

First Name:

Warwick

Last Name: \*

Cheyne

Organisation:

On behalf of:

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Would you like to present your submission in person at a hearing?

 Yes I do NOT wish to speak in support of my submission and ask that the following submission be fully considered.

Additional requirements for hearing: maybe visual aids to show maps of property

### Consultation Document Submissions

Section C Rules &gt; Chapter 22: Rural Zone &gt; 22.2 Land Use Effects &gt; 22.2.3 Earthworks &gt; 22.2.3.3 Earthworks - Significant Natural Areas

 Support Oppose Neutral/Amend

Decision Requested

delete

#### Reason for Decision Requested

If I have an access track going through an area now proposed as an SNA - it will be problematic to maintain this track, which then becomes a Health and Safety issue. Under this proposal, if the track is approximately 3.5m wide, I will only be allowed to do maintenance on about 80m in length per year. The track is about 200m long. Therefore, does this mean I will have to do maintenance over a 3 year period?

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Section C Rules > Chapter 22: Rural Zone > 22.2 Land Use Effects > 22.2.3 Earthworks > 22.2.3.4 Earthworks – within Landscape and Natural Character Areas

- Support
- Oppose
- Neutral/Amend

#### Decision Requested

delete no wish to have this designation on my property

#### Reason for Decision Requested

A limit of 1000m<sup>2</sup> has been arbitrarily assigned as the annual limit for earthworks in a Hill Country Significant Amenity Landscape (SAL). Again this will be extremely problematic for track maintenance (17km approx.) where large areas of the farm (60%) are proposed to be designated as SAL. It is a health and safety issue and therefore renders my land incapable of reasonable use.

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Section C Rules > Chapter 22: Rural Zone > 22.2 Land Use Effects > 22.2.7 Indigenous vegetation clearance inside a Significant Natural Area

- Support
- Oppose
- Neutral/Amend

#### Decision Requested

delete

no wish to have this designation on my property

#### Reason for Decision Requested

There are a number of potential issues here. A total of 1000m<sup>2</sup> seems overly restrictive and could result in the land outside an SNA becoming incapable of reasonable use as persistent invasive weeds (such as Manuka, Totara, Tutu) encroach on my pasture. It is also not clear to me exactly what 'outside an SNA' means. Is it the whole farm or some defined area adjacent to the SNA? How can the Waikato District Council seek to place restrictions on what can be done on my land, beyond the specific SNA land they are interested in?

#### Attached Documents

File
Submission to proposed Waikato District plan WDCheyne
Proposed District Plan Notified July 2018

**To:**

Waikato District Council  
Private Bag 544  
Ngaruawahia 3742

**Name of submitter:** Warwick Cheyne, property number 1003679

This is a submission on the following proposed Waikato District Plan as at Wednesday 18 July 2018.

I cannot gain an advantage in trade competition through this submission.

The specific provisions of the proposal that my submission relates to are:

Submission to proposed Waikato District plan property number 1003679

Significant Amenity Landscapes      NO

Significant Natural Area              NO

Walkway/cycleway bridleway        NO

My submission is:

**Response**

I do not wish to have any encumbrances upon my property. I wish to have a free title on my property with all my entitlement's privileges.

I do not give my consent, agreement implied or otherwise. There is no willingness to participate in this farce until all benefits are made clear.

I have not come to any agreement over the proposed plan and its impact on my property, in fact after reading various articles around the country over SNA, SAL and their ilk, I have become quite alarmed.

If you wish to preserve native stands of timber you must get landowners to buy in. At the moment there is no benefit, only detriment.

**Options** should include the following on:

**Significant Natural Area**

**I seek the following decisions from the local authority:**

***Remove designations from my property until there are clear benefits to me in having these upon my property. The following are options which the council should have explored before putting the proposed plan at this stage.***

1. Petition the government using the local government association to restore tradable carbon credits on stands of native timber, 2 hectares or more. This would do more to preserve these stands than any threats and/or theft by zoning.

