

# Submission on Notified Proposal for Plan, Change or Variation

Clause 6 of Schedule 1, Resource Management Act 1991

To: Timaru District Council

Name of submitter:

Kerry McArthur

[State full name]

This is a submission on the following proposed plan or on a change proposed to the following plan or on the following proposed variation to a proposed plan or on the following proposed variation to a change to an existing plan) (the 'proposal'):

Timaru District Council Proposed Plan 2022

[State the name of proposed or existing plan and (where applicable) change or variation].

I could could not\* gain an advantage in trade competition through this submission.

[\*Select one.]

I am/am not† directly affected by an effect of the subject matter of the submission that—

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

[\*Delete or strike through entire paragraph if you could not gain an advantage in trade competition through this submission.]

[†Select one.]

The specific provisions of the proposal that my submission relates to are: [Give details]

Land Use, SAMS, SNA, Future land use, Town Planning.

My submission is: [Include whether you support or oppose the specific provisions or wish to have them amended; and reasons for your views]

[If your submission relates to a proposed plan prepared or changed using the collaborative planning process, you must indicate the following:

- Where you consider that the proposed plan or change fails to give effect to a consensus position and therefore how it should be modified; or
- In the case that your submission addresses a point on which the collaborative group did not reach a consensus position, how that provision in the plan should be modified.]

- See Attach Document sent through earlier please.



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**I seek the following decision from the local authority:** *[Give precise details as this is the only part of your submission that will be summarised in the summary of decisions requested]*

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**I wish (or do not wish) † to be heard in support of my submission.**

*[\*In the case of a submission made on a proposed planning instrument that is subject to a streamlined planning process, you need only indicate whether you wish to be heard if the direction specifies that a hearing will be held.]*

*[†Select one.]*

**\*If others make a similar submission, I will consider presenting a joint case with them at a hearing.**

*[\*Delete if you would not consider presenting a joint case.]*

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**Signature of submitter (or person authorised to sign on behalf of submitter)**

*[A signature is not required if you make your submission by electronic means]*

Date 14<sup>th</sup> December, 2022

Electronic address for service of submitter: madcowcochie@gmail.com

Telephone: 03 693 9923

Postal address (or alternative method of service under s352 of the Act): 1052 Earle Road  
R D 25, Temuka

Contact person: *[name and designation, if applicable]* Kerry

**Note to person making submission**

1. If you are making a submission to the Environmental Protection Authority, you should use form 16B. If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.
2. Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):
  - It is frivolous or vexatious:
  - It discloses no reasonable or relevant case:
  - It would be an abuse of the hearing process to allow the submission (or the part) to be taken further:
  - It contains offensive language:
  - It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialist knowledge or skill to give expert advice on the matter.



# Submission on the Timaru District Council Proposed District Plan

**Submitter:** Kerry and James McArthur

**Contact Details:** 1052 Earl Road  
RD 25  
Temuka 7985

**Address for Service:** [madcowcockie@gmail.com](mailto:madcowcockie@gmail.com)

**Phone:** 036939923

**Date:** 15<sup>th</sup> December 2022

This is a submission on the Timaru District Council proposed plan.

We could not gain an advantage in trade competition through this submission.

We wish to be heard in support of our submission.

## **SUBMISSION**

1. We welcome the opportunity to submit on the Timaru District Council Proposed Plan. We are dairy farmers in the Temuka area. We have serious concerns about what is proposed in the Plan as it will impact our ability to farm. My husband and I have over 70 years farming experience between us and feel strongly that the increasing regulations and limitations on normal farming practices is going to impact the future of farming for our young people. The restrictions will impact our children's farming future
2. We farm 5 separate farm blocks in the Temuka area. The proposed Plan changes include Sites of Significance to Māori, zone changes, and Significant Natural Areas.

### **Sites of Significance to Māori**

3. The layer will affect the way we can farm my land economically. The rules are overprescribed and affect all aspects of how we undertake our farm operations. It is important that proper identification of these sites will allow areas of the farm that do not need categorized under the overlay will then not face further restrictions alongside the rural zone rules.
4. Earthworks are essential to the operations of our farm, the rules proposed by the council are too over prescriptive and create un-necessary regulation in areas that have been zoned as an SASM, that could have been accidentally zoned where there was no evidence that it is culturally significant to Māori. As a landowner we find it concerning that extend of which these areas have been mapped, without proper consultation from the council.
5. If we knew where these specific sites are on our land, we would like to develop a relationship with runanga in order to be able to protect the specific sites that are areas of significance whilst allowing normal farming activities to continue.

