

BEFORE THE HEARING PANEL

IN THE MATTER of the Resource Management Act 1991

AND IN THE MATTER of Proposed Plan Change 5 to the Operative Hamilton City District Plan

Submission by Ian and Elaine Williams

ID and EM Williams Ltd

INTRODUCTION

1. My name is Ian David Williams. I grew up in Melville and spent a lot of my childhood playing in the gullies of the Melville/Peacocke area.
2. My wife (Elaine Margaret Williams) We own and live at 440 Peacockes Road, Hamilton
3. We own 8.28 ha of land which we bought in 2003. Approximately half our land is flat land which we are currently farming. The other half is a gully system and is part of the Mangakotukutuku stream catchment.
4. We are both founding members of the Mangakotukutuku Stream Care group, and Elaine is its current treasurer
5. From 2003 to just last month, we have systematically cleared, fenced, sprayed, and planted the whole gully area that we own. We have planted over 12 thousand trees, built over 300 m of tracks, trapped over 300 possums, caught over 500 rats and around 15 stoats/weasels. As a result, we have seen the dramatic rise in native fauna. Today the gully is the host for numerous tui, piwawaka, miromiro, ruru, silvereve, pheasants, quail, thrush, blackbirds and many other introduced bird species. From time to time, we even have kaka visit. Glow worms have returned as have copper skinks and weta. Since our gullies have been replanted, both spotted and giant kokopu have become common in the stream, along with tuna (both short and long finned) and koura.
6. Alongside our native plantings, we have planted 10 gum trees to provided habitat for bats while the larger native trees we have planted establish themselves. Initially we

felled many of the wilding pines on our property. However, once we discovered that there may be bats in our area, instead of felling pines, we have begun poisoning as this provides bat habitat in the short to medium term as they decay.

7. In summary, we are proud of what we have done and are absolutely committed to protecting and enhancing the new Peacockes area and the gully system in particular. If we had our time over again we wouldn't have done anything different.

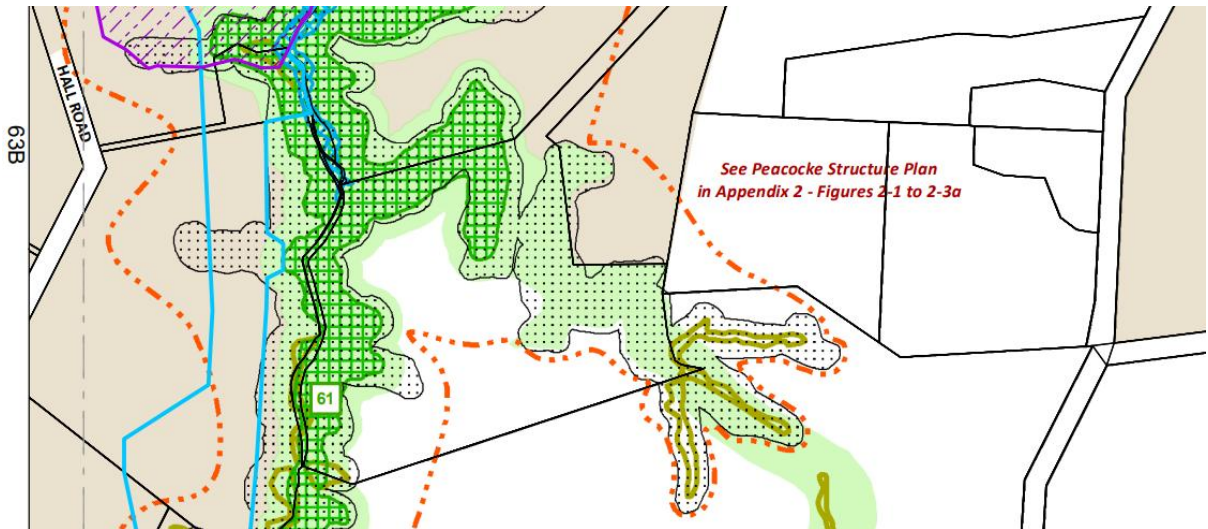
WE SUPPORT THE GENERAL DIRECTION OF THE PLAN CHANGE

8. Having grown up in Melville (Ian) and having lived in the Peacockes area for the last 19 years, we are excited about the next stage of development for the area. We hope that for many generations to come, the people who choose to live here will find it a place of peace and prosperity.

