

Public Forum
3 February 2011
G & L Bray

Submission to the Engineering Services Committee, Tasman District Council,
February 2011
From Garth and Lesley Bray

The Golden Bay Community Board has sent its recommendation on the future of the homes and baches on the road reserve at Ligar Bay to the TDC's Mayor and Councillors.

We now submit our case for the continuation of the licence to occupy this land.

We believe these homes and baches need to remain here beyond the current licence expiry date of March 2014, for the following reasons.

1. In our case, this is our only home and has been since 1990. Our three adult sons were raised here and regularly return to their family base in the Bay.

2. In 2006 Garth was diagnosed with multiple myeloma, an incurable blood cancer. The effects of extensive cancer treatment have left him incapable of continuing his teaching career full-time and consequently our family income has been reduced considerably. This severely limits our ability to purchase a home elsewhere.

3. After 60 years, the heritage value of these homes and baches is significant. They need to be preserved for future generations to enjoy this very special location and to have the opportunity to live or holiday here. They are priceless community assets and it is our responsibility to ensure these places endure for those who come after us.

4. Most residents and holiday home owners here in Ligar Bay wish to see these homes and baches remain beyond 2014. They value them as an essential part of this interesting mix of historic and contemporary homes that make up this Ligar Bay community.

5. As residents on this coastal strip, we work hard to establish, maintain and monitor a safe and healthy environment for all to enjoy and to share. We help with Coast Care projects by planting trees and grasses, and by removing weeds and rubbish from the beach and reserves. We protect birds and take care of others homes and boats in their absence.

Our permanent presence here helps provide security for others' property and a safety watch for those using the bay for swimming and boating.

6. There are 60 years of history here in these eight homes and baches. Over these years very many people of all ages from near and far have enjoyed living and holidaying here. This New Zealand tradition needs to be preserved and promoted in our district.

We are totally committed to fight to keep our home. We have no other options.

We look forward to your careful consideration of the points we make and to your recommendation that these homes and baches remain here beyond 2014. We are willing to accept any fair and appropriate conditions Council may require when our licence is renegotiated for a further period.

Thank you for your time, patience and consideration.

Yours sincerely,

Garth and Lesley Bray.



Prize winning gardens at Ligar Bay 2010.

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From the bach and home owners on the Ligar Bay road reserve.

After wide consultation the Golden Bay Community Board has recommended to Council that the tenure of eight homes and baches on Road Reserve in Ligar Bay be extended beyond the term of their present licences, which expire March 2014. We, the owners of those homes and baches, support that recommendation.

Four of these homes are owned by Golden Bay people, three by Motueka families, and the last by a Christchurch family who live in the Bay semi-permanently. Two are families have been licence holders for 45 years, and the remainder have been in possession for many years; the last licence changed hands in 1998.

We wish to advance the following reasons for renewing our licences.

1. The Council in 2007 and again in 2009 advised that "Council will be prepared to consider a proposal for the continued occupation of the baches at Ligar Bay." The issue was later passed to the Golden Bay Community Board for community consultation and report. The Community Board recommended that non-transferable triennial licences be issued to existing owners only. This seems to us to be a win-win situation.
2. Our tenure has been renewed twice before. With the exception of the Ryder's and Swafford's farmhouses, the baches were the first homes built in Ligar Bay and date from the late 1940s and early 50s. In 1956 leases were drawn up covering the sections. They remained in effect until 1989 when they were replaced by the current 25-year licences expiring in 2014.
3. Over the last 60 years the Council and the Golden Bay community have deemed this an appropriate use of this land, most recently in 2006 when the road was widened and the Council took pains to accommodate us in its plans.
4. After 60 years the heritage value of these homes and baches is significant. They are part of the coastal scene, and surveys have shown they are not seen by the majority as an intrusion but rather as a charming addition to the character of the bay. Kiwi baches are a familiar part of the seaside many New Zealanders grew up with.
5. Several surveys have been carried out in Golden Bay. They show a significant majority of people want to see these baches remain in Ligar Bay beyond 2014.
6. Our baches stand lightly on the land and have minimal environmental impact.

