

HEARING BEFORE Whangarei District Council

IN THE MATTER Of the Resource Management Act 1991

AND

IN THE MATTER Plan Change 85, 85A, C and D and 87.

STATEMENT BY MARK RAYMOND POYNTER  
ON BEHALF OF Mark and Bronwyn Poynter and Couper Trust

Introduction

1. My name is Mark Poynter. I present this submission in my private capacity as a landowner and a landoccupier and on behalf of my wife's family trust (Couper Trust).
2. An email to confirm my right to speak on behalf of the Trust in this matter will be tabled at the hearing.
3. This submission relates to 3 parcels of land at Whangaumu (Wellingtons) Bay which lies on the coast between Ngunguru and Tutukaka within the Whangarei District. These parcels are:
  - Lot 2 DP195541 (3.8834 ha) which is owned by my wife and I and presently has no buildings and is unoccupied;
  - Lot 3 DP195541 (1.2309 ha) which is owned by the Couper Trust and is the Lot on which we and our daughter, son in law and 2 grandchildren live; and
  - Lot 11 DP323553 (12.3240ha) which is owned by Couper Trust and presently contains a single dwelling used by my brother in law.

I have included a location plan as Appendix A which shows the 3 Lots marked in yellow. I also include survey plans as Appendix B which show the lots and Appendix C which provides an aerial view.
4. There has been a relatively recently approved subdivision of a single lot of about 1ha from Lot 11 which will reduce that Lot size to about 11.8ha.
5. Lot 2 presently has 2.033 ha under bush covenant. This will be extended by 0.8 ha by the subdivision mentioned in 4 above, to 2.833ha. There will also be minor changes to the area of Lot 2 (to 1.13 ha) and an increase in covenant area on Lot 11 by about 0.5ha. This will result in 72% of the Lot 2 being under conservation covenant and will leave 1.05 ha of easy to moderate east facing contour land.

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6. Lot 3 is an east facing grassed hill slope which contains no covenanted area but now contains significant bush which we have planted around the existing dwellings.
7. Lot 11 has a mix of contours from easy east facing to flat. The steeper land is under bush conservation covenant which totals 3.671ha or about 31% of the Lot.
8. The land has been in our and the Trust's ownership for 33 years. My wife's family connection to the bay extends a further 10 years. They purchased one of the original beachfront titles created by the Maori owners of the land (the Wellington family). That residence is still in the ownership of a family member. My wife and I have lived on the land as our permanent place of residence for 33 years. My eldest daughter and her husband and children have lived on a second dwelling we created on Lot 3 several years ago.
9. The covenanted bush has been fenced and/or the land has been destocked. Apart from horses being periodically grazed on the flat pasture areas within Lot 11, there has been no livestock on the property for 12 years and no stock access to the bush for 16 years. Over this time there has also been periodic possum and predator control. Possums are infrequently observed on the property but a low intensity of trapping effort is seasonally maintained. There has also been control of gorse and pampas on the hill slopes and bush margins such that these weeds are not a problem on the site.
10. In summary, there are three parcels which total about 16.8 ha of which about 7ha is under bush covenant. There are three dwellings on the residual about 8 ha of land most of which is of easy to moderate contour. All of the lots are well serviced by road access, internal access and power.

### **My Submission.**

11. My submission is that there is ample scope for several more dwellings/Lots to be created within this residual 8 ha area.
12. A quick count of the number of lots within the Wellingtons Bay catchment indicates there are about 130. I would illustrate this point by referring to land of similar contour and aspect and a similar area of about 8 ha which is only 350m distant on the hill slope on the other side of the valley floor to our properties. There is a cluster of 6 lots having Lot sizes 1.3ha, 0.5ha, 0.5ha, 0.44ha, 0.21ha and 0.2 ha. That land is proposed to be zoned Rural Village Residential. That cluster is clearly shown as the green area slightly east of the yellow marked area in Appendix A.
13. I can see no reasonable grounds in terms of environmental sustainability that would support an argument against more dwellings/Lots on our land. Having said, this I emphasize that I am not seeking an underlying zoning that might support a high density of Lots. I am simply seeking a zoning that would not discourage or put undue difficulty in the way of two or three more Lots to provide for family members in the future on land that clearly has no production potential other than perhaps bees and honey. I suggest that as landowners we have attended to that aspect by covenanting some 15ha of bush in this catchment and encouraging tea tree regeneration generally on the site. I note we have a commercial bee keeper who operates and maintains hives on the property.

