

*Page 26.* It should read:

- Actions are developed and implemented in collaboration with **Tangata Whenua** and Community.
- The Beach Management Plan is understood by all and developed **by hapū/iwi and be championed by all.**

*Page 29.*

Through an update to the FNDC Control of the Use of Public Places Bylaw, require approval from the Board for all signage that would otherwise require council approval relating to Te Oneroa-a-Tōhe. **This statement undermines the rights of takiwā, hapū, ahi kā**

Maintain a list / map with correct Māori place names and their history on the Te Oneroa-a-Tōhe website. **Iwi are the kaitiaki of this information, not the board of Te Oneroa-a-Tōhe, links to the three iwi websites are what should be promoted. Resource to support this should be handed to iwi, not this Board.**

What are the monitoring systems that will give confidence and trust to takiwā, hapū that the councils will comply to what is in this plan, given that councils currently find adherence to hapū, takiwā plans difficult?

What are the consequence's to those found to breach any part of this plan?

*Page 30.*

**Scattering of human ashes in the sea, on the beach, on sand dunes and waterways is prohibited.** Stating it is inappropriate is weak and is meaningless. This draft continuously talks about tikanga, upholding and improving the mauri of the beach. It is inappropriate to scatter human ashes in the water or on Te Oneroa-a-Tōhe.

This plan contradicts itself in several places. It attempts to show partnership but fails miserably as non-Maori practice appears to dominate.



*Page 31*

- All Resource Consents on Te Oneroa-a-Tōhe should be subjected to iwi/hapū scrutiny before they are processed by the Council.
- A14. While feedback is being encouraged in this section. What is the plan to ensure that feedback from hāpu, takiwā is implemented and that this is not a tick-box exercise?

*Page 31.*

- A19. an advocacy role is not a strong enough position to hold.
- A20. The spat mechanical mining that has been happening on Te Oneroa-a-Tōhe flies in the face of this action. Making this action null and void
- Hāpu, takiwā economic development will be the most effected by actions seen here.

*Page 32*

- Change the regional and district plans so that activities that require resource consent in the Te Oneroa-a-Tōhe Management Area, or adjacent to the Te Oneroa-a-Tōhe, must include in their assessment of environment effects an analysis of the effects on Te Oneroa-a-Tōhe are minor or more than minor. **The Board and iwi/hapū are in collaboration with the Council on reporting on the effects as being either minor and or more than minor.**

**Addition:** *The Board and Council are aware that signage can become cluttered, or message lost in font size and length of message. Too many signs in one place can become “eye pollution”. Other ways of effectively communicating to the public will be ongoing and developed.*

*Page 32*

The resource should be allocated to Iwi, hapū to identify their own technical advisors not those supplied by council in support of plan development

These plans should be adopted by councils without the need for advocacy by the Te Oneroa-a-Tōhe board.

Advocacy role is toothless, reform is required

*Page 34*

Where is iwi in the decision making regarding A31

How will the information requested, inform plans going forward A28

A29 how will this Board, stop spat mechanical mining on Te Oneroa-a-Tōhe, that will protect and restore the biodiversity

*Page 35.*

- A34. Action to be undertaken by: add Hapū.
- A35. How will Educators, tourists and tourist operates be informed. What happens if they breach the standard after they have been informed?

*Page 35*

A33 How will amending the resource consenting process support iwi, hapū economic development?

Will this amendment have a review component to it A34. What does this mean?

A35 When reviewing buses on Te Oneroa-a-Tōhe, what commission is paid, and who to. How does this Board intend to review or initiate these commissions. These should go directly to takiwā, hapū that have kaitiaki roles in place to support these roles to further development, and or support hapū to put these kaitiaki practices into place.

Where/how is this board demonstrating collaboration with tourist operators?

This board needs to have a strategy that links to tourist operators including accommodation providers that the banning of bikes is in force in specific areas of Te Oneroa-a-Tōhe

*Page 36*

A40 how will this be resourced

Support local community clean-up initiatives should read:

**Support hapū, takiwā and local community clean-up initiatives**

*Page 36.*

- 4wd and cars should be encouraged to use the road not the beach.
- Ban off road bikes on the beach.
- How will the speed limit be monitored?

A15. As per a14

A18. What is the role of a commissioner, what is the criteria, who gets to decide who becomes a commissioner, what is the role of a commissioner and is there financial reward to this position?

*Page 37*

Why is it that 7. Councils will consider and implement financial support for specific actions outlined by the Board in the Beach Management Plan, in the preparation of long term and annual plans. **If those with kaitiaki roles, living and working on the whenua and Te Oneroa-a-Tohe know, discuss, and organise actions to be undertaken**

*Page 38*

Where is the commitment by this board to include the aspirations, plans and advice provided by hapū and takiwā

*Page 39*

What are the consequences for those that breach customary practices? Who is monitoring that these practices are being adhered too? What is the process and timeframes for action to be taken for breaches?

Misgivings on the reality of monitoring and accountability against the actions noted here and appears tokenistic

*Page 40.*

Ngā Wāhi Rahui

- Why are the iwi reserves that are co-managed being placed in the public domain for comment? This should be a discussion between iwi, not in a public forum. Are iwi, hapū and takiwa being lumped into term public domain. It was not the public domain that instigated the formation of the board, was it not the cultural redress through the 4x iwi settlement?

*Page 42, 49.*

- The correct spelling is **Oakura** not Ōkura. (see Haami)

*Page 57*

- The Councils logos are before the Iwi tohu. The companies that produced the document have the largest space with clear print. The clarity of the 4x iwi is unclear. The 4x Iwi should be clearly distinguishable and be placed before the Council. The companies that produced the draft plan, their logos should be “smaller” and placed in the corner of the page out of the way.

nga mihi

Ngā mema o te Takiwā o Ahipara:

Ngā hapu o Ngāti Moetanga, Te Rokeka, Te Parewhero, Ngāti Moroki,  
Patukirikiri, Nga tae o te Uru, Tanukai, Te Paatu

We will speak to our submission at the hearing on 22 October 2020

Lisa McNab	<a href="mailto:lisamcnab00@gmail.com">lisamcnab00@gmail.com</a>
Tui Te Paa	<a href="mailto:tuitepaa@icloud.com">tuitepaa@icloud.com</a>
Pauline Waiti	<a href="mailto:pauline.waiti@gmail.com">pauline.waiti@gmail.com</a>
Tui Qauqau Te Paa	<a href="mailto:tui.qauqau@gmail.com">tui.qauqau@gmail.com</a>
Donna Beatson	<a href="mailto:donna@tehikuiwi.com">donna@tehikuiwi.com</a>