

**BEFORE INDEPENDANT HEARING COMMISSIONERS
APPOINTED BY THE TIMARU DISTRICT COUNCIL**

UNDER: the Resource Management Act 1991

IN THE MATTER OF: Submissions and further submissions
in relation to the Timaru Proposed
District Plan

**SUMMARY OF EVIDENCE OF JAMES REESE (REESE) HART
ON BEHALF OF WESTGARTH, CHAPMAN, BLACKLER ET AL
(SUBMITTER NOS. 149 AND 200)**

HEARING STREAM E2: CULTURAL VALUES

Dated: 11 February 2025

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SUMMARY OF EVIDENCE

1. My family own three farming properties in the Waitohi area, which are each subject to proposed SASM. We have been farming in the Waitohi area for over 100 years.
2. I first became aware of the Timaru District Council's (**TDC's**) proposals for managing activities within Sites and Areas of Significance to Māori (**SASM**) after the Proposed Timaru District Plan (**Proposed Plan**) was publicly notified. Given the significant implications of those proposals for landowners and their farming businesses, I instigated the formation a group of our neighbouring farmers who were affected by TDC's proposals to varying degrees, the Limestone Group.
3. To more fully understand the implications of the TDC's proposals for landowners, their existing and future farming activities and farming businesses, I met with TDC planning staff. I also arranged meetings between members of the Group, the Mayor and James Meager to discuss the Group's concerns about TDC's proposals. In late 2024, members of the Group also met with the TDC's planning manager, Aaron Hakkaart, to discuss TDC's response to the Group's submissions and concerns, and Mr Hakkaart visited three farming properties following that meeting.
4. As custodians of the SASM on our properties, our primary concern as a group was the process taken by TDC in identifying SASM and the overlay boundary mapping for inclusion in the Proposed Plan in particular, but also how the rules to manage the effects of activities on SASM has been developed. We considered the process should have involved consultation and engagement with us as custodians of SASM and landowners affected by the TDC's proposals, and that the SASM overlay boundaries be based on what is actually required to protect those sites from the effects of activities, rather than the "one size fits all" approach that appears to have been adopted.
5. We were, and continue to be, also concerned about:
 - (a) The TDC's heavy reliance on advice from cultural consultants in that process and the conflict of interest arising from fee expectations to complete consultation and engagement in resource

consenting processes under the Proposed Plan with cultural consultants who had authored the Proposed Plan's SASM provisions.

- (b) The inconsistencies between the TDC's proposals and other existing regulations protecting sites of cultural significance to Māori.
 - (c) The practical realities of existing use rights, including the difficulties that farmers will encounter when changing land use.
 - (d) A lack of evidence to support the extensive SASM buffer area.
 - (e) The potential for future plan changes to be progressed by TDC at the request of cultural consultants or otherwise that would impose more restrictions on land use, with financial consequences for existing farming businesses.
6. Sadly, as a consequence of the process TDC has adopted, our Group feels that the sites on our properties that we have been faithfully looking after for generations are now a liability. We consider the extensive mapping of the SASM overlays will affect farmers ability to sell their properties when they retire due to age, or health issues. I therefore ask that the Panel give appropriate consideration to the Group's concerns and the submissions that it, and its individual members, have made on the Proposed Plan.
7. It is the Group's preference that TDC start again; that consultation with all stakeholders (i.e., landowners and cultural consultants) is undertaken and a new SASM Chapter and overlays be developed in light of the outcome of that consultation and the values of the individual SASM that require protection.
8. However, if the Panel considers that the SASM Chapter is to remain as part of the current planning process, the Group would support the changes that Ms Whyte has recommended in her report, subject to:
- (a) The boundaries of SASM related to rock art sites being based on a 10m setback from the rock art site;
 - (b) Details as to the values of individual SASM sites and threats to those values being included in the Proposed Plan; and

- (c) The additional changes set out in the legal submissions that have been presented at this hearing on behalf of the Group.

James Reese Hart

11 February 2025