



## **RESERVE MANAGEMENT PLAN 2019**

### **HEARING**

Order paper for meeting to be held at  
Council Chambers, Opotiki District Council  
108 St John Street, Opotiki

**Monday 3 August 2020, 9.00am**

### **MEMBERSHIP**

Mayor Lyn Riesterer (Chair)  
Deputy Mayor Shona Browne  
Cr. Debi Hocart  
Cr. Barry Howe  
Cr. David Moore  
Cr. Steve Nelson  
Cr. Louis Rāpihana

## **AGENDA ITEMS**

The Order Paper is as follows:

1. Conflicts of interest (members to declare any conflicts, if any)
2. Apologies
3. Late items
4. **Submissions on Reserve Management Plan 2019**

**TO** Ōpōtiki District Council hearings panel  
**FROM** Gerard McCormack, Planning and Regulatory Group Manager  
**DATE** Monday 3 August 2020, 9.00am  
**SUBJECT** **Ōpōtiki District Council Reserve Management Plan 2019**

## FOR INFORMATION

### Recommendation

That the hearings panel:

1. receives the submissions on the draft Reserve Management Plan 2019
2. notes that 59 submissions were received
3. notes one of the submissions was received twice which is why there are a total of 60 submissions in this report
4. notes that of the submissions received, 26 submitters requested to be heard by the hearings panel; four submitters were unable to attend the hearing at the specified date and time and seven submitters had not confirmed whether they were or were not able to attend the hearing at the time this report was written.

### Purpose

The purpose of this report is to provide the hearings panel with a summary of the submissions received on the Ōpōtiki District Council draft Reserves Management Plan (the RMP).

59 submissions were received. Three of the submissions were received after the closing date of Tuesday 17 April 2020, and one submission was received twice (submission number 17 and 59).

The topics of the submissions received are described in the table below:

Topic	Number of submissions received
Church Street Reserve	1
Coastal Reserves	3
Consultation	4
Cycling – Mōtū Trails and Whakamumu Track	1
Firearms	1
Fireworks	1
Game bird hunting	1
Hukuwai Beach Recreation Reserve	3
Horses in Ōpōtiki township	1
Long Term Plan	1
Management and Control	1
Management Policies	4
Ōhiwa/Bryan's Beach Reserve	1
Ōhiwa Boat Ramp at Loop Road	1
Ōhiwa Domain	1
Ōhiwa Spit Reserves	2
Ohui Domain (Magpie Park)	1
Ōpōtiki Horse Trail	1
Ōpōtiki Wharf Reserve	1
Planning Framework and Council's roles	1
Property value	1
Rates	4
Reserve Management Plan – general	2

Reserve Use Policies	5
Review of Reserve Management Plan	1
Shooting on Reserves	1
Te Ahiaua Reserve	1
Te Ngaio (Snell Road) Beach and Te Roto (Urupa combined) Reserves	1
Vehicles on beaches	3
Volkner Island Reserve	2
Waihau Bay	1
Waioeka River Flood Management Reserves	1
Waiōtahe Beach Reserve	3
Whanarua Bay Recreation Reserve	38

Please note that several submissions related to more than one part of the RMP, so the table above totals more than 59.

Schedule 1 is a table of contents of submissions received.

Schedule 2 is a timetable of those that wished to speak to their submission.

Schedule 3 are notes for the committee, noting those from whom we have received apologies.

Schedule 4 is full copies of all submissions.

Deliberations on the submissions will commence after the hearing has concluded.

## SCHEDULE 1: TABLE OF CONTENTS OF ALL SUBMISSIONS

SUBMISSION #	NAME	PAGE #	SUBMISSION #	NAME	PAGE #
1	Hukuwai Beach Community Care Group; Nick and Sue Grbin	8	31	Meryl Elizabeth Bacon	84
2	Karen and Pater Sayer	13	32	Te-Whānau-a-Rangi-i-Runga; Pat Part & Inys Calcott	87
3	Heather Nelson	14	33	Bay of Plenty Regional Council; Stephen Lamb	94
4	Fire and Emergency New Zealand; Alec Duncan	17	34	Barry Davison	185
5	Motuaruhe Trust Submission, Nicholas Turoa	22	35	Andrew Larsen	187
6	Martin Pooley	29	36	Errol Verstegen	188
7	Mark and Carmen Meikle	33	37	Autahi Callaghan	189
8	Anonymous Feedback	35	38	Michael Corboy	190
9	Anonymous Feedback	36	39	Steven Cotterell and Vicki Rosser	192
10	Jason Robert Yuill and Paula Hind	39	40	Michael Corboy	195
11	Paula Hind and Jason Robert Yuill	41	41	Ross Matthews, Ann Matthews, Duncan Matthews, Hamish Matthews	198
12	Peter Martelletti	42	42	Daryl Sheffield	200
13	Brian Dennis	46	43	Anne Hill	201
14	Ōhiwa Reserves Care Group, Meg Collins	48	44	Julian Verstegen	202
15	Whanarua Bay Ratepayers Assoc., Allan Goldsmith	50	45	Mōtū Trails Charitable Trust, Jim Robinson	204
16	Corin Verstegen	52	46	Lorraine Stanley	207
17	Joan Kehely	54	47	Mark and Diane Stringfellow	209
18	Raymond and Sharyn WiRepa	55	48	Peter Abernathy	213
19	Ollie Goldsmith	57	49	Deborah Stewart and Guy Prestney	216
20	Morgan Family Trust; John Morgan	60	50	Jim Robinson	217
21	Jonathan Hawksworth	62	51	Geoff and Rachel Carden	218
22	John Hawksworth Snr.	65	52	Eastern Bay Branch of Forest and Bird; Linda Conning	220
23	Charles Harley	66	53	David Lowry and Kathryn Philips	227
24	Jason Kehely	67	54	Department of Conservation, Mike Jones	230
25	Michael and Raewyn Smith	68	55	Sport Bay of Plenty; Heidi Litchwark	235
26	Andrew and Tammy Soutar	69	56	Caroline Pearse	237
27	Marilyn Rooks	72	57	Pam Connors and Steve Hibbard	238
28	Kim Baker	74	58	Ross Wolfe – LATE SUBMISSION	240
29	Eastern Fish and Game Council; John Meikle	78	59	Joan Kehley – DUPLICATION	241
30	Leslie Jones	82	60	SPCA, Alex Jones – LATE SUBMISSION	242

## SCHEDULE 2: SCHEDULE OF THOSE THAT WISH TO BE HEARD

SUBMISSION NUMBER	SUBMITTER	SPEAKING TIME	PAGE NUMBER	ATTENDANCE
<b>OPENING OF HEARING 9.00AM</b>				
02	Karen and Peter Sayer	9.00am	13	APOLOGIES
03	Heather Nelson and other owners of Lot 5	9.10am	14	CONFIRMED
04	Fire and Emergency New Zealand	9.20am	17	APOLOGIES
05	Nicholas Turoa – Motuaruhe 3B1 Trust	9.30am	22	
06	Martin Pooley	9.40am	29	CONFIRMED
07	Mark and Carmen Meikle	9.50am	33	CONFIRMED
52	Linda Conning – Eastern Bay Branch Forest and Bird	10.00am	220	CONFIRMED
14	Meg Collins	10.10am	48	
<b>SHORT BREAK</b>				
15	Allan (Snow) Goldsmith – Whanarua Bay Ratepayers Association Incorporated	10.30am	50	CONFIRMED
17	Keystone Trust, Joan Kehely	10.40am	54	
19	Ollie Goldsmith	10.50am	57	CONFIRMED
20	John Morgan – Morgan Family Trust	11.00am	60	APOLOGIES
25	Michael and Raewyn Smith	11.10am	68	CONFIRMED
26	Andrew Soutar	11.20am	69	
27	Marilyn Rooks	11.30am	72	
29	John Meikle – Eastern Fish and Game Council	11.40am	78	CONFIRMED
<b>SHORT BREAK</b>				
32	Inys Calcott and Pat Park – Te Whānau a Rangi-i-Runga	12.00pm	87	CONFIRMED
38 + 40	Michael Corboy	12.10pm	190 + 195	
42	Daryl Sheffield	12.20pm	200	
47	Mark Stringfellow	12.30pm	209	CONFIRMED
48	Peter Abernathy – ATTENDING VIA ZOOM	12.40pm	213	CONFIRMED
53	David Lowry and Kathryn Phillips	12.50pm	227	CONFIRMED
54	Jade King-Hazel – Department of Conservation	1.00pm	230	
<b>END OF SPEAKERS CLOSE OF HEARING COMMITTEE DELIBERATIONS</b>				

### **SCHEDULE 3: NOTES FOR THE COMMITTEE**

Apologies have been received from:

Karen and Peter Sayer.

Alec Duncan, Fire and Emergency New Zealand.

Peter Martelletti has asked that someone read his out his submission on his behalf at the Hearing.

John Morgan, on behalf of Morgan Family Trust.



**CONTRIBUTION BY**

**THE HUKUWAI BEACH COMMUNITY CARE GROUP TO**

**FUTURE MANAGEMENT OF THE HUKUWAI BEACH RESERVE**

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## 1. Signage

Current signage is not clearly visible for travellers heading east or west along State Highway 35. The current signage opposite the toilet block is often hidden by foliage and needs to be re-done or re-sited. The small totem pole in the carpark is not substantial enough, and needs to have more information available for tourists.

There is not enough signage informing visitors to take their rubbish with them.

### **Recommendation:**

- ✓ Clear, colourful and welcoming signs on the western and eastern sides of Hukuwai Beach along State Highway 35 to inform travellers
- ✓ A robust “Welcome to Hukuwai Beach” sign needs to be erected at the western and eastern entrances to Hukuwai Beach
- ✓ Signage placed along the carpark barrier reminding visitors to keep the area clean and to be responsible for their own rubbish

## 2. Toilet Block

There are many visitors/travellers/freedom campers that use this facility. Most of the time, the current contractor keeps the inside clean and washed out, and when there are issues, they respond quickly which is good.

There was an outside shower and tap unit located on the northern side of the toilet block, and although the tap still works, the shower does not, and the whole unit is rusty and unattractive.

The outside murals are positive and tell a story of the area, but the exterior of the block looks dirty.

### **Recommendation:**

- ✓ Although the whole shower/tap unit needs to be removed, a tap still needs to be in place. We suggest a new style button-operated faucet be installed
- ✓ The exterior murals should be reviewed, and perhaps either updated or expanded upon. Either way, the toilet block needs to retain bright painted murals that are eye-catching and interesting to read, or expanded upon, moving around the exterior of the block telling a story
- ✓ The exterior needs to be washed annually

## 3. Lighting

The carpark could benefit from some type of lighting.

### **Recommendation:**

- ✓ Solar powered light poles installed at either end of the carpark would add security and additional visibility at night

#### 4. Carpark Barriers

The wooden barriers on the north side of the carpark are prone to damage from cars driving into them when parking. We fix these where we can.

##### **Recommendation:**

- ✓ A more robust barrier (i.e. steel amco-type barrier) to could be erected in the area where most visitors park their cars

#### 5. Picnic Tables

These are prone to graffiti and vandalism on a regular basis, and are unappealing to sit on. We've repaired and re-stained them several times, but they are of an older design and challenging to keep clean and tidy.

##### **Recommendation:**

- ✓ We suggest a rethink of the design – something more substantial and sturdier. Rather than benches, perhaps individual block seats be installed on each side of the tables. This could accommodate those visitors in wheelchairs

#### 6. Norfolk Pines

The four Norfolk pines are a landmark at Hukuwai Beach and are used regularly by motorists/visitors/horse floats/horse riders seeking shade. We do not believe these should be removed due to the shade/shelter they offer.

However before the second treeline was cleared, the largest Norfolk pine, located nearest the toilet block, attracted many undesirables who parked their car out of sight between the pine and the treeline. We would often find drug paraphernalia and used condoms in this area. Since the clearing of undergrowth in this treeline, there has been a huge reduction in this type of rubbish due to the area being more open and visible.

##### **Recommendation:**

- ✓ All four Norfolk pines need to be kept trimmed so that there is at least a 2.5 metre distance from the ground to the first row of lower branches
- ✓ The trimming of the lower branches on each Norfolk pine will allow the mowing contractor to access underneath and keep the area tidy

#### 7. Phoenix Palms

The two Phoenix Palms are also used regularly by motorists/visitors/horse floats/horse riders seeking shade. The Phoenix Palm closest to the toilet block is scruffy and the one on the western end is tidier. We do not believe either should be removed due to the shade/shelter they offer.

##### **Recommendation:**

- ✓ The Phoenix Palm closest to the toilet block needs to be trimmed back

- ✓ Both need to be trimmed annually

## 8. Treelines

Two areas of treelines have been cleared of undergrowth west of the toilet block. This has improved visibility from State Highway 35, and both areas look a lot cleaner and tidier. This has also deterred people from dumping rubbish in these areas. This is where we collected most of the rubbish. We are grateful that the Council has recently cleared these areas, and appreciate the work by its contractors. The third treeline at the eastern end of Hukuwai Beach appears to be untouched, and rubbish is still being dropped or dumped in this area.

### **Recommendation:**

- ✓ The clearing of undergrowth needs to be continued onto this third area of treeline

## 9. Rubbish

We acknowledge the Council has a zero-tolerance to rubbish. There are positives and negatives to this policy – especially in a reserve area. “No bins” seem to cause visitors to dump their rubbish in the carpark, and along and throughout the treeline. “Bins in place” often cause rubbish to accumulate on and around the bins. Most visitors we meet suggest a recycling bin or two should be made available for the disposal of their recyclables. Also, most travellers/visitors now want to be seen disposing of their recyclables responsibly as environmental concerns are becoming more and more focal.

### **Recommendation:**

- ✓ Signage warning visitors not to dump rubbish at Hukuwai Beach – perhaps signage like the one on the Council’s gate at the Recycling Centre in Wellington Street
- ✓ Trial a set of three permanently fixed recycling units – glass, plastic, and paper - positioned centrally on the reserve or near the toilet block



Opotiki District Council  
STRONG COMMUNITY STRONG FUTURE

# Review of the Opotiki District Council Reserve Management Plan

Your name: Karen & Peter Sayer  
Organisation (if applicable): \_\_\_\_\_  
Postal address: 667 Stanley Road, Opotiki  
Email: soc@farmside.co.nz Day time phone: 3125355

Return your submission form to:

POST: Opotiki District Council, PO Box 44, Opotiki 3162

DELIVER: 108 St John Street, Opotiki

EMAIL: [info@odc.govt.nz](mailto:info@odc.govt.nz)

ONLINE: [www.odc.govt.nz](http://www.odc.govt.nz)

**PRIVACY ACT NOTE:**

Please be aware that submissions form part of the public consultation process and as such can be reproduced as an attachment to a publicly available Council agenda and remain on Council minute records.

We wish to be heard in support of ~~my~~ / our submission. All submissions will be made available to the Council and they will take them in to consideration when making decisions.

You can view a full copy of the Statement of Proposal 'Review of the Opotiki District Council Reserve Management Plan' at [www.odc.govt.nz/reviewrmp](http://www.odc.govt.nz/reviewrmp), at Council offices, or the Opotiki Library.

Do you agree with the approach in the reviewed Reserve Management Plan?

*No.*

If not, which aspects do you disagree with and why?

*Safety of pedestrians if gates restrict access to Whanaru Bay.*

Are there aspects that have not been included?

*Safety as above. Also ability for Whanaru residents to get kayaks, older people, babies etc to the water & Bay.*

Other comments:

*This effects our business of renting out our place. With restricted access to the bay & camp ground it will be increasingly harder to make ends meet.*

If more space is required attach additional paper with your name and contact details on each sheet.

SUBMISSIONS CLOSE 4PM, FRIDAY 28 FEBRUARY 2020.

Thank you for making a submission.

**Revised Reserves Management Plan Submission****Whanarua Bay Recreation Reserve**

Submission to be presented by Heather Nelson

657 Kaitemako Rd, RD5, Tauranga. 3175

Email:heathnel100@hotmail.com

Phone: 07 5442442

**Introduction**

This submission is made by Heather Nelson & others (Carol Martelletti, Kathleen Buckborough, Patricia Sutherland, Marilyn Rooks, Wayne Piper, Corin Verstegen, Julian Verstegen & Natalie Verstegen) as owners and ratepayers of Lot 5, Whanarua Beachfront.

Our parents bought our property in 1981 so we have thus been associated with Whanarua Bay for nearly 40 years. Since the 1960's, our family has camped and bached annually along the East Coast. Our bach is now used by children, grandchildren, great grandchildren and great, great grandchildren of our parents.

As a family, we come to the Bay to recreate, rest and generally "soak in the beauty of the area to recharge the soul". We have made friendships and alliances with neighbours to help preserve and protect this special place for generations to come.

**Page 153 Origins of the Reserve**

*"Providing access to significant wahi tapu(urupa) sites. Also providing recreational access from the road to the beach at Whanarua Bay"*

These statements are incorrect. The reserves have their origin in 1958 when Romio Wirepa's subdivision was first proposed by the Maori Trustee. The Maori Trustee provided for Lots 66 and 80 to be "Recreation Reserves"

To offer Lots 66 & 80 as Treaty Settlement redress is wrong as this land was vested into council as part of the subdivision; Lot 75 should also have been but was omitted in error by the Maori Trustee at the time.

Since 1922 the land was owned by Romio Wirepa and not by iwi or hapu.

To document in the Origins of the Reserve that the primary reason was for access to significant wahi tapu(urupa) sites and the secondary reason for recreation is totally misleading and factually false.

Our submission: Rewrite Origins of the Reserve to recognise the Maori Trustee's intention that the reserves were to be Recreation Reserves.

#### **Page 154 Background – Recreation Activities**

*“The rocky Bay and gravel beach provide recreation activities such as fishing, surfcasting and food gathering and swimming”*

Your chapter on “Background” sells short the primary reason why people visit Whanarua. Inherent in our bach ownership is the use of the reserves of the Bay (Lots 66 & 80) as we gain access to our property and we use them for recreation. We pick up rubbish either left or washed up on the beach reserve. We don't own the reserves but we feel an obligation to care for the reserves.

Our extended family are involved in the following at Whanarua Bay: kayaking, fishing from a boat or the rocks, food gathering, snorkelling, swimming, supervising our younger generation as they swim and explore the rockpools or simply walking along the beach to breathe in the sea air and see what the tide has washed up.

Our submission: Re-write the first bullet point of the Background chapter to more fully recognise the recreation opportunities that attract people to Whanarua.

#### **Reserve Issues – WHBR2**

*“Continued and future access over Lot 66 to ‘lower’ Whanarua Bay properties and coastal reserves”*

Our view is that of prime importance to Opotiki District Council (ODC) should be the formalisation of access for WB ‘lower’ properties in the form of an easement over Lot 66. ODC documented its’ commitment to undertaking this back in 2002 but we are still waiting. We suggest that ODC has a commitment to formalise this access and maintain recreation reserves for its’ ratepayers.

Our submission: Edit WHBR2 to recognise the priority that is needed.

*“Continued and future access over Lot 66 to ‘lower’ Whanarua Bay properties and coastal reserves will be prioritised as having pre-settlement urgency.”*

#### **WHBS1 – Archaeological Assessment**

We agree that an archaeological & cultural impact assessment of the area be undertaken. Only then can there be true & accurate identification of wahi tapu and urupa sites.

**WHBS5**

We agree there should be a continued commitment to coast care initiatives with native tree planting and estuarine protection.

**WHBS6**

*"Installation of picnic facilities and barbeques"*

We disagree with the installation of picnic facilities and parking until such a time as formalised access is established. Due to the difficult physical nature of Lot 66, a limited number of the public would actually be able to use such facilities and that would be a waste of time & money.

We have seen much sea damage & erosion of the bank caused by various storms over the years (a bank where parallel parking is proposed) and it has been back owners who have thus far paid for & repaired the damage.

Our Submission: That picnic facilities and barbeques would not be appropriate in this location and should be removed from the plan.

**Summary – Supporting ODC’s rate-paying Ratepayers**

We feel now is an opportune time for Opotiki District Council to show its’ commitment to the ratepayers of Whanarua Bay to formally address the issue of a lack of legalised access and maintain the recreation reserves established in the early 1960’s for future generations.



Ms. H.J. Nelson

3/2/20.



## Opotiki District Council - Reserve Management Plan review

To: Opotiki District Council

Feedback on: Reserve Management Plan

On behalf of: **Fire and Emergency New Zealand**

Address for service: C/- Beca Limited  
PO Box 448  
Hamilton 3240

Attention: Alec Duncan

Phone: 07 960 7259

Email: [alec.duncan@beca.com](mailto:alec.duncan@beca.com)

This feedback on the Reserve Management Plan (RMP) is made on behalf of Fire and Emergency New Zealand (Fire and Emergency).

### **Background:**

Fire and Emergency was established by the Fire and Emergency New Zealand Act 2017 (Fire and Emergency Act) on 1 July 2017. The Fire and Emergency Act, among other matters, created a unified fire services organisation for New Zealand. Some organisations continue to provide independent fire response capability, such as industry brigades (which are privately established to protect specific premises, usually used for industrial or forestry purposes) and defence fire brigades (which generally operate in defence areas).

As outlined in Section 10 of the Fire and Emergency Act, the principal objectives of Fire and Emergency are to; reduce the incidence of unwanted fire and the associated risk to life and property, protect and preserve life, and prevent or limit injury, damage to property land, and the environment.

The main functions of Fire and Emergency, as identified in Section 11 of the Fire and Emergency Act, are:

- to promote fire safety, including providing guidance on the safe use of fire as a land management tool;
- to provide fire prevention, response, and suppression services;
- to stabilise or render safe incidents that involve hazardous substances;
- to provide for the safety of persons and property endangered by incidents involving hazardous substances;
- to rescue persons who are trapped as a result of transport accidents or other incidents;
- to provide urban search and rescue services; and
- to efficiently administer the Fire and Emergency Act.

Fire and Emergency is also to assist in the below additional functions, as identified in Section 11 of the Fire and Emergency Act, to the extent it has capability and capacity to do so:

- responding to medical emergencies;
- responding to maritime incidents;
- performing rescues, including high angle line rescues, rescues from collapsed buildings, rescues from confined spaces, rescues from unrespirable and explosive atmospheres, swift water rescues, and animal rescues;
- providing assistance at transport accidents (for example, crash scene cordoning and traffic control);
- responding to severe weather-related events, natural hazard events, and disasters;
- responding to incidents in which a substance other than a hazardous substance presents a risk to people, property, or the environment;
- promoting safe handling, labelling, signage, storage, and transportation of hazardous substances; and
- responding to any other situation, if Fire and Emergency has the capability to assist.

As such, Fire and Emergency must perform and exercise the functions, duties, and powers conferred or imposed on Fire and Emergency as a main function by or under the Fire and Emergency Act and any other enactment; and perform any other functions conferred on Fire and Emergency as a main function by the Minister in accordance with section 112 of the Crown Entities Act 2004.

Fire and Emergency requires, amongst other matters, the ability to efficiently and effectively respond to emergencies. This feedback on the Reserve Management Plan therefore seeks to enable Fire and Emergency to carry out its requirements under the Fire and Emergency Act more effectively in the protection of lives, property and the surrounding environment.

**Fire and Emergency's feedback is:**

Section 9.2.8 Occupation Agreements – Leases and Licenses

This section of the RMP sets out objectives and policies that require Opotiki District Council (ODC) to manage any future leases and licenses in terms of the provisions of the Reserves Act, the Local Government Act, ODC Bylaws and other relevant documents, and in conjunction with other policies contained within the RMP. The policy in this section requires that the Council will:

*(i) Ensure that all leases and licenses meet the requirements of Sections 54, 73 and 74 of the RA, and be in accordance with ODC policies and bylaws.*

This policy is of particular relevance to Fire and Emergency where the lease or license involves the use of habitable buildings that are unable to provide sufficient water supply for firefighting purposes. Where new or existing habitable buildings are involved, Fire and Emergency seeks appropriate water supply to facilitate efficient and effective responses to fire and other emergencies which includes adequate access (vehicle and water supply) to buildings to ensure that fire appliances, and firefighters, are able to access and suppress fires. Specifically, Fire and Emergency seeks that provision shall be made for sufficient water supply and access to water supplies for firefighting purposes consistent with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008 (Code of Practice). This requirement has been addressed further in section 9.3.8 Buildings, Structures and Earthworks below.

### Section 9.3.6 Access Operational Maintenance

This section of the RMP requires the provision of access to reserve land for essential services including; services and activities associated with stormwater management, drainage, flood protection and emergency management. Examples of essential services includes the servicing of essential services assets such as telecommunication lines, electricity cables, water and sewerage assets located on reserves, flood protection and land drainage.

Fire and Emergency supports in part the objectives and policies of section 9.3.6 Access Operational Maintenance however suggests that Policy (iii) be amended to read as follows:

*(iii) Ensure that access for operational activity is designed to an appropriate standard, having particular regard to the access guidelines set out in the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008.*

### 9.3.8 Buildings, Structures and Earthworks

The objective and policies of this section are of relevance to Fire and Emergency particularly where habitable buildings are involved.

Communities have an expectation that when a fire occurs, that Fire and Emergency will be able to respond to that fire and have the appropriate resources, including water supply, to extinguish that fire, minimising the risk of harm to people, damage to development and other adverse effects on the environment. While the risk of fire is of low probability it has a high potential impact.

Fire and Emergency therefore seek appropriate water supply to facilitate efficient and effective responses to fire and other emergencies which includes adequate access (vehicle and water supply) to buildings to ensure that fire appliances, and firefighters, are able to access and suppress fires. Specifically, Fire and Emergency seeks that provision shall be made for sufficient water supply and access to water supplies for fighting purposes consistent with the Code of Practice.

While it is understood that the majority of the reserves in the Opotiki District are not serviced by reticulated water supply, achieving compliance with the Code of Practice does not mean a building or development must provide water supply via public reticulation – particularly in the instance where public reticulated water supply is not available. The Code of Practice provides for both reticulated and non-reticulated water supply i.e. through alternative means such as water tank storage, bores or if required a sprinkler system to compensate for an inability to connect to reticulated water supply that will meet the requirements set out in the Code of Practice.

Fire and Emergency seek an additional policy as outlined below:

*The Council will:*

- *Ensure that upon the construction of any habitable building on reserve land, sufficient water volume, pressure and flows be provided in accordance with New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 (or any replacement code of practice approved under section 72 of the Fire and Emergency New Zealand Act 2017) and that this water supply be accessible for firefighting purposes.*

Should ODC determine that an alternative water source cannot be accessed for firefighting purposes for the development or does not have sufficient capacity or pressure in accordance with the Code of Practice, consultation and agreement on an alternative supply such as water sprinklers will need to be sought from Fire and Emergency New Zealand.

Requiring water supply systems to comply with the Firefighting Water Supplies Code of Practice (where no Council reticulated water supply is available) will enable Fire and Emergency to provide

for the health and safety of existing communities along with future occupiers of proposed developments, who may be unaware of inadequacies with the water supply.

#### 9.3.19 Activities Permitted on Reserves – Fireworks

Fire and Emergency support in part Policy (vi) as this requires final approval from the Ōpōtiki Rural Fire Officer for applications to conduct firework displays. Fire and Emergency however request a minor amendment to the wording as follows:

*(vi) Grant final approval or otherwise once the required permission from Employment New Zealand and the Eastern Bay of Plenty, ~~Ōpōtiki Rural Fire Officer~~ Fire and Emergency New Zealand, Crowd Control Management Plans and Public Liability Insurance are received.*

This amendment better aligns with the current unified structure of Fire and Emergency.

#### 9.3.21 Fire Management

Fire and Emergency support in part the objectives and policies that encourage fire management on reserves. Fire and Emergency suggest the following additions and amendments to the objectives and policies of this section as follows:

##### *Objective*

*(i) To minimise the risk of fire within reserves by retaining sufficient firefighting resources to rapidly extinguish any outbreak of fire that does occur in accordance with the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 (or any replacement code of practice approved under section 72 of the Fire and Emergency New Zealand Act 2017).*

*(ii) Fires will be prohibited in the reserves unless specifically permitted by the ODC*

##### *Policy*

*The Council will:*

*(i) Not permit fires on reserves without prior approval.*

*(ii) Allow access for the control of fires onto reserves in accordance with the access guidelines found in the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 (or any replacement code of practice approved under section 72 of the Fire and Emergency New Zealand Act 2017).*

#### 9.3.22 Hazardous Substances

Fire and Emergency supports the policies and objectives of section 9.3.22 on the basis that the residual risk of the use of hazardous substances in reserves are managed to ensure that the effects on people, property and the environment are acceptable.

Fire and Emergency appreciate the opportunity to provide feedback on the ODC RMP and also welcomes the opportunity to discuss, or provide further clarification, in relation to its feedback.

Fire and Emergency wish to be heard in support of their submission.

Yours sincerely



**Alec Duncan**

**Beca Limited on behalf of  
Fire and Emergency New Zealand**

**Date:** 12 February 2020

Submitter: Motuaruhe 3B1 Trust.  
Contact: Nicholas Turoa  
Phone 0297702747  
Email: [nickturoa@hotmail.com](mailto:nickturoa@hotmail.com)

My name is Nicholas Turoa and I am the chairperson for the Motuaruhe 3B1. I make this submission on behalf of the beneficial owners of the Motuaruhe 3B1 Block. This block is in close proximity to the Whanarua Recreational Reserve of which is referred to in this management plan.

The beneficial owners are all members of the hapū Te Whanau a Rangiiirua. Who are a part of the iwi Te Whanau a Apanui. Te Whanau a Apanui are one of the largest land owner (if not the largest) in the whole of the Opotiki District. We are one of the largest ratepayers in the area including the rates paid by the wider iwi, hapū and individual land owners. We also make up the largest group of land owners who have their land in native bush (including Motuaruhe 3B1), we also own river beds including the Whanarua Stream that runs into the Whanarua Bay recreation reserve. We have riparian rights down to the foreshore. We also own a significant number of islands within the district. We are therefore the biggest contributors of ecosystem services to the area. This is particularly relevant as it shows that the owners are a key partner to ODC in its implementation of the Reserve Management plan as it pertains to our cultural area of interest.

This submission focuses entirely on how the Reserve Management Plan effects our interest in Whanarua bay. We have a relationship to the area for near on 1000 years. Our Ancestors are buried in the bay and the bay has a number of significant wahi tapū and sites of cultural significance. We have a number of concerns with the proposed management plan. The main points are as follows:

1. We seek to ensure that the proposed management plan has no negative impacts on our land or any other Māori land in close proximity to the reserve. Often we have people trespassing on to our block of land – because it remains in bush and because it has several waterfalls on it – people consider this a part of the reserve. We also note that ODC advertise our block of land as a legitimate recreational opportunity – it is not.
2. It is noted that the Whanarua Recreation Reserve is identified in the AIP for cultural redress with Te Whanau a Apanui, we note that its inclusion is subject to the agreement of ODC. We seek to ensure that by including the reserve in the proposed management plan that ODC have not already pre-determined the outcome for the Whanarua Recreation Reserve. Ideally we believe it would be in good faith to exclude Whanarua Reserve from the plan until negotiations for the Treaty Settlement have concluded.
3. We seek to ensure that the values of the reserve are adequately protected these values include its cultural values, archaeological values and its natural values. On balance the significance of these values far outweigh the recreational values of the reserve.
4. We seek to ensure that Opotiki district council recognise their responsibilities to Te Whanau A Apanui and to Te whanau a RangiiRua as mana whenua.

I wish to speak to my submission and look forward to an invite to a public hearing.

We would like have the following amendments made to the plan.

Section of the plan	Amendments
<p><b>Section 7 – Planning Framework and Councils Roles.</b></p>	<p>The reserves management plan should properly outline ODC’s responsibilities to Mana Whenua through the various legislations that it is subject to – these need to be specifically mentioned in the plan as follows</p> <p><b>Reserves Management Act</b> – must take into account the principles of the treaty of Waitangi</p> <p><b>Local Government Act</b> – the Reserve Management Plan should make reference to Local Government’s obligations to involve tangata whenua in decision making</p> <p><b>The Conservation Act</b> applies to all crown land and not just land adjoining crown land. Notes that the underlying ownership of the Whanarua Recreation Reserve belongs to the Crown. It should therefore be noted in the plan that section 4 of the conservation act applies to all Crown owned land and the administering body must put in effect the Principles of Treaty of Waitangi when making decisions.</p> <p><b>Heritage NZ</b> – must put in effect the Principles of the Treaty of Waitang</p>
<p><b>Management and Control:</b></p>	<p>Must consider Te Whanau a Rangiirunga for any control management agreements as the principle party. We oppose any Management and Control arrangement that doesn’t include our hapū.</p>
<p><b>Reserve Reclassification, Acquisition and Disposal of Land</b></p>	<p>Given the cultural and historic values of the reserve ODC must change the status of Whanarua Bay Recreational Reserve from Recreation Reserve to Historic. Provisions should be made to allow for a reserve status change.</p>
<p><b>General objectives</b></p>	<p>Note Crown owned land is subject to the Conservation Act 1987 and the administering body must put in effect the Principles of the Treaty of Waitangi</p>
<p><b>Consultation</b></p>	<p>ODC has obligations to tangata whenua beyond consultation. As noted above, there are a number of legislative responsibilities that ODC have, in order to meet its</p>

	<p>obligations to Māori. These includes but is not limited to the inclusion in decision making and taking into account or putting in effect the Principles of the Treaty of Waitangi include: Active protection, redress and reconciliation, partnership and informed decision making</p> <p>Consultation also has to be embedded through ODC's operational decisions. Therefore an objective of the plan should be to develop a decision making frameworks to ensure that tangata whenua are engaged at the appropriate levels for all decisions including operational decisions.</p> <p>Policy – note that mana whenua needs to be consulted on all decisions regarding leases, easements or other activities that third parties wish to partake on the reserve.</p>
<p><b>Environmental sustainability</b></p>	<p>9.1.1.21 – note that Whanarua is of cultural significance and exotic trees maybe inappropriate given the cultural context. Priority for tree removals even for health trees should enable mana whenua to protect their wahi tapu.</p> <p>9.1.1.23 – no visitor facilities including carparks, tracks, roading, toilets or otherwise should be built without taking into regard the cultural values of the site including the presence of archaeology, wahi tapu, koiwi, cultural stories. Furthermore the vales of the hapū must be taken into regard.</p> <p>9.1.1.24 – no adaptive reuse of wahi tapu, archaeological sites or sites of historic significance to tangata whenua.</p>
<p><b>Occupation Agreements – Easements and Encroachments</b></p>	<p>We note that an illegal road was cut through the reserve by bach owners in the past. This roadway has been cut through a wahi tapu. We note that this entrance still is utilised by the current bach owners as well as the general public, it is noted that the entrance way goes over section 75 which is privately owned. This illegal roadway encourages the public to trespass over private land. Furthermore the formalisation of this roadway only encourages the distruction of wahi tapu and other natural values on reserve land– this goes entirely against 9.1.1.44 .</p> <p>Note that the objectives should also include measures to protect wahi tapu and cultural values alongside natural values. Note that a higher threshold (ie agreement from the</p>



	<p>local hapū must agree to any easements) to avoid, remedy, or mitigate any adverse effects – given that the road has been cut through an urupā.</p> <p>Policy iii – note that the adjoining baches abut the roadway and can build their own access to the road from their properties.</p> <p>vi – should read: enforce powers under the reserves act and other measures to discourage damage to vegetation, cultural values, wahi tapu, urupa and known sites of cultural significance and preventing deliberate harm to trees and the above values through acts of vandalism.</p>
<b>Surveying and Monitoring</b>	<p>9.1.1.62 – deliberate consideration should be given to failing and old septic tanks that adjoin the reserve</p>
<b>Education and Interpretation</b>	<p>9.1.1.65 – should read: “encourage public participation” – noting ownership is a strong word in the context of the land being transferred via a treaty settlement to mana whenua.</p> <p>9.1.1.67 signage to include information ensuring that the public do not trespass on private Maori land.</p> <p>Policy vi – event signage must be co-designed in partnership with Tangata Whenua.</p>
<b>Access to Reserves –</b>	<p>Pedestrian support pedestrian access to the reserve as the primary access to whanarua</p> <p><b>Access – Car Parking</b></p> <p>We have noted that there is currently illegal vehicle access to the beach via an illegally formed road way. It is understood that the vehicles are currently parking on a known wahi tapu in the vicinity of an urupa. This needs to be put to an end.</p> <p>It is also noted that people are encourage to park near the</p>

	<p>Whanarua stream bridge. They then are encouraged to trespass onto privately owned maori land to see a waterfall or access the rec reserve.</p> <p>We oppose any development of a carpark without the full support of the hapū</p> <p>Policy ix – written approval only given after consultation with tangata whenua</p>
<b>Commercial activities</b>	<p>The provisions in this policy are too loose and need to be tightened. Should only be granted if there are no adverse effects or adverse effects can be avoided. Must also include reference to cultural and archaeological values not just environmental.</p> <p>Oppose the use of whanarua bay for any commercial activity without the expressed support of tangata whenua namely the whanau a rangi I rua</p> <p>All commercial activity at Whanarua must show a direct contribution back to the reserve</p>
<b>Access - Operational Maintenance</b>	<p>ODC Must keep an up to date register of council assets on the reserve to be provided to tangata whenua to inform them of operational access requirements</p>
<b>Grazing riding and driving on reserves</b>	<p>Supports initiatives to provide sustainable horse riding opportunities that ensure that there is no impact on cultural, historical, archaeological and natural values of the reserve</p> <p>Supports the no driving or recreational use of bikes on the reserves including ATVs and ATVUs</p>
<b>Whanarua exact provisions Page 84-85 of the RMP</b>	<p>Background – should make reference to the fact that the underlying landownership is that of the Crown’s and therefore section 4 of the Conservation Act applies.</p> <p>Cultural Issues – the plan speaks about how water erosion coming from the road on lot 66 has caused the exposure of koiwi. This doesn’t make mention that the road was illegally cut without the appropriate authorisation from ODC or any other administration body – this illegal roadway is the route</p>

	<p>cause of the exposure of koiwi and the destruction of the wahi tapū.</p> <p>Reserve management issues – we note that you reference the waterfall in your plan – there is no waterfall on the Whanarua Recreation Reserve – that land belongs to the Motuaruhe 3B1 Trust. The issue is that users of the recreation reserve trespass on to Māori land without the expressed permission of the landowner – this needs to be addressed through signage and compliance.</p> <p>Oppose the purchase of any Māori land as a part of the reserve management plan. All properties adjoining the the reserve (aside from lot 75) also adjoin the road. this is the legal access for these properties.</p> <p>Options to formalise access right over lot 66 for ‘lower’ Whanarua Bay house owners will be explored by Council and; implemented where practicable.</p> <p>All landowners should have done their due diligence when purchasing the property. Granting access to the reserve by way of easement, lease or any other mechanism should not be done unless the clear benefit to the reserve is shown.</p> <p>Oppose any carparks built on wahi tapu – the area proposed in the plan is a wahi tapū</p> <p>Oppose any picnic tables or barbeques been built on the reserve. The natural values of the bay should be held paramount and there is no need for these types of facilities.</p> <p>All signage must be co-designed with the Hapū</p>



<b>Feedback number</b>	06
<b>Submitters name</b>	Martin Pooley
<b>Do you agree with the identified issues/strategies</b>	Please see my submission in "other comments" I believe my submission is in accordance with paragraphs 9.2.17 (Signage), 9.3.2 (Access to Reserves), 9.3.14 (Dogs on Reserves) and 9.4.1 (Natural Features and Landscapes)
<b>Which aspects do you disagree with and why?</b>	N/A
<b>Are there aspects that have not been included?</b>	See below
<b>Submitters Email</b>	<a href="mailto:martinpooley1@gmail.com">martinpooley1@gmail.com</a>
<b>Are there other comments you would like to make?</b>	<p>I originally made my submission in the form of an e-mail on 03 Nov 19 and spoke with Garry Page, Reserves Manager, about it on Monday 09 Dec 19. What follows is the text of my e-mail but with one addition regarding dogs and a coda concerning existing signage.</p> <p>Dear Sirs,</p> <p>I am writing to request ODC, perhaps in partnership with Ngai Tamahaua hapu and Environment Bay of Plenty, carry out remedial work on the access to and signage for the Tauturangi Coastal Walkway that runs from Opape Beach towards Morice's Bay.</p> <p>As you will see from the 'photos, the access to the walkway has all but been washed away by tides and winter storms. There remains just a sliver of bank up which it is just about possible to scramble to access the walkway. Further tidal and storm action will carry even that away.</p> <p>The walkway is very scenic and a lot of effort has obviously gone into its preparation. There are steps, wooden planks to walk on and bench seats from which to admire the views. It makes for a very pleasant short walk especially on a hot day as it is, for the most part, shaded, albeit somewhat uphill. It is deservedly mentioned in the "Explore the East Cape 2020 Travellers Guide", It would be a great shame for it to become inaccessible. What is needed is some form of all weather access that will not get carried away in winter storms and tides.</p> <p>Work also needs to be done to improve signage to the walk. There is a sign at the junction of SH35 and Opape Road and there is a further sign at the junction of Opape Road and Opape Beach Road but the latter has become (deliberately?) twisted and bent out of shape. That sign needs to be replaced and I suggest a further sign by the boat ramp pointing right towards the walk. The sign in the photo, below, is set back and not visible from the beach so needs to be moved to where people can see it.</p> <p>With the summer season fast approaching and the summer weather</p>

already here (!) I suggest now would be a good time to carry out the work required so more people can enjoy this lovely walk while it is still possible to do so.

**ADDENDUM:**

Under the provisions of para 9.3.14 (Dogs on reserves) I would like to see dogs allowed on the Tauturangi Coastal Walkway but on a leash. It's self-interest as I have a dog which I walk on Opape Beach.

**CODA:**

Since my original e-mail I have noticed that all signage at the junction of SH35 and Opape Road (western end) has disappeared. Signs affected: Opape Road, Opape Marae and Tauturangi Walkway.

Kind Regards,  
Martin Pooley









**Feedback number** 07

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**Submitters name** Mark and Carmen Meikle

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**Do you agree with the identified issues/strategies** Carmen & I have been one third owners of Lot 16 @ Whanarua Beach Front for 18 years & sole owners of Lot 17 as well for 5 years, purchasing this from the "Mills" family who had owned it for over 50 years.  
As a lad I have stayed, swam, dived & fished down in the Bay since the late 60's much the same as today.

I was well aware of the issues with Lot 75 & have meet with a representative of the WiRepa family annually to discuss any issues that may have of arisen between the Family & the Beach Front owners.

I was also aware of Lot 66 & Lot 80 were as part of the original sub division that was vested with ODC to manage both of these reserves. It must be noted that this is absolutely normal in many sub divisions around New Zealand today.

The land was Not confiscated or stolen, just Normal practice with sub divisions.

The WiRepa family sub divided the land & were paid for it. It would be criminal to hand it back to all & sundry.

Our children & now grand children use the properties, we have many friends in both NZ & Overseas who join us @ Whanarua. We have awesome neighbours & enjoy our get togethers during the year, it's a highlight. It's an amazing place, that's why we purchased there.

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**Which aspects do you disagree with and why?** It is our understanding that ODC are considering thinking firstly of putting a gate at the top the highway down Lot 66 to join with Lot 75. Please do not do this, the gate will have a life span of days an outcry from all the residents in the greater Bay.  
Lot 66 is a Public Reserve that we also use to access our properties down into the Bay. We need this to take down supplies, a new fridge or new Bed, take our elderly parents 86 & 88 to our bach. It would be a joke to think that we could walk these down.

We also understand that the ODC are considering the transfer of the reserves to hapu, that, despite Not being the original Owners of both Lot 66 & Lot 80 [ which are reserves & not being stolen of confiscated land.] They came from the WiPera subdivision.

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**Are there aspects that have not been included?** We don't think it unreasonable to ask ODC to back us, legal access over Lot 66 for the Whanarua Beachfront owners has been on the burner for nearly 20 years & note that the rates that have been paid over this period, but now is the time to absolutely support us & we don't think it an unreasonable expectation.

If both Lots are handed back this will devalue all of the Water Front properties hugely, who's going to make up the difference when the expectation was these reserves were in the safe hands of the ODC forever.

To do this, is a change of usage, not what we signed up for & compensation must be sort.  
Let common sense prevail.

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<b>Submitters Email</b>	<a href="mailto:markcarmen01@yahoo.co.nz">markcarmen01@yahoo.co.nz</a>
<b>Are there other comments you would like to make?</b>	No Gate on our Reserves No transfer of our Reserves Our Reserves are Public Reserves Legal Access for the Beach front owners over Lot 66 & Lot 80.
<b>Organisation - if applicable</b>	WHANARUA BAY BEACH FRONT OWNERS
<b>Daytime phone</b>	07 3072020
<b>Do you wish to speak to your submission?</b>	Yes

**Feedback number** 08

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**Submitters name** Anonymous feedback made at pop-up shop

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**Do you agree with the identified issues/strategies**

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**Which aspects do you disagree with and why?**

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**Are there aspects that have not been included?**

-playground areas for all ages at Volkners Island along with walks in the area and sitting area for parents to monitor children

-water park area in Volkners island and/or Church Street reserve

-upgrade water park along the wharf to include more play equipment

-more signage in parks as designated smoke free areas

-signage for dog designated dog prohibited areas, smoke free areas

-exercise/play equipment for dogs in dog exercise areas in Waioeka River Flood Management Reserves, stop banks and Volkners Island

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**Submitters Email**

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**Are there other comments you would like to make?**

Need more cleaning in Waioeka River Flood Management Reserve around the Union Street river ends rubbish everywhere especially glass

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**Do you wish to speak to your submission?**

No

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**Feedback number** 09

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**Submitters name** **Anonymous submission**

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**Are there aspects that have not been included?**

- splash pad in church Street reserve and volkners Island or wharf area
- inclusion of tidal pool areas in volkners Island and wharf area
- upgrade play ground equipment and ensure it is suitable for all ages
- have climbing walls and outdoor gym equipment in volkners island
- different play areas and equipment for all ages in volkners island
- more barbecues and picnic tables in all parks

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**Organisation - if applicable** Council pop up shop

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**Do you wish to speak to your submission?** No

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**Feedback number** 10

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**Submitters name** Jason Robert Yuill and Paula Hind

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**Do you agree with the identified issues/strategies** No

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**Which aspects do you disagree with and why?**

We disagree with the possible closure of Lot 66, access road down to Whanarua Bay.

As new residents of the Whanarua Bay we would like to raise our concerns with the possible closure of the access down to Whanarua Bay. 12 months ago we purchased Lot 7 (0.7 hectares). This is situated directly across the road backing on to the DOC Reserve. The section had been neglected for decades, without occupants on the premises it was not maintained with the whole area covered in grass over 1 mtr high and truck loads of rubbish, including 2 caravans. The main reason for purchasing this property was because it is in a beautiful place with bush at the back and a stunning bay at the front that we can access easily. Since owning the section we try to stay every weekend so our children can enjoy the beautiful place it is. The kids go down the access several times a day, whether it be for us to launch the boat or for them to Kayak, Snorkel, Fish, Swim or just go for a walk to climb the rocks.

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**Are there aspects that have not been included?**

There are batches and sections within the area that are often booked out, I would think that the access to Whanarua Bay is a big part of the reasons of wanting to stay. The family, friends and traveler's that come to stay in the Bay are know doubt bringing money into the community, whether it be at the Cafe, Dairy or Take Away Shop. It looks like the Whanarua Bay community is growing with residents that are taking a lot of pride in their environment. All of our hard earned money has gone in to the purchase of our section with a lot of time spent and more money spent to have the property go from being an eye sore to now another lovely part of the community. If the access is taken away from all of those who have frequently used it, it will also be taking away the heart of Whanarua Bay. The reason why most of us are there. We feel that if there is no access for the Whanarua Bay people it will not be the special little place it was when we bought. It may mean people may want to sell to move somewhere else there is easy access but we would worry that because of loosing access to the Bay it may decrease the value of our properties.

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**Submitters Email** [paula@curtains4u.co.nz](mailto:paula@curtains4u.co.nz)

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**Are there other comments you would like to make?**

If Lot 66 was to close I would recommend that another access be made nearby so the community can enjoy what they came for and entice more people to come. The Opotiki Council should be pleased to see that Whanarua Bay is growing with good rate paying residents. It would be a big mistake to take away the reason why most are there. Hopefully there can be a suitable outcome for all parties concerned.

