

IN THE MATTER

**of submissions made to Plan Change PC85C Rural
Village Environment of the Whangarei District
Plan**

BY Jo Woollacott

BEFORE the Whangarei District Council

Statement of Evidence by Jo Woollacott

Dated – 23rd June 2017

Introduction

1. My name is Jo Woollacott and I am the owner of WHY Retreat, a bed and breakfast, yoga studio and boutique fitness studio in Reotahi Road, which I operate as a home occupation. In 2012, prior to building the retreat we consulted with WDC to determine what regulations and requirements would apply to the business. I made a submission on the WDC Plan change 85C to allow my business to maintain the status quo that I was originally advised would apply to me.
2. We were originally advised that our activities would be considered as a place of assembly, and would need to comply with the list of permitted activity rules for a place of assembly in a Living 1 Environment. We completed the building and began operating in accordance with this advice in July 2014 with our building granted compliance by WDC inspection.
3. In July 2016 council informed me that WHY Retreat was not a place of assembly and served me with an abatement notice limiting my hours to 8am - 6pm. (Formerly 8-8pm as a place of assembly). To date WDC have not provided me with the reasoning for changing their view on the status of my business. I was also required to apply for a land use resource consent which was granted in December 2016.
4. I teach between 5 and 8 drop in yoga classes per week. Almost all of my clients are local residents and many walk to the class. Each class has an average of 2- 10 participants, occasionally a few more. The yoga and occasional one on one session are beneficial to my clients to maintain fitness and mobility, assist in recovery from injury and illness, reduce the impact of age related issues such as arthritis, reduce stress, promote well-being, and encourage greater contacts within the community. I am a REPS registered trainer and have over 35 years of experience teaching yoga and working with people to improve their fitness. My studio has specialized equipment that allows people with physical limitations to exercise safely.
5. The B&B component draws visitors from outside the area. The yoga classes are an integral part of my offering as a yoga retreat. I employ 2 local cleaners, a local gardener and occasionally have local teachers cover for my classes, thereby distributing income to the community.
6. The nature of the activity requires a safe, warm, clean environment which I am not able to provide using community facilities. Having the studio in my home means I can hold the drop in

class even if only one or two people arrive, allowing me to keep the cost of providing classes down.

7. As part of my application for resource consent I surveyed the surrounding neighbours to ascertain the adverse effect of my home occupation on them, which was negligible. In addition some of my clients circulated a letter of support which was signed by over 100 people, which demonstrates the positive impacts my home occupation has on the local community.

Consequential amendments: 4. Definitions - Home Occupation

8. In response to the discussion in the Hearing Report of my submission (482/2) to change the definition of Home Occupation to extend the hours of operation for home occupation activities, I would like to raise the following points.
9. I agree that "...the definition of home occupation expects the occupation activity to not have effects different from those of other permitted activities".
10. As stated in my submission, Places of Assembly are a Permitted Activity in the Rural Village Residential Sub-Environment, provided they do not trigger Discretionary Activity rules RVE.2.3.2 (c) (i&ii). This has far greater potential effects from high traffic movements and noise generation from potentially large gatherings, than Home Occupations in the same sub-environment.
11. Places of Assembly would be permitted to operate within the hours of 0800 – 2200, in the Rural Village Residential Sub-Environment. Extending the activity of reception of customers for Home Occupations to be from 8am to 8pm would have less potential impacts than the Places of Assembly permitted activity, in the same sub-environment.

RVE.2.3.Discretionary Activities

12. I also agree that because "... the definition of "home occupation" applies district wide ... any alteration to the hours of operation within the definition would have a greater implication than applying solely to the Rural Environments".
13. For this reason I would suggest the amendment of provision RVE.2.3.Discretionary Activities (the subject of my original submission 482/1) to enable the extension of hours to apply solely to the Rural Village Residential sub environment, as follows:

RVE.2.3.Discretionary Activities

2. Within the Rural Village Residential Sub-Environment:

...

g. Any home occupation that:

...

viii. Includes receiving customers before 0800 hours or after 2000 hours on any day.

14. This would be consistent with objective "RVE.1.2 Objective 6. Enable a range of business activities that fulfil local service functions in rural villages." Unlike in urban residential areas, the range of services required by occupants of Rural Villages is not as readily available, including therapeutic services, which rural residents may not be able to access due to their isolation from commercial centres. The provision of these services in Rural Villages via home occupations is therefore more necessary than in urban environments. I draw your attention again to fact that I surveyed the surrounding neighbours to ascertain the adverse effect of my

home occupation on them, which was negligible, while I received a letter of support for my activities at WHY Retreat which was signed by over 100 people, demonstrating the positive impacts my home occupation has on the local community.

