

**From:** Keith Taylor  
**To:** [Healthy Rivers](#)  
**Subject:** FW: Submission.  
**Date:** Thursday, 24 November 2016 12:02:28 p.m.

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Dear VJR Payne,  
Submission re proposed Plan Change 1.  
Villa Oaks Farm Ltd recently received a letter on 21 October 2016 – File No: 23 10 15.

Our submission, after reviewing the detail sent is as follows.

I understand that in the future if we wanted to use our land for Dairy farming we would have to obtain a resource Consent.

Are there going to be provisions for existing / prior use rights.

As background, we, as a family have milked cows on the property from when the family purchased it in 1967. It was dairy long before then.

Dairy cows were ceased in 2005.

In 2006 we started milking Dairy Goats. After bringing us in as a new supplier the Goat Co-op imposed a production cap on all suppliers in what was our first season.

We could not continue into a second season, which would have yielded a great deal more milk, with no option to supply it.

As a result we sold the animals and shares. We still have the infrastructure.

As a result of events outside our control will we retain existing use rights to run dairy farming, either cows or goats?

Further, and as a result of questioning valuations for rating purposes we have been told the valuation for our land is on best possible use, being dairy.

It, according to valuation dept, is up to us to decide if we do this. In the meantime best possible use, and therefore value apply.

Having to go through a resource consent process, which is not only expensive, but also not a given that it will be approved puts the valuation argument in doubt.

That land, if your changes take place can not be used as of right for dairy.

Will you be instructing the valuation dept to take this into account when setting valuations for rates. After all with a commercial property in an urban area the valuation is based on what the land is zoned for. On the other side of the road it may be a different zoning, and as a result a different value.

Effectively you may be zoning our land for NON DAIRY therefore it should be valued on what it can be used for as of right, not as of maybe if a consent could be obtained which would no doubt have many restrictions attached.

Now fold back into this the issue of existing use rights, if they were available, and recognised by the owner as being able / worthwhile taking up.

In some cases it may not be worth taking them up, in others it could if a neighbour wanted to buy a smaller block next door ( that had not been milked on for say 5 years – not uncommon ) to add to an existing dairy operation. Land had been dairy, been spelled, or cropped, back into dairy again. What will be the situation?

My overview, and Submission taking into account the background detailed above:

1. If land has been dairy, but is currently not being milked on, and is still

in the same ownership, it should retain existing use rights, if the owner wishes to 'accept' them.

2. If a resource consent is required to enable land to have its use changed to dairy, the land whilst not being used for dairy should be valued on the activity taking place on it,

rather than what MAY be able to happen on it. Best possible use category no longer applies from a rating perspective, because it can not be used for dairy without approval

therefore its value is relative to the state or category it is in, not what it potentially could be. If the owner obtained a resource consent for dairy on terms agreeable to all

ONLY THEN would it be possible to value it relative to dairy, ONLY at the time a resource consent was granted.

Submitter: Villa Oaks Farm Ltd.  
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All Communications K.R.Taylor, Director  
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Wish to be heard – Yes.

Many thanks,  
Regards Keith Taylor.

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