WE WISH TO SEE ADDRESSED

9. **The SNA and the adjoining 20m bat buffer zone.** As we state above, we have spent the last 19 years replanting and restoring our gullies. We did not plant with to enhance the value of our property, we did it because it was the right thing to do. There is no question we have done the right thing for the environment, for the community and for ourselves. We have created a place of real beauty. However, it would appear that from an economic or financial perspective, we have done the wrong thing. It seems that we are now being penalised for what we have done.
10. From Map 63B in Appendix 2 (See map below), it appears that a disproportionate amount of our land has been taken for a SBHA, largely as a result of the planting we have done. This is unfair. If the maps were to be drawn fairly, the SBHA would sit within the boundaries of our planted area. As it stands, the council will be taking the area we have planted plus extra unplanted area.

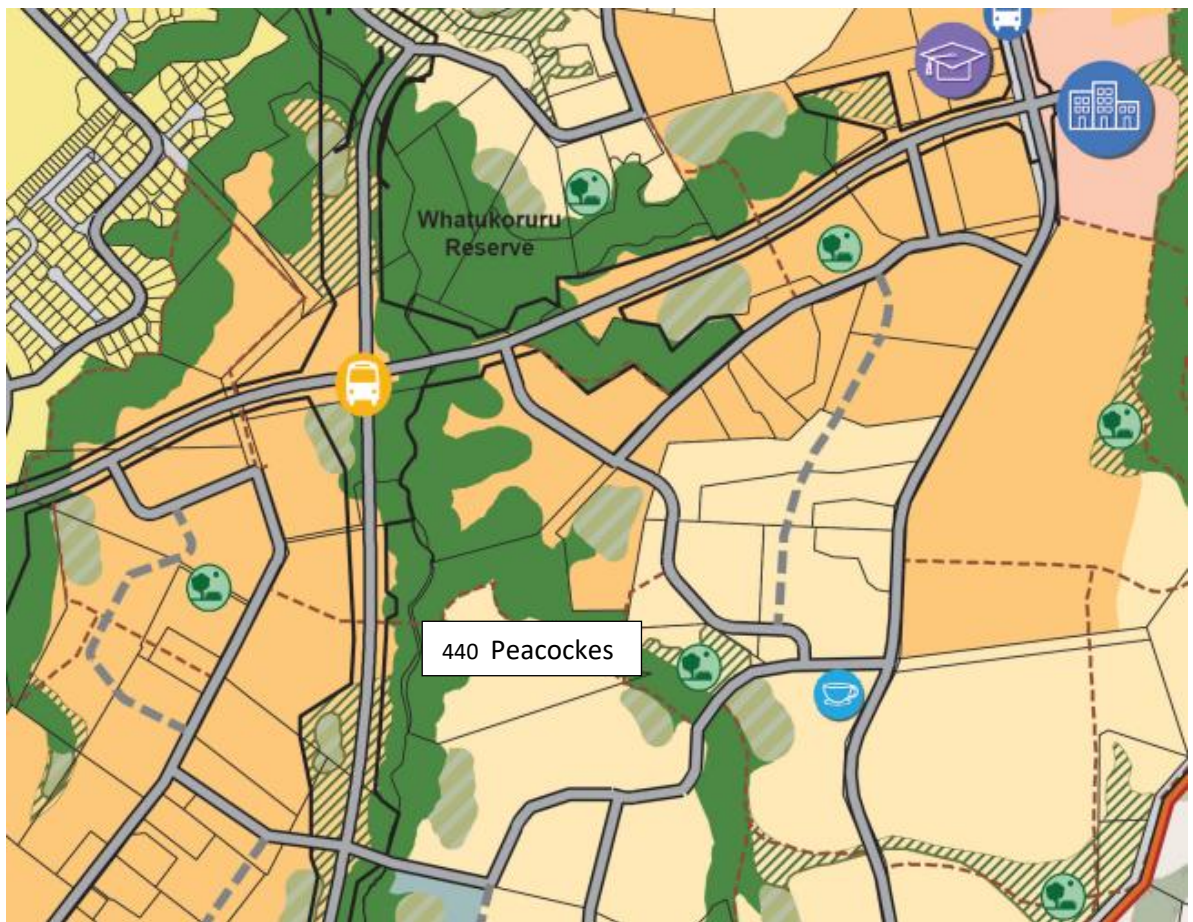
Map 63 B



11. It doesn't seem right to us that a 20m bat buffer zone effectively takes that land from private ownership. While we agree with the protection of bat habitat, the buffer zone under its current proposal is onerous. We propose that the 20m buffer zone remains as part of an individual section but with strict rules as to how this section can be used by the section owner. For example, no structure can be erected on it but it can be used for lawn or garden. It cannot be lit. Any outside lights from the house on that section can only be of a certain strength and be directed away from the buffer zone.
12. It doesn't seem right that land can effectively be taken with no compensation paid for that land. Under plan change 5, and as SNA, the gullies and the bat zones effectively become public land as the private landowner is restricted as to how that land is used. If land is taken under something like the public works act for the use of a road (i.e. a public good), the landowner is compensated for the taking of that property. In the case of SNA and the bat buffer zones, it is effectively a land grab without any compensation despite the fact that these areas have huge ecological and community benefits.
