

Before the Hearing Panel

Under

the Resource Management Act 1991.

In the Matter

of the Proposed Te Tai o Poutini Plan- Sites
and Areas of Significance to Māori

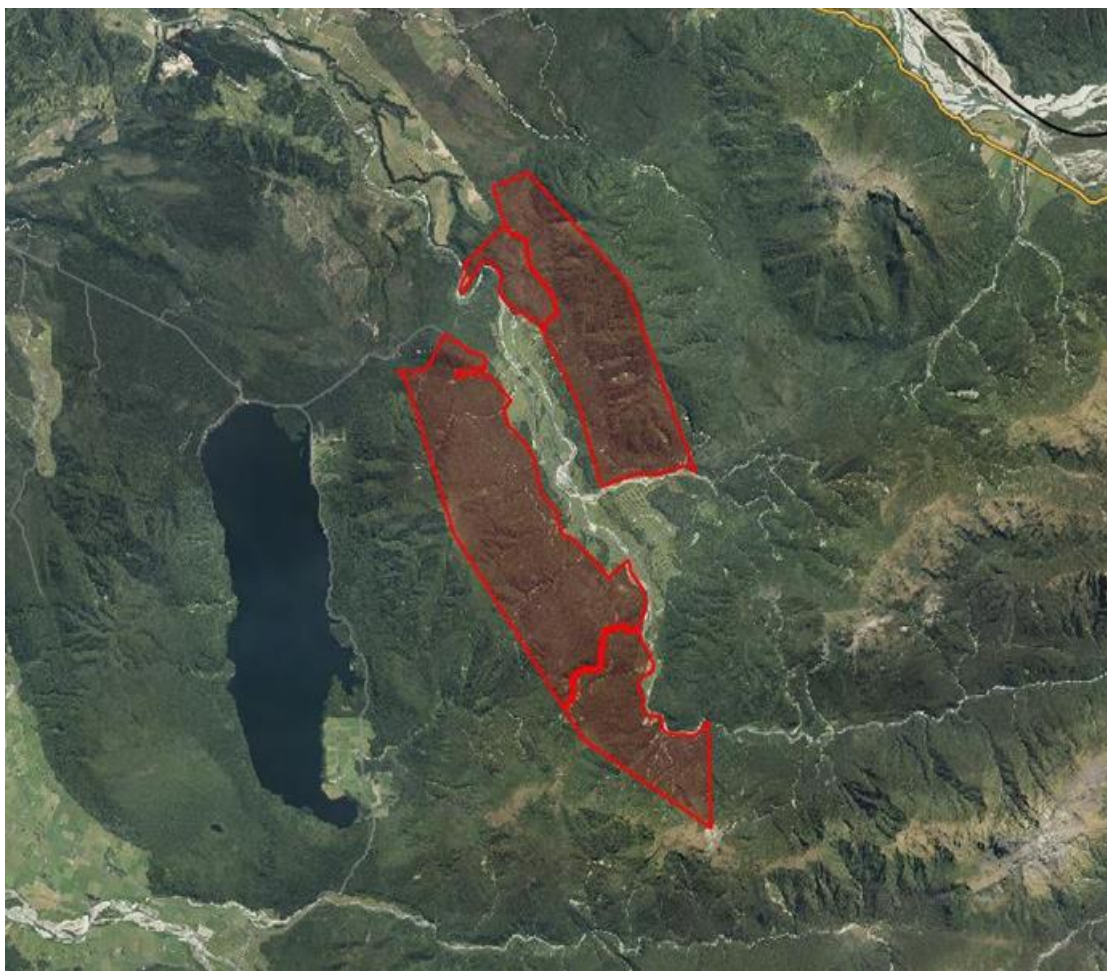
Statement of evidence Mark William Dixon

director of Ridgeline 3 Investments Ltd

23 April 2024

One of two submissions

1. This application is made under Section 42 of the Resource Management Act 1991(RMA). I am making request for the protection of sensitive information to be presented at the Commissioner Hearing, dated 1st May 2024. I make request that all information be held from the public and remain private and confidential from this point forward.
2. This application relates to land owned by Ridgeline 3 Investment Ltd (Ridgeline) being some 3000 hectares in size, situated in the upper Arahura Valley. The land legally being described - Lots 1 8 DP334405, Lots 2 DP462835, Lot 1 DP 563121. Miltown Road, Arawhataraki. Formally part of Reserve 145.
3. Arial photo showing Ridgeline land in relation to the upper Arahura Valley and lake Kaniere.



4. This application is a continuation of Ridgeline's earlier submission. At the time a request was made to provide further evidence in support of the removal of the RMA -SASM 116-117 and 121 in the proposed plan, as it is an unlawful encumbrance on the above-mentioned land. The current 42A report before the Commissioner, rejects Ridgelines claim without legal foundation and is now subject to appeal.

5. This application makes a formal request for the protection of sensitive information under Sections 42(1)(a) to avoid serious offence to tikanga Māori and 42(1)(b) to avoid the disclosure of unreasonable prejudice to our commercial position.
6. The below sub paragraphs set out the rationale for the request, including sufficient evidence that this matter (in part) is currently under negotiation before the Crown.
 - a) The land in question forms part of the historic Arahura Deed of Settlement having been subject to Waitangi Tribunal claims and later compensation. There are currently still unresolved matters pertaining to the Ngai Tahu Settlement Act, in which Ridgeline is currently working with the Crown to resolve. The Minister in charge of Treaty negotiations has assured Ridgeline in writing that no existing property rights would be affected by the settlement. This included the rights to private minerals and existing mining privileges. As this matter is before the Crown, it remains confidential to both parties with any public disclosure likely to prejudice current negotiations. The matters before the Office for Māori Crown Relations-Te Arawhiti, relate to allowing traditional access to parts of the Arahura River which are privately owned including access to the upper Waitaiki Historic Reserve. Full access to the Arahura River and tributary was promised by the Crown and not fulfilled as part of the treaty settlement. In addition, ongoing discussions related to the gifting of privately owned Pounamu are being discussed and remain confidential having commercial sensitivity.
 - b) As previously stated in my initial submission, I intended to present to the commissioner a legal submission providing proof of legal privilege. This privilege provides dominance over the Resource Management Act (as if it was not enacted). Evidence will be presented that is both supported in statute and by official Crown public notification. I will also provide evidence that Māori pre-emptive right was extinguished removing any subsequent interest over any parts of the former Reserve 145. Again, these are matters before the Crown for negotiation, and I am satisfied to support Ngai Tahu in resolution if confidentiality is maintained. I submit that these are not matters for the public as the subject matter pertains only to land directly associated with the failed Arahura deed and treaty settlement. I further submit that if the unique nature of Ridgeline's privilege is undermined it would amount to unreasonable prejudice to both our existing property rights as well as adversely affecting our current commercial activities.
 - c) I acknowledged the body of evidence to be presented by Mr Madgwick in response. I consider it an accurate account of past cultural insensitivity displayed by the Crown. This however does not restore pre-emptive right nor can the proposed SASM's contradict the rights of non-Māori under lawful privilege. This position only affirms my position not to present publicly, as it will create significant public interest and certainly offend tikanga Māori in the process, this is not my intention. As per Schedule 1, 3B of the RMA, I invite consultation with iwi to avoid any form of negativity, my desire is to support one another in a united way to resolve past grievances where possible. I am not an adversary; I am fully aware of the injustices of the past which I believe I can diminish, if given the opportunity. To do this I must firstly establish my property rights.
7. The attached appendix providing proof of part correspondence with The Office of Māori Crown Relations- Te Arawhiti in relation to the above matters.