### **Proposed Zoning**

14. The proposed zoning of these Lots is Rural Production. Looking at the 7 Objectives in RPE1.2, they are focused on rural production activities. I cannot see where land of the type and small area to be

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found in Lots 2, 3 and 11 and which have no productive land use other than honey, would be able to meet those objectives.

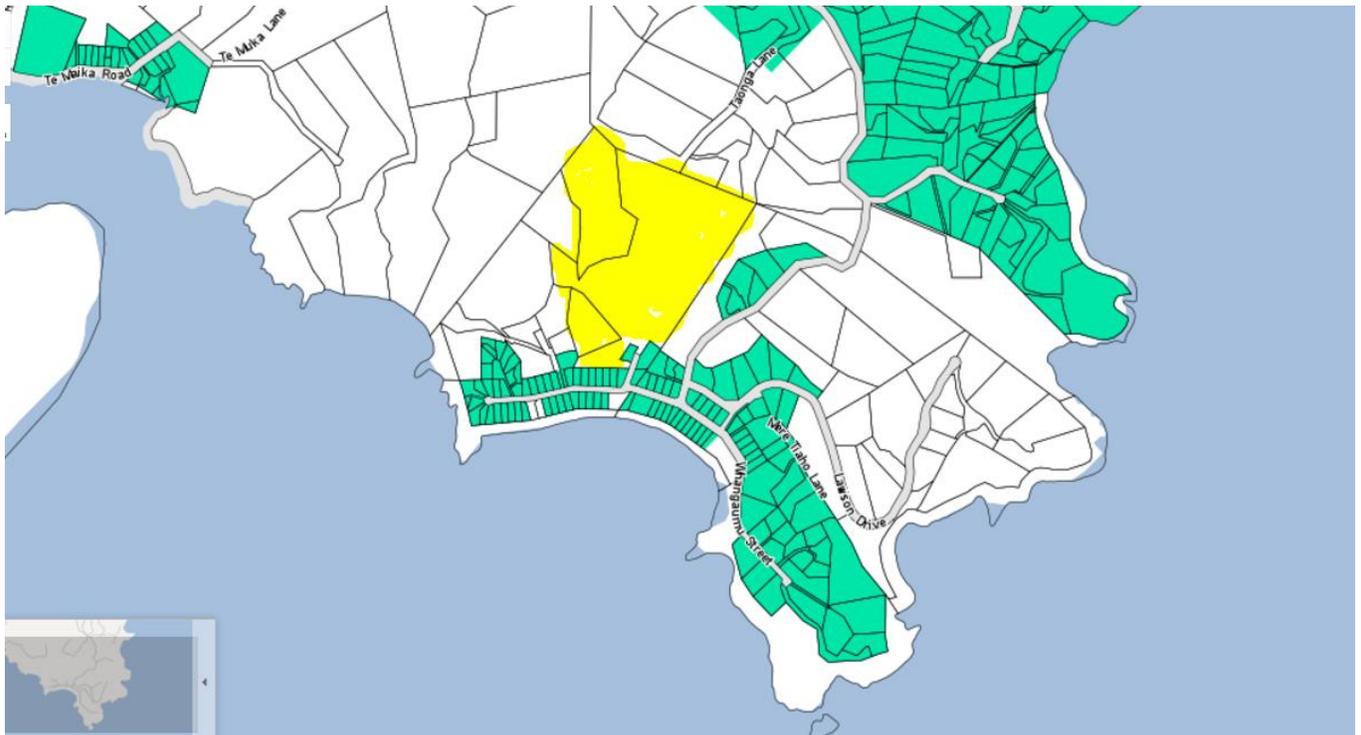
15. Policy 10 seeks to avoid the subdivision of land into allotments of 20ha or less unless it is demonstrated that a range of productive land uses are not compromised.
16. A read through those policies provides a web of direct and defacto restrictions on the future potential for subdivision of these lots and or additional dwellings. Not only is this unsupportable in resource management terms but it is not in the interests of the district. A few more dwellings which would by any measure be a low density compartment within an area already highly developed and well serviced bay, is appropriate and a potential not to be discouraged.
17. The land sits in the coastal area but the character of the catchment to Wellingtons Bay, or at least some 15ha or more of it, has been secured by bush covenants we have established over the years. Any future subdivision needs to be tested at a reasonable level with regards to services, engineering and landscape effects but the land in question poses no particular challenges in these regards to the character of the bay which has already sustained a great deal of residential development.
18. I support what Council is trying to do on the broader planning and zoning front but my enquiries to Council around this matter suggested this land area specifically, was simply allocated this future zoning because it didn't fit neatly into one of the other categories. That is not a basis for future management of the use of this land.
19. I submit that it is not in the interests of the district, and it is certainly prejudicial to my family interests, to have this land zoned in such a restrictive and inappropriate context.
20. The relief I have sought in my submission is that the land would be more appropriately zoned as Rural Living Environment or Rural Village Environment. I am not a planner and have not undertaken a careful analysis of these alternatives and all the consequential changes that might arise. At this stage all I say is that they appear to be more favourable. The important point is that whatever the alternative to Rural Production zone for these Lots, it needs to anticipate and not impede the outcomes I have detailed above.
21. I thank the Council and the Commission for the opportunity to speak to my submission.