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**Daytime phone** Jason 0273484381 Paula 0275120332

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**Do you wish to speak to your submission?** No

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<b>Feedback number</b>	11
<b>Submitters name</b>	Paula Hind and Jason Yuill
<b>Do you agree with the identified issues/strategies</b>	NO
<b>Which aspects do you disagree with and why?</b>	<p>We disagree with the discussion of the possible closure of Lot 66 access to Whanarua Bay.</p> <p>As Whanarua Bay rate paying residents we would like to raise our concerns of the possible closure of Lot 66, the access we and many other local residents use to reach Whanarua Bay.</p> <p>12 months ago we purchased Lot 7 (0.7) hectares which is situated adjacent to Lot 66 that is in question. Having the access, Lot 66 was one of the main reasons to wanting to purchase our section. We loved the idea of being able to launch a boat, snorkel, swim, fish kayak as well as it is a beautiful place to go for a walk. Our children go to the bay several times a day to enjoy everything it has to offer.</p>
<b>Submitters Email</b>	<a href="mailto:paula@curtains4u.co.nz">paula@curtains4u.co.nz</a>
<b>Are there other comments you would like to make?</b>	<p>The section we purchased which backs on to the DOC Reserve had been neglected for decades. The section was an eye sore for many residents with trailer loads of rubbish, grass up to our waist and 2 old caravans, We spent all of our hard earned money to not only purchase the section but to have diggers and mowers in to clean up the place. We now have a beautiful looking section which I am sure the other residents are pleased about. We would like to think that with the improvements we have increased the value of the property. We feel that if we loose the close access to the Bay it would decrease the value. We most likely if sold the section would not get what we paid for it, little own cover the costs of all the improvements done. This is very disheartening to think about. It seemed like Whanarua Bay was coming to life with people wanting to buy there to enjoy what Whanarua Bay has to offer. By taking away the access to the Whanarua Bay residents, it would be taking away the heart of Whanarua.</p> <p>We hoped over time to have visitors stay whether it be camping, in caravans or in a batch. This would be of benefit to the community with the visitors spending at the local dairies and cafe's.</p> <p>The access to the Bay is the selling point, the reason visitors would want to come to stay.</p> <p>We do hope that there can be a good outcome for all parties concerned.</p>
<b>Daytime phone</b>	Jason 0273484381 Paula 0275120332

12 FEB 2020



Opotiki District Council  
STRONG COMMUNITY STRONG FUTURE

# Review of the Opotiki District Council Reserve Management Plan

Your name: PETER MARTELLETT

Organisation (if applicable): \_\_\_\_\_

Postal address: 12C PUKI RI ST, MT MAUNGANUI

Email: eyeKonzsa@gmail.com Day time phone: 027-3297838

Return your submission form to:

**POST:** Opotiki District Council, PO Box 44, Opotiki 3162  
**DELIVER:** 108 St John Street, Opotiki  
**EMAIL:** info@odc.govt.nz  
**ONLINE:** www.odc.govt.nz

**PRIVACY ACT NOTE:**

Please be aware that submissions form part of the public consultation process and as such can be reproduced as an attachment to a publicly available Council agenda and remain on Council minute records.

I/ We wish to be heard in support of my / our submission All submissions will be made available to the Council and they will take them in to consideration when making decisions.

You can view a full copy of the Statement of Proposal 'Review of the Opotiki District Council Reserve Management Plan' at [www.odc.govt.nz/reviewrmp](http://www.odc.govt.nz/reviewrmp), at Council offices, or the Opotiki Library.

**Do you agree with the approach in the reviewed Reserve Management Plan?**

ATTACHED

**If not, which aspects do you disagree with and why?**

ATTACHED

**Are there aspects that have not been included?**

ATTACHED

**Other comments:**

ATTACHED

If more space is required attach additional paper with your name and contact details on each sheet.

**SUBMISSIONS CLOSE 4PM, FRIDAY 28 FEBRUARY 2020.**

Thank you for making a submission.

**Review of the Opotiki District Council Reserve Management Plan  
in respect of Whanarua Bay Recreation Reserve**

Peter Martelletti

12C Puriri Street

Mt Maunganui 3116

eyekonzs@gmail.com

phone 027-3297838

I wish to be heard in support of my submission

Do you agree with the approach in the reviewed Reserve Management Plan?

No

If not, which aspects do you disagree with and why?

**Reserve Category**

The Whanarua Bay Recreation Reserve paper has suddenly got a reserve category of "Cultural Heritage". I have never heard of this and when did this suddenly appear and why? This has always been known as a "Recreation Reserve".

I also refer you to the descriptions/primary purpose given on Pge 11 and 12 of the Plan. If you know Whanarua Bay you will know that the closest category to describe the reason that people visit the Whanarua Reserves is "Recreation and Ecological Linkages"

I submit the the Reserve Category of "Cultural Heritage" is incorrect. This should be changed to reflect the closest category which best describes the primary purpose for which people use these reserves is "recreation and access"

**Concept Plan**

The concept plan provides for 2 picnic tables improved access and parking. Paid professionals are coming up with these plans when it is thwart with problems. Firstly access is a problem as public would need to pass over private land "Lot 75" without permission. The area's proposed are exposed to constant erosion and inundation to high seas during storms which has been maintained over the years by the local residents at their cost. Picnic tables would only encourage people to leave their litter behind when there is no provision by council to manage litter and rubbish.

I submit the 2 picnic tables be removed from the plan.

### Origins of the Reserve

Providing access to significant wahi tapu (urapa) sites. This has just been a recent phenomenon. It is clear from the 1958 Subdivision plans that the origin of the reserve was the subdivision of Motuaruhe 2b by Romio Wirepa. The Maori Trustee indicated the subdivision was a "residential seaside subdivision of 25 acres. The only spoken sites are at the fenced off area at the bottom of Lot 66 reserve and at the far end of the left hand bay. These area's are treated with respect by locals and visitors. If the area have significant sites then the original subdivision of land should have accounted for these and clearly marked them.

I submit that the Origins of the Reserve are Romio Wirepa's seside subdivision which included provision for seaside recreation (Lot 80) and access down to the Bay (Lot 66) via a historical bridal path.

### Reserve Issues

Continued and future access over Lot 66 to "lower" Whanarua Bay properties and coastal reserve.- this issue is in the current Reserves Management Plan and the council undertook to explore options to formalise this. To date nothing has been done while all this time the ratepayers have paid their rates.

I submit that council undertake what they say.

### Future Management Strategies

WHBS6. Installation of picnic facilities and barbeques- we have now gone from two BBQ tables to now adding BBQ's. I can not understand the logic or reasoning behind including this knowing the multitude of issues we have.

I submit this is removed

WHBS7. Provision of parallel parking along the seaward side of the access road- another strategy covered above under concept plan.

I submit this is removed

Are there aspects that have not been included

Yes, there is no mention that the crown is currently negotiating with local iwi and hapu to have this reserve returned to them as part of a Treaty of Waitangi settlement when in fact

none of this land forms any part of confiscated land. This was sold by a developer for profit and the reserves and access roads were never properly concluded.

#### Other comments

I have had an association for the last 25 years as being married to one of the members of Lot 5, Whanarua Bay beachfront. It is not only part of Maori culture, but I believe of all new Zealanders culture to enjoy the benefits of our coastline for recreation, fishing, seafood gathering, swimming, kayaking, and recharge our souls and spirit.

There has been recent dialogue about the wahi tapu sites which were never mentioned before. I think it is important that an archeological assessment be made to put these claims to rest and identify any actual sites.

Whanarua Bay has been fraught with problems over the original subdivision and some of the suggestions will only add fuel to the fire. ODC needs to step up to their ratepayers and address current issues without adding more. They need to formalise access to beachfront property owners through reserve Lot 66 which they have undertaken to sort out for many years now.

12 FEB 2020



Opotiki District Council  
STRONG COMMUNITY STRONG FUTURE

## Review of the Opotiki District Council Reserve Management Plan

Your name: Brian Dennis 28/1/20  
 Organisation (if applicable): \_\_\_\_\_  
 Postal address: PO Box 172 OPOTIKI  
 Email: BJDENNISNZ@OUTLOOK.COM Day time phone: 0210765154

### Return your submission form to:

POST: Opotiki District Council, PO Box 44, Opotiki 3162

DELIVER: 108 St John Street, Opotiki

EMAIL: [info@odc.govt.nz](mailto:info@odc.govt.nz)

ONLINE: [www.odc.govt.nz](http://www.odc.govt.nz)

### PRIVACY ACT NOTE:

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I/ We wish to be heard in support of my / our submission All submissions will be made available to the Council and they will take them in to consideration when making decisions.

You can view a full copy of the Statement of Proposal 'Review of the Opotiki District Council Reserve Management Plan' at [www.odc.govt.nz/reviewrmp](http://www.odc.govt.nz/reviewrmp), at Council offices, or the Opotiki Library.

### THE DENNIS FAMILY

WE ARE AN EXTENDED FAMILY OF ALMOST 24 ADULTS AND CHILDREN PLUS GRANDCHILDREN AND WE HAVE OWNED THIS PROPERTY IN WHAWARUA BAY SINCE THE EARLY 70'S. WE ARE NOW INTO OUR THIRD GENERATION OF FAMILY COMING HERE TO THE BAY. WE HAVE PAID OUR RATES ON TIME EVERY YEAR AND HAVEN'T ASKED THE COUNCIL FOR ANYTHING IN THE PAST TO HELP PAY FOR OUR ACCESS. MY GRANDKIDS HAVE LEARNT TO SNORKEL AND FISH HERE AND STILL COME HERE AS IT IS SPECIAL TO THEM. THIS LAND WAS NOT CONFISCATED AND WAS SOLD BY ROMIO WIREPA AS A SUBDIVISION WHICH INCLUDED THE RESERVE LAND. THE RESERVE LAND INCLUDING THE LOT 66 ROADWAY AND ALSO THE LOT 80 FORESHORE RESERVE WERE PART OF ROMIO'S SUBDIVISION. RESERVES ARE COMMONLY AND LEGALLY TAKEN AS A RESERVES CONTRIBUTION. WILL YOU ALLOW OTHER DEVELOPERS TO ASK FOR THEIR RESERVE CONTRIBUTIONS BACK?  
 I THINK THE COUNCIL SHOULD HAVE ALL PROPOSALS OF HANDING THE RESERVES TO THE HAPU. PLUS YOU CAN'T HAND IT BACK TO THE HAPU AS IT WAS NEVER THEIRS, IT WAS ROMIO WIREPA'S. FINALLY WE DON'T WANT A GATE, WE DON'T WANT A LAND TRANSFER

If more space is required attach additional paper with your name and contact details on each sheet.

SUBMISSIONS CLOSE 4PM, FRIDAY 28 FEBRUARY 2020.

Mos. Shilko @ SM Elms. Co. J. J.

ODC

12/12/15

BRNAN DEN

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12/12/15

**Feedback number** 14

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**Submitters name** Ōhiwa Reserves Care Group - Meg Collins

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**Do you agree with the identified issues/strategies** see below

---

**Which aspects do you disagree with and why?** see below

---

**Are there aspects that have not been included?** see below

---

**Submitters Email** [mcollins658@gmail.com](mailto:mcollins658@gmail.com)

---

**Are there other comments you would like to make?** 11 Kuaka Lane  
RD 2  
Opotiki.  
ph 974 6510 or 022 173 3061

Opotiki District Parks Management Plan

Ohiwa Domain

Over the last 20 years that we have lived here, the vegetation in this domain has undergone a dramatic change, especially as animal pest control has contributed to extensive regrowth for new seedlings and increase in bird life, eg : kereru, tui, grey warblers, fantails and recently wekas.

Pest Plants

With the increase in bird numbers there is also an increase in weed species, especially ones that are distributed by birds, eg ginger, Taiwanese cherry and cotoneaster.

We suggest this programme for weed control:

1. Ginger Was programmed into 2019 year but not implemented. Implement control now.
- 2 Taiwanese Cherry Cut out all mature trees and remove seedlings.
- 3 Cotoneaster Cut and stump all large plants and remove seedlings.

We suggest you work with the Ohiwa Sanctuary Trust so that all the residents in this area are on board with the idea of getting rid of these weeds. When successful, add other weeds eg woolly nightshade, privet and barberry.

Work is underway with the Regional Council to address this issue but all agencies will have to pool their resources to get rid of these weeds.

The work the Council has put into the Domain in the last 10 years, by building new tracks, bridges, car park and signage is well appreciated by

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both the locals and the many visitors who come here in the summer. Many people use the car park off Ohiwa Harbour Road, for their round trip through the park. It is a safe place to park. Locals would be very upset if this car park were removed or closed off as has been suggested in some quarters.

We request that the car park stays as it is.

The Ohiwa Reserves Care Group maintains animal pest control and minor track maintenance, but there is more that needs to be done. The corner where a local woman broke her leg needs urgent attention. The track from the small bridge to the top of the pond needs to be line trimmed two more times often than is being done at the moment, especially in spring and before Xmas.

#### Fireworks

Fireworks were let off indiscriminately on the beach over the New Year period 2019/2020. We had many phones calls from concerned residents as they were worried about the nesting birds on the beach. By laws need to be updated urgently to address this problem.

#### Ohiwa Boat Ramp at Loop Road.

The building of the toilets has enhanced this area which is well used by locals and visitors alike.

However the sea wall needs to be extended to the concrete ramp, because the extra high tides are eroding the grassy ground behind the wall. If remedial work is not done there is a probability that the loss of this land behind the wall will compromise the boat ramp and the road.

We wish to be heard in our submission.  
Meg Collins

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<b>Organisation - if applicable</b>	Ohiwa Reserves Care Group
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<b>Daytime phone</b>	9746510 022 173 3061
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<b>Do you wish to speak to your submission?</b>	Yes
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# Review of the Ōpōtiki District Council Reserve Management Plan

Allan (Snow) Goldsmith

Whanarua Bay Ratepayers Association Incorporated

C/- 32 Bracken Street, Whakatane 3120

C/- [Snow.goldsmith@aquahat.co.nz](mailto:Snow.goldsmith@aquahat.co.nz)

027 295 9360

I wish to be heard in support of our submission

## Introduction

I am the elected Chairman of the Whanarua Bay Ratepayers Association Incorporated (WBRAI) and the Whanarua Bay Water Supply Society Incorporated (WBWSSI), to which there are currently sixty-five properties located at Whanarua Bay belonging to and represented by these organisations. A number of these properties have multiple owners.

The objectives of the Societies as presented in their rules pertaining to this submission include;

- To follow up issues of interest of the Community of Whanarua Bay,
- To support the District in matters where it is in the interests of the Whanarua Bay Community.
- Generally to own and operate a community water supply and reticulation system, for the benefit of members

While I present this submission on behalf of our members to cover off several of our community common interests, many of our members may have specific requirements that they will cover off in their individual submissions.

## History

The Whanarua Bay Recreation Reserve as described in Part 2 of the ODC Reserve Management Plan, pages 153 to 156 form part of a seaside subdivision, developed in the late fifties by Romio WiRepa and Lots sold off for seaside property development in the early sixties.

DP 4651 clearly shows the intent of this subdivision to be a seaside development with access to the sea for sea and coastal activities.

The original Whanarua Bay beach and seaside property access for all the WiRepa subdivision property owners and guests to use, as shown on DP 4651, was via a vehicle track down the Whanarua stream over Lots 72, 67, 73 and 75. While this access was used as such until the eighties, a dispute over access through the Whanarua Stream by local hapu and track users forced the private development of the old bridle track down Lot 66 to enable vehicle access to the beachfront properties and Whanarua Bay beach.

Access over privately owned Lot 75 was negotiated by most of the beachfront property owners and this access has been privately maintained since developed.

## Submission

### **Do you agree with the approach in the reviewed Reserve Management Plan?**

Generally, we agree with the approach in the reviewed Reserve Management Plan however there are a few changes and additions to be made.

## If not, which aspects do you disagree with and why?

### Alterations

Page 154 - Background, second bullet point to include;

- *Commonly used access to coastal reserve Lot 80 DP 4651 is by negotiated rights to pass over private land Lot 75 DP 465, however negotiated rights to pass over private land Lots 72, 67 and 73 DP4651(Whanarua Stream), although less common is also use. Difficult foot access down Lot 80 strips between Lots 25 – 26, and beside Lot 36 DP 4651 may also be considered.*

Page 154 – Future Management Strategies:

- WHBS4** -Remove the word 'lower' and replace with 'all' as all Wirepa subdivision property owners and guests need to be able to enjoy seaside subdivision activities such fishing which includes boat launching access.  
-Remove the words 'were practicable' and replace with 'or where impractical to do so find alternative lot access options to implement'. This needs to be changed as the wording makes no real commitment by ODC to resolving the vehicle access issue.

## Are there aspects that have not been included?

### Additions

Page 154 – Cultural Considerations;

- WHBC4** Signage to be installed outlining cultural background and wāhi tapu (urupā) sites.

Page 154 – Reserve Issues;

- WHBR8** No easements or formal acknowledgement in place for vehicle access through Lot 66, boat launching and vehicle parking following boat launching - Lot 80, vehicle parking for beachfront properties and other users in the middle section (2<sup>nd</sup> bay) of Whanarua Bay- Lot 66 and Lot 80.

- WHBR9** No easement or formal acknowledgement in place to cater for the community water scheme – Lot 70.

Page 154 – Future Management Strategies;

- WHBS1** Undertake

2a. a local utilisation and impact assessment of the area

- WHBS2a** investigate the possibility of purchase of Lot 75 for the use of access to Lot 80.

- WHBS7a** formalise vehicle and boat trailer parking on Lot 80 beside the Whanarua Stream, and vehicle and trailer parking at the existing Lot 66 & Lot 80 car park.

- WHBS9** formalise provisions to enable the local water scheme to pass across Lot 70 and access for maintenance of this scheme.

## Other comments:

With the Whanarua Bay Recreation Reserve currently being negotiated as settlement for the Te Whanau a Apanui Treaty of Waitangi claim and ODC's commitment through the 'Agreement in Principle' for this to happen it is imperative that issues mentioned above are resolved prior to any potential settlement completed.

As mentioned earlier in this submission it is very clear through the subdivision layout shown on DP 4651 the intent of Romio WiRepa with this seaside subdivision and it is imperative that the current owners of these properties who have invested heavily in this community are able to continue to enjoy the sea, its beaches and rocky shore, the coastal bush and the idyllic location of these properties.

None of which is possible without unrestricted access.

Thankyou for taking the time to consider this Reserve Management Plan review submission.



Opotiki District Council  
STRONG COMMUNITY STRONG FUTURE

# Review of the Opotiki District Council Reserve Management Plan

RECEIVED  
17 Feb 2020

Your name: Corin Antonetta Verstegen  
 Organisation (if applicable): Part owner of Lot 5 Whanarua Bay  
 Postal address: 56a Lord Cobham Ave, Whakatane  
 Email: corinvn@gmail.com Day time phone: 0274658101

**Return your submission form to:**

POST: Opotiki District Council, PO Box 44, Opotiki 3162  
 DELIVER: 108 St John Street, Opotiki  
 EMAIL: [info@odc.govt.nz](mailto:info@odc.govt.nz)  
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I first began coming to my grandparents Bach at Whanarua Bay as a kid in the 1990's. I have fond memories of swimming, jumping off rocks and playing outside with my siblings and cousins.

As a family we also enjoy eating fresh fish for dinner. My Father and Brother spend their days catching and filleting fish using my father's 12ft dinghy.

Now that I am a Mother and a ratepayer of Lot 5, I have a vested interest in the future of our Bach. I want my children to have the same experiences that I had at Whanarua Bay.

If more space is required attach additional paper with your name and contact details on each sheet.

SUBMISSIONS CLOSE 4PM, FRIDAY 28 FEBRUARY 2020.

Thank you Page 52 of 243 ssion.

①

Corin Antonetta Verstegen  
Part owner of Lot 5, Whanarua Bay  
56a Lord Cobham Ave, Whakatane  
corinvn@gmail.com 0274658101

Whanarua Bay has so much to offer its  
Both owners and visitors. Its isolation  
and beauty allows people to escape  
and recharge, it provides an amazing  
outdoor playground for our children to learn.  
It is a special place that everyone has the  
right to enjoy.

Whanarua Bay is one of the few places  
where there is access for fishing and  
recreational activities between Te Kaha  
and Waihou Bay. Which is why it is  
vital that the Opōtiki District Council  
ensures that there is continued and  
future access to Whanarua Bay via  
Lot 66 for everyone.

I hope you consider my application  
seriously.

Thank you

Corin Verstegen

Keystone Trust  
c/. Joan Kehely  
167 Burd road  
Oropi  
Tauranga 3173

## SUBMISSION

Opotiki District Council  
Management Plan  
Reserve: Whanarua Bay lot 66

Our family purchased our property lot 4 in 1996. We have enjoyed our times there and someone is frequently staying at our bach. We enjoy fishing by taking out our boat, kayaking, swimming and other water sports.

Most of my grandchildren have enhanced their swimming skills there under my supervision and direction. Indeed at over 80 I still swim at the bay. Our family have taken a personal interest in the bay and have spent time and money ensuring that the access down the reserve and maintaining the water front access which has at times been quite significant. We also have taken part in maintaining the water supply which is available to all the residents.

Some years ago there were issues with the Wi Repa family over the use of the water front access by the property owners. As a result I did extensive research. I believe that Romeo Wi Repa who was the owner in 1959 decided to subdivide to repay debt. The subdivision was carried out and when the debt balance had been repaid the rest of the titles were returned to the family. The reserve would have been taken for the use of the public as in any subdivision carried out in New Zealand. It is imperative that the intent at the time, that all ratepayers, upstairs and down stairs, and everyone including tourists have this access, especially as there are so few access spots to the sea along the coast. Interestingly Romeo used to permit campers on the spot for many years, he befriended them and many of those people purchased the sections when they were available.

I understand that the east coast Maori were reluctant to sign the "Treaty of Waitangi" and there was very little land ever taken from them in this area. Councillors elected to a Council make a commitment to looking after the interests of ALL ratepayers and therefore I believe it would be incredibly unjust for them to hand over any responsibility or ownership of lot 66 which belongs to us all. Suggested changes would have significant impact on the value of our properties and to our peace of mind.

Regarding the use of the bay for visitors:

We really enjoy seeing the public out there enjoying the bay, with the present numbers there does not seem to be a problem as it is. If the numbers grew I would suggest that provision for parking and amenities should be at SH35 level and people would then have to walk down unless they have property there. There is not enough room at sea level to provide large car parking or amenities there. The bay is for everyone.

Joan Kehely

**From:** [sharyn.wi.repa](mailto:sharyn.wi.repa)  
**To:** [@Information.Requests](mailto:@Information.Requests)  
**Subject:** Fwd: Review of Opotiki District Council Reserve Management Plan  
**Date:** Monday, 17 February 2020 9:34:03 PM

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Sent from my iPad

Begin forwarded message:

**From:** Pania WiRepa <[pania\\_6@hotmail.com](mailto:pania_6@hotmail.com)>  
**Date:** 17 February 2020 at 18:48:38 NZDT  
**To:** Mum & Dad <[raysharmond@yahoo.com.au](mailto:raysharmond@yahoo.com.au)>  
**Subject: Review of Opotiki District Council Reserve Management Plan**

My name is Raymond WiRepa and I am writing in regards to Review of Opotiki District Council Reserve Management Plan in Whanarua Bay. My wife and I purchased our property in Whanarua Bay on 9/04/2010 and we have been permanent residents in the area over the past five years. We are also committee members of the Whanarua Bay Ratepayers Association.

We thoroughly enjoy living at the bay and the recreational activities it has to offer and it is of great concern to us and all of the residents in the area the outcomes of the councils decisions in the future of the Bay.

My wife recently attended a meeting , with Council and the Crown, in my absence on my behalf. My wife was disturbed by the outbursts from the Hapu saying they would restrict access to crossing of their land, as they have done in the past. My main concern is that if this land is in fact handed back to the Iwi/Hapu, there would be no guarantee of access to the bay for all residents.

I personally, would like to see in the future all ratepayers in Whanarua Bay gain access to the bay by means of a permanent, legal road providing access to launch small boats. We, the residents of the area have great respect for the land and the natural beauty it has to offer and would like to preserve it for the further use for our mokopunas and theirs to follow.

Regardless of the outcome of the treaty and return of reserve land, when the council subdivided the bay they should have put in legal access for residents and batch owners.

We have our own water supply and receive no rubbish disposal or other

services from the council. The council must be accountable for the errors made in this subdivision many years ago and now make it right by ensuring there is a safe, legal access way down to the Bay for all Whanarua Bay ratepayers.

Sincerely

Raymond & Sharyn WiRepa



## Review of the Ōpōtiki District Council Reserve Management Plan

Olga(Ollie) Immink Goldsmith

32 Bracken St, Whakatāne 3120

[Ollie91g@gmail.com](mailto:Ollie91g@gmail.com)

027 243 7578

I wish to be heard in support of my submission

### Introduction

My family have a long and significant history with Whanarua Bay.

In the late 1960s my family began holidaying with friends at Lot 19 on the Whanarua beachfront. Upon my arrival my nappies were washed in the concrete mixer used to build the Abernethy bach. During the last 50 years I have shared many wonderful holidays learning to swim, kayaking, diving, boating and fishing. It was also my chosen destination for our honeymoon. Our children continue this tradition of seaside holidays.

Given our rich happy history of the bay when the opportunity arose we purchased Lot 20 DP4651 in 2015. My siblings' grandchildren now come and share their seaside experiences with their great grandmother proudly watching on. We see this connection with the land and coast continuing on into the future.

While we do not come under the heading of locals for this place – as we do not live here year around – we have an extremely strong personal connection to Whanarua Bay and we stay here often. We take the role of looking after the Bay seriously, and family and friends who visit are made aware of the wāhi tapu sites and the requirement to respect the fisheries and land. We also take the time to talk to other visitors about looking after the Bay. We collect rubbish, mow lawns in the Eastern Bay carpark, control pest plants and contribute to local projects including the maintenance of the vehicle access Lot 66.

### **History of the beach side community**

It is acknowledged that this subdivision has a convoluted history – not one that would be repeated under present day planning regulations. The subdivision was created piecemeal and over time through decisions from the Maori Land Court on behalf of by Romio WiRepa. It included the parcelling off of a wāhi tapu site on Lot 80 into public ownership.

Having housing at the coastal edge it is assumed was deliberate, as some of the lots cannot physically be built on except at the water's edge. It can also only be assumed that reasonable access to the subdivided lots was anticipated by the decisions being made.

The Draft Reserve Management Plan notes that the "Origins of the Reserve" are "*Providing access to significant wāhi tapu (urupā) sites. Also providing recreational access from the road to the beach at Whanarua Bay.*"

From what we know/understand about the history of this area it is perhaps also correct to say that the reserve (Lot 66 DP 4651) was used to resolve vehicle access issues associated with the previous use of the stream bed to the west for access to the beachside community. Again, a present day subdivision would have been unlikely to have allowed vehicle access along a stream bed.

Access was moved from that location following the blocking of the stream access some 40 years ago, the beachfront property owners created the Lot 66 DP 4651 vehicle access that is still used to this day. This is the “Previous investment in the reserve” referred to in the table. The public subsequently began using this access and that tradition has continued to this day. The privately built and maintained access-way provides great access for users both very young, old and those with limited mobility, allowing visitors and locals to access the Bay. It also enables vehicle access to the Eastern Bay carpark which is vital for the 5 baches Lot 16 through to Lot 20 as there is no further vehicle access to these properties.

### Submission

Accepting that the subdivision has historically been a piecemeal process – it must be presupposed that reasonable vehicular access was part of the picture – particularly for areas that realistically were always going to have to be beachside dwellings.

My submission is that the Reserve Management Plan should recognise the existing use rights that have been enjoyed by the beachside community for a long time.

Origins of the Reserve	Providing access to: <ul style="list-style-type: none"> <li>• significant wāhi tapu (urupā) sites</li> <li>• providing recreational access from the road to the beach at Whanarua Bay</li> <li>• providing access to beachside dwellings (Lot 66 DP 4651).</li> </ul>
Previous investment in the Reserve	None by Council however private residents constructed the sealed vehicular access to their properties which also provides all weather public access to the beach.

I fully support Future Management Strategy WHBS4 *options to formalise right of way over lot 66 for ‘lower’ Whanarua Bay house owners will be explored by Council and; implemented where practicable.* (page 154).

Out of preference however I would like the Council to provide formal vehicle access to the beachside dwellings through the reserve management plan now. This consultation exercise can be used to resolve the situation in terms of this aspect of access which everyone is well aware of and engaged with.

However if Council is not comfortable with actioning this request now I am sure the beachside community would be more than willing to work with landowners, Council, Te WiRepa Family Trust and the community to resolve the access situation (identified as Reserve Issue WHBR1 and WHBR2).

A further point is in relation to the concept plan section on page 153 which should reference working with local hapu to discuss ways of alerting visitors to the importance of the wāhi tapu site – if this is seen as appropriate. Currently there is only a well weathered sign.

**In closing**

While I realise that this subdivision is problematic due to its history and how it was created, vehicle access to the beachside dwellings should be recognised as an appropriate but limited activity under the reserve management plan. I am happy to assist the Council in exploring the resolution of the vehicle access issue.

**Whanarua Bay Recreation Reserve**

<b>Location</b>	The reserve consists of 10 parcels located on State Highway 35	<b>Current Asset Inventory</b>  <i>see Asset Management Plan for complete list</i>
<b>Classification:</b>	L.P. Recreation Reserve & LP Segregation Strip	
<b>District Plan Zone</b>	Coastal	
<b>ID</b>	<i>Refer to table</i>	
<b>Total Area</b>	2.6021 ha	
<b>Current State</b>	Natural/Mown	
<b>Reserve Category</b>	Cultural Heritage	
<b>Concept Plan</b>	Yes, 2x picnic tables, improved access to Road and parking	
<b>Origins of the Reserve</b>	Providing access to significant wāhi tapu (urupā) sites. Also providing recreational access from the road to the beach at Whanarua Bay.	
<b>Previous investment in the Reserve</b>	None by Council however private residents constructed the sealed vehicular access to their properties	
<b>Vegetation</b>	<ul style="list-style-type: none"> <li>the cliffs are well vegetated with mature pōhutukawa and adventive trees and shrubs.</li> <li>Ecology and Vegetation survey detail is found on pages 24–28 in the Ecological and Historic Site Management of Selected Ōpōtiki District Council Coastal Reserves document prepared by Wildlands Consultants Ltd – December 2006.</li> </ul>	



Map 16 Location: State Highway 35 (Whanarua Bay)

Yours Sincerely

Olga (Ollie) Immink Goldsmith



**Opotiki District Council**  
STRONG COMMUNITY STRONG FUTURE

## Review of the Opotiki District Council Reserve Management Plan

RECEIVED  
19 FEB 2011

Your name: JOHN MORGAN  
 Organisation (if applicable): MORGAN FAMILY TRUST  
 Postal address: 162 GRACE ROAD TAURANGA  
 Email: Johnanddebs@xtra.co.nz Day time phone: 0275333241

Return your submission form to:  
**POST:** Opotiki District Council, PO Box 44, Opotiki 3162  
**DELIVER:** 108 St John Street, Opotiki  
**EMAIL:** [info@odc.govt.nz](mailto:info@odc.govt.nz)  
**ONLINE:** [www.odc.govt.nz](http://www.odc.govt.nz)

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Our family has owned Lot 18 at Whanarua Bay since 2006 and we have been bring our 3 boys here since they were born. It is a beautiful part of NZ coastline that has remained natural and not over populated. We love the isolation and the amazing bird life and sea life that this coast offers.

We are so blessed and privileged to have this to share with our family and friends. We have taught our children to Swim, Fish, Dive, Kayak, Boating and explore the coastline. Our children see Whanarua Area as their Pepha and use this when at School and in projects. We have always respected the natural beauty and bring up our kids to only take what you need and just look at the rest. We have pet Eagle Rays that come in at night who we feed and look after. We have helped a Kereu chick back into its nest after a fall in strong winds and made sure the mother was still feeding, then seeing the chick take its first flight was absolutely amazing. We have a Morepork come down at night to feed on the moths in our lights. We all love this area and everything around it. We purchased this property so our children's, children can enjoy the same experiences for generations to come.

It has come to our intention that Opotiki District Council is considering handing over the 2 x reserves (Lot 66 and Lot 80) to the local Iwi as part of the Treaty Settlement. Our concerns with this is access to our beach front property and while we have always had a very good relationship with the Wirepa family but the local Iwi has not been so forthcoming.

We are concerned that we will lose our rights to access our property down Lot 66 (Driveway) and also access to the beach (Lot 80) to launch and retrieve our boat. We have always keep to the rules set by the Wirepa family and having this handed to the Iwi will cause more issues, they say they will work with us once they get ownership but in pass experiences they will only bully us and lock us out.

The Reserves in question at Whanarua Bay where subdivided in the 1950 when Romio Wirepa sold off property as a Seaside Subdivision. All of the properties in question were purchased from Romio Wirepa. None of the land was confiscated so why is it being concided as a treaty settlement. Romio Wirepa was left this land from his ancestors.

~~You must act on these concerns and consider the wider issues that will arise if the local iwi has ownership and control. As Ratepayers our voices need to be heard and as Local Council it is your duty to protect all ratepayers to continuing access to our properties as it has always been. It was not that long ago when the local Iwi closed off access to the beach front stopping people getting to their properties, this is when access used to come though the Whanarua stream, which is why the driveway at Lot 66 was formed in the first place.~~

Lot 66 was an old paper trail for the horse and cart. They used this trail when collecting the mail from the shoreline. It was not a burial ground as some of the Iwi are claiming and the only a small part which is full protected is at the bottom of the driveway is the burial grounds and this is fully respected and protected by all Whanarua Bay.

Our thoughts on this is very simple. Opotiki District Council is to make sure Lot 66 and Lot 80 remains as a public reserve and is controlled, maintained and run by Representatives from the Beach Front Properties Owners and Opotiki District Council equally. Ownership should stay as part of the Wirepa subdivision, not to be sold, or changed from the use it is intended now.

The sign at the top of the driveway should be bigger to state to all that arrive that this land is owned by the Wirepa Family and access across this land is to be respected at all times. A new sign at the bottom of the driveway showing the protected area due to culture Importance. This protected area is to be maintained and protected by local Iwi.

As you would be aware we have Representatives for the Beach Front Property Owner acting on our behalf. We meet regularly to discuss issues within our Bay.

I wish to be informed of anything that you are considering to do in our area before any final decision has been made. If any decision is made by the Opotiki District Council without taking into account the issues stated above then I will be taking legal action against the council for not protecting my rights to have on going access to my property that they approved when the subdivision was formed and approved rights to be able to build on this land. I will stop paying any rate due on the property immediately if this issues are not resolved and using this money to pay/form a legal team with all of the other ratepayers within this area.

Sorry if this sounds harsh but your decisions now will affect us for the rest of our life and our children's life. All of our properties will plummet in value and compensation will be sort after if we lose access.

Thanking you John Morgan -

Lewis Morgan - Lewis



Tate Morgan -

Debra Morgan -



Drew Morgan -



**Feedback number** 21

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**Submitters name** Jonathan Hawksworth

---

**Do you agree with the identified issues/strategies** We strongly support ODC's intention to resolve the access issues as outlined under the future management strategies WHBS3 and WHBS4. The resolution of these issues is long overdue and would correct what we see as short-comings in the original subdivision of the early 1960's.

We also support ODC's intention to undertake archaeological and cultural assessments to clarify and confirm the extent of any sites worthy of protection as outlined in WHBS1 and WHBS2

---

**Which aspects do you disagree with and why?** While not outlined in the RMP, we understand that there is talk that recreation reserve Lots 66 and 80 may be gifted to local Iwi as part of a Treaty settlement. We believe that due to the locations of these parcels it is crucial that these lots remain in council ownership to maintain access to the Bay and the sea for all New Zealanders.

---

**Are there aspects that have not been included?** With the absence of any alternative access options, we believe the ongoing maintenance of the roadway going down through reserve lot 66 should be council's responsibility. By proposing carparks, picnic tables and BBQ's on the foreshore, council obviously intends for the public to utilize the road. As such it should not be the responsibility of private individuals to ensure this access is maintained

---

**Are there other comments you would like to make?** Please see my separate written submission provided below.

---

**Submitters Email** [jh@blackboxarchitects.co.nz](mailto:jh@blackboxarchitects.co.nz)

---

**Daytime phone** 0274523 127

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**Do you wish to speak to your submission?** No

---

## Submission on the Opotiki District Council Reserves Management Plan Review

### Specifically, the Whanarua Bay Recreation Reserve

I am making this submission on behalf of the greater Hawksworth Family who has been regularly coming our bach, located on lots 14 and 15 in Whanarua Bay, for the past 62 years.

My Grandfather John snr (Big John) originally leased the cottage in 1956, and then subsequently purchased the underlying land in 1962 when the Bay was subdivided by Romeo WiRepa. It is with pride that we can say that our extended family (now numbering 21) has been coming to this place on a frequent basis ever since, with the fifth generation of our family now enjoying this very special part of New Zealand.

While we have seen some real changes in the past 64 years, we have enjoyed and appreciated that it has changed a lot less than most of the country, and a lot is still very recognisable from the photos we have from all those years ago.

Whanarua Bay has become a haven for the family, and we all return for the place, and the company, from as far afield as Dunedin in the south, and Auckland in the north. New Zealand as a whole is an incredible place, but we all feel that the Bay is particularly amazing (this view is obviously shared by the Opotiki District Council judging by the inclusion of Whanarua's photo on the cover of the Reserve Management Plan document!). We therefore believe it is important that the opportunity to get things right through the implementation of a well-considered Reserve Management Plan is vitally important.

We note that the Whanarua Bay recreation reserve is comprised of 10 separate parcels and is categorised as a "Cultural Heritage" reserve. As alluded to in the RMP item WHBR2, one of these parcels (lot 66) accommodates the only access down to the bay so it is concerning to hear that there is the potential for this lot to be gifted to the local Iwi as part of a Treaty settlement. Our understanding is that this lot became a reserve as part of the original subdivision of the Bay back in the early 1960's by the Maori owners at the time, which was when my Grandfather purchased our lots. The same applies to Lot 80 which runs between Lot 75 (which is privately owned) and the high-tide mark. We also understand that the vesting of land into council ownership for reserves as part of the subdivision process is long established, and still applies to subdivisions today, although these days it is more common for a monetary contribution to be paid instead. This land was vested as part of the subdivision process and therefore not confiscated (as suggested by some) and should not be considered part of a settlement package.

We certainly have no objection to acknowledging and celebrating the Maori history of the Bay, in fact we support Council's intention (as stated in WHBS1 of the RMP document) to undertake an archaeological and cultural impact assessment. The outcomes of such an assessment would enable informed decisions to be made around wahi tapu sites. But the transfer of ownership from the Council to Iwi has the potential to impact the access to the Bay by bach owners and the public.

A number of years ago the lower bach owners invested a significant amount of time and money into establishing formal right-of-way easements over the privately owned lot 75 at the base of the hill, however this legally established right would be worthless if access down Lot 66 was denied. We therefore believe that the best solution is that lot 66 and lot 80 are maintained in council ownership, and ongoing access is created to ensure that public access is preserved. This would also enable the

realisation of council's objective of achieving "unrestricted public access to and protection of wāhi tapu (urupā) sites" as stated in the proposed RMP.

If ownership of these parcels of land is transferred to Iwi, we would hope (in the strongest terms) that this would only occur with the inclusion of robust, legal easements, to ensure that free and unfettered access is maintained over this land in perpetuity, for all New Zealanders.

We believe that the suggestion of controlling access to the Bay via some form of locked gate would not provide an ongoing solution to this situation. It would be difficult to implement and manage, and any abuse of access would likely result in tension and would probably mean that this issue is again on the table at the next RMP review. Access must be formed and maintained by maintaining the current council ownership of these parcels of land.

The proposed addition of picnic tables, BBQ's and parking spaces at the western end of the bay is a nice idea, but such measures pale in comparison to establishing, maintaining and formalising access rights over lots 66 and 80. We therefore urge Council to treat the resolution of these issues as a top priority and withdraws the gifting of these reserve parcels as a Treaty settlement option. We therefore strongly support ODC's intention to resolve these issues as outlined in future management strategies WHBS3 and WHBS4

Thank you for your consideration on these matters

Yours Faithfully

Jonathan Hawksworth  
Architect



**From:** [John Hawksworth](#)  
**To:** [@Information Requests](#)  
**Subject:** Whanarua Bay Reserve Management Plan  
**Date:** Wednesday, 19 February 2020 3:01:32 PM

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## **Whanarua Bay Reserve Management Plan**

### **Submission from John Hawksworth Snr**

#### **Lots 14 & 15**

My father purchased a small bach on what is now lot 14 in 1956 and in 1962 purchased lots 14 and 15. At that time there was no vehicle access to the beach other than through the Whanarua creek. There was an unkept walking track down what is now lot 66. For 65 years we (now into our fifth generation) have used lots 66 and 80 for our access to the beach. Unlike the other beach front properties we seldom require vehicle access as we have a private track and a boat shed on our property.

My main concern is that if the ODC relinquishes its responsibilities related to 66 and 80 that access to the beachfront properties as well as to the general public will be jeopardised.

Personally I would prefer to see ODC retain ownership of both lot 66 and lot 80 but if ownership of the land is given over to the iwi then free access to all should be guaranteed by a binding legal document.

14 Vogel St  
Gisborne

Sent from [Mail](#) for Windows 10

**Feedback number** 23

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**Submitters name** Charles Harley

---

**Do you agree with the identified issues/strategies** I agree with allowing vehicle access on beaches between the high and low tide mark as long as that access is via a designated access point. Vehicles used for recreational purposes only i.e. launching and retrieving of fishing vessel, Contiki or recreational fishing.

---

**Submitters Email** [charlesandannaharley@gmail.com](mailto:charlesandannaharley@gmail.com)

---

**Daytime phone** 07 3123938

---

**Do you wish to speak to your submission?** No

---

# Review of the Opotiki District Council Reserve Management Plan

19 February 2020

Jason Kehely

17 Tirinui Crest Road, Otumoetai

Tauranga 3110

[jdkehely@gmail.com](mailto:jdkehely@gmail.com) 027 2887741

Submission – I do not wish to be heard.

We are outraged @ the idea that ODC is considering the transfer of reserves as part of a treaty settlement.

We have owned our property (Lot 4 adjacent Lot 75) for coming up 24 Years.

The Council Reserves were created as part of the Whanarua Bay subdivision in the late 1950s. At the time, it was normal practice for any new subdivision to have land taken for Reserves which was vested in Council.

We understand that the claims are made in lieu of other land confiscated. Whether other land was confiscated or not, these Reserves should continue being owned and managed by ODC.

We go to Whanarua Bay on a regular basis; while there we are constantly swimming, fishing, launching the boat off the beach, walking and kayaking.

We are currently land locked due to errors made during the subdivision process. Lot 75 (part of our access) was given back to the Wi Repa Family when it should have been either an easement to our properties or vested as road in Council. Fortunately a deal was made several years back so that we now have legal access of Lot 75 at a substantial cost I might add. Likewise Lot 66 should have had a roadway easement over it as the easement at the western end is inadequate.

If these reserves are given away then we will have less chance of resolving these access issues. When we purchased our property we accepted that we were going to get practically nothing for our annual rate bill of around \$3300. As far as we were concerned that was just “part of the deal”. We never in our wildest nightmares saw the beach and our physical access being given away.

Whanarua Bay is a beautiful piece of the country and should be enjoyed by all.

Jason Kehely

## Review of the Opotiki District Council Reserve Management Plan

Your name: MICHAEL + RAEWYN SMITH  
Organisation (if applicable): \_\_\_\_\_  
Postal address: P.O Box 8386 TAURANGA 3145  
Email: marlysmith@kinect.co.nz Day time phone: 021 1716 557

Return your submission form to:

POST: Opotiki District Council, PO Box 44, Opotiki 3162

DELIVER: 108 St John Street, Opotiki

EMAIL: [info@odc.govt.nz](mailto:info@odc.govt.nz)

ONLINE: [www.odc.govt.nz](http://www.odc.govt.nz)

PRIVACY ACT NOTE:

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We wish to be heard in support of / our submission

All submissions will be made available to the Council and they will take them in to consideration when making decisions.

You can view a full copy of the Statement of Proposal 'Review of the Opotiki District Council Reserve Management Plan' at [www.odc.govt.nz/reviewrmp](http://www.odc.govt.nz/reviewrmp), at Council offices, or the Opotiki Library.

My wife and I are recent residents to Whanarua Bay, having purchased Lot 2- 1/8461 State Highway 35. This property currently has road access through Lot 66 to the Highway.

We believe the current situation of vehicle access through Lot 66 appears to be the best solution, although not perfect.

We are of the understanding that the access through Lot 66 was instigated and created by the local Whanarua Bay residence at their own cost, after the original access road, vested by the council, was denied to them by that owner. (The Parkes Family)

Maintenance of the road, since its inception, has been voluntarily paid for by the Whanarua Bay residents.(note that the road is open to the public). This is a financial benefit to the Council.

The council should follow through with establishing appropriate access easements across Lot 66 to be in favour of the Whanarua Bay property owners, the Maori owners and the Council.

To hand back lot 66,(without **first** establishing an easement for the Whanarua Bay owners and others), to the Te Whanau a Apanui as part of the Treaty Settlement, will cause continual ongoing horrendous issues for the Opotiki District Council. These issues may involve :

- 1) rates not being paid by disgruntled locals,
- 2) Legal challenge (s) on the right of handing this reserve back to Te Whanau a Apanui as demonstrated by Sylvana Wirepa's recent threat of legal action.
- 3) Loss of vehicle access to the beach for the public.

Another consideration is that, if the council do give Lot 66 to the Te Whanau a Apanui, with the only mandate being public foot access to the beach, you risk a dangerous car parking issue. Everyone wishing to walk down to the Bay will need to park their car on State Highway 35. I know of no reasonable public parking around the entrance to Lot 66. People will park on the side of State Highway 35, which is not designed to allow for such parking. This will become a road safety issue. I believe that transit would impose all sorts of restrictions on parking venues.

If the negotiations with all parties results in the retaining of road access to Whanarua Bay, then is the council still going to consider picnic facilities and barbeques down on the beachfront on Lot 80?. Whereby, we are not against such facilities, we feel the location currently considered, to be totally misplaced. The area chosen for these facilities is close to the safest point of access for people to launch their boats with safe water access to the Bay. This launching point is one of the only areas at Whanarua Bay not affected by tide, so can be very busy.. These cars and boat trailers will pass between the picnic area and the sea- shore where children particularly will be running to and from.



Opotiki District Council  
STRONG COMMUNITY STRONG FUTURE

# Review of the Opotiki District Council Reserve Management Plan

RECEIVED  
21 FEB 2020  
Opotiki District Council  
RECORDS

Your name: Andrew Soutar  
Organisation (if applicable): \_\_\_\_\_  
Postal address: 36 Seaview Rd Whakareta  
Email: andrew.soutar@pns.co.nz Day time phone: 021409002

Return your submission form to:

**POST:** Opotiki District Council, PO Box 44, Opotiki 3162  
**DELIVER:** 108 St John Street, Opotiki  
**EMAIL:** [info@odc.govt.nz](mailto:info@odc.govt.nz)  
**ONLINE:** [www.odc.govt.nz](http://www.odc.govt.nz)

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I/ We wish to be heard in support of my / our submission All submissions will be made available to the Council and they will take them in to consideration when making decisions.

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### Do you agree with the approach in the reviewed Reserve Management Plan?

I agree with most of it.

### If not, which aspects do you disagree with and why?

The Reserve in Whangarua Bay Being handed back to the Te Whanau Apanui, without give us an easement.

### Are there aspects that have not been included?

An Easement over Lot 66 for vehicle access so Whangarua Ratepayers can get to the Bay.

### Other comments:

AS Attached.

If more space is required attach additional paper with your name and contact details on each sheet.

**SUBMISSIONS CLOSE 4PM, FRIDAY 28 FEBRUARY 2020.**

Thank you for making a submission.