15. In regards to changing 'engaged' to 'employed' in the home occupation activity It is clear from the response to my submission (refer para. 16 below) that the intent for this clause is not to limit the number of customers, but the number of providers. The word 'engaged' is not clear in this respect and I now suggest the word 'providing' be used rather than 'engaged in', because this could be interpreted to include customers, cleaners, suppliers and others. My suggested changes are as follows:

"RVE.2.3.Discretionary Activities

2. Within the Rural Village Residential Sub-Environment:

...

g. Any home occupation that:

...

iv. In addition to the principal operator, has more than two other persons ~~engaged in~~ providing the activity"

16. Submission response for reference - With respect to home occupations, often people involved may be friends or family who are not technically paid or employed. In my opinion 'engaged' is therefore more appropriate and is consistent with the operative Whangarei District Plan (**WDP**) provisions in the Kamo Walkability Environment (rules KMP.1.5.10(d) and KLP.1.5.12(d)). I consider that the relief sought by J Woollacott will still be achieved without the requested amendment as home occupations may still provide their services to customers visiting the site without these persons being considered to be 'engaged' in the activity.

To: The Whangarei District Council

We, the undersigned, would like to express our support for Jo Woollacott in the running of her business, Whangarei Heads Yoga. We feel she is benefitting the community in a variety of ways:

1. Her yoga, exercise classes and one on one treatment's provide excellent health benefits. Amongst her clientele are people recovering from injuries, battling various debilitating illnesses and conditions or coping with RSI or other stress related issues. Jo is an extremely experienced instructor and is particularly good at catering to different needs and problems both in classes and in her personal training.
2. The classes have provided an excellent way of the community coming together. Her business has encouraged new friendships and greater neighbourliness. Jo fosters very warm, safe environments for people to meet in.
3. The variety of classes on offer have provided opportunities for members of the community to find which approaches work well for them personally.
4. It is an enormous asset to have yoga, pilates and meditation classes out at the Heads. Many do not have the time, money or opportunity to go all the way into town to attend similar classes.
5. Classes and treatments are conducted in a quiet, peaceful and non-intrusive environment.
6. The central location of the studio enables participants to walk and/or car pool to classes and treatments.
7. Jo has been effective in promoting the Whangarei Heads both nationally and internationally through her retreats. We have met many of her guests who have expressed their admiration of the area and word of mouth is one of the most powerful advertising agents.

In summary, Jo's classes promote health, wellbeing, happiness and friendship. Her business as a whole was founded out of a desire to provide services to the community and she has been faithful to that desire from the day she opened her doors.

We would welcome if a way forward could be found, which would enable Jo to continue running her business unimpeded as we strongly believe it would be in the community's best interests.

Name

Where you live

Melissa Arseneault

Ocean Beach

"The services and support Jo provides is one of the greatest assets we have in our local community and being a home based business is what makes it so special."

Zana Bell

McLeod's Bay

"As I work fulltime from home, Jo's classes have been a godsend as I cannot afford the time to commute into town several times a week to attend classes there. The classes are essential for keeping my work-related RSI at bay. Jo is a gifted teacher."

Alison Millar

Parua Bay

Martin Hunt	Urquharts Bay
Siobhan Skuce	British Columbia, Canada & McLeod's Bay
Terri Millet	McLeod Bay
Kathy Corry	Pataua South
Sharon Thompson	McLeod's Bay
Rochelle Iturbe-Stenberg	Pataua South

"Wishing you all the best Jo. Your classes and services are so beneficial; I really hope the Council can be supportive of your studio and the niche you have created within the Heads community".

Cameron Tukapua	Pataua South
Joe Waymouth	Mc Gregors Bay
Gerry Marchant	Parua Bay
Vivien Marchant	Parua Bay

"Jo's yoga classes are a valuable part of my life juggling work and family. She provides a wonderful retreat from all other things that are happening. The classes also provide an environment in which to meet the locals. Jo is hard working and very professional."

Juliet Hollis	Parua Bay
Shane Turner	Parua Bay
Marlow Farms	Parua Bay
Kirsty McCorkindale	McGregor's Bay
Kate Alexander	Urquharts Bay
Toni Sherwood	Pataua South
Briar McCorkindale	McGregors Bay
Caroline McGirr	Campbell Road
Jan Olisoff	Taurikura
Monica Hutchinson	Pataua South

"Totally support what she offers at her facilities. Wondering if the letter should somehow reflect, the point that what she is offering is inside, quiet and not in your face, so apart from traffic coming and going has no impact on anything else. In fact, some people would have as many cars coming and going in a 'normal' family, or flat, if all family members or flat mates have cars/ friend/ social gatherings etc. Again, thank you for being able to put words to paper."

Diana Simon	Ocean Beach
Lynne Dyer	Urquharts Bay
Hazel Smith	Pataua South
Kate Harding	Tamatarau
Lynda Stallworthy	McLeod Bay
Theda Hall	Urquharts Bay
Evan Davies	Urquharts Bay
Jeffie Mulder	Reotahi Bay
Ana Ross	Parua Bay
Jo Iles	Reotahi
Clara Iles	Reotahi
Joshua Iles	Reotahi
Julie Lacey	Taurikura
Wendy Ihaka	Parahaki
Ben Henderson	Parua Bay

"I whole heartedly support Whangarei Heads Yoga Retreat, as I have had emotional and physical benefit from the classes and would not have the opportunity to attend if I had to travel further. I consider the benefits of offering this service to the community invaluable."

