



Timaru District Council  
2 King George Place  
Timaru 7910  
Phone: 03 687 7200

## Further Submission in Support of, or in Opposition to the Proposed Timaru District Plan

Clause 8 of Schedule 1, Resource Management Act 1991

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**Further submissions close on Friday 4 August 2023 at 5pm**

**To: Timaru District Council**

This is a further submission in support of, or in opposition to, a submission on the **Proposed Timaru District Plan**.

**Full name of person making further submission:**

Waipopo Huts Trust

**Organisation name and contact** (if representing a group or organisation):

Shona Walter, Saunders & Co

**Only certain persons can make a further submission. Please select the option that applies.**

**I am:**

- a person representing a relevant aspect of the public interest;
- a person who has an interest in the proposal that is greater than the interest the general public has;
- the local authority for the relevant area.

Please explain why you come within the category selected above:

Waipopo Huts Trust filed a submission on the Proposed District Plan regarding the matters addressed in this further submission

### Hearing options

I wish to be heard in support of my further submission?  Yes  No

If others make a similar further submission, I will consider presenting a joint case with them at a hearing.

Yes  No

Signature: Shona Walter

Date: 4 August 2023

*(of person making submission or person authorised to make decision on behalf)*

**PLEASE NOTE** - A signature is not required if you submit this form electronically. By entering your name in the box above you are giving your authority for this application to proceed.

**Electronic address for service of person making further submission:** shona.walter@saunders.co.nz

**Telephone:** (03) 288 0095

**Postal address (or alternative method of service under section 352 of the Act):** 131 Victoria Street, CBD, P O Box 18, Christchurch 8140

**Contact person:** *[name and designation, if applicable]:* Shona Walter, Saunders & Co Lawyers

**You have served a copy of the further submission on the original submitter (this is required under the Resource Management Act 1991 Schedule 1, s8A(2) to be completed within 5 working days after it is served on the Timaru District Council)**

Yes    No

**Further submissions close on Friday 4 August 2023 at 5pm.**

<b>Name of person making further submission: Waipopo Huts Trust</b>						
<b>This further submission is in relation to the original submission of:</b>	<b>This further submission is in relation to the original submission Number:</b>	<b>The particular parts of the original submission I/we support /oppose are:</b>	<b>My/our position on the original submission is:</b>	<b>The reasons for my/our support/ opposition to the original submission are:</b>	<b>Allow or disallow the original submission (in full or in part)</b>	<b>Give precise details (which can include tracked changes) of the decision you want the Council to make in relation to the original submission point</b>
Te Rūnanga o Ngāi Tahu	185.16	Strategic Direction, Objectives (General) That the strategic objectives are expanded to provide guidance for activities that impact more than one objective.	Support	Mana whenua values touch upon many different strategic objectives of the plan. Mana whenua values should be considered throughout the plan.	Allow in full	Allow the submission point 185.16
Te Rūnanga o Ngāi Tahu	185.19	Amend SD-04 Natural Hazards to better reflect the relationship of Kāti Huirapa and their culture and traditions with their ancestral lands, water, sites, Wāhi tapu, and other taonga.	Support	Mana whenua values touch upon many different strategic objectives of the plan. Mana whenua values should be considered throughout the plan.	Allow in full	Allow the submission point 185.19
Te Rūnanga o Ngāi Tahu	185.1	The inclusion of Kāti Huirapa values as a matter of discretion throughout the plan	Support	Mana whenua values touch upon many different strategic objectives of the plan. Mana whenua values	Allow in full	Allow the submission point 185.1

				should be considered throughout the plan.		
Te Rūnanga o Ngāi Tahu	185.54	Amend DWP-R5 Industrial activities so that the non-complying status of industrial and Rural Industry activities does not apply on Māori Land within the Māori Purpose Zone	Support	This overlay restricts the ability of the Trust to use their land. This is contradictory to the Mana Whenua Chapter and is not consistent with rakatirataka.	Allow in full	Allow the submission point 185.54
Opuha Water Limited	181.49	Their suggestion to retain NH-R1 as notified	Oppose	The Waipopo Trust land contains multiple residential buildings that were constructed in the 1930's. Many houses are in a poor state of repair. These buildings need upgrading to modern standards and or replacement. The natural hazard provisions do not recognise the upgrade of the dwellings. Nor do they provide for their replacement.	Disallow	Disallow the submission point 181.49 and amend the natural hazard provisions to recognise the particular case of the Waipopo Trust land.

