

WHANARUA BAY

1.3.2021.

We are Mark & Carmen Meikle, we have an interest in a property at Whanarua Bay Beachfront, 8461 State Highway 35, Lot 17, DP4651 along with an interest in Lot 16 with Greg Robison & Graham Eastwood.

Hi and thank you for reading my submission with regards to the ODC Consultation Process, in particular Lot 66 & Lot 80 @ Whanarua Bay.

For the last 50+ years I've been a visitor / guest to Whanarua Bay, the last 37 with my wife, children & of late our awesome grand children.

20 years ago with 2 friends the opportunity arose to purchase a Bach in the Eastern side of Whanarua Bay, Lot 16, seven years ago Carmen & I purchased the Bach next door, that previously belonged to Tony & Marg Mills who's family were one of the original purchasers of Romeo Wirepa's sections.

Tony was one of the people who interacted with the Wirepa family to provide access over Lot 75, land that is also Land Locked, that the Wirepa Family Trust still own today.

As part of the easement & settlement with the Wirepa Family Trust, we negotiated a "Heads of Agreement" between the Beachfront owners & the Wirepa family.

The job of representing the Eastern side of the Bay with the Wirepa family has been handed to me.

We have been active in keeping up the relationship as per the terms of the “Heads if Agreement” as directed by the Maori Land Court.

Let's go back in time!

Imagine if you can, a camping holiday with your family, probably in an old canvas tent that leaks [normal in those days] but, the area is special to those campers, it's the 1950's at Whanarua Bay.

Romeo Wirepa owns the land that you camp on, as did his Father before him, Free Hold Land, Not stolen or Confiscated.

Romeo was a great host to the campers & locals alike, washing facilities were pretty basic but, up on Lot 66 a toilet [a Wharepaku].

Surely Romeo would not have put this on Lot 66 if there were cultural issues?

Back then entrance to the camp sites were through the Whanarua stream or for those locals who came down to the Bay the bridle track on the Western side of Lot 66 who evidently had no Issue using it.

Everyone, campers & locals were familiar with the way the access worked.

Again, if there were cultural issues on Lot 66, the access would have been Tapu but, obviously not.

Romeo announced to all & sundry that he, with the help of the Maori Trustee was going to create a Beachfront sub

division, this process started on the 18th March 1956, the plan lodged in 1959 with the Opotiki County Council [now the Opotiki District Council].

Some of the campers registered their interest, there are a few properties still belonging to the families of those people today, enjoying the Bay as did their parents, Grand Parents & Great Grand Parents.

The families, back in the 60's were, as you could imagine hard working people who worked very hard to provide a basic holiday bach for their families.

They enjoyed the Bay & enjoyed interacting with the resident locals.

Respect of the Tapu area Lot 80 was well known & the area was fenced off with the appropriate signage thanks to the Wirepa family.

Romeo's subdivision allowed for Recreation Reserves much the same as they would in the current day, Lot 80 & Lot 66 were vested to ODC to look after for all New Zealanders, Not to Steal from the subdivision & give away at will.

It is acknowledged that mistakes were made by Both the Maori Trustee & the Opotiki County Council, one, in not creating access over Lot 75 [this has since been settled as previously mentioned with the Wirepa family & we maintain an excellent relationship with them] & the other mistake by the Opotiki County Council [ODC] signing off the sub

division but failing to do their homework with the access to the Bay.

An extremely poor piece of work by ODC that has been acknowledged but, then swept under the carpet.

Beach Front owners were locked out of the access to their properties & money asked for to be paid annually.

This should have been ODC's responsibility to sort, their mistake, stand up, be proud & sort it team.

Again, Not of the Beachfront owners doing.

My submission is that access to our property is an extremely important & a serious mistake that needs to be addressed by ODC in conjunction with the Beachfront owners before any claims are discussed.