Heather Hunt Urquharts Bay

Alex Russell Reotahi

Roz O'Shea Parua Bay

"Well written. She is also one hell of a compassionate woman whose only objective is to help, not hinder others please add my name."

Justine D'Anvers Parua Bay

Greta Buchanan Parua Bay

Pippa Glasier Parua Bay

Christine Kibele Whangateau

Julia Newland Urquharts Bay

Estelle Lang Parua Bay

Gina Eiger Parua Bay

Jennifer Lawrence McLeod Bay

"I immigrated to NZ from Canada and until Jo opened her studio, attending a yoga class meant driving into town. I was thrilled when Jo opened as it is close enough to walk and she is an excellent teacher."

Richard Eiger Parua Bay

Peter Thorne Ocean Beach

Rupert Newbold Ocean Beach

Wendy Newbold Ocean Beach

Felicity Christian Pataua South

Marc Lawrence McLeod Bay

Tricia Culina Pataua South

"I come to yoga with my 83 year old, retired, farmer neighbour. There is no way we would make it to town to do this. Going together adds so much to our lives and community, bringing a cohesiveness that is so important."

Bonnie Schroyen McLeod's Bay

Jacque Johnson Parua Bay

Mariette van Zuydam Parua Bay

Shelly Linehan Parua Bay

Jan Meredith Parua Bay

"Newly arrived from overseas returning to Whangarei to live. Small community based businesses were normal in each of the two areas resided in, whilst overseas, and supplied to its residents many wonderful pockets of infrastructure in each suburb. I have been twice to Jo's classes and have purchased a concession card as a result of being very happy with each class. Jo has my support."

Karl Darling Parua Bay

Gaelyn Dewhurst McLeod Bay

Scott Dewhurst McLeod Bay

Teresa Battersby Little Munro Bay

Amanda Lenihan Parua Bay

Jo Macdonald Little Munro Bay

Jack Broome Reotahi Road

Jayne Broome Reotahi Road

Don Judkins	Parua Bay
Aimee Turner	Parua Bay
Lucy Harwood	Tamaterau
Kayla Bell	Taurikura Bay

“I hope Jo receives a positive outcome from the council as she really does provide a great service to our community.”

Natalie Pitts	McGregor's Bay
Sophia Xiao-Colley	Pataua South
Cathy Torvik	Parua Bay
Annelies Struijcken	Taurikura
Joop Struijcken	Taurikura
Andrea Robinson	McKenzie Bay
Lynne Tucker	McLeods Bay

“It is such a great community centre”

Karol Lovatt	McLeods Bay
Robyn Bertie	Pataua South
Ben Morgan	McLeods Bay

“Jo is doing an awesome job and her business is an asset to our community.”

Katherine McDermid Smith	McLeods Bay
Faye Morris	Darch Point Rd
Trish Gledhill	Little Munroe Bay
Kat McGonagle	Parua Bay
Marnie Muirhead	Parua Bay
Conrad Newbold	Parua Bay
Heidi Perkins	Taurikura
Sheelagh Prosser	McLeod Bay
Rosie Kronfeld	Reotahi
Sarah Middlemass	Parua Bay
Silke Sigley	TeAtatu, Auckland

Taiharuru Farms Lodge

14 Te Whara Way

Taiharuru

19/10/16

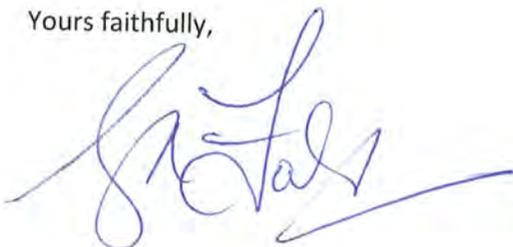
The Whangarei District Council

To Whom it may Concern -

We write in support of the Whangarei Heads Yoga provided by Jo Wollocott

1. The Yoga and health and wellness focused classes provided by WHY are a very valuable addition to the Whangarei Heads community and something that has been well received and widely supported by the community.
2. The classes are run in a low key way in keeping with the community in the basement of Jo's home with small class sizes. It is the personal and small approach to teaching that has made them particularly appealing.
3. The central location in McLeod's Bay means that many in the class walk or car pool. Traffic movements are minimal as there is only a small amount of parking on site and so people find other ways of getting there.
4. The personal and wellness focused approach has been of significant support to many in the community who suffer from particular conditions. Jo is particularly skilled at programmes tailored to the individual. With many retired in the Whangarei heads community we tend to have an older age profile in our community who value and need this support.
5. With drive times to Whangarei increasing steadily as a result of traffic volumes on Whangarei Head's road the provision of local services such as those provided by WHY are of increasing importance to those that live on Whangarei Heads. Travelling in to Whangarei can now frequently take 40 minutes or more each way.

Yours faithfully,



Grant and Raewyn Faber