

Online submission

This is a submission that was made online via the Council's website.

Submitter No.	S127
Submitter Name	Ridgeline 3 Investments Limited
Submitter Company/Group Name	Ridgeline 3 Investments Limited
Submitter is contact	Yes
Email	mark.di@xtra.co.nz
Wish to be heard	Yes
Joint presentation	No
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Sites and Areas of Significance to Māori	Sites and Areas of Significance to Māori Rules	Oppose	As per above	<p>Initial submission of Ridgeline 3 Investment Ltd in opposition to the proposed plan.</p> <p>My name is Mark Dixon, and I will be speaking in opposition to the proposed Combined District Plan as it is proposed to affect private property.</p> <p>I am a shareholder and Director of Ridgeline 3 Investments Limited (Ridgeline) and I will be representing the company in this matter. In addition to this written submission, I will be preparing a separate legal submission which will be accompanied by supportive documentary evidence. This evidence will be submitted within the required rules of evidence and prior to the hearing.</p> <p>Ridgeline is a New Zealand Registered Company and has been operating since 2004. Ridgeline owns approximately 3000 hectares of land in the upper Arahura Valley. The title of the land dates to 1887 and has remained in private ownership since it was vested by the Crown. Natural features of the land include the northern side of Mount Tahua, Pyramid Hill, Mount Brown, and the southern side of Island Hill. All these natural features have been identified under the proposed plan as “Property as containing Sites and Areas of Significance to Māori”.</p> <p>The legal disruption of the Land owned by Ridgeline is.</p> <p>“All that of land being: formerly Reserve 145 as shown on the attached plan SO8749 situated in Blocks 111, IV, VIII, XII & XVI Kaniere and Blocks V, IX & XIII Turiwhate Survey Districts”.</p> <p>The area of land was formerly 14150 acres and formed part of the Arahura Deed 1860.</p> <p>None of the above areas fall within Section 220 of the Ngai Tahu Claims Settlement Act 1998, as being Statutory Acknowledgement Areas, nor has the proposed plan acknowledged the limitation of any claims as defined under Section 218 and 219 of the same Act.</p> <p>As per your letter dated 14th of July 2022, you claim that Iwi interests include private land, and certain rules have immediate legal effect. Your letter goes on to say that the presence of certain items, those that may be controlled by outside interests can restrict our ability to develop the property. It is with unreserved determination, I intent to protect our private property rights now and for our future.</p> <p>As part of my submission, I will produce documentary evidence including case law that will provide no doubt that Ridgeline has lawful unrestricted access to all minerals including Pounamu. Documentary evidence will include letters from the Crown, from those Ministers directly involved with the Treaty Settlement and later Vesting Act. In addition, I will make direct reference to various Acts and sections that will provide the assurance that privately owned land, land owned by Ridgeline cannot be encumbered, nor is it subject to further conditions as set out in the proposed plan.</p> <p>The position held by our company is that there is a legitimate treaty claim, one that now effects both parties. In good faith I am prepared to assist Iwi to have these matters directed through central government as a treaty claim with the view to have appropriate compensation given. I leave no doubt, I support a genuine claim against the treaty but not what is currently proposed.</p> <p>The Resource Management Act (RMA) as originally enacted protected private property rights from direct encumbrance with restriction only being placed on any activity that was likely to have a tangible effect on the wider amenity. To make claim that ancestral sprints are embedded into the landscape, I can culturally respect, but to allow this to from a legal platform of restrictive and separatist policy, I find unjust and, in our case unlawful. I refer to SASM-P6-7 of the plan.</p> <p>I request legal privilege regards my legal submission on the basis of commercial sensitivity, and in doing so I direct the Commissioner to undertake “due diligence” with respect to all of the legal rights as it pertains to lands owned by Ridgeline.</p> <p>With respect, I request an audience with the lead planner and your legal representative prior to the hearing.</p> <p>Yours Sincerely</p> <p>Mark Dixon</p> <p>Dated 15/10/2022.</p> <p>My Contact deals are; Mark Dixon</p> <p>163 Davie Street</p> <p>Hokitika</p> <p>03 755 6275</p> <p>027 755 6275</p> <p>emailmark.di@xtra.co.nz</p>

Documents included with submission

Document name Initial submission of Ridgeline 3 investment

File [initialsubmissionofridgeline3investmentltdinoppositiontotheproposedplan.pdf](#)

Description

Initial submission of Ridgeline 3 Investment Ltd in **opposition** to the proposed plan.

My name is Mark Dixon, and I will be speaking in opposition to the proposed Combined District Plan as it is proposed to affect private property.

I am a shareholder and Director of Ridgeline 3 Investments Limited (Ridgeline) and I will be representing the company in this matter. In addition to this written submission, I will be preparing a separate legal submission which will be accompanied by supportive documentary evidence. This evidence will be submitted within the required rules of evidence and prior to the hearing.

Ridgeline is a New Zealand Registered Company and has been operating since 2004. Ridgeline owns approximately 3000 hectares of land in the upper Arahura Valley. The title of the land dates to 1887 and has remained in private ownership since it was vested by the Crown. Natural features of the land include the northern side of Mount Tahua, Pyramid Hill, Mount Brown, and the southern side of Island Hill. All these natural features have been identified under the proposed plan as “Property as containing Sites and Areas of Significance to Māori”.

The legal disruption of the Land owned by Ridgeline is.

“All that of land being: formerly Reserve 145 as shown on the attached plan SO8749 situated in Blocks 111, IV, VIII, XII & XVI Kaniere and Blocks V, IX & XIII Turiwhate Survey Districts”.

The area of land was formerly 14150 acres and formed part of the Arahura Deed 1860.

None of the above areas fall within Section 220 of the Ngai Tahu Claims Settlement Act 1998, as being Statutory Acknowledgement Areas, nor has the proposed plan acknowledged the limitation of any claims as defined under Section 218 and 219 of the same Act.

As per your letter dated 14th of July 2022, you claim that Iwi interests include private land, and certain rules have immediate legal effect. Your letter goes on to say that the presence of certain items, those that may be controlled by outside interests can restrict our ability to develop the property. It is with unreserved determination, I intent to protect our private property rights now and for our future.

As part of my submission, I will produce documentary evidence including case law that will provide no doubt that Ridgeline has lawful unrestricted access to all minerals including Pounamu. Documentary evidence will include letters from the Crown, from those Ministers directly involved with the Treaty Settlement and later Vesting Act. In addition, I will make direct reference to varies Acts and sections that will provide the assurance that privately owned land, land owned by Ridgeline cannot be encumbered, nor is it subject to further conditions as set out in the proposed plan.

The position held by our company is that there is a legitimate treaty claim, one that now effects both parties. In good faith I am prepared to assist Iwi to have these matters directed through central government as a treaty claim with the view to have appropriate compensation given. I leave no doubt, I support a genuine claim against the treaty but not what is currently proposed.

The Resource Management Act (RMA) as originally enacted protected private property rights from direct encumbrance with restriction only being placed on any activity that was likely to have a **tangible** effect on the wider amenity. To make claim that ancestral sprints are embedded into the landscape, I can culturally respect, but to allow this to from a legal platform of restrictive and separatist policy, I find unjust and, in our case unlawful. I refer to SASM-P6-7 of the plan.

I request legal privilege regards my legal submission on the basis of commercial sensitivity, and in doing so I direct the Commissioner to undertake “due diligence” with respect to all of the legal rights as it pertains to lands owned by Ridgeline.

With respect, I request an audience with the lead planner and your legal representative prior to the hearing.

Yours Sincerely

Mark Dixon

Dated 15/10/2022

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