

Submission on Joint Request from Te Arawhiti and Te Whanau a Apanui

To: Opotiki District Council  
Name: Heather Nelson  
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I wish to present to Council.

My comments: I am a co-owner of a beachfront property at Whanarua Bay.

I submit partial support for ODC to divest the urupa “focal point” of Lot 80 to hapu unencumbered, however the area needs definition by survey. I think this wahi tapu should have appropriate signage and fencing to reflect its historical significance.

I disagree with the balance of Lot 80 being divested to hapu. I believe it should remain as is - vested in ODC as a recreation reserve. No justification for transfer or reclassification has been given.

I submit that Tokatea Reserve be offered in lieu of Lot 80. As Tokatea Reserve was part of the original Motuaruhe Block, this reserve would be of significance to Te Whanau Rangi-a-Runga.

Lot 66:

I disagree with the requested proposal that Lot 66 (roadway) be divested to hapu.

ODC states it cannot create an easement in favour of beachfront property owners for vehicular access as the roadway would end up on private property (Lot 75 owned by Wirepa Family Trust)

At present, hapu cannot legally cross Lot 75 to the beach reserve or the wahi tapu – only the Wirepa Whanau and beachfront property owners can.

I submit Lot 66 be returned to the Wirepa Family Trust with two conditions attached:

- 1) An easement in favour of beachfront property owners for vehicular access to their properties via Lot 66
- 2) An easement in favour of hapu for vehicular access via Lots 66 & 75

Lot 66 roadway repairs and maintenance would then fall to Wirepa Family Trust, beachfront property owners and the hapu.

I disagree with Lots 68, 69, 70, 71 and Lot 3 being divested to hapu.

They should remain vested in ODC as recreation reserves as they were the intended legal access to the subdivision properties and beach reserves.

Access to beach reserves would then be preserved for the wider local community and the public.

An alternative access to beach reserves for the wider local community and public could be a third easement condition attached to Lot 66.

I submit management of Lot 80 (less designated urupa site) and Lots 68, 69 70, 71 and Lot 3 be jointly administered by ODC, Te Whanau a Apanui and beachfront property owners. This arrangement could best represent all interests within the community.

It perturbs me that this joint request is being dealt with by council in what appears an extremely hurried fashion, just to meet the crown's deadlines. There will be numerous submissions for councillors to read and I fear they may not be well informed on a decision that has the potential to cause major disharmony if final decisions made are ill considered. Too many people in the local and wider community will be adversely affected.

## Summary

The situation of no legal access for beachfront property owners is through no fault of their own making.

It has been the crown and local body authorities who, through ineptitude, have created historical grievances for us – your ratepayers.

There is no obligation for ODC to “oblige the joint request” by forfeiting recreation reserves.

There is a crown expectation that ODC will resolve access issues to Whanarua Bay as alluded to in correspondence from Minister Little.

Now is the only opportune time to correct these longstanding issues with some bold and lateral thinking. Then, hopefully and finally - some action and resolution.