2. Transferable titles – I understand the council can issue these and that they have a value. There are 3 designations on my property:
  - a. SNA = 24ha
  - b. SAL = 200ha
  - c. Walk/cycle/etc = 2.67km

No less than one transferable title per ha of land taken would be reasonable to me. That way the titles could be sold off to provide capital to fence for the 'Healthy Rivers' proposal (by WRC), as this will be the only way that will ever get done.

3. 100% Rate Relief from those areas affected by designations.
4. Council be willing to lease the native stand of bush (SNA). Current lease is about \$150 -\$300 per hectare for pasture. To work out bush value, one would have to calculate how much it would cost to plant 1 hectare of a mixture of native species including tree types shrubs/ ferns/ and intermediate growth. Planting at 600mm spacing will cut down on weeds which may pop up. I calculated that it would take 27,556 plants/trees/shrubs/ferns to plant 1 hectare. Cost to buy and plant each plant is dependent on size (refer to council report TR201736, 4.2.4 & 4.2.5 (pages 12, 13) for the varieties). Average cost works out to approximately \$45.00 each. This comes to \$1,240,020.00. Who ever said bush is cheap? And I haven't even added the price of a hectare of land. We have an economic value of \$1.2 million and add, say, 99 years of growth.

Why use the word “**Significant**”? Does this word add value to my land?

According to Google definition supported by Collins and Webster and Oxford dictionaries:

“Significant” *adjective*

**sufficiently great or important to be worthy of attention; noteworthy**

"a significant increase in sales"

*synonyms:* notable, noteworthy, worthy of attention, remarkable, outstanding, important, of importance, of consequence, consequential

or

**having a particular meaning; indicative of something**

"in times of stress her dreams seemed to her especially significant"

But let's not stop there! According to page 32 of the TR201736:

**“6.1 Significant Natural Areas Inventory**

**Of the 71,312 ha (represented by the 698 sites) identified as SNA, 6,269 ha (2 sites) were ranked as “Internationally” significant, 32,166 ha (20 sites) as “Nationally” significant, 18,396 ha (87 sites) as “Regionally” significant and 14,480 ha (589 sites) as “Locally” significant (Table 10 and Figure 6).”**

We have 4 levels of significance, 4 different values, yet no numbers. Which categories does the SNA on my property fall under?

So before anyone can question the value of my bush, your own council staff have labelled it “significant”? This must mean that it won't be cheap, otherwise it wouldn't have been labelled as such.

I believe that a yearly lease of \$2400/ha would be fair. As the WRC report on hidden economies points out, regarding the value of forest:

(Ref: <https://www.waikatoregion.govt.nz/community/about-the-waikato-region/our-economy/the-hidden-economy/>)

However the document does not explain how the figures were calculated. If I use it to calculate number of plants, I come to about 5280 at 1.89m spacings, hardly native bush at all.

By leasing these stands of significant natural areas for, say, 99 years council will definitely show the wider community that they are serious about conservation. 75,000ha of potential SNAs @ \$2400/ha/yr, why, it's a snap \$180,000,000 per year. Preserving our native bush agreeably is more important than ..... Theft.

5. Another way of costing it out would be to divide the cost of planting the 1 hectare (\$1,240,000 by my calculations) by the length of a lease (99 years). This equals \$12,525/ha/year. This would definitely make me more agreeable to look at preserving native bush. With 75,000 ha this would only cost rate payers a mere \$939,375,000 per year.
6. In Britain they pay their farmers not to produce. However, the NZ economy does not have a population base with tax revenue to support this measure. But I am interested on the council's take on this and perhaps the central government stance on this.

Who actually ultimately benefits from this?

***Mr Boundy had not come back with any satisfactory answers at this stage 4/10/2018.***

#### *22.2.3.3 Earthworks - Significant Natural Areas*

*P1 (ii) The earthworks must not exceed 250m<sup>2</sup> in a single consecutive 12 month period.*

*(v) Areas exposed by earthworks are re-vegetated to achieve 80% ground cover within 6 months of the commencement of earthworks.*

If I have an access track going through an area now proposed as an SNA - it will be problematic to maintain this track, which then becomes a Health and Safety issue. Under this proposal, if the track is approximately 3.5m wide, I will only be allowed to do maintenance on about 80m in length per year. The track is about 200m long. Therefore, does this mean I will have to do maintenance over a 3 year period?

