

Another bay bites the dust

Major developments at a rural bay surrounded by protected natural landscapes are in train, raising concerns about whether council planning processes are safeguarding the coastline. Richard Jones investigates.

Once a quiet bay with few outward signs of civilisation, Woodside Bay, over the hill from Whakanewha Regional Park, is rapidly being transformed.

Three projects are mooted across the bay. Construction is underway on the first at 511 Gordons Road; a two block subdivision comprising a 590 square metre home and 570 sq m visitor facility, with a swimming pool, boatshed and five metre bridge connecting the two main buildings. Owner Fran Wyborn, whose partner Mark Wyborn is a director of one of the country's largest property investment firms Tramco, also has consent for a helipad.

Nearby, a unit title subdivision application at 421 Gordons Road by owner Steve Edwards, approved by council planners

last Friday, redraws some of the 4-hectare block's boundaries, allowing sections to be sold off individually. It also approves the construction, likely to be carried out by future owners, of two new visitor accommodation units.

The third and largest application is currently on hold while council planners await further information from applicants Cobus Scholtz, a partner with accountancy multinational Deloitte, and his wife Silmara. The couple seek permission to build a 475 sq m, four level home rising 6.6m above the ridgeline 2.6m above the permitted level. They are also seeking approval for six-visitor accommodation villas at 73 sq m each, 3m above the ridgeline, and permission for the build to cover

900 sq m of the site - 80 percent more than the 500 sq m limit. The couple did not wish to comment on the application.

"The proposed house is composed of four stepped levels," plans say. "This strategy has been adopted in order to design a building that fits well in the landscape and to minimise the impact of the building's facade when viewed from the surrounding area and coast line. The house hugs into the land creating a less dominant effect on the landscape."

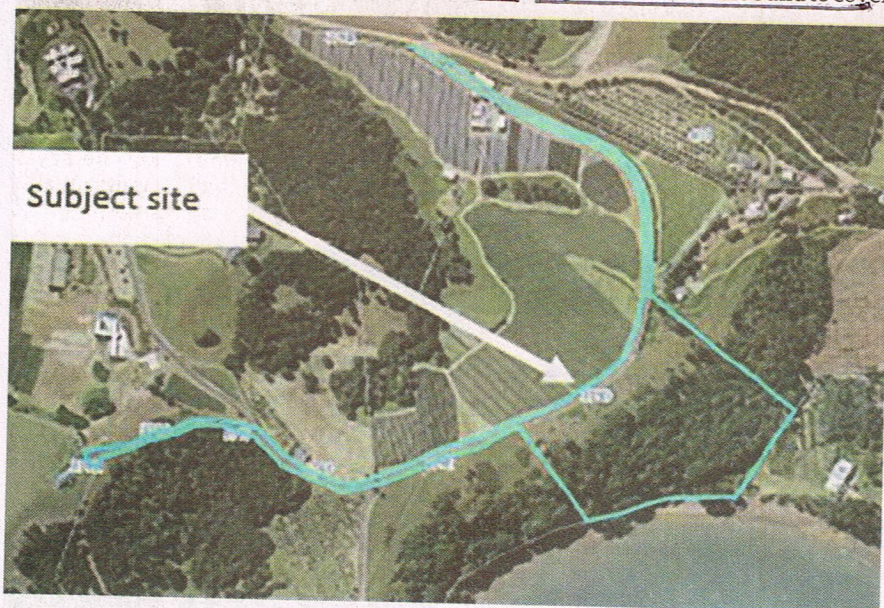
“ It is over-development, what we are talking at 421 is essentially a subdivision, but it's not being properly done. ”
- Neil Stephenson

If approved, construction will require 743sq m of earthworks, significantly more than the 400 sq m allowed by the Hauraki Gulf Islands District Plan. While most of the property is in an area defined in Auckland Council's Unitary Plan as having "high natural character" - which restricts development - the applicant claims the construction site's footprint lies outside the boundary of high character.

Plans also detail a proposed landscaping plan and planting schedule to minimise ecological damage, while a landscape report submitted with the application claims "adverse effects in terms of scale, form and dominance will be less than minor on the surrounding environment".

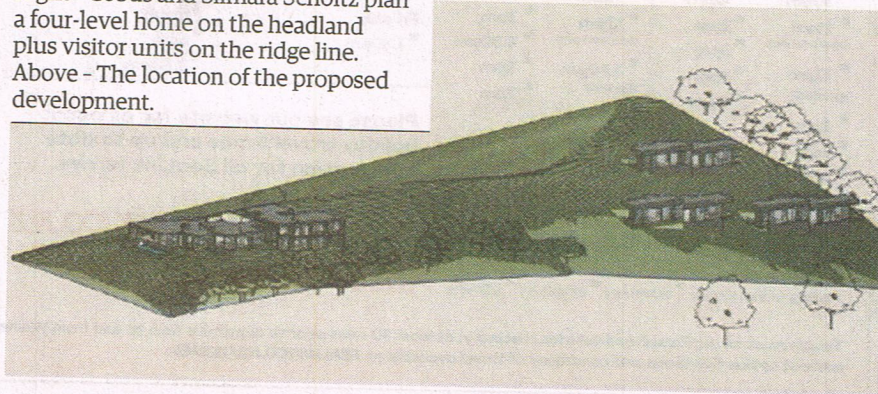
"Less than minor" is a key term in the resource management process. A council must publicly notify an application - allowing submissions from the public for or against - if it decides that the activity "will have or is likely to have adverse effects on the environment that are more than minor". But if the negative effects are considered less than minor, the public may get no say before diggers roll on to the site.