Andrew & Tammy Soutar

36 Seaview RD

Whakatane

E: [Andrew.soutar@pns.co.nz](mailto:Andrew.soutar@pns.co.nz)

P: 021409002

To whom it may concern

As a rate payer I wish to be heard about the reserve that maybe getting hand back to TE Whanau Apanui

Our family trust has owned a Bach in Whanarua bay for the last 12 to 13 years our address in Whanarua is

8513

State Highway 35

Whanarua bay

For those last 12 to 13 years, we have had vehicle access to the bay below where we have taken our children swim and now take our grandchildren swimming, gathering Kia Monoa ,launch a small dingy and visit our friends/ Whanau that we have made of the last 12 to 13 years.

We purchase the property with vehicle beach access and if we been told that this was a reserve that could be hand back to the iwi without the road access for the community we would have not brought the property, as the vehicle access to the bay make the Whanarua community that much more special.

I have recently learn that in 25 June 2002 the ODC said they would start arranging a right of way for Whanarua community property owners over lot 66 and we would be able to still have access the bay . Since then nothing has been done. Can you please tell me why that has not happen yet?

Page 2

Andrew & Tammy Soutar

36 Seaview RD

Whakatane

E: Andrew.soutar@pns.co.nz

P: 021409002

I have also had talks with Mr Sam Wirepa and we have an understanding that my family can have vehicle access to pass over Lot 75 to access the Lot 80 beach reserve to swimming, launch our dingy, cook some kai etc. Please be aware that any restriction you place on the Lot 66 roadway reserve may impinge on the arrangements we have with Sam. Many of the ratepayer in the Whanarua bay community have the same arrangement with Sam Wirepa.

Our trust have been a rate payer for those 12 to 13 years and I cannot see what ODC does for the our trust other than maintain the reserves and giving us an access road to the bay that we maintain with the Whanarua bay community

I do not have a problem with being hand back to the iwi or the original family, but the Whanarua bay community needs to have vehicle access to the bay as we presently do

Whanarua bay is very special and we need the council to come up with a special solution that one that I feel that would be a win /win for all parties is for an easement to be given over the rd. way only and then the rest of the land can hand back if that is what needs to happen.

I a ratepayer I feel it is ODC job to ensure this happens.

Thank you



Andrew Soutar





Revised Reserves management plan submission

Whanarua Bay Recreation reserve.

Submission from Marilyn Rooks

26 Princes St

Kauri Point , RD3

Katikati 3177 ph:0274570006

23/02/2020

Good morning, I am a part owner and ratepayer of Lot 5 Whanarua Bay Beachfront.

My parents bought this property in 1981 so we have thus been associated with Whanarua Bay for nearly 40 years. Since the 1960's, our family has camped and bached annually along the east coast.

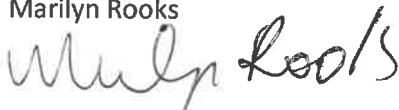
As a family, we come to our bach to rejuvenate our soul, the warm stones on the beach by the creek has always been my 'happy place', at the dentist or if requiring complete escape, I can self-meditate and eliminate all pain from my body, with visualizing the intense warmth and calm this place gives.

I feel on page 153 of the plan that you have incorrectly stated the origin of the reserves. The reserves were created as part of Romio Wirepa's residential seaside subdivision in 1958. These need to be recognised as recreation reserves.

Opotiki District Council needs to manage these reserves ( lot 66 and lot 80) and formalise access for property owners, in the form of an easement over lot 66.

ODC documented back in 2002 to make a commitment to formalise access but this hasn't happened.

Marilyn Rooks





Opotiki District Council  
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# Review of the Opotiki District Council Reserve Management Plan

RECEIVED  
24 FEB 2020  
Opotiki District Council  
RECORDS

Your name: Kim Baker (ms.)  
Organisation (if applicable): \_\_\_\_\_  
Postal address: 8480 SH 35, RD 3, WHANARUA BAY 3199  
Email: kaewokim@gmail.com Day time phone: 07 3252 047

**Return your submission form to:**

**POST:** Opotiki District Council, PO Box 44, Opotiki 3162

**DELIVER:** 108 St John Street, Opotiki

**EMAIL:** [info@odc.govt.nz](mailto:info@odc.govt.nz)

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**Do you agree with the approach in the reviewed Reserve Management Plan?**

**If not, which aspects do you disagree with and why?**

**Are there aspects that have not been included?**

**Other comments:**

If more space is required attach additional paper with your name and contact details on each sheet.

**SUBMISSIONS CLOSE 4PM, FRIDAY 28 FEBRUARY 2020.**

Thank you for making a submission.

Name: Kim Baker (Ms)  
Address: 8480 SH 35, Whanarua Bay, 3199  
Phone: 07 3252047  
Email: [korerokim@gmail.com](mailto:korerokim@gmail.com)

I bought the property where I live in 1998. It is situated above the highway. I still have a mortgage, am a superannuitant and am an ODC ratepayer. I also walk my dog down to Whanarua Bay every day. I call the Bay my Church, as it is (usually) a place of peace, where I can quietly reflect on all manner of things. I occasionally swim in the Bay and I do not own or use a boat or kayak. Nor do I fish or dive for crayfish or shellfish.

There are several issues I would like to submit concerning the Reserve Management Plan and the return of Lot66 to the Crown. I will paragraph my concerns below.

#### **Concerning WHBS 8**

I understand that the ODC is going to abandon its responsibilities for the reserve (Lot 66) and is in negotiations with the Crown as part of a Treaty Settlement to the iwi.

As a ratepayer who invests in the local economy I am disappointed in this apparent lack of respect for the individuals concerned and for we residents.

The Reserve was established in 1960 to provide access for the people who purchased property in a perfectly legal manner from Romio Wirepa. The "Residential Seaside Subdivision" was created for these landowners and approved by the Maori Court. The bach owners have been ratepayers and it is my view that the council's job is to ensure reasonable access and services to its ratepayers. Presumably the ODC did allow the "Residential Seaside Sub-division" to proceed just as they would have approved of the properties along SH 35 with sea views. These plots were clearly designed around the bay access road with the obvious implication that buyers would be able to take small boats into the Bay, to fish, swim, dive and kayak around this very beautiful part of the coast.

I am of the opinion that the ODC has been very pleased to approve such sites, encourage ownership and collect rates but is not prepared to ensure residents their access to the Bay. I am wondering how the ODC can possibly regard this as responsible action towards its ratepayers, whom it presumably intends to continue collecting rates from, even while there is the potential for them to be, in a worst-case scenario, landlocked.

Name: Kim Baker (Ms)  
Address: 8480 SH 35, Whanarua Bay, 3199  
Pjhone: 07 3252047  
Email: [korerokim@gmail.com](mailto:korerokim@gmail.com)

As a side issue most residents here already feel aggrieved by how few services we receive from ODC and for those who aren't aware there is no roadside rubbish collection, no street lighting, no provision of potable water, no sewage system and no footpaths. We, the residents of Whanarua Bay, pay for those utilities (where appropriate) ourselves. It seems to me that now, when we ask for something meaningful to assist us the ODC can't wait to abnegate what few responsibilities it holds.

The second issue regarding WHBS 8 is the rumour that a gate is to be erected and to limit who may and who may not access the Bay. I do not consider that the community pertains singularly to those who have cultural roots in the region and nor do I consider it to "belong" only those people who live in the Bay itself. There are a number of residents who live either side of SH 35 and we also consider ourselves to be *residents of Whanarua Bay* who have always had access to the Bay itself. It is the focal point of our community and the possibility that we might be denied access to the Bay is more than dis-heartening. The Bay is an integral part of our community.

For visitors coming to the Coast, who stay in accommodation here, camp, eat and drink, fuel up at petrol pumps, buy groceries, macadamia nuts and refreshments of all kinds, there are very few places where they can get to a beach or bay. We are pleased to receive an income from our visitors but what are we prepared to give them in return? It seems to me that as the Crown gathers up reserves from along the coast to return to iwi as "redress" we are denying kiwis, and tourists to enjoy the beauty of our region. I think this is self-serving and disrespectful.

As I get older I may not be able to walk to the Bay as easily as I can now but nor do I want to be excluded from being in the Bay because I can no longer drive a vehicle down there. I imagine that people who are disabled might feel similarly. I feel that it's an insult to relegate me and the other residents into some amorphous group labeled "the public". We are a community.

### **Concerning Section 9.2.3**

Consultation, you say? When? How? Who with?

Oh it looks great on paper but when were you going to let the WB residents know that you were considering "*changes to the management of a reserve as an affected party*" or "*to give consideration to the issues raised by the community consultation process.....*"

Name: Kim Baker (Ms)  
Address: 8480 SH 35, Whanarua Bay, 3199  
Phone: 07 3252047  
Email: [korerokim@gmail.com](mailto:korerokim@gmail.com)

Perhaps the above para should have preceded those above but I have not been notified by ODC that there may be a change to the reserve management and nor have I been consulted. I know about the situation because one of our residents was sufficiently perspicacious to see the situation arising and it does appear that you have been extremely slow to take notice of his or Snow Goldsmith's (written and verbal) concerns thus far. I hope that this will change with the meeting that has been postponed on a number of occasions with no clear date yet scheduled.

On perusal of the Reserve Management Plan, I see that dune care activities reflect a good part of council's concern about sea levels rising – a good thing. Unfortunately, once again it is the area directly around Opotiki that is being taken care of and I wonder what work the council has done, or is doing regarding the protection of reserves along the coast. Are they to be widened to cope with this rise? Have you considered how rising sea levels will affect this rocky coastline and the people, your ratepayers, who live along it?

#### **Concerning WHBS1**

Apparently an archeological assessment of the Whanarua Bay Cultural reserve was conducted in 2004. As far as I am aware this was undertaken by Mr Ken Phillips and the assessment was funded and promoted by the ODC. This isn't even 20 years ago and I am perplexed about why another assessment will be required. I am afraid that the cynicism this brings forth in me is not something I'm proud of. Perhaps you can reassure me by explaining just why this is necessary. I presume that the ratepayers will be paying for this and I'm sure that many of us in Whanarua Bay can think of a great many ways this money could be better spent.

There is a great deal more I could object to but let this suffice for the moment. Be under no doubt that I do not approve of the Reserve being returned to the Crown and nor do I believe a gate would be either useful or safe and may, in fact create dangerous road conditions. I think that ODC has a responsibility to its Ratepayers; that they ensure the community has continued and free access to the Bay and that those people who live along the beach deserve protected access to their properties.

I am deeply disappointed in the lack of consultation over this issue, which makes the Reserve Management Plan look like a "*tale, told by bureaucrats, full of pretty rhetoric. Signifying nothing*" Apologies to Shakespeare.

RECEIVED  
24 FEB 2020  
Opotiki District Council  
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**SUBMISSION ON THE OPOTIKI DISTRICT COUNCIL RESERVE  
MANAGEMENT PLAN, BY FISH & GAME NEW ZEALAND.**

**To:** The Opotiki District Council  
P O Box 44  
OPOTIKI 3162

**From:** Eastern Fish and Game Council

**Submission on:** The Reserve Management Plans Review

**Address:** Fish & Game New Zealand, Eastern Region  
Private Bag 3010  
Rotorua 3046

**The specific parts of the draft that our submission relates to are:**

- Shooting on Reserves (9.3.16)

**The reasons for making our submission are:**

**1. The role of Fish & Game New Zealand.**

Fish & Game is made up of twelve Regional Fish and Game Councils and one National Council. Fish and Game Councils were established under the Conservation Act (1987) as amended by the Conservation Law Reform Act (1990). They have a statutory function to manage, maintain, and enhance the sports fish and game bird resource in the recreational interests of anglers and hunters. One of the key statutory responsibilities of the Council is to advocate for the interests of licence holders in planning processes.

**2. General Comment**

Fish and Game wish to make it very clear that we support the promotion of safe use of firearms and their use in appropriate areas. Certainly, there is justification for the prohibition of firearm usage on the majority of the reserve managed land within the Opotiki district.

However, we wish to remind the Council that game bird hunting has been a lawful recreational pursuit in New Zealand for over 150 years and is managed by Fish & Game under the Wildlife Act 1953 and the Conservation Act 1987.

Game bird hunting occurs on both private land and on vast areas of public land throughout the country, including within the Opotiki district, and in some cases on Opotiki District Council reserve land.

To our knowledge, no significant issue has arisen regarding game bird hunting on any Opotiki District Council managed land, certainly within the past twenty years.

For decades, including right up to and including 2019, maimai have stood and approximately ten licenced hunters have hunted game birds on designated Opotiki District Council reserve land within the Waiotaha estuary. The specific reserve areas are depicted in green circumference lines in Map 7.1 and are detailed as Lot3 DP 8749 and Lot4 DP 8749 and are located off Ohiwa Beach Road.

These two specific reserve Lots are the only sites with which Fish and Game are making this submission and believe lawful game bird hunting should be able to continue to occur on these Lots.

3. **Specific Comments in Relation to clause 9.3.16 – Shooting on Reserves**

Fish and Game believe that a slight amendment and addition to the currently proposed wording within clause 9.3.16 – Shooting on Reserves, would authorise lawful game bird hunting on the detailed (above) reserve land (Lot3 DP 8749 and Lot4 DP 8749), without having to specifically create an individual reserve management plan.

We do not believe that an exemption for these two adjoining Lots will result in additional adverse environmental effects and will not detrimentally affect the intent of discouraging shooting on Opotiki District Council managed reserves as a whole.

Fish & Game propose either;

1/ An individual reserve management plan be composed specifically to enable lawful game bird hunting on these Lots; or

2/ The proposed clause 9.3.16 be modified to the below (underlined and italics);

“.....Game bird and water fowl hunting is generally not permitted on any reserve or water body administered by ODC unless specifically allowed for with individual RMPs, or exemption is given in this plan (as per the ODC District Plan). Licences.....”

“ Objective

(i) To generally prohibit shooting on reserves.”

“ Policy” - same as shown

**ADD**

“Exemptions – Lawful game bird hunting is permitted on the Waiotaha Estuary reserves (Lot3 DP 8749 and Lot4 DP 8749) which are located off Ohiwa Beach Road.”

**We wish to be heard in support of our submission.**



Dated at Rotorua this 21st day of February 2020.



John Meikle  
Fish & Game Officer

Address for service:

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<b>Feedback number</b>	<b>30</b>
<b>Submitters name</b>	<b>Leslie Jones</b>
<b>Do you agree with the identified issues/strategies</b>	No
<b>Which aspects do you disagree with and why?</b>	Whanarua Bay Reserve being given a Cultural Heritage category when it is principally a Recreation and Ecological Linkages reserve.
<b>Are there aspects that have not been included?</b>	<p>Submission on Review of the Opotiki District Council Reserve Management Plan  By Leslie Jones  12 Banbury Place, Mangere Bridge, Auckland 2022  <a href="mailto:les@evnz.org">les@evnz.org</a>  02102504191</p> <p>Context  I am an owner of the bach at Lot 1 Whanarua Beach and, having learned that the reserve lot 66 is being considered by the Crown negotiators for return to Te Whanau a Apanui, am understandably concerned about continued road access to our property over the lot 66 part of the reserve. In respect to the management plan I wish to make five recommendations.</p> <p>1. The cover of the Reserve Management Plan shows a photo of Whanarua Bay which is ironic if this reserve is under consideration for return to the Crown. We understand it being on the cover because it is, as the Pacific Coast Highway Guide says, "considered by many to be the prettiest bay on the coast." The 2013 Guide from the 10,000 Club says, "As vehicle access is difficult, visitors are requested to take the short walk down to the beach." The 2020 Guide adds, however, "Access to the bay is over private land and vehicle access and parking is limited during peak holiday period. Caution is required at all times." The expectation that people can drive down has risen. This is reinforced by signage at the top saying "heavy vehicles prohibited and proceed when the light is out". We think the current situation should continue, that the current signage and the light deters many tourists, and the wording of the signs encourages people in a harmonious way to take care and to treat the bay with respect (Continued in next section)</p>
<b>Are there other comments you would like to make?</b>	<p>(Continued from box above)</p> <p>2. The category assigned to the reserve.  On Page 153 of the Reserve Management Plan, in the table, the Bay is given a category of 'Cultural Heritage.' We believe that this is the wrong category and that 'Recreation and Ecological Linkages' is more appropriate, because the vast majority of people, including Maori, use the reserve to access not the Wahi Tapu, but the beach for recreation. One could suspect that with a cultural heritage label, the reserve would be more likely to be returned to the iwi under a treaty settlement.  Secondly, to our knowledge, the reserve area, apart from the headland clearly signed as Wahi Tapu, has been investigated more than once by archeologists and no physical evidence of cultural sites has ever been</p>

found. Furthermore, in the 2004 archeological survey, the views of only one local Maori, Rosana Wi Repa, were repeatedly cited as evidence of the existence of cultural sites. We are not saying there are no sites, and if there were, we wholeheartedly support their protection, merely that access to them is not the main function of the reserve.

Thirdly, at an area of about 900 m<sup>2</sup> the Wahi Tapu makes up less than 5% of the total reserve, is part of only one of the ten parcels of reserve (Lot 80), and as this is a linear reserve, access over the rest of the reserve is not needed to access the Wahi Tapu.

### 3. Origins of the reserve.

We object to the description "For access to the Wahi Tapu". It is clear that the 10 parcels of the reserve originated upon the subdivision of Whanarua Bay as recorded on DP 4651 on 30th November 1961. They were ceded to the Crown, then transferred to the Council on 30th September 1975. We believe the true origin of the reserves was for legal access to the beach, since this would be cut off by the sale of the subdivided land to private owners.

### 4. Vision Strong Community Strong Future

Page 22 of the plan mentions the 'high level outcomes' from the long-term plan (LTP). These include 'a strong and effective community spirit' and 'services and facilities that meet our needs'. We think that whatever decision the Council makes about the Whanarua reserves, maintaining harmony in the community must rank highly. To achieve this the best access needs to be provided for the most people, and we believe that giving secure access to beachfront property owners, other local residents and tourists alike is the way forward.

### 5. Conclusion

The best solution in my opinion is to enhance the status quo: The council allows the road through the reserve to be used by anyone. The Council gives the lower bach owners an easement over the roadway part of the reserve. In return the lower bach owners maintain the road, which they have the highest possible motivation to do.

One additional requirement concerns management of access to the bay, namely limiting vehicle access so that the bay's recreational resources are not overwhelmed by too many people. This is currently achieved by three deterrents: a narrow, steep-looking road, a three-minute wait for the red light to change, and a well-worded sign indicating limited parking, no heavy vehicles, a preference for walking access, use of the road is at the vehicle owner's risk and asking for the bay to be treated with respect.

These words are echoed in the Opotiki to Gisborne travel booklet. To my knowledge I have never felt that the bay was overcrowded.

Thankyou

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**Submitters  
Email**

[les@evnz.org](mailto:les@evnz.org)

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**Daytime phone**

02102504191

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**Do you wish to  
speak to your  
submission?**

No

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**Feedback number** 31

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**Submitters name** Meryl Elizabeth Bacon

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**Do you agree with the identified issues/strategies** I wish to submit on the section covering Whanarua Bay Recreation Reserve, Pages 153 and 154.

Lot 1, Whanarua Bay is owned by "The Les and Meryl Trust" and the trustees are myself, Meryl Elizabeth Bacon and Leslie Wilson Jones. I would like the following aspects to be considered: NOTE I HAVE SUBMITTED ON THE PROPOSAL ITEM BY ITEM

1 - Reserve Category – Cultural Heritage  
There is a "cultural heritage" aspect to Whanarua Bay Recreation Reserve in that the land below the access road has been identified as "wahi tapu".  
However the main purpose of the area in question dating back to before the 1960's has been recreational. Initially camping was encouraged for a small fee by the Wirepa whanau. Then in 1961 Romeo Wirepa subdivided and sold the land which was adjacent to the foreshore – baches were then built on these sections. Bach owners then and now built/buy these properties for the enjoyment of the foreshore and for swimming, kayaking, boating and fishing. These are all clearly recreational activities.

2 – Concept Plan  
Yes, 2x picnic tables, improved access to Road and parking  
More detail please around where the 2 picnic tables would be sited and would there be the provision of rubbish bins with regular scheduled council clearance or clear notices saying everything that is brought in needs to be taken out again. We have certainly had experience of rubbish being dumped on our section or large amounts being left on the flat grassed area adjacent to Whanarua Stream.  
It would be helpful if the boundaries of the Recreation Reserve were made clear and expectations around rubbish were enforced.  
It is unclear what "improved access to the Road and parking" refers to – is this parking down near the foreshore or adjacent to the main highway.  
Also does "Road" refer to the main highway or the access road down to the foreshore.  
When the Council approved the subdivision, it had a clear responsibility to ensure vehicle access to the properties on the foreshore. I understand that there has been long standing work to formalise road access down the sealed access track to ensure that bach owners on the foreshore do not effectively become "landlocked". Although on paper these properties have a boundary on the State Highway, the drop to the bay is very steep and road access down the sections is not feasible.

Origins of the reserve  
As stated above the recreational reserve was created as part of the process whereby Romeo Wirepa was granted consent to subdivide and sell sections of the foreshore.  
Previous investment in the Reserve. (and Vegetation)  
The reserve management plan is correct in saying that Council has provided NO INVESTMENT in the Reserve. I think this is disgraceful given that the Reserve was established nearly 60 years ago.  
Certainly safe and guaranteed road access should have been a Council priority.  
In addition an abundance of intrusive jasmine is invading our property – this originated in Council reserve land adjacent to the stream. I would welcome this being eradicated.

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**Which aspects do you disagree with and why?**

**Background**

The statement that “The access to Whanarua Bay is obscure and therefore the reserves are mainly frequented by locals.” is totally wrong. In the Bay of Plenty guide book it is touted as perhaps the “prettiest bay” in the area. Visitors to the bay are plentiful as there are visitor accommodation options adjacent to the State Highway and the Pacific Coast Macadamias café ensures that people stop at Whanarua Bay and wish to explore the area. In addition I have often spoken to families who have come to Whanarua Bay for a day trip.

The statement “access to coastal reserve Lot 80 DP 4651 is by negotiated rights to pass over private land Lot 75 DP 4651.” Is misleading.

Bachowners on the foreshore have a legal easement allowing them to launch boats across Lot 75. However in all the years that I have spent time in Whanarua Bay the Wirepa family do not appear to have opposed the public driving or walking along Lot 75 to access the foreshore. A rahui has been declared banning the taking of shellfish but this is a very different issue. See also WHBR1 in Reserve Issues.

WHBR2 Continued and future access over lot 66 to “lower” Whanarua Bay properties and coastal reserve.

As discussed previously in my submission I believe that the Council has a legal obligation to ensure vehicular road access to the “lower” Whanarua Bay properties on the foreshore. This has become a matter of urgency for said bach owners as I believe that the Whanarua Bay Reserves are being considered for return to the Whanau a Apanui as part of a treaty settlement. This land was owned by the Wirepa whanau and the reserves were created when land was subdivided for sale. It does not seem appropriate for this land to be returned to the wider iwi when it was initially part of a private land sale.

WHBR3,4,5,6and7

I fully support a commitment to good management of the coastal forest reserve, including pest plant and animal eradication and control and control of dumping of household refuse and illegal camping.

Surely negotiated access along Lot 70 for these activities should be a priority - perhaps in return for rates abatement on Lot 70. Ensuring safe road access down lot 66 would also support these activities.

**Are there other comments you would like to make?**

WHBS1 and 2

Speaking to members of the Wirepa whanau in the past, the only wahi tapu site identified was that already signposted at the bottom of the access road.

WHBS3

As stated in my comments in “Background” above, “lower” bachowners on the foreshore have a legal easement allowing them to launch boats across Lot 75. I fully support Council negotiating the possibility of acquiring access over private property to provide public access to the coastal forest reserve.

WHBS4

I fully support Council formalising a right of way over lot 66 for “lower” Whanarua Bay bach owners – this would need to provide vehicular access as it has done for many years.

WHBS5

Fully supported but needs to start with pest plant and animal eradication as in WHBR5

WHBS6 and 7

These plans would depend on WHBS3 above and Council having a commitment to ensure rubbish does not accumulate.

Thank you for considering my comments above.

**Submitters**  
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**SUBMISSION MADE BY TE WH NAU RANGI-I-RUNGA ON THE REVIEWED ŌPŌTIKI RESERVE MANAGEMENT PLAN.**

Submitter name: Te Wh nau Rang-i-Runga

Submitter contact: Pat Park and Inys Calcott

Contact phone: 027 446 4071

Email: [paetahi.park@gmail.com](mailto:paetahi.park@gmail.com)

Hearing: I/we do wish to be heard in support of my/our submission.

Position: We do not agree with the reviewed Reserve Management Plan as it relates to Whanarua Bay Reserve (pages 153-156 of the RMP) for the reasons set out in our Table 1 and Table 2, below.

**Historic Background for Whanarua Bay**

The Whanarua Stream begins in the upper reaches of the Waikawa Block and flows into the Motuaruhe Block west of Maraehako where it exits to the sea. Its catchments area is approximately 500 hectares. This includes a fifty hectare catchment for the Whanarua Residential water supply. According to the hunter/ gathers the catchment is steep, rugged country covered in heavy bush full of bluffs and drop-offs, hence the many waterfalls impassable except for two. This area belongs to one whanau and is historically part of our kapata kai. Today it is a source of regenerating bush and vital bird feeding and breeding grounds. Taihoa Creek, a side arm of the Whanarua was cleared for forestry. I am told by an ex-forest ranger that there are large patches of soil being exposed by deer eating the Crown fern and other low growing forest cover.

This area was the last place Kokako were seen and heard before disappearing from the rohe. The black shags of the Whanarua still inhabit in and around the upper falls area, though numbers have dwindled. The first waterfall (Te Rere a Kaiwaru) which is advertised as a scenic walk by the O.D.C. and local camping grounds, was used in ritual bathing, cleansing and cultural practices. Kaiwaru is a taniwha and kaitiaki of the Whanarua who lives in the pool into which the waterfall flows. The area also supports suitable vegetation for neutralisation ceremonies (whakanoa) and the plants grow in abundance around this pool. There are elements of risk on this must see walk e.g. broken bones from falling and/or slipping including a case of disorientation.

In our Grandmother's time she and her siblings had their paru holes lower down. They also harvested kiekie and its fruit up to the second waterfall (Te Rere a Te Whatui) and harvested plants for rongoa and dyes. The young men of the wh hunted the Waikawa, Motuaruhe and Maraehako catchment for pig and birds and now we hunt the area for pig, goat, stoat, deer and opossums. It is said in ng kōrero tuku iho that the name Whanarua makes reference to a Tamahae story and the ambush of a taua at Te Kahika above the cave Te Anawhakaio. It has appeared in some writings as Waiwhana and Whangarua. Te Uruhi is the correct name for the bay widely known as Whanarua Bay. In our application for a Maori Reserve for lots 66-80 we also give the history of lot 75 the access pathway of two prominent tīpuna (Te Uanga and his younger brother Tamahae, grandsons of Apanui).

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There is an ara tipuna that begins at Te Huka Island, pass's through Motuaruhe and exits near the Kereu River. There is another beginning at Motupapaka, running east of Karirangi, and west of Puangiangi, through the Maungaroa Block to the Raukuakore River or to exit at Te Waiti/Pohueroroa. In pre and post WWI and WWII Te-Whanau-a-Rangi-i-runga were still splitting puriri for fence posts up until the decline of the big stations and the onset of the Depression. It ended in tragedy after one of the whanau, died from a nasty axe wound.

Our whanau are members of Te Whanau-a-Rangi-i-runga and Te Whanau a Kahurautao hapū. We are landowners in the Whanarua Bay, and consider our health and wellbeing is connected intrinsically with the health and wellbeing of our whenua, ngahere, waterways and moana. We are writing a submission against Opotiki District Council Reserve Management plan and their future developments which includes:

- Investigate the possibility of acquiring access over private property to provide public access to the coastal forest reserve.
- Options to formalise access right over lot 66 for 'lower' Whanarua Bay house owners will be explored by Council and; implemented where practicable.
- Provision of parallel car parking along the seaward side of the access road
- Installation of picnic facilities and barbeques.
- Installation of standardised ODC reserve, regulatory and interpretive signage.

The Motuaruhe Block is solely the domain of Te Whanau-a-Rangi-i-runga, who was the daughter of Kahutia, one of the children of Tukaki and, therefore, a grand-daughter of Apanui. She married Takapo, a son of Te Uanga and a grandson of Apanui. Beginning at Te Iringa-a-Pararaki on the eastern head of Whanarua Bay next to the Motupapaka Islands, the boundary parallels the Maraehako Block, running inland to Karirangi, to Puangiangi, thence to Te Paretao, then to Te Karaka, to the northwest to Te Toromata, north to Te Kopiha to Te Mara o Hinetera on the eastern boundary of the Waikawa Block, to Motumomore, an island and east along the coast to the commencement point. This is land that was largely seasonally occupied, it being a bird hunting location, kai moana reserve and noted for its berries. Even today, spear tips from birding spears and hangi stones from sites where huahua was cooked are regularly found. It was famous for its nikau, puriri, tawa, miro and mangeo groves which attracted swarms of birdlife.

The Waikawa Block is the ukaipo of Te Whanau a Kahurautao, a son of Apanui and his fourth wife, Kiritapu. On the west at Pahaoa, it commences at Tapapa a Piha on the coast, southeast to Okaumorehu, to Te Kahumatenoa, Mihimarino, Taumata Karearea, Pukerata, Pukewharariki, along the Hereheretaunga Ridge to Herheretaunga peak, northeast to Ngawhakatara which lies south of the Punatahoata Stream, northwest to Ngahore, to Puaniangi, northwest parallel to the Motuaruhe Block to Paretao, Te Karaka, Te Toromata, Te Kopiha, Te Mara o Hinetera and out to the coast at Motumomore, thence west along the coast to the commencement point.

As two of the heke of the House of Apanui, our hapu interests cover an area of approximately 4,000 hectares. These catchment areas support the roof of The House of Apanui, the Raukumara Range and provide whanau and their livestock access to the ngahere and Tangaroa and a steady and reliable source of water. While not navigable, they are never the less, the life-blood of our hapu.



Te Whanau-a-Kahurautao and Te Whanau-a-Rangi-i-runga hapu have very separate identities, areas of interest, and issues that are currently being resolved through the Treaty Settlement process. Te Whanau-a-Kahurautao and Te Whanau-a-Rangi-i-runga hapu (through our negotiation team) are working in good faith with the Crown to manage issues relating to the review of the Reserve Management Plan. This is a lengthy process and the outcome will likely impact this Reserve Management Plan. Our aspiration is to develop a manageable framework that gives a new legal consideration, of the below waterways, and natural resources, in a way that recognise our undisturbed relationship and cultural values. This framework also needs to consider the formation of a strategy to improve the health and wellbeing of our waterways, and adequate resourcing for its implementation.

The Crown will need to ensure relevant agencies will enter accords, or other agreements, so that Te Whanau-a-Kahurautao and Te Whanau-a-Rangi-i-runga hapu can be approved as a Heritage Protection Authority; engage with the New Zealand Geographic Board to provide for the exercise of mana whakahaere. The Crown will further support and assist Te Whanau-a-Kahurautao and Te Whanau-a-Rangi-i-runga hapu to build and strengthen relationships with relevant local authorities; and relevant entities or agencies in a way that ensures their investment and contribution to the the formation and implementation of the strategy. This arrangement should apply to the Whanarua, but also the Herepara, Waihuna, Nahanaha, Waikawa (Nahunahu), Waipuorooro, Wirepa Stream, Pararauaruhe, Te Kopua, Mangatakauere, Waipapa me Ng Wairere o Pahaoa.

**Table 1: Submission contents and relief sought**

<b>Submission point</b>	<b>Our submission is that:</b>	<b>Our relief sought is that:</b>
1	<p>Ōpōtiki District Council (ODC) has an obligation as a partner to Te Tiriti o Waitangi and in accordance with the Reserves Act 1997 (as well as the Resource Management Act 1991, Local Government Act 2002 and the Conservation Act 1987) to consult with tūgata whenua and iwi regarding all management of reserves as Māori have extensive knowledge of the District's natural and historical resources, their values and vulnerability to exploitation.</p> <p>The RMP includes a policy (at 9.2.2) that Council will consult with Treaty Partners when reviewing the RMP and then must take into account concerns, issues and matters of wahi tapu raised by Māori as they affect each reserves management.</p> <p>To ensure a durable long-term solution, the focus of discussion should be how Opotiki District Council forecast its activities related to and involve return of land to Te Whānau Apanui, protection of urupā and wahi tapu, ensuring reserve classification is appropriate for the site (may need to change from "recreation") and any current arrangements that undermine the Tino Rangatiratanga of hapu and whanau owners and members.</p>	<p>We seek that ODC withdraw the Reserve Management Plan review as it applies to the Whanarua Bay Recreation Reserve and begin working with Te Whānau Rangī-i-Runga to identify values and redraft provisions.</p>
2	<p>Te Arawhiti (the Office for Māori Crown Relations), the Department of Conservation and ODC are exploring returning Whanarua Bay Recreation Reserve to Te Whānau Apanui, through discussion with representatives of Te Whānau Apanui and Te Whānau a Rangī-i-Runga and the Whanarua Beachfront Property Owners Group. The reserve comprises of several parcels and is administered by Opotiki District Council. Whanarua Bay bach-owners currently only have informal access to their properties via Lot 66, a Recreation Reserve.</p>	<p>We seek that the Whanarua Bay Reserve Management Plan includes a mandatory review clause is included to the effect of: <u>"The RMP as it relates to Whanarua Bay must be reviewed upon the conclusion of the Waitangi Tribunal hearings [Wai. ref. num.], or by 2025 whichever is earlier"</u>.</p>
3	<p>Te Arawhiti, the Department of Conservation and ODC acknowledge that lot 80 of the Whanarua Bay Reserve runs</p>	<p>We seek that the Whanarua Bay Recreation Reserve be categorised as a historic reserve rather than a local purpose</p>

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	<p>through and within the vicinity of a well-known waahi tapu and Urupa. While the recreational reserve was alienated from hapu through the taking of Romeo Wirepa's land, this waahi tapu is ancient and has koiwi from well-known tupuna within accessible reach.</p> <p>It is our view that the the proposed "provision of parallel car parking along the seaward side of the access road" and the "installation of picnic facilities and barbeques" is highly inappropriate given the close proximity to waahi tapu. It is also our view that any "Standardised ODC Signage" is a waste of rate payer resource given that signs will need to be changed once the status of the reserves are finalised.</p>	<p>(recreation) reserve and local purpose (segregation strip) reserve. This would be consistent with the origins of the Reserve to provide access to significant wahi tapu sites including .</p> <p>We support Future Management Strategy WHBS1 with the following modifications to the effect of:  <u>"Opotiki District Council work with Te Whanau Rangī-i-Runga to complete the following before 01 January 2021:</u>      Undertake a cultural impact assessment of the area utilizing the information gained to inform the planned revision of the RMP" that is required above in submission point 2</p> <p>We seek that WHBS6 (picnic and BBQ facilities) and WHBS7 (car parking) and WHBS8 (signage) are removed from the RMP.</p>
4	<p>ODC's proposal to investigate the possibility of acquiring access over private property to provide public access to the coastal forest reserve is unacceptable. All of the possible access routes require going through our families Maori land. This needs to be removed in its entirety from the management plan. It is our view that exploring options to formalise access right over lot 66 for 'lower' Whanarua Bay house owners will be to problematic for this management plan. Elements of this formal access is out of the Councils control as the current access goes through private Maori land. This access way is currently not suitable for large vehicle and also crosses through waahi tapu. The priority should not be formalising access over lot 66, but rather minimising vehicle access through our waahi tapu.</p>	<p>We seek that WHBS4 (ROW) be removed from the RMP.</p>
5	<p>Given the described values associated with the site, the historic and recent activities are inappropriate and offensive. Namely, the access road that was constructed through the urupā must be closed to vehicles and erosion of waahi tapu be stabilised. The construction of this road was incredibly destructive to our waahi tapu, which is contradictory to the policies of the RMP at 9.4.2 which states that <i>archaeological and historic sites contribute to the values of the reserves and should be managed properly to avoid inappropriate use by the community. There are a number of reserves in the district that are culturally significant to Māori</i></p>	<p>We seek that vehicles are excluded from the reserve immediately until such a time that the future responsibilities of management of the reserve is determined by the Waitangi Tribunal.</p>

	<p><i>and other cultures and contain a number of archaeological sites. It then continues on to say that the following activities will not take place within historic reserves and reserves with registered archaeological sites without prior archaeological assessment: Any earthworks including excavations, drilling, tunneling, grading, roading, and other soil disturbances (including fencing and walking track formation).</i></p>	
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**Table 2: specific submission points on the RMP provisions**

<b>RMP provision</b>	<b>Submission point</b>
<b>Cultural considerations</b>	
WHBC1	The unrestricted public access to wāhi tapu (urupā sites) is of significant concern to local hapū. We seek that all vehicle access to the reserve is prohibited.
WHBC2	There is no cultural values identification or impact assessment been undertaken by District Council during the review of the RMP. Te Whānau Rangī-i-Runga must be engaged to complete this work before 01 January 2021 to inform the RMP review process.
WHBC3	Heritage values must be improved through the identification of historic and current values and sites, protection of those values and sites from further degradation, and restoration of historic damages. This includes the exclusion of vehicles from the Reserve.
<b>Reserve issues</b>	
WHBR1	ODC's proposal to investigate the possibility of acquiring access over private property to provide public access to the coastal forest reserve is unacceptable. All of the possible access routes require going through our families Māori land. This access way is currently not suitable for large vehicle and also crosses through wāhi tapu. The priority should not be formalising access over lot 66, but rather minimising vehicle access through our wāhi tapu. All physical vehicle access through Lot 66 and Lot 80 must cease immediately until such a time that there is a legal agreement in place from the Waitangi Tribunal, this is necessary to prevent further desecration of wāhi tapu and urupa.
WHBR2	
WHBR3	ODC must immediately investigate other access options that do not rely on Lot 66 or Lot 80 in any way
WHBR4	
WHBR5	We support that these issues need to be addressed (pest plan and animal, dumping of household refuse, illegal camping)
WHBR6	
WHBR7	
<b>Future management strategies</b>	
WHBS1	We support the undertaking of a cultural impact assessment of the area but seek the wording be amended to state: "Opotiki District Council work with Te Whānau Rangī-i-Runga to complete the following before 01 January 2021:

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	undertake a cultural impact assessment of the area utilizing the information gained from both of these to inform <u>the planned revision of the RMP following settlement of Waitangi Tribunal hearings [ref. num.]</u> ”.
WHBS2	We support the intention of WHBS2 but seek the following wording to be implemented: “Following <u>the conclusion of Waitangi Tribunal hearing [ref. num.]</u> the RMP must be reviewed to reflect that settlement, and must have regard to the <u>cultural heritage assessments in order to identify, protect and restore waahi tapu and uru sites.</u> ”
WHBS3	We completely oppose any investigation or acquisition of our land for the purpose of providing public access to the reserve and coastline. We seek that WHBS3 is amended to read: “investigate the possibility of acquiring access over private property to provide public access to the coastal forest reserve. <u>This investigation must not conclude that any land that is Māori land is suitable for acquisition.</u> ”
WHBS4	
WHBS5	We support this the commitment to planting of native revegetation trees, shrubs and grasses and the protection of estuarine habitats
WHBS6	We seek that WHBS6, WHBS7 and WHBS8 are deleted as they are highly inappropriate given the close proximity to waahi tapu.
WHBS7	
WHBS8	
Concept plans	
WHBCP1: Whanarua Bay Concept Plan 1	We oppose both concept plans as they implement WHBS6, WHBS7 and WHBS8 which we also oppose given that they will further degrade waahi tapu and uru
WHBCP2: Whanarua Bay Concept Plan 2	

26 February 2020



Dear Sir/Madam

**Bay of Plenty Regional Council's submission to the Ōpōtiki District Council Reserve Management Plan Review.**

Thank you for the opportunity to comment on the above submission. The Bay of Plenty Regional Council does not wish to be heard on this submission.

For matters relating to this submission, please contact Stephen Lamb at [stephen.lamb@boprc.govt.nz](mailto:stephen.lamb@boprc.govt.nz) or 0800 884 881 ext. 9327.

**Our Organisation**

The Bay of Plenty Regional Council is responsible for the sustainable management of resources within the Bay of Plenty region. Our role is determined by Central Government through statutes such as the Local Government Act and the Resource Management Act, and is different from that of territorial authorities (district and city councils). Some of our key roles are:

- Regional planning for land, water quality and air quality;
- Setting environmental management policies for the region;
- Allocation of natural resources;
- Flood control;
- Natural hazard response;
- Soil conservation;
- Pest control / biosecurity;
- Public transport;
- Strategic transport planning;
- Regional economic development; and
- Strategic integration of land use and infrastructure.

**Summary**

Please find our detailed comments attached. We trust you find them constructive.

Yours sincerely

pp Stephen Lamb  
**Natural Resources Policy Manager**

**On behalf of:**

Namouta Poutasi  
**General Manager Strategy & Science**

Objective ID:

## Comments from Bay of Plenty Regional Council on ODC Reserve Management Plans

Specific provisions that submission relates to / Nature of submission		3 Bay of Plenty Regional Council seeks the following decisions	
Section Heading and Reference	Clarify the issues you are concerned about	Support/Oppose or Seek Amendments and Provide Reason	
RMP 9.2.16	Correct naming	Correct references to Environment Bay of Plenty Regional Council (eg p.42). Now Bay of Plenty Regional Council.	Amend references to Bay of Plenty Regional Council.
RMP 9.4.3	Incorrect naming	Correct references to Historic Places Trust (eg p.61). Now Heritage New Zealand.	Amend references to Heritage New Zealand.
RMP 9.3.8, 9.3.12	Archaeological Authorities	9.1.2 includes Heritage New Zealand Puwhare Taonga Act 2014 as one of the statutes that may apply to reserve management. Council should ensure that an Archaeological Authority is gained from Heritage New Zealand in situations where any activity may modify any part of an archaeological site.	Add policy: Council will ensure that an Archaeological Authority is gained from Heritage New Zealand in situations where any activity may modify any part of an archaeological site.

Specific provisions that submission relates to / Nature of submission		3 Bay of Plenty Regional Council seeks the following decisions	
Section Heading and Reference	Clarify the issues you are concerned about	Support/Oppose or Seek Amendments and Provide Reason	
RMP 9.4.5, 9.4.6	Incorrect references	Correct the references to both Regional Pest Plant Strategy and Regional Pest Animal Strategy. These are no longer extant. The Regional Pest Management Plan will apply to both categories of pests.	Amend the references to both Regional Pest Plant Strategy and Regional Pest Animal Strategy to Regional Pest Management Plan
Appendix 2 11.1 Coastal Reserves			
Ruatuna etc reserves Background p106		These reserves are not specifically part of the Ōhiwa Harbour Heritage Trail (which also is not a BOPRC trail but completed by the Ōhiwa Harbour Strategy Partners)	
ROHR3		Investigating the joint or single agency management of reserves is not included in the Ōhiwa Harbour Strategy (OHS). It does contain an action "Develop a coordinated approach to and implement management of, public reserves". The intent of this action is to ensure that reserves are managed effectively and public access to the harbour is maximised. There is also an Ōhiwa Harbour Recreation Strategy (OHRS) (see attached) which contains a number of relevant and much more detailed objectives regarding reserves and recreation. The intent of the RMP provisions are generally in line with these objectives.	Amend to "manage in accordance with the Ōhiwa Harbour Strategy and the Ōhiwa Harbour Recreation Strategy".



Specific provisions that submission relates to / Nature of submission		3 Bay of Plenty Regional Council seeks the following decisions	
Section Heading and Reference	Clarify the issues you are concerned about	Support/Oppose or Seek Amendments and Provide Reason	
ROHS1		Rather than the OHS, it may be more appropriate to reference the OHRS here as it has more detailed objectives with regard to reserves and recreation. But support the intent as it is in line with the OHRS.	Amend Ōhiwa Harbour Strategy to Ōhiwa Harbour Recreation Strategy
ROHS5		Support. It is in line with the OHRS	
ROHS6		While vehicle access is not appropriate for these particular reserves, improved pedestrian access may be and car parking could be investigated in Lot 3 DP 399923 where large numbers of pipi gatherers park on the roadside.	
ROHS7		Support. BOPRC supports a care group's activities in this area. It would be useful to put in place a mechanism whereby this work is formally recorded and acknowledged by ODC.	
ROHS8		Support	
ROHS9		Support	
ROHS10		Support	
ROHS11		Support	
ROHS12		Support transfer of Lot DP 9019 to DOC	

Specific provisions that submission relates to / Nature of submission		3 Bay of Plenty Regional Council seeks the following decisions	
Section Heading and Reference	Clarify the issues you are concerned about	Support/Oppose or Seek Amendments and Provide Reason	
ROHS13		Support. Many residents are unaware of local reserves, which amongst other things, often leads to encroachments.	
ROHS14		Support in principle but amend as above in ROHR3	
Loop Rd boatramp		It is noted that the Loop Rd Wharf/toilet/carpark complex is not listed here (presumably as it is part of the road reserve). But as a well used council managed facility with a number of council assets, it may be appropriate that the area has its own management/concept plan.	
Ōhiwa spit reserves OSRC1 and 3		Council may like to consider applying for an archaeological authority for this given the large number of recorded archaeological sites. This should flow through to inclusion in future management strategies.	
OSRC3		Parts of this area have known archaeological sites (as detailed in the background) and the area has important cultural values.	Add to management strategies: Carry out cultural impact assessment.  Also add: Ensure archaeological sites are protected.
OSRS1		Support. There is already some interpretive signage as part of the Ōhiwa Harbour heritage trail and further signage is planned by the OHS partners (with permission from ODC)	
OSRS2		Support	

Specific provisions that submission relates to / Nature of submission		3 Bay of Plenty Regional Council seeks the following decisions	
Section Heading and Reference	Clarify the issues you are concerned about	Support/Oppose or Seek Amendments and Provide Reason	
OSRS3		Support	
OSRS4		This is dependent on the outcome of the bylaw review. Council should ensure that this provision is in line with the new bylaw.	
OSRS5		Support	
OSRS6		Support. There is a BOPRC supported care group in this area and it is suggested that the work of this group is supported.	Add management strategy similar to ROHS7
OSRS7		Support. This should be done in conjunction with Coastcare	
OSRS9		Support. There is already an MOU in place between ODC and BOPRC regarding the management of their adjoining reserves (see attached). It is important that the visitor experience provided in both these reserves is consistent.	Add " in accordance with the MOU between BOPRC and ODC"
OSRS10		As above in ROHR3	Amend to "manage in accordance with the Ōhiwa Harbour Strategy and the Ōhiwa Harbour Recreation Strategy".
Ōhiwa/Bryans Beach reserve OBRS3		Support	
OBRS4		Support	

Specific provisions that submission relates to / Nature of submission		3 Bay of Plenty Regional Council seeks the following decisions	
Section Heading and Reference	Clarify the issues you are concerned about	Support/Oppose or Seek Amendments and Provide Reason	
OBRS5		Support. There is a BOPRC supported care group as well as the Ōhiwa Headland Sanctuary Trust in this area and it is suggested that the work of these groups is supported.	Add management strategy similar to ROHS7.
OBRS9		Support	
OBRS10		Support	
Te Ahiaua reserve Background		The statement that dogs must be under control at all times may not be in alignment with the bylaw.	
TARS3		Support	
TARS6		Support	
TARS7		Support. This should be considered in conjunction with comments below (TARS12)	
TARS12		The river bank is eroding as pointed out in TARR4. A large section of the eroding bank is the archaeological site (midden). Protection of the site and eroding bank should be considered.	
TARS13		Support	

Specific provisions that submission relates to / Nature of submission		3 Bay of Plenty Regional Council seeks the following decisions	
Section Heading and Reference	Clarify the issues you are concerned about	Support/Oppose or Seek Amendments and Provide Reason	
WBRR3		Agree with this consideration. Depending on the outcome of the bylaw review, and if vehicles continue to be allowed on this beach, improved signage would be beneficial to remind drivers of the rules that apply and which accessways to use..	
WBRS1		As above.	
WBRS2		Support	
WBRS2		Support	
Waiōtahe beach in front of Coastlands subdivision		There is an area of unformed road reserve extending east from the surf club which is effectively a reserve and managed to some extent in some places by Council. It contains important sand dunes, tracks and accessways to the beach. Council should consider including this are in the management plan.	
HBRS5		Support	
HBRS6		Support	
HBRS7		Support	
HBRS8		Support	

Specific provisions that submission relates to / Nature of submission		3 Bay of Plenty Regional Council seeks the following decisions	
Section Heading and Reference	Clarify the issues you are concerned about	Support/Oppose or Seek Amendments and Provide Reason	
HBR10 to 15		Support. Note that the biodiversity management plan expires this year (2020). BOPRC intends to continue to support this work and will collaborate with ODC and DOC to produce an agreed replacement plan.	
11.2 Passive/other			
		As an important cultural site for Te Upokorehe, Council and the care group should continue to engage with them concerning the ongoing management of this reserve	Add this engagement to the future management strategies
HDS3		The quoted management plan expired in 2018 and has been replaced by an annual plan. BOPRC continues to support the work of the care group in this reserve. Similarly the work of the care group continues to be very well supported by Council. This should be recognised.	Add to the future management strategies: The work of the care group (including track maintenance, the provision of signage and predator and weed control) will be supported and recognised by Council.