**I seek the following decision from the local authority:**

***Delete rule***

22.2.8 Indigenous vegetation clearance outside a Significant Natural Area.

P1 (a) Indigenous vegetation clearance outside a SNA ...must be for the following purposes...

(ii) Maintaining productive pasture through the removal of up to 1000m<sup>2</sup> per single consecutive 12 month period of Manuka and/or Kanuka that is more than 10m from any waterbody and less than 4m in height.

There are a number of potential issues here. A total of 1000m<sup>2</sup> seems overly restrictive and could result in the land outside an SNA becoming incapable of reasonable use as persistent invasive weeds (such as Manuka, Totara, Tutu) encroach on my pasture. It is also not clear to me exactly what "outside an SNA" means. Is it the whole farm or some defined area adjacent to the SNA? How can the Waikato District Council seek to place restrictions on what can be done on my land, **beyond the specific SNA land** they are interested in?

**I seek the following decision from the local authority:**

**Delete rule**

There is no benefit economically and I believe that this will cause undue financial hardship, particularly if the bank holding my mortgage believes the risk is too great and calls the mortgage in.

I still am amazed that this has reached this stage.

When a plan, objective, policy or rule is out to remove rights of ownership, or right of use as I see fit, or any potential use, then I consider this THEFT and will treat it as such.

I do not believe the NZ Government promotes theft. As far as I am able to find out, at short notice, it guarantees those rights under the Torrens system and under the Bill of Rights. If this is not the case then are we to take up arms to protect our property and our rights?

I am still uncertain who benefits from these designations?

If the council refuses to remove these designations on my property, thereby restricting the use of my property as a place of business, and potentially lowering its value, then a course of action through the NZ Police will ensue.

### **Significant Amenity Landscapes**

If over half the property is deemed SAL. After initial discussion with Mr Boundy regarding this, I was advised that I "could be" allowed to subdivide, if I were in agreement with the SAL on my property. However, with the current subdivision restrictions in place, this would make a mockery of any meaningful subdivision.

No further answers were forthcoming from Mr Boundy as of 4/10/2018.

Leasing these amenity landscapes to stop them from changing would also help protect them, as most of the farm is covered in this designation.

Again, we could refer to the regional council document <https://www.waikatoregion.govt.nz/community/about-the-waikato-region/our-economy/the-hidden-economy/> and propose a rate of \$2400/ha/year for the council to lease the SAL. Otherwise it will be removed from my property.

The rules around this are naïve and ill informed.

#### 22.2.3.4 Earthworks within Landscape or Natural Character areas

A limit of 1000m<sup>2</sup> has been arbitrarily assigned as the annual limit for earthworks in a Hill Country Significant Amenity Landscape (SAL). Again this will be extremely problematic for track maintenance (17km approx.) where large areas of the farm (60%) are proposed to be designated as SAL. It is a health and safety issue and therefore renders my land incapable of reasonable use.

**I seek the following decision from the local authority:**

***Delete rule***

#### **Walkway/cycleway bridleway**

I have not been provided with any or enough information regarding this proposal. Apart from a line drawn on a map there is no information at all. Apparently there are no rules associated with it either.

I suggest a Lease option of 99 years and/or transferable titles per km of track.

**I seek the following decision from the local authority:**

***Remove this from the property until proper consultation (actual face to face) and benefits have been discussed and terms agreed to.***

#### **General Comments**

The council appears to be penalising those farmers who, early on, decided to keep the bush on their property, rather than apply for a subsidy from the government to remove it, as has happened in the past. For years these patches of bush, deemed worthless by governments, stood as shelter for stock in rough and hot weather. They were also a source of firewood and, at times, the occasional tree was milled for sheds or house additions. These were the conservationist of the times as there was no benefit in having a stand of bush.

Along came carbon credits, which gave economic value for a stand of native bush. This would perhaps generate enough money to fence them off (for pest control) and provide an income that would not need much hard work. Alas, the Labour government at the time (2008) swiped those credits with not even a thank you. The National government did not reinstate them even though they were asked several times.