Woodside Bay resident Neil Stephenson



Subject site

Right - Cobus and Silmara Scholtz plan a four-level home on the headland plus visitor units on the ridge line. Above - The location of the proposed development.



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Fran and Mark Wyborn plan replanting on their beachside development.

Photo Geoff Cumming

manages a property situated in the centre of the bay for owners based in New York. His tiny cottage and the main house are largely surrounded by trees. He says he is frustrated at the little detail received so far on the planned seven-building development on the headland, which he calls a "mini motel". But he praises the "incredible efforts" Mrs Wyborn has gone to in order to reinstate and protect

native bush on her property to the east. Mrs Wyborn also preferred not to comment, "except that I will continue to plant more natives over the years and to engage in pest control".

Mr Stephenson's feelings on developments to the east and west, however, pale in comparison to his thoughts on the recently approved unit title subdivision to the north.

"It is over-development," he says. "What we are talking at 421 is essentially a subdivision, but it's not being properly done."

Unit title subdivisions differ from subdivisions in that they must include shared facilities. "My fear is that some of the new properties will be sold off and then there will be more subdivision," Mr Stephenson says, worried that the bay will soon turn

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into a "Butlins holiday camp".

No. 421 is zoned as "productive land", that is "predominantly pastoral", under the district plan, which has restrictions allowing the council to knock-back applications for visitor accommodation greater than 10 people, multiple dwellings, forestry and other activities.

The planning rulebook is supposed to avoid fears of largely unspoilt rural areas being repackaged.

For his part, Mr Edwards, who has no qualms with the in-limbo application for development number three west of the bay, does not see things the same way.

"I'm not anti development. Certain development is inevitable and is going to happen, and there are many economic benefits for the whole island," he says. "As long as it meets the council guidelines, I'm quite happy with development, because I know from experience that the council has a very rigorous process.

"I know that development does not happen easily".

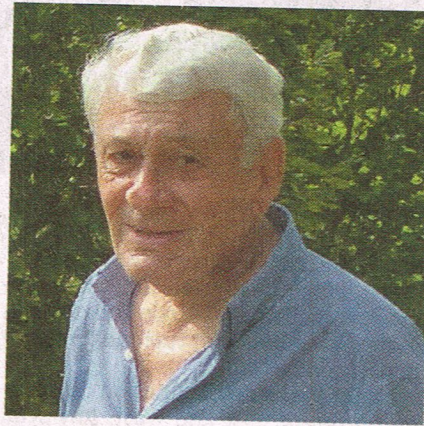
This is not the first time disagreement has flared in the once-sleepy bay. In September 2016, Mr Edwards was fined after carrying out more than 50 sq m of earthworks and building two small buildings without resource consent. "Following opposition from neighbours, Mr Edwards has recently withdrawn a resource consents application to use the 4.59 hectare property as a wedding and functions venue," *Gulf News* reported at the time.

The following year, local board chairman Paul Walden and ward councillor Mike Lee were "upset" when the council passed up a chance to create a 20-metre esplanade reserve when number 511 was subdivided ahead of construction.

Mr Walden said at the time: "We are experiencing more and more of our coastline being restricted from public access, such as Hooks Lane beach over recent weeks. This makes these decisions all the more important."

In March 2017, Mr Stephenson and Mr Edwards were again at odds when recently ploughed topsoil on the Edwards' property flowed downhill after heavy rain, "completely destroying our beautiful garden," according to Mr Stephenson.

Development at the bay encapsulates a wider debate across the island, where planning and consenting flashpoints seem to erupt with increasing regularity and intensity (look no further than Kennedy Point Boatharbour Ltd's marina application).



Neil Stephenson says he will continue to voice concerns.

"Nothing is open and transparent about what is happening," says Mr Stephenson, whose frustrations are more to do with process than with progress. He supports the Wyborn's development, for

example, which is significantly larger in scale than Mr Edwards'.

"I am not anti-development, but we have unelected council officers with enormous discretionary powers making vital

planning decisions. The application at number 421 should have been publicly notified and gone through a much more open, transparent process."

