

Allie Dunn

From: Lara Blomfield <ljb@slw.co.nz>
Sent: Monday, 19 August 2019 5:23 PM
To: Allie Dunn
Subject: RE: Minute No. 1 Plan Change 51 Hearing
Attachments: LJB-156542-1-21-1 Evidence of Beau Maurice Final.pdf; LJB-156542-1-24-1 Beau Maurice Evidence Aerial Map.pdf; LJB-156542-1-25-1 Beau Maurice Evidence Future Subdivision Proposal.pdf

Importance: High

Hello Allie,

I act for Beau and Nan Maurice, who are to speak at 11am tomorrow morning.

In addition to my brief legal submissions I intend to call evidence from Brian Curtis (if the Panel waives the timeframe for the provision of his expert evidence) and Beau Maurice. I have sent Mr Curtis's evidence to you in a separate email.

My Maurice's evidence is now provided.

Regards

Lara Blomfield | **Partner**
Sainsbury Logan & Williams
Solicitors | Napier | New Zealand
P O Box 41 | DX MP70039
Direct dial (06) 833 7844
Ph (06) 835 3069, Fax (06) 835 6746



From 1 July 2018 new Anti-Money Laundering legislation requires us to hold more information about our clients. To find out more about this [click here](#).

From: Allie Dunn <Allie.Dunn@mdc.govt.nz>
Sent: Monday, 19 August 2019 4:33 PM
To: Lara Blomfield <ljb@slw.co.nz>
Subject: Minute No. 1 Plan Change 51 Hearing

Hi Lara

Here is the minute from the Chairperson for the Plan Change 51 Hearing.

Kind regards
Allie

| ALLIE DUNN | Governance Team Leader | Deputy Electoral Officer
| Manawatu District Council | Private Bag 10001 | Feilding 4743 |
| P: +64 (6) 323 0000 | M: 021 222 7793 | www.mdc.govt.nz |

"Our people delivering great service to our community."

This message may contain privileged and confidential information intended only for the use of the addressee(s) named above. If you are not an intended recipient of this message you are hereby notified that any use, dissemination, distribution or reproduction of this message is prohibited.

If you have received this message in error please notify the sender immediately and erase all copies of the message and attachments.

Any views expressed in this message are those of the individual sender and may not necessarily reflect the views of Manawatu District Council.

This email has been scrubbed for your protection by Barracuda Email Filter @ Advantage.

BEFORE THE HEARINGS PANEL

In the matter of the Resource Management Act
1991

And in the matter of Proposed Plan Change 51:
Growth Precinct 4 and New
District Plan and Structure

By Manawatu District Council

**Evidence of Beau Maurice
(Presented by Glenn Watson)
20 August 2019**

INTRODUCTION

- 1 My name is Glenn Watson. I am presenting this evidence of Mr Beau Maurice on his behalf. Mr Beau Maurice is a trustee of the Maurice Trust (**the Trust**) together with his wife Nan and Maurice Corporate Trustee Limited of which I, Glenn Watson, am a director.
- 2 The Trust owns the land at 6 Mahua Road, Feilding, having purchased it in 1994. Mr and Mrs Maurice live there and run about 30 cattle on the property.
- 3 Mr Maurice is a retired farmer. Over a period of 40 years he farmed land in Kimbolton (500 acres), Rongotea (200 acres), Kiwitea (600 acres), Bainesse (70 acres) and Kairanga (160 acres). They ran sheep, cattle and bulls on those properties, had cropping operations (including maize, wheat, barley, peas) and a pine forest (on the Bainesse property). They

have done just about every type of farming possible, other than dairy farming.

- 4 Based on his experience, Mr Maurice believes he can judge whether particular land is suitable in the long term for farming operations, and, more particularly, whether a farming operation will turn a profit.

Our history with the land

- 5 As said, the Trust purchased the farm in 1994. It then comprised about 65 acres (or 26 hectares).

- 6 At the time there were three letterboxes on Mahua Road. There are now 22, with the majority of the development occurring on the northern side of Mahua Road, directly opposite the Trust's land.

- 7 We have **attached** an aerial photograph to this evidence which shows the land purchased by the Trust. It shows the recently completed subdivision of the property into four lots. It also shows the subdivision and development which has occurred on the other side of Mahua Road over the last 10-15 years. The 5 acre lot on the side of Mahua Road (roughly opposite our Lot 1) has recently been subdivided into four lots.

- 8 The town of Feilding is located on the other side of State Highway 54 to the northwest of our property. The development occurring there is obviously residential in nature, whereas the development which has occurred across the Mahua Road is more accurately characterised as lifestyle or rural-residential.

- 9 We bought the land for its location. It is close to the town boundary and is away from any significant flooding. We knew at the time we purchased the property that in all likelihood it could not be used as an economic farming unit – largely because of its size (it is too small). We have run cattle on the land since we have owned it, but it is not a profitable exercise. Once all of the expenses associated with the property (including

rates) and the farming operation are taken into account, we are just breaking even.

- 10 Over the years we have seen significant rural residential development across the road from our property and we believed that this was the natural future for our land as well. That was possible because the District Council had zoned our land and other land on the outskirts of Feilding as the Feilding Locality Nodal Area (Appendix 5A of the District Plan).