NZ is still an agriculturally based economy and the Waikato is a big part of that. There are those who prefer the safety and security of wages/salary as an employee, with relatively no risk. Then there are those who look at the land and see potential by utilising the land to provide an income and a lifestyle. There are risks, as in all businesses, in choosing the right use for the land in question. How to utilise the resource so it is beneficial to the landowner and his family, as well as to the land, so that with minimal inputs it will continue to produce a stable income and be around for future generations to have a go. This is also dependent on how intensive one wishes to be in terms of work required.

One could consider planting land into Forestry? However, having to wait 25 years or more to generate income after harvest doesn't provide much incentive. There is carbon credit trading, but that is risky in itself as to how widely it is perceived by the public as viable, or a scam.

Also there is the potential for environmental damage from storms, particularly during and after harvesting with pine heads clogging streams, culverts and floodgates and wider debris found on beaches such as has been seen in Opotiki.

When Government, whether central, regional, or district, interferes with the resource, by narrowing down the existing use rights (including potential uses ie. those which haven't been thought of, according to RMA) and decide that they know best, justifications are put forward in the form of reports that are barely believable, narrowly focused and often naïve in regard to economic considerations. I would call most of the reports I have read in the past month or so, triumphs of bureaucrats earning their salaries.

NZ History is littered with these decisions: possums, rabbits, stoats, magpies, arsenic sheep dipping, farm subsidies, allowing councils to value properties, deregulation of electricity and so on. It is little wonder there is very little respect for these august bodies.

For all the mumbo jumbo there is no mention of who or what will benefit from these proposals. It does not appear to benefit the landowner, whose income is dependent on utilising the land to its maximum economic potential. To affect economic potential and restrict income does not benefit the country. If no one is benefiting then why have all these rules and regulations? Who benefits?

It cannot be the Central Government. Surely income equals taxes? So restricting an agricultural economy is probably not the best idea.

It could not be Regional Council as their credibility for existence depends on a strong economy in the region, while balancing the environmental issues that are able to be affordable. If they become too pushy then calls for their disbandment come from all sectors.

It cannot be the District Council as this would cause their credibility to fall below that of a used car salesperson. If landowners are unable to produce an economic return due to over exuberant rules and suspicious zoning it could lead to staff cuts/ rate relief/ arts funding cuts, governance cuts. The list is endless.

It cannot be the banks as they have lent to farmers with the idea that they will be able to pay back by utilising the land they hold the mortgage on. If lending institutions become aware of anything which restricts their client's ability to pay then they may be forced to foreclose and this is not pretty. They may also find themselves with land that no one wants to buy because of the restrictions and encumbrances upon it. They would definitely not like to be left holding land which has become worthless and unable to produce an income.

1840 is a date bandied about in reports and tables but it does not mention why this date is important. No one was around and everything is based on estimates, which is handy, no one can claim otherwise and dispute them because no one was there. No one was around so the author estimated based on best guess on perceived ideals?

What is concerning is the lack of supervision of staff who produce this and at times it reads like fabricated fantasy often repeated. The questions not answered by any of the reports is the council planning to return us to this state of biodiversity utopia after a hundred seventy-eight years of development? No farms, no roads, no houses, no people, no urban, no environmental problems? There would be no need for councils either. If we start now we could achieve this in 100 years. None of the reports mentioned any benefit in returning to this 1840 biodiversity utopia.

GOD bless New Zealand.



**I wish to be heard in support of my submission.**

**If others make a similar submission, I would consider presenting a joint case with them at a hearing.**

Signature of submitter WD Cheyne

Date 6/10/2018

Telephone: 027 212 5522

Postal address: 60 Selwyn Road, RD 6, Christchurch 7676

Contact person: Warwick Cheyne

#### *Conclusion*

*...“As I see it may mean burning the bush down and clearing it as government and councils are not protecting anything except themselves, creating their own fiefdoms and self-congratulatory bodies. There appears to be no control over staff by councillors, this is entirely due to a lack of leadership, but due to insecurity of being in a position they do not fully understand. Given correct direction by strong leadership by elected representatives, economic and environmental outcomes would go hand in hand and not oppose each other.”... Anon. Letter to editor, NZ Herald, March 1998.*