

# PROPOSED WAIKATO REGIONAL PLAN CHANGE 1

## WAIKATO AND WAIPĀ RIVER CATCHMENTS



Submission form on publicly notified – Proposed Waikato Regional Plan Change 1 – Waikato and Waipā River Catchments.

Important: Save this PDF to your computer before answering. If you edit the original form from this webpage, your changes will not save. Please check or update your software to allow for editing. We recommend Acrobat Reader.

FORM 5 Clause 6 of First Schedule, Resource Management Act 1991

SNR Form	PC12616	COVER SHEET	
FOR OFFICE USE ONLY			
		Submission Number	
Entered		Initials	
File Ref		Sheet 1 of	

### SUBMISSIONS CAN BE

Mailed to	Chief Executive, 401 Grey Street, Private Bag 3038, Waikato Mail Centre, Hamilton 3240
Delivered to	Waikato Regional Council, 401 Grey Street, Hamilton East, Hamilton
Faxed to	(07) 859 0996 <i>Please Note: If you fax your submission, please post or deliver a copy to one of the above addresses</i>
Emailed to	healthyrivers@waikatoregion.govt.nz <i>Please Note: Submissions received by email must contain full contact details:</i>
Online at	www.waikatoregion.govt.nz/healthyrivers

**We need to receive your submission by 5pm, 8 March 2017.**

### YOUR NAME AND CONTACT DETAILS

Full name: Philip Norton and Michael Norton

Full address: C/- 333B Linwood Road, R.D.1 Papakura 2580

Email: philip.norton@ricecraig.co.nz

Phone: 027 247 2398 Fax: 09 295 1701

### ADDRESS FOR SERVICE OF SUBMITTER

Full name: Philip Norton and Michael Norton

Address for service of person making submission: 8-10 Queen Street, Papakura

Email: philip.norton@ricecraig.co.nz

Phone: 027 247 2398 Fax: 09 295 1701

### TRADE COMPETITION AND ADVERSE EFFECTS (check appropriate)

- I could /  could not gain an advantage in trade competition through this submission.
- I am /  am not directly affected by an effect of the subject matter of the submission that:
  - (a) adversely effects the environment, and
  - (b) does not relate to the trade competition or the effects of trade competition.

Delete entire paragraph if you could not gain an advantage in trade competition through this submission.



**PLEASE INDICATE BY TICKING THE RELEVANT BOX WHETHER YOU WISH TO BE HEARD IN SUPPORT OF YOUR SUBMISSION**

- I wish to speak at the hearing in support of my submissions.
- I do not wish to speak at the hearing in support of my submissions.

**JOINT SUBMISSIONS**

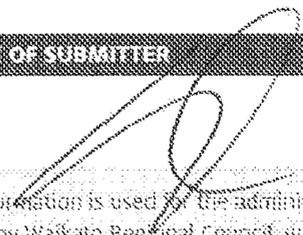
- If others make a similar submission, please tick this box if you will consider presenting a joint case with them at the hearing.

**IF YOU HAVE USED EXTRA SHEETS FOR THIS SUBMISSION PLEASE ATTACH THEM TO THIS FORM AND INDICATE BELOW**

- Yes, I have attached extra sheets.
- No, I have not attached extra sheets.

**SIGNATURE OF SUBMITTER**

Signature:



Date:

8 March 2017

Personal information is used for the administration of the submission process and will be made public. All information collected will be held by Waikato Regional Council, with submitters having the right to access and correct personal information.

PLEASE CHECK that you have provided all of the information requested and if you are having trouble filling out this form, phone Waikato Regional Council on 0800 800 461 for help.

**ADDITIONAL SHEET TO ASSIST IN MAKING A SUBMISSION**

Section number of the Plan Change: Rule 3.11.5.7 Non-Complying Activity Rule - Land Use Change

Do you support or oppose the provision?  Support  Oppose

Submission	Decision Sought
<p><i>State in summary the nature of your submission and the reasons for it.</i></p> <p><u>Amended here to</u></p>	<p><i>State clearly the decision and/or suggested changes you want Council to make on the provision.</i></p>

Section number of the Plan Change:

Do you support or oppose the provision?  Support  Oppose

Submission	Decision Sought
<p><i>State in summary the nature of your submission and the reasons for it.</i></p>	<p><i>State clearly the decision and/or suggested changes you want Council to make on the provision.</i></p>

**ADDITIONAL SHEET TO ASSIST IN MAKING A SUBMISSION**

Section number of the Plan Change:

Do you support or oppose the provision?

Support

Oppose

**Submission**

**Decision Sought**

*State in summary the nature of your submission and the reasons for it.*

*State clearly the decision and/or suggested changes you want Council to make on the provision.*

Section number of the Plan Change:

Do you support or oppose the provision?

Support

Oppose

**Submission**

**Decision Sought**

*State in summary the nature of your submission and the reasons for it.*

*State clearly the decision and/or suggested changes you want Council to make on the provision.*

We oppose Rule 3.11.5.7 Non-Complying Activity Rule – Land Use Change of Proposed Plan Change 1 on the following basis:

1. We believe that there should have been written communication to all landowners regarding Proposed Plan Change 1 well in advance of Rule 3.11.5.7 becoming operative. In our opinion, the communication with landowners leading up to this rule becoming operative on 22 October 2016 was very poor. We purchased a neighbouring property in September 2015 with settlement completed in June 2016. Prior to us purchasing the property and prior to settlement in June 2016, we had no knowledge of Proposed Plan Change 1 and in particular Rule 3.11.5.7. We are now restricted in our use of this property as a dairy farm going forward without obtaining a resource consent.

We are also restricted in our use of our other farm properties which have been held for many generations and which have been used for varying farming uses over the years. Rule 3.11.5.7 now prevents us from converting these other properties, which are currently in dry stock, into a working dairy farm in the future without obtaining a resource consent.

2. We believe that there should have been a lead in period prior to Rule 3.11.5.7 becoming operative. We would suggest a three year lead in period. With Rule 3.11.5.7 becoming operative on 22 October 2016, we had no opportunity to make any business decisions regarding the future use of and plans for our properties in light of Proposed Plan Change 1 and in particular Rule 3.11.5.7.

Furthermore it seems a nonsense that landowners are currently bound by Rule 3.11.5.7 yet this rule may be subject to modification or amendment by the Hearings Committee following the submissions and hearings process. This is extremely unfair for any landowner as they are in effect in limbo until the Hearings Committee releases its decision following the submissions and hearings process. Again they are hamstrung in making any business decisions regarding the use of their property in the interim.

We also believe that to have restrictions placed on property use with immediate effect, despite the uses of that property prior to 22 October 2016, is a gross breach of a person's property rights.

#### Conclusion

Whilst we support the Council's objectives in improving water quality, we do not support Rule 3.11.5.7 and the immediate implications that it has for our farm properties, both as landowners and as business owners.