Much work has been done with the Beach Front owners, the Wirepa family, ODC, countless Solicitors / Barristers & the Maori Land Court, first to create access over Lot 75 owned by the WiPera's, and now to create access, an easement, for the landlocked owners, this includes to Lot 75 still owned by the Wirepa Family Trust.

ODC must admit that their communication with the Beach Front owners & the Rate Payers association of Whanarua Bay has been miserable at best.

I've seen the very limited responses, mostly one liners, that has Not helped or been fair & reasonable with the

consultation process, in fact it is hindering the Consultation Process with us.

Gosh, those ODC staff & councillors must have thought they had got themselves off the hook 40 years ago when the Innovative Beach Fronts owners created an access, with the “knowledge of Opotiki County Engineers,” I might add, pushed the access road through for the land locked owners, the locals & the NZ public.

Imagine their luck when the road was Tar sealed as well & then, might I add, maintained by the Beach Front owners for 40 years, at NO cost to ODC.

It is NOT an illegal road, it is disgusting & offensive to call it that, this road was put in due the very poor [zero] response by ODC.

You know & I know that this name calling could have been sorted years ago at the stroke of a pen.

“It’s a convenient name to justify ODC’s insistence to avoid taking responsibility.”

The road was put through part of the subdivision that was vested in ODC to look after but, as usual Nothing happened.

Much work to create an easement was finally initiated by the Beach Front owners & ODC but in 2018 came to an abrupt stop.

Add to this, over the last 40 years, no correspondence from ODC asking to stop the Beach Front owners, the Whanarua Community, Te Whanau a Apanui & others from using this access road. Absolutely Nothing!

For the last 18 years, all the Beach Front owners have asked for is an easement over Lot 66, nothing more, nothing less.

I personally have sat in with ODC staff in reaching agreement of an easement, which in my opinion had been achieved, only to have the project stopped.

Who stopped it, why, when, was this in the best interests of the Whanarua community?

Why were the Beach Front owners never informed?

There are rumours about this but, that will wait for another forum.

Remember, this is well prior to any claim by the Government & Te Whanau a Apanui.

It's interesting that ODC can create an easement at Waihou Bay so anglers can run their boats over the site but, frankly cannot create one for the Land locked owners [real live people, not boats] at Whanarua Bay, I personally find this disgraceful, poor quality planning & judgement of all those concerned.

This of course brings us to the present day.

Remember I previously mentioned my association with the Bay goes back 50 years ago & the Urupa area on Lot 80,

now fenced with signs so the many visitors to the Bay are aware of the status, the Wirepa Family had done themselves proud in this process.

Imagine my surprise after all this time that an announcement was made that there was a wahi tapu on Lot 66, the hillside, according to an elder of Te Whanau a Apanui was a series of caves used as an urupa within metres of State Highway 35 or was it over it as well?

One must ask yourself why, unlike the Wirepa family, was the upper section where the steepness of the land would provide access to the caves so close to the Highway, never mentioned previously, not fenced off, no signage, no previous information to the Whanarua Community or the Beachfront owners to give them the opportunity to be respectful of the area. One

must ask yourself, why was all this information a Secret? Who was at fault here, who's responsible, where did it come from suddenly & why now?

To arrive some 12 months ago & have this dropped in the lap of the Whanarua Community has shocked us all at not been given the opportunity to pay our respects over the last 60 years as we have able to @ Lot 80.

What's going on? Does this sound correct to you?

The ODC Staff & Councillors representing your community must look at this & wonder why would you not inform the

community of the status of the upper side of Lot 66 so all New Zealander's can be respectful in avoiding this area. Frankly it is not good enough & questions must be playing in your mind as to Why?

Neither the Crown nor the Opotiki District Council have carried out the Historical research that would normally be carried out if the claim had been placed before the Waitangi Tribunal. Why not?

