

21 January 2022

File Ref: OIA-7-23083

Brian Warburton

By email: fyi-request-17817-efcef5ef@requests.fyi.org.nz

Tēnā koe Brian

Request for information 2021-312

I refer to your request for information dated 3 December 2021, which was received by Greater Wellington Regional Council (Greater Wellington) on 3 December 2021. You have requested the following:

“- details of efforts GWRC has made (if any) since 31 March 2021 to enforce the provisions of the pNRP relating to driving on the CMA at Titahi Bay.

- this information to include: description of activity, location, date and time, investigations, enforcement action, and outcome.

- details of actions GWRC plans to undertake to enforce the provisions of the pNRP relating to driving on the CMA at Titahi Bay.”

Greater Wellington’s response follows:

Request Part 1:

- details of efforts GWRC has made (if any) since 31 March 2021 to enforce the provisions of the pNRP relating to driving on the CMA at Titahi Bay.*
- this information to include: description of activity, location, date and time, investigations, enforcement action, and outcome.*

Information within the scope of the above elements of your request are included below.

Summary of Incidents and outcomes

Date of Notification	Time of Notification	Description of activity reported	Summary of Outcome/Actions Taken
19/04/2021	08:54:40	Report of 30 vehicles parked or driving along Titahi Bay Beach	Not attended - No enforcement action necessary
01/10/2021	07:49:06	Report of digger/bulldozer operating at the North end of Titahi Bay Beach	Not attended - No enforcement action necessary
02/10/2021	10:08:41	Report of cars parked on Titahi Bay Beach	Deemed compliant - no enforcement action necessary
02/10/2021	10:47:06	Report of digger driving on Titahi Bay Beach	Deemed compliant - no enforcement action necessary
26/10/2021	16:46:50	Report of cars driving on Titahi Bay Beach	Not attended - No enforcement action necessary
12/10/2021	14:15:06	Report of cars driving on Titahi Bay Beach	Not attended - No enforcement action necessary

Extracts from Duty Officer summary email from notifications on 2 October 2021 and 3 October 2021

“11:30 AM on 02 October 2021 – I went out to Titahi Bay and advised 3 cars which were parked on the wrong side of the sign that they were breaching the rule. They all cooperated and moved onto the section of beach outside of the signs. I did not take any enforcement action against these people as they were all cooperative.

12:26pm on Sunday 03 October 2021 – I went back to Titahi Bay to investigate damage to the sign. I observed damage to the sign, tyre tracks from some burnouts, and someone has covered the Greater Wellington name with red tape. I picked up the smashed up parts of the sign off of the beach (I have it here at the office if you’d like to see). There were no cars beyond the sign so I left.”

Request Part 2:

- *details of actions GWRC plans to undertake to enforce the provisions of the pNRP relating to driving on the CMA at Titahi Bay.*

There are no formal plans within Greater Wellington's Compliance Programme in relation to driving on Titahi Bay Beach.

The following extract from an email from Greater Wellington's Manager of the Environmental Regulation Department to the Chairman of the Titahi Bay Residents Association, reflects Greater Wellington's position on this matter.

"I would also take this opportunity to set out our approach to 'enforcement' for driving on the Beach at Titahi Bay. Our position is currently that this issue is not a 'strategic' priority for the Environmental Regulation Department, and given this and the current resourcing there are no plans by Greater Wellington Regional Council for proactive monitoring of the beach. Having said that, where notifications to GWRC are made:

- *Calls about Public Safety or Nuisance Behaviour are being referred to the Police and PCC*
- *We are advising and educating on our rules, without attending, based on a REGO from a notifier*
- *Alleged damage to the fossil forest are being investigated if possible*

Further, if it is necessary on the above to attend

- *Any car beyond the signage (i.e. in the restricted area) that does not meet the rule exclusions is being advised to move out of the restricted area*
- *Any driver that does not move on will be warned they are in breach of the rules*
- *If drivers fail to provide details (or they cannot be obtained for H&S reasons) we can use the REGO to trace them and provide advice (or other action)*
- *Where we have repeat offenders we can escalate (and are therefore asking officers attending to record all REGO's and driver details (where possible))*

We are liaising closely with the Police and PCC on the above as obviously this matter fall across all of our jurisdictions."

If you have any concerns with the decision(s) referred to in this letter, you have the right to request an investigation and review by the Ombudsman under section 27(3) of the Local Government Official Information and Meetings Act 1987.

Nāku iti noa, nā

A handwritten signature in black ink that reads "LJ Baker". The letters are cursive and connected.

Lucy Baker

Kaiwhakahaere Matua | Acting General Manager, Environment Management