

Submission on Proposed Timaru District Plan - He Po. He Ao. Ka Awatea.

Form 5 Submission on publically notified proposal for policy statement or plan, change or variation

Clause 6 of Schedule 1, Resource Management Act 1991

To: Timaru District Council - Planning Unit

Date received: 15/12/2022

Submission Reference Number #:63

This is a submission on the following proposed plan (the **proposal**): Proposed Timaru District Plan - He Po. He Ao. Ka Awatea.

Submitter:

Wendy and James Smith

Address for service:

167 Rocky Hundreds Rd Fairview 7972
New Zealand

Email: wendysmith.timaru@gmail.com

I wish to be heard: No

I am willing to present a joint case: No

Could you gain an advantage in trade competition in making this submission?

- **N/A**

Are you 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

- **Yes**

Submission points

Point 63.1

Section: SASM – Sites and Areas of Significance to Maori

Sentiment: Oppose

Submission:

SASM feedback

Submission on the Sites and Area of Significance to Maori

Introduction:

Thank you for the letter informing us that our property is apparently identified as a S.A.S.M. Sites and Areas of Significance to Maori

TDC's advice is "Most land use changes that require a resource consent due to a SASM rule being triggered will also require a resource consent under other provisions within the District Plan due to additional rules being triggered."

The Freehold land that we purchased over 30 + years ago had no such rules and the new rules have implications for both the value of the property and on work that we may wish to carry out and may have greater consequences in time. Inadequate consultation has taken place with us prior to these rules being put in place and yet it would appear significant consultation has taken place with mana whenua.

Hence it is challenged that our property should not be identified under the SASM rulings from basic desk research and with no consultation with us as the land owners.

We seek your advice on what is the specific area of significance?

Why is this of significance to Maori and what in particular is important?

How has this land in the past been significant to Maori?

What are Maori looking to protect?

As current freehold owners of this land and guardians of this land why are we not able to protect this?

We appreciate and understand the desire to protect and identify any areas with specific Maori cultural or spiritual significance and those that carry deep levels of meaning and association for mana whenua such as burial sites and rock art and these need protection. However, we challenge that our dry ditch at the back of our property holds very little if any significance and was perhaps drawn on the map from desk research as a possible feeder into Salt Water Creek.

Any loss in value of our land or costs for any future developments should now be carried by the parties that wish to overlay these rules namely the Timaru District Council, mana whenua and the government.

The Wai taoka criteria should not be assumed. *"These are waterway-based places that are treasured due to their intrinsic values and critical role in sustaining life and providing for needs of present and future generations. Examples include repo raupō, wai puna and mahika kai. It is proposed that consent is required for earthworks, buildings and structures, plantation forestry, mining and quarrying and intensively farmed stock within these areas; and there are controls on indigenous vegetation clearance. "*

We have no waterways through our property and no physical assessment has taken place to determine this. Our land is not a key part of any water way and does not play a critical role in sustaining life and providing for the needs of present or future generations.

Timaru District Council advises the following:

"The methodology of identifying the site are explained in section 4.1 of the SASM report https://www.timaru.govt.nz/_data/assets/pdf_file/0004/677263/AECL-2020-Report-on-sites-and-areas-of-significance-to-Maori.pdf. The study was completed in 2020.

Having sites identified as SASM doesn't give people access rights to SASM under the RMA other than provided for authorised Council officers to access the site to check compliance with the District Plan.

The numbering in the schedule of the report doesn't match exactly with the schedule in the PDP as they've been tidied up post the report to align with, but the name/location would match in these documents. For SASM-12, it is recorded on page 45 of the report with no site ID ID given." Megan Geng TDC Team Leader Policy

If the study was completed in 2020 and these rules have now come into play, then advice by letter a few months ago clearly demonstrates insufficient and in appropriate consultation. Advising that this information was available to people in the complex and extremely detailed documentation released by the TDC is insufficient.

It is understood approximately 4,000 land owners are impacted by new SASM rules and range from a strip of land along a fence line or larger areas. I'm sure for many as for us our Freehold land purchased by us also holds deep levels of meaning for us and any changes to rules and purchase rights should not be made in this way.

We request a formal response on our queries and do not accept the criteria placed upon our property.

Relief sought

We wish for the SASM criteria to be removed from our land and respectfully ask that appropriate consultation is carried out between all the parties. In this way a genuine understanding and respect can be achieved by all concerned.

We request a formal response to this matter.