Previous subdivision consent

- 11 We applied for and received consent from Manawatu District Council to subdivide our land into four lots. That subdivision consent has now been implemented. We have since sold Lot 4.
- 12 We have retained ownership of Lots 1, 2 and 3, which comprise 2.3947 hectares (5.9149 acres), 5.5832 hectares (13.79 acres) and 6.0173 hectares (14.86 acres) respectively.
- 13 All of those properties are within the Feilding Locality Nodal Zone. With that zoning in place, further subdivision of Lots 2 and 3 is possible. We **attach** to this evidence a plan showing a possible subdivision of Lots 2 and 3 into 14 lots, ranging in size from 5720 m² to 1.3 hectares. The site sizes shown on that plan reflects the pattern of rural residential development which has occurred on the other side of Mahua Road.

What we want, and why

- 14 Over the last ten years, there has been increasing demand for smaller lifestyle or rural residential blocks in rural areas close to town. That is evident from the amount of rural residential development that has occurred on the other side of Mahua Road over the last ten years or so.
- 15 The only way to increase the return on this land from farming is to change to more intensive farming such as raising dairy calves or free range poultry. Both of these activities are labour intensive and not

suitable for Mr and Mrs Maurice. That would be unwise on this land as the compliance costs of meeting the One Plan requirements and possibility of conflict with our rural residential neighbours.

- 16 We understand that it will be still possible to apply for subdivision consent for our property if the Feilding Locality Nodal Zone is removed. However, consent for the type of development contemplated for our land is a non-complying activity, and we understand that is the most difficult kind of consent to get (other than consent for a prohibited activity, which, as the name suggests, can never be granted).
- 17 That seems draconian to us. We would like to see the Feilding Locality Nodal Zone in Appendix 5A of the District Plan remain to enable the creation of blocks for rural-residential or lifestyle purposes.
- 18 We understand that Growth Precinct 4 is intended to cater for the increase in demand for residential land. Interestingly, the land affected by Growth Precinct 4 is high quality land of Class 1 and 2 soils. That land is of better quality than our land, but if the District Plan is altered in the manner proposed by the Council, it is our land that will be harder to subdivide and develop in the future.
- 19 Due to their age, Mr and Mrs Maurice wish to continue to farm the land for now with a view to downsizing with the sale of Lots 2 and 3 in the next year or so. However, in order for our land to hold its value, it would help to retain the more permissive regime for subdivision which applies to the Feilding Locality Nodal Zone.
- 20 The subdivision of our land into smaller rural residential lots would simply be an extension of the growth we have seen across the road from us and beyond over the last ten years.
- 21 This type of development would cater to a different market than will be served by the proposed rezoning of Growth Precinct 4. The land in Growth Precinct 4 will appeal to people who want to live in town on

smaller sections. In contrast, the proposed subdivision of our land would appeal to people who want to live in a rural area, enjoying that lifestyle, while also being close to town.

Summary

- 22 Mr Maurice has farmed since 1954. He knows whether any particular block of land can be used to farm for an economic return. This land is not a block of that type. That is certainly the case now that it has been subdivided into smaller blocks. The largest block remaining in our ownership is just over 6 hectares.
- 23 We have embraced the development and the rural residential growth around us. We understand why there is demand for rural-residential or lifestyle development in our area, for all the reasons that we enjoy our property.
- 24 The removal of the Feilding Locality Nodal Zone will make it significantly harder for us to get subdivision consent for the type of development shown on the plan attached to my evidence. We will see a huge loss in our asset's value.
- 25 We do not believe that the Council has given sufficient thought to the implications of removing the Feilding Locality Nodal Zone – except to say that it is no longer required. How does the Council know that? Has it considered the demand for rural-residential development in the areas close to town? How will this demand be met if land suitable for that purpose is zoned rural?
- 26 Thank you for giving me the time to express our concerns to you. Mr Maurice is happy to answer any questions that you might have.

Glenn Watson on behalf Beau Maurice

20 August 2019

Notes:

1. Horizontal Datum: New Zealand GD2000 (Nigeria Circuit).
2. Not all public and private services are necessarily shown on this plan.
3. The position and levels of services shown hereon (if any) are indicative only.
4. The position and levels of services shown hereon have not been surveyed. They are indicative only and sourced from the Manawatu District Council/Invercargill.
5. Services shown hereon are the position of all services prior to commencing works on site.
6. The aerial photograph and contours are sourced from the LINZ Data Service and is dated 2015/16. Aerial photographs are subject to various distortions and inaccuracies and should not be wholly relied upon.
7. Construction shall be in accordance with the Manawatu District Council Engineering Standards for Land Developments (Adopted 20 July 2017) and other applicable Standards, Specifications & Codes of Practice referred to by that document or these plans.

APPROVED

Manawatu District Council
M. Waite 25/10/18
 Wally Waite
 Land Development Engineer
 Infrastructure

Project Title

Beau & Nan Maurice
 Mahua Road
 Feilding

Drawing Title

Proposed Extension to Water Main & Service
 Connections to Lots 2 & 4 DP 511 616

Rev	Date	Amendment	By
A	19/04/18	Original	HW

Surveyed	C Wood	19/04/18	Approved for issue
Checked	C Wood	19/04/18	

Drawing Status
Overall Layout Plan

CAD File Name
 17-490-ED-A @ A3

Scale
 1:5,000

Drawing Number
17-490-ED-001

Rev
A

ADMIN:GGEOWORKS.CO.NZ WWW.GGEOWORKS.CO.NZ
 PO BOX 490 25 MACARTHUR STREET FEILDING
 06 324 03 09



Sheet 1 of 4

© COPYRIGHT: This drawing and its contents remain the property of Geoworks Ltd. Any reproduction, use or reproduction in part or in full is strictly prohibited. Before commencing work the contractor must ensure that this is the latest revision of the drawing.
 GWM 20051017 Geoworks17-490 Maurice - Mahua Road126 0617-490-ED-A.dwg, 19/04/2018 9:55:14 a.m.