Opuha Water Limited	181.47	Their suggestion to retain NH-O3 as notified	Oppose	The Waipopo Trust land contains multiple residential buildings that were constructed in the 1930's. Many houses are in a poor state of repair. These buildings need upgrading to modern standards and or replacement. The natural hazard provisions do not recognise the upgrade of the dwellings. Nor do they provide for their replacement.	Disallow	Disallow the submission point 181.47 and amend the natural hazard provisions to recognise the particular case of the Waipopo Trust land.
Opuha Water Limited	181.22	Their suggested amendments to the SD-05 Mana Whenua	Oppose	This is contradictory to the Treaty of Waitangi and is not consistent with rakatirataka.	Disallow	Disallow the submission point 181.22 and retain Mana Whenua provisions which provide for mana whenua needs.
Opuha Water Limited	181.58	Their suggested amendments to the SD-05 Mana Whenua	Oppose	This is contradictory to the Treaty of Waitangi and is not consistent with rakatirataka.	Disallow	Disallow the submission point 181.58 and retain Mana Whenua provisions which provide for mana whenua needs.

Canterbury Regional Council	183.46	submitter considers deleting Rule NH-R8	Support	The Waipopo Trust land contains multiple residential buildings that were constructed in the 1930's. Many houses are in a poor state of repair. These buildings need upgrading to modern standards and or replacement. The natural hazard provisions do not recognise the upgrade of the dwellings. Nor do they provide for their replacement.	Allow	Delete Rule NH-R8 and recognise throughout the Natural Hazards Chapter the special case of the Waipopo Huts Trust land and allow for subdivision of their lands as a controlled activity.
Canterbury Regional Council	183.14	Their suggestion to retain DWP-R2 as notified or preserve original intent	Oppose		Disallow	Disallow the submission point 183.14 and amend Rule DWP-R2 to recognise the special case of the Waipopo Huts Trust land and allow for subdivision of their lands as a controlled activity.

Canterbury Regional Council	183.37	Their suggestion to retain NH-P10 as notified	Oppose	The Waipopo Trust land contains multiple residential buildings that were constructed in the 1930's. Many houses are in a poor state of repair. These buildings need upgrading to modern standards and or replacement. The natural hazard provisions do not recognises the upgrade of the dwellings. Nor do they provide for their replacement.	Disallow	Disallow the submission point 183.37 and amend the natural hazard provisions to recognise the particular case of the Waipopo Trust land.
Canterbury Regional Council	183.29	their suggestion to retain NH-O1 as notified	Oppose	The Waipopo Trust land contains multiple residential buildings that were constructed in the 1930's. Many houses are in a poor state of repair. These buildings need upgrading to modern standards and or replacement. The	Disallow	Disallow the submission point 183.29 and amend the natural hazard provisions to recognise the particular case of the Waipopo Trust land.

				natural hazard provisions do not recognise the upgrade of the dwellings. Nor do they provide for their replacement.		
Canterbury Regional Council	183.7	Their suggested amendments to the definition of the Liquefaction Awareness Area	Support	Supports the reasoning set out in this submission	Allow in full	Allow the submission point 183.7
Canterbury Regional Council	183.28	Amend the planning maps to encompass a wider area potentially subject to flood hazard risk.	Oppose	The Trust opposes the High Hazard Overlay over Waipopo Huts Trust land.	Disallow	Disallow the submission point 183.28
Canterbury Regional Council	183.34	Their suggestion to delete NH-P5 and insert the text set out in their submission	Support	The Waipopo Trust land contains multiple residential buildings that were constructed in the 1930's. Many houses are in a poor state of repair. These buildings need upgrading to modern standards and or replacement. The natural hazard provisions do not recognise the	Allow in full	Allow the submission point 183.34



				upgrade of the dwellings. Nor do they provide for their replacement.		
Canterbury Regional Council	183.41	To consider adding a new permitted activity rule to provides for small scale, one-off work to protect people and property	Support in part	The natural hazards chapter does not recognise the particular case of the Waipopo Huts Trust land and needs amending to provide for the replacement of existing dwellings of the same or similar size as a permitted activity.	Allow in part	Allow submission point 183.41 insofar as it enables the Trust to provide for the replacement of existing dwellings of the same or similar size, as a permitted activity.
Canterbury Regional Council	183.137	Retain DWP-01 as notified or preserve original intent	Oppose	The Drinking Water Protection Area overlay across Waipopo Trust Land affects the use and development of the Trust Land	Disallow in part	Disallow the submission point 183.137 and amend the provisions of the DWP Chapter to recognise the particular case of the Waipopo Trust land.
Te Tumu Paeroa	240.3	Amend the definition of papakāika to extend to all Māori land and all Māori landowners, as set out in their submission	Support & Oppose	As mana whenua, the Trust would like to be part of the discussion about how papakāika is defined under the plan	Disallow in part and allow in part	Allow submission point 240.3 insofar as it provides for the recognition of mana whenua identity, values and interests.

