

IN THE MATTER OF

Resource Management Act 1991

AND

IN THE MATTER OF

Hearings on a Request of Private Plan Change
113 – Ruakaka Racecourse
Whangarei District Plan

STATEMENT OF EVIDENCE OF SHAUGHAN SELWYN ANDERSON ON BEHALF OF
THE DIRECTOR-GENERAL OF CONSERVATION

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INTRODUCTION

Qualifications and Experience

1. My name is Shaughan Selwyn Anderson. I am currently a Senior Works Officer with the Department of Conservation ("DOC"). I have worked in parks management for 31 years, for DOC since its inception in 1987, and for the last 13 and a half years I have been based in Whangarei and responsible for visitor assets, including those in the Bream Bay Area.
2. Prior to working for DOC I worked for the Department of Lands and Survey (Parks Department) managing tracks and other visitor amenities such as interpretative signs. During my time as a manager of such facilities I have attended numerous internal / external trainings and conferences on this subject. I have a wide range of DOC visitor facility experience where community, biological, historic and cultural values have been balanced when providing upgraded and/or new facilities.
3. I am familiar with the site and I have been involved with:
 - The previous concession investigation and subsequent monitoring of the constructed equine access to the beach by the racing club.
 - DOC compliance patrols in the area.
 - Designing and implementing access solutions for pedestrian and vehicles in the associated public conservation land areas.
 - The maintenance and management of the DOC facilities in the associated area (including applications for capex funds to upgrade).
 - DOC engagement re previous subdivisions in the adjoining area.
4. I have read the Environment Court's Code of Conduct for Expert Witnesses and agree to comply with it.
5. My evidence will cover:
 - Impacts of people on conservation values on Bream Bay Public Conservation Land.
 - Best practice for managing impacts of people on public conservation land.
 - Compliance.

IMPACTS OF PEOPLE ON CONSERVATION VALUES ON BREAM BAY PUBLIC CONSERVATION LAND

6. In my opinion, there is a correlation between the number of visitors and impacts by the general public on the soft shore dune environment in Bream Bay. The natural vegetation tends to sustain very low use before it starts to become patchy. At slightly higher numbers it becomes completely bare sand which is highly mobile creating what are known as blow outs. This damaging use is visible the length of Bream Bay – particularly at the current race course entrance. Regrettably, unmanaged use of the Public Conservation Land (PCL) in Bream Bay predates DOC's establishment and is well entrenched. Changing human behaviour is a significant challenge. It requires attitudinal change and significant financial investment. The budget needs to cover the construction of physical assets such as fences, boardwalks, stair cases, signs etc, but it also needs to invest in the hearts and minds of users via signs, educational programmes and essentially a warden/ranger.

7. DOC has been proactive in regard to establishing a platform for change, having led the development of a strategic plan for this area. Clearly budget constraints mean all that might be done isn't. Some works has been achieved with DOC capex funding eg the car park, dune rehabilitation, and access upgrade at Mair Road or Station Road. There has been substantial community and commercial buy in eg the NZ Refining company sponsorship of works on their boundary.



Community Iwi NZ Refining and & DOC opening improved facilities after working together.



An example of damage to vegetation and eventual exposure of sand.

8. There is clear evidence that previous subdivisions have:
- Had their residents cross the PCL to attain access to the Bream Bay.
 - Contributed to providing formed (board walked) access and other mitigation measures in recognition of the use by their residents.
 - Increased value to their properties by the access and the amenity value of Bream Bay.



Department of Conservation Bream Bay Strategic Plan (2006)

9. Consideration of how to manage the impacts of human use on the Bream Bay Coastal area, including at Ruakaka, was part of DOC's Bream Bay Strategic Plan (2006) ("BBSP"). The BBSP was the outcome of a two-year process to consider how to manage the conservation land along this coast, including a programme of consultation with the community. The spider webs of tracks that have grown uncontrolled and without approval on the PCL are now a major conservation problem, and the BBSP, amongst other things, attempted to rationalise the number of tracks through the PCL along Bream Bay and assign responsibility for upgrading tracks to best practice. Each land owner appeared to believe they are entitled to a track from their property to the beach, which is across PCL. During the public consultation undertaken by DOC, land owners asked "Who should pay now that the tracks exist?" and "Why should existing tracks be removed?" In my opinion, the Ruakaka Racecourse Proposed Plan Change provides an opportunity to manage the impacts in a best practice manner.

