

My name is Kim Feickert

I am here today to speak to my submission 180. I am opposed to the proposed zoning change to R.P.E. in the area of upper Massey Road, including but not limited to Wairimu Way, Ruby Way, and Massey road itself.

I live in Wairimu Way off Massey Road.

1/The area I live has been repeatedly subdivided over the last decade and longer into lifestyle blocks with sweeping vistas. At no stage during this council approved and planned development has proper investment been made into infrastructure in the immediate area.

2 / Due to the amount of planned subdivision that has occurred (over 50 small lots) a rural production environment does not reflect the actual current and historical use of this area. It is an area with a cluster of lifestyle properties and as such should be classified as an Rural Living Environment.

The Council states that “ The R.P.E is mostly characterised by a WORKING environment with the noises associated with a wide range of farming, horticultural, forestry, and mineral extraction activities”

Upper Massey road has difficult topography, large covenanted areas, small lot size, very little grazing, and expansive sea views. In the evening when driving up the hill it lights up like a village with residents home for the evening. I am astounded that anyone let alone the WDC planning and policy department could consider this area now classifiable as a working farm.

3/The change of consent application I have sent in as evidence shows a 36 lot subdivision that was still “live” until Feb 2013.

On Page 1 under the heading “reasons for the decision” it shows that the council supported a “no stock covenant” this decision was signed off by a council planner and a team leader of consents and is on council letterhead. This shows that council is fully aware that upper Massey Road is Rural Living, how could they

possibly put it under the zoning of an RPE when in the very recent past it has consented to a subdivision yet again into many small lots, with large bush covenanted areas, and with a change of consent during the subdivision process to allow a further covenant on all lots that bans all livestock. How could this now be considered an area which is working farmland?

4/ During a discussion with a WDC planner, I was told that the Massey Road area does not meet criteria for an RLE due to the fact it is on a gravel road. The fact that Massey Road is unsealed has been a bone of contention for many years. There have been previous submissions to council regarding the road, and the wdc is very well aware of the historical issues with this road. My point here is that the council knows well that this is a steep, winding, difficult gravel road, and yet they have continued now to allow subdivision after subdivision all at the upper end of this 3klm (approx) stretch of road. At no time have the development contributions generated by these continual subdivisions been put back into infrastructure in the immediate area where extra pressure and use on existing infrastructure has been exerted.

The council just seems to take development contributions, increases its rating take, makes further money through the various departments during the consenting process, and puts more pressure on the road, all the while just sitting on its hands. To say that the upper Massey road area does not meet criteria for an RLE due to its gravel road, smacks of a council that is unwilling to resolve a problem of its own creation. It also shows that the council is not adhering to its core values of "customer first" "communication" "visionary leadership" or its mission of "creating the ultimate living environment" (see 2015 to 2025 LTP)

Regardless of changes in leadership and council members over the years, or policy that these changes have brought, the council needs to admit to itself that by trying to make the area of upper Massey Road fit into an RPE they are trying to fit a square peg in a round hole, its just nonsensical. By making a sweeping criteria of having to be on a sealed road, it seems quite obvious to me that council is trying to immunise itself from the future problems that unsealed roads near developed areas will most definitely create.

Also if you look at page 3 of the change of consent application you will note that the council as late as 2013 allowed a change of road covering, from a two coats of bitumen to “at least a gravel surface” Was this the council just doing whatever it could to help a developer complete so that development contributions would flood in, and the rate take would again increase.

5/ NEGATIVE IMPACTS

How your zoning negatively impacts me

By classifying the upper Massey road area as an RPE it will negatively affect me by making any further subdivision for myself or others impossible.

An RPE classification of upper Massey Road will in my opinion allow council to leave the road in a gravel state as long as it sees fit. This negatively affects me in the way of dust from the road, which in just one example will affect my health as my drinking water is collected from my roof.

To my knowledge the council has approximately 1000klms of gravel roads (or more) in its jurisdiction. It seems pretty obvious to me that sweeping zoning changes based around a gravel road criteria, is a bean counter/policy driven change to try and get obvious negative effects to ratepayers negated by legislating their way out of a large problem. Does this seem like an organisation that puts its customers first, is innovated and excellent in its process, is creating the ultimate living environment for its clients (the ratepayers) or one that is hurriedly inhouse legislating to cover off on any future liabilities (this in regard to the 1000klms or so of gravel road in WDC jurisdiction and dust nuisance health hazard)

6/what I would like to see happen

To resolve the negative impacts to me I would like the council to zone the upper Massey Road area as and RLE as it truly reflects the type of environment that

exists now and historically in this area. I would also like the council to accept responsibility for not investing in the infrastructure of the area while allowing continual development which has generated considerable funds. WDC needs to show some common sense and courage, put their hand up, own the problem they have allowed to occur and seal this road.

7/ Finally I would like to make some comment regarding this process here which I have been involved in for well over 12 months now.

I have found this an extremely difficult process to navigate as a layman, and as the councils core values include communication and customer first, I would like to state for the record that I feel they are failing miserably.