Te Tumu Paeroa	240.6	Amend SASM-02 to include the term "in agreement with affected landowners"	Support & Oppose	SASM-02 should provide recognition for mana whenua identify, values and interests.	Disallow in part and allow in part	Allow submission point 240.6 insofar as it provides for the recognition of mana whenua identity, values and interests.
Te Tumu Paeroa	240.7	Amend SASM-P3 to include reference to Māori landowners.	Support & Oppose	As mana whenua and kaitiaki of their taonga, the Trust would like to be part of the discussion of policies relevant to their taonga.	Disallow in part and allow in part	Allow submission point 240.7 insofar as it provides for the recognition of mana whenua identify, values and interests.
Te Tumu Paeroa	240.9	Amend the Introduction of Māori Purpose Zone to include reference to Māori landowners	Support & Oppose	As mana whenua, the Trust would like to be part of the discussion about general function and objectives applying to the Māori Purpose Zone.	Disallow in part and allow in part	Allow submission point 240.9 insofar as it provides for the recognition of mana whenua identity, values and interests.
Kainga Ora	229.37	Their suggestion to retain NH-O1 as notified	Oppose	The Waipopo Trust land contains multiple residential buildings that were constructed in the 1930's. Many houses are in a poor state of repair. These buildings need upgrading to modern	Disallow	Disallow the submission point 229.37 and amend the natural hazard provisions to recognise the particular case of the Waipopo Trust land.

				standards and or replacement. The natural hazard provisions do not recognise the upgrade of the dwellings. Nor do they provide for their replacement.		
Kainga Ora	229.2	Delete the proposed hazard overlays mentioned in their submission and instead hold this information in con-statutory GIS maps which sit outside the proposed plan.	Support & Oppose	Waipopo trust supports the submission insofar as they frustrate or impede these objectives by imposing undue regulatory burdens on the use, development and renewal of dwellings within the Waipopo Huts Trust land.	Allow in part	Allow submission point 229.2 insofar as it enables the Trust to provide for the replacement of existing dwellings of the same or similar size, as a permitted activity.
Kainga Ora	229.9	Suggested amendment for SD-04 to refer to unacceptable risks to life and human safety	Support & Oppose	We support this objective in principle, however the Strategic Direction on Natural Hazards should recognise the particular case of the	Disallow in part	Allow submission point 229.9 insofar as it enables the Trust to provide for the replacement of existing dwellings of the same or similar size, as a permitted activity.

				Waipopo Hut Trust land.		
Kainga Ora	229.13	Amend UFD-01 to minimise adverse effects on the environment.	Support & Oppose	We support this objective in principle, however the Urban Form and Development should recognise the particular case of the Waipopo Huts Trust land.	Disallow in part	Allow submission point 229.13 insofar as it enables the Trust to provide for the replacement of existing dwellings of the same or similar size, as a permitted activity.
Timaru District Council	42.42	Amend DWP-P2 to give a greater level of control in the Drinking Water Protection Area and to include a list of activities as non-complying in the Drinking Water Protection Area	Support & Oppose	We support this objective in principle, however the objectives governing the Drinking Water Protection Area should recognise the particular case of the Waipopo Huts Trust land.	Disallow in part	Disallow the submission point 42.42 and amend the policy to recognise the particular case of the Waipopo Huts Trust land and amend rules affecting the use and development of the Trust land.
Timaru District Council	42.38	Amend SUB-S3 as set out in their submission.	Oppose	Waipopo trust opposes those rules insofar as they impose undue regulatory burdens on the use, development and	Disallow in part	Disallow submission point 42.38 insofar it imposes and undue regulatory burden on the use, development of dwellings with the Waipopo Trust land.

