

31 JAN 2023

Form 5

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:

Kennell James Rose Esthè Tarant

[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'):

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

I ~~could~~ ^{can} ~~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.]~~

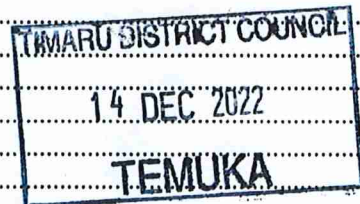
The specific provisions of the proposal that my submission relates to are: [Give details]

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.]

Submission - Attached.



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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.]*

[Signature]

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 *18. 14-12-22*

Electronic address for service of submitter:

Telephone: *03-6158994*

Postal address (or alternative method of service under s352 of the Act):
1 Cranck St Temuka

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

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.

My submission

1 Grant Street

Temuka

14/12/2022

Timaru District Council

Timaru Group Manager Environmental Services

Re SASM and SNA

Dear Mr Cooper,

We are writing regarding the blanket claim of the
Wahi Tupuna
Unique Identifier: SASM-4
Name: Waitarakao to Orari, inland to Seadown Road
and including Arowhenua and Temuka

This has been done without any personal direct consultation what so ever.

As Private land owners with land that is involved in the SASMS and also with existing AMF rights we have legal sovereign rights. Your letter dated 20th October 2022 informed us that submissions closed By definition in the Blacks law Dictionary any Act is a contract requiring agreement by both parties and we do not consent to this application of (SASM) on our property.

Under Contract Law full disclosure must be given in any contract, in this instance The local Runanga refuse to give information about the (SAMS) on the grounds that "it is not appropriate for the cultural heritage associated with the site to be questioned by those who do not have the expertise

or authority to comment" in regard to this or any property. This non-disclosure deems any contract null and void.

Furthermore in your letter dated 20th October 2022 it stated that certain rules in the Proposed District Plan now have mandatory immediate legal effect this includes rules in relation to water, air, soil (conservation), significant natural areas and historic heritage (including SASMs).

The Blacks Law Dictionary 10th edition states the legal definition of mandatory is demanding compliance (you need consent for compliance). A mandate is not a law.

So as you now understand we: ~~Leon Hillegers & Rebecca McMillan~~ *Leon Hillegers* 31/1/22 in our private capacity do not give consent to this process (SASM and SNA) and access to this Private Land by the Timaru District Council agents or any other Corporate authority is not given.

Yours faithfully

Kenneth and Rosalie Tarrant

Relief sought

Council must seek clarification from local Runanga for grounds for it to be classed as SAMS, with specific details of area's and exact basis of classification for considerations.

Council must seek legal precedent for classification and limitations of private land owners rights:

1. Legal precedent to limit private landowners right under rule of law
2. Runanga to hold public meeting to talk to as tangata whenua and how tikanga will impact the RMA process. Will they and local council fund RMA impacts if this impacts private land owners detrimentally.
3. No Private land owners has agreed to this process, it is not mandatory. Every affected party shall be consulted personally by council/runanga and a register held that is publicly available if both parties agree.
4. How will SAMS specifically impact RMA process outside of notifiable consents- land use / building consents /drainage/ pastoral types etc.