

Submission on Opotiki District Council's 'Statement of Proposal' dated 4th February 2021, for Te Arawhiti and Te Whanau a Apanui Joint Request for Opotiki District Council Reserve Land.

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I am a co-owner of Lot 5 of DP4651 Whanarua Bay since 1981. As a family we have visited and holidayed along this eastern coastline regularly since the late 1950's. Our visits to Whanarua Bay were accessed via the Whanarua Stream and since its vehicle access closure via Lot 66.

1. Transfer of Lot 80 (urupa).

In your 'Statement of Proposal' dated 4 February 2021 no reference map of the defined area was included. Currently the fenced off area at the base of Lot 66 appears to be in Lot 80 with signage titled 'wahi tapu'. To my knowledge this has always been highly regarded and respected as a sacred site by community locals and visitors. I have no objection in principle to this proposal but the "Focal Point" of this urupa needs to be identified, agreed and surveyed, fenced off and then transferred into its 'Historical Reserve' status, unencumbered. In the meanwhile it should remain 'as is'. Therefore, under the current proposal I object to Lot 80 (urupa) to be transferred to Te Whanau a Apanui.

2. Transfer of remaining Lots 66, 68, 69, 70 and balance of Lot 80 and Lot 3 DP6108.

With regard to Lot 66 and Lot 80 - before anything else these Lots requires their legal status to be completed with easements created for both pedestrian and VEHICULAR access as was the intention and requirement of this subdivision from the beginning. The current situation of land-locked beach-front properties, the transfer of Lot 75 (marked as the legal road access for beach-front properties) to Wirepa Trust land, has been brought about by the lack of leadership and competence of ODC (at the time Opotiki County Council) resulting in unnecessary tensions between our communities not unity. ODC needs to step-up and sort this incomplete subdivision (which ODC collect rates on) and address its rate-payers with the same respect and haste Te Whanau a Apanui are being acknowledged with. ODC previously acknowledged their failings since the mid 1960's when the Opotiki County Council referenced roading access issues but still nothing has resulted for its beach-front owners. And yet the momentum with which the ODC have moved with regard to the current proposals for the Whanarua Bay catchment is quite staggering. Is this because ODC have been offered compensation for such (as recorded ODC Ordinary Council Meeting Agenda dated 26/01/2021)? If compensation is indeed on the table then what would ODC be offering the affected property owners in lieu of their property

values plummeting? Or, is the ODC being pressurized by the Crown and Te Whanau a Apanui's short timelines so any agreement to the proposals can be implemented before the beach-front property owners can launch a constructive defence and therefore irreversible changes?

WHY, after nearly 60 years of procrastination from ODC to formalize legal roadway access are we still fighting for recognition of our property ownership rights?

With reference to vesting these above Lots to Te Whanau a Apanui as a way of property redress - as a "third party" (every individual ratepayer at Whanarua Bay has a third party interest) we are covered by the "Protection of Third Party Interests" which would guarantee any roadway access rights over any Treaty settlement transfer. It is of paramount importance that ODC rectify this historical grievance with its rate-payers of this subdivision, immediately.

In the unforeseen geological event that Lot 66 slips away into the waters of Whanarua Bay and therefore our current access to Lots 75 and 80 the old roadway access via the western side of the Whanarua Stream could provide an alternative, reasonably level roadway access as was the original intention on the subdivision. Therefore, I totally object to the above proposal.

3. I see no reason or advantage for any of these Lots to be transferred into Historical Reserves. There is no evidence or reference of any such significant historical event, they are titled "Recreational Reserves" in the original subdivision documents. Therefore, I object to the Statement of Proposal for Lots 66, 68, 69, 70, 80 and Lot 3 to be transferred.

4. Te Whanau a Apanui to be the sole administering body for the reserves.

I object to this proposal - I have no confidence in a sole administering body as there would be no accountability or need for public transparency in any decision made. IF a transfer of ownership was to occur I think a joint administration with ODC, Te Whanua a Apanui and local community representation is more appropriate and needed for strong communities, to live in agreeance and unity.

In conclusion - ODC's record to date is not good. Over the 40years of owning property at Whanarua Bay I have seen nothing from ODC other than reduction of services, little to no maintenance of public recreational reserves, invalid subdivision documents and an increasingly divided community. We as rate-payers are paying for all these failures. Stand up ODC and represent your rate-payers as you should.



Patricia Sutherland