A scenic view of Ōhiwa Harbour, showing a sandy beach on the left with several people swimming and playing in the clear blue water. The background features rolling green hills under a blue sky with scattered white clouds. The foreground is framed by green leaves. A large, white, geometric pattern is overlaid on the bottom left corner of the page.

# Ōhiwa Harbour

## Recreation Strategy

*Ōhiwa - Together we're keeping it special  
He taonga tuku iho kē, ko tātau rā ngā uri e*





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# Ōhiwa Harbour Recreation Strategy

## 1 Introduction

The development of this strategy results from Action 3.1 of the Ōhiwa Harbour Strategy (OHS) to “develop and implement a recreation strategy”. Its implementation will be guided by the seven Ōhiwa Harbour Strategy partners.

Tangata whenua, residents, local visitors, holidaymakers and tourists all have an interest in Ōhiwa Harbour. The harbour and its environs are considered by residents and visitors alike to be a uniquely special place. The physical environment - the scenery, wildlife, tranquillity and relative lack of commercial development are greatly appreciated. People engage in a wide range of water-based activities such as fishing, swimming and boating as well as land-based activities such as sight-seeing, walking and picnicking around the harbour margins. Most of these activities are focused around a small number of sites.

In the Bay of Plenty Regional Coastal Environment Plan (2017), Ōhiwa Harbour is recognised as an area of outstanding natural features and landscape and as having the highest ranking for indigenous biodiversity. This document also notes the significant cultural importance of the harbour to tangata whenua and its recognition historically as Te Kete Kai a Tairongo (the food basket of Tairongo).

## 2 Vision

A pristine harbour environment that provides sustainable recreational opportunities for local communities, iwi and visitors.

## 3 Purpose

The *Ōhiwa Harbour Recreation Strategy* (OHRS) guides management of recreation, current and future, in and around the Ōhiwa Harbour. Key to this purpose is enabling recreation; balancing expectations of local community, iwi and visitors while ensuring the harbour’s values are not compromised.

## 4 The current situation

There are a number of agencies responsible for various aspects of recreation in different parts of the harbour. District councils provide reserves and associated facilities such as toilets and boat ramps. Department of Conservation (DOC) has a number of reserves with various classifications. Private businesses run camping grounds and other services such as kayak hire. Various agencies, groups and businesses develop new recreational opportunities from time to time. Some activities are governed by bylaws and other regulations, for example the Regional Navigation Safety Bylaw. There are occasionally conflicts between different recreation uses or between those providing new initiatives and residents (see section 17). Recreational use of the harbour is likely to increase over time. Research has provided some insights into what people value, what they do and what would improve their experience (see section 14). The OHS partners have a holistic view of recreation and seek to ensure it is managed in a coordinated and collaborative fashion. The current situation regarding recreation is described more fully in sections 9 to 13. Management of all aspects of recreation needs to be in keeping with various pieces of legislation (see section 18).

## 5 What people value

### 5.1 The Mauri of the harbour

Mauri has been described as the spark of life which inhabits all things, and the binding force of the physical and spiritual spheres. It is an important value in Te Ao Māori and often used as a measure of sustainability.

### 5.2 Historical and cultural significance

Ōhiwa Harbour has long been settled by Māori, and on its margins and islands are many waahi tapu and sites of cultural significance, such as ancient pa sites and battle sites. In addition, more recent European settlement has created places that also have historical significance, such as the now-flooded settlement at Ōhiwa.

### 5.3 Natural beauty and tranquillity

The relatively unspoiled character of the natural environment around Ōhiwa Harbour provides relief from urban life, with its beautiful scenery, cleanliness and quiet spaces. The harbour is a haven for people seeking solitude or space to engage socially in a range of activities.

### 5.4 Wildlife and the natural environment

Ōhiwa Harbour is rich in wildlife and home to a multitude of species of shore and sea birds, aquatic life and plants. There are many areas with significant indigenous biodiversity in and around the harbour.

### 5.5 Food basket

Māori often refer to Ōhiwa Harbour as “Te kete kai a Tairongo” (the food basket of Tairongo). For centuries, Ūpokorehe, Whakatōhea, Ngāti Awa and Tūhoe have lived in the area and harvested food from Ōhiwa Harbour and its environs. It is thanks to their kaitiakitanga that the harbour remains a rich food resource today.

### 5.6 Home to many

The harbour environs are shared by members of a number of iwi and hapū groups. In addition, people of many ethnicities live close to the harbour, particularly around Ōhope.

### 5.7 Safety

There is freedom, particularly for families, to participate safely in a range of recreational activities and access to the harbour is easy at many locations.

## 6 What is recreation?

Recreation is usually defined as any activity done for enjoyment or pleasure, undertaken during leisure (not work) time. The word itself “Re-creation” indicates that the activity serves the purpose of refreshing people’s mind, body or spirit. Similarly, for Māori recreation is any activity or experience personal to them as a people, and which reinvigorates or refreshes them as Māori.

Recreation for the purpose of this strategy is defined as:

***Active and passive pursuits undertaken for enjoyment, which improve or reinvigorate personal and social well-being.***

Active recreation includes activities such as boating, swimming, fishing, gathering kaimoana, walking, cycling, kayaking, water skiing, playing. Passive recreation includes activities such as bird-watching, sightseeing, and picnicking.

## 6.1 What the Recreation Strategy covers

The OHRS focuses principally on recreational activities occurring around the margins of the harbour. It deals with activities on land more or less adjacent to the harbour and on the interface between land and water, including access to the water.

Activities involving water craft are regulated by the Bay of Plenty Regional Council under the *Bay of Plenty Regional Navigation Safety Bylaw*.

Rules and regulations concerning fishing methods and catch limits are the responsibility of the Ministry for Primary Industries.

A number of Ōpōtiki District Council and Whakatane District Council bylaws regulate various activities around the harbour such as the lighting of fires, alcohol use, vehicles on beaches, dogs, and overnight camping (see Appendix 1). Reserve management plans cover many other aspects of reserve management (see Appendix 2).

The OHRS aims to support the work of these organisations.

## 7 Implementation

The Ōhiwa Harbour Implementation Forum (OHIF) provides leadership in the implementation of both the Ōhiwa Harbour Strategy and the Recreation Strategy. This Forum is made up of representatives from Bay of Plenty Regional Council (BOPRC), Whakatāne District Council (WDC), Ōpōtiki District Council (ODC), Te Upokorehe, Whakatōhea, Ngāti Awa and Waimana Kaaku (Ngāi Tūhoe). These groups are collectively referred to in this document as “the Partners”.

The Ōhiwa Harbour Strategy Coordination Group (OHSCG) is also made up of representatives of the groups listed above with the addition of representatives from other groups and organisations that are involved with the Ōhiwa Harbour. OHSCG carries out the day to day implementation of the strategy actions.

### 7.1 Review period

The *Ōhiwa Harbour Recreation Strategy* will be reviewed about every five years, with the review timed to occur after each five-year review of the OHS.

## 8 Action plan

This action plan will need to keep abreast of changes and developments in recreation as they arise and may be updated accordingly from time to time.

### 8.1.1 Undertake regular needs assessments

<b>Explanation</b>	Every five years, the Partners will undertake surveys of recreation users (as in Hammerton, 2014) that includes both residents and visitors, to gather feedback regarding existing facilities and opportunities and identify changing needs and requirements. Any resulting assessment will incorporate data gathered by other agencies. The development of decision-making metrics for this assessment will be investigated. Consideration will be give to carrying out similar research in the “off” season.
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<b>Who?</b>	All Partners.
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### 8.1.2 Develop an understanding of the local community

<b>Explanation</b>	Our research so far has focused on the experiences of recreational users during the summer period - rather the various recreational needs of the diverse communities living in an around Ohiwa. We know very little about our communities recreation needs; those who don't utilise the harbour for recreation, and why. We need to understand whether recreational opportunities (facilities, programs, and services) around the Ohiwa Harbour meet the needs of those of our local community.
<b>Who?</b>	All Partners.

### 8.1.3 Engage with local community

<b>Explanation</b>	While this strategy has been prepared by the partner agencies and guides their management activities in the future, we must not lose sight of that fact that it is ultimately in place for the benefit of the local community and visitors. The Partners need to engage with those people in a way that ensures their participation in the planning and management process.
<b>Who?</b>	All Partners.

### 8.1.4 Monitor recreation trends

<b>Explanation</b>	Recreational activities and the technology that supports them changes over time. It is important for the Partners to keep abreast of such changes and takes account of them. Changing trends in destination choices which may impact on the harbour also need to be understood. Such information could be gathered from the NZ Recreation Association and Tourism NZ.
<b>Who?</b>	All Partners.

## 8.2 Objective: Opportunities for recreational experiences that meet current and future needs are provided

### 8.2.1 Support continued development of Ōhope harbourside trail

<b>Explanation</b>	With the support of WDC, Rotary have proposed and planned a trail from Waterways Drive to the Ohope wharf along esplanade and other reserves. The trail is currently under construction (Jan 2018). Extensions to this trail will be investigated as appropriate (e.g. to Tauwhare Pa, to the boat ramp).
<b>Who?</b>	WDC and BOPRC to provide signage. BOPRC to fund pest control and planting.

### 8.2.2 Continue to support Opotiki to Whakatane cycle trail

<b>Explanation</b>	A cycle trail has been proposed to run from Opotiki to Whakatane. Portions of this trail are in place or planned (2017). Further construction may take place as resource consents are obtained and it will be supported by the partners.
<b>Who?</b>	WDC and ODC with support from BOPRC.

### 8.2.3 Support the upgrade of Ohope Wharf Reserve

<b>Explanation</b>	WDC have planned a comprehensive upgrade of the Ohope Wharf reserve. Construction will begin when resource consents have been obtained.
<b>Who?</b>	WDC.

8.2.4 Facilitate the development of further new recreational opportunities as they arise	
<b>Explanation</b>	It is likely in the future that proposals will arise for the development of further recreational experiences and facilities (such as walkways). It also is likely that in future, recreation trends and needs will change. Where ever appropriate these changing will be supported while ensuring any developments do not significantly impinge on the harbour values. It's worth noting that such developments often have the spin off of increasing engagement with environmental care and restoration. This should also be encouraged.
<b>Who?</b>	All Partners.
8.2.5 Support the provision of recreational events	
<b>Explanation</b>	The holding of recreational events will be supported. To the extent possible, the Partners will ensure that events are appropriate and impacts and conflicts minimised.
<b>Who?</b>	All Partners.

8.3 **Objective: Public Access to the harbour and environs is maintained and further opportunities are investigated and developed**

8.3.1 Ensure adequate parking is available at access points	
<b>Explanation</b>	As popularity of the harbour grows, so does the need for adequate parking. The need for extra parking will be monitored. Where parking is available, signage may be required to ensure motorists to not obstruct harbour access or other users.
<b>Who?</b>	ODC, WDC.
8.3.2 Ensure access to public reserves is appropriate	
<b>Explanation</b>	Maps and signage are required to let people know which reserves can be accessed, by whom and for what purposes. For example dogs or vehicles may not be allowed in some places. Waahi tapu sites need to be respected.
<b>Who?</b>	ODC, WDC, DOC, BOPRC.
8.3.3 Identify and investigate further opportunities for harbour access	
<b>Explanation</b>	Increasing pressure on existing access points during summer months will be monitored (see 8.1.1), the possibility of providing additional access will be investigated when opportunities arise. Care will be taken to ensure any such access does not have negative cultural, social or environmental impacts.
<b>Who?</b>	All Partners.
8.3.4 Ensure access is available for those with disabilities	
<b>Explanation</b>	Wherever possible, access to the harbour, tracks and facilities will be provided with appropriate infrastructure to allow access for those with physical disabilities or wheelchairs.
<b>Who?</b>	Councils, DOC.



## 8.4 Objective: Appropriate facilities are available and well maintained

### 8.4.1 Ensure provision of picnic facilities at suitable sites

<b>Explanation</b>	Picnic facilities (seats, tables, BBQ's, waste disposal) are available at some sites. The need for further facilities or adaptations to contemporary practices (eg provision of recycling facilities) will be monitored.
<b>Who?</b>	Councils, DOC.

### 8.4.2 Ensure toilet facilities are appropriately located to meet demand

<b>Explanation</b>	Toilet facilities are located at several sites around the harbour where demand is high. The need for further facilities will be monitored.
<b>Who?</b>	Councils.

### 8.4.3 Ensure facilities are clearly signposted and, where applicable, policies are indicated

<b>Explanation</b>	All facilities should be clearly signposted, including toilets, parking, rubbish disposal, recycling, seating, picnic facilities, overnight self-contained parking, dog exercise areas, boat ramps and wharves. Maps will be provided at key locations. Policies relating to facilities will be indicated where appropriate. In particular where rubbish disposal is not available, council policy (that people should remove all their own rubbish from the area) should be clearly stated.
<b>Who?</b>	Councils, DOC.

### 8.4.4 Ensure tracks are well-maintained and signposted

<b>Explanation</b>	A number of walking and cycle tracks are provided around the harbour. These will be well maintained and signposted.
<b>Who?</b>	Councils, DOC.

### 8.4.5 Monitor the use of facilities to ensure visitor needs are met

<b>Explanation</b>	In order to ensure that visitor needs are met as far as possible, regular monitoring of activities and visitor numbers will be carried out as in 8.1.1. It is recognised that individual agencies also carry out their own monitoring from time to time.
<b>Who?</b>	All Partners.

### 8.4.6 Ensure boat ramps are managed appropriately

<b>Explanation</b>	The Ohope Reserve and Loop Rd boat ramps in particular are important and very busy items of infrastructure. Their safety, structure and capacity needs to be monitored.
<b>Who?</b>	Councils.

8.5 **Objective: Reserves are utilised according to their reserve status**

8.5.1 Maintain up to date list and map of reserves	
<b>Explanation</b>	Information about where the reserves are and what their purpose will be kept up to date and included on maps at key locations or through other media as appropriate. The public will be informed of any restrictions regarding access to reserves.
<b>Who?</b>	All Partners.
8.5.2 Encourage the use of reserves in alignment with their purpose	
<b>Explanation</b>	Many reserves have been set aside under the Reserves Act for a specific purpose, eg scenic, recreation, esplanade or wildlife reserves. Appropriate public use should be encouraged and any uses or proposed uses of these reserves will be in keeping with their purpose.
<b>Who?</b>	All Partners.

8.6 **Objective: Information about and for recreation is made available**

8.6.1 Ensure signage is clear, appropriate and up to date	
<b>Explanation</b>	Signage, instructional, regulatory and directional, includes both instructions will be kept up to date, sited appropriately and well maintained. A plan for the review, coordination and rationalisation of signage has been prepared by the Partners and this will continue to be implemented and updated where necessary.
<b>Who?</b>	Councils, DOC.
8.6.2 Provide historical, cultural and environmental information where appropriate	
<b>Explanation</b>	There is a public desire for more information about many aspects of the harbour. A plan is in place to develop an Ohiwa Harbour heritage trail, nga tapuwai o Tairongo. Interpretive information will be provided at points of interest about the natural, cultural and historic heritage of the harbour. Implementation of this plan is in progress (2018) and will continue. Further sites/information added in the future as appropriate. The provision of any interpretation signage needs to be well coordinated.
<b>Who?</b>	All Partners.
8.6.3 Provide information through a diverse range of media	
<b>Explanation</b>	All information should be easily accessible to different users through a variety of media, including provision of on-site signage, printed material, web-based information and mobile phone apps. The partners will work towards ensuring that this occurs in line with visitor needs and current technology.
<b>Who?</b>	All Partners.

8.7 **Objective: Management of reserves and recreation is well coordinated**

8.7.1 **Ensure the development and maintenance of facilities is well-coordinated**

<b>Explanation</b>	All Partners need to have a coordinated approach to both the development of new facilities and the maintenance of existing facilities and to ensure alignment with this strategy.
<b>Who?</b>	All Partners.

8.7.2 **Monitor and support individual agencies recreational planning**

<b>Explanation</b>	Many reserves have a management plan. Water based recreation is covered by the Regional Navigation Safety Bylaw. When new plans, bylaws etc. are proposed or reviewed, the Partners will support this work and collaboratively provide input to these plans to ensure a coordinated approach to management in line with this strategy.
<b>Who?</b>	All Partners.

8.7.3 **Support the other agencies**

<b>Explanation</b>	It is recognised that some agencies (e.g. MPI with their fisheries function and the harbourmaster) involved in some way with recreation are not Ohiwa Harbour Strategy partners. The Partners will endeavour to liaise with and support those other agencies wherever appropriate.
<b>Who?</b>	All Partners.

8.7.4 **Support the work of other stakeholders**

<b>Explanation</b>	The provision of activities and services by private businesses will be supported. To the extent possible, the Partners will ensure that such activities and services are appropriate and impacts and conflicts are minimised.
<b>Who?</b>	All Partners.

8.8 **Objective: People are able to engage in recreation activities safely and without conflict**

8.8.1 **Support the safety of water-based recreation**

<b>Explanation</b>	The Partners will actively support the Harbourmaster to ensure that water based recreation is managed so as to ensure the safety of users in line with the Regional Navigation Safety Bylaw and that signage related to water-based activities is appropriate, well sited and coordinated with other signage. The Partners will also assist the Harbourmaster in any navigation related communications to the public.
<b>Who?</b>	All Partners.

### 8.8.2 Ensure cycleways and walkways are available where possible

<b>Explanation</b>	Due to the narrow roads around the harbour and increasing numbers of cyclists and walkers, the availability of cycleways and/or walkways is increasingly important for ensuring the safety of cyclists and pedestrians. The Partners will promote the development of further cycleways and walkways as appropriate (for e.g. there is a proposal to develop a cycleway from Harbour Road to Burma Road), while ensuring harbour values are not compromised. Concerns have been raised by the community regarding safety issues on local roads.
<b>Who?</b>	All partners.

### 8.8.3 Advocate for safety initiatives where appropriate

<b>Explanation</b>	There are potential conflicts between different uses. As far as water-based activities are concerned, these are largely covered by the Regional Navigation Safety Bylaw but the Partners will liaise with the Harbourmaster on any safety matters that come to their attention. Users have suggested that different water-based activities should be better separated. Parking, crossings and pedestrian and vehicle movements at certain places, especially along Wainui Road are sometimes safety issues and the partners will advocate for improvements seen as desirable.
<b>Who?</b>	All partners.

### 8.8.4 Ensure conflicts over reserve use or recreational activity are mitigated

<b>Explanation</b>	From time to time there may be conflict in the community between different groups, for example between those who wish to develop a particular facility and others in the community, or those who wish to pursue a particular activity against the wishes of others. In such situations, the Partners will endeavour to ensure that such developments or activities are in the best interests of the community at large and that the values of the harbour are not compromised. Also, in the past, illegal structures have been erected by residents (jetties and boatramps etc.). The Partners will collaborate with the appropriate agencies to ensure these are removed in the future if necessary.
<b>Who?</b>	All partners.

### 8.8.5 Events are planned and well managed

<b>Explanation</b>	Events that are likely to impact residents and other visitors need to be carefully planned and information about dates and impacts communicated to residents well in advance. This will be particularly important for events that involve road closures or may impact regular use of recreational facilities. The Partners will try to ensure event planners work closely with councils to ensure they have appropriate safety plans in place to ensure the safety of all event participants, spectators and other regular recreation users for the duration of the event.
<b>Who?</b>	All partners and event holder.

8.9 **Objective: Camping and overnight self-contained parking is available, monitored and well sign posted**

8.9.1 **Ensure official camping/overnight parking sites on public reserves are well maintained**

**Explanation** The responsible agencies will ensure camping sites on public reserves are well maintained. Because demand for overnight parking is high at peak times over summer, it is important to ensure that drivers of self-contained vehicles have clear information about where parking sites are located, and where the boundaries are. Maps at these locations will be helpful.

**Who?** Councils.

8.9.2 **Consider development of additional self-contained overnight parking sites at suitable locations**

**Explanation** Demand for overnight parking is high, with existing sites often full during peak times. Motor homes and campervans are becoming increasingly popular. However, development of new sites needs to be carefully planned by the councils. Technically, there are many places where overnight parking is allowed but people seem to choose a limited number of sites for this purpose.

**Who?** Councils.

8.9.3 **Ensure official camping/overnight parking sites on public reserves are regularly monitored**

**Explanation** Regular monitoring of camping/overnight parking sites should be undertaken by councils to ensure rules are adhered to. Various concerns about “freedom camping” have been raised by the local community.

**Who?** Councils.

8.10 **Objective: Social cultural and environmental impacts of recreation are minimised**

8.10.1 **Ensure the impacts of recreation on Ōhiwa Harbour and environs are regularly assessed**

**Explanation** Social, cultural and environmental impacts of recreation need to be monitored regularly to ensure impacts are avoided or minimised and to assess the impact of new facilities. This will form part of the 5 yearly surveys (see 8.1.1) and an outline of what information is necessary and how this will be gathered will need to be developed.

**Who?** All partners.

## 9 What people do

Recreation activities in and around Ōhiwa Harbour include a range of water-based and land-based activities. Research into the types of recreation that were common during the summer months (Hamerton, 2014) found that the most popular water-based activities (in order of popularity) were fishing, swimming, power-boating, kayaking, sailing, paddle-boarding and dinghies. The most popular land-based activities were sight-seeing, walking, picnicking and cycling. Patterns of activities observed varied across different sites.

A survey (Hamerton, 2014) of people at various sites around the harbour found that Ōhiwa Harbour is highly valued for its peace and tranquillity and also for the natural environment, beautiful scenery and wildlife. People surveyed also reported they value the easy access to the water at many points around the harbour, the safety of the harbour for families with children, and the diverse range of activities available (Hamerton, 2014). Many people also expressed an interest in finding out more about the natural and cultural history of the harbour, where to go and what to do.

80% of the survey respondents were European with equal numbers of men and women and from a broad range of age groups. More than half reported that they live in the Bay of Plenty. One third of those surveyed were visiting Ōhiwa Harbour for the first time. Note that the research was conducted during the busy summer period and does not reflect recreation activity during the rest of the year.

## 10 Where people go

Recreation opportunities vary at different points around the harbour. Some activities such as sightseeing and cycling may occur right around the harbour, but most recreation occurs at particular points (“hubs”) at the interface between land and water. These hubs and the kinds of activities that occur there are listed below.

### 10.1 Ōhope Spit and boat ramp (Port Ōhope Recreation Reserve)

The boat ramp near the end of Ōhope Spit is a very popular spot for recreation, particularly for people launching boats. Other activities in this location are walking (to the spit), fishing, sightseeing, picnicking and swimming. A water ski area is located to the west of the boat ramp and the jet ski area is centred here. A well-used self-contained overnight parking site is also located here. Car parking, public toilets, a shelter and picnic tables are provided. The adjacent Ōhope golf course is leased from WDC.

### 10.2 Port Ōhope Wharf Reserve

The Port Ōhope Wharf Reserve on the southern side of the Ōhope Spit is the most frequently visited recreation location around the harbour. Boat mooring is available near the wharf; there is a public boat ramp and the yacht club is based here. Apart from the wharf itself, car parking, public toilets and picnic tables are provided. There is a restaurant here and a store and café nearby. This is a popular spot for fishing, swimming (including diving or ‘bombing’) and sightseeing, as well as picnicking and kayaking.

### 10.3 Otao South Reserve

Otao South Reserve is a narrow grassed reserve in Ōhope mid-way along the southern side of the spit. There is a children’s playground, picnic tables, public toilets and parking at this location. It is a popular place for picnicking, sightseeing, school science trips, kayaking and paddle-boarding. Paddle boards can be hired from the nearby store. The Ōhope harbourside trail extends along esplanade reserves in both directions from here.

#### 10.4 **Tauwhare Pā**

Located close to Ōhope on the road between Ōhope and Ōhiwa, this pā site is of historical interest. It is a popular place for sightseeing and walking. There is ample parking but no other facilities.

#### 10.5 **Nukuhou Saltmarsh Lookout and Walkway**

The Nukuhou Saltmarsh lookout river bank is a popular location for sightseeing, picnicking, walking and bird-watching. A picnic table is provided. A walkway along the Nukuhou riverbank starts here. The saltmarsh provides niche habitat for several native bird species.

#### 10.6 **Ōhiwa boat ramp (Loop Road)**

Numbers of visitors to the eastern side of the harbour are lower overall than those observed on the Ōhope side. However, the Ōhiwa boat ramp is a popular location for fishing, boating and kayaking, especially during the summer months. It is also a popular spot for sightseeing and picnicking, as well as for swimming and cycling. Car parking, public toilets, a shelter and picnic tables are provided.

#### 10.7 **Ōhiwa Spit**

Ōhiwa Spit is a popular location for both water- and land-based activities. There is a motor camp located nearby. Popular activities at this location are kayaking, swimming, picnicking, fishing, birdwatching, sightseeing, walking and cycling. The Onekawa Te Mawhai Regional Park is also located adjacent to the spit with the main entrance nearby. There is easy walking access to the beach and mudflats. Public toilets, car parking and a shelter are provided. The Ōhiwa walkway joins the Ōhiwa boat ramp and Ōhiwa Spit.

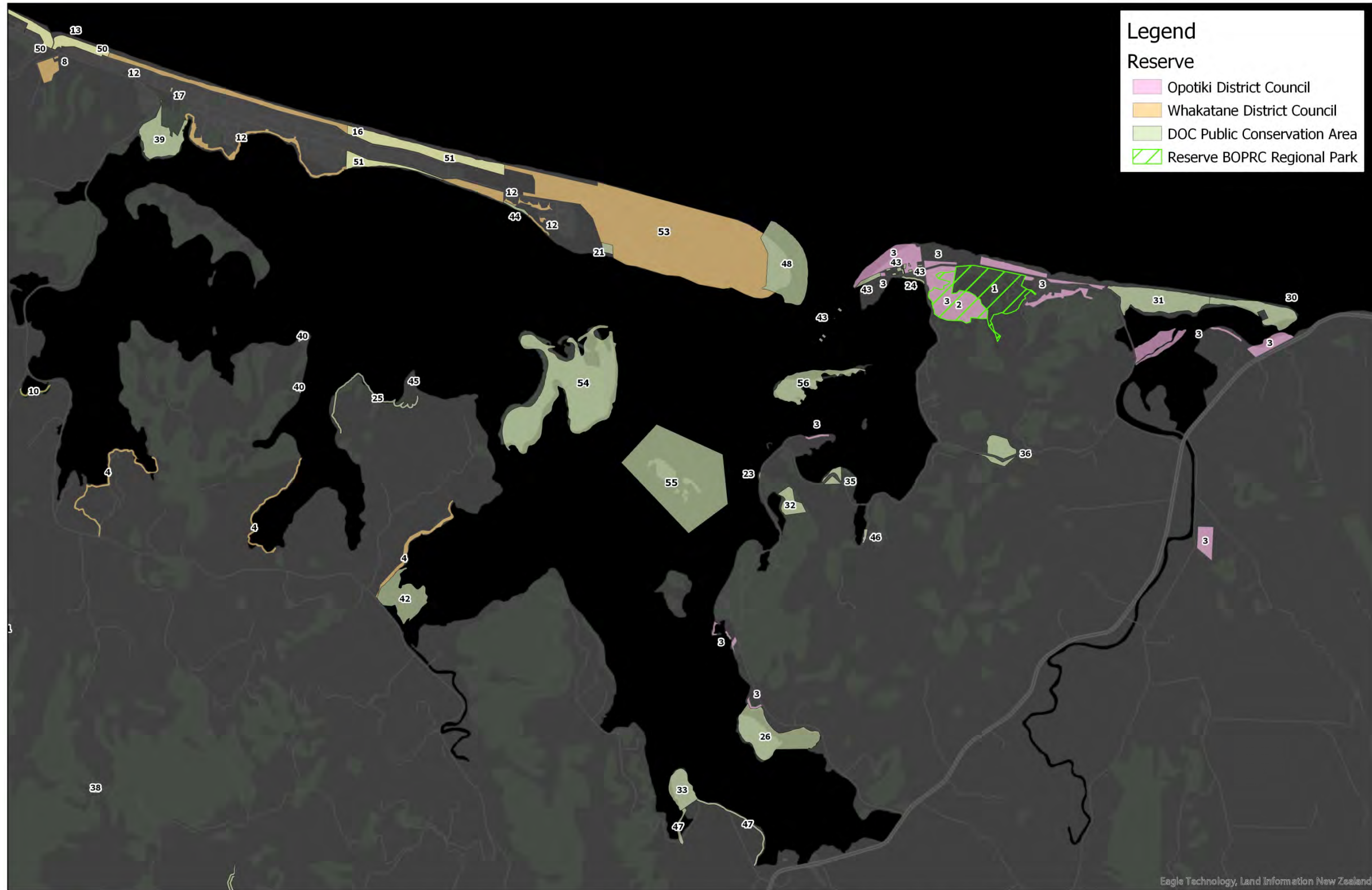
## 11 **Harbour access and public land**

### 11.1 **Current access**

The harbour is blessed with considerable amounts of public land, in various tenures, on some islands and on the harbour margins. OHSR While there are large stretches of harbour margin with no public access, a previous study carried out by the Partners concluded that currently there is adequate public access.

### 11.2 **Reserves**

The Whakatāne District Council, the Ōpōtiki District Council, the Bay of Plenty Regional Council, the Department of Conservation and iwi manage reserves around the harbour. These reserves have been set up, mostly under the Reserves Act, for a variety of primary purposes (see Appendix 3) subject to various pieces of legislation. Most have some form of management plan.



**Legend**

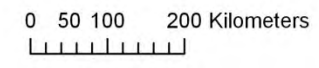
**Reserve**

- Opotiki District Council
- Whakatane District Council
- DOC Public Conservation Area
- Reserve BOPRC Regional Park



HORIZONTAL DATUM:  
New Zealand Geodetic Datum 2000 (NZGD2000)  
For practical purposes, NZGD2000 equates to WGS84  
VERTICAL DATUM:  
Moturiki  
PROJECTION:  
New Zealand Transverse Mercator 2000 (NZTM2000)

## Ohiwa Recreation Strategy - Reserves Ohiwa Margins



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OBJECT ID	Reserve Name	Reserve Type	Reserve Owner
1	Onekawa Te Mawhai	Regional	BOPRC
2	Onekawa Te Mawhai	Regional	BOPRC
3			Ōpōtiki District Council
4			Whakatāne District Council
5		Harbour(Recreation)	Whakatāne District Council
6	Kapu Te Rangi Historic Reserve	Reserve(Historic)	Whakatāne District Council
7	Te Parihari Pa Historic Reserve	Reserve(Historic)	Whakatāne District Council
8	Bluett Park	Reserve(LP Civic & Parking)	Whakatāne District Council
9		Reserve(LP Erosion Control)	Whakatāne District Council
10		Reserve(LP Esplanade)	Whakatāne District Council
11		Reserve(Quarry)	Whakatāne District Council
12		Reserve(Recreation)	Whakatāne District Council
13	Maraetotara Reserve	Reserve(Recreation)	Whakatāne District Council
14	Motuhora Reserve	Reserve(Recreation)	Whakatāne District Council
15	Ohope Hall	Reserve(Recreation)	Whakatāne District Council
16	Otao Domain	Reserve(Recreation)	Whakatāne District Council
17	West End Reserve	Reserve(Recreation)	Whakatāne District Council
18	Whakaari Reserve	Reserve(Recreation)	Whakatāne District Council

OBJECT ID	Reserve Name	Reserve Type	Reserve Owner
19		Reserve(Scenic)	Whakatāne District Council
20	Kohi Point Scenic Reserve	Reserve(Scenic)	Whakatāne District Council
21	Port Ohope Recreation Reserve	Recreation Reserve - s.17 Reserves Act 1977	DOC
22	Waingarara Stream Marginal Strip	Fixed Marginal Strip - s.24(3) Conservation Act 1987	DOC
23	Tokitoki Historic Reserve	Historic Reserve - s.18 Reserves Act 1977	DOC
24	Ohiwa Harbour Marginal Strip	Fixed Marginal Strip - s.24(3) Conservation Act 1987	DOC
25	Ohiwa Harbour Marginal Strip	Fixed Marginal Strip - s.24(3) Conservation Act 1987	DOC
26	Pataua Island Scientific Reserve	Scientific Reserve - s.21 Reserves Act 1977	DOC
27	Ohope Scenic Reserve	Scenic Reserve - s.19(1)(a) Reserves Act 1977	DOC
28	Huntress Creek Conservation Area	Stewardship Area - s.25 Conservation Act 1987	DOC
29	Waiotahi Scenic Reserve	Scenic Reserve - s.19(1)(a) Reserves Act 1977	DOC
30	Waiotahi Spit Historic Reserve	Historic Reserve - s.18 Reserves Act 1977	DOC
31	Waiotahi Spit Scenic Reserve	Scenic Reserve - s.19(1)(a) Reserves Act 1977	DOC
32	Ohiwa Scenic Reserve	Scenic Reserve - s.19(1)(a) Reserves Act 1977	DOC
33	Kutarere Recreation Reserve	Recreation Reserve - s.17 Reserves Act 1977	DOC
34	Matekerepu Historic Reserve	Historic Reserve - s.18 Reserves Act 1977	DOC
35	Conservation Area - Waiotahi	Stewardship Area - s.25 Conservation Act 1987	DOC
36	Oscar Reeve Scenic Reserve	Scenic Reserve - s.19(1)(a) Reserves Act 1977	DOC

OBJECT ID	Reserve Name	Reserve Type	Reserve Owner
37	Kotare Scenic Reserve	Scenic Reserve - s.19(1)(a) Reserves Act 1977	DOC
38	Soda Springs Reserve Crown Land	Stewardship Area - s.25 Conservation Act 1987	DOC
39	Tauwhare Pa Scenic Reserve	Scenic Reserve - s.19(1)(a) Reserves Act 1977	DOC
40	Paparoa Pa Historic Reserve	Historic Reserve - s.18 Reserves Act 1977	DOC
41	Waiotane Scenic Reserve	Scenic Reserve - s.19(1)(a) Reserves Act 1977	DOC
42	Conservation Area - Nukuhou Saltmarsh	Stewardship Area - s.25 Conservation Act 1987	DOC
43	Conservation Area - Old Town of Ohiwa	Stewardship Area - s.25 Conservation Act 1987	DOC
44	Ohiwa Harbour Marginal Strip	Fixed Marginal Strip - s.24(3) Conservation Act 1987	DOC
45	Motuore Point Conservation Area	Stewardship Area - s.25 Conservation Act 1987	DOC
46	Ohiwa Harbour Marginal Strip	Fixed Marginal Strip - s.24(3) Conservation Act 1987	DOC
47	Ohiwa Harbour Marginal Strip	Fixed Marginal Strip - s.24(3) Conservation Act 1987	DOC
48	Ohope Spit Wildlife Refuge Reserve	Government Purpose Reserve - s.22 Reserves Act 1977	DOC
49	Nukuhou River Marginal Strip	Fixed Marginal Strip - s.24(3) Conservation Act 1987	DOC
50	Ohope Recreation Reserve	Recreation Reserve - s.17 Reserves Act 1977	DOC
51	Otao Domain Recreation Reserve	Recreation Reserve - s.17 Reserves Act 1977	DOC
52	Kohi Point Scenic Reserve	Scenic Reserve - s.19(1)(a) Reserves Act 1977	DOC
53	Port Ōhope Reserve	Recreation Reserve - s.17 Reserves Act 1977	Whakatāne District Council
54	Uretara Island Scenic Reserve	Scenic Reserve - s.19(1)(a) Reserves Act 1977	DOC



OBJECT ID	Reserve Name	Reserve Type	Reserve Owner
55	Whangakopikopiko Government Purpose	Government Purpose Reserve - s.22 Reserves Act 1977	DOC
56	Motuotu Island Nature Reserve	Nature Reserve - s.20 Reserves Act 1977	DOC

## 12 Facilities available

Ōpotiki and Whakatāne District councils, and to a lesser extent DOC, BOPRC and care groups, provide and maintain a number of facilities around the harbour that support recreation.

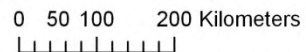
### 12.1 What we have

- Rubbish collection points provided by WDC are available on the western side of the harbour only. ODC has a zero waste policy, so does not provide rubbish bins on the eastern side of the harbour and visitors are expected to take their waste and recycling with them when they leave.
- WDC provides a wharf at Port Ōhope Wharf Reserve, and boat ramps at Port Ōhope Wharf, Ōhope Spit Reserve and Goodwin's Landing. ODC manages the Ōhiwa Loop Road boat ramp on the eastern side of the harbour.
- Signage is provided at boat ramps and wharf, with information about water and navigation safety, tsunami risk and fishing regulations. Signs at the Nukuhou lookout provide information about local wildlife.
- Public toilets are provided by WDC and ODC at five sites.
- Privately owned and operated camp grounds are located at Ōhope Beach, close to Port Ōhope Wharf, and at Ōhiwa. There are also a number of motels in the area (though only on the western side).
- Seating and picnic tables are available at several locations. Some have shade trees and/or shelters.
- Plenty of parking for vehicles and boat trailers is available at all the boat ramps. Parking is also available for vehicles at all the "hubs" listed above.
- Walkways/cycle trails are provided between the Ōhiwa spit and Loop Road boat ramp. Another is currently (2017) under construction from Waterways Drive to the Port Ōhope Wharf.
- Walking dogs is a popular activity. It's worth noting that dogs are banned from some areas, need to be on a lead in others and one reserve, Otai South is a designated dog exercise area.
- Overnight self-contained parking sites. Whakatāne District Council operates an overnight self-contained parking site for self-contained vehicles only at Ōhope Spit. In addition, a few private landowners around the harbour offer overnight parking for self-contained campervans. Freedom camping legislation permits such parking at a number of locations around the harbour.

Ninety-five per cent of research participants (Hamerton 2014) said their recreational needs were well catered for, and gave high satisfaction ratings for a range of facilities. Some however suggested improvements could be made in facilities around the harbour such as rubbish disposal, picnic tables, toilets, shade and camping sites.



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 For practical purposes, NZGD2000 equates to WGS84  
 VERTICAL DATUM:  
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 PROJECTION:  
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# Ohiwa Recreation Facilities

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0 50 100 200 Kilometers

### Ohiwa Recreation Facilities - Tauwhare Pa

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New Zealand Transverse Mercator 2000 (NZTM2000)

### Ohiwa Recreation Facilities - Nukuhou Saltmarsh/Walkway 556578

0 50 100 200 Kilometers

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### Ohiwa Recreation Facilities - Ohiwa Boatramp

0 50 100 200 Kilometers

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**Legend**

**Facility**

**Type**

- BBQ
- Parking
- Picnic Table
- Seat
- Shelter/Waharoa/Whakaruruhou
- Toilet
- Boat Ramp
- Playground
- Overnight Self Contained Parking
- Dog Exercise Area
- Old Wharf
- Track



HORIZONTAL DATUM:  
New Zealand Geodetic Datum 2000 (NZGD2000)  
For practical purposes, NZGD2000 equates to WGS84  
VERTICAL DATUM:  
Motuiki  
PROJECTION:  
New Zealand Transverse Mercator 2000 (NZTM2000)

### Ohiwa Recreation Facilities - Ohiwa Spit

0 50 100 200 Kilometers

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For practical purposes, NZGD2000 equates to WGS84  
VERTICAL DATUM:  
Mean Sea Level  
PROJECTION:  
New Zealand Transverse Mercator 2000 (NZTM2000)

## Ohiwa Recreation Facilities - Ohope Spit and Boatramp 556578

0 50 100 200 Kilometers

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**Legend**

**Facility**

**Type**

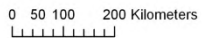
- BBQ
- Parking
- Picnic Table
- Seat
- Shelter/Waharoa/Whakaruruhou
- Toilet
- Boat Ramp
- Playground
- Overnight Self Contained Parking
- Dog Exercise Area
- Old Wharf
- Track



HORIZONTAL DATUM:  
New Zealand Geodetic Datum 2000 (NZGD2000)  
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### Ohiwa Recreation Facilities - Otao South Reserve

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- Legend**
- Facility Type**
- BBQ
  - Parking
  - Picnic Table
  - Seat
  - Shelter/Waharoa/Whakaruruhou
  - Toilet
  - Boat Ramp
  - Playground
  - Overnight Self Contained Parking
  - Dog Exercise Area
  - Old Wharf
  - Track



HORIZONTAL DATUM:  
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VERTICAL DATUM:  
Motukiki  
PROJECTION:  
New Zealand Transverse Mercator 2000 (NZTM2000)

### Ohiwa Recreation Facilities - Ohope Wharf Reserve

0 50 100 200 Kilometers

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## 13 Provision of information/education

### 13.1 What we have

Instructional and directional signage is provided at many sites around the harbour. This is in the process of being rationalised and updated (2017). Ngā Tapuwai o Tairongo, the Ōhiwa Harbour Heritage Trail (in design 2017) will provide interpretation of natural and cultural history at a number of points around the harbour. Visitor research (Hamerton, 2014) indicated that most people found the existing signage around the harbour 'useful' and that there 'was about the right amount' of signage. Generally people were satisfied with the information and signage provided. Some people commented that they would like to see more information about the natural environment (specifically birds) and things to do and see.

People get information about Ōhiwa Harbour from a range of sources, often from other people, and also rely on local businesses to provide information. The sources survey respondents gave were, in order of importance: word of mouth, internet, campground/motel offices, locals, local papers, observation, i-sites, booklets and brochures, motorhome guide, signs and noticeboards, councils, radio (Hamerton, 2014).

Some respondents requested various kinds of signage, including clear signs indicating where camping is allowed, information about fish and shellfish harvesting and limits, information about wildlife especially birds, and historical and cultural information about particular sites.

## 14 Recreation research

Research was carried out over summer 2013-2014 (Hamerton, 2014) using interviews, surveys and observation. The full report of this research can be found in Appendix 3.

Feedback was gathered, via workshops and community drop-in sessions, from iwi, members of the community and from particular interest groups when the OHS was refreshed in 2014. The feedback relating to recreation is summarised in Appendix 4.

The findings of both the above have been incorporated into this document.

## 15 Future recreation trends, needs

There are trends nationwide and many of these may be replicated at Ōhiwa.

- As more people live in large urban centres, Ōhiwa Harbour, with its natural character and quiet, peaceful environment is likely to become more popular.
- Domestic and international tourism is booming nationwide and we can expect to see an increase in people visiting the harbour.
- Increasing reliance on web-based sources of information.
- Increasing use of mobile phone apps for information.
- Current figures show that domestic tourists spend about 77% of the tourism spend, and international visitors around 23%.
- Increase in freedom camping numbers nationwide and pressure for additional self-contained overnight parking facilities.
- Public and Commercial ventures may continue to increase – events (water based, sport, food/festival/music events), summer shops/restaurants, mobile trading (coffee, food carts), commercial recreation facilities.
- Some kind of ferry or boat link across the harbour may become necessary as walking and cycling trails are developed.

- During previous research (Hamerton, 2014), respondents noted pressure on some facilities already at busy times, particularly the Ōhope boat ramp and rubbish bins. They also made suggestions about how their recreational experience could be improved.
- Local community members have offered many suggestions for improvements that could be made (Appendix 4).

## 16 Stakeholders

Apart from the OHS Partners and other agencies, there are a number of other stakeholders in recreation in the harbour and others who have an interest in recreation.

### 16.1 Formalised recreational groups

- Port Ōhope Yacht Club.
- EBOP Triathlon and Multisport Club.

### 16.2 Commercial interests

- SUP and bike hire.
- Kayak hire and tours.
- Fishing charters.
- Accommodation providers.
- Shop, cafe and restaurant.

### 16.3 Community groups

- Several environmental care groups.
- Coast care.
- Lions Club Ōhope.
- Ōhope Scouts.
- Port Ōhope Playcentre.

### 16.4 Events

- The above stakeholders may hold events from time to time.
- Sailing regattas.
- EBOP triathlon and multisport triathlons.
- Sunshine and a Plate Vintners event (Ōhope Wharf).
- BirdsAPlenty festival (harbour wide).
- SLSC Junior surf champs use Otao and boat ramp as alternative location.
- Private functions such as birthdays and weddings are occasionally held in various locations.

## 17 Conflicts

The potential exists for conflict in a number of areas:

- Conflicting activities occurring in the same or adjacent locations (e.g. swimming and boating; kayaking and water skiing).

- Recreational activities which can have a negative impact on amenity values or on the environment (e.g. noise from powerboating in quiet spots; contamination of water from boats, rubbish, etc.).
- Different cultures hold values related to recreation which that are quite different from each other.
- Recreational activities carried out in public spaces have potential to impact on private landowners living adjacent to the harbour or public reserves.

## 18 The legal framework

The *Local Government Act 2002* notes that local authorities should take into account the social, economic, and cultural interests of people and communities and maintain and enhance the quality of the environment.

The *Resource Management Act 1991* promotes the sustainable management of natural physical resources, including the preservation of the natural character of the coastal environment, while maintaining and enhancing public access.

The *Reserves Act 1977* governs the establishment and management of reserves held under the Act. It provides for the preservation and management of areas for the benefit and enjoyment of the public, ensuring, as far as possible, the survival of all indigenous species of flora and fauna and the preservation of access for the public. It also provides for the preservation of representative samples of all classes of natural ecosystems and landscape and promotes the protection of the natural character of the coastal environment and the margins of lakes and rivers. Each classification of reserve should have its own philosophy, purpose, and management principles and management planning should provide for the best use of each reserve. It emphasises retention of open space for outdoor recreation, attempts to maximise freedom of access to reserves for all people rather than just a few, encourages multiple use of reserve land and facilities when feasible and appropriate and facilitates greater involvement of the public in reserves administration and decision-making.


Reserve management plans are in place for a number of reserves classified under the Act. Other reserves are covered by 'omnibus' reserve management plans. They contain comprehensive planning for the current and future management of these reserves.

The *New Zealand Coastal Policy Statement (2010)* sets out a number of objectives designed to assist in preserving the natural character of the coastal environment, while ensuring recreation opportunities are available in appropriate places. Policies call for integrated management or control of activities and recognition of potential contributions to the social, economic and cultural wellbeing of people and communities of activities in the coastal environment.

The *Regional Policy Statement for the Bay of Plenty (2014)* notes the importance of integrated management of the coastal environment, with one goal being that of general enjoyment, amenity and recreation, maintaining and enhancing public access while preserving its natural character. It notes the value of water for recreation and names Ōhiwa Harbour as an area of "pristine outstanding natural character".

The proposed *Bay of Plenty Regional Coastal Environment Plan (2017)* notes several issues related to recreation: the pressure that increasing population and diversifying recreation interests will put on access to coast and harbours; the possibility of inappropriate access routes to the coast degrading sensitive habitats; the linking of recreation experiences to open space qualities making them vulnerable to change; and loss of public access to the coast which could occur due to human activities, land use development or sediment build-up. Objective 22 calls for integrated access to the coastal environment to be maintained and enhanced, and for provision of safe ocean and harbour access for boats, and so that people can enjoy the coast's open spaces and natural heritage qualities.