7. We have made significant contributions to the coastal environment. Some help with Coast Care projects, others help keep the beach clear of rubbish, we protect birdlife and the permanent residents keep a year-round watch on boats and property. We have planted native shrubs and trees extensively and over the decades have built up a coastal forest. The two large pohutakawa trees in the middle of the Bay are an example, planted by one of the original owners whose family still own the bach.
8. The preservation of Kiwi baches has become a national issue, cropping up in various parts of the country. The closest example, apart from the Punakaiki baches on road reserve which were granted 35-year leases, are the baches on Nelson's Boulder Bank, controlled by the Department of Conservation. The Historic Places Trust now has several bach communities on its Register. The Ligar Bay issue has attracted the interest of local and national television, radio, newspapers and magazines.

We believe that we are an important part of the community, that the homes and baches on road reserve have added considerably to the life and environment of Ligar Bay, and that they deserve to stay.

To : Committee clerk, Robyn Scherer, with a request that she bring it to the attention of the Engineering Services Committee chair urgently.

A copy of our request for postponement of consideration of the Ligar Bay bach issue is attached.

We note that Mr Frater seems to be worried that some people may take the Council to Court if it approves the licences as recommended by the Community Board.

We need to emphasise that, after consultation with our lawyer, Warwick Heal, such would also be our certain intention if the Council refuses to issue new licences.

We urgently request that the Engineering Services Committee postpone its proposed consideration of the Ligar Bay baches issue, scheduled for Thursday February 3, for the following reasons:

1. We learned of Mr Frater's report only on Saturday January 29, and then only when a reporter from the Nelson Mail contacted Mr Garth Bray for comment.
2. Our lawyer, Mr Warwick Heal, has written to Mr Frater requesting a postponement. As of today (Monday) he has not yet received the copy of the report which Mr Frater says was to be sent to him. Mr Heal is unavailable to represent us at the February 3 meeting as he is acting as a Hearing Commissioner in Westport.
3. Despite our earlier request to be heard by the Council before a decision was made we learned of this meeting only recently and incidentally, upon Mr Heal's inquiry of 17 January 2011. We first raised this issue in 2007. We do not understand such late haste.
4. The late arrival of Mr Frater's report, the lack of any formal notice of its contents, and the short notice of the meeting given to us as affected parties, has given neither ourselves nor Mr Heal sufficient time to prepare for this important meeting.
5. Our lives will be critically affected by the committee's decision on this issue. Our right to a fair hearing and to be represented at that hearing has been severely compromised.

We have employed a Planning Consultant to give further evidence to the Council. She will be overseas between February 20 and March 20. Mr Heal advises that a date in April would be most suitable and we ask the Committee to postpone consideration of this issue until that date.

Ligar Bay bach and home owners.

Jim Frater

From: Paula Cater on behalf of Reception Richmond
Sent: Tuesday, 1 February 2011 9:57 a.m.
To: Jim Frater
Subject: FW: Contact Us from Council Website

From: battens@xnet.co.nz [mailto:battens@xnet.co.nz]
Sent: Monday, 31 January 2011 8:31 p.m.
To: Reception Richmond
Subject: Contact Us from Council Website

Contact Us from Council Website

Your name *

Neil Batten

Your phone number

035259934

Your e-mail address *

battens@xnet.co.nz

Name or position of who you'd like to contact

Frater

Your message *

I have just read your report on the batches in Ligar Bay. I am appalled that you have recommended that they be removed in 2014. It appears the councils main worry is that if they extend the leases; people who are against the batches remaining will take the council to court----this shows considerable weakness by the Council.As a Ligar Bay resident I find it sickening , that the council engineer is taking the position he is, just to appease a minority of landowners in Ligar Bay. The majority of people in Ligar Bay want these icons to stay. I dont often fight for a cause; but I will this one. Cheers

Attach file or document

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Referrer

<http://www.tasman.govt.nz/council/council-meetings/standing-committees-meetings/engineering-services-committee-meetings/?path=/EDMS/Public/Meetings/EngineeringServicesCommittee/2011/2011-02-03>