

Dated 14 April 2021 (John Waller)

Thanks for allowing me to express one of the many effected rate payers by the new PDP and its consequences on personal lives

IN RELATION TO THE PDP

The PDP did not address or allow for :-

1. Public consultation as over 5% of landowners effected, closer to 25%. Immediate legal effect was not justifiable, fair on the ratepayers who the WDC are supposed to represent, many long term effected are still totally unaware of its effects on their future lives.
2. Future subdivisions into 10 acre blocks that are already surrounded by 10 acre block subdivisions.
3. Delayed lodgements due to Covid or effluent sign off delays etc that are not in the new plan or could not have been prevented due to Nation Wide lock downs.
4. Impacts on livelihoods and future use of existing land owners.
5. Multiple zoning and their random boundary lines around Rangiora.
6. Up to date variable use of 20Ha blocks
7. The 30 of us that the WDC did not process in time before the PDP release – I was under the impression we where under the old plans by our surveying company and that all Councillors voted this way so why did the WDC not do this or at least have a plan to address us caught up in years of battle.

Decision sought:-

1. The PDP be rejected in its current form
2. The maps regarding the two zones be deleted (GRZ and RLZ)
3. Rule added that those lodged and paid for before the PDP release be treated under the old rules
4. Subdivisions allowed into 10 acre blocks if already surrounded by them
5. Public and ratepayer comment allowed before any legal enforcement sought.
6. Those that are affected be direct contacted on a personal basis by the WDC

IN RELATION TO ME PERSONALLY

1. WDC inconsistencies:-

- COVID delays

- I had 2 months of COVID lockdowns delaying me getting my lodgement in earlier and approved - The WDC advised at a WDC meeting that no consideration would be given to me or others re this even though the Government said for landlords, business owners etc to all be understanding and make considerations due to COVID delays etc.

- Following the release of the PDP the WDC blamed delay after delay on COVID - where's the justice in this

- Effluent Buffer Zone sign off by neighbouring dairy farmer delays

- This delayed me 2 months (Why can the dairy farmers effectively hold land owners at ransom?)

- He had never done this for any of his / my other neighbours with their subdivisions till mine

- Why did the WDC never notify me of this - not on any legal documents forwarded to me, around 2005 when this was made?

- WDC advised me there were many inconsistencies that the WDC were trying to sort out

- Under the old rules if :-

- Lodged and paid for this was my impression from my Surveying company

- At a meeting at the WDC a councillor could not understand why 30 of us were stuck in this position as every councillor voted for us to be under the old rules if in before the PDP was released.

- There is no plan to address the 30 of us still stuck in this mess since 2021!!

2. Why has my surveying company and others walked away from this leaving a huge number like me in limbo when they are the largest or second to largest surveying company who deal with the WDC? Why can this communication breakdown happen between major parties leaving the rate payers out in the dark once again??

3. None of the people I know in this street over the last 30 years have made a living off their 50 acre blocks - they all had external jobs or non land related business located on site, as using purely as a base like I have done - this was the case with all my neighbours. The theory and practical do not match and as today this is now impossible due to sky rocketing WDC Rates, Insurances, Build and Land costs so their reports are now already so far out of date and are now meaningless.

4. My long list of people that I have dealt with at the WDC have lead to conflicting viewpoints, suggestions and still no answers, no plan and no dates for an outcome for the 30 of us ratepayers stuck in this dilemma - What is the WDC doing about this??

5. Why did the WDC not directly address this with every individual caught up in this- at the original council meeting it was said that there was 6 of us then I find out later that it is 30 of us with no outcome no date and no clear plan forward

- This has put all my financial decisions on hold since 2021
- Our financial retirement plan in question as my wife (Now X wife) retires this May 2024 - and we started planning this subdivision 3 years ago
- This has been very stressful and taken a huge toll on me and also contributed to our marriage falling apart - as years of stress and our 15 year retirement plan in question
- Endless sleepless night and no end or outcome to this injustice
- Why am I the only one here - because I found out by mistake so the WDC / Surveying companies have failed to keep those directly informed of dates that directly affect them?

My neighbours each side of me and across the road from me got in earlier and did not have the same rules applied to them and are now allowed to retire on their 10 acres and remain in their family homes - this is all we expected to be able to do as well. We would have never built our house and business worth millions on a 10 acre location if we were not allowed to what we thought was an automatic subdivision as all my neighbours have been able to do.

I can only conclude that the WDC has failed to represent and service their ratepayers on many of the above points.

Regards
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Following is an email to the WDC dated 4th Oct 2021 that supports the above

From: John Waller <johnwaller@scorch.co.nz>
Sent: Monday, 4 October 2021 9:16 PM

To: Matthew Bacon <matthew.bacon@wmk.govt.nz>

Subject: John Waller and consent (RC215504)

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Hi Matthew,

Our consent (RC215504) is currently sitting at the WDC for completion but it has now been halted by the new district plan release.

I was informed that if lodged before the new district plan release then under the prior existing plan – it appears not

I have a couple queries as below and a bit of history

I would appreciate your assistance in helping with a few things – I will work with Survus on getting an official response to the WDC by your requested date of the 15th October 2021.

