

## Form 6

### Further submission in Support of, or in Opposition to, Submissions on the Proposed Timaru District Plan – He Po. He Ao. Ka Awatea

*Clause 8 of Schedule 1, Resource Management Act 1991*

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:**

Name **Terrence John O'Neill and Aileen Kathryn O'Neill, C and F Trustees 2006 Ltd**

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

A person who has an interest in the proposal that is greater than the interest the general public has.

**Please explain why you come within the category selected above.**

Further to original subdivision number 20, the attached spreadsheet supports or opposes other submission points.

#### Hearing options

I wish to be heard in support of my further submission?  **Yes**

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



**Andrew Rabbidge - Director - Milward Finlay Lobb**

Signature of the person authorised to sign on behalf of **Terrence John O'Neill and Aileen Kathryn O'Neill, C and F Trustees 2006 Ltd**

**Date:** 4 August 2023

**Electronic address for service of person making submission:** [admin@mflnz.co.nz](mailto:admin@mflnz.co.nz)

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**Contact person:** Andrew Rabbidge

You have served a copy of the further submission on the original submitter (this is required under the Resource Management Act 1991 Schedule 1, s84(2) to be completed within 5 working days after it is served on the Timaru District Council).  **Yes**

Further submission on behalf of Terence John O'Neill and Aileen Kathryn O'Neill, C and F Trustees 2006 Ltd						
This further submission is in relation to the original submission of: <i>Enter the name of the original submitter as per the SoDR. E.g. Timaru District Council</i>	This further submission is in relation to the original submission Number: <i>enter the unique</i>	The particular parts of the original submission /we support /oppose are:	My/our position on the original submission is: <i>Support or oppose</i>	The reasons for my/our support/ opposition to the original submission are:	Allow or disallow the original submission (in full or in part)	Give precise details (which can include tracked changes) of the decision you want the Council to make in relation to the original submission point
Bruce Speirs	66.56	Support in full to amend SUB-R1 Boundary Adjustment.	Support	Support that boundary adjustments should be classified as a Discretionary Activity rather than a Non complying Activity.	Allow in full	Amend SUB-R1 Boundary adjustment as follows: <b>Boundary adjustment Activity status: Controlled Where:</b> <b>CON-1</b> <i>SUB-S1 is complied with; and [...]</i> <b>Activity status when compliance not achieved with CON-1: Non-complying Discretionary</b>
Rooney Holdings Limited	174.4	Support in full for Council compensation to landowners.	Support	We support the submission that the Proposed District Plan include policy direction for compensation to provide for Council's future needs over and above the minimum requirements.	Allow in full	Amend the Proposed District Plan to provide compensation to landowners where they are required/requested to provide land to provide for Council's future needs over and above the minimum requirements.
Rooney Holdings Limited	174.14	Support in full for the deletion of EI-R26.	Support	The duplication of an earthworks consent for the installation of new services is unnecessary and we support the deletion of EI-R26.	Allow in full	Delete EI-R26
Rooney Holdings Limited	174.60	Support amendments to EW-S1.	Support	Earthworks associated with subdivision can adequately be addressed by conditions of subdivision consent.	Allow in full	Amend EW-S1 Areas to exclude earthworks associated with implementing a subdivision consent prior to receiving section 224(c) RMA Certification, in the General Residential Zone and Medium Density Residential Zone.
Rooney Holdings Limited	174.62	Support amendments to FC-P2.	Support	We support the need for further clarification with respect to Council's policies for Financial Contributions & FC-P2.	Allow in full	Amend FC-P2 Financial contributions for infrastructure and facilities to provide clarity.
Rooney Holdings Limited	174.63	Support amendments to APP7.	Support	Support for amendments to Water, Stormwater, Wastewater & Roading Financial Contributions - APP7 to be more specific.	Allow in full	Redraft APP7 - Financial Contribution 1.0 Water, Stormwater, Wastewater and Roading.
Rooney Holdings Limited	174.64	Support amendments to APP7.	Support	We support the submitter's position to require that Council ensure Financial Contributions are fair and equitable particularly for contributions that are imposed retrospectively.	Allow	Amend APP7 - Financial Contribution , 1.0 Water, Stormwater, Wastewater and Roading to make it clear that any infrastructure contribution will be an equitable share of the full cost of any upgrade required as a result of the development.
Te Runanga o Ngai Tahu	185.17	Support the amendments as proposed to SD-O1.	Support	Amendments to Objective SD-O1 are supported to reflect the functional need for some activities and growth to occur outside the urban area.	Allow in full	Amend SD-O1 Residential Areas and Activities to better reflect the functional need for some activities and growth to occur outside the urban area.
Chorus New Zealand Limited	209.82	Oppose the proposed amendments to Sub-S5	Oppose in full	SUB-S5 as notified adequately addresses the provision for electricity supply and telecommunications, bearing in mind the advancements in satellite internet technology. The provision of easements for telecommunications forms part of the supply contract entered into with the network provider without the need for any specific standards within the District Plan as is the case with the Timaru District Plan currently.	Disallow in full	Retain SUB-S5 as notified.