BEST PRACTICE FOR MANAGING PEOPLE ON PUBLIC CONSERVATION LAND

Specific Access Points

10. To manage **access** and get the best possible result and at the same time minimise both financial (lowered numbers of developed **access** is a cost saving despite being less convenient to users) and environmental costs (e.g. landscape, damage to habitat etc) it essential to focus use on selected access points to keep people away from high value and sensitive sites, such as nesting areas for wading birds. Unless there are marked, properly constructed access points, people are likely to access ecological areas, including the dunes to access the beach from anywhere that is convenient to their location – i.e. directly from their house, or where they park their car. As set out in the evidence of Dr. Beauchamp, people accessing the beach cause significant adverse effects to fauna and flora.
11. To direct people to specific access points, as well as ensure they remain on formed access ways, a number of ancillary assets are required e.g. signs, and fences. It is my experience, that even with clearly marked access points, a percentage of the public ignore these and find their own **access** across PCL to the beach. Accordingly, fencing of the **access** is essential.

Construction of Tracks

12. Best practice also includes the construction of a hard form in compliance with the Building Code and to the DOC standard to be permitted on PCL. This protects the susceptible habitat being affected by foot traffic. Most likely the structure would involve a set of steps that would as a minimum be 3 metres below the average height of the dunes, board walking and include balustrading/fencing to contain people on the boardwalk. If you don't put balustrading or fence the track, then people take short cuts, and you lose the benefit of the boardwalk.
13. It is also important to ensure ongoing maintenance of public access ways in a highly dynamic and destructive environment, such as at Ruakaka racecourse. A single storm at Ruakaka can change the beach height by 3 meters (NRC Coastal Plan and personal communications from Mike Farrow Littoralis, a consultant in this field to DOC for similar visitor facilities on Bream Bay / Ruakaka). DOC has a regular inspection regime within its Asset Management and Information System (AMIS) as a result of the lessons from the failure at Cave Creek.
14. The existing track just over the racecourse boundary on the public conservation land was never constructed, but has evolved from use. DOC has previously reached an agreement with a neighbouring property owner Land Development Solutions limited (LDSL) as part of an approved subdivision that the developer will upgrade this track as part of the mitigation measures to manage the effects of the subdivision. Increased use of the unformed track is inevitable through increased presence of people from the subdivision, as well as from subdivision under the Ruakaka Racecourse Proposed Plan Change.

Vehicle Access

15. The vehicle access way near the Race Course entrance has no resource consent for construction and or maintenance.



The race course vehicle entrance showing what the regular inundation looks like (2m+)

16. The resultant adverse effects are in effect what could be described as a ticking time bomb. Adverse effects include:
 - Poor or no separation of vehicles and pedestrians. High speeds and the unsighted nature (vertical rise and curve of the access) have the potential to see serious personal injury.

- Unstabilised sand is blown inland. The “blowout” is regularly cleared as it blocks the road entrance to the racecourse.
- Unstabilised sand surface requires the vehicles to travel at relatively high speed to traverse the section of high use.
- A lack of safety to sunbathers and other beach users to the north. A “safe zone” has been requested by the community via a WDC Bylaw.

17. DOC has engaged with Whangarei District Council, Northland Regional Council and consultants Littoralis to resolve the situation with a safe zone and a new professionally designed access north of the community. The outcome most likely is a closure of the access and no new access.

Signs

18. It is important that the residents of dwellings in land adjacent to PLC in particular understand the values at risk and their potential role at protecting the important values of the Ruakaka Bream Bay Scenic Reserve and the Ruakaka Wildlife Refuge. Without understanding, it is unlikely that the people who have the potential to impact the greatest (good or bad) will comply. If the adjoining community do not comply they will seriously and adversely affect the values. Signs have also been destroyed in the past at other sites so it is important that there is a system for ensuring that signs are replaced if this occurs and that resources are available for this. Some of the damage has arisen from vandalism ie parties not agreeing with the message, other signs from the environment eg sand “blasting” or high tides during storms.