Other Whakatāne and Ōpōtiki District Council plans and strategies make reference to a number of initiatives around Ōhiwa Harbour. They variously note the need to improve harbour facilities and public access, to maintain recreation areas such as community reserves and cycle ways and to further develop infrastructure such as the Ōhope wharf, Ōhiwa boat ramp and roads.



# Appendices

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# Appendix 1: Bylaws

A number of bylaws are in place which relate in some way to recreation and are administered by councils.

## **Whakatāne District Council bylaws**

Those of relevance to Ōhiwa Harbour include (but not limited to): public places, dog control, beaches, liquor control, parks and reserves.

Note: self-contained overnight parking is not currently covered by a specific bylaw but a new freedom camping bylaw is likely to be developed under the Freedom Camping Act.

Most of these bylaws are currently under review (early 2018) or are likely to be reviewed in the near future.

## **Ōpōtiki District Council bylaws**

Those relevant to Ōhiwa Harbour include (but not limited to): public places, animal, dog control, beaches.

These bylaws are scheduled for review in 2018/2019.

## **Bay of Plenty Regional Council bylaw**

Bay of Plenty Regional Navigation Safety Bylaw (2017).



## Appendix 2: Reserve Management Plans

Many reserves have a management plan in place.

### Whakatāne District Council Reserve Management Plans

Reserve Management Plans include the Ōhope Reserves Management Plan – last revised in 1998. Ōhope Spit was not WDC administered land until 2006 therefore this is currently omitted from the plan. This plan is due for review as resources dictate. Ōhope spit and all other Ōhope reserves in this area will also be covered by this revised plan.

The draft Whakatane District Reserve Management Plan (omnibus) is still under development following stage one of consultation and is due out in late 2018. This plan will cover all other freehold land held for reserve purposes that is not currently in the Ōhope Reserves Management Plan.

### Ōpōtiki District Council Reserve Management Plans

Reserves adjoining Ōhiwa Harbour are included in the Coastal Reserves Management Plan (2012).

### Bay of Plenty Regional Council Park Management Plan

BOPRC administers the Onekawa Te Mawhai Regional Park in conjunction with ODC. A park management plan (2014) is in place for the BOPRC portion of the park in conjunction with ODC and Upokorehe.

### Department of Conservation Reserve Management Plans

DOC do not have management plans in place for specific reserves. Planning for their reserves is carried out at a district and regional level. The exception is Tauwhare Pa which is included in the management plan under Te Tapa-Toru a Toi (Joint Management committee).



## Appendix 3: Recreation research

# Ōhiwa Harbour Recreation Research

Report prepared for Bay of Plenty Regional Council  
MARCH 2014



By Heather R. Hamerton





## **Acknowledgements**

The author wishes to thank the following people for their contributions to this report:

- Research assistants Kerry Boothway, Tanja Rothers and Chloe Marshall for their work on data collection and data input, and for assistance with data analysis.
- Owners/managers of the following businesses who generously gave of their time to participate:
  - Ōhope Beach TOP 10 Holiday Park
  - Ōhiwa Beach Holiday Park
  - Port Ōhope General Store
  - Aquarius Motor Lodge
  - KG Kayaks
  - Cheddar Valley Pottery
- Tim Senior, Land Management Officer (Eastern), Bay of Plenty Regional Council

Photo on front cover courtesy of Tanja Rothers

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## Executive Summary

As part of the monitoring of the Ōhiwa Harbour Recreation Strategy, Bay of Plenty Regional Council on behalf of the Ōhiwa Strategy Co-ordination Group requested information about recreational use of the harbour over the summer holiday period. Between 6 January and 10 February 2014, researchers completed observations of recreational usage patterns at twelve sites around Ōhiwa Harbour and conducted brief interviews with 226 people about their activities and satisfaction levels with facilities, and what was of interest and value to them about the harbour. Six local business owners/managers commented on the feedback and requests for information they receive from visitors and made suggestions for improving facilities.

The observations demonstrated that the numbers of people around the harbour were highest in January and decreased into February. Numbers were also higher during weekends, particularly Auckland Anniversary weekend and the weekend immediately following Waitangi Day. The most popular water-based activities were fishing, swimming, power-boating, kayaking, sailing, paddle-boarding and dinghies. The most popular land-based activities were sight-seeing, walking, picnicking and cycling. Patterns of activities observed varied across the different sites.

The 226 survey participants were 80% European, equal numbers of men and women and from a broad range of age groups. More than half reported that they live in the Bay of Plenty. One third of those surveyed were visiting Ōhiwa Harbour for the first time, and 90% of people planned to visit more than one location around the harbour. Port Ōhope Wharf was the most popular site for people to visit. Ninety-five per cent of participants said their recreational needs were well catered, and gave high satisfaction ratings for a range of facilities. Most people found the signs useful and said there was about the right amount of signage. People get information about Ōhiwa Harbour from a range of sources, often from other people, and also rely on local businesses to provide information. The quiet and tranquillity of the harbour was highly valued, as were the natural environment, beautiful scenery and wildlife. People liked the easy access to the water at many points around the harbour, the safety of the harbour for families with children, and the diverse range of activities available. Business owners reported they get a lot of positive feedback about how wonderful the area is for recreation and receive many requests for information.

People are attracted by the quiet, uncluttered and scenic natural environment, and appreciate the diverse recreational activities available. This is demonstrated also in the broad range of recreational activities which were observed around the harbour. Generally people are satisfied with the facilities and signage. However, they also made suggestions for how their experience could be improved. The information collected will assist regional and district councils in their management of Ōhiwa Harbour and its environs.

# 1 Background

The Ōhiwa Harbour Strategy calls for regular monitoring of recreational use of the harbour "...to assess usage, to identify incompatible activities, including conflict with cultural and ecological values, and to assist demand management (such as the need for facilities)" (10.3.7, p51). This report was requested by the Ōhiwa Strategy Co-ordination Group from Heather Hamerton of the Bay of Plenty Polytechnic to satisfy the requirements of this action and to provide information about issues such as the provision of signage.

# 2 Methodology

Three research assistants completed observations of recreational usage patterns at a number of different sites around Ōhiwa Harbour between 6 January and 10 February, 2014. Observation times at each were usually one hour; on some days observations were carried out at the same site in both morning and afternoon.

The research assistants also surveyed 226 people, asking them what activities they were involved in and how often they visit Ōhiwa Harbour sites. Survey participants were asked how satisfied they were with facilities and the signage and information available, and invited to comment on what they valued most about the harbour.

Interviews with 5 business owners around Ōhiwa Harbour were also carried out in mid-February. Business owners were asked about the feedback they received about the harbour and recreational opportunities and what kinds of information people most often request. They were also invited to make suggestions for improving facilities. Campground owners were asked if there is sufficient capacity to cope with demands for camping and whether demand for camping is rising or declining.

# 3 Findings

In this section, findings from observations are reported for each site at which observations were carried out. Survey findings are then presented, followed by a summary of information contributed by business owners.

## 3.1 Observations

Regular one-hour observations were carried out at the following sites:

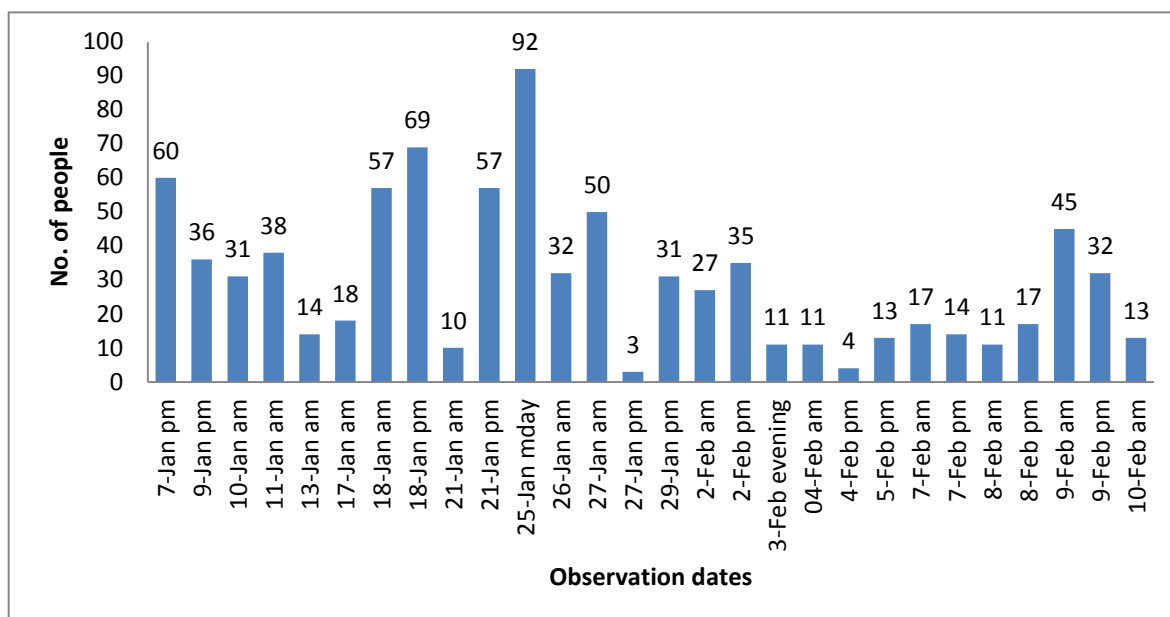
- Port Ōhope Boat Ramp (27 observations over 19 days)
- Port Ōhope Wharf (28 observations over 18 days)
- Ōtao South Reserve, Ōhope (14 observations over 13 days)
- Tauwhare Pā carpark (14 observations)
- Wainui Rd
- Nukuhou Lookout (Burke Rd) (10 observations)

- Nukuhou river walk (3 observations)
- Kutarere Wharf (9 observations)
- Ruatuna Rd (8 observations)
- Ōhiwa Boat Ramp (18 observations over 13 days)
- Ōhiwa walkway (10 observations)
- Ōhiwa Spit (16 observations over 14 days)

### 3.1.1. Port Ōhope Boat Ramp

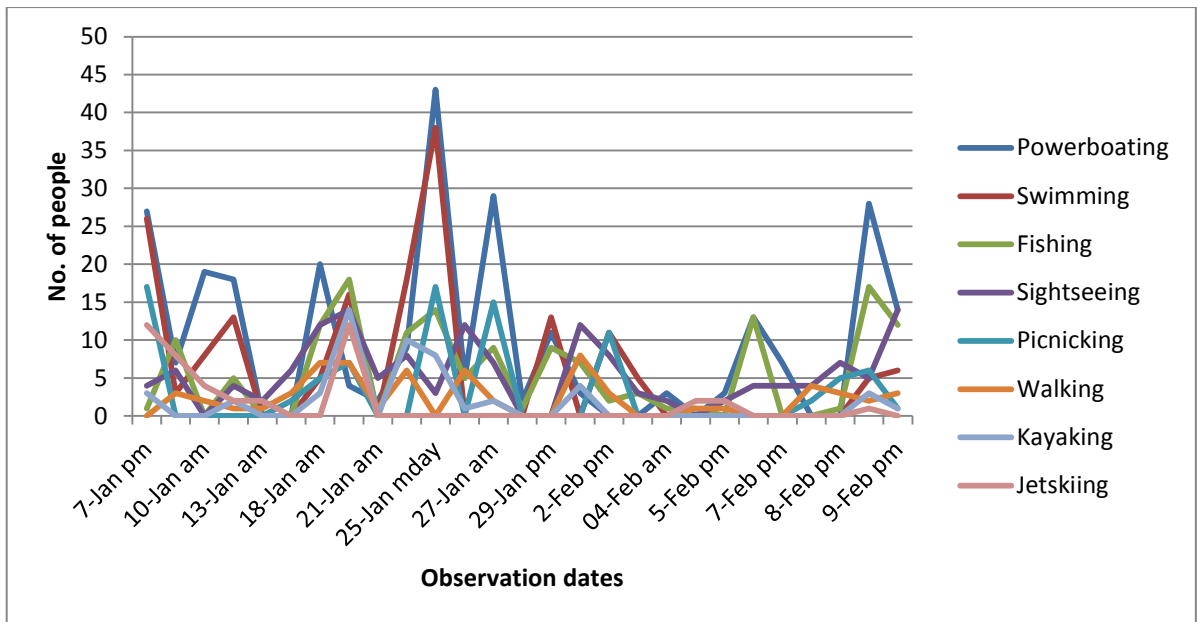
Observations were carried out on 27 different occasions over 19 days. The chart below summarises the total numbers of people at this location during each observation time. Between 30 and 92 people were observed in January; after anniversary weekend numbers dropped down to between 11 and 30 people during a one-hour period.

During both January and February, the observation periods when only small numbers of people were observed were days on which sea and/or wind conditions were rough. As an example of how weather affected numbers, rainy conditions on the morning of 21<sup>st</sup> January meant that only 10 people were counted at the boat ramp, whereas on the afternoon of the same day after the rain had cleared 57 people were observed.



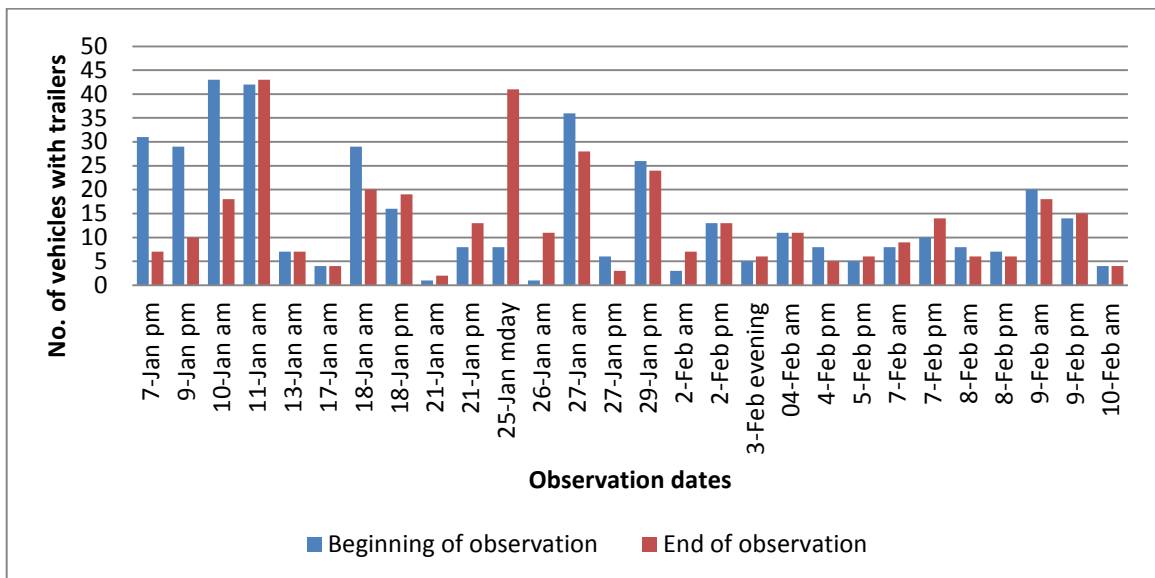
**Figure 1: Total numbers of people observed at Port Ōhope Boat Ramp**

The most popular activity at the Port Ōhope Boat Ramp area was power-boating. Other very popular activities were swimming, fishing and sightseeing. Swimming was popular here because of the safety of the water. Many other water activities were also popular, including water-skiing, jet skiing, kayaking, paddle boarding and biscuiting. The area was popular for picnicking and walking, and people were camping in the area on most days. The figure below shows the recreational use pattern for the eight most popular activities observed at Port Ōhope Boat Ramp.



**Figure 2: Recreational use patterns for the eight most popular activities at Port Ōhope Boat Ramp**

Numbers of vehicles with trailers was recorded at the beginning and end of each observation period. The number of vehicles with trailers parked at Port Ōhope Boat Ramp varied from 1 on a few days to 43. The average number of vehicles with trailers counted at this location was 14, making this the most popular spot for launching boats around the harbour. Higher numbers were recorded on weekends. From the changes in numbers at the beginning and end of some observation periods, it appeared that people are launching and bringing in boats at all times of the tide. The table below shows the numbers of vehicles with trailers parked at this location at the beginning and end of each observation period.

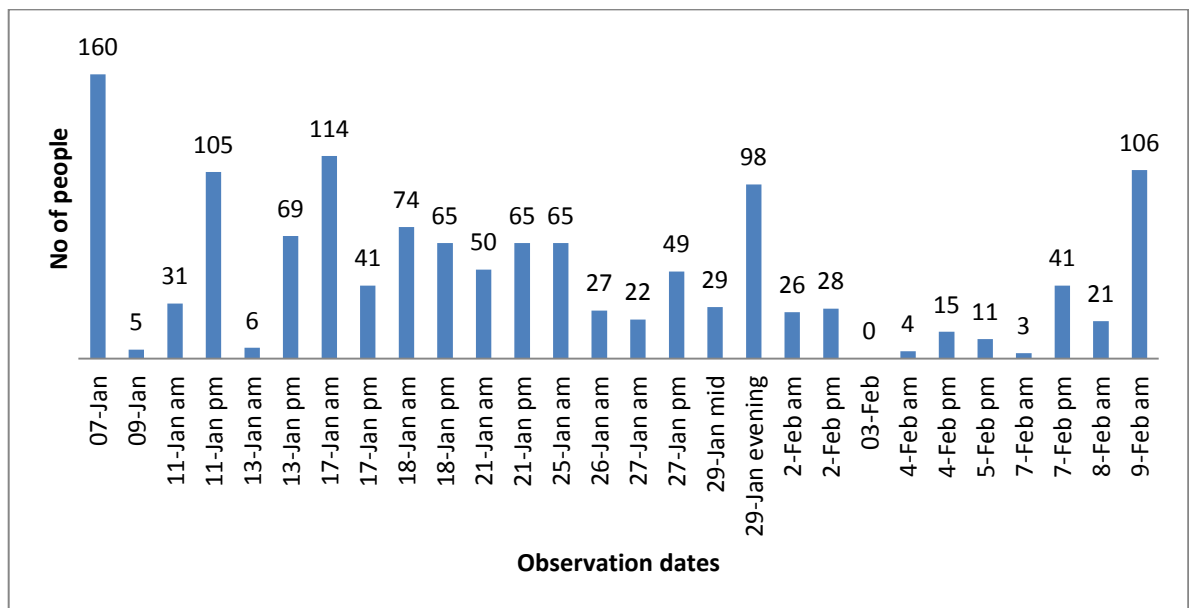


**Figure 3: Numbers of vehicles with trailers at Port Ōhope Boat Ramp**

### 3.1.2 Port Ōhope Wharf

During the observation period, numbers fluctuated from day to day, but started to decrease slightly in February, with the exception of the weekend following Waitangi Day. The average number of people observed during a one-hour period was 48, with numbers ranging from less than 10 on some days up to 160. The total numbers of people observed at each time are recorded below.

As at the boat ramp, numbers were lower when weather conditions were rainy or overcast and windy, as was the case on 9th January. Fewer people were also counted at the wharf in the early morning observations and when the tide was low.

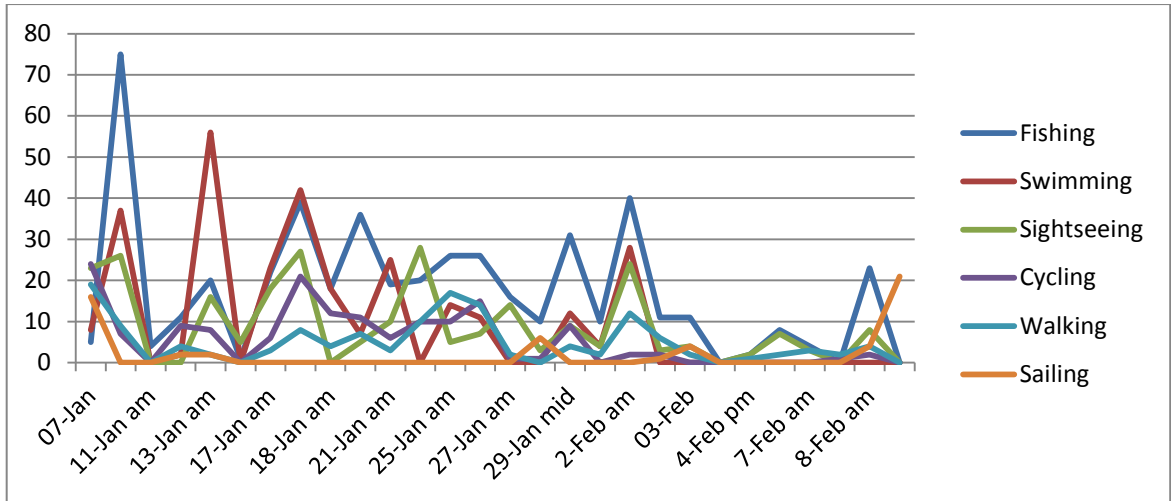


**Figure 4: Total numbers of people observed at Port Ōhope Wharf**

Fishing was by far the most popular activity at this location. Numbers of people fishing from the wharf ranged from 15 - 40 people, with 20 being the average number on days when the tide was favourable. Swimming and sightseeing were very popular activities around the wharf area. People were also engaged in a number of water activities, including sailing, kayaking, power-boating, paddle-boarding and kite-surfing. A kayak hire business is located at Port Ōhope Wharf adjacent to the boat ramp over the busy summer period; from here people paddle kayaks all around the harbour.

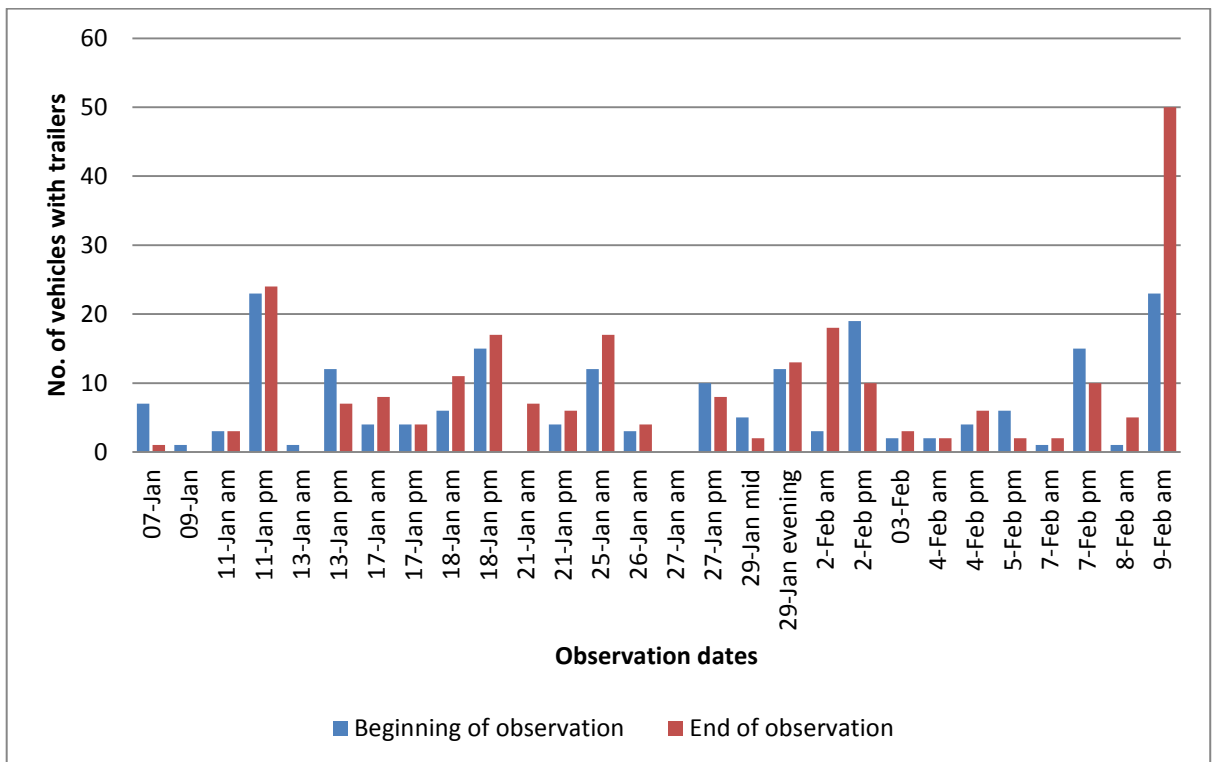
Land-based activities consistently observed included walking, cycling and picnicking. At high tides, the wharf was a popular place for swimmers jumping into the water from the wharf. The figure below shows the patterns of recreational activity for the six most popular activities.





**Figure 5: Recreational use patterns for the eight most popular activities at Port Ohope Wharf**

A boat ramp is situated adjacent to and west of Port Ohope Wharf. The number of vehicles with trailers parked near the boat ramp varied from 0 on some days to 50 on one Sunday in February. The average number of vehicles with trailers counted at this location was 8. Higher numbers were recorded on weekends. Slightly lower numbers of vehicles with trailers were counted at low tide times, but it was different to discern boat launching patterns. The much higher number of vehicles and trailers on Sunday 9<sup>th</sup> February was due to activities at the local yacht club at this location. The table below shows the numbers of vehicles with trailers parked at this location at the beginning and end of each observation period.



**Figure 6: Numbers of vehicles with trailers counted Port Ohope Wharf**

### 3.1.3 Ōtao South Reserve

Observations were carried out on 13 days, and on one day in both morning and afternoon. Numbers ranged from 0 on a rainy day to 43 people on one day on anniversary weekend, with an average number of 18 people during one observation period. The chart below summarises the total numbers of people observed at this location on all observation dates.

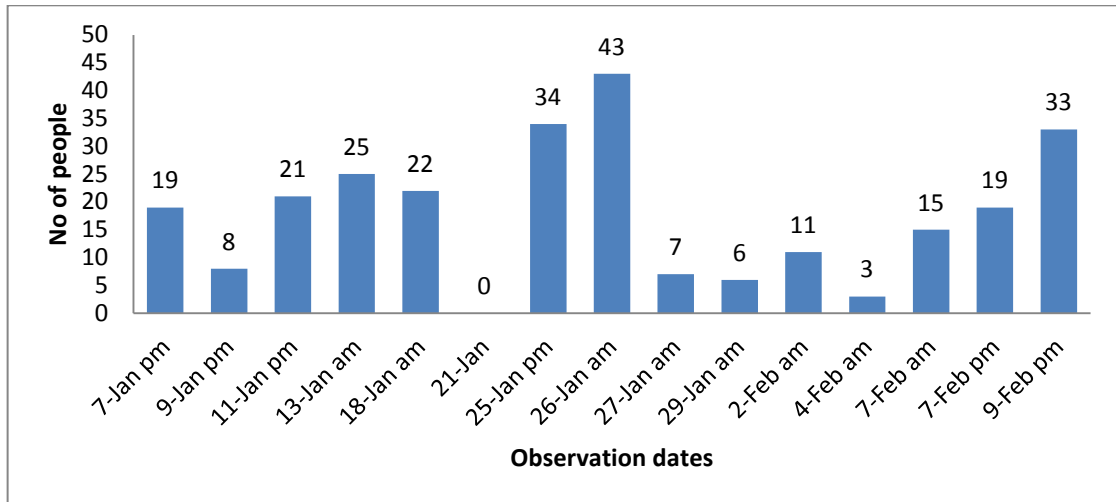


Figure 7: Total numbers of people observed at Ōtao South Reserve

At Ōtao South Reserve, people were observed both on the land and on the water. The most popular activities at this location were kayaking, walking and playing at the playground. Other activities were powerboating, sailing, picnicking, sightseeing and paddle-boarding. A stand-up paddle-boarding hire business operates from the Port Ōhope General Store at this location. The figure below shows recreational activity patterns for the six most popular activities.

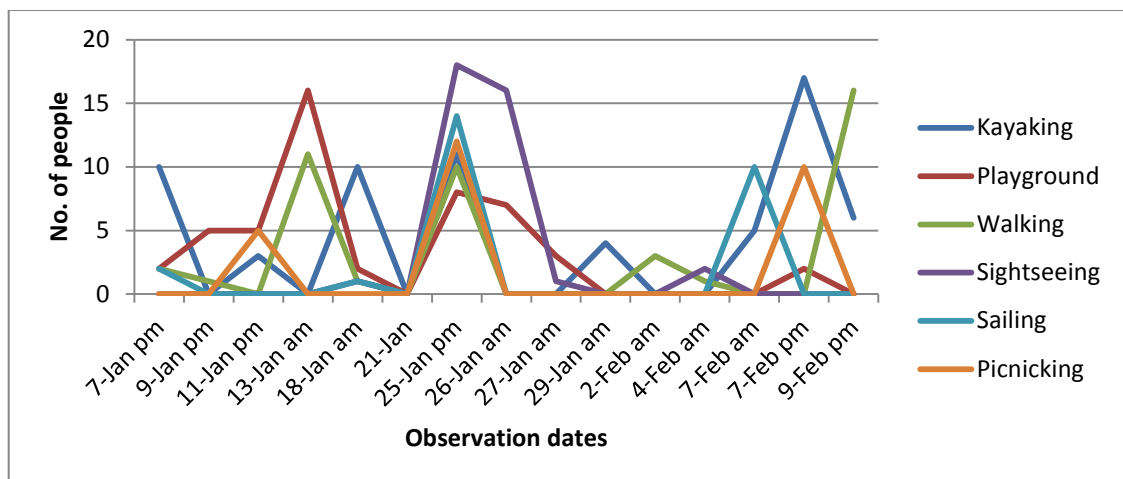


Figure 8: Recreational use patterns for the eight most popular activities at Ōtao South Reserve

### 3.1.4 Tauwhare Pā

One-hour observations were carried out at the carpark at the bottom of the path to Tauwhare Pā on 14 occasions. Small numbers of people (between 1 and 21) were observed walking and sightseeing there. On two days no-one stopped at this location during the observation time. It is not known how many of the people who stopped at the carpark climbed the path to Tauwhare Pā.

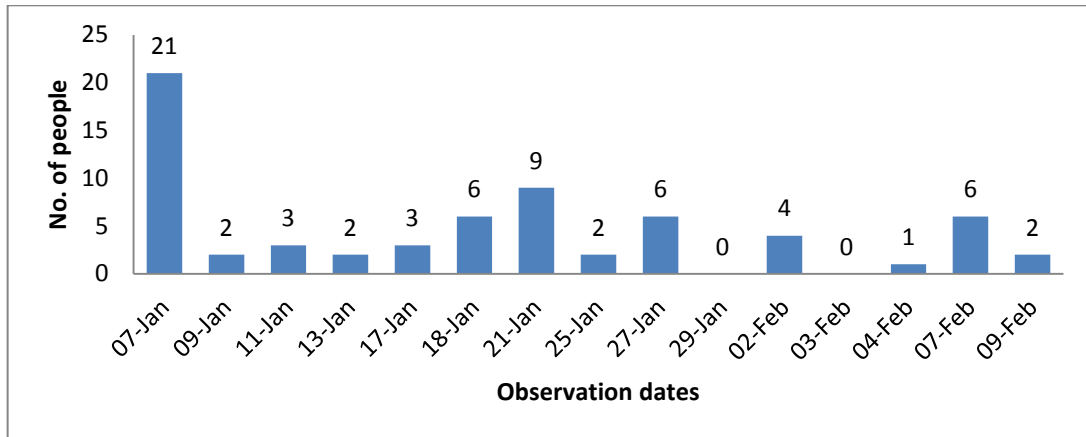


Figure 9: Numbers of people observed at Tauwhare Pā

### 3.1.5 Wainui Road

Although only one observation sheet was completed for Wainui Rd, and this showed no people present, researchers frequently drove through this area. They reported that few people stopped along the road, possibly because there are not many safe places to park. There is one rest area on Wainui Rd not far from the Ōhiwa Oyster Farm but there are no tables at this location, which may be a reason for not many people stopping there. Most of the vehicles that the researchers observed at the rest area were trucks; no one was observed engaged in recreational activities in this area.

### 3.1.6 Nukuhou Lookout and River Walk

Observations were carried out at the lookout for approximately an hour on ten days during January and February and on the river walk on three days. Information from both locations is included here. On all visits, a small number of visitors were at the site, mostly sightseeing and walking. On two days larger numbers of people were visiting: 16 people on 8<sup>th</sup> January and 12 people on 1<sup>st</sup> February. People remained at this location for around 15 – 20 minutes or less. Most people who stopped at the Nukuhou Lookout did not do the river walk. People were observed on the river walk on only one of the three days that observations were carried out.

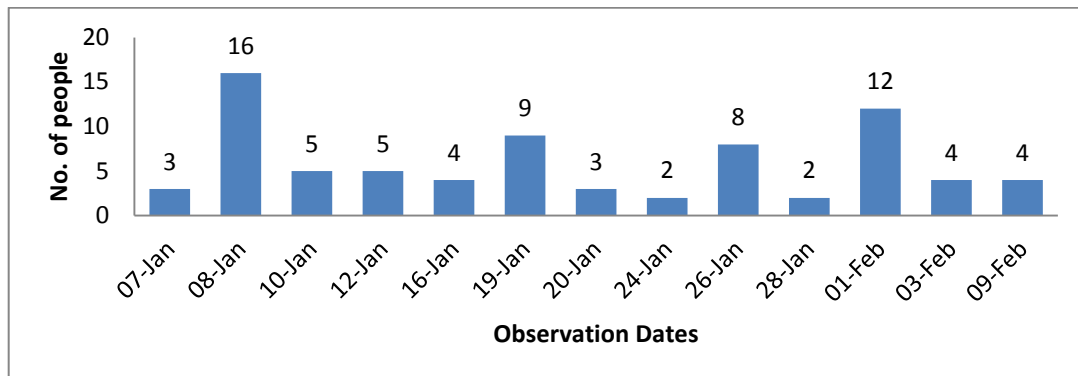


Figure 10: Numbers of people observed at Nukuhou Lookout and River Walk

### 3.1.7 Ruatuna Rd

Brief observations were carried out on Ruatuna Rd on eight occasions. On one day there were six people riding horses, and on another one person gathering oysters. On the other days there were no people or cars.

### 3.1.8 Kutarere Wharf

Brief observations were carried out on nine different days at this location, with researchers remaining there between 15 and 30 minutes. On one visit there were two people there. Otherwise no people were observed, although researchers noted on one visit that new rubbish had been dumped there and there were signs of a vehicle being driven on to the wharf.

Kutarere Wharf is sign-posted from the main road at Kutarere, but it seems that not many tourists see the sign or go down this road. The road itself is quite rough approaching the wharf, and no information is provided on this route about the area, or any scenic attractions or history.

### 3.1.9 Ōhiwa Walkway

Ōhiwa Walkway runs along the harbour’s edge from Ōhiwa round to Ōhiwa Boat Ramp (approximately 5 km long). Observations were carried out on Ōhiwa Walkway on ten days, for up to an hour each time. Small numbers of people (between 2 and 9) were observed on each occasion. The chart below records the total numbers of people counted during each observation period.

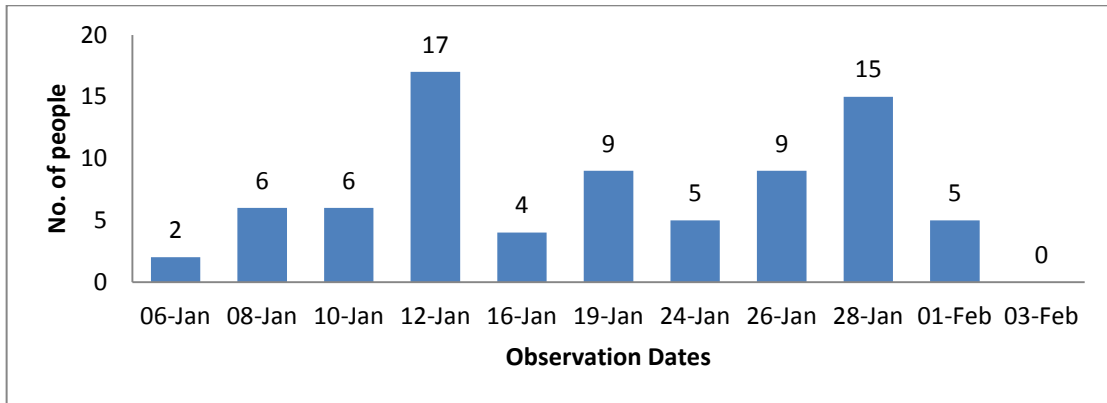


Figure 11: Numbers of people observed on Ōhiwa Walkway

Walking and cycling were the most popular activities on the walkway. People were also seen running and kite surfing on the harbour. On two occasions observations coincided with low-tide; at these times 12 and 17 people respectively were counted collecting shellfish. The figure below shows the pattern of recreational activities across the observation dates.

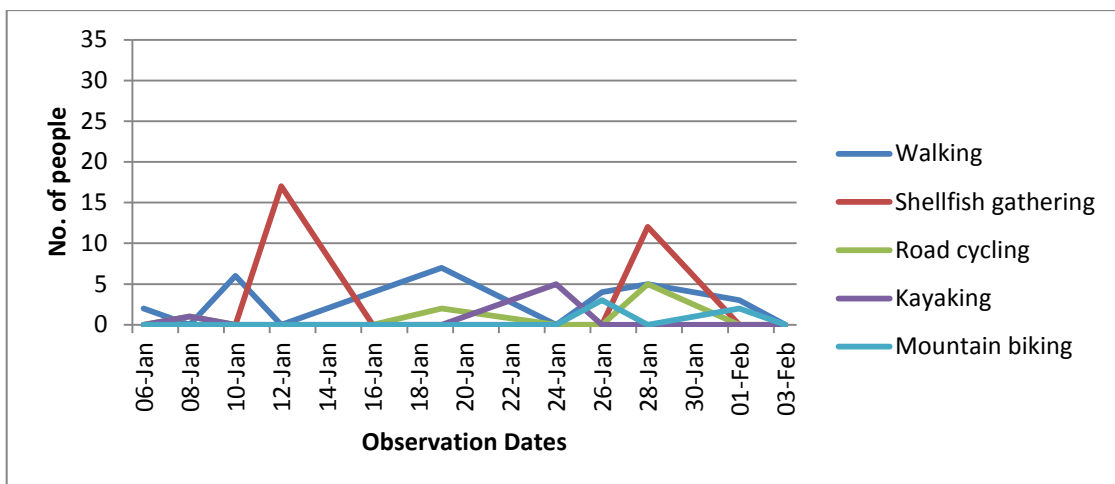


Figure 12: Patterns of recreational activity at Ōhiwa Walkway.

### 3.1.10 Ōhiwa Boat Ramp

Observations were carried out at this site on 13 days between 6<sup>th</sup> January and 10<sup>th</sup> February. On eight days, observations were carried out in both the morning and afternoon. Higher numbers of people were observed in early January, with numbers decreasing through the rest of the month. Weekend numbers were only slightly higher than during the week. The highest number of people during one observation period was 45 people on Sunday 12<sup>th</sup> January. This observation also coincided with low tide, when 14 people were observed collecting shellfish.

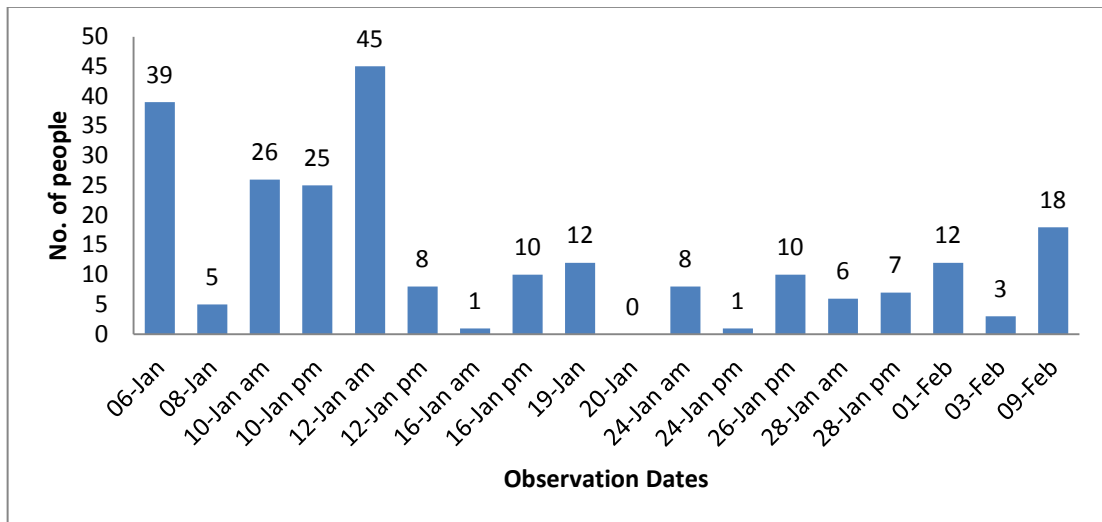


Figure 13: Total numbers of people observed at Ōhiwa Boat Ramp

The most popular activities at Ōhiwa Boat Ramp were powerboating, sightseeing, picnicking and fishing. People were also observed swimming, collecting shellfish when the tide was low, kayaking, walking and biscuiting. Tide did not appear to affect people launching boats and fishing in this area. The figure below shows the patterns of recreational use for the six most popular activities.

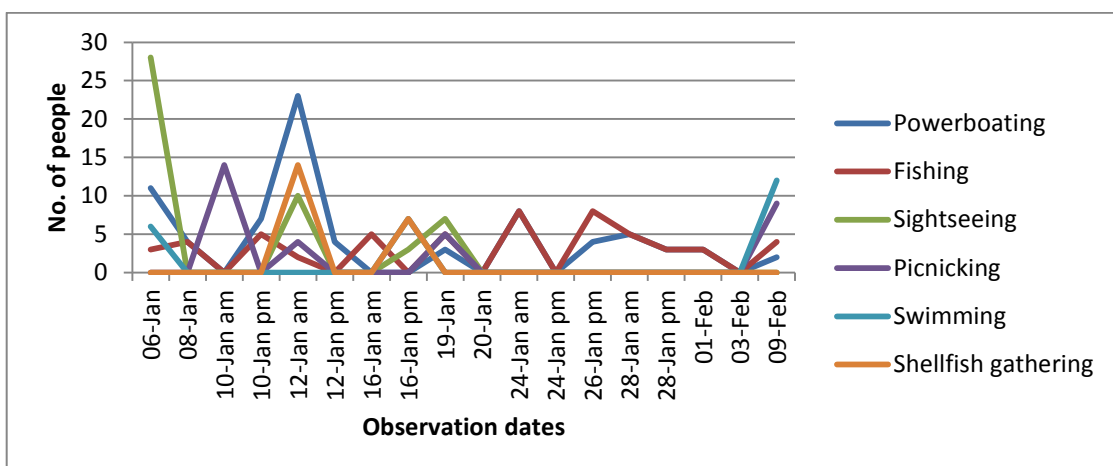


Figure 14: Recreational use patterns for the eight most popular activities at Ōhiwa Boat Ramp

The numbers of vehicles with trailers parked around the Ōhiwa Boat Ramp during observations varied from 0 to 14, with the average number being three. Because observations were carried out for only an hour at a time, it was difficult to discern how patterns of boat launching varied with the tide. However, on one observation which occurred on a January weekend at mid-tide, 5 vehicles were counted at the beginning of the observation and 14 at the end, demonstrating that people were launching boats at mid-tide as the tide was going out. It is not known how many of the boats being launched were boating in the harbour nor how many crossed the bar to the open sea. Numbers fluctuated each day throughout the observation period with slightly higher numbers of vehicles counted in mid-January. However, this boat ramp was still being used regularly in early February. The table below reports the numbers of vehicles with trailers counted at the beginning and end of each observation period.

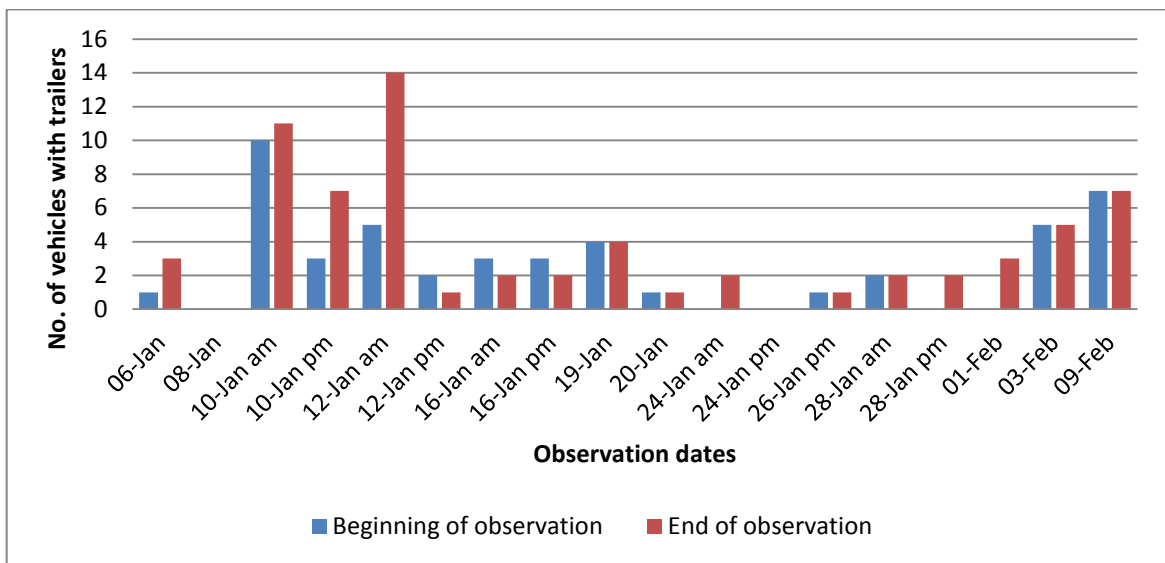


Figure 15: Numbers of vehicles with trailers at Ōhiwa Boat Ramp

### 3.1.11 Ōhiwa Spit

Regular observations were carried along Ōhiwa Spit. As with Ōhiwa Boat Ramp, numbers were highest in early January when between 17 and 37 people were counted (mean = 26). The numbers observed can be seen in the table below.

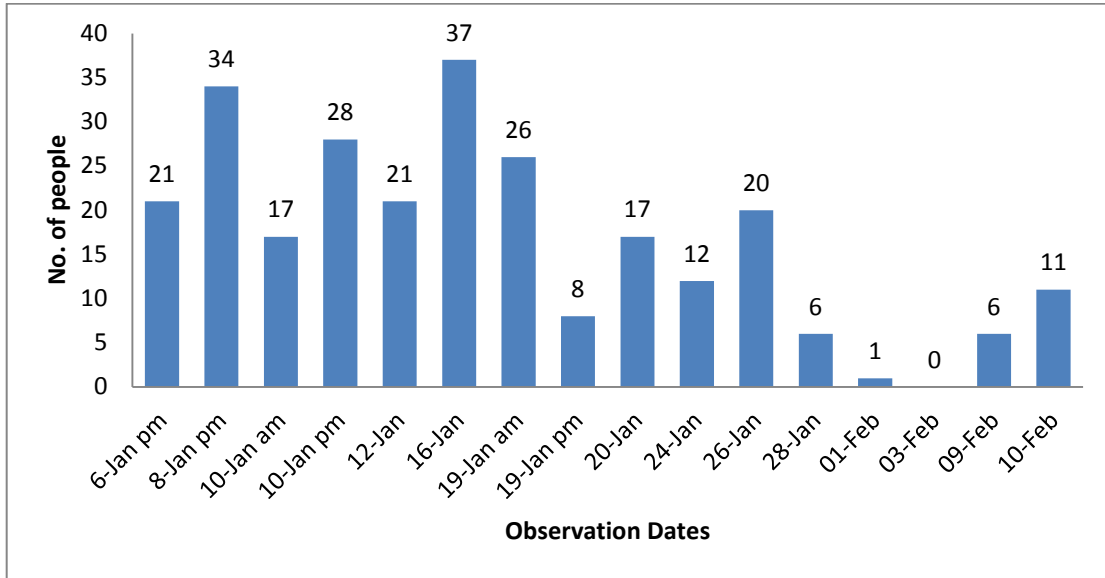


Figure 16: Total numbers of people observed at Ōhiwa Spit

The most popular activities in this location were kayaking, swimming and walking. The area was only suitable for launching kayaks and swimming around high tide as at low tide there are extensive sand- and mud-flats. People were also fishing, power-boating, picnicking, stand-up paddle-boarding, sailing and cycling. The figure below shows the patterns of recreational use for the eight most popular activities.

