

**BEFORE INDEPENDENT HEARING COMMISSIONERS
APPOINTED BY THE TIMARU DISTRICT COUNCIL**

UNDER: the Resource Management Act 1991

IN THE MATTER OF: Submissions and further submissions in
relation to Timaru Proposed District
Plan

**LEGAL SUBMISSIONS ON BEHALF OF WAIHI SCHOOL TRUST BOARD
(SUBMITTER NO. 236) FOR HEARING B1: RURAL ZONES**

Dated: 11 July 2024

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1. INTRODUCTION

- 1.1 These legal submissions are presented on behalf of Waihi School Trust Board (**WSTB**).
- 1.2 WSTB lodged a submission (#236) on the Proposed Timaru District Plan (**PDP**) (**Submission**), which:
 - (a) Opposes the General Rural Zone of the Waihi School site (611 Temuka Orari Highway, Temuka¹) and the adjoining site (637 Temuka Orari Highway, Temuka²) (**Sites**) (Submission Point 236.1); and
 - (b) Seeks a site-specific planning framework to recognise and provide for its existing and future education activities and facilities on the Sites (Submission Point 236.2).
- 1.3 These