Fire Risks and Management

19. Increased use and in particular residential use raises the risk of fire in a very susceptible (ie inflammable) environment. DOC is very concerned about the likelihood of fire and the damage that is likely to occur. The WRC could isolate and mitigate against this risk in a number of ways. DOC would be keen to see this issue dealt with in any management plan and has expert staff (DOC is NZ’s largest Rural Fire Authority) who could advise. Sensible moves would be to separate the WRC / PCL with a vegetative planting of species which are bio-geographic and habitat-consistent but are recognised for their low burning eg flax. Additionally and internally a managed space eg mown/bare mineral earth or road/sealed pathway to act as a fire break. Naturally this would become a part of the warden / ranger’s role. An all year restricted fire season would not be sought if appropriate steps were taken in the management plan.

Examples of Best Practice

20. Positive engagement by DOC with property owners subdividing their land in a wide range of landscapes and habitats in the wider Bream Bay area has seen a variety of solutions agreed. For example, North River Farms – Karst landscape (Tracks, covenant, boardwalk, signage & seating), Bream Tail Farms (Tracks, Walkway legalisation, signage, landscape planting, and boardwalks), and Langsview (Track, car park, signage, and landscaping – gifting of a reserve). The Heads of Agreement between DOC & Land Development Solutions 2006 (LDSL) ie Tamure place agreed to:

- Protect breeding and roosting shorebirds (limits on pets)
- Revegetate duneland
- Control of predators
- Control of weeds

- Best practise design/construction of
 - Sand ladders
 - Boardwalks
 - Tracks crossing the dune land
- Use contractors agreed by DOC and to work with a DOC representative, reimburse DOC for all such costs
- Provide a caretaker role eg warden/ranger re the visitor use and to meet all costs
- Provide fencing
- Provide signage (both on the subdivision and the PCL)
- No open fires

COMPLIANCE

21. Compliance is critical to the use and ultimately the success of the public access facilities to PCL to protect ecological values.
22. In the 13 years I've worked for the DOC in the Whangarei Area and in particular Bream Bay area my colleagues and I have patrolled due to compliance issues and have been called out due to non compliance. It is very time consuming, very costly and extremely destructive on the values of the area. This is an issue that can be reduced by good design and implementation of facilities. However, over time it is an issue that requires ongoing and regular commitment by "staff". Sign's at best partially work ie there is a percentage of people who naturally comply, but it is critical that the non-complying parties have consequences otherwise the percentage/numbers grow.
23. In my experience this is evident in the very susceptible soft shore environment in Bream Bay. Non-compliance in Bream Bay has included motor vehicles, motor cycles, bulldozers and diggers travelling where they should not, to all manner of animal species but in particular dogs.





Wildlife disturbance in the Refuge has included people eg (kite boarding), and dogs.

24. From my experience, whilst the percentage of non complying users may not increase, the greater number in larger subdivisions sees greater damage accrue, often more quickly.

Horse Access Concession to the Whangarei Racing Club

25. DOC has recently granted a concession to the Whangarei Racing Club for horse access across the Ruakaka Bream Bay Scenic Reserve to access the beach. The Racing Club has advised DOC that it has complied with all the conditions of the concession, including restricting horse access on the beach to the Southern boundary of the racecourse. DOC has also received complaints from members of the public about horses being seen in the Ruakaka Wildlife Refuge. The Racing Club has advised DOC that they believe this problem stems from the vehicle access to the north of the racing grounds, where non members of the Racing Club are accessing the beach and riding their horses south to the Wildlife Refuge. As noted in the evidence of Dr. Beauchamp, horses can cause significant disturbance to wildlife.

Map scale: 1:1,000,000
Map Date: 28.07.2010
Print format: A3 portrait



NORTHLAND REGIONAL COUNCIL
Land Management

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Shaughan Anderson
25 October 2013