Timeframes

1. In late Feb 2021 – (Via a Real-estate person) – she mentioned about the WDC possible changes and that they may effect us
2. 26/2/2021 Rang WDC and spoke to District Planning (Cameron Wood), Jutie Planner Anne and Roding Person (Raymond Qu) as we had a paper road through our place
 - a. Found out about Effluent Buffer Zone
 - i. We where never consulted about and never informed about this and I believe was introduced in about 2005
 - ii. Never put on any of our legal land documents such as title etc
 - iii. This gave our automatic right to subdivide and for dwellings to be on 10 acre blocks to our neighbouring Dairy farmer to decide to sign off or not for us then to be able to subdivide and dwellings to be build on our land (Even the Dairy farmer thought this was odd)
 - iv. We had no say in his effluent or even his recent installation of swing irrigators bordering our boundaries yet it appears he has a full say as to what we can do with our land.
 - v. Re the WDC new plan the WDC could not provide an exact date or even if it would affect us

vi. Confirmed that we had to get the approval from our neighbouring dairy farmer for our subdivision on a "Form 8A" and helped me with the required wording which was much appreciated.

3. 2/3/2021 Gave "Form 8A" to Dairy Farmer with draft plan – after numerous email follow ups
4. 30/3/2021 Dairy Farmer came back with (26 Day Delay)

"My solicitor advises as follows:

"You are being asked to sign a document that says that you have read the full application for resource consent, the Assessment of Environmental Effects, and viewed any site plans. Unless you have done those things, you cannot legally sign the document. I advise you not to sign anything at this stage."

5. 14/3/2021 Went out for quotes to subdivide
6. 13/4/2021 Employed Survus for subdivision
7. 6/8/2021 Received all required reports to send to Dairy Farmer
8. 9/8/2021 Send to Dairy Farmer for sign off – after numerous emails (AND COVID LOCKDOWN)
9. 7/9/2021 Dairy Farmer Approval but forgot to sign the plan that was requested by Survus
10. 9/9/2021 Signed required plan (31 Day Delay – TOTAL DELAY DUE TO DIARY FARMER SIGN OF - 57 DAYS OF DELAY)
11. 3/9/2021 Council Letter and Invoice for consent
12. 8/9/2021 WDC invoice payment made by ourselves (Survus conveyed that if in before the new ruling release than would be not subject to what may affect us)
13. 27/9/2021 Received letter in the post re WDC meeting of the night of the 27th (Already started) and on the 29th
14. 28/9/2021 Rang WDC and queried our application to find that they had sent a Letter to Andrew at Survus – Followed up –suggested I attend meeting on the 29th
15. 29/9/2021 September meeting with WDC at the town Hall (With Cameron Wood)
 - a. Questioned why I had to obtain our neighbouring dairy farmers consent / approval to proceed
 - i. No other neighbour had to do this since the Effluent Buffer Zone was introduced in 2005
 - ii. My Immediate neighbour did not do this and was unaware of this

iii. Many houses are in this zone neighbouring the dairy farm

iv. The Dairy farmer had not even heard of this and was unaware and had never done it for any of his other neighbours and thought it a bit odd that he could make a call on our land use.

v. This delay of 57 days has put me in this uncertainty as without this it would have been processed by the WDC

Cameron's answer was yes the WDC has some inconsistencies and they are trying to sort out

- b. Mentioned that we are in the old 50 acre blocks (ours 50 acres also had the extra that was left over from the old farm – making it 64 acres just over the 20Ha new ruling) now all neighbouring blocks have subdivided into 10 acre blocks – both sides and all across the road – we are the last ones. No one in our neighbourhood had ever been able to make them a sole business unit and all had other jobs like me.
- c. COVID LOCKDOWN – without this delay our consent should have been approved by the new release date – The Government and Prime Minister is asking for considerations for landlords, business owners etc.

Camerons answer - the WDC will not make any allowances for COVID lockdown periods

- d. My Wife and I have invested millions to build our new house and our farm related business, employing a number of family members and local people on less than 10 acres as we had an automatic right to subdivide off the remaining 10 acre blocks as our retirement plan. We had a concrete 10 year business case and concrete retirement plan - the bank also considered this subdivision as better than money in the bank. We spent millions on our business expansion plan 4 years ago which we obtained WDC consent for including a formed farm entrance and driveway that was also approved to be of standard for our future subdivision. Another expansion about 2 years ago was an off site plan with more warehouse facilities. This retirement subdivision plan would have provided us with an access of \$1.5M return to ensure we had no debt and a retirement plan that would enable us to remain on this family farm.

My wife now retires in less than 3 years with our retirement nest egg of access of \$1.5M that could now be removed by the WDC

Cameron explained that some people would be caught and when asked how many he said there were about 8 cases lodged before the WDC release of the new district plan. When I explained it was our understanding and Survus's that if

our consents where lodged before your release then would be OK - He said there was a misunderstanding - I told him that if Survus where one of the largest consultants dealing with the WDC how did this happen no real answer.

Asked if the WDC had any plans to compensate the removal of our rights costing us financial disadvantages Cameron said no.

We would never have planned the above if we knew that the WDC could have removed our retirement plan.

Cameron advised to see a Planning Consultant and there was a window of 2 years – I find this unacceptable leaving our whole financial retirement 1 year before my wife retires

At the end of the day my wife and I just want:-

1. To have had a process that others in the neighbourhood where subject to
2. Retire on our reduced farm block like both neighbours each side and the one across the road.
3. We want to remain in our family home and in our existing neighbourhood as we have spent many years here.

I am not sure what we could have done differently as I sourced expert advice and followed all the processes that where suggested to us. Now finding out that no other effected neighbours had to obtain the "Form 8A" costing us 57 days and also COVID lockdown our consent would have had plenty of time to have had it processed. Even with the above we still had it lodged in time we thought.

I appreciate your comments and your suggestions on the above to help us make a plan forward and lodge our response before the 15th October. Please email me or call on 03 3131415 or 0220637757

Thanks and regards
John Waller