

Mihiwaka Sheep and Beef Ltd
c/-Robert Chapman
41 Purakunui Road
RD 1
Port Chalmers 9081

20 December 2024

Dunedin City Council
districtplan@dcc.govt.nz
cc: Councillor Jim O'Malley, chair of the planning committee

To whom it may concern,

Late submission on Proposed Plan Change 1 (PPC1) to the District Plan

The Dunedin City Council (DCC) notified Proposed Plan Change 1 (PPC1) to the District Plan on Wednesday, 20 November and submissions closed on Wednesday, 18 December 2024. PPC1 proposed to:

“Add land to the 2GP Appendix A1.2 Schedule of Areas of Significant Biodiversity Value (ASBVs), either as new ASBVs or via extensions to existing ASBVs, where that land:

- is publicly owned, either by the Department of Conservation (DOC) or the Dunedin City Council (DCC); and*
- contains areas of significant indigenous vegetation and/or significant habitats of indigenous fauna that meet the ASBV criteria in Policy 2.2.3.2.*

The scope of the change does not include addition of privately owned land to the ASBV schedule.”

I own and farm land at 41 Purakanui Road and 33 Mihiwaka Station Road, and I lease land from the DCC at 214 Purakanui Road. This is a long-term lease for sections 27, 28, 29, 31 and 32, at a cost of \$16,617.48 per year, for the purpose of grazing sheep and cattle. I also pay the rates on this land which is currently \$2,924.22 annually.

PPC1 proposes to include two new ASBVs on the land I lease from DCC, being C177 and C178.

I was not consulted with, nor notified of, this proposal by DCC. This is despite the DCC being in contact with me regarding PPC1 and the scheduled trees on my land.

I found out about this proposal as the result of discussion with a DCC planner regarding the scheduled trees:

- On 27 November (within the submission period) I asked “*where can I get the map for SNA's/ASBV's. It looks like I am possibly getting 2 more (C177 & C178) on my council leasehold land and just need to clarify?*”
- Having received no response from the DCC planner, I followed up on 19 December.
- The DCC planner responded on 19 December (immediately after the submission period had closed), confirming that C177 and C178 were on my leasehold land, and further, “*that any form of **farming or grazing in these areas is a non-complying activity with immediate legal effect***”. They informed me the submission period had closed.

The DCC planner did not provide any advice on making a late submission.

However, I understand that the DCC has the discretion to accept or reject late submissions. As I am directly affected by this proposal, and the DCC has not consulted with me, nor advised me in a timely manner, **I would like to request that the DCC accept this as a late submission on PPC1.**

I confirm that I could not gain an advantage in trade competition for this submission.

I wish to be heard in support of this submission.

My submission

The specific provisions of the proposal that my submission relates to are NE7 – additions to the ASBV schedule on public land, A1.2 Schedule C177 and C178, and Rule 16.3.3(6) and (9).

I oppose the inclusion of C177 and C178 and Rule 16.3.3(6) and (9) for the following reasons:

Reasons for my submission

I lease the affected land from the DCC for the purpose of grazing sheep and cattle, and I pay rates on this land. I have not been consulted with, nor have I been directly informed of these changes on my leasehold land. Better communication on this would have gone a long way.

These changes affect my lease, and the ability to use that land for the purposes of the lease.

The scheduling and rules mean that farming or grazing in these areas is a non-complying activity with immediate legal effect.

C177 - in the last 4 years in a joint venture, 13.61 ha has been fenced off and planted in this area at a total cost of over \$160k, this encompasses most of this area but not all of it, and if I had been consulted I would have happily agreed for this area be

protected. However, due to how this piece of land is currently fenced means the loss of 37.49 ha of land which will currently support about 300-350 sheep. This is very expensive and time-consuming country to build fences on and also a lot of animals to find new homes for.

C178 - Most of this is encompassed in an 8.62 ha paddock which is only sporadically grazed, although does have a gorse problem which will become much more expensive to maintain without some stock grazing. Again, if I had been consulted, I may have agreed to retire this from stock, with provisions for gorse control and rent/rates relief. But from the look of the map the ASBV also includes an area of the adjacent paddock, which is a loss of 13.03 ha which at this time of year supports around 110 sheep and again this is expensive and time-consuming country to fence. Currently I am paying the DCC \$512.71 per month for these 2 titles (with additional rates as well) and would lose 21.65 ha of the 61.23 ha currently encompassed by these 2 sections.

Decision requested

That the DCC consider my lease with respect to the land affected by C177 and C178.

That the DCC withdraw C177 and C178 from PPC1 and undertake proper consultation with me as leaseholder.

That the DCC, should they pursue inclusion of C177 and C178, in full consultation with me, erect fences around C177 and C178 that enable me to continue farming and grazing of the balance of the land, and not be in breach of Rule 16.3.3(6) and (9). I note that this relief would not affect my rights to pursue other forms of action or compensation in terms of the effect of this proposal on my rights as leaseholder.

Yours sincerely

Robert Chapman
Mihiwaka Sheep and Beef Ltd