For example as a ratepayer I wasn't even aware of the upcoming zoning changes until a mail drop from a member of the public actually showed what was happening in my area and a neighbour gave me a copy...this was at a late stage in the process too.

Most people lead very busy lives today so if the council wants to engage in good communication with as many people as possible in open and honest discussion and get good input, I feel that the notification process must change. Possibly email notifications as well as postal and newspaper. Once this is done there needs to be council inhouse employees and website to offer simple explanations of what proposed changes mean, instead of having to wade thru documents trying to make comparisons to decide what actually is happening/changing.

The people living under WDC jurisdiction need the opportunity to be able to have their say thru the whole range of this process without having to hire a professional to navigate a system

From what I have seen of this process it seems to be based around ticking the appropriate boxes, so that the council can move forward in whatever manner they see fit, and make sweeping changes that will truly immunise them from decisions/or lack of decisions made in the past, that will almost certainly have large negative affects on them in the future.

It is my understanding that after this hearing the panel makes a recommendation to the council on my submission, then regardless of what is recommended, the council can make any decision it wants.

I cannot find anywhere the process which the council uses to measure my submission and make a judgement on it. This makes the process seem far from impartial at the very least and very concerning.

Again for the record, this does not show a council acting on its core values of “customer first”, “communication”, “visionary leadership” or any path toward “creating the ultimate living environment”

I have invested considerable time and money developing my lifestyle block over the years. I have done this NOT based on the premise that my property is a working farm, but as it is classified now and always has been classified, as a living environment.

A change of zoning at this stage of council approved development, to RPE is farcical, and purely for the benefit of council, not its customers the ratepayers.

The proposed reclassification of zoning is going to create a new class of properties. This would breach the existing contract with council for all property owners in a similar situation.

Remedy may well be available to this class.

One panel member stated that the panel was not convened to seal a road, he may have missed my point. The council has inextricably linked the road into this problem by making it a criteria requirement to meet RLE status, to suit its own purposes which I have alluded to earlier in this document. For that reason it had to be discussed.

If you look at the rules for an RPE, it is NOT a permitted activity to build within 100m of a gravel road, if you used that formula now there would hardly be any houses on Massey road at all today

Also when the panel visits my area as they have stated they will, please note that Ruby Way and half of Wairimu Way are sealed road as per council subdivisional requirement. Only half of Wairimu Way is sealed, this shows historical subdivision with different rules applied, the sealing occurring at a more recent time frame to now.

Is it possible to get a date from panel members as to **when they decided** to have a look at our area? For the record I would like to state I have not seen this much maintenance performed on Massey Road as what I have seen done in the last two weeks or so. Only the second time in nearly 10 years I have seen a heavy roller in use.

If the panel members are looking at this area on a Thursday or Friday, I would be pleased to meet with them.

Don't hesitate to contact me on 021925164

Regards

Kim Feickert

WHANGAREI DISTRICT COUNCIL

Forum North · Private Bag 9023 · Whangarei · New Zealand
Telephone: (09) 430 4200 · 0800 WHERE INFO · 0800 932 463 · Facsimile: (09) 438 7632
Website: <http://www.wdc.govt.nz> · E-mail: mailroom@wdc.govt.nz



Creating the ultimate living environment

Decision: Extension of Consent Lapsing Date *Section 125 of the Resource Management Act 1991*

IN THE MATTER of the Resource Management Act 1991

and

IN THE MATTER of an application under Section 125 of
the Resource Management Act 1991 by Maureen Fletcher

Application

Application to extend the lapsing date for the Resource Consent application RC39066 at Massey Road, Waipu (being legally described as Lot 20 DP 427097, Lot 99 DP 427097, Lot 11 DP 427097 and Allotment 132 Parish of Waipu) for a period of two years so that the consent now lapses on 10 February 2013.

Decision

The application was considered and determined under authority delegated to the Team Leader (Consents) of the Whangarei District Council, pursuant to Section 34 of the Resource Management Act 1991. The decision is that the resource consent (council reference: RC39066) now lapses on 10 February 2013.

Reasons for the Decision

The reasons for this decision are:

1. The applicant has demonstrated that the substantial progress has, and continues to be made towards giving effect to the consent. This has included the completion and certification of Stage 1A pursuant to sections 223 and 224(c) of the Act, and the variation to the original application to further break up staging to assist in financing the remainder of the subdivision.
2. No persons are likely to be adversely affected by the extension of the consent lapsing date;
3. The extension of the consent lapsing date to enable effect to be given to the consent will not be contrary to the relevant policies and objectives of the Operative District Plan.

Advice Note

Section 357 of the Resource Management Act 1991 provides a right of objection to this decision. Objection must be in writing, setting out the reasons for the objection, delivered to the Whangarei District Council within 15 working days after the decision has been notified to you. A fee may be payable to cover the costs of processing any objection.

Reporting Planner:

Lucy Deverall

Date: 18 February 2011

Team Leader (Consents):

Kelly Ryan

Date: 18th February 2011