

# 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:

James Reese Hart

[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 Plan. Submission.

Lot 128 Rosewill Sett, Blk VIII Arahuenwa SD 403 Pleasant Point Highway R.O.5

Timaru.

[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]

Sched 12 - Schedule of Esplanade Provisions, walkways & cycleways  
Papaka Stream. Sub 5.8 in the event of a subdivision where an allotment of 4 ha or more is created a 5m esplanade or strip must be set aside 10m for less than 4 ha.

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.]

The proposed land change will result in the South East corner of the above property becoming "land locked" by the esplanade strip that follows the Papaka Stream. This will restrict access for normal farming activities and emergencies in times of flooding.

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]

The Papaka Stream is not suitable for a reserve or walkway. It floods frequently and is traversed by a number of boundary fences as it winds its way through intensive farmland. As mentioned previously, the creation of a reserve or walkway would pose difficulties for farm access, & become a safety issue in times of flooding.

I recommend that the reserve or walkway plan for the Papaka Stream be dropped.

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.]

R. Hart

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 6/12/2022

Electronic address for service of submitter: reesehart@farmside.co.nz

Telephone: 03 688 2484 037 290 6785

Postal address (or alternative method of service under s352 of the Act): 28 Breen Rd, Levels Rd-5, Timaru.

Contact person: [name and designation, if applicable] Reese Hart (owner)

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 Notified Proposal for Plan, Change or Variation

Clause 6 of Schedule 1, Resource Management Act 1991



To: Timaru District Council

Name of submitter:

James Reese Hart

[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 Plan Submission.

[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]

Palm Hills 318 Matthew Rd. R.D. 25 Temuka; ID 13386 Area 335.425 ha -  
Wahi Taaka SASM 7, Wahi Tapu SASM 9 Blk XV Opiki SO.  
Bat Protection  
Outstanding Natural Features - ONF - 2c  
Significant Natural Areas 191b, 192, 269a, 269c, 269b, 279a, 279b, 275, 191a.

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.]

Wahi Taaka is where Historical & Cultural values (of significance to Maori) have to be respected and maintained. The same also applies to Wahi Tapu (Rock Art Sites). The Hart family has grazed Palm Hills for the last 115 years, and during this time have taken good care, through respecting the values of Wahi Taaka and Wahi Tapu. We have protected the sites from over grazing, sprayed gorse, blackberry, broom & burdock, to prevent fire risk from these invasive weeds. We have also fenced some sites where necessary to prevent damage from livestock. We have allowed the O.E Trust to fence off some drawings to prevent damage from humans. We have refrained from earthworks & other modifications, which has resulted in the preservation of these sites in the good order that they are today. The Hart family have been good allies & guardians for Maoridom in looking after these sites for the last 115 years.

To place restrictions on our farming/grazing options after all the good work that we have done is not only an insult, but deeply devalisive. Any restrictions placed on our farming operations will reduce production, affect our lively hood, and reduce our property value as well. We will seek compensation if this occurs. Who will pay compensation - TDC? Who will maintain the areas if we are shut out? Will the TDC be able to claim rates on areas that we have been shut out of?

**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]

I ask the Timaru District Council to refrain from imposing restrictions on grazing properties that have wahi taonga values and wahi tapu sites. To impose restrictions would deprive farmers of their lively hoods and cause much division in the community.

Recognise that these sites still exist today, because land owners have looked after them.

Let's enhance goodwill by causing minimal disruption, and let common sense prevail!

**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.]

**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 ..... Reese Hart

Electronic address for service of submitter: reesehart@farmside.co.nz

Telephone: 03 688 2484

Postal address (or alternative method of service under s352 of the Act): 28 Green Rd, Levels R.D.5, Timaru 7975

Contact person: [name and designation, if applicable] Reese Hart (owner)

**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 Notified Proposal for Plan, Change or Variation

Clause 6 of Schedule 1, Resource Management Act 1991

To: Timaru District Council



Name of submitter:

James Reese Hart

[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 Plan Submission.

[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]

916 Main Waipahi Rd R.D. 25 Temuka.  
ID 13422 Area 102.618 ha. Legal Description LOT 1 DP  
SASM sites & areas of Significance SNAs & Bat Protection.

Wahi Taaka, Wahi Tapu, Wai Taaka, Bat Protection, SNAs

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.]

Our farm, Pigeon Cliffs has been well maintained with Wahi Taaka sites preserved in good condition. Mahika Kai is not appropriate for this farm, as apart from native bush & caves etc there is no where to gather or produce food because of normal farm grazing activity.

Wahi Taaka requires a consent for clearing native vegetation - no mention about noxious weed control of gorse broom blackberry & burdock which has taken place for many years. Does RMA & RTA mean non compliance of intensive livestock grazing?

Wahi Tapu - land based sacred sites will not be able to be planted for shelter or woodlots, may result in deterioration of the sacred sites through lack of shade - ie too much sun.

Wai Tapu & Waka Taaka & Waka Taaka lines may result in loss of winter grazing on the river flats below Pigeon Cliffs. SASM 16. This will seriously affect the management of Pigeon Cliffs and deprive us of some of our lively hood.

Outstanding Natural Areas (Pigeon Rock) & Significant Natural Areas

(Cliffs, Caves & Rocks) have all been well looked after by the Hart family & previous owners without restrictions. Bat protection areas exist some in old sheds on the property meaning that Bats have never been short of good habitat in this area.

**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]

Putting a ban on livestock grazing in restricted areas should be avoided in the new district plan. As current owners, we practice good animal husbandry, avoid over grazing, protect native bush, limestone, cliffs, caves, and Maori Cultural sites. We keep up with weed & pest control at our expense. Approx 3 weeks per year spraying, gorse, broom, blackberry & burdock. If we are forced to shut up areas of the farm, it will be hard to keep the above examples under control. I see these areas reverting to become overrun with gorse, blackberry, broom & burdock. The area will go from being clean and pristine to become an unsightly mess.

**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.]

R. Hart

**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** 7/12/2022

**Electronic address for service of submitter:** reesehart@farmsside.co.nz

**Telephone:** 03 688 2484

**Postal address (or alternative method of service under s352 of the Act):** 28 Breen Rd.

Levels R.D. 5, Timaru

**Contact person:** [name and designation, if applicable] Reese Hart (owner)

**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.