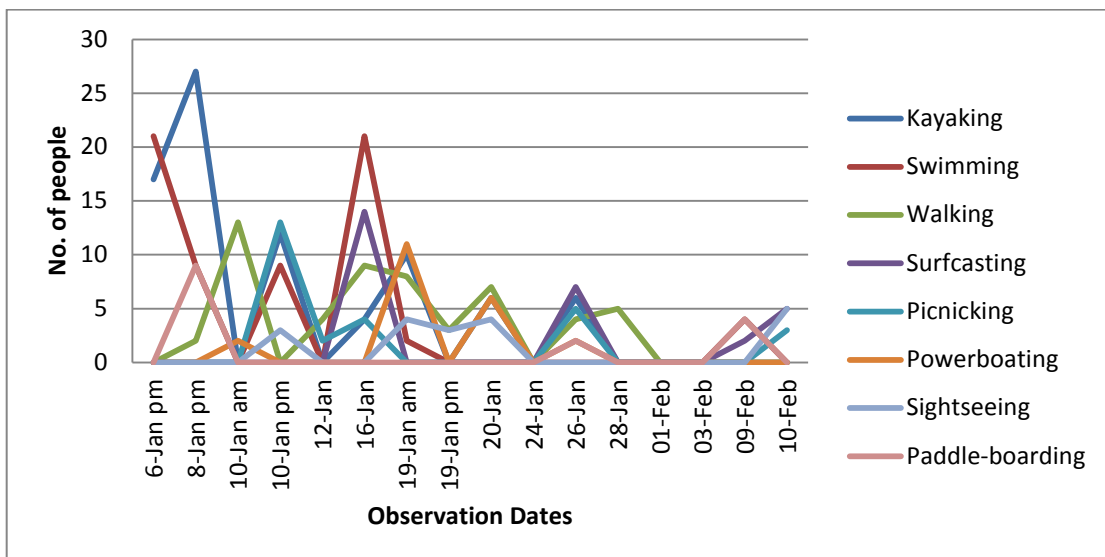


Figure 17: Recreational use patterns at Ōhiwa Spit



### 3.1.12 Summary of Observations

The observations demonstrated that the numbers of people around the harbour were highest in early January and decreased into February. Numbers were also higher during weekends, particularly Auckland Anniversary weekend and the weekend immediately following Waitangi Day.

Water-based activities were popular right around the harbour; the most popular water-based activities were fishing, swimming, power-boating, kayaking, sailing, paddle-boarding and dinghies. Many people were observed fishing in boats as well as from shore and from Port Ōhope Wharf. Swimming was most popular at Port Ōhope Wharf and Port Ōhope Boat Ramp, with smaller numbers observed swimming on the Ōhiwa side of the harbour. Kayak and stand-up paddle-board hire businesses based beside the harbour at Port Ōhope make these two activities popular, and kayaks are also available for hire at Ōhiwa Holiday Park. Paddle-boarding is a fairly new activity, and numbers of paddle-boarders on the harbour could be expected to rise in coming summers. Most water users were carrying out activities such as jet-skiing and water-skiing in the zones marked for these activities.

The most popular land-based activities were sight-seeing, walking, picnicking and cycling. These were popular activities at every location. Sightseeing was the most popular activity on land, and was most common in areas where parking was readily available and where signs indicated sites of interest such as Tauwhare Pā and Nukuhou Lookout. Walking and cycling (both road cycling and mountain biking) were popular activities on both Ōhope and Ōhiwa sides of the harbour. Cycle hire is available at the Port Ōhope General Store. The only playground observed was at Ōtao South Reserve and this was a popular attraction. However, it should be noted that both Ōhope Beach TOP 10 Holiday Park and Ōhiwa Holiday Park have playground facilities available for children staying at these facilities.

Shellfish gathering was mostly observed at several spots on the Ōhiwa side of the Harbour and only when the tide was low. A number of activities were also tide-dependent. Kayak launching at low tide was restricted to certain places such as boat ramps; swimming was similarly restricted at low tide to areas with sufficient depth of water. Bird-watching was observed only at Ōhiwa Spit and Nukuhou Lookout.

## 3.2 Surveys

A total of 226 surveys were carried out at locations around Ōhiwa Harbour. The numbers of surveys completed at each of the sites are reported in the table below.

**Table 1: Numbers of surveys completed at each site**

<b>Location</b>	<b>No of surveys</b>
Port Ōhope Wharf	71
Port Ōhope Boat Ramp	55
Ōhiwa Boat Ramp	24
Ōhiwa Spit	23
Nukuhou Lookout	21
Tauwhare Pā	15
Ōtao South Reserve	11
Ōhiwa Walkway	4
Kutarere Wharf	1
Location not specified	1
<b>Total</b>	<b>226</b>

### 3.2.1 Demographics

The vast majority of the survey respondents were European or Pakeha. The table below summarises reported ethnicity.

**Table 2: Reported ethnicity of survey respondents**

<b>Reported Ethnicity</b>	<b>No of respondents</b>	<b>Percentage</b>
New Zealand European / Pakeha	180	79.64%
Maori	16	7.08%
Asian	3	1.33%
Other	19	8.41%

Approximately even numbers of men and women were interviewed, with the gender breakdown illustrated in the table below.

**Table 3: Gender breakdown of participants**

<b>Gender</b>	<b>No of respondents</b>	<b>Percentage</b>
Male	105	46%
Female	99	44%
Not specified	22	9.7%

There was a wide spread of age groups among the people surveyed. The majority of respondents were aged 40 or older, with smaller numbers of young people completing the survey.

**Table 4: Respondents' reported age groups**

<b>Age Group</b>	<b>No of respondents</b>	<b>Percentage</b>
Under 20	3	1.3%
20 - 29	9	4%
30 - 39	32	14%
40 - 49	62	27%
50 - 59	38	17%
60 or over	65	29%
Not specified	17	7.5%

### 3.2.2 Place of residence

Thirty per cent of respondents (n=67) reported living in the Eastern Bay of Plenty and a further 27% (n=62) live elsewhere in the Bay of Plenty. Thirty-five percent of respondents (n=80) reported they live elsewhere in New Zealand, and almost seven per cent were from overseas. Table 5 reports where participants live.

**Table 5: Respondents place of residence.**

<b>Place of residence</b>	<b>No of respondents</b>	<b>Percentage</b>
Ōhiwa	6	2.7%
Ōhope	26	12%
Whakatane	22	9.7%
Opotiki	6	2.7%
Elsewhere in the Eastern Bay of Plenty	7	3.1%
Wider Bay of Plenty	62	27%
Elsewhere in New Zealand	80	35%
Overseas	15	6.6%

### 3.2.3 Present accommodation

When asked where they were staying, about one third (n=74) reported they were staying at home, just over one third (n=82) were camping (either in a camping ground or freedom camping). Approximately 17% were staying with friends or family or in a bach, while the others were staying in a range of accommodation options.

**Table 6: Respondents' reported accommodation during their visit to Ōhiwa Harbour**

<b>Accommodation during visit</b>	<b>Number</b>	<b>Percentage</b>
At home	74	32.74%
Holiday Park	53	23.45%
Freedom camping	29	12.83%
Staying with friends/family	22	9.73%
Bach	18	7.96%
Motel	10	4.42%
Holiday House	9	3.98%
Bed & Breakfast	2	0.88%
Backpackers	1	0.44%

### 3.2.4 Visiting Patterns

Approximately one third of respondents were visiting the site where they were interviewed for the first time. Another quarter (n=58) had been visiting this site for more than five years. Smaller numbers had been visiting there for less than a year (13%) or between one and five years (16%). Table 7 below reports how long respondents had been visiting the interview site.

**Table 7: Length of time respondents have been visiting this site**

<b>Length of time visiting this site</b>	<b>No of respondents</b>	<b>Percentage</b>
First time today	90	39.82%
Less than 12 months	29	12.83%
1-5 years	37	16.37%
More than 5 years	58	25.66%

Respondents were also asked about the frequency of their visits to the location where they were interviewed. This question was not relevant to those who had never visited before. Forty per cent (n=91) said they visited this location approximately once or twice a year; twenty per cent (n=46) said they visited more frequently. Sixty per cent of respondents (n=136) visited only during the summer months, while 28% reported they visit all year round. Table 8 below records respondents' reported frequency of visiting the location where they were interviewed.

**Table 8: Frequency of visits to this site**

<b>Frequency of visits to this site</b>	<b>No of respondents</b>	<b>Percentage</b>
Never been before	64	28.32%
Once a year	51	22.57%
Twice a year	40	17.70%
Once a month	30	13.27%
Once a week	10	4.42%
Two or more times a week	6	2.65%

Interviewees reported they planned to stay at their location for varying lengths of time. Thirty-four per cent (n=77) planned to spend 1 – 2 hours there, while another thirty-three per cent (n=76) said they would stay longer but less than a day. Twenty-two per cent only planned to stay for less than an hour, while a small number said they would stay longer than a day. Exact numbers and percentages are reported in Table 9 below.

**Table 9: Planned length of current visit**

<b>Planned length of visit</b>	<b>No of respondents</b>	<b>Percentage</b>
More than a day	20	8.85%
More than 1/2 day but less than a day	28	12.39%
2 1/2 to 4 hours	48	21.24%
1-2 hours	77	34.07%
less than an hour	49	21.68%

People were asked about the size of their group. Group size varied from 1 to 29, with an average of 3 people reported in each group.

Participants were asked what other sites around Ōhiwa Harbour they also visited. Many people said they planned to visit other sites. Port Ōhope Wharf was the most popular site, mentioned by 45% of people. Table 11 below contains a summary of the numbers who reported they planned to visit different sites. Small numbers of people also mentioned they planned to visit other sites, including the Oyster Farm, Ōtao South Reserve, Ōhiwa Domain and Tauwhare Pā.

**Table 10: Other sites visited**

<b>Other sites visited</b>	<b>No of respondents</b>	<b>Percentage</b>
Port Ōhope Wharf	102	45%
Ōhiwa Beach	89	39%
Ōhope Boat Ramp	83	36%
Ōhiwa Boat Ramp	58	26%

Eastern Bay of Plenty residents were asked how often they visit other sites around the harbour. Responses from the 58 people who answered this question are summarised in the table below. Most people who lived in the Eastern Bay visit other Ōhiwa Harbour sites once a month or less, with only small numbers visiting other locations more often.

**Table 11: Frequency of visits to other sites around Ōhiwa Harbour**

<b>Frequency of visits to other sites</b>	<b>No of respondents</b>	<b>Percentage</b>
Never been before	8	13.79%
Once a year	12	20.69%
Twice a year	11	18.97%
Once a month	19	32.76%
Once a week	5	8.62%
Two or more times a week	3	5.17%
<b>Total</b>	<b>58</b>	<b>100%</b>

People who indicated that they lived elsewhere were asked how often they planned to visit other sites during their stay. Thirty-six percent did not indicate that they planned to visit other sites. The frequency with which respondents said they plan to visit other sites is reported in Table 13 below.

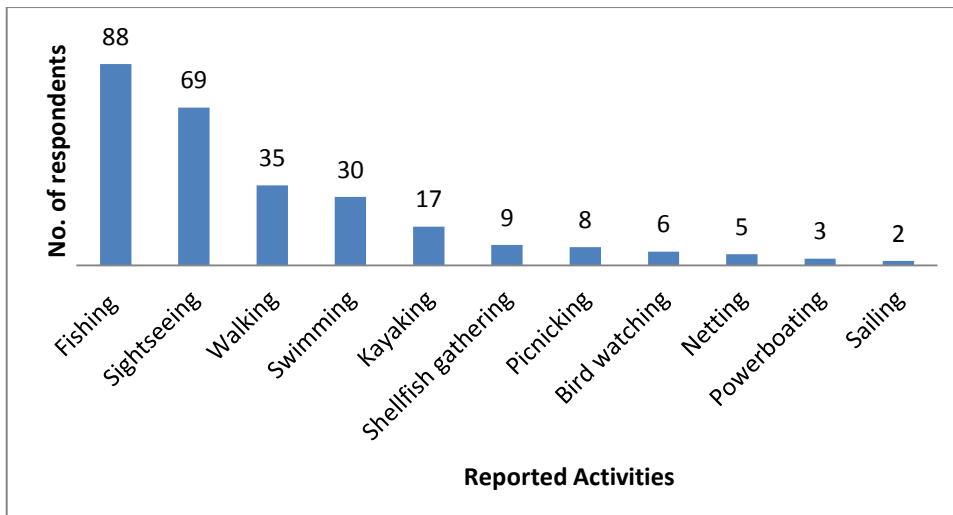
**Table 12: Frequency of visiting other sites during this visit**

<b>Frequency of visiting other sites</b>	<b>No of respondents</b>	<b>Percentage</b>
1 - 3 times	70	44.59%
4 - 6 times	15	9.55%
More than 6 times	15	9.55%
<b>Total</b>	<b>100</b>	<b>63.69%</b>

These findings suggest that many people, even those who live in the Eastern Bay of Plenty, visit Ōhiwa Harbour fairly infrequently. Only a small number are frequent visitors, and while some visit all year round, many only visit during summer. While some respondents planned to visit a range of other locations, more than one third had no plans to visit other locations during their stay.

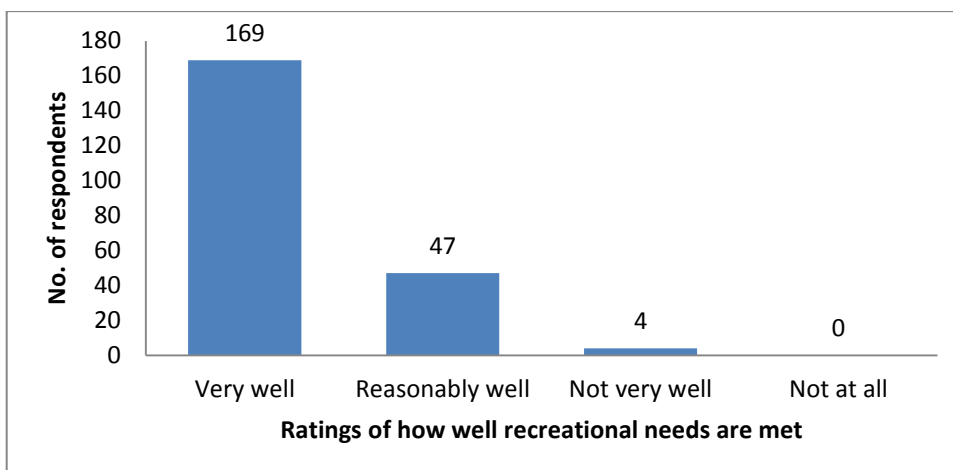
### **3.2.5 Recreational Activities**

Survey respondents reported recreational activities they were engaged in during their current visit. The main activities reported are summarised in the table below. Fishing (including surfcasting from the shore and fishing from boats) and sightseeing were the most popular activities, followed by walking and swimming. The chart below summarises the most popular recreational activities respondents reported.



**Figure 18: Activities in which survey respondents were engaged in during their current visit**

Participants were asked how well their recreational needs were met. Ninety-five per cent of respondents reported that their recreational needs were catered for either very or reasonably well. Less than 2% said their needs were not very well catered for. The chart below summarises these responses.



**Figure 19: Respondents ratings of how well their recreational needs are met**

When asked about how their recreational needs could be better catered for, only a small number of people made suggestions, which included requests for more shade, seats, tables and toilet facilities at some picnic spots.

### 3.2.6 Satisfaction with Facilities

When asked to rate their satisfaction with facilities at the location where they were interviewed, on a scale of 1 to 5 where 1 was very satisfied and 5 was not at all satisfied, overall people were satisfied with facilities (mean rating = 1.33). All facilities received above average satisfaction ratings as can be seen from Table 13 below. The availability of seats and tables and adequacy of shade were rated lowest.

The table also shows the ratings for sites on the Ōhope side of the harbour separately from ratings on the Ōhiwa side. When satisfaction ratings were broken down in this way, satisfaction ratings for individual items and overall satisfaction did not vary much across particular sites. Noise levels received a slightly lower rating on the Ōhiwa side and overall satisfaction was slightly lower as well. The availability of seats and tables, adequacy of shade, cleanliness and water quality were all rated lower on the Ōhope side.

**Table 13: Mean satisfaction ratings of facilities**

<b>Facilities</b>	<b>Ōhope side of harbour</b>	<b>Ōhiwa side of harbour</b>	<b>Overall mean rating</b>
Overall Satisfaction	1.29	1.40	<b>1.33</b>
No of people	1.34	1.30	<b>1.33</b>
Cleanliness	1.42	1.36	<b>1.40</b>
Noise levels	1.39	1.58	<b>1.45</b>
Water quality	1.61	1.50	<b>1.58</b>
Boat ramp	1.72	1.52	<b>1.66</b>
Toilets	1.84	1.46	<b>1.75</b>
Seats/tables	2.18	2.11	<b>2.15</b>
Adequacy of shade	2.36	2.01	<b>2.25</b>

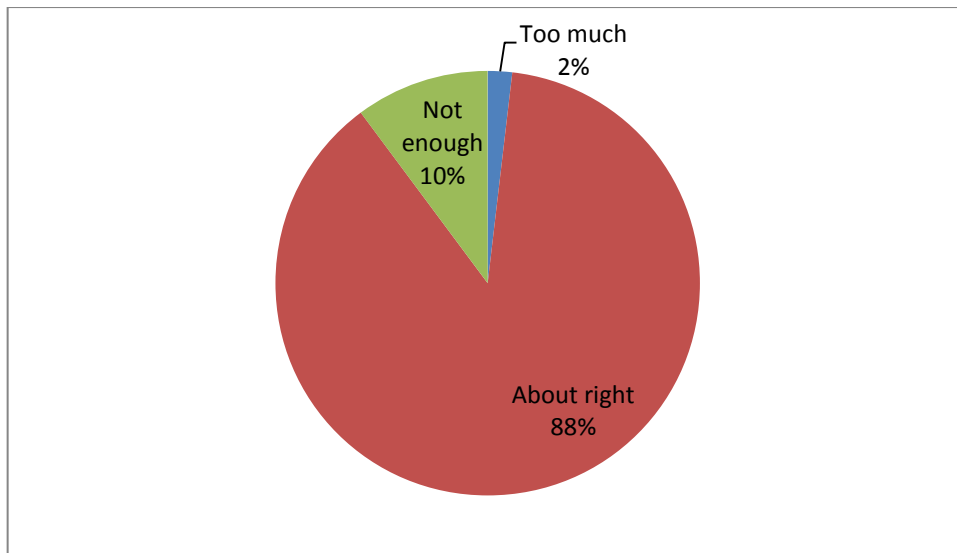
### **3.2.6.1 Feedback about this location**

When asked what they liked most about this location, participants gave a broad range of responses. Many people liked the quiet and peacefulness, and the beauty of scenery and views. They liked the natural environment, with plenty of space, fresh air and easy parking. They also liked how close the harbour was to where they lived or were staying and the easy access to water and a diverse range of activities. Some people specifically mentioned the fishing and shellfish, and a small number liked the walks and birdlife. Several people liked having access to both harbour and sandy beaches. Respondents appreciated how calm the harbour water was and safe for children. They appreciated the facilities that were available, including information about history and birdlife, walkways and freedom camping.

### **3.2.7 Information and signage**

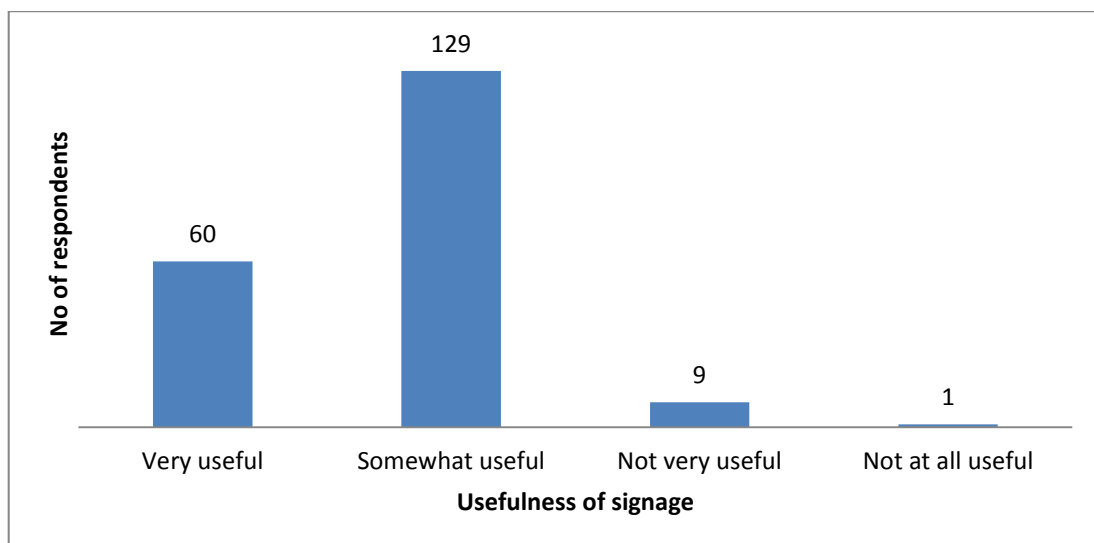
When asked about the amount of signage around the harbour, eighty-eight per cent of respondents said there was about the right amount. Ten per cent said there was not enough signage. Less than two per cent said there was too much signage.





**Figure 20: Respondents' ratings of the amount of signage around Ōhiwa Harbour**

Respondents were also asked to rate the usefulness of the signage. As the chart below demonstrates, most people thought the signs were either very useful or somewhat useful (n=189).



**Figure 21: Respondents' ratings of the usefulness of signage**

A wide variety of suggestions were made about the signage, including information people would like to be included. The table below summarises the suggestions made by more than one person.

**Table 14: Suggestions about signage**

<b>Suggested signage</b>	<b>Number of people</b>
Fish: descriptions, sizes and limits (currently available at some sites only)	16
Overnight (“freedom”) camping: spots and boundaries more clearly indicated	13
History: especially at Tauwhare Pā	10
Birds: nesting places, descriptions/photos	9
Maps: more at various locations with recreation areas marked	6
More educational information about wildlife (other than birds)	6
Rubbish: instructing people to take it away or provide more bins	4
Toilets: more clearly signposted	4
Jumping off Port Ōhope Wharf: re no jumping from front of wharf	4
Shellfish: limits and ban (signage was not accurate)	3
Fire ban areas: Ōhope Beach and Spit	3
Dogs: where they can and can’t go, especially around Ōhope Spit and Beach	3
Walkway signs to include estimated walking times	2
Boat warnings and coastguard signs	2
Crossing the bar (with a map)	2

Several people also commented that the existing signs were faded and needed to be replaced with newer and brighter ones. Many people also commented that they had not read or did not see the signs.

When asked where they would like more signage, a small number of people suggested better signage at the boat ramps and also on Ōhope Spit. Several people also commented about signage on the main road at the turnoff to Port Ōhope Wharf and at the wharf itself.

When asked how they obtained information, people reported that they got information about the area from a range of different sources, which are summarised in the table below. Some respondents also said they knew about the place because they lived here or had lived here, or had been coming here for a long time.

**Table 15: How people get information about Ōhiwa Harbour and activities**

<b>Information Source</b>	<b>No of respondents</b>
Word of mouth (other people including family and friends)	59
Internet (including Google, Trip Advisor, fishing & boating websites)	36
Campground or motel offices	19
Locals	18
Paper (especially Beacon and Bay View)	14
Driving past (and stopped)	13
i-sites (Whakatane and Opotiki were mentioned)	12
Booklets & brochures	10
Motorhome Guide	9
Signs and noticeboards	8
Councils (BOPRC & WDC)	5
Radio	3

### **3.2.8 Suggested improvements**

Survey respondents were each asked to make one suggestion for improving facilities around Ōhiwa Harbour. A great many different suggestions for improvements were made, some of which were general, and some of which related to specific sites.

At the Port Ōhope Wharf, there were suggestions for improving safety at the wharf by having railings and a life buoy available, and for providing more seats and tables and shade. At the Port Ōhope Boat Ramp, people requested more camping sites (although some wanted camping banned there), a jetty, barbeque facilities and better parking as well as rubbish bins. On the Ōhiwa side, people wanted a store/café, public toilets, extension of walkways and better beach access. More shade and tables were also requested at Ōhiwa.

The table below summarises the suggestions that were made.

**Table 16: Suggested improvements**

<b>Suggested improvements</b>	<b>No. of people</b>
Rubbish: More bins/better signage/more frequent emptying of bins	21
More seats and tables	16
Toilets: public toilets on Ōhiwa side; better maintenance/cleaning & signage	14
More shade	13
More camping sites	12
Better pest control/eradication of weeds	7
Drinking water taps	6
Extension of walkways	6
Improvements to boat ramps	4
Sealing road to Ōhope Spit	4
Improvements to parking	4
BBQ facilities	4
Store/cafe on Ōhiwa side	4
Better beach access	3
Wifi access	3
Better policing by fisheries officers	3
Pontoon for childres	3
Rod holders at Ōhiwa boat ramp	3

### 3.2.9 Aspects of Interest and Value

Survey respondents were asked two questions: firstly about what interested them about the harbour, and secondly what they most valued. Although there was considerable overlap in responses to these two questions, they are reported here separately.

When asked what else they were interested in about the harbour, the most popular responses were all related to recreational activities: fishing, swimming, walks and kayaking. People were also interested in the natural environment and bird watching. The table below summarises all the activities mentioned by more than one person.

**Table 17: Respondents' reported interests**

<b>Items people were interested in</b>	<b>No of respondents</b>
Fishing (including shellfish gathering & floundering)	50
Swimming	39
Walks	36
Kayaking	32
Nature	28
Scenery	17
Birds or bird watching	17
Boating, including water skiing and jetskiing	12
History	8
Quietness and tranquillity	6
Activities for kids	4
Sustainability	3
Cycling	3
Sightseeing	3
Glow worms	2
Shops and cafes	2

People were also asked what they valued most about the harbour. The most valued aspect by far was the scenery and beauty of the harbour, which one person described as "...a good taste of coastal New Zealand" and another saw as having "uncluttered, clean looking shorelines and views".

Although there were varied responses, it was clear that people particularly valued aspects of the natural environment and the relatively undeveloped state of the harbour and its environs. One respondent reported that they valued "...its pristine condition, really well preserved, not developed" while another said "...no high rises here like in Mt Maunganui".

The safety of the harbour for families with children was another thing that people valued, with one person saying it was a "great place to bring the grandkids". The range of recreational activities available was valued: "...caters for so many people interested in aquatic activities". Many other respondents simply made brief one word comments, such as "beauty", "scenery" or "peacefulness".

The table below summarises the specific responses that were made.

**Table 18: What people value about Ōhiwa Harbour**

<b>What people value</b>	<b>No of respondents</b>
Beauty, scenery, view	76
Water	24
Safety of the harbour, especially for children	20
Accessibility	19
Availability of kaimoana/seafood	18
Cleanliness	15
Quiet and peaceful/lack of people	21
Natural environment/ecosystem	13
Activities available	7
That there are groups who care for it	5
Birdlife	5
Sheltered	4

### 3.3 Interviews with business owners

Local business owners reported they get a lot of positive feedback about how wonderful the area is for recreation, particularly for fishing and boating, paddle-boarding and kayaking, also cycling, walking and bird-watching. People really appreciate how safe the harbour is for swimming and boating and are surprised at how beautiful and varied. Many people return to the campgrounds year after year, and many campers bring boats.

Businesses receive requests for information about a wide range of recreational activities including fishing, boat launching, charters and tours, navigating the bar, fishing, shellfish gathering spots, tide times, daily limits and shellfish bans. They are often asked about water activities such as stand-up paddle-boarding, kayaking and surfing, particularly on the Ōhope side of the harbour. Many of the requests are for information about activities for families.

People also request information about walks and walkways, local history, bird-watching and mountain biking, these requests are most common on the Ōhiwa side. One person commented that the number of boats on the harbour and going out to sea has decreased over the years, with more people now running and cycling instead of engaging in water-based activities. He attributed the changes to an “ageing population” and a decrease in the number of fish in the sea.

On the Ōhiwa side of the harbour, business owners reported that they are also asked about activities east of Ōhiwa Harbour.

Business owners, in particular those providing accommodation, really want to be able to answer the queries they get and have multiple ways of ensuring that any information they have is passed on. One campground manager said “We love to pass information

on if we have it” and described that they hand information out to people on their arrival, post information in camp kitchens and give daily information bulletins over their PĀ system as well as making information available in their office.

One business owner commented on the increase in the number of motorhomes in the area who make use of “park-over” facilities around the harbour, adding that a lack of space for motorhomes to park in Whakatane has contributed to this increase.

A number of suggestions for improvements were made by business owners:

- Improved signage on the main road at Port Ōhope Wharf: at present signage implies many businesses/activities are operating there, and people are often disappointed to find nothing open. The suggested change was “only advertise things that are actually happening or available – perhaps people could slot their sign in when they’re there”;
- Better and more readily available information about crossing the bar at Ōhiwa Harbour entrance (requested by several people, one of whom reported that the information available in the Harbourmaster’s brochure has deteriorated, with no map of Ōhiwa Harbour included);
- Make fishing information available to business owners not just at the main boat-launching sites– daily limits and shellfish bans;
- Better signage in BOPRC regional park (Ōhiwa side) to clarify where the park boundaries with private property (campground) begin as people come down from the park and use their facilities;
- Improve signage on the main road to areas of interest (for example as has been done at Nukuhou Lookout);
- Fencing off of part of the area around the Port Ōhope Boat Ramp has created difficulties for paddle-boarders who now have to paddle through the jet ski zone to get back to shore;
- Board walk through the sand dunes at Ōhiwa as many residents are older adults who find walking on soft sand difficult;
- Please complete Ōtao South walkway as soon as possible;
- Advertise recreational activities more widely to people who live locally – as often they are surprised by what is available. More website promotion was suggested as a way of doing this;
- In consultation with tangata whenua provide more information about the history of the harbour, and also include European settlement history;
- Reduce the speed limit on Wainui Rd to 80 kph;

- Provide better access to rubbish disposal and recycling facilities, especially on the “Opotiki side” of the harbour;
- Extend the Ōhiwa walkway/cycle trail.

One person recommended a 2-year ban on fishing and shellfish collecting inside the harbour to let fish stocks replenish. This person gave several examples of over-fishing that they had observed, both from shellfish gathering and netting, and said “we have to stop the take and take and take” attitude. In his view, greater protection was needed to ensure sustainability and so that future generations will be able to have the pleasure of going fishing with their children and grandchildren.

## 4 Summary and Discussion

Analysis of the information collected from observations, surveys and interviews with business owners demonstrates that many people flock to Ōhiwa Harbour during summer, particularly for water-based activities such as boating and fishing, but also for sightseeing, walking and cycling. Ōhiwa Harbour is a popular destination for people from the Bay of Plenty, as well as wider New Zealand. Many people come to the area specifically for the recreational opportunities that the harbour offers, although many people come just to enjoy the sights.

People value highly the beautiful scenery, ecology and wildlife of the area, and particularly like the quiet and tranquil nature of the harbour and its environs, which makes it safe for families with children. They appreciate the diverse range of activities available and for the most part are satisfied with the facilities provided. Several people said they appreciate the work that councils and care groups put into ensuring the harbour and its environs are well-maintained. Nevertheless, suggestions were made for improving signage in some places, such as on walkways, and providing more shade and picnic facilities at various locations. It was also suggested that authorities take greater steps to protect the natural environment and wildlife, especially fish and shellfish.

It is clearly the undeveloped nature of Ōhiwa Harbour that attracts visitors. While some said the area’s attractions could be more widely advertised, they were not keen on increasing the numbers of people visiting. The many comments made about how easy it is to park and to access the water are probably because the harbour remains relatively undisturbed and uncluttered. It is likely that people who prefer shops and cafes mostly choose to go elsewhere.

The information collected will be of interest to all those who have responsibility for providing services and facilities around the harbour, including local business owners. It will also assist regional and district councils in their management of Ōhiwa Harbour and its environs.







LEGEND	
POBR	Port Ohope Boat Ramp
POW	Port Ohope Wharf
OSR	Otao South Reserve
TP	Tauwhare Pa
WR	Wainui Road
NLO	Nukuhou Lookout
NRW	Nukuhou River Walkway
KW	Kutarere Wharf
RR	Ruatuna Road
OBR	Ohiwa Boat Ramp
OWW	Ohiwa Walkway
OS	Ohiwa Spit



# Appendix 4: Feedback

## Compilation of feedback from participants at OHS refresh workshop and community drop in sessions regarding recreation

The following are literal transcriptions of comments written by participants.

Participant comment	No. of comments
Recreation in balance with cultural values.	1
Recreation needs to be balanced with cultural values.	1
Recreation needs to be balanced with protection of harbour environment – management.	3
Putting people in the environment for recreation helps achieve improved environment – develop recreation opportunities to help with this.	1
Recreation encroachment inhibits mahi kai and cultural practice.	1
Recreation needs to be managed in order to sustain cultural practice.	1
Be mindful of culture – boardwalks, tracks, cycleways, camping with cultural practice in mind.	1
Clear values defined re recreation.	1
Make sure recreation isn't 'dumbed down' by other themes, e.g. kaitiakitanga.	1
Ōhiwa Harbour is for everyone.	1
Why is the tourism industry not represented on OHSCG.	2
Involve the tourism industry in looking after the harbour.	1
Have all tourism opportunities been exhausted to enhance the use of our harbour to heighten harbour importance to more of us?	1
Eco-cultural tourism.	1
Business values play a part.	1
Theme: explore, enjoy, experience.	1
Provide enhanced access to view points.	1
Public access becoming too tight.	2
Turn Wainui Road into scenic drive reduce speed to 80 (too many people dying).	1
80 km speed limit for Wainui Road.	2
Look at danger of 70 km area – put in cycleway.	1
Reduce speed on road near pā site carpark and create footpath all the way too.	1
Our culture, Ōhope's culture - revisit freedom camping.	1
More spaces for contained vehicle overnight parking at Ōhiwa boat ramp.	1
As above and other sites.	1
Identify key sites for overnight parking to protect areas where camping is not supported.	1
Pop up freedom camping sites in summer.	1
Pop up camping – managed practically – well thought out.	1
Change in culture at boat ramp freedom campers monopolising this area.	1
Jetty for launching boats.	1
No jetty, avoid structures that compromise natural views.	2

Participant comment	No. of comments
Boat ramp finger jetty to assist launching/retrieving of boats.	1
Boat ramp area extremely dangerous in height of summer.	1
Remove fence near the ski lane to allow public access to harbour edge within ski lane.	1
Boat and jet ski lanes too close to swimming – enlarge swimming zone and push back other zones.	1
Introduce ski lanes to allow jet ski racing.	1
More places set aside for active (non-motorised) recreation on water and land including hills around harbour.	1
Consider whole catchment for activities that provide recreation, horse riding, mountain biking etc.	1
Incorporate land based tourism.	1
Toilets?	1
Provide develop Ōhiwa Harbour trails, walking, kayaking, heritage, ecological.	1
More flying foxes/adventure tourism.	1
Eel encounter.	1
Weka encounter.	1
Plant a tree (as a tourist).	1
Interactive e-tours (like a phone app taking you to best views etc.).	1
Sculptures to get people to stop and look at places of interest/beauty.	1
Include Onekawa Te Mawhai Regional Park under Ōhiwa Strategy.	1
Onekawa is a big contribution to strategy goals.	1
Onekawa pā should be included in overall plan.	1
Investigate, develop integrated management of Onekawa expand from Ōhiwa to Waiotahi Spit	1
Road signage and track development as well as planting at Onekawa.	1
Education about poison signs.	1
How do we connect harbour to ocean?	1
Have a harbour festival each year to celebrate Ōhiwa.	5



**Memorandum of Understanding**  
*between*  
**Bay of Plenty Regional Council**  
*and*  
**Ōpōtiki District Council**  
*in relation to*  
**Onekawa Te Mawhai Regional Park**

**July 2014**

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**Purpose**

1. The purpose of this Memorandum of Understanding is to establish a commitment between the Parties to collectively manage Onekawa Te Mawhai Regional Park.
2. This Memorandum of Understanding is a non-binding document developed to outline the relationship between Ōpōtiki District Council and Bay of Plenty Regional Council ("the Council's") as managers of the lands that comprise Onekawa Te Mawhai Regional Park.
3. The Memorandum of Understanding is based on the clear expectation that both parties will work together to manage Onekawa Te Mawhai Regional Park for the benefit and wellbeing of the public.

**Parties**

4. The Bay of Plenty Regional Council
5. The Ōpōtiki District Council

**Background**

6. The Bay of Plenty Regional Council owns land at Ōhiwa known as the Onekawa Te Mawhai Regional Park.
7. The Ōpōtiki District Council manages Ōhiwa Domain and various other reserves in proximity to Ōhiwa Spit and Ōhiwa Beach.
8. The Parties wish to manage their respective reserves collectively and in an integrated manner.
9. The reserves will to be collectively known as Onekawa Te Mawhai Regional Park.
10. Upokorehe have mana whenua over Onekawa Te Mawhai Regional Park.

11. The Regional Park may include any public land owned or administered by other parties (by mutual agreement) where that land aligns with the Objectives and Purposes of this MOU.
12. The Parties have a common objective to manage these lands to protect and enhance the flora and fauna, landscape, cultural and recreational values for the benefit and enjoyment of the public.
13. Both Parties value their relationships with other parties who have an interest in the protection, enhancement and use of the public lands.
14. The Parties wish to record their relationship arrangements in this document.

### **Principles**

15. The Parties will work in good faith in a pragmatic, collaborative relationship at both management and operational levels to achieve the Purpose.
16. The Parties recognise the importance of an integrated and collaborative management of the Regional Park to achieve the Objectives.
17. The Parties recognise each Councils right to make decisions for its own purposes.
18. The Parties recognise that a joined-up approach will increase efficiencies in the management of the Regional Park; enhance visitor experience and promote consistency on operational management.

### **Objectives**

The objectives of this MOU are to:

19. Maximise opportunities for collaborative initiatives that benefit the environmental, landscape, cultural and recreation values of Onekawa Te Mawhai Regional Park.
20. Enable the public to enjoy the environmental, cultural and recreational values associated with the Onekawa Te Mawhai Regional Park.

### **Review of this Memorandum of Understanding**

21. This Memorandum of Understanding may be amended or expanded by mutual agreement. It is the intention of the partners that this Memorandum of understanding has a continuing life, subject to any agreements referred to above.

**Signatories**

Date: 20/4/2015

Signed: M Macleod

Mary-Anne Macleod, Chief Executive

Bay of Plenty Regional Council

Date: 19/3/2015

Signed: Aileen Lawrie

Aileen Lawrie, Chief Executive

Ōpōtiki District Council



# Review of the Opotiki District Council Reserve Management Plan

RECEIVED  
26 FEB 2020  
Opotiki District Council  
RECORDS

Your name: Barry Davison  
Organisation (if applicable): \_\_\_\_\_  
Postal address: 8462 S/H 35 RD 3 Opotiki  
Email: team@kconnect.co.nz Day time phone: 073252738

Return your submission form to:  
**POST:** Opotiki District Council, PO Box 44, Opotiki 3162  
**DELIVER:** 108 St John Street, Opotiki  
**EMAIL:** [info@odc.govt.nz](mailto:info@odc.govt.nz)  
**ONLINE:** [www.odc.govt.nz](http://www.odc.govt.nz)

**PRIVACY ACT NOTE:**  
Please be aware that submissions form part of the public consultation process and as such can be reproduced as an attachment to a publicly available Council agenda and remain on Council minute records.

I/ We wish to be heard in support of my / our submission All submissions will be made available to the Council and they will take them in to consideration when making decisions.

You can view a full copy of the Statement of Proposal 'Review of the Opotiki District Council Reserve Management Plan' at [www.odc.govt.nz/reviewrmp](http://www.odc.govt.nz/reviewrmp), at Council offices, or the Opotiki Library.

### Do you agree with the approach in the reviewed Reserve Management Plan?

No

### If not, which aspects do you disagree with and why?

as a rate payer we were not informed.

### Are there aspects that have not been included?

Yes.

### Other comments:

See attached

If more space is required attach additional paper with your name and contact details on each sheet.

**SUBMISSIONS CLOSE 4PM, FRIDAY 28 FEBRUARY 2020.**

Thank you for making a submission.

I have been coming to stay at Whanarua Bay since the early 1970's. I brought the property straight across S/H 35 from lot 66 about five years ago and have now renovated the existing Bach, and cleaned up the section and have retired here. I am shocked that the ODC did not inform all of the rate paying residents, what was being planned, and not just the owners wanting access to their property's down in the Bay

This has been Foisted on us at the last minute.

In the Reserve Management Plan it is stated that The Council will consult with the community on on any major development of a reserve or development at a reserve. This did not happen !!

My objections are

(1) If lot 66 is returned to the Crown and subsequently the iwi I feel that I will no longer be able to launch my 16 ft Tinny.

(2) I brought this property because of the close proximity to the beach access and the ability to launch my boat easily. If I had Known that my access to the beach was going to be compromised I would never have brought the property.

(3) If I am going to loose money on my property, by not having the ability to launch a boat, when or if I sell, I feel that the council should adjust my rates to reflect the lower value of my property.

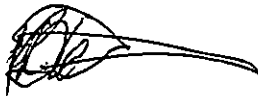
Already we are provided with very few services by ODC. I feel aggrieved that our rates don't allow for this.

If the ODC is going to abrogate it's responsability to all of the Whanarua Bay residents by releasing lot 66.

Then in my opinion that it should go to the Wirepa trust who originally owned the land

Barry Davison.

8462 S/H 35 RD 3 Opotiki



## Submission from Andrew Larsen on the Ōpōtiki District Council Reserve Management Plan

Section Heading or page number	I support/oppose or seek amendments and my reasons	The text I would like to see included
CSRS1	<p>Oppose: The proposed plan describes this site as having a history of misuse and potentially an unsafe environment. This is not therefore an appropriate site for a children's playground.</p> <p>The Council has proceeded with a development plan already without waiting for community input via a consultation process.</p>	
CSRS2		

A 192247



Opotiki District Council  
STRONG COMMUNITY STRONG FUTURE

# Review of the Opotiki District Council Reserve Management Plan

21 Feb 2020  
Opotiki District Council  
RECORDS

Your name: ERROL VERSTEGAN  
Organisation (if applicable): Family member of owner Lot 5 Whanarau Bay  
Postal address: 156 Valley rd Whakarangane  
Email: errolverstegen@gmail.com Day time phone: \_\_\_\_\_

Return your submission form to:  
\_\_\_\_\_

I/ We wish to be heard in support of my / our submission All submissions will be made available to the Council and they will take them in to consideration when making decisions.

You can view a full copy of the Statement of Proposal 'Review of the Opotiki District Council Reserve Management Plan' at [www.odc.govt.nz/reviewrmp](http://www.odc.govt.nz/reviewrmp), at Council offices, or the Opotiki Library.

As a person with an interest in the continued use of the Whanarau Reserve. That Lot 66 and Reserves be recognised as such by the Maori Trustee's and council, that continued access by the private owner and the general public be continued as there are not many other boat access points along the east coast, closer by the local iwi would be unacceptable and a travesty to the owner and general public at large. As for the development of the foreshore for the general public the statute quo should prevail there by keeping the same scenic outlook and reduce the accumulation of rubbish the road as it stands will be susceptible to erosion and mitigation could impinge on the road and private property. The Road Lot 66 should be transferred to the council for on going maintenance and continued access to all owners Maori and general public.

Errol Verstegen

If more space is required attach additional paper with your name and contact details on each sheet.

SUBMISSIONS CLOSE 4PM, FRIDAY 28 FEBRUARY 2020.

Thank you for making a submission.

Consultation on Draft Reserve Management Plan

Meeting at Waihau Bay, Saturday 22 February 2020

Verbal submission provided by Autahi Callaghan [not verbatim].

I would support a playground located on the reserve near the intersection of State Highway 35 and Orete Point Road.

**From:** [Michael Corboy](#)  
**To:** [@Information Requests](#); [Garry Page](#); [Lyn Riesterer](#)  
**Subject:** The Possible Future of Athletics in Opotiki  
**Date:** Sunday, 1 March 2020 4:39:03 PM

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**Dear Sir/Madam,**

**I am not sure what the cut off date is for submissions such as the one below. I wanted to send this presentation on Friday but when I went to do so the document would not open and when I clicked on it again it disappeared. I luckily was able to find it today so I hope it is not to late.**

**Yours sincerely,**

**Michael Corboy.**

**Opotiki District Council Mayor, Lyn Riesterer, and Councillors.**

**Athletics in Context - the Future of Sport in Opotiki.**

My name is Michael Corboy. I live at 21 Bryan Road RD2 Opotiki 3198, phone 07 315 4947 and 0277 3456 38, email - [michaelcorboy70@gmail.com](mailto:michaelcorboy70@gmail.com)

I have been involved in Athletics activities in the Opotiki area since I moved here permanently at the end of 2008. I have coached, helped run an athletic club for which I provided most of the equipment and raised money to buy other equipment. I have also taught athletics in schools over most of the above period. I did so first of all as part of an Athletics NZ – Sports Bay of Plenty initiative. About four years ago I had to stop working in schools due to the need to have a knee replacement. By the time I recovered the scheme had been had been revamped and I was told that I could apply for the fulltime position that involved working all over the Bay of Plenty. That prospect didn't appeal. However, it was not long before six country schools got in touch with me and asked if they could buy me in to teach athletics and help with the running of the annual Country School Sports held at Omarumutu.

For the last two years I have been running athletics at Ahui Park during the last and first terms of the year. I moved from Opotiki Domain because one-year athletics had to be repeatedly cancelled due to flooded fields. I have also tried unsuccessfully to get parents to form a committee and be regular assistants on Athletics night. On the whole I spend around two hours setting up and then reloading my vehicle on athletic evenings. I am grateful to the parents who help when asked during the session which includes collecting equipment up after each event has been completed.

I am 73 and have been involved in athletics for almost 40 years in a voluntary teaching /coaching capacity both in New Zealand and England at all levels from teaching pre-schoolers to coaching athletes up to the age of 20 who have won National sprint and hurdle titles and many who have gone close to doing the same. I have also coached veteran Athletes who have gone on to win national titles. How long I continue my involvement in athletics depends on my health and the help I get from members of the community and Opotiki District Council.

From what I can gather in conversations with people involved in other codes getting community and athlete involvement is a growing problem and the active sports codes outside school sports that 40 years ago were many have dwindled to a few. This is a trend in many places not just Opotiki. A small town like Opotiki that has many untapped potentials to tackle and reverse that trend. Furthermore the possibility of vastly improving the wellbeing of Opotiki District residents is immense.

Sports body submissions that consider their own needs in isolation to other sports should be treated with a certain amount of scepticism. The needs that codes have in common should be the first consideration. I therefore think that a new and adventurous long term plan is needed that matches the potential of Opotiki's economic future and New Zealand's best kept secret of a district with the most beautiful scenery that stretches over many square kilometres of the East Coast. Sports facilities can be part of attracting people to come to this stunning piece of heaven. The mild East Coast climate makes Opotiki almost a perfect place to develop a sports industry that encourages sports teams and individuals to come to Opotiki to train and compete. The facilities available would encourage holidaymakers to come to use the facilities purely for leisure time pleasure and most of all local people would be provided with first class facilities and job opportunities. Above all such sporting facilities could be used to enhance opportunities provided by schools, given that time was set aside for school use.

Such a scheme might qualify for Government Regional Development funding.

Good athletics facilities can be used by all codes, not just athletes as can swimming amenities. The Council needs to develop a long-term plan that caters for a wide range of sports codes and this need to be mostly on one site. I suggest that the council looks to extending the Ahui Domain (Magpie Park) site as the Memorial Park has poor drainage and is too small for an integrated sports location. That area could be used for future industrial/commercial development.