The reclassification of Lot 80 to a Historic reserve:

If the urupa on Lot 80 is to be separated as suggested & it is a good decision, then there is no need to reclassify the Lot 80 Reserve to a Historic Reserve, it's been that way since Romeo WiRepa set up the Reserves in conjunction with the Maori Trustee & ODC, why change it now after 60 years, if it's not broken don't fix it.

Who has suggested this & Why?

These are all Serious questions Councillors, surely you must now have some doubt as to the accuracy of your information you have received.

We are extremely nervous that the Hapu, if ODC deem that the "Wipera Reserve Land" is handed over, that access to our properties will be denied or money asked for, that would be an insult to our subdivision that we brought into.

Remember, we are land locked thanks ONLY to "ODC."

This is a very serious matter, as to do this would obviously stop access to the Land Locked Beach Front owners properties, causing a major issues created by ODC.

The actions of ODC, will have a Direct Link to the Devaluation of the Beachfront properties.

Have you as Councillors discussed this & the compensation that must be applied to the Beach Front owners as a result? Where is the money coming from?

Please understand if you can, the increase in Beachfront property values due to Covid have risen hugely in the last year, we are talking a lot of dollars.

The compensation would be a large percentage of the properties value.

Does it not make sense to discuss this before any decisions are made.

I'm a pensioner, retired retailer, & to understand somethings I need to simplify things for my wee mind to take in.

Imagine you have brought the latest product, advertised full of features & benefits but, when it's delivered some of those features are not available unless you pay an additional monthly fee, misleading advertising? Sure is.

The supplier has 3 options:

1. Supply you with those features at no charge.
2. Supply the product at a lesser cost, a refund, compensation or redress so to speak.

3. Give you a total refund.

This is how the retail system & the law works.

In the case of the Beachfront owners they brought into a subdivision with access, signed off by Opotiki County Council, they brought into & were supplied unlimited access to the sea via Lot 80.

To take any of these away from the subdivision, one of the 3 above solutions must apply, BUT it's option 1 that's been asked for.

Councillors, as a citizen of New Zealand & a representative of ODC, can you honestly say with hand on heart that, what is proposed is a fair & equitable outcome for the Beach Front Owners who, through no fault of their own find themselves in this very stressful situation along with all of the Whanarua Bay community & other New Zealander's who appreciate & care for the area.

Please put yourself in our shoes, How would you feel? Dumped-on doesn't even come close.

Another quick thought before finishing off, imagine that Lot 66 was taken as part of the Public Works Act but, then was not required, by law, it must be offered back to the person / family that it was taken from.

Why, in the case of Lot 66, if the ODC are trying to wash their hands of it, has not been offered back to the family of Romeo Wirepa?

Oh, that's right, no compensation from Wellington!!!

It defines logic that this has not been the approach.

Why Not?

Is the offer of compensation to ODC clouding your judgement?

After reading Minister Little's Cultural Redress Programme, he has asked for 4 sites, ODC get to choose if & what they hand over, IF at all.

Please, do the right thing & exclude Whanarua from this Programme.

To the staff & councillors of the Opotiki District Council, in my opinion this is one of the more important decisions that you will make with you time together at ODC.

Look in the mirror & say with hand on heart that, I must say "NO" to the transfer of Lot 66 & NO to changing Lot 80 to a historic reserve, once done, there's no going back.

You alone have the opportunity to Finally do the right thing that's been missing from ODC for many years.

Team, it's time to Front up & do the right thing.

Please learn from the history & mistakes made with Romeo's subdivision, please understand the Beachfront owners have not caused any of the issues, we just want to have friends, family, continued interaction with the community & care for the environment at Whanarua Bay.

Lot 66 must remain in the hands of ODC as must the Management of it.

Of this there is absolutely No question.

ODC's push to hand over Lot 66, modify the status of Lot 80 is so full of holes further questions must be asked to avoid further legal opinions & expense by us all.

It's an absolute disgrace.

Do the right thing, Please.

Kind regards

Mark & Carmen Meikle

Greg & Faith Robison