

Submission to Opotiki District Council concerning their “Statement of Proposal” (04.02.2021) in which the Opotiki District Council states their intention to cede seven land parcels at Whanarua Bay to Te Whanau A Apanui.

My name is Kim Baker (Ms) and I live in Whanarua Bay on a property I have owned for almost 30 years. I am not a fisher, diver or boatie but I love the ocean and living close to it. I walk in the Bay every day and it is a privilege to do so. I am deeply concerned about the plight of my community which has been ignored and is, in effect being abandoned.

My submission, addressing each of the 4 points in turn is as follows:

1. I have no issue with 6 of these Lots being transferred the Iwi. I do have serious concerns regarding Lots 66 and 80. These two Lots are those upon which I will concentrate my comments.
2. **Lot 80:** I believe that it is important to declare the rocky headland as an Historic site and to these ends the area should have a Lot designation of its own. The Rocky Headland that is freely acknowledged as an urupā should be sectioned off and granted the Historic status it deserves. There are no grounds for making the entire coastal “strip” a waahi tapu. Although a narrative has clearly arisen around its sanctity, there is no cited evidence of it being so.

There is no precedent anywhere else in our region for changing the status of coastal ground from Recreational to Historic and I see little reason behind the move to do so at Whanarua Bay. The council has not provided any reasoning that might justify this change

Further, the council appears to have made a serious error to the drawing of Lot 80 in the published photograph. I’m afraid this does not fill me with trust regarding the ODC or it’s acuity regarding this transfer.

3. As I have said above, I do not support vesting Lot 66 or Lot 80 as Historic Reserves to Te Whanau A Apanui.

Lot 66: I do not agree that Lot 66 should be transferred from the ODC to the Iwi without an easement protecting vehicle access for beachfront property owners and local residents. The transference of Lot 66 without first securing access for landowners to their properties is irresponsible. ODC are abnegating their responsibility to Whanarua Bay beachfront property owners (and ratepayers) with this proposal. The Opotiki County Council allowed this land to be sold and developed without ensuring vehicle access to the properties. With this Proposal, 65 or so property owners may see themselves unable to access their properties with a vehicle. It may also

prevent sewage clearance from the properties and may also prevent ambulances and emergency vehicles accessing same.

Lot 80: Please see above

I have no issue with the remaining Lots.

The Iwi has a responsibility to its Iwi and Hapū. The Opotiki District Council has a responsibility to its ratepayers and the community (as a whole) it is established to serve. It claims to be consultative and whilst there have been plenty of invitations to talk, there have been no suggestions about how resolving the problem might be undertaken.

4. Many of the people who live in Whanarua Bay do not belong to Te Whanau A Apanui (I whakapapa to another Iwi entirely). Theirs, and my primary representation, is vested in ODC to protect our interests. The Iwi may or may not ensure vehicular access to the Bay and it is this uncertainty that needs to be remedied.

As the council is prepared to jointly manage some aspects of other Reserves that are being transferred, I can see no reason why joint management would not be possible in this situation. Ideally the management would include representatives from the Whanarua Bay community which is, at present, feeling unheard and abandoned.

Summary

There is plenty of historical evidence of the beachfront bach owners urging ODC to provide legal access to their properties. Despite promises to resolve the situation, they have been fobbed off for more than 40 years.

The transfer of Lot 66 in particular may well provide the ODC with a solution to the difficulty it faces and any responsibility it may have to past mistakes and current difficulties in providing the beach owners with the easement they have been asking for. However useful it may be, it is neither ethically nor politically correct to move forward with the proposal in its current form. I am appalled and deeply disappointed that the residents of Whanarua Bay appear to be the sacrificial lamb.

There is no precedent anywhere else in our region for changing the coastal region from a Recreational Reserve to an Historic & Cultural Reserve. I have no issue with the rocky headland having a separate Lot designation but to re-evaluate the status of the entire Bay's coastline cannot be justified. As I have said above, no real (a word that should not have to be used in conjunction with the one that follows) evidence has been presented for its change and nor has the ODC given any reason for this change.

Gerard McCormack gives voice to the belief that "declining the request (by Te Whanau A Apanui) at this stage may impact on the Iwi relationship with the

Council". (Taken from Mr McCormack's report to the 17 Dec 2020 Council). This seems to indicate some fear on Mr McCormack's part that the council is, in its most generous interpretation "caught between a rock and a hard place". The less digestible alternative is that Mr McCormack, and the ODC by extension, feels threatened. Whichever interpretation you choose, neither is particularly heartening.

The Iwi has a responsibility to its Iwi and Hapū. The Opotiki District Council has a responsibility to its ratepayers and the community (as a whole) that it is established to serve. It claims to be consultative but we are seeing very little evidence of real interaction.

Whanarua Bay is sorely served by ODC and this action is just another betrayal.

No positive input from ODC regarding any desire on their part to resolve the problems and the concerns of the Whanarua Bay community, leave us feeling extremely fearful that we have been abandoned as a problem "too big to fix".

It is for the above reasons that I propose that this transfer, at the very least, be postponed. Te Ara Whiti has made a request of ODC which they cannot comply with simply because they feel under duress to do so. It is the very worst condition in which to make serious decisions and this Statement of Proposal has the serious possibility of compounding the mistakes of the past. I therefore suggest that the transference of these reserves be postponed or denied until proper negotiations towards a real resolution are found.

Ms Kim Baker

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