Spark New Zealand Trading Limited	208.51	Support the amendments as proposed for EI-R13.	Support	The proposed amendments to EI-R13 are fully supported.	Allow in full	Amend EI-R13 as follows: <i>EI-R13 New overhead telecommunications lines and associated support structures excluding customer connections.</i> <b>1. General Rural Zone, General Industrial Zone Port Zone and Commercial and Mixed-Use Zones</b> <b>Activity Status: Permitted</b> [...] <b>2. All Zones other than the General Rural Zone, General Industrial Zone, and Port Zone and Commercial and Mixed-Use Zones</b> <b>Activity Status: Restricted Discretionary</b> [...]
Vodafone New Zealand Limited	210.82	Oppose the proposed amendments to Sub-S5	Oppose in full	SUB-S5 as notified adequately addresses the provision for electricity supply and telecommunications, bearing in mind the advancements in satellite internet technology. The provision of easements for telecommunications forms part of the supply contract entered into with the network provider without the need for any specific standards within the District Plan as is the case with the Timaru District Plan currently.	Disallow in full	Retain SUB-S5 as notified.
Kāinga Ora	229.49	Support the amendments as proposed to SUB-P12.	Support	Support proposed amendments to SUB-P12 to provide for policy for non-compliant lot size within the Subdivision chapter.	Allow in full	Amend <b>SUB-P12</b> as per initial submission from Kāinga Ora.
Kāinga Ora	229.51	Support the amendments as proposed to SUB-S1	Support	Support for all proposed amendments to SUB-S1.	Allow in full	Amend <b>SUB-S1</b> as per initial submission from Kāinga Ora.
Kāinga Ora	229.52	Support the amendments as proposed the SUB-Subdivision Chapter.	Support	Fully support the addition of a new rule within the SUB-Subdivision Chapter for permitted activity subdivision with an existing land use consent.	Allow in full	Insert a new rule into <b>SUB-Subdivision chapter</b> as per initial submission Kāinga Ora.
Kāinga Ora	229.53	Support the amendments as proposed the SUB-Subdivision Chapter.	Support	Support an amendment to the SUB-Subdivision Chapter to insert a new controlled activity rule for vacant lot subdivision including all proposed matters of control.	Allow in full	Insert a new into <b>SUB-Subdivision Chapter</b> as per initial submission from Kāinga Ora.
Kāinga Ora	229.54	Support the deletion of EW-S3	Support	Support the deletion of EW-S3 to enable relatively minor earthworks to be completed without the need for unnecessary consents.	Allow in full	Delete <b>EW-S3</b> Setbacks.
Kāinga Ora	229.55	The FC- Financial Contributions lack clarity and certainty.	Support	Support the complete review of the FC- Financial Contributions and the related Appendix 7.	Allow in full	Delete all provisions of the <b>FC-Financial Contribution Chapter</b> , including related Appendix 7; AND Amend to ensure it is more clearly and comprehensively set out, in accordance with S77E of the Amendment Act.
Kāinga Ora	229.56	Support that APP7 and all related FC-Financial Contributions provides insufficient purpose and clarity.	Support	Support the complete review of the FC- Financial Contributions and the related Appendix 7.	Allow in full	Delete <b>APP7</b> and all related provisions from the FC- Financial Contributions chapter; AND Amend to ensure it is more clearly and comprehensively set out, in accordance with S77E of the Amendment Act.
Kāinga Ora	229.63	Support the amendments as proposed to GRZ-O2.	Support	The potential for mixed housing density within the GRZ & MDRZ needs to be supported by the appropriate District Plan Objectives.	Allow in full	Amend <b>GRZ-O2</b> as follows: <b>GRZ-O2 Character and qualities of the General Residential Zone</b> <i>The character and qualities of the General Residential Zone comprise:</i> <b>1. a low to moderate building site coverage; and</b> <b>2. a built form of single and two-storey attached or detached buildings; and</b> <b>3. a mix of housing typologies;</b> <b>3-ample space around buildings; 4. a sufficient level of landscaping and outdoor living space around buildings; and</b> <b>4-provision for on-site outdoor living areas; and</b> <b>5. sites that incorporate plantings; and</b> <b>6. a good level of sunlight access; and</b> <b>7. a good level of privacy between properties.</b>

