Good morning.

I am here today as the Chair of Fairlie Ratepayers, which has over 40 members.

Some of our members live in the Fairlie township, some in the surrounding district, some on lifestyle blocks, some on farms.

Some of us live in our own homes, some of us rent. Some are working, some are retired. We come from a wide variety of occupations and backgrounds. This means that our submission reflects points of consensus from a diverse group of people.

Our submission relates to

Plan Change 28 - Hazards and Risks and

Plan Change 29 - Temporary Activities.

Firstly, I would speak to the flood hazard overlay assessment.

This is of great concern to the people of Fairlie, whose property prices and insurance rates will be negatively impacted.

Fairlie Ratepayers suggest that to avoid this adverse affect, we request that the Flood Hazard Overlay be not publicly distributed or placed on any LIM report.

The Council documents state:

> 'The Draft Flood Hazard Assessment Overlay, which is more precautionary in approach, identifies all areas that could be susceptible to flooding including all flat/low lying areas. If land is included in the mapping, it does not mean that it has flooded before, or that it is known to be vulnerable to flooding in the future.'

The begs the question – if land has not flooded previously, nor known to be vulnerable to flooding, why is such land included in a Flood Hazard Overlay?

Additionally, Council proposed that there should be a 300 mm floor height requirement for new buildings in the overlay.

Although alternative approaches can be used to achieve flood protection, it is recommended this is done via the consent process.

However, we are opposed to this as consent processes are highly expensive and unaffordable given that we have a housing crisis throughout New Zealand which is being felt in the Mackenzie.

The plans for wildfire risks have also created concerns amongst the residents of Fairlie.

We are informed that Council will control planting at the urban-rural interface to assist with reducing the spread of wildfire. However, the urban-rural interface has not been adequately defined, and is open to interpretation.

We ask if MacLean Park and Fairlie Domain are included in this definition.

If MacLean Park, our only public forested park in Fairlie is deemed to included in this definition, this regulation could very well result in its destruction, which would cause a public outcry in our community.

It should be noted that both MacLean Park and the Fairlie Domain are on the southern side of town, and not susceptible to norwesterlys which are often fuel wildfires.

We would also point out that Section 5 of the RMA states:

The purpose of this Act is to promote the sustainable management of natural and physical resources.

sustainable management is defined as:

> the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities **to provide for their social, economic, and cultural well-being** and for their health and safety while— avoiding, remedying, or mitigating any adverse effects of activities on the environment.

Speaking on Heritage NZ, we think that compulsory categorisation of peoples homes as heritage without consultation with the owners is a violation of property rights.

It should be noted that Section 8 of the Resource Management Act requires that all persons exercising functions and powers under the Resource Management Act take into account the principles of the Treaty of Waitangi.

Property rights are part of the Rights of Englishmen, which are guaranteed under the Third Article of the Treaty of Waitangi, and also included in our Common Law.

Listing a building as heritage building imposes extra costs on its maintenance, especially by council consents which leads to perverse outcomes, such as necessary repairs being delayed or even not being completed, or even historic building being demolished or burned down due to the increased financial burden placed on home owners.

We submit that there **must** be consultation with the property owner prior to listing a building, and there need to be better incentives and compromises reached, particularly when a family has been living and maintaining a building for many years.

On a positive note, we are pleased to see there is now permitted one year for temporary residential accommodation while a house is being built, repaired or rebuilt.

However, in the event of a major natural disaster, such as an Alpine Fault Earthquake this time needs to be extended as we note that rebuilds in Christchurch often took longer than one year.

Finally, Section 42A on Hazardous substances argues that the Council does not need guidelines for pollutants from commercial sites.

However, in 2022 there was a serious incident which involved exposure of Fairlie residents to fumes from agrichemical residues in waste containers.

The exposure was so bad that some residents could not sleep as odours permeated their houses.

One of the residents had serious existing health conditions at the time and was thus more affected by the toxins.

Sadly, she has since passed away.

A stated purpose of the Resource Management is

‘Avoiding, remedying, or mitigating any adverse effects of activities on the environment.’

It should be noted that Section 15 1 c of the RMA states that

No person may discharge any—

contaminant from any industrial or trade premises into air;

unless the discharge is expressly allowed by a national environmental standard or other regulations, a rule in a regional plan as well as a rule in a proposed regional plan for the same region (if there is one), or a resource consent.

It is obvious that the Council urgently needs guidelines for pollutants from commercial sites.

I will now hand over to the Secretary of Mackenzie Ratepayers, Dr. Elizabeth Mckenzie to speak further on these important concerns.