13. The current proposal acts as a huge disincentive for landowners in the future to do what we have done. Why would anyone in the future do what we have done if they are faced with the losses that we face? By penalising us for what we have done, the council effectively sends a signal to all future owners of SNA to not enhance their area until they are forced to. This is a perverse outcome.
14. We believe policy direction needs to recognise and incentivise landowners to do the right thing.
15. Because of the massive rise in our land value, we have now had an equally massive rise in rates, despite no increase in the addition of any extra amenities. We are being required to pay full rates on land that, under the current proposal, we have

effectively lost. This seems unjust. Under Plan Change 5, landowners of areas taken as SNA or SBHA should not be required to pay rates on this land.

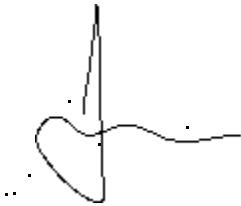
- 16. Rezoning of 440 Peacockes to high density.** The front strip of our land is currently designated high density. The land to the west of us along Hall Road and across the gully is also designated high density. Unlike some of the land currently designated high density, our land is flat and easily developed to accommodate more dwellings, unlike some of the areas currently designated high density. As it stands our property is less than 500m from the proposed transport hub.



- 17. Buying our property for a park at full market value/full government value (which ever is greater).** The planting has been done. The land is flat. Our property would make a great park and we would be happy to sell it to the council if they paid a far price for it. We never planted our property to enhance its commercial value. We planted it because it was the right thing to do.

18. We are asking that the council consider the following:

- a. Rethink the maps for SNA and SBHA to more fairly consider property boundaries
- b. Change the rules around the 20m buffer zone for those landowners like ourselves who have created and enhanced the SNA and bat habitat
- c. Rezone our property as high density OR buy our land at full market value/government value (whatever is greater) for a public park
- d. Remove the requirement to pay rates on the land taken as a SNA or a bat protection zone

A handwritten signature in black ink, appearing to read 'Ian Williams'. The signature is stylized, with a large, looped initial 'I' and a long, horizontal stroke extending to the right.

Ian Williams

3/10/2022