- 6.** Restricting the ability of being able to do earthworks on my land would make it difficult for us to provide for the wellbeing of stock and allow for sustainable development of our farm – it would also impede our ability to follow regional regulations. The proposed rules are too over-prescribed and need to be changed as sought in the Federated Farmers submission.
- 7.** Indigenous vegetation clearances are important to the renewal of land that is already been used for pasture or arable cropping. Clearances of indigenous vegetation should be permitted on land already been used for farming purposes. Farms should not have to face regulation that stifles economic development and the health of the land.
- 8.** We agree that in consultation with landowners, with correctly identified SASM's, there can be cultural events occur on private property, that would not erode or restrict property rights. Property owners would like to see relationships developed between us and the local runanga. We do not agree that the council should regulate or act as an intermediary.
- 9.** Farm quarries should be excluded from the restrictions and only be restricted in the general rural chapter of the proposed district plan.
- 10.** More information is needed for our land in order to be able to protect those areas of significance. We are unable to protect these areas if these are not properly pinpointed on our land. To create whole overlays over farms stifles farm development and creates economic deficits for our land.
- 11.** Intensively farms stock are already well managed in areas that are required. To create a discretionary rule in the chapter is overregulation in areas that have not been properly identified. Councils have in some cases had errors in mapping which have seen overlays incorrectly mapped.
- 12.** We support the protection of the rock arts as special cultural sites not found elsewhere in New Zealand. We support active working with iwi to protect these sites for future generations to enjoy, from stock. We would like to work with iwi on best practice for management of these sites on private property. We invite council to be part of this process as well.

13. We would suggest that before these restrictions are put in place, areas are identified and landowners and runanaga work together to protect these sites. The normal operations of a farm should be able to continue.
14. Restrictions of shelterbelts are seen as heavy-handed approach taken by council, without the consideration of implications these will on farm operations, especially the welfare of stock. We use them to create environments of shelter from conditions for stock and creating biosphere is essential to the health of crops and wildlife who use the shelterbelts as sanctuaries from the climate. This is huge unnecessary regulation on the rural sector. We support the Federated Farmers position on this.

### **Significant Natural Areas**

15. Many of our properties are impacted by SNA's. Some of these sites have been mapped previously and we were part of the consultation process. However, some sites are new, and we have not been consulted.
16. Some of the new sites include cabbage trees on the side of the road. We fail to see how a cabbage tree can qualify as "significant". The other issue with these roadside locations is the concern we have regarding whose responsibility is the SNA? Some of these roadside locations we have previously maintained and mowed – as a fire safety precaution. Now we are unclear whether that should continue. We are now reluctant to do that ourselves for the risk of damaging the "SNA". Fire risk is a serious concern and has implications for the wider community not to mention insurance risk.
17. Another concern for landowners is that the areas will expand and encroach on farming operations. We have farmed in the area for a long time and have made extensive efforts in terms of planting and maintaining areas of biodiversity on our properties. But where areas of SNA's encroach onto productive farm land it is restricting our ability to run our business.
18. Another risk here is also that the tree grows and starts to become a hazard with the over-head wires. Whose responsibility is it to manage the SNA when it becomes a hazard?

## **Public Access**

19. Public access across private property is only with the express permission of the landowner. Working farms have many hazards and stringent requirements regarding health and safety, and animal welfare considerations. Access to waterways on private land is only via direct engagement with the landowner.

## **Zone Change**

20. One of our properties is subject to a proposed zone change – FDA7 – Thompson Future. Direct engagement and consultation with the landowners should be a priority to ensure that future growth considers a water and sewer extension/upgrade because of proximity to existing amenities.

## **We request that Council**

21. The council must ask for more clarification from runanga on what and where the actual locations of these SASM's are that affect my property. This needs to be reported back to us. We cannot protect something if we don't know what it is.
22. The council needs to create space for ourselves and the ruanaga to create a relationship based on respect and outside the regulatory environment if we have something significant on our land.
23. The council needs to create space for re-evaluation of affected properties to be re-surveyed between landowner and runanga. This should be out of the public space which removes the ability for vandalism to occur. These sites need to be pinpointed, clear identification, not wide spreading overlays.
24. Rules must reflect the ability for land to develop in the future, and not to unduly constrain a landowner on their land and what operations they could develop in the future.
25. The council recognizes that farming is an ever-evolving sector and needs to be given the conditions in order to develop and create pathways for future sustainable development.
26. That the Council review the new SNA's in particular the ones on roadsides and provide clarity on long-term maintenance, hazard management, and responsibilities.

27. That council takes into recommendations put forward by Federated Farmers.