Kāinga Ora	229.75	Mixed housing density & multi-unit development with the General Residential zone is supported.	Support	Support for the addition of a new rule within the GRZ-General Residential Zone Chapter enabling multi-unit development as a Restricted Discretionary Activity.	Allow in full	Amend the <b>GRZ-General Residential Zone Chapter</b> as per the original submission: <b>GRZ-RX - Residential developments containing three or more residential units</b> <b>Activity status: Restricted Discretionary</b> <b>Matters of discretion are limited to:</b> <b>1. the effects on any infringements of the General Residential Zone Standards;</b> <b>2. the effects on neighbouring properties;</b> <b>3. building bulk and scale;</b> <b>4. appropriate privacy and amenity for on-site occupants;</b> <b>5. proximity of the site to communal or public outdoor space to mitigate a possible lack of private outdoor living space;</b> <b>6. accessibility to any commercial or mixed use zone or everyday commercial activities;</b> <b>7. The ability for the site to accommodate incidental activities anticipated within the General Residential Zone such as parking (if it is to be provided), manoeuvring, waste collection and landscaping; and</b> <b>8. Any mitigation measures.</b>
Kāinga Ora	229.76	Support for amendments to the GRZ-General Residential Zone Chapter.	Support	Support for the introduction of a new rule within the GRZ-General Residential Zone Chapter for the infringement of any applicable zone standard being classified as a Restricted Discretionary Activity.	Allow in full	Amend the <b>GRZ-General Residential Zone Chapter</b> as per the original submission: <b>GRZ-RX - The infringement of any applicable Zone Standard to an activity</b> <b>Activity status: Restricted Discretionary</b> <b>Matters of discretion are limited to :</b> <b>1. the matters of discretion listed against each Zone Standard, where that standard is infringed.</b>
Kāinga Ora	229.78	Support for proposed amendment to GRZ-S2.	Support	Support an amendment to GRZ-S2 to exclude buildings sharing a common wall from being subject to recession planes.	Allow in full	Amend <b>GRZ-S2</b> as per the original submission: <b>GRZ-S2 Height in relation to boundary</b> Buildings and structures must be contained within a building envelope defined by recession planes from points 2.5m above ground level at the boundaries of the site. The method for determining recession planes and any permitted projection is described in APP8 - Recession Planes. <b>Note: This standard does not apply where two buildings share a common wall along the boundary of the site/s.</b> [...]
Horticulture New Zealand	245.82	The integration of Future Development Area within the	Support	Support for a proposed amendment to clause 7 of FDA-P4 to manage reverse sensitivity.	Support	Amend FDA-P4 as follows: FDA-P4 Development Area Plans Require Development Area Plans to provide for a comprehensive, coordinated and efficient development that addresses the following matters: 1. ... [...]; 7. the integration of the area with surrounding areas and the way any conflict between areas and reverse sensitivity is to be managed; [...]
Horticulture New Zealand	245.83	Oppose in full	Oppose	Horticulture NZ seeks to remove identified Highly Productive Land from Future Development Areas by relying on the provisions of the NPS-HPL. However FDA's were notified prior to the NPS-HPL being operative. FDA-P5 as notified includes the preparation of a Development Area plan in accordance with FDA-P4. The relief sought under our submission to 245.82 incorporates the management of reverse sensitivity within FDA-P4 making any reference to reverse sensitivity under FDA-P5 unnecessary.	Oppose in full	Remove highly productive land under the NPS-HPL from within all Future Development Areas; AND Amend FDA-P4 as per our submission on FDA-P4 above.
Horticulture New Zealand	245.84	Oppose in full	Oppose	Horticulture NZ seeks to remove identified Highly Productive Land from Future Development Areas by relying on the provisions of the NPS-HPL. However FDA's were notified prior to the NPS-HPL being operative. FDA-P5 as notified includes the preparation of a Development Area plan in accordance with FDA-P4. The relief sought under our submission to 245.82 incorporates the management of reverse sensitivity within FDA-P4 making any reference to reverse sensitivity under FDA-P5 unnecessary.	Oppose in full	Remove highly productive land under the NPS-HPL from within all Future Development Areas.

Horticulture New Zealand	245.85	Oppose the concerns raised in relation to Development Areas incorporating LUC class land.	Oppose	Horticulture NZ seeks to remove identified Highly Productive Land from Future Development Areas by relying on the provisions of the NPS-HPL. However FDA's were notified prior to the NPS-HPL being operative. FDA-P5 as notified includes the preparation of a Development Area plan in accordance with FDA-P4.	Oppose	Remove highly productive land under the NPS-HPL from within all Future Development Areas. Support for a proposed amendment to clause 7 of FDA-P4 to manage reverse sensitivity.
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