

PETER GRAY HILL says:

I am a solicitor residing at 40A Idris Road, Christchurch

Since 1968 my wife has owned a bach at site 42 in Taylors Mistake Bay. My family have holidayed regularly in the Bay since then and I have developed a good knowledge of the Bay area and its history as well as getting to know most bach holders in the Bay. Through that association I have come to appreciate their attachment to the Bay and the high value they place on their presence there.

I have been on the executive of the Taylors Mistake Association Inc since early 1970's. This Association was formed in 1927 and has every bach holder in the Bay as a member.

The Association has been aware for a long time that the presence of the baches on publicly owned land is not acceptable to the local authority and there have been various attempts over the years to have the baches removed. Prior to 1976 the main thrust of local body opposition was the lack of sewerage and the fact that sewerage and sullage disposal arrangements did not comply with Health Regulations. In 1976 electric toilets became available and every bach purchased and installed one at a cost of about \$1000. These toilets were acceptable to the Local Body but left unsolved sullage arrangements.

Following the installation of the toilets the bach holders entered into agreements with the Christchurch City Council for a ten year lease expiring in 1986. Some of the terms of the lease viz the Council's demand that the baches be removed at the expiry of the lease could not be negotiated by the bach holders and most signed the lease informing the Council at the time that some of the terms were signed under protest.

In the last seven years the bach holders, City Council staff and Councillors have been on better terms and the bach holders have made aware to the Council their wish to remain in the Bay, acknowledging that they are on public road, and if the opportunity came to relocate they would remove their baches from the foreshore land. Councillors accepted this position

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and in 1989 City Council staff were requested to report on the possibilities bach holders being relocated in the Bay on land to be acquired by the Council.

The opportunity arose in May 1989 for the Association to purchase land behind the foreshore owned privately and by a contract dated 10 May 1989 (Reference paper 59) agreed to purchase for \$265,000 approximately 180 acres of farmland as defined in the contract. The parent title to the land is 32A/928 (Reference paper 77). In later correspondence with the vendors solicitors the purchase price was reduced to \$260,000 including GST. In terms of clause 16 of the Special Conditions of Sale in the contract for purchase the Association nominated the Taylors Mistake Association Land Company Limited as the purchaser.

This Company was incorporated on 8 June 1989. Copies of the Certificate of Incorporation, Articles and Memorandum of Association (Reference papers 45, 46 and 55). The Association holds 999 shares in the \$1000 capital and a Landless Declaration under the Land Settlement Promotion & Land Acquisition Act has been filed by the Company (Reference paper 57).

The Company supports the proposed Scheme Change No 32 in that it will allow the Community of bach holders now living in the Taylors Mistake Bay to continue. This community of bach holders has been recognised formally by the Council when a neighbourhood committee for the area was formed.

The community has been in existence in the Taylors Mistake Bay since the beginning of this Century and its strengths lie in its continuing strong interest in the welfare, appearance and surrounds of the Bay and of its public users. In some houses there has been a continuity of family ownership through four generations. The common interest in all the houses in the Bay is the sea and the pleasure it provides and in particular the Surf Lifesaving Club in the centre of the Beach.

The strength of the community is such that it has survived the vicissitudes over the years. These have stemmed from earlier Local Body indifference or actual attempts to destroy the community. In more recent years the community has been strengthened and tempered to a much stronger quality by the

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attitude of the Council and there is now an active energetic body of residents in the Bay with the interests of the Bay at heart. The crux of the community's existence is their occupation of the houses in the area and it is essential they have a continued existence in the Bay. The creation of the proposed residential holiday zone will permit the community's continuance.

Without the houses of the bach holders in the Bay the Surf Lifesaving Club in its isolated position would have a drain in membership that would seriously sap its strength. The sea in the Bay is notorious for its danger to swimmers in certain tide conditions and when the Surf Club is not providing life guards on patrols the bach holders have on occasions rescued members of the public. I believe this service is well recognised and accepted by the Council. Between 1977 and 1983 out of a total of 895 surf rescues on Christchurch's ten beaches 336 or 38% were at Taylors Mistake

To emphasize the relationship between the Lifesaving Club and the bach holders in the last forty years the bach holders have provided a President for 28 years a Secretary for 11 years, a Treasurer for 26 years and a Club Captain for 27 years.

The owners of the houses have a strong interest in the cleanliness and preservation of the amenities of the Bay. They provide City Council Wardens who endeavour to keep down the dog nuisance, prevent vehicles driving on the beach. Members pick up broken glass, tidy rubbish and prevent vandalism by the public. On occasions they have volunteered en masse to fight grass fires on the hillside and up till recently fire fighting equipment was stored for this purpose by the residents.

The company has purchased the land with advances from bach holders interested in acquiring a new site in the proposed holiday zone. Thirty five bach holders have assisted financially. Information from Consulting Engineers has been obtained as to the cost of the total development and those bach holders financing the company are aware of the total cost of acquiring the land and the estimated cost of developing.

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The proposal supporting the scheme change describes the Department of Conservation taking over the management of the balance of the land. In January 1990 I made an approach on behalf of the company to the Department of Conservation outlining the suggestion and by letter dated 9 April 1990 (Reference paper 74) the Department described their attitude, in effect declined to resume the management of the land. Following that letter an approach was made to the City Council by letter dated 26 April 1990 (Reference paper 75) the proposal was defined. At a meeting on 14 May 1990 I learnt that the Council were unable to assume the management of the land and it is now intended that a Trust with independent trustees be formed to take a lease of the land from the company at a peppercorn rental. I envisage the land being farmed by the trust or by a sublease and members of the public having access to the land save on occasions when their presence would complicate farming operations.

Members of the public make a lot of use of the land now, the uses including hang-gliding, parachute gliding and hiking. More recently I have seen mountain bikes and trail bikes in the area.

To establish that the valley had a separate farming potential the company obtained a report from Mr Bilbrough, a Valuer at Lincoln College and that report is Reference document 69.