Mark Poynter



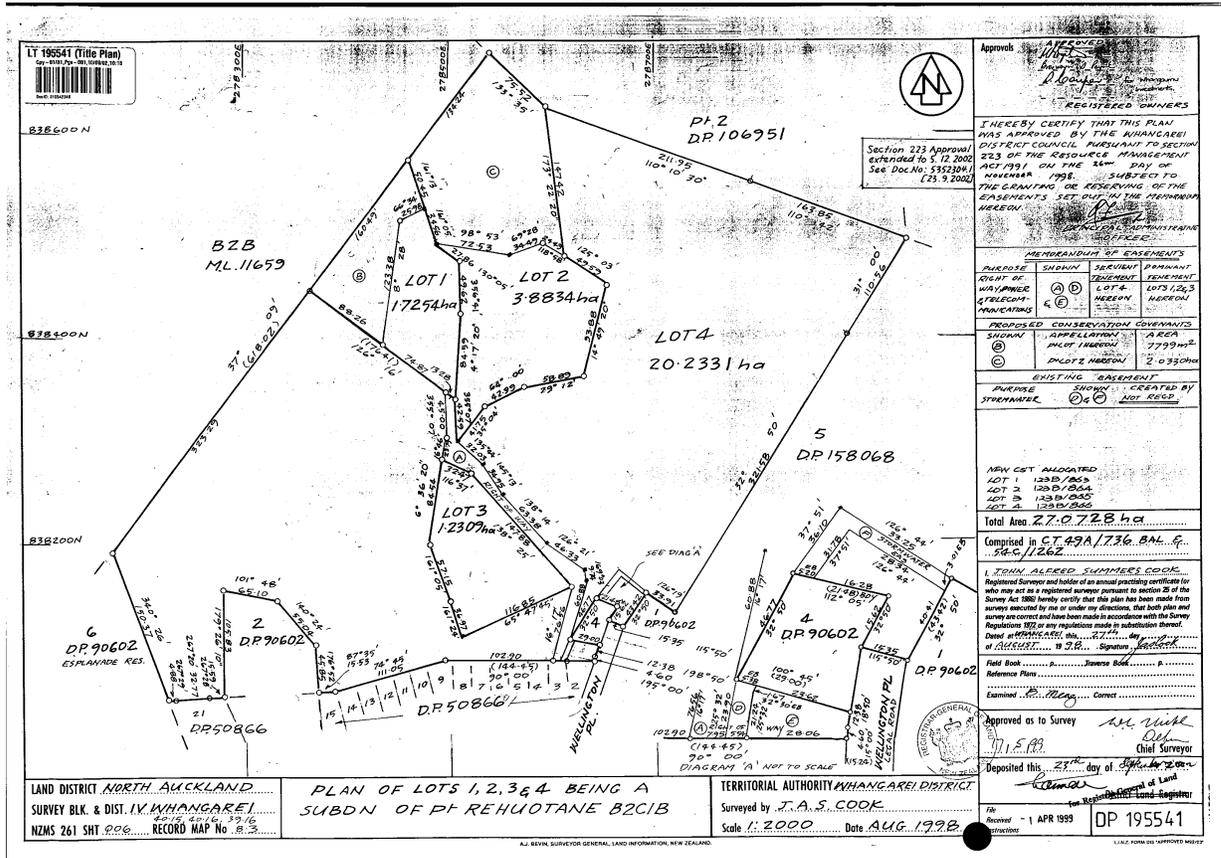
21 June 2017

Appendix A: Location of the Three Lots (yellow highlight)

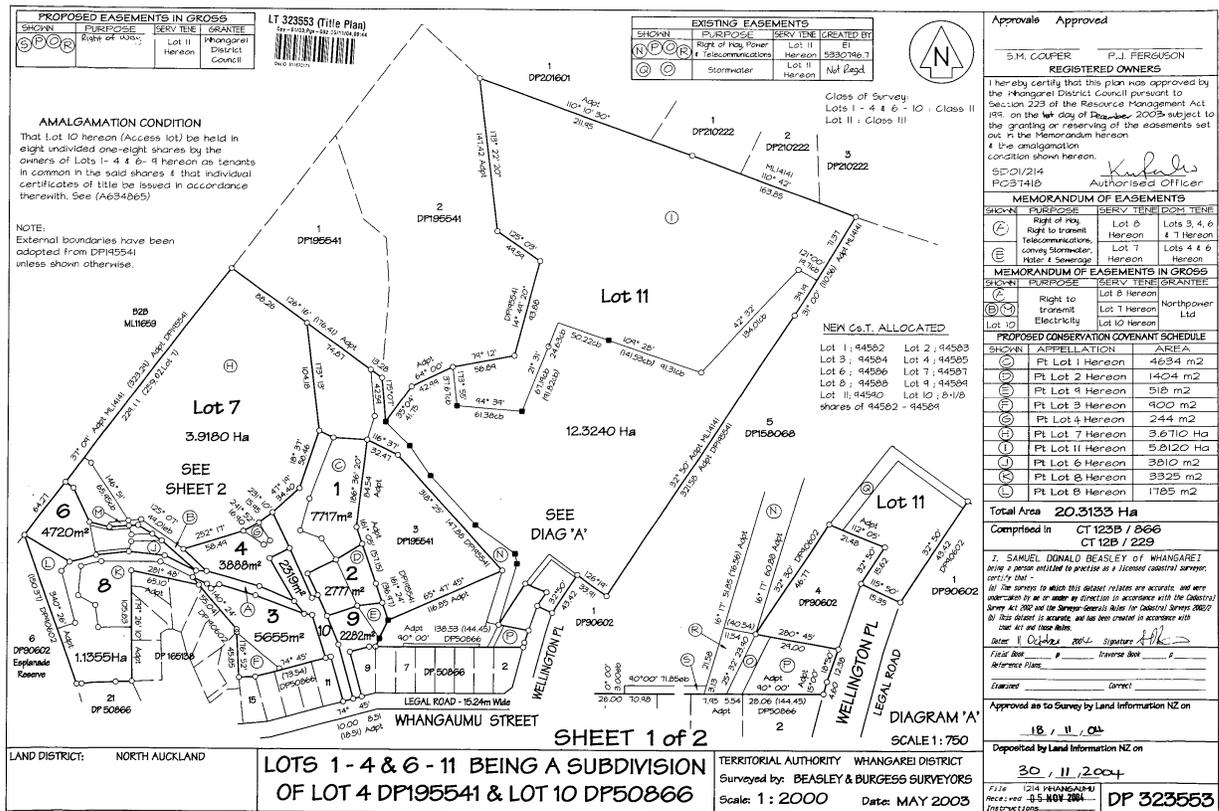


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Appendix B: Survey Plana Showing the Three Lots



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Appendix C: Aerial View of Wellington's Bay