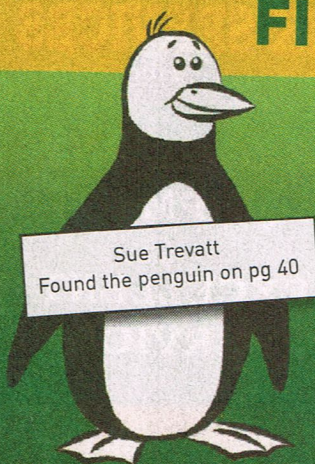
Again, Mr Edwards disagrees, saying he would oppose any increase in the number of applications publicly notified by council planners. "People tend to be anti-change, and I wouldn't like to see development stopped, or slowed down, or people incurring massive extra charges, simply because one person is opposed to something," he says.

"Of course there are going to be situations where major developments are really going to have an impact on the community and in those situations there is always the opportunity for public notification." But he says it "muddies the waters" if everyone can have a say on every development.

There will always likely be competing interests to muddy the proverbial waters. With neighbours litigating among themselves, and the council quoting plans and committee resolutions, others dive in too. NGOs, charities and the media are all part

"I'm not anti development. Certain development is inevitable and is going to happen, and there are many economic benefits for the whole island - Steve Edwards"

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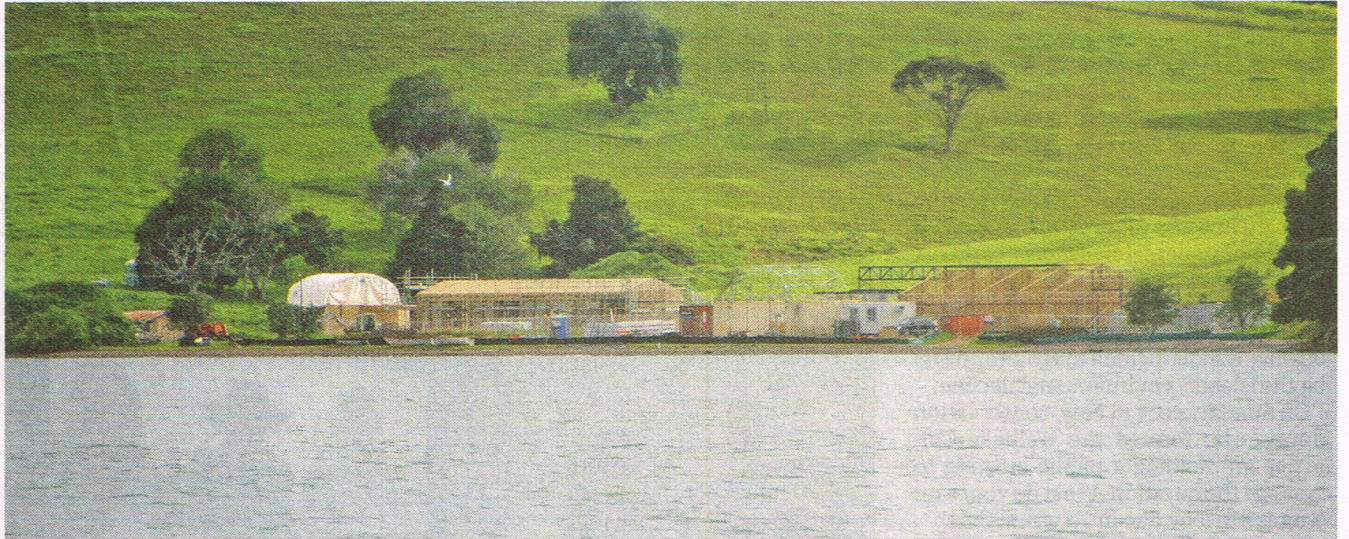


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The first of the developments has changed the appearance of the bay from the sea. Photo Merrie Hewetson

of the equation.

The Environmental Defence Society, in its *Caring For Our Coast* publication, offers some insights.

“There is a strong demand for sea views and proximity to beaches, which can result in houses extending along the coast and into the hills surrounding coastal settlements,” it says. “If poorly managed, the expansion of coastal settlements may have significant negative impacts on the coastal environment.

“Building extending on to ridges and headlands detracts from the natural setting which frames existing coastal settlements.”

“If poorly located and designed, lifestyle development can detract from the natural and wild character of the coast,” it continues.

“The cumulative effect of buildings dotted throughout the landscape can urbanise what was once a rural landscape.”

Back in the bay, Neil Stephenson has vowed to continue to voice concerns over development. He regularly receives detailed replies from his e-mails to council.

“As I have previously mentioned,” Auckland Council senior planner Josephine Orange wrote about the Edwards’ subdivision, “it is important to note the distinction between a unit title subdivision and a freehold subdivision. A unit title subdivision does not create new sites.” She underlined the last sentence for effect: “...therefore there is no increase in development potential of the site from this type of subdivision.”

Mr Stephenson’s verdict: “They have no idea. And I’m just one of a thousand people fighting these issues.” •

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