

Submission

In response to:

Opotiki District Council Statement of Proposal, Re Arawhiti and Te Whanau a Apanui joint request, Opotiki District reserve land.

Submitters:

R L and S J Wolfe, owners of beachfront property, Lot 6, Whanarua Bay.

We have owned this property since February 2017, having purchased it from the Beamish family who had built and owned the property since the early 1960's when the land was first subdivided and made available for purchase by Romio Wirepa. We were attracted to the property by its peaceful and beautiful seaside setting and the opportunity for our family to enjoy the same water-based activities such as fishing, boating and kayaking that the Beamish family had enjoyed for well over 50 years. We have enjoyed meeting local whanau and feel we are in touch with the culture and expectations of those who strive to preserve good traditions at Whanarua Bay. At the time of purchase, our legal due diligence proved the property had good legal access. I (Ross Wolfe) have a mobility disability and access right up to the property is of concern to me as I have periodic difficulty with walking and movement.

We submit as follows:

1. Opotiki District Council proposes that seven parcels of land at Whanarua Bay are transferred.

The two parcels that affect us are lot 66 (the access road) and lot 80 (the beach reserve). We disagree with the council transferring these two parcels as we don't feel we have enough information on how they will be administered by another body and the exact details on what the effects would be for us. We are concerned about our access rights to reach our property over lot 66 and are concerned that unduly restrictive conditions may be imposed over access to the sea over lot 80. However, at this stage we don't know what the situation would be after transfer, so it is difficult to agree with the proposal in principle.

2. Opotiki District Council proposes that the urupa on lot 80 should be vested in Te Whanau a Apanui as a separate title of land and no longer having reserve status.

We understand the urupa consists of the fenced off area on the rocky headland at the end of lot 80 and bottom of lot 66 roadway. We feel it is appropriate to recognise and respect the historical and tapu status of the urupa on this headland and grant Iwi and Hapu protection for it as they see fit. We do not object.

3. Opotiki District Council proposes that the Recreation Reserve Lot 66 and the remainder of Lot 80 are vested in Te Whanau a Apanui and reclassified as Historic Reserves.

As at point 1 above, it is hard to agree to this when we don't know what the conditions would be after transfer. We need to know that in advance. The access over Lot 66 is the only practical option for accessing the beachfront properties and is jointly used by the many various stakeholders in Whanarua Bay, both local and visitors. The roadway is a vital link to

the properties and the beach for anyone and everyone and it's not fair to be placed in a position where a previously legal access way to our property (on a council reserve) is suddenly held up as a transfer property with no clarity of what the future conditions of the new owners would be and how it would affect us. The beachfront owners have tried unsuccessfully for many years to obtain a legal easement over Lot 66 from the Opotiki District Council to preserve access to their properties. Similarly, it would be hoped that access to the sea over Lot 80 would be preserved in the same manner as we have now, i.e. vehicular access at the end of the roadway in order to launch boats. We wonder if the classification of Historic Reserve is therefore inappropriate for the area of the remainder of Lot 80 outside of the urupa. Once again, how can we agree if we don't know the full ramifications?

4. Opotiki District Council proposes that Te Whanau a Apanui would be the sole administering body for the reserves.

We know very little about Te Whanau a Apanui and how they would administer the reserves. Assuming they would acknowledge the practicality and fairness of maintaining the current level of road and sea access for beachfront property owners, in the least, how would they envisage maintaining the roadway, for example? There was some urgent maintenance required on the road a couple of years ago that was carried out by bach owners. There's a lot of responsibility and cost on our shoulders for that kind of work. At the time, a small group of longterm bach owners took charge and organised the work in a very efficient manner and all users of this road should be grateful for their efforts to allow them to enjoy the Bay since then. We feel a long transition period for transferring the responsibility for administration is required and therefore favour a joint reserve board of some kind to enable good processes to be put in place.

Looking forward, I believe we (beachfront bach owners) could have a successful relationship with Te Whanau a Apanui as worthy associates and stakeholders as I'm sure we share the same values for preserving the nature and whakapapa of Whanarua Bay. We are just not happy with the speed and uncertainty of the current proposal which it feels like we are being bullied into. It is very stressful and quite unfair when you don't know what the full alternatives being proposed would look like and are worried about how we'll be able to access our property and what we'll be able to do there.

Thank you for considering our view.



Dated 11 February 2021

Ross Wolfe, Sandra Wolfe

8461 State Highway 35

Lot 6, Beachfront, Whanarua Bay,

(Lot 6 DP 4651 Blk III Te Kaha SD)

Email: ross.wolfe@tripleocean.com