

OIR: 2425/1229

23 January 2025

**Please read in conjunction with OIR  
2425-1175**

[Redacted]  
[Redacted]

Tēnā koe [Redacted]

**Request for Information under the Local Government Official Information and Meetings Act 1987 (the Act) (the LGOIMA)**

Thank you for your email of **18 December 2024** requesting the following information in relation to our response to you for OIR 2425-1175:

***Issues arising from information received:***

- 1. That “the residents were never invited to participate”.**

[Redacted]  
[Redacted]  
[Redacted]

***Did they at any stage contact Council?***

We are not aware of any correspondence from the residents specifically regarding dune restoration before the community planting day on 14 July 2024.

- 2. [Redacted]**  
***I thank Council for clarifying this.*** [Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]

[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]

***Please note that any information provided in response to your request may be published on the Council website, with your personal details removed.***

**What is the residents legal position for land outside their legal boundaries?**

Section 229 of the Resource Management Act sets out the purpose of esplanade reserves as follows:

*An esplanade reserve or an esplanade strip has 1 or more of the following purposes:*

- (a) to contribute to the protection of conservation values by, in particular —
  - (i) maintaining or enhancing the natural functioning of the adjacent sea, river, or lake; or*
  - (ii) maintaining or enhancing water quality; or*
  - (iii) maintaining or enhancing aquatic habitats; or*
  - (iv) protecting the natural values associated with the esplanade reserve or esplanade strip; or*
  - (v) mitigating natural hazards; or**
- (b) to enable public access to or along any sea, river, or lake; or*
- (c) to enable public recreational use of the esplanade reserve or esplanade strip and adjacent sea, river, or lake, where the use is compatible with conservation values.*

Usually, esplanade reserves will serve more than one of the above purposes. Public access is provided by default but can be prohibited by the administering body. Any use of an esplanade reserve must be compatible with the conservation values.

Exclusive rights to occupy a reserve can only be granted via a concession or lease.

**3. “We have selected low growing dune plants for this restoration work to ensure views are not impacted”.**

[Redacted]

**As far as we know, there is no bylaw or any other Council documents preserving views. Could Council please confirm this?**

[Redacted]

Council does not have any specific policy or bylaws protecting views in this area.

4. [REDACTED]  
[REDACTED]  
  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED] are  
**KCDC prepared to work out what they would actually have been able to see before the lupin, buckthorn and pampas were removed?**

We understand that the view was obscured before environmental weeds were removed by volunteers, Council staff and contractors.

5. **To suggest that “low growing flaxes” would be suitable in dune slacks shows a blatant disregard for biodiversity. Phormium tenax is the flax that grows in the dune slacks. Will this be able to be planted?**

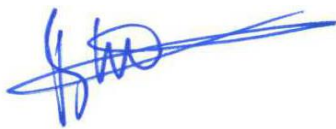
The Beach Bylaw 2021 states:

20. Beach Preservation

20.1 No person is permitted to cultivate or tend any plant/s on the beach, other than those that naturally occur within the Foxton Ecological District, unless with prior permission of the Council.

Council is committed to ecosystem-based restoration, and this includes eco-sourcing appropriate species.

Ngā mihi,



Brendan Owens  
**Group Manager Customer and Community**  
**Kaiwhakahaere Rōpū - Kiritaki me te Hapori**