Future sports facility could involve the hospitality industry, Sports Medicine, working with health agencies and exploring the provision of Sports Science study and practical opportunities should also be investigated. Gymnasiums and fitness centres need to be factored in as well.

The possibilities are immense for rugby, football, netball, basketball, hockey, tennis, badminton, archery, cycling, climbing, fencing, equestrian, gymnastics, judo, boxing, volleyball and if the new harbour development allows aquatic sports – kayak, rowing and waka ama. There maybe other codes whose interests can be catered for. Such provision would depend on multiple uses of facilities. For example, a large indoor area could be used at different times as an athletic track, tennis courts, basketball and gymnastics.

In many towns and cities across New Zealand sports development has been a 'piece meal' approach without thought given as to how sports codes can help one another and the needs that are common to each activity. Opotiki should seize the opportunity to do the necessary research to explore what would seem to be one major opportunity to change Opotiki's image and make provision for its citizens of the future.

I would like to make a presentation to Councillors if that privilege is available.

Michael Corboy.

**From:** [steven.cotterell](mailto:steven.cotterell)  
**To:** [@Information\\_Requests](mailto:@Information_Requests)  
**Subject:** ODC Reserve Management Plan Review. Response from Steven Cotterell and Vicki Rosser, lot holders at Whanarua Bay  
**Date:** Friday, 28 February 2020 2:33:13 PM

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Garry Page,

We are owners of the following lots at Whanarua Bay ( Lot 30 DP 4651, Lot 33 DP 4651, Lot 1 DP 6635 ) and as such have a vested interest in the proposals set out in the ODC Reserve Management Plan review.

In our response we comment directly on the proposals being put forward as well as refer to some of the more general issues as set out in the ODC's discussion papers .

We have invested heavily in Whanarua Bay over the last 16 years building a retirement opportunity where we intend to spend many years into the future enjoying the outstanding beauty of the coast, the unique ,natural environment as well as the existing infrastructure that will allow us to access these. We are pleased that Council is reviewing the uses of the various reserves in the area, to ensure that the original purposes for which they were created are retained.

As a general comment, we strongly believe that all reserves should remain the property of and stay under the full administrative control of the local authority, ODC. Any transfer of ownership or control of reserves to a particular group or section of the community will serve to undermine the egalitarian ideal that is normally preserved in the purpose and use of reserves. Council should be encouraged to continue to take the lead in the management of reserves , to ensure that all members of the Opotiki District , all NZ citizens as well as visitors to the area, can continue to enjoy the activities and opportunities and to experience the natural wonders of the area, that reserves provide. We are also concerned that weed control on reserve land will only be maintained if ODC retains control of reserve land.

Most of the discussion in the Reserve Management Plan for Whanarua Bay seems to be around the access to the lower beach areas and specifically Reserve Parcel ID 4112356. This parcel of Reserve is effectively an Esplanade Reserve, as it was obviously intended at time of subdivision of the sections to the seaside of SH 35 . Unfortunately access to the reserve is blocked by private land, lot 75.

For some time access to the reserve has been permitted through the "grace and favour" of the private land holders. As relative" newcomers" to Whanarua Bay we are not aware how the current system has come about, whereby a coastal reserve has become cut off from access through the subdivision of a private plot. Under Part 2 of the RMP, Statutory and Planning Requirements, Legal Framework, there are several areas that highlight that this situation should not have eventuated and needs to be addressed in the Review. Section 2.1.1 Reserve Management Act 1991 (RMA) requires council under Section 299 a) " to enable public access to or along any sea, river or lake, and b) to enable public recreational use of the esplanade reserve or esplanade strip and adjacent sea, river or lake." It goes on to state that " Esplanade reserves and esplanade strips provide an opportunity for the protection of the quality of the coastal environment, protection and enhancement of habitats, provision of areas for public recreational use and the provision of public access to the coastal marine area. A number of esplanade areas have been created under this piece of legislation through the subdivision process and are now part of the ODC's reserve network." This obligation has not been satisfied under the present setout of boundaries of reserves and private land holdings.

As mentioned earlier, it is obvious that when the current subdivisions of Whanarua Bay



were laid out that the intention was to provide public access to the coastal strip. The current review of the Reserve Plan provides an opportunity to address the oversight/mistakes made during the original subdivisions of Whanarua Bay.

In the 17 years that we have held property at Whanarua Bay, access to the beach has been possible by using the “locally built “ road through Reserve Parcel ID4120918 and across lot 75. This road has serviced the community well and has allowed all residents of Whanarua Bay and visitors to the area, access to the foreshore reserve that would be otherwise impossible. Any review of the reserves should examine how to formalize this current system to give consistent access to the coastal reserve for all.

In terms of the Council’s Future Management Strategies - We support WHBS3-“ investigate the possibility of acquiring access over private property to provide public access to coastal forest reserve.” This proposal is in line with the council’s obligations to continue to provide access to coastal reserves. To achieve this, boundaries of private property lot 75 and the reserves need to be redrawn and if necessary the private property needs to either fully or partially resumed. This is further supported in the ODC Reserve Management Policy Part 3, where Policy Number 3.1.6 Protection of Esplanade Reserves states- “ Council will 1) ensure the esplanade reserves or strips that recognize ecological, cultural, conservation or recreational values are taken upon subdivision of coastal land in the vicinity of the coastal reserves in order to provide public access to or along the water’s edge.” and “(iii) Monitor reserve boundaries to ensure that no encroachment occurs through subdivision or development or “privatization” of esplanade strips and esplanade reserves.”

We do not support WHBS4-“ options to formalize right of way over lot 66 for “lower” Whanarua Bay house owners.” This action would allow unlimited access to a select few and is counter to council’s obligations to provide public access to reserves. There have been “discussions” that pedestrian access would be extended to other members of the public. This is not sufficient given that this would exclude people who are either disabled or incapable of accessing the reserve on foot. Vehicular access must be secured for all members of the public. The Reserve Parcel ID 4112356 runs almost the full length of Whanarua Bay on the seaside of SH35. It was always intended to provide access for all residents in the original subdivisions. The only safe and practical way to access the reserve is down the “road” through Reserve Parcel ID4120918 and across a small section of private property. This access must be maintained for all .

Throughout the background reading put out by Council, many references are made to the obligation to provide public access to reserves and coastal areas. Part 2 of the RMP Statutory and Planning Requirements, councils intention is made clear, “Areas are provided and managed as reserves under the Act to protect a range of special features or values, including recreational, historical and community ones.”

Further under The Reserve Act 1977 (RA), the RA provides for a number of other important management considerations under S17(2), -“ (a) The public shall have the freedom of entry and access to the reserve, subject to the specific powers conferred on the administering body by Section 53 and 54 of this Act, to any bylaws under this Act applying to the reserve and to such conditions and restrictions as the administering body considers may be necessary for the protection and control of public using it.” The ODC has the obligation and the power to rectify the current lack of stable and consistent access to its reserves and needs to act to bring this about.

As landholders in Whanarua Bay , we pay in excess of \$8700 a year in council rates. For this we receive no garbage collection, no water and virtually no street maintenance. We are too far away from Opotiki to benefit from any infrastructure funding in that area, so it is difficult to see what we get for our high spend. We understand that council sets aside funds annually for the purchase and maintenance of reserves. We suggest that our rates and those of others in the area are used to enhance our access to the main attraction of the area- the beautiful coastal and marine environment.

Garry, please ensure that this submission is included in the ODC's review of the Reserve Management Plan.

Regards

Steven Cotterell and Vicki Rosser

Garry , it would be appreciated if you could confirm receipt of this email.

**From:** [Michael Corboy](#)  
**To:** [@Information Requests: Garry Page](#)  
**Cc:** [Lyn Riesterer](#)  
**Subject:** Vehicles on the Beach Submission  
**Date:** Friday, 28 February 2020 3:03:46 PM

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## **Opotiki District Council Mayor, Lyn Riesterer, and Councillors.**

My name is Michael Corboy and I live at 21 Bryan Road RD2 Opotiki 3198.

Phone: 07 315 4947 or 0277 3456 38, [michaelcorboy70@gmail.com](mailto:michaelcorboy70@gmail.com)

### **Vehicles on Opotiki District Council Beaches**

The following presentation is made out of my concerns for Ohiwa Ocean Beach. I have no idea if what I have to say applies to other beaches and consider that each area of foreshore and dunes might well have special features that also might have to be taken into consideration.

For a long time I have been very concerned at the regular abuse by vehicle users of the Ohiwa Ocean Beach that runs from the entrance to Ohiwa Harbour to the Waiotaha River. I have been told that when I see vehicles being driven inappropriately on the beach I should take a photo on my mobile. I should then send it to the Council so that suitable action can be taken. The trouble is that beaches and mobiles are not always compatible. I do not take my mobile when going for a swim, walking and paddling the dogs along the beach in the surf or putting out my long line from my buggy. Besides that most of the offenders are driving quad bikes and trail bikes that don't have license plates. I often wave down people who are driving or riding very fast, 15 kms per hour is the limit, and it's not hard to detect that people are driving much faster than that. Some stop others don't. I speak to people politely and tell them that being able to take a vehicle on the beach is a privilege that could be withdrawn if the local bylaws are not followed namely speed and driving vehicles just above the high tide line. Most people are polite and take on board what has been said, a few are mildly abusive.

I have often read that the ecosystems of beaches are very fragile and that when food chains are destroyed the knock on effects can be catastrophic. So when I see vehicles speeding along the mid and exposed low tide zones I think I have reason for concern and that our elected members should feel likewise. Now and again thousands of extremely small tuatua form nursery beds in this section of the beach. It is alarming to see tyre marks going right these beds. There are a whole range of shellfish and other mini-beasts living in the low to mid tide zones that are not immediately detected by the human eye but they are there as evidence by observing the feeding times and habits of the seashore birds. Many sea birds some of them quite rare and endangered feed in that area. Taking away their food source is reprehensible. But even more so is that some people are unaware that birds like dotterels (a

highly endangered species) nest in the high tide zone and that the nests can be easily driven across and eggs or chicks destroyed. Nesting birds can also abandon their nests when disturbed by vehicles passing close by. Local residents have raised and donated over \$90,000 to place around a thousand traps over the Ohiwa Headland including the dunes and have successfully trapped thousands of the various vermin that destroy bird eggs and kill chicks. Over almost twenty years they have involved themselves in dune planting. One resident has also devoted many hours to spraying noxious plants. This has involved a considerable time investment on the part of these good citizens. All this work has been to protect and encourage bird life in this area including dunes and foreshore. It is therefore morally incongruous that a relatively small number of people should nullify this work by taking away the food source of these precious birds.

Another worry for me, having spent a lifetime in education, working with children and coming from a large family, is the incompatibility of children and vehicles on the beach. I have witnessed the damage done to the adult human body done by a person running out from the front of a bus and being hit by a very slow moving car. The person was thrown several metres through the air. I feel considerable anxiety when I see vehicles even travelling slowly passing by toddlers playing in the sand. With the sound of the sea are their gleefully absorbed in their play these children do not see or hear cars approaching. They get out of the holes and just run in any direction. Nor should their parents have to look out for them while they are busy watching their other children in the water. Children or parents should not have trouble themselves watching out for vehicles while enjoying time on the beach. There should therefore be a safe place or safe places for families along Ohiwa Ocean Beach – in front of the Holiday Camp and Bryan Road - where vehicles cannot go at any time.

I take our buggy on the beach to put out my long line and to give my stroke disabled sister a treat that she can experience no other way. I also use my buggy, as do other local residents to pick up rubbish especially after storms. I am worried that because so many people do not follow the bylaws those that do are going to lose this privilege as a result. However, if Councillors can see no other way of ensuring people act responsibly and protect this fragile environment then I am happy to lose this honour.

Several years ago when Councillors were considering this issue a huge lobby of four wheel drive enthusiasts held a meeting in the College Hall. What I gathered from attending this meeting was that they wanted to maintain their rights to drive on the beach 'come what may'. There was little concern for the fragile nature of the foreshore and dune environment and it was up to the Council to police the beaches. There was no recognition of the extent of coastline of the Opotiki District or the financial restraints on one of the poorest local councils in the country. This lobby organised a massive petition which no doubt swayed Councillors who had the next election in mind. I would like to suggest that making moral decisions depends far more on making decisions based on logic, reason and evidence rather than the loud noise made by a large number of people.

Whether Councillors decide to ban all vehicles except those carrying out vital services, or stick with the present bylaws some operational changes are needed.

The most important transformation needed is education that explains to people why the foreshore and dunes make up a very easily damaged territory. This informational programme could involve the Council website, pamphlets regularly delivered to households by volunteers, pamphlets given to visitors at holiday parks and motels and at the Information Centre and volunteer wardens to talk to vehicle drivers or riders who are not following the rules. In the area I live in there are three organisations that Council Officers could work with to protect our Ohiwa Ocean Beach, namely The Ohiwa Headland Trust, the Bryans Beach Community Group and Bryans Beach Water Society. Large signs could be erected near entrances to the foreshore which ask people to stop and read before proceeding, that tell people that the beach is regularly patrolled by wardens, the rules and a brief note explaining why the rules etc. are needed. If signage is considered too expensive for our District Council who has many pressing needs to consider, perhaps people could be asked to donate towards the cost. I would be happy to make such a donation to provide one sign for our area even though we need two.

Providing safe area on the beach where vehicles cannot cross is vital. Doing something after a serious accident or death is too late.

I would also suggest that whatever happens that over the next few years there be an ongoing dialogue that involve regular meetings with Council Officers, Community organisations, Elected Ward Councillor and sometimes the Mayor and residents. Such dialogue might also deal with other issues that help Council operations and benefit the community.

I have one further request and that is that I be allowed to speak publicly to Councillors when the issue of 'vehicles on beaches' is being discussed.

Yours sincerely,

Michael Corboy

# Submission: Re Whanarua Bay Reserves

Submitted by: Ross Matthews - ex hillcountry farmer

Ann Matthews – wife

Duncan Matthews – son – BNZ Agribusiness Finance Manager – Corporate & Maori Trust Farms – Taupo

Hamish Matthews – son – Fulton Hogan, Senior Roding Construction Manager- Auckland

Owners of Lot 2 DP 6635 BLK 111 Te Kaha SD

## Background:

We purchased Milby's Restaurant on the 4<sup>th</sup> February 2004 so have been permanent residence for 16 years. Have been on the Whanarua Bay Water Supply Society Inc. and the Whanarua Bay Ratepayers Assoc. for the same period (16 years). The reason for the purchase was for Ann to establish a Dinner, Bed & Breakfast business – "The Homestead" – and to provide a home for our sons, their wives and 6 grandchildren to come and enjoy this beautiful part of New Zealand, to boat, tramp, fish, snorkel and kayak. Some of the suggested ideas the Council have put forward would curtail some of these activities which we take a dim view of. Property values would drop. Less rates for council !!!

## Initial Subdivision:

The subdivision of Whanarua Bay by Mr. R WiRepa and the Maori Affairs during the 1950's and early '60s resulted in major failures by the then Opotiki District Council in not ensuring the developers carry out their obligations stipulated by the Council's consents. Testament to this has been the ongoing access problems from the subdivisions inception.

## Subdivision failures:

Access to Lot 80 from Highway 35 along Lot 37 traverses over a rocky bluff you would need abseiling experience to negotiate. Why was this passed by Council?

Access to Lot 80 from Highway 35 between Lots 25 and 26 consists of a rocky gut which you would need mountaineering skills to negotiate. Why was this passed by Council?

Access from Highway 35 to Lot 75 and 80 via Lot 66 in our opinion the biggest failure by the then Council not to insist that the developers, at their expense build a road up to council specification – class 1, 2 or 3 to which the Council deemed fit for purpose. Lots 11, 12 and 13 should have been added to Lot 66 to allow ample area to construct an access road.

Access from Highway 35 to Lot 75 & 80 via the Whanarua stream. How a Council allowed an access for vehicles, which crossed a stream 4 times as well as crossing private land, was ever going to be a successful and permanent access solution beats us.

Lot 75 – how this roadway was left in the ownership of the WiRepa Trust is beyond belief. It has caused immense anguish over many years for both the WiRepa Family and the property owners of Whanarua Bay. We have been informed by older folks from the surrounding community that it was never the intention that Lot 75 was to remain in the ownership of the WiRepa Family.

## Solutions to Whanarua Bay access problems:

Scrub any idea of developing access along the Whanarua stream. Give back the Reserves 72, 73, 67, 68, 69 to the original owners.

Lot 75 - to be purchased by the Council from the WiRepa Trust. The Council to pay compensation to the beach front property owners for costs incurred by them securing access easements over Lot 75 from the WiRepa Trust.

The Council to front up to the maintenance of Lot 66. Your excuse for not doing so, because it's not a legal road, is a lame one. Make it a legal road!

The walking access points to Lot 80 from Highway 35 may as well be written off for all the use they are.

The Council will probably ask "where is the money coming from to sort out these access problems?"

We ask "how much has the Council spent on Whanarua Bay over the years?" We would suggest "Almost nil". Combined Rates from Whanarua Bay property owners from the inception of the subdivision would amount to a substantial sum. Our rate demand for the 2019/2020 year is \$3,200.00 incl GST. We believe there are 5 adjacent properties paying a similar amount – say 6 x \$3,000.00 = \$18,000.00 for very little return.

If the Council does not face up to these access problems they will fester away as they have done so for years. The property owners of Whanarua Bay, we think, deserve better from the Opotiki District Council who need to put in place long term durable solutions.

Other Considerations:

We agree with the cultural considerations re Wahi tapu and Urupa sites.

We agree with installation of standardized ODC Reserve Regulatory and Interpretive signage.

We agree with pest, plant and animal eradication and to control dumping of household refuse.

We would like to point out that the permanent residents attend to these problems themselves as the authorities seem to turn a blind eye to these matters.

We agree that illegal camping is to be disallowed.

We disagree with the installation of picnic facilities and BBQs – will cause major rubbish problems.

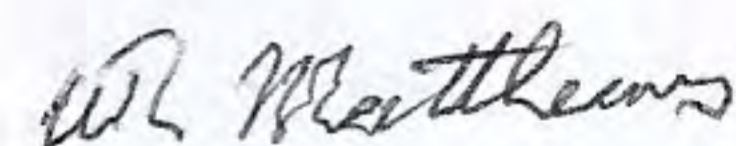
We strongly disagree, as do all of the Whanarua Bay property owners, to the handing over of the parcel of Reserves administered by the ODC to te Whanau a Apanui.

We believe that the Council Reserve Land belongs to the people and comes under the same category as Freehold Land and can NOT be used for Waitangi Treaty Claims.

Thankyou for considering these matters.

Yours faithfully,

W.Ross Matthews



For the Matthews Family.



Opotiki District Council  
STRONG COMMUNITY STRONG FUTURE

# Review of the Opotiki District Council Reserve Management Plan

RECEIVED  
28 FEB 2020  
Opotiki District Council  
RECORDS

ODC 12.587

Your name: Daryl Sheffield.  
Organisation (if applicable): \_\_\_\_\_  
Postal address: 130 WALKER RD OPOTIKI  
Email: CANVAS TECH @ XTRA.CO.NZ Day time phone: 02102964232

Return your submission form to:

POST: Opotiki District Council, PO Box 44, Opotiki 3162  
DELIVER: 108 St John Street, Opotiki  
EMAIL: [info@odc.govt.nz](mailto:info@odc.govt.nz)  
ONLINE: [www.odc.govt.nz](http://www.odc.govt.nz)

**PRIVACY ACT NOTE:**

Please be aware that submissions form part of the public consultation process and as such can be reproduced as an attachment to a publicly available Council agenda and remain on Council minute records.

I/ We wish to be heard in support of my / our submission All submissions will be made available to the Council and they will take them in to consideration when making decisions.

You can view a full copy of the Statement of Proposal 'Review of the Opotiki District Council Reserve Management Plan' at [www.odc.govt.nz/reviewrmp](http://www.odc.govt.nz/reviewrmp), at Council offices, or the Opotiki Library.

**Do you agree with the approach in the reviewed Reserve Management Plan?**

No i dont. Seams that No. Local inport HAS Been Allow.

**If not, which aspects do you disagree with and why?**

There Has Been little to Noive contact with the People THAT Such a Plan will affect.

**Are there aspects that have not been included?**

yes. Access to the River mouth. for Emency. in case of Boats Running aground, Fire

**Other comments:**

AMblenc in case of. Needing Medical Help. or: WHALE STRANDING:

once the Sea wall is in place. Access to Viewing Spots to watch the Boats. Comming AWP gain

\* Now is A HANDYCAPPED Person ABLE to Viset THIS AREA if No useless ARE Allowed to get them there.

If more space is required attach additional paper with your name and contact details on each sheet.

**SUBMISSIONS CLOSE 4PM, TUESDAY 14 APRIL 2020.**

Thank you for making a submission.



Submission  
To Reserve  
Management  
Plan 2019

3-3-2019

RECEIVED  
- 3 MAR 2020  
Opotiki District Council  
RECORDS

I along with my colleagues fully  
support the 2019 Reserve  
Management Plan especially  
that which is relevant to  
our current project & venture  
The OPOTIKI  
HORSE TRAIL

Regards  
Mrs A.M Hill  
Am Hill.

# ODC Reserves Management Plan Review Submission

12/03/2020

Julian Verstegen

6 Owhatiura Drive, Lynmore, Rotorua

Ph. 021863220

[Julian.verstegen@gmail.com](mailto:Julian.verstegen@gmail.com)

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My submission relates to the Whanarua Bay Reserve

## Background

My Grandfather, Brian Piper, bought lot 5 in 1981. It is now owned by his children and, since the passing of my mother, also by me and my siblings. My involvement with Whanarua Bay has been a life-long experience.

I have extensive experience in low cost forest road building and hold a Bachelor of Engineering degree from the University of Canterbury. Some of my experience relates to East Coast geological structures.

## The Sealed Accessway over the Lot 66 Reserve

My submission focuses on the assessment of the existing sealed accessway down to the bay, and specifically the engineering report prepared for Opotiki District Council by WSP Opus, dated 21<sup>st</sup> March 2019.

My professional experience is relevant because the access concerned appears to have been built 'low cost' using a bulldozer which was typical practice for forestry road construction in the not too distant past.

I am also familiar with the recent repairs to the shoulder of the access road where a tree had grown into the shoulder, had subsequently died, then allowed ingress of water to weaken and crack the roadway. Accessing the excavated material and the subgrade under the road supports the assessment made in the Opus report.



I believe the report accurately describes the state of the accessway. The photo (below) confirms the natural ground referred to in the report and the area repaired was as described - a 'creep along the interface between natural ground and fill materials'. It is encouraging that this interface was less than 1m from the outer edge of the roadway.



The relatively small width to interface suggests the bulldozer used a blade width of at least 3m and at the time of construction, given the slope of the hill, would have only been able to operate on cut natural ground making the majority of the roadway constructed on solid natural ground. Any sidecaste material has over the years been eroded away and since regrown vegetation.

Given that a significant majority of the current roadway now sits on natural ground means that the risk of major failure of the roadway itself as a result of the constructed road, is low. Creep of the small amount of remaining fill on the outside shoulder may still occur if the roadway is not properly maintained and sealed but unlikely to result in a loss of access.

My understanding is that, to date, regular maintenance has been carried out by beachfront property owners.

**WHBR2 My submission is:** Continued and future access over Lot 66 to 'Lower' Whanarua properties is best achieved (in part) by continued regular maintenance of the roadway as described in the Opus report to ODC dated 21 March 2019.

Julian Verstegen

**From:** [Jim Robinson](#)  
**To:** [@Information Requests](#)  
**Subject:** Submission on Reserve Management Plan  
**Date:** Thursday, 2 April 2020 9:41:23 AM

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## **Submission to Opotiki District Council's Parks and Reserves Management Plan**

**From Motu Trails Charitable Trust (contact Jim Robinson [jim@motutrails.co.nz](mailto:jim@motutrails.co.nz))**

This submission is on cycling/walking trail projects in the Opotiki area.

### **Motu Trails Opotiki start point**

Opotiki District Council's town revitalisation planning has proposed shifting the northern entrance of Motu Trails from War Memorial Park to the skate park area. This submission is to confirm that, in the view of Motu Trails Charitable Trust, shifting the start point makes sense. Benefits:

- Assist security of parked vehicles
- Bring trail users much closer to town, maximising the economic opportunities/benefit of the trail, such as more people buying food before/after their ride
- Ensure the trail links with the future harbour.

We emphasise that the shift would need to be done well to succeed, otherwise it will simply create a linking trail to the main trail entrance, which would be confusing. The new Motu Trails entrance would need:

- Sealed parking area for 20+ vehicles, including RV's and vans with bike trailers (the present parking area is a good indication of size)
- Shelter(s) providing covered space for about 20 people (twice what's available at the present trails start)
- Open access to town
- Drinking water
- Toilets
- Signage/interpretation
- A large and distinctive feature to celebrate the start, eg, large pouwhenua or/and waharoa.

In addition, the 1km approx. of trail between the new entrance and Pakowhai ki Otutaopuku bridge would need:

- [if !supportLists]-->• <!--[endif]-->Construction to a grade 1 standard, with no steep gradients, however short
- [if !supportLists]-->• <!--[endif]-->In the area north of the wharf, trail either to be raised to the top of the stopbank or concreted to withstand being submerged in floods
- [if !supportLists]-->• <!--[endif]-->Ideally, 2.5-3m wide concrete all the way to create a trail that's usable by children, scooters, wheelchairs, as well as by general cyclists
- [if !supportLists]-->• <!--[endif]-->Clear directional signage, interpretation
- [if !supportLists]-->• <!--[endif]-->Plantings.

We note that, as part of The New Zealand Cycle Trail, any change to the Motu Trails needs the approval of The New Zealand Cycle Trail team.

### **Opotiki town loop**

It has been the long-held view of MTCT that a clearly signed, safe trail/bike lane 'loop' of the town would be a tremendous asset to town, especially as traffic volumes grow. It would gain good use by local fitness and commuter/student users. It would provide an easy option for visitors to add to their Dunes Trail experience. NZTA funding may be available.

Much of the distance is in place already. Broadly, the route would be:

- [if !supportLists]-->• <!--[endif]-->War Memorial Park > Otara Stopbank Trail > Te Rere Pa Road (this is existing)
- [if !supportLists]-->• <!--[endif]-->Along Factory Road > across SH2-down Stoney Creek Road or Duke Street to the Waioeka stopbank
- [if !supportLists]-->• <!--[endif]-->Under the town-side of Waioeka bridge > Waioeka and Otara Stopbank to War Memorial Park.

This would fit in with shifting the trail start, as well as with any future westward trail extension.

## Whakaumu Track

In the view of Motu Trails Charitable Trust, reopening Whakaumu Track presents the biggest single opportunity for a Motu Trails extension. This would become a huge asset to town, both locals and visitors. For visitors, it will almost certainly encourage people to stay another day.

Whakaumu offers:

- 10km of magnificent forest trail, with kiwi, robins etc
- Easy gradients with no steps, so ideal for walking and intermediate-grade cycling
- Easy access to town
- Seamless link to the Dunes Trail and, potentially if another easement is secured, a link with Pakihi.

An easement has been discussed but needs to be signed. We ask council to put priority on working with Walking Access and the property-owner to secure the final easement, to get the Whakaumu reopening to the 'shovel-ready' stage. As well as ODC's budget for work, there are many volunteers ready to help reopen the track. MTCT may have available funds, and there may potentially be co-funding from The New Zealand Cycle Trail, but nothing can happen until the easement is in place.

Thank you. Please don't hesitate to get in touch for any clarifications.

/Ends.

**Feedback number** 46

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**Submitters name** Lorraine Stanley

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**Do you agree with the identified issues/strategies** I Agree with that the following needs to be formalized prior to the ODC continuing to implement the RMP :  
\* WHBR2 continued and future access over lot 66 to "Lower" Whanarua Bay properties and coastal reserve.

Without gaining an agreement (Legal/ROW) this will continue as it has over the years to be a bone of contention.  
There is no consideration given to those who may suffer with disabilities, for example Pakeke/ disabled persons, who have equal rights to enjoy this beautiful Taonga.

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**Which aspects do you disagree with and why?** I Strongly disagree with the following (RMP)  
\* WHBC1 unrestricted public access. The Public needs to made aware of restricted vehicle access in regards to LARGE Boats, Extremely large house buses and the Hazards these may cause to pedestrians.

\* WHB56 Instillation of Picnic tables and BBQ facilities. "You have noted Reserves Issues" of which being WHBR6 "Dumping of household refuse" This will unfortunately add to the already existing problem, the "Public" will utilise these areas and leave even more refuse behind which will attract vermin and cause pollutants entering the sea and river mouth and will impact on the native animal species living in the area and may also cause foul odorous impact for the seaside residents.

If this was to come to fruition "Picnic/BBQ Facility" was added, how would this be maintained as there is no "apparently" safe entry road for a ODC refuse/maintenance vehicle to gain access to maintain and remove refuse from this instillation.

\* Also this would encourage more illegal camping (WHBR6) as ODC would be inadvertently adding a free access kitchen (Table/BBQ) for these types of "Campers" adding to more refuse. which again encompasses another of the Reserves Issues WHBR5 "pest plant and animal eradication and control"

\* WHBS7 Provision of parallel car parking along the seaward side of the access road.

The Lot in question is not far from a blind corner of State Highway 35 which has heavy traffic and adding to this already dangerous situation is there is a turn off to the Macadamia Farm, if you were to have entry to car parks on opposite sides of the road how do you implement turning bays as this would require widening the road which would decrease the size of your proposed car park and may cause bottle neck or worse an accident.

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**Are there aspects that have not been included?** There are "Future Management Strategies"  
I believe we can implement changes to alter major issues in to minor ones if not erradicate the issues in their entirety.

The Whanarua Bay Residents are keen to work with ODC to achieve their goals of implementing coastal beautification (Planting/Maintenance) and pest control where it is beneficial to the environment and does not impede nor adversely impact the Residents of Whanarua Bay.

" WHBR2 continued and future access over lot 66 to "Lower" Whanarua Bay properties and coastal reserve". This has been overlooked or pushed into the to hard basket by the ODC for many many years it is time to address the "Elephant in the Room" and do the right thing for the home owners living at the bottom of "Lot 66"

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**Are there other comments you would like to make?**

I feel so privileged to be a resident of Whanarua Bay, from its naturally formed waterfall to the native fauna, the amazing beauty of the rocky beaches and gorgeous breath taking views from atop the outcrop of a DOC Trail in the back hills.

Whanarua Bay is enjoyed by many people from the Holiday home owners/their family & friends, the Permanent residents and the holiday makers/campers, it is truly a slice of pure heaven. Relaxation, walks, swimming, kayaking, and fishing are some of what makes Whanarua Bay so captivating, being embraced by the raw beauty of the coast is a Taonga so precious and should be handled with care.

The Community is united in getting a resolution to this 20+ year problem, and will work with the ODC to build the foundations for a solution. (Redress the past)

It seems glaringly obvious if the above is rectified the "Reserves Issues" outlined will be downsized to only 2 issues being WHBR6 and WHBR7. which with the assistance of the Whanarua Bay community working alongside the council would become a zero "Reserve Issues"

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**Organisation - if applicable**

Resident, Home Owner 8464 Whanarua Bay

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**Submitters Email**

[jblmstanley@xtra.co.nz](mailto:jblmstanley@xtra.co.nz)

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**Daytime phone**

07 3129009

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## Review of the Opotiki District Council Reserve Management Plan

Name: Mark Stringfellow

Address: 7/8461 SH35 Whanarua Bay. RD3 Opotiki 3199

Email: [mdstring@outlook.com](mailto:mdstring@outlook.com)

Phone: 07 32 52 084 or 021 425 492

I wish to be heard in support of my submission.

My submission relates to Whanarua Bay.

### Background – My connection with the Bay

I first came to Whanarua Bay some 55 years ago. My wife and I have owned our property here at Lot 7, Whanarua Bay for 40 years. It is now our home. I remember we used to access the Bay by driving through the Whanarua Stream and walk up the bridle track that has since been widened to become the current day access roadway. I remember Romio Wirepa. As kids we would visit the small shop that was run out of Romio and Mary's house which is opposite where the phone box is now situated. As an adult I honey-mooned with my wife in the campground above the Bay.

### Background – The Subdivision

I am aware that mistakes were made by the Maori Trustee and by the Opotiki County in the original subdivision. Those mistakes have been acknowledged by those organisations at various times but never solved by those organisations at any time. I was an owner at the time the Beachfront Owners took a case to the Maori Land Court following the 2001/02 blocking of our access by the hapu and Wirepa trustee. That case cost Beachfront owners dearly.

### Page 153 Reserve Category

The current Plan has the Reserve Category listed as 'Recreation' yet in the proposed plan the Reserve Category is given as 'Cultural Heritage'. I refer to your Chapter 5 on pages 11 and 12 of the draft Reserves Management Plan. The examples available on those pages suggest that 'Cultural Heritage' is inaccurate. Using the Description/Primary Purpose descriptors I note that Recreation and Ecological Linkages best describes the Whanarua Reserves. Additionally, I note that the first bullet point of the 'Background' Chapter at the top of Page 154 in the proposed plan records the 'linear reserves' and also references the 'recreation activities'.

In 1956, Romio Wirepa determined that part of his land would be developed as a residential seaside subdivision. The original intent in the ensuing 1958 subdivision was that accessways be developed and reserves be created as 'recreation reserves'. I note that, available to the Maori Trustee at the time of Romio Wirepa's subdivision were the Land Subdivision in Counties Act 1946, the Reserves and Domains Act 1953 and the Maori Reserved Land Act 1955. The Reserves and Domains Act 1953 included provision for:

- recreation reserves,
- scenic reserves, and
- historic reserves.

Historic reserves provide for “preserving in perpetuity as historic reserves . . . . . (a) Lands associated with the early inhabitants of New Zealand, the Maoris, early European visitors, or early European settlers.”

With the benefit of ‘the knowledge of the day’, including reserves options of recreation, scenic or historic, the Maori Trustee has determined that Lots 66 and 80 be recreation reserves.

**Reserve Category - My Submission:** The Reserve Category of ‘Cultural Heritage’ is incorrect and should be changed back to ‘Recreation and Ecological Linkages’ to recognise the intent at the time of Romio’s subdivision, as well as the purpose for which the reserves are most commonly used today – for recreation.

### Page 153      **Origins of the Reserve**

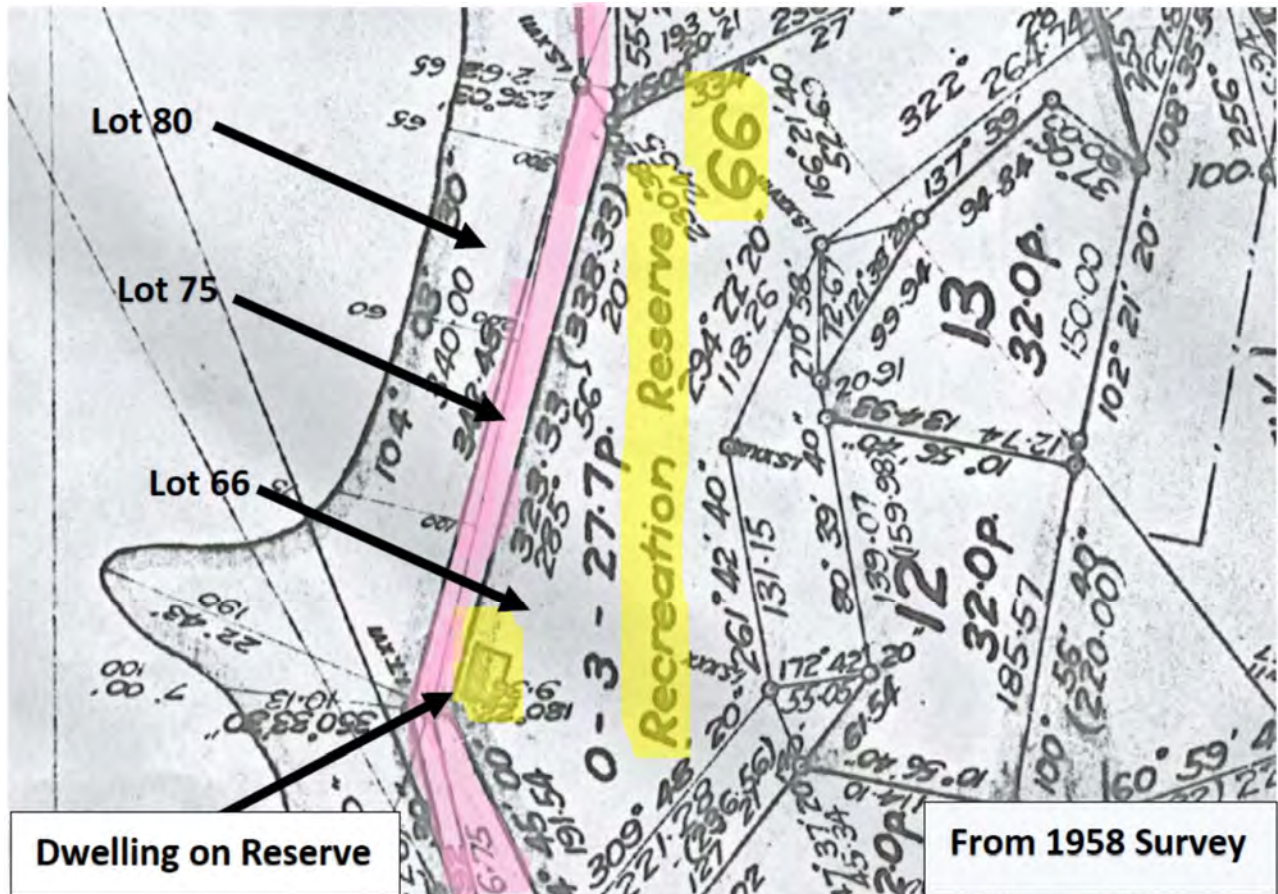
The descriptors given in the plan are incorrect. The reserves came about as part of Romio Wirepa’s 1958 subdivision and this is well documented. The subdivision survey was Received and Approved in 1958 and this is the first record of these parcels of land being designated ‘Recreation Reserve’. Recreation Reserves were (and still are) legal and proper components of a subdivision. They are also positive characteristics perceived as being favourable for the buying and selling of land and property, and should not be undone.

**Origins of the Reserve - My Submission:** The Origins of the Reserves description is incorrect and should be changed to: The reserves were created as recreation reserves on behalf of the Crown by the Maori Trustee as part of Romio Wirepa’s 1958 subdivision of Motuaruhe 2b.

### WHBS 1- Archaeological and Cultural Assessments

- a) It is my submission that it is reasonable to question that Romio Wi Repa or the Department of Maori Affairs would have proposed a subdivision and a right of way for the beachfront properties through the middle of any known wahi tapu or other sites of importance to maori.
- b) An urupa on the rocky headland on Lot 80 was documented in August 1910. In his 1910 testimony to the Maori Land Court at Te Kaha (Te Kaha Minute Book 1, Page 116) Dr Tutere Wirepa described the landing places, gardens, and burial places on the land block named as Motuaruhe and upon which are now located the Whanarua Bay reserves. Dr Wirepa named four burial places - one of which is consistent with the rocky headland on Lot 80 described by Ms Rosanna Wirepa in her joint report in support of an application for Maori Reserve, June 2004. The other three urupa are not located within the vicinity of Lots 66, 75, or 80.
- c) The 16 December 1956 survey field book, of what was to become Romio Wirepa’s subdivision, records a small rectangular “bach” in the area at the base of Lot 66. This area:
  - is the area now used as a carpark by beachfront property owners of Lots 16 – 20, and others
  - is the area that some are now calling an urupa
  - is an area that included a whare paku and a dwelling in the same location – a dwelling and ‘out-house’ used by a ‘Mr Cappy Ricks’ in the 1950’s
  - included a building erected and lived-in during the time that Romio Wirepa was an active owner of the land
  - is an area that became the Lot 66 recreation reserve we know today

- is an area that was not recorded as an urupa in the 6 December 1956 surveyors field book.



- d) The draft plan proposes 2 assessments be undertaken. I note that Council has previously engaged Ken Phillips of Archaeology BOP, who reported in 2004. Mr Phillips noted 5 areas that were described to him by Rosana Wirepa which included mention of an urupa “on a small headland at the western end of the bay extending north of lot 10 & 11 DP4651.” The area Ms Wirepa has described is a small part of Lot 80, an area that has now been partially fenced off and marked as wahi tapu. The area Ms Wirepa described is on Lot 80 and not on Lot 66.

Part of the flat area that has been partially fenced off and marked as wahi tapu was (in 1958 +/-) the site of long-drop toilets. These toilets were provided for the campers by Romio Wirepa and cleaned daily by his share-milker (Mr Uittenbogaard) as part of his duties (Helma Hockey, 15 Feb 2020, pers comm). Helma Hockey is the daughter of Mr Uittenbogaard.

- e) Clarification of urupa with a hapu pakeke was sought in November 2019. The clarification initially sought was for the general location of the 4 urupa described by Dr Tutere Wirepa in his 1910 testimony. In terms of urupa in close proximity to the Whanarua beachfront baches a specific response given, indicated that: “**Otamatohirua is the one of greatest concern to us because it is easy to get to and has suffered desecration/vandalism over the years because it is right where people have traditionally camped. It is the low ridge where the road to the beach comes out and around. I have a childhood memory of our grandmother covering bones that had been exposed by "explorers".**
- f) The recent assertion that Lot 66 includes an urupa is a very new suggestion and is inconsistent with Dr Tutere Wirepa’s 1910 testimony, is inconsistent with the preserved field notes of the December 1956 survey, is inconsistent with Rosana Wirepa’s 2004 descriptions to Ken Phillips, and also

inconsistent with the 2019 testimony of a local pakeke. Two urupa have been identified in the coastal area of Whanarua Bay and neither is on Lot 66.

**WHBS1 - My submission:** An archaeological Survey is unlikely to reveal anything that hasn't already been reported in 1910, 1956, 2004, and 2019. Despite this, I understand that Whanarua Beachfront owners have indicated a willingness to contribute towards an archaeological field study of the area.

#### **WHBS4 – Formalise Right of Way over Lot 66.**

This has been talked about for almost 20 years.

- On 25 June 2002 Council resolved to get the easements underway when it resolved: “ . . . that Council work towards establishing appropriate access easements across Lot 66 to be in favour of the Whanarua Bay property owners, the Maori owners and the Council.”
- In 2006 Council's Chief Executive and the Beachfront Owners representative met and, as a result of that meeting, exchanged assurances. Beachfront owners assured Council that they would not oppose any process initiated by Council to negotiate and achieve pedestrian access over Lot 75 for the general public. In his reply, CEO Vaughan Payne referred to “. . .provision for the continued vehicle access through Lot 66 (recreation reserve owned by the Opotiki District Council) for the lower beach owners.” He also went on to say “we consider that the continued use of this access in this way contributes to a favourable resolution of the access issue.” Beachfront owners continue to keep their side of the bargain.
- In 2012 Council resolved, by way of its 2012 Coastal Reserves Plan, that future development of the reserves includes:
  - Options to formalise access rights over lot 66 for 'lower' Whanarua Bay house owners will be explored by Council and; implemented where practicable.*
- On 15 January 2018 Council staff presented the first draft of a proposed easement contract prepared by Opus some 3 years earlier. Council staff apologised (in writing) for holding it up for those 3 years.
- Additionally: In her 12 August 2002 report, (Minute Book 79 Opotiki 189), in relation to her site visit to the beachfront properties and the Lot 66 reserve, Judge Wickliffe noted:

- **That Lot 75 together with the access across the reserve provides the only practical access to their lots due to the typography. That typography prevents the frontage to the lots being used to access State Highway 35 directly. The Court's site visit confirms that position.**

**WHBS4 - My submission:** That staff give priority to achieve easements over Lot 66 for beachfront property owners and thereby remove their 'landlocked' status.

Mark Stringfellow. Lot 7, Whanarua Bay

**Feedback number** 48

**Submitters name** Peter Abernethy

**Do you agree with the identified issues/strategies** Submission to the Opotiki District Council on its Reserve Management Plan from the owners of a bach in the middle bay (Lot 19) in Whanarua Bay.

We'd like to take the opportunity to provide comment on the ODC Current Reserves Management Plans <https://www.odc.govt.nz/our-council/policies-plans-and-bylaws/reserves-management-plans/Pages/default.aspx>

In particular we'd like to comment on the Whanarua Bay Reserve Management plan.

1. We are the family-owners of a beach front bach in Whanarua Bay (holiday home we have named: Waitahuna - situated in the middle bay) which has been in our family since 1966. We were regular visitors even before that with family camping holidays here since 1963. Our parents bought the land directly from the original owner Romio WiRepa then and we, as an extended family, have used the bach regularly ever since. We are now in our third generation of regular use of our bach as a family holiday home.
2. We (the Abernethy/Gardiner family), support the general objectives for recreation reserves to protect the natural environment; encourage public access and maintain the reserve's value and beauty.

**Which aspects do you disagree with and why?**

3. There are a number of issues at Whanarua Bay and we would like to comment specifically on the Whanarua Bay Recreation Reserve <https://www.odc.govt.nz/SiteCollectionDocuments/OUR%20COUNCIL/Policies%20Plans%20Bylaws/Reserves%20Management%20Plans/Coastal%20Reserves/Part%201%20-%20Legal%20Description%20of%20Reserves/1.4.9%20Whanarua%20Bay%20Recreation%20Reserve.pdf>
4. Our key current issue is the second one listed in the current draft plan on p84, the 'continued and future access over lot 66 to 'lower' Whanarua Bay properties and coastal reserves.' This is of course related to the first issue listed: 'The reserves do not provide direct access to the coast – this is by 'grace and favour' of private land owners.'
5. The current draft plan proposes as part of the future development of the Reserve to 'investigate the possibility of acquiring access over private property to provide public access to the coastal forest reserve.'
6. It also proposes as future development to explore 'options to formalise access right over lot 66 for 'lower' Whanarua Bay house owners and implemented where practicable.'
7. In 2002 the Opotiki District Council's lawyers (Simpson Grierson) advised the beachfront bach owners that the Council was working towards access easements across Lot 66. That hasn't happened.
8. We would now like the Council to act, given the lengthy period of time the Council has already had to consider and progress this issue, and establish the easement over Lot 66 please.
9. We, and all the beachfront bach owners we raise this issue with, believe very strongly that access to the bay needs to be formalised. This has come to the fore due to the Council's involvement in discussions with Te Arawhiti and Te Whanau A Apanui to explore transferring Council reserves to iwi – including Whanarua Bay's Lot 66 – the only current route of vehicular access to the Bay. [https://www.govt.nz/assets/Documents/OTS/Te-Whanau-a-Apanui\\_AIP\\_25-Nov-2019.pdf](https://www.govt.nz/assets/Documents/OTS/Te-Whanau-a-Apanui_AIP_25-Nov-2019.pdf) (p10 states: 'Explore to vest as Reserve recreation reserve Inclusion as a cultural redress property in the deed of settlement is subject to agreement with Opotiki District Council').

10. We are very supportive of efforts by the Government to redress Maori concerns through the Treaty settlement process but we believe that any redress should recognise the usage rights of existing landowners. In this instance, our usage rights of land access to our otherwise landlocked property could be effectively removed. We believe these usage rights have been effectively recognised in the past by the Council which has allowed the continued use of vehicular access to the Bay through Lot 66.

11. We believe it important to note that the current arrangement allowing easement for beachfront bach owners over Lot 75, owned by the WiRepa family, works well and a good working relationship is now established with the WiRepa family representatives.

12. We'd like the Council to commit to now formalise similar access over Lot 66 for beachfront property owners. We propose that the text of the second dot point in p84's 'Future development of Reserves' should now say:

'Act promptly to provide easement over Lot 66 for 'lower' Whanarua Bay house owners to access their houses and prevent them being effectively landlocked. That access would formalise the existing access by vehicle and include appropriate provision for parking.'

We'd like the Council to not just state in its Reserve Management Plan that it will provide this easement and other provisions, but to also then put this into effect as soon as possible.

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**Are there other comments you would like to make?**

13. We believe the status of this reserve as a recreation reserve should remain recreational. The access way is enjoyed and used by all: by both locals and visitors, Maori and pakeha. We note that the subdivision of Whanarua Bay was done in 1958 by the Maori Trustee under the current Reserves and Domains Act which allowed for both historic and recreation reserves and we believe the designation as a recreation reserve remains appropriate.

14. The access to the beach by vehicle over Lot 66 should continue for all, or if any restriction is planned for public vehicle access, then this should not apply to beach front bach owners. This is because walking access would present a formidable barrier to our current enjoyment and use of the Bay. Here are just two examples of how this would affect our family:

We have had a boat at the bach (holiday home) for at least 50 of the 55 years we have been holidaying at the Bay which requires vehicle access to bring it in and out. Secondly, my 89 year old mother, who has for more than half her life been regularly holidaying at the bay now requires considerable assistance to get around. She can manage the track from the carpark (in the bay – part of Lot 66) to the bach, but could not realistically manage the walk from the main road down to the bay – a distance of around 500m.

This submission has been placed on behalf of all the owners of Lot 19, Whanarua Bay:

David Abernethy and Robyn Kelly  
James Abernethy and Chris Harwood  
Peter Abernethy and Tina Parker  
Stephen and Mel Abernethy  
Andrew and Jos Abernethy  
Jonathan Abernethy and Lorelle White  
Rachel Irwin.

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**Submitters Email**

[peter\\_tina@xtra.co.nz](mailto:peter_tina@xtra.co.nz)

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**Daytime phone**

02041636593

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**Do you wish to speak to**

Yes

**your  
submission?**

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## **Submission 49**

**Deborah Stewart and Guy Prestney**

**Email:** [Redhouse1@outlook.co.nz](mailto:Redhouse1@outlook.co.nz)

My name is Deb Stewart. My husband Guy Prestney and I are only recent inhabitants in the area. 2 years ago we purchased 8468 State Highway 35. Which is about 50m as the crow flies from the access road to the Bay, and about 150m by road.

My husband and I are ignorant of any underlying historical issues and cannot make comment but we bought our property understanding that there was access to the beach for small boats to launch and have been very happily fishing like this for a while now. Most home owners in the very friendly community have a small boat and enjoy this access too. Without it our property means little to us. A drive to Waihou Bay would be the alternative, which we are not interested in doing.

The atmosphere in the community would be totally ruined if the 'few' that I understand want to close the roadway get their way.

The local Maori have many spots within their iwi to launch their boats and to take the one spot that non-Maori and Maori have locally seems 'mean' or simply spiteful.

The issue of disrespecting the sacred reserve down the bottom of the roadway is to my mind untrue. I walk this road frequently and have yet to witness anyone anywhere near the area. People know bad things happen to them if they mess with sacred spots.

If the Council are simply wanting to wash their hands of the whole problem by giving the access way up to the Maori, this will not make the problem go away. The road will still need maintenance for their access and they will no doubt be asking council to fund it.

I think an agreement between the ratepayers of Whanarua Bay and the Council would be a good place to start. This community does not ask much of council. We have our own water, we look after our own driveway accesses, and we have no rubbish collection. And there must be 50 properties paying rates. We for one do not mind an additional fee for maintenance of this very important part of the culture of Whanarua Bay.

Please be very thoughtful to all parties involved in your decision, not just the few.

Yours sincerely,

Deborah Stewart and Guy Prestney



**From:** [Jim Robinson](#)  
**To:** [@Information Requests](#)  
**Subject:** Reserves management plan submission  
**Date:** Tuesday, 7 April 2020 11:10:51 AM

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## **Reserves management plan submission**

It's good to see Council develop this comprehensive reserves management plan. Having an overarching plan is a good basis for sound and consistent decisions.

As a resident at Ohiwa, I support the section on Ohiwa coastal reserves, Ohiwa Spit and Ohiwa beach reserves. Specifically, I support that the plan

- states the need to support volunteer environmental care groups in their efforts
- states a goal to improve pedestrian access around the harbour by linking reserves; and includes the potential Motu Trails Cycleway extension
- states a goal to improve heritage values by identifying and protection of archaeological sites.
- 

One thing that could be incorporated is a goal to have a safe walking trail, roadside over the hill on Ohiwa Harbour road (about 1.5km total distance). This would link trail/reserve areas in Ohiwa and Waiotaha. I often see people walking or running the road over the hill, and I do the same. Being as there is no formed verge and cars are often doing 70-80kph with poor visibility in places, having pedestrians on the road is not ideal.

I don't feel any need to speak to this submission, though if anyone at Council has questions about it, I don't mind doing so if asked.

Jim Robinson  
07 3154972  
[gojimrobinson@gmail.com](mailto:gojimrobinson@gmail.com)  
151 Reeves Rd, Ohiwa Harbour

**Feedback number** 51

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**Submitters name** Geoff and Rachel Carden

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**Do you agree with the identified issues/strategies** We am specifically writing concerning the management of the Whanarua Bay Coastal reserve. We are resident on right hand side of the State highway back from the beach.

We support the work done to identify and preserve the archeological value of the area.

We agree access to the coastal reserve should continue to be encouraged for all by and some basic public amenities constructed (picnic tables)

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**Which aspects do you disagree with and why?** Provision of picnic tables should only be done if a plan is made around rubbish collection. Encouragement of rubbish to be removed by visitors is the ideal.

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**Are there aspects that have not been included?** We believe the plan understates the importance of the coastal reserve to the community in Whanarua Bay, the wider eastern Bay of Plenty community and visitors to the region.

Other then the governance of the ODC, the rate payers of Whanarua Bay currently get no practical amenities for their rates allocation: No public road maintenance, no rubbish collection, no services of water and waste water. The value of being a rate payer in the area is its community and natural features such as the access to the coastline.

Sustainable access to the coastline is crucial for the lifestyle of the residents but also development of the eastern Bay of Plenty. If the council would like travellers to stop and spend tourist dollars in the eastern BOP, there needs to be some coastal access points. They need access to some beaches and natural features such as waterfalls. Travelers stopping and spending time in the areas such as Whanarua Bay helps to foster an economy for the locals living in the Bay of Plenty.

1/ The council needs to ensure secure access to the coastal reserve.  
i/ Formalise the access agreement over Lot 66  
ii/ Provide some basic maintenance to the roadway down to the coast reserve. It is unjust to expect these private residents to fully maintain a road down to a public coast reserve.

2/ Provide some basic amenities: Picnic tables and a plan around rubbish removal.

3/ Clear signage around suitable vehicles to access beach: Not suitable for large vehicles/ trucks/ campers. No overnight stays.

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**Submitters Email** [geoff.carden@gmail.com](mailto:geoff.carden@gmail.com)

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**Daytime phone** 0211802673

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**Do you wish to  
speak to your  
submission?**

No

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Eastern Bay of Plenty Branch  
Royal Forest and Bird Protection Society NZ Inc  
P O Box 152, Whakatane  
[easternbayofplenty.branch@forestandbird.org.nz](mailto:easternbayofplenty.branch@forestandbird.org.nz)  
Contact: Linda Conning 07 3077108  
14 April 2019



Opotiki District Council  
P O Box 44  
Opotiki  
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### **Reserves Management Plan**

The Eastern Bay of Plenty Branch of Forest and Bird welcomes the opportunity to provide written submissions on the proposed reserve management plan (MP) for the Opotiki District. The Branch covers the area from Otamarakau to Lottin Point.

#### Climate Change

Several of the individual reserve details refer to the risk of coastal erosion. This is only going to increase during the life of this MP, but there are no strategies to address this major threat to many of the coastal reserves. We suggest that the MP should be re-examined and amendments made and prioritised as to how the reserves will be made more resilient from this threat, and be re-notified if necessary.

#### Reclassification of reserves

The council reserves are important for recreation in the Opotiki District but are also extremely important representing vegetation and habitat types now uncommon in New Zealand. Most contain some species which are uncommon or threatened in some way.

Many of the coastal reserves contain nationally significant pohutukawa coastal forest and/or dune vegetation. Recreation Reserve classification is not the most appropriate for such areas, and the MP should include an action to investigate the reclassification of ecologically significant areas as Scenic Reserves e.g. Ohiwa and Bryan's Beach.

#### Archaeological sites

These should be shown on the reserve maps. Without that, unavoidable damage may occur.

#### Road Reserves

These should also be shown on the maps which would make understanding of proposed rationalisation clearer, especially around Ohiwa Harbour.

#### Introduction

We are concerned that the Introduction reads more like a travel brochure, and is not specifically related to the district reserves. Some aspects are more relevant to Department of Conservation and Tuhoe-administered lands. The last paragraph has nothing to do with reserves, although some council land is intended for development of a marina. We respectfully request this section is re-written with specific reference to council reserves and integrated into Section 2 'Context'.

## Management Approach

Forest and Bird's main concern with this management plan is that the provisions of the Reserves Act prevail in all cases, notwithstanding the development of an integrated approach to managing reserves under the jurisdiction of local government. We are concerned that reserves gazetted under the Reserves Act must be managed according to that Act. This premise applies to a number of provisions in the proposed management plan.

## Section 5

The list of matters to be considered should include as a first consideration, the purpose of reserve, which overrides other matters, which must be consistent with the purpose. Forest and Bird is particularly concerned about those reserves gazetted under the Reserves Act as Recreation Reserves, many of which will fall under the Outdoor, Nature and Ecological Linkages categories.

This primary consideration may in some cases, lead to a conclusion that a reserve should be re-classified, e.g. as a scenic reserve for those areas that have extremely high ecological and/or scenic values. The Branch considers that this should apply to some of the Ohiwa reserves.

Reword:

*Reserve management and use of a reserve is dependent on:*

- *the purpose of the Reserve under the Reserves Act (where applicable);*
- *the physical setting and size of a reserve;*
- *social use of a reserve;*
- *infrastructure provided;*
- *what any possible development of that reserve area may entail.*

## **6. Definition and Purpose of the Reserve Management Plan (RMP)**

The last sentence of the second paragraph is inappropriate as it does not accurately reflect the overall purpose of the Reserves Act which is about protection, not balancing use, nor sustainable management as under the RMA. Development of reserves is for the purpose of use and enjoyment, so does not need to be included (this is not the RMA).

Re write as follows:

*They [the objectives and policies] are aimed at maximising use, and enjoyment of the reserves ~~and appropriate development~~, while ~~balancing~~ protecting ecological, historical and cultural values ~~sustainability and affordability~~ in a way that allows the district council and community to be certain about the future of the districts public open space.*

## **7.2 Planning Framework**

Under the District Plan heading, Chapter 19 Coastal Environment should be added. This chapter was added during the submission process.

## **Reserve Group Objectives**

These are generally supported but under Coastal Reserves, the first bullet should read "preservation of the natural character of the coastal environment" for consistency with that s3 of the Reserves Act and 6(a) Resource Management Acts, where the latter applies to fee simple reserves.

The General Objectives could be better placed ahead of the specific reserve group objectives.

## **9.1.2 Localised Reserve Management**

The objective and policy relating to "changing community desires" are still primarily subject to the purpose of the reserves under the Act (if applicable). Forest and Bird does not oppose communities "adopting" local reserves and having involvement in their management, and this is likely to be most

appropriate in the more isolated parts of the District, and for Local Purpose reserves, provided this is consistent with the reserve purpose under the Act, but should be signalled in Part 2.

Note that significant changes should trigger a review of this management plan. Rework:  
*Ensure operational management changes or new protocols include full consultation with ~~are adopted~~ in the best interests of the community, Tangata Whenua or other specific user groups, including through a review of this management plan, where relevant.*

### **9.2.7 Crime Prevention through Environmental Design (CPTED)**

We understand the rationale for this but it should only apply in urban/developed reserves, not natural reserves, which would defeat the purpose of those reserves.

### **9.2.9 Occupation Agreements – Easements and Encroachments**

The Branch supports this section especially policies (iii) – (vi) as encroachment is one of the major threats to reserves in our experience.

Under Policy (iii), it seems that the term “development” should be used, not “designation”, which has a specific meaning under the RMA. Any development, not just designations, should have to give evidence of alternatives.

### **9.2.10 Protection of Esplanade Reserves**

As above, this section is supported.

### **9.3.3 Access – Cycling**

The objective should be qualified, as cycle tracks are not appropriate everywhere. Amend as follows:  
*ODC will develop a walking and cycling network within reserves where walking and cycling are convenient, attractive and popular forms of everyday transportation and recreation, subject to protecting the values of the reserves.*

### **9.3.5 Access – Commercial Activities**

Access should depend on the purpose of the reserve and whether the activity is consistent with the reserve’s purpose. The first two bullet points of the objective can be combined. Rework:  
*To only allow commercial access to a reserve where it is consistent with the purpose of the reserve and does not damage the natural, historical and cultural values of the reserves; and Policy (iii) should have the words “and the purpose of the reserve” added to the end.*

### **9.3.7 Grazing, Riding and Driving on Reserves and 9.3.8 Buildings, Structures and Earthworks**

These sections are strongly supported as they address the most common threats to reserves.

For clarity objective 9.3.7 (i) should be amended:

*To promote the safety of reserve users and protection of the environment by preventing the recreational riding of motorcycles or the driving of vehicles on ODC reserves.*

An additional policy should be included:

*(vi) where practicable use bollards or other barriers to prevent vehicle access.*

9.3.8 Policy (iv) should also include reference to the purpose of the reserve:

*Ensure that any earthworks or development be justified in terms of the purpose of the reserve, objectives set out in the Ōpōtiki District Reserve Management Plan Policy document and in consultation with any affected parties.*

9.3.8 Policy (v) is opposed in part, as it is not sufficiently clear under what circumstances works on reserves to protect private property are envisaged.

*Allow soft engineering works for ~~and community or private~~ dune-care projects ~~and projects and where to protect private property~~, on Council reserves where ODC consent has been obtained as landowner the appropriate resource consents have been obtained....*

#### **9.3.10 Lighting within Reserves and Sportsfields**

Outdoor lighting has been shown to have adverse effects on bird-life, disorienting seabirds such as petrels, and interrupting the day-night response of some other native birds and invertebrates.

To achieve the objective, add to the policies:

*Require minimum lighting for the purpose and the use of down-lighting to avoid adversely affecting wildlife.*

#### **9.3.12 Fencing, Barriers and Gates**

As above, Objective 1 is supported:

*To erect fences, barriers and gates to protect reserve values and provide safety for reserve users.*

#### **9.3.14 Dogs on Reserves and Animal Exercise Areas**

The requirements of the reserves should drive the dog bylaws, not the other way around. To address this, Objective (i) should have the word 'only' inserted to give greater guidance:

*To allow dogs on reserves only in accordance with the Dog Control Act 1996 and ODC's Dog Policy and Bylaw.*

As submitted on the dog and beach bylaws, dogs should be prohibited from all areas with ground-nesting birds. Amend Policy (iii) as follows:

*Prohibited dogs from all reserves identified as 'Kiwi Zones' and other areas where there are ground-nesting birds.*

[Note the typos in prohibit]

#### **9.3.17 Activities Permitted on Reserves - Circuses' and Side Show Operators**

This section should be limited to specified reserves and exclude Natural reserves.

The last paragraph should be a separate policy and have the regulatory reference updated:

*(iv) Ensure that circuses, side shows or similar users of reserves must not use exotic animals for exhibition or performance. Domesticated animals may be used for exhibition, subject to acquiring the relevant MPI Permit. The display of the certificate is a prerequisite prior to ODC approval.*

#### **9.3.18 Activities Permitted on Reserves - Aircraft and Helicopter Landing**

Forest and Bird disagrees that helicopter landings/take-offs do not affect use of reserves.

The Society does not oppose landings for emergencies or special events, but it does oppose use of public reserves for commercial aircraft use, including tourism and agricultural purposes.

Although the policies are reasonably detailed, the Branch seeks that the objective is made more explicit, as follows:

*To allow the landing of aircraft and helicopters on reserves for emergencies, or one-off events involving the use of aircraft and helicopters, where approval from the Civil Aviation Authority has been obtained, and where the values of the reserve are not diminished and where the effects on the neighbouring properties can be adequately mitigated.*

#### **9.3.19 Activities Permitted on Reserves - Fireworks**

The second paragraph is confusing and should be changed to state that individual use of fireworks is not allowed. A proviso for the protection of indigenous flora and fauna is necessary as follows:

*To allow fireworks displays on specified reserves subject to adverse effects on reserve values being avoided, mitigated or remedied, including avoiding areas where there is indigenous wildlife or vegetation.*

### 9.3.22 Fire Management

Both this management plan and the beach bylaws are silent on the topic of beach bonfires, a popular activity. As stated in the text, the Opotiki coast in particular is highly flammable.

This should be made clear, either by policy or an Advice Note, if subject to Fire Authority rules.

### 9.4.1 Natural Features and Landscapes

We support this provision. Parts of the District are subject to considerable erosion risk, and only absolutely essential structures should be provided for.

*Ensure that physical works are designed to be compatible with the local environment as far as practicable. Ensure that hard protection works are absolutely essential and do not significantly modify the reserve or beach.*

### 9.4.3 Biodiversity Enhancement and/or Restoration

Clarify Policy 1, as **this is** the management plan.

*Prepare planting plans for all re-vegetation. Where there is no ~~management~~ planting plan for a reserve, ODC will ~~develop~~ supply a list of preferred plants for the ecological district ~~advice~~ (including reference to the Historic Places).*

### 9.4.4 Care of the Coastal Environment

**Policy (x)** (second sentence) is unclear and unnecessary – it should be deleted:

*Continue to implement regular maintenance on ODC beaches to ensure that existing works remain effective. ~~Maintenance works to reflect the existing environment.~~*

### 9.4.5 Trees and Tree Management

The Branch has a concern with Policy (ii) *Take the following into account when planting trees on reserves:*

- *Management objectives and policies for the reserve.*
- *The effects trees will have on adjacent properties at the time of planting and in the future (e.g. shading, **loss of views**, root damage, leaf fall, overhanging branches)...[our emphasis]*

Loss of views can result in an undermining of a reserve e.g. where individuals have destroyed trees on reserves by poisoning, it is wrong to then consider views when re-planting. Our experience shows that immediate replacement of poisoned or cut down trees is an effective response to such vandalism. Anyone living near a reserve, especially if it is a natural reserve, has to accept that trees will grow over time and change outlooks. In the current context of climate change, planting of trees is to be encouraged.

We request that the words “loss of views” be deleted.

### 9.4.7 Pest Animal Management

Policy (ix) should clarify that there will be no stock grazing where there is indigenous vegetation and/or wildlife:

*Prohibit stock grazing on reserves where there is indigenous vegetation and/or wildlife ~~of nominated reserves to promote wildlife.~~*

Policy (xii) Whilst education is important, no pets should be permitted on a reserve except for where the reserve is a designated dog exercise area, or a community event for pets is being held.

Add to Policy xii *Pets are prohibited from reserves unless explicitly permitted under this management plan or council bylaws.*



Policy (xiv) Ensure that all pest animal control measures including the setting of traps and distribution of bait will be undertaken by qualified operators. All traps and bait will be set and distributed in accordance with manufacturer's specifications and best practice methods.

This measure will effectively prevent most volunteer pest control on council-administered reserves. Whilst we accept that certain toxins require a licence, the setting of most traps does not.

Re word:

All pest control on reserves must be approved by the council, in accordance with manufacturer's specifications and best practice methods and use of restricted toxins only undertaken by qualified operators.

#### **9.4.8 Stormwater Disposal and Water Runoff**

The objective should indicate the purpose of such management e.g.

*To manage stormwater runoff to minimise impacts on the reserve and adjoining land.*

#### **10. Definitions**

It is not clear whether all of the terms are used in this document. Note that the current New Zealand Coastal Policy Statement is the 2010 version.

40 & 41 Pest animal and plant.

It is likely that the regional council will seek these definitions to be replaced with a reference to a pest identified in a regional pest management plan. This is opposed, as the regional council is currently limiting its inclusion of harmful pests for financial reasons. It is clear in this management plan that pests are harmful species to a particular reserve. The Ōpōtiki District Council should not be limited as to which pests it wishes to control on its reserves to a handful that are in the regional plan.

#### **Appendix 2 Individual Ōpōtiki Parks and Reserves Plans**

There is frequent reference to a 2006 Wildlands Report. Some reserves, or parts thereof, contain highly significant and rare vegetation types, and/or are habitat for threatened indigenous species. The Management Plan refers to that report, but doesn't seem to focus on these values.

Forest and Bird seeks that these values are highlighted and featured specifically in the MP.

Some of the sites, from Waiotaha around Ohiwa state "lots will be upgraded as part of the Motu cycle trail". This is rather vague and uncertain. As above, parts of the proposed route contain very rare plants e.g. between Bryan's Beach and Ohiwa Holiday Park, there is one of only two sites in the Bay of Plenty of the threatened sand spurge *Pimelea villosa var arenaria*. This species has been hard hit by the drought in two other coastal areas known to us in the North Island, so this population is extremely important. This is why the ecological priorities should be included in the site descriptions.

There are also references to integrating with the Ohiwa Harbour Strategy and Onekawa-Te Mawhai management plan but without any specifics e.g OSRS9 and 10. This begs the question as to which strategy or management plan is driving action on the ground. We suggest that the relevant aspects of other documents are specifically references and included in this management plan.

#### **Ohiwa Spit Reserves**

Note the typo – it should refer to Ohiwa Spit, not Ohope.

Forest and Bird considers that all of these reserves except for the camping ground lease should be reclassified as scenic reserves. This is because such areas should be preserved as far as possible, and exotic flora and fauna be exterminated as far as possible (Reserves Act s19 (2) (a)), and there are alternative locations for any recreation that is not compatible with scenic reserve status.

The Reserve Category should be changed to Natural.

### **Ohiwa (Bryan's) Beach**

As above the Reserve Category should be changed to Natural and the coastal forest referenced under Origins. The coastal forest and all of the dunes except for the area immediately in front of Ohiwa Beach Road should be changed to Scenic Reserve.

Access to the coastal forest is obviously a priority for pest control but we question whether the council has this organised already through the Ohiwa Headland Sanctuary project? That is not mentioned albeit could be under the "develop community ownership initiatives" etc (OBR55).

The Branch does have concerns about the dumping of garden waste and unauthorised trimming, and even felling, of pohutukawa at Bryan's Beach.

### **Te Ahiaua (Pipi Beds)**

As this is a busy reserve, and close to dotterel breeding and feeding areas, dogs should be on a leash in this reserve, not just "under control".

#### **Concept Plans**

The Branch doesn't support option 2, as this intensifies people and vehicles closer to the estuary mouth and areas where birds are active (See Beach Bylaw Map 3). Concept Plan 1 is preferred.

### **Waiotaha Beach Reserve**

A key issue noted is undesirable vehicle behaviour (WBRR3 and 4) yet there are no vehicle controls for this reserve in the draft bylaws. Nor are there any actions in the strategy to address this issue.

Include actions in the strategy to reconfigure access and parking, including bollards etc to prevent beach access, including via Waiotaha Drifts to Huntress Creek and the harbour entrance.

### **Hikawai Beach Recreation Reserve**

The information states that dogs must be under control at all times but the beach is a designated dog exercise area in the draft bylaws.

HBR55 states "limit vehicle access to the beach" but this is not a vehicle prohibited beach in the Beach bylaw and it is not clear to what extent "limit" is intended to apply.

The MP and the bylaws need to be aligned.

HBR15 refers to the 2015 BMP. Our understanding is that BMPs expire after 5 years so it would be preferable for the actions contained in that document to be included in the MP.

### **Conclusion**

We note there are numerous typographical errors e.g. reference to BOPRC which should be ODC etc, and recommend a formal proof reading of the final document.

We would like to be heard.

David Lowry

Kathryn Phillips

PO Box 2192

Rotorua 3040

14<sup>th</sup> April 2020

## **SUBMISSION TO DRAFT RESERVE MANAGEMENT PLAN RE WHANARUA BAY RECREATION RESERVE**

Names: David Lowry and Kathryn Phillips

Daytime phone number: (07) 3322333

Email: [daveandkathy@xtra.co.nz](mailto:daveandkathy@xtra.co.nz)

### **Background**

We own the property situated at 8459 State Highway 35. The property's legal description is: Lot 13, DP 4651, CT 128/89. It adjoins the Whanarua Bay Recreation Reserve on its more southern boundary where the formed access road to the beach meets the State Highway.

We purchased the property on 5<sup>th</sup> February 2003, subsequent to receiving written advice from the Opotiki District Council in relation to the recreation reserve that the Council was, at that time, working towards a Reserves Management Plan and, '...at the very least pedestrian access through the reserve will still be available for the general public to the bay.'

The section is used by ourselves, (sometimes in conjunction with friends), and immediate family for the purposes of general relaxation plus swimming, surface snorkelling, beach walking and occasional kayaking in the bay. We are aware that to recreate in the Bay we are required to not only traverse the Recreation Reserve by way of the formed road but to also cross Maori owned land. We have not met any resistance, nor hindrance, with respect to the latter and we gratefully acknowledge that.

We have previously submitted on a draft Reserve Management Plan in September 2012. The main issues we raised on that occasion are still pertinent as they have not been addressed to our satisfaction in the intervening period. Consequently, this submission, which relates primarily to the Whanarua Bay Recreation Reserve, repeats aspects of our earlier submission.

### **Reserve Category**

The very use of the national framework developed by the NZ Recreation Association to categorise reserves does not appear appropriate. The Association's web page states that there are not currently sufficient drivers for a substantive review of the Reserves Act 1977 and its classification system, and that '...Reserves Act 1977 classifications appropriate to the park category will continue to be applied to provide protection and for the development and implementation of management plans.'

The reserve should thus be categorised as a Recreation Reserve and the Management Plan should be prepared in compliance with Sections 41 and 17 of the Reserves Act 1977.

In accordance with these sections, historic and archaeological features in the reserve are to be managed and protected to the extent compatible with the principal or primary purpose of the reserve, public recreation.

### **Public Access to the Beach**

As identified in our 2012 submission, the public has no legal right of access to Whanarua Bay's foreshore and hence the sea.

To re-iterate:

It is imperative that council negotiates with the Maori Land Owners of Lot 75 (DP 4651) to gain legal public access in the form of a Land Information New Zealand (LINZ) registered public right of way easement across Lot 75 (DP 4651)). This easement would enable Lot 66 (DP 4651) to be used for public access for recreational purposes to Lot 80 (DP4651) and hence for the public's access to the ocean.

The intent of the LINZ registered Deposited Plan DP 4651 was for public access to the ocean. Mr A.M. Linton, surveyor and Land Utilisation Officer of the Department of Maori Affairs, makes specific reference to the need for public access in his 24 August 1956 letter to the Chief Surveyor, which is included in the Maori Land Court's minutes, (Maori Land Court book: 79 OPO 200).

However, public access to the ocean is not physically possible with any of the other access ways on the plan (DP4651), as Lots 68-71 are parcels of recreation reserve next to the Whanarua Stream, and the other access points in between Lots 25 and Lot 26, and to the North east of Lot 36, are evidently not practicable because of the associated steep terrain.

Therefore, the Opotiki District Council needs to expedite the negotiation of public access across lot 75 DP 4651 with the Maori Land Owners as per Judge C.L. Wickliffe's note in the Maori Land Court hearing (Minute book: 79 OPO 203): 'I note for the record, that the situation of members of the general public is not clear at all and what still needs to be negotiated between the Maori owners and the Opotiki District Council is general access over Lot 75.'

### **Maintenance Of the Sealed Road Access**

The current sealed track/roadway through Lot 66 provides the only feasible access, for both pedestrian and vehicle traffic, to the general vicinity of the bay.

A sign near the junction with State Highway, that we believe was erected in 2011, advises that the Opotiki District Council does not maintain this roadway.

However, in response to our 2012 submission suggesting that the council should maintain it, we were provided with a council staff comment that, '... Council will continue to maintain formed vehicle access through Lot 66 as far as practicable.' We would this advice to be formalised and

to include a more comprehensive description of the standard to which the maintenance will be carried out.

Our concern is not only to ensure the existing road provides ongoing public access through the reserve, as well as for the reserves maintenance and fire protection, but to also ensure the standard and manner in which the maintenance is carried out protects the integrity of bordering properties, including our own!

#### **Noxious Weed Control**

Pest plant eradication and control is identified as a reserve issue but there is no defined strategy to address it as per the Councils Pest Plant Management policies.

#### **Commitment to Coast Care Initiatives (WHBS5)**

According to the BOP Regional Council's web site, '...Coast Care is a coastal restoration programme...that aims to restore, and protect the sand dunes along our Bay of Plenty beaches.'

Because this programme is specific to sand dunes, and there are none in Whanarua Bay, I don't think the programme is applicable to this plan.

#### **General**

The plan could be strengthened if timelines were placed against what are described as 'Future Management Strategies', at least once/if they are accepted and incorporated into a final plan. These could perhaps also be re-identified as 'objectives'.

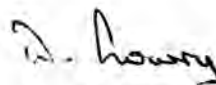
#### **Verbal Submission**

We would appreciate the opportunity to speak to this submission.

Yours sincerely



Kathryn Phillips



David Lowry

Ōpōtiki District Council

PO Box 44,

Ōpōtiki 3162

[info@odc.govt.nz](mailto:info@odc.govt.nz)

3 April 2020

To Whom it may concern,

### **Reserve Management Plan Review 2020**

The Department appreciates the opportunity to submit on the proposed Ōpōtiki District Council Reserve Management Plan Review 2020.

The Department focuses its attention in this submission mostly on matters pertaining to conservation and biodiversity values.

<b>Page No</b>	<b>Section Heading</b>	<b>Department Submission Feedback</b>
36	9.2.9 Occupation Agreements – Easements and Encroachments	<b>Amend</b> policies to include developing an overall easement policy to ensure consistent and transparent treatment of future easement applications across the District.
40	9.2.13 Enforcement	<b>Supports</b> ODC's enforcement of bylaws through education & signage etc. The Department encourages ODC to take an active role in maintaining presence and compliance to ensure relevant bylaws are being implemented. The Department encourages ODC to ensure signage is used to advise of vehicle and dog prohibited areas – especially in relation to nesting shore bird zones and described within ODC Vehicle and Dog bylaws.

48	9.3.7 Grazing, Riding and Driving on Reserves	<b>Amend</b> Policy should link to ODC ODC Bylaw and state that vehicles will be prohibited in areas that are outlined and mapped in this document. Same applies for horses.
62	9.4.3 Biodiversity Enhancement and/or Restoration	<b>Supports</b> Objective (i & ii) to enhance vegetation and wildlife of the reserves in the coastal environment, including a programme of staged ecological restoration at high priority sites. <b>Supports</b> all policies relating to biodiversity enhancement and restoration. <b>Include</b> policy statement to address ongoing and increasing pressure on sandy coastline and dune systems from climate change.
65	9.4.6 Pest Animal Management	<b>Supports</b> all objective and polices on animal pest management <b>Amend</b> policy (viii) to "Encourage the development of nesting areas by planting of native food-producing and shelter trees"
106	Appendix 2 Individual Opotiki Parks and Reserve Plans – Coastal Reserves	<b>Supports</b> ROHR3 to investigate the possibility of joint or single agency management of current disjointed reserves around Ohiwa Harbour margins. The Department <b>notes</b> ROHS12 of transferring some land parcels to DOC and will wait for ODC staff to initiate contact to discuss these matters.
112	Ohiwa Spit Reserves	<b>Supports</b> OSRS2 to investigate the possibility of joint or single agency management of current disjointed reserves around Ohiwa Spit.
121	Te Ahiaua Reserve	<b>Amend</b> TARS6 to specifically include bollards along the Waiothahe Estuary margins to prevent vehicle access. Supports vehicle bylaw as well.
124	Waiotaha Beach Reserve	<b>Include</b> in reserve considerations: NZ dotterel nesting site on the western end of this Reserve and pest animal control is undertaken in a small portion of Reserve. <b>Include</b> in future management strategies: Help implement, educate and advocate vehicle prohibited area around NZ dotterel nesting site as identified in proposed vehicle bylaw
133	Te Ngaio and Te Roto Reserves	<b>Include</b> in reserve conditions: pest animal control is undertaken for NZ dotterel protection. <b>Include</b> in future management strategies (as it currently stands pre-Harbour Development): Help implement, educate and advocate vehicle prohibited area around NZ dotterel nesting site as identified in proposed vehicle bylaw
170	War Memorial Reserve	<b>Include</b> in reserve conditions: High value wetland areas within and adjacent to council reserve including whitebait spawning and rearing habitat. Included within Council Reserve Lot 4148908 is a wetland enhancement project carried out by BOPRC with DOC input and currently maintained with community input.
171		<b>Support</b> WMPS27 and potential to restore further areas or wetland habitat in the reserves within the flood plain zone and create whitebait spawning and/or rearing habitat.
196	Bridge St/Forsyth Reserve	<b>Include</b> in future management strategies: Potential to restore further areas for wetland habitat in the reserves within the flood plain zone and create whitebait spawning and/or rearing habitat.
197	Waioeaka River Flood Management Reserves	<b>Include</b> in future management strategies: Potential to restore further areas for wetland habitat in the reserves within the flood plain zone and create whitebait spawning and/or rearing habitat

The Department wishes to be heard in relation to our submission.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Jade King-Hazel', with a stylized, cursive script.

Jade King-Hazel  
Operations Manager  
Whakatāne Whirinaki Ōpōtiki District





Map 1 – Waioatahe



Map 2 – Ohiwa Spit



Map 3 – Waiaua East



Map 4 – Waioeka West Spit\* this area needs expanding in relation to future potential Harbour developments which will see the movement of the river mouth and expected movement of NZ dotterel nesting sites.

14 April, 2020

Opotiki District Council  
PO Box 44,  
Ōpōtiki 3162

To whom it may concern

## SUBMISSION TO OPOTIKI DISTRICT COUNCIL RE: 2020 DRAFT RESERVES MANAGEMENT PLAN

### 1 Introduction

Sport Bay of Plenty is a charitable trust which focuses on informing and supporting the **Sport, Recreation and Physical Activity** sector of the **Bay of Plenty**. We work in collaboration with a number of stakeholders including regional and local sport and recreation organisations, health organisations, Local Government and Sport New Zealand.

We would like to take this opportunity to provide feedback on the 2020 draft Opotiki Reserves Management Plan. Sport Bay of Plenty also wishes to commend Opotiki District Council on their provision of reserves for the Opotiki District Community. These great facilities provide numerous opportunities for the community to foster and maintain healthy, active lifestyles increasing personal and community wellbeing.

### 2 Summary of key points

- 1 We would like to thank Opotiki District Council for their ongoing commitment to providing a high quality network of reserves across all areas of the district for various purposes.
- 2 Sport BOP has provided specific feedback related to the importance of reserves enabling sport and recreation in the community.
- 3 We support Council on various managements statements made throughout the management plan which allows for accessible spaces and places district wide.

### 3 Specific Feedback on Draft Opotiki District Council Reserves Management Plan

Sport NZ recently released their Active NZ participation data and it showed that 95% of young people and 73% of adults participate in sport and recreation every week. This could not happen without the Parks and Reserves network which offers great opportunity for this large percentage of the community to take part in physical activity. While physical activity is a large benefit from having accessible spaces and places, these facilities also play a critical role in establishing strong connected communities who thrive as one and support overall wellbeing.

Sports fields are provided throughout the district and cater for a wide range of different sporting codes. Sport Bay of Plenty believes the draft RMP allows for growth within existing sports but also enables new sports to be catered for in certain areas where and when there is demand. The management statements that relate to sport activity occurring on parks and reserves are very enabling rather than prohibitive which we thank Opotiki District Council for.

Recreation is also a very important aspect to the way the community takes part in physical activity, and also plays a vital role in the wellbeing of communities. All reserve categories play their part in allowing the community to engage in recreation in a far more organic nature compared to that of organised sport. The management statements laid out under each reserve category are very supportive acknowledging the desire from the community to have access to parks and reserves to work towards achieving Opotiki District Councils Vision of a "Strong community, Strong future".

The management policies set out in the RMP are a good balance of activation and management to ensure reserves offer the community various experiences and opportunities. We acknowledge the importance of the historical and cultural aspects of reserves and how these factors add to the experience each reserve offers. The management plan ensures that this is protected in a sustainable way for future generations to enjoy.

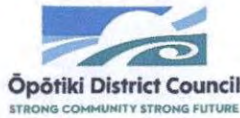
In a district rich in both natural and developed reserves Sport Bay of Plenty is very supportive of the Opotiki District Council 2020 Reserve Management Plan.

**Thank you for the opportunity to provide feedback to the 2020 Reserves Management Plan.**

Yours sincerely  
**SPORT BAY OF PLENTY**



Heidi Lichtwark  
Chief Executive



# Review of the Ōpōtiki District Council Reserve Management Plan

RECEIVED  
29 APR 2020  
Opotiki District Council  
RECORDS

Your name: Mike & Caroline Pearse  
Organisation (if applicable): \_\_\_\_\_  
Postal address: 329 Hikurangi Rd. R.D.1. Opotiki  
Email: \_\_\_\_\_ Day time phone: 07 315 7774

Return your submission form to:

POST: Ōpōtiki District Council, PO Box 44, Ōpōtiki 3162  
DELIVER: 108 St John Street, Ōpōtiki  
EMAIL: [info@odc.govt.nz](mailto:info@odc.govt.nz)  
ONLINE: [www.odc.govt.nz](http://www.odc.govt.nz)

**PRIVACY ACT NOTE:**

Please be aware that submissions form part of the public consultation process and as such can be reproduced as an attachment to a publicly available Council agenda and remain on Council minute records.

I/ We wish to be heard in support of my / our submission All submissions will be made available to the Council and they will take them in to consideration when making decisions.

You can view a full copy of the Statement of Proposal 'Review of the Ōpōtiki District Council Reserve Management Plan' at [www.odc.govt.nz/reviewrmp](http://www.odc.govt.nz/reviewrmp), at Council offices, or the Ōpōtiki Library.

**Do you agree with the approach in the reviewed Reserve Management Plan?**

No, we feel that the access to Whanarua Bay, should stop as is

**If not, which aspects do you disagree with and why?**

As a batch owner, we feel any change would stop us having access for swimming & boating.

**Are there aspects that have not been included?**

For the batch owners at the seaside may have their Access taken off them.

**Other comments:**

The vehicle access to the beach has been used for many, many years with no problems, for us 25yrs.

*C.P. Pearse*

If more space is required attach additional paper with your name and contact details on each sheet.

**SUBMISSIONS CLOSE 4PM, FRIDAY 28 FEBRUARY 2020.**

Thank you for making a submission.

To: OPOTIKI DISTRICT COUNCIL

c/o [info@odc.govt.nz](mailto:info@odc.govt.nz)

RECEIVED  
29 APR 2020  
Opotiki District Council  
RECORDS

## Review of the Opotiki District Council Reserve Management Plan

This Submission relates to WHANARUA BAY

Contact: Pam Connors

Phone : 07 378 8613

Email : [pam-steve@hotmail.com](mailto:pam-steve@hotmail.com) ←

This submission is from Steve Hibbard & Pamela Connors, co-owners with John & Debra Morgan of Lot 18 Whanarua Bay.

### Background

One of the reasons we purchased our Whanarua property, was to give our grandchildren an opportunity to learn and respect the sea. They were only toddlers at the time, but we thought the lagoon in front of the property was a safe way to start their journey. Over the years the children have learnt, firstly crabbing, and now they all kayak with confidence, fish from a dinghy, and have learnt fishing quotas and fish sizes allowed to be taken from the sea.

They know to put back any undersized fish and crayfish. They also feed and pat the Eagle Rays, when they come in close to shore, most evenings.

### **WHBR5**

The children have learnt through schooling projects, of pest control. They have invested in rat & possum traps, and have placed them up in the bush (behind our batch) to eradicate pests, to improve native bird life at Whanarua.

### **WHBS4**

We understand that the ODC has not formalised an easement over Lot 66, and we could become landlocked, with NO road access, to our property.

We have owned Lot 18 since 2007. We understand that the Whanarua Bay subdivision was granted in 1964. Then at a meeting in June 2002, the ODC resolved to work towards establishing appropriate easement across Lot 66, to the favour of ALL parties involved:

- 1 WHANARUA BAY batch owners
- 2 WIREPA WHANAU trust owners

### 3 OPOTIKI DISTRICT COUNCIL

Working together to solve this issue, that we are addressing today. Since the early 2000's, the beachfront owners and Wirepa Whanau, have developed a good relationship and we hope that this will never be threatened.

The only issue is a Legal Easement for batch owners, for our future generations.

#### **WITHOUT ROAD ACCESS**

- 1 Our elderly parents would never be able to walk up or down, the gradient of Lot 66, to enjoy family Whanarua Bay time.
- 2 The ODC would have to address the ongoing issue of parking on State highway 35, with at least a minimum of 2 cars per property, over the Summer months.
- 3 Recycling and household rubbish, needs to be transported out. We don't have ODC recycling or rubbish collection.
- 4 Property maintenance requires vehicle access for tradesmen, for upgrading batches.
- 5 Emergency services and utilities providers, would be severely restricted, for emergencies.
- 6 As ODC are aware, all batch owners have septic tanks, that require maintenance and servicing when full. Impossible to carry out, without a truck, without road access

The Whanarua Bay beachfront batch owners have successfully worked together with the Lot 75 easement, owned by the Wirepa Whanau Trust from 2004, respecting the land, and the Wahi tapu cultural site on Lot 80. We also maintain the car park area and the walkway, in front of the beachfront batches.

We would appreciate the **OPOTIKI DISTRICT COUNCIL** showing leadership on our behalf, to formalise the easement over Lot 66, for the beachfront properties road access as in the real world, we now realise an informal agreement, is not adequate for our future generations to enjoy Whanarua Bay and it's unique kiwi bach experience.

Regards

Steve Hibbard and Pamela Connors



**Opotiki District Council**  
STRONG COMMUNITY STRONG FUTURE

# Review of the Opotiki District Council Reserve Management Plan

Your name: Ross & Sonda Walk

Organisation (if applicable): \_\_\_\_\_

Postal address: 1140 Whanarua Bay Road, RD7, Te Puke

Email: ross.walk@ahiproperty.com Day time phone: 021 836 283

Return your submission form to:

**POST:** Opotiki District Council, PO Box 44, Opotiki 3162  
**DELIVER:** 108 St John Street, Opotiki  
**EMAIL:** info@odc.govt.nz  
**ONLINE:** [www.odc.govt.nz](http://www.odc.govt.nz)

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We are owners of lot 6, one of the beachfront baches at Whanarua Bay.

**WHBR2 – Continued Access over Lot 66**

A legal check at the time we purchased proved we have legal access over lot 75 and at that stage lot 66 was an ODC reserve with an existing sealed roadway that had been in place for over 40 years.!!! It's time access was formalised.

**WHBR8 (New) Public Use of Lot 66**

We were unaware at that stage that ODC carry out no maintenance on the lot 66 sealed driveway and accept no responsibility for it, although they encourage public use of it. In our opinion ODC is therefore placing an unreasonable burden on the private landowners, such as ourselves, by expecting us to put up with members of the public with no connection whatsoever with Whanarua Bay using this driveway and the associated wear and tear and general overcrowding of the bay reserves this leads to, not to mention the grey area of responsibility that could arise if there were an accident to one of these unknown members of the public whilst using it. We accept the responsibility for ourselves using the access road – but we can't be held responsible for the public using it.

**WHBS6 – Installation of Picnic Facilities**

Given the unreasonable burden described above, it is with this in mind that we object to the council's concept of placing two picnic tables, barbecues and parallel parking on the seaward side of the access road. These facilities will only encourage more unwanted general public access and congestion in conflict with the Wirepa whanau views that Whanarua Bay should remain a quiet, natural environment rather than become a well-known spot for day trippers. We also can't see how this concept can be progressed when the RMP already states there are issues to be resolved with the future access to the coast and lower Whanarua Bay properties.

**Public Advertising**

We note that the front page of your RMP is a photo of Whanarua Bay. Why advertise it as being 'open to all' when the reality is they will most likely drive down a road that ODC doesn't maintain, then cross onto a piece of private land (most likely without permission), and then access a beach that you are thinking of giving away. Who does that?.



Keystone Trust  
c/. Joan Kehely  
167 Burd road  
Oropi  
Tauranga 3173

## SUBMISSION

Opotiki District Council  
Management Plan  
Reserve: Whanarua Bay lot 66

Our family purchased our property lot 4 in 1996. We have enjoyed our times there and someone is frequently staying at our bach. We enjoy fishing by taking out our boat, kayaking, swimming and other water sports.

Most of my grandchildren have enhanced their swimming skills there under my supervision and direction. Indeed at over 80 I still swim at the bay. Our family have taken a personal interest in the bay and have spent time and money ensuring that the access down the reserve and maintaining the water front access which has at times been quite significant. We also have taken part in maintaining the water supply which is available to all the residents.

Some years ago there were issues with the Wi Repa family over the use of the water front access by the property owners. As a result I did extensive research. I believe that Romeo Wi Repa who was the owner in 1959 decided to subdivide to repay debt. The subdivision was carried out and when the debt balance had been repaid the rest of the titles were returned to the family. The reserve would have been taken for the use of the public as in any subdivision carried out in New Zealand. It is imperative that the intent at the time, that all ratepayers, upstairs and down stairs, and everyone including tourists have this access, especially as there are so few access spots to the sea along the coast. Interestingly Romeo used to permit campers on the spot for many years, he befriended them and many of those people purchased the sections when they were available.

I understand that the east coast Maori were reluctant to sign the "Treaty of Waitangi" and there was very little land ever taken from them in this area. Councillors elected to a Council make a commitment to looking after the interests of ALL ratepayers and therefore I believe it would be incredibly unjust for them to hand over any responsibility or ownership of lot 66 which belongs to us all. Suggested changes would have significant impact on the value of our properties and to our peace of mind.

Regarding the use of the bay for visitors:

We really enjoy seeing the public out there enjoying the bay, with the present numbers there does not seem to be a problem as it is. If the numbers grew I would suggest that provision for parking and amenities should be at SH35 level and people would then have to walk down unless they have property there. There is not enough room at sea level to provide large car parking or amenities there, but the bay is for everyone.

Joan Kehely  
16.02.2020



Opotiki District Council  
C/- Gerard McCormack  
108 Saint John Street  
Opotiki, 3122

24 June 2020

Dear Gerard,

Thank you for your time earlier this month in meeting with us and discussing future plans affecting both horses and dogs in the township. These are exciting and positive changes for the area.

As we had discussed the relatively new additions by way of the Animal Welfare (Care and Procedures) Regulations 2018 have been brought into effect from 1 October 2018. A common welfare complaint within the Opotiki township is the tethering of horses in a manner that is in breach with the above Regulations, these horses are commonly on Council land, without shelter or water provisions.

*Regulation 18 – Horses tethered for the purpose of grazing*

- (1) The owner of, and every person in charge of, a horse that is tethered for the purpose of grazing must ensure that, at all times while the horse is tethered, the horse has access to-*
  - (a) food; and*
  - (b) water; and*
  - (c) shade; and*
  - (d) protection from the extremes of heat and cold*
- (2) A person who fails to comply with this regulation commits an offence and is liable on conviction to a fine not exceeding \$900*
- (3) The offence in subclause (2) is an infringement offence with an infringement fee of \$300*

We would recommend to integrate the requirements of the Regulation into the proposed changes and bylaws relating to horses within the township to ensure the community is enabled and informed to comply, encourage a better level of owner responsibility and ensure the Opotiki District Council is appearing in a positive light when it comes to horses residing temporarily or more permanently on Council owned land.

SPCA | Level 1, 3047 Great North Road, New Lynn | PO Box 15349, New Lynn, Auckland 0640, New Zealand  
Telephone 09-827 6094 | Fax 09-827 0784 | Email [info@spca.nz](mailto:info@spca.nz) | Web [www.rnzspca.org.nz](http://www.rnzspca.org.nz)

Patron Her Excellency The Right Honourable Dame Patsy Reddy | GNZM, QSO, DSTJ | Governor-General of New Zealand



The support you have provided our SPCA inspectorate team is very much appreciated and we are looking forward to continuing this relationship for the benefit of the community.

Any questions or queries please do not hesitate to contact me, 07-3492955 or by email: [Alex.Jones@spca.nz](mailto:Alex.Jones@spca.nz)

Kind regards,

A small, rectangular image showing a handwritten signature in black ink on a light-colored background. The signature is stylized and appears to read "Alex Jones".

**Alex Jones**  
Inspectorate Team Lead  
SPCA- N3 Region