

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:

Peter and Stephanie McLullough
[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'):

SASMSNA
[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]

SASMSNA

abbr. T.D.C. = Timaru District Council

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.]

Please refer to our attached letter. How can a shelter belt that we planted with natives turn into a SNA? We do not consent to the proposed changes relating to our land.

The "consultation" was appalling with many people not realising that this proposed plan was going to affect them. We do not believe that the letter dated 20th October 2022 was adequate again with many people discarding this due to lack of information! The Runanga Report (30th June 2021) was extremely difficult to find in the Draft Plan and was not conducive to making an informed decision as the Runanga considered it important to withhold all relevant information regarding these Sites. When questioned at a recent

meeting regarding this the T.D.C employees advised the meeting that hierarchy knew the information. Why then was this kept in secret. The existence of this report was not mentioned either in the report or to the affected landowners with most people unaware of its importance in the decision making process. This means full disclosure was never given by the Timaru District Council.

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 withdrawal of Blanket SASM, SNA from our land

WITHOUT PREJUDICE Pursuant to UCC 1-308.

~~We~~ 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.]

: Stephanie and Peter: McLullough

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 14.12.22

Electronic address for service of submitter:

Telephone: 027 22 863 11

Postal address (or alternative method of service under s352 of the Act):

Contact person: [name and designation, if applicable] Stephanie

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.

94 John Talbot Road
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 Hae Hae Te Moana River and land beside it. This has been done without any consultation.

As Private land owners with land that is involved in the SASMs and also with existing AMF rights we have legal sovereign rights. Your generic letter dated 20th October 2022 informed us that submissions closed the 15th December 2022. We then wrote to you regarding this on the 02-11-2022 with no response to our question.

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.

Our Family have farmed this private property for over 150 years and have a strong spiritual and physical connection to this land. Our forbears and ourselves have nurtured this land and wish to continue with this guardianship for the future generations. We find it hard to see how by attempting to usurp our ownership and restrict our activities on land that we have worked to maintain is fair and equitable (Blacks Law dictionary 2nd edition **Just, fair, and right, in consideration of the facts and circumstances of the individual case**) .We now also are uncertain that shelter belts planted under our care with natives and cabbage trees may be designated as an SNA in the next ten year plan – meeting with Federated Farmers T.D.C not able to confirm that this would not happen in writing.

Under Contract Law full disclosure must be given in any contract. In this instance with regard to the recent TDC letter dated the 20-10-22 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 in The Timaru District Council Catchment that have SASM's, SNA's imposed on them. 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). Does this mean that the Timaru District Council now wishes to be a conservator of our land and the areas claimed under the SNA's, SASM's and significant wetlands?

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 : Peter and Stephanie: McCullough . 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

Ⓜ Peter and Stephanie of the house of McCullough . v . c .

WITHOUT PREJUDICE
Pursuant to UCC 1-308