				renewal of dwellings within the Waipopo Trust land.		
Timaru District Council	42.40	Their suggestion to retain SUB-S4 as notified	Oppose	Amend the standards to recognise the special case of the Waipopo Huts Trust land and allow for subdivision of their lands as a controlled activity.	Disallow	Disallow the submission point 42.40 and amend SUB-S4 to recognise the special case of the Waipopo Huts Trust land and allow for their subdivision of their lands as a controlled activity.
Timaru District Council	42.73	Amend the extent of the Māori Purpose zone indicating Waipopo Huts Trust land as within the Māori Purpose Zone	Support	Māori Purpose Zone is the most appropriate zone for the Trust land.	Allow	Allow the submission point 42.73
Timaru District Council	42.59	Add a new rule to the MPZ Chapter	Support & Oppose	Waipopo trust supports those rules insofar as they impose undue regulatory burdens on the use, development and renewal of dwellings within the Waipopo Huts Trust land.	Allow in part	Allow submission point 42.59 insofar as it enables the Trust to provide for the replacement of existing dwellings of the same or similar size, as a permitted activity.
Federated Farmers	182.37	Their suggestion to retain NH-P1 as notified OR wording with similar effect	Oppose		Disallow	Disallow the submission point 182.37 and amend NH-P1 to recognise the

		AND any consequential amendments				particular case of the Waipopo Trust land
Federated Farmers	182.40	Their suggestion to retain NH-P4 as notified OR wording with similar effect AND any consequential amendments	Oppose	The Waipopo Trust land contains multiple residential buildings that were constructed in the 1930's. Many houses are in a poor state of repair. These buildings need upgrading to modern standards and or replacement. The natural hazard provisions do not recognises the upgrade of the dwellings. Nor do they provide for their replacement.	Disallow	Disallow the submission point 182.40 and amend NH-P4 to recognise the particular case of the Waipopo Trust land
Federated Farmers	182.41	Their suggestion to retain NH-P5 as notified OR wording with similar effect AND any consequential amendments	Oppose	The Waipopo Trust land contains multiple residential buildings that were constructed in the 1930's. Many houses are in a poor state of repair. These buildings need	Disallow	Disallow the submission point 182.41 and amend NH-P5 to recognise the particular case of the Waipopo Trust land

				<p>upgrading to modern standards and or replacement. The natural hazard provisions do not recognises the upgrade of the dwellings. Nor do they provide for their replacement.</p>		
<p>Federated Farmers</p>	<p>182.51</p>	<p>Their suggestion to retain NH-R4 as notified OR wording with similar effect AND any consequential amendments</p>	<p>Oppose</p>	<p>The Waipopo Trust land contains multiple residential buildings that were constructed in the 1930's. Many houses are in a poor state of repair. These buildings need upgrading to modern standards and or replacement. The natural hazard provisions do not recognises the upgrade of the dwellings. Nor do they provide for their replacement.</p>	<p>Disallow</p>	<p>Disallow the submission point 182.51 and amend NH-R4 to recognise the particular case of the Waipopo Trust land</p>

Federated Farmers	182.54	Their suggestion to retain NH-R7 as notified OR wording with similar effect AND any consequential amendments	Oppose	The Waipopo Trust land contains multiple residential buildings that were constructed in the 1930's. Many houses are in a poor state of repair. These buildings need upgrading to modern standards and or replacement. The natural hazard provisions do not recognises the upgrade of the dwellings. Nor do they provide for their replacement.	Disallow	Disallow the submission point 182.54 and amend NH-R7 to recognise the particular case of the Waipopo Trust land
Federated Farmers	182.162	Their suggestion to retain SUB-S2 as notified OR wording with similar effect AND any consequential amendments	Oppose	The Waipopo Trust land contains multiple residential buildings that were constructed in the 1930's. Many houses are in a poor state of repair. These buildings need upgrading to modern standards and or replacement. The	Disallow	Disallow the submission point 182.162 insofar it imposes and undue regulatory burden on the use, development of dwellings with the Waipopo Trust land.



				natural hazard provisions do not recognise the upgrade of the dwellings. Nor do they provide for their replacement.		
Federated Farmers	182.55	Their suggestion to retain NH-R8 as notified OR wording with similar effect AND any consequential amendments	Oppose	The Waipopo Trust land contains multiple residential buildings that were constructed in the 1930's. Many houses are in a poor state of repair. These buildings need upgrading to modern standards and or replacement. The natural hazard provisions do not recognise the upgrade of the dwellings. Nor do they provide for their replacement.	Disallow	Disallow the submission point 182.55 and amend NH-R8 to recognise the particular case of the Waipopo Trust land

Silver Fern Farms	172.63	Their suggestion to retain NATC-R5 as notified	Oppose	Amend the rule to allow for the construction of buildings outside of the footprint of the previous building as a permitted activity, if the construction of the building is required to replace and/or upgrade an existing building of the same or similar footprint.	Disallow	Disallow the submission point 172.63 and amend Rule NATC-R5 to allow for the construction of buildings outside of the footprint of the previous buildings as a permitted activity, if the construction of the buildings is required to replace and/or upgrade an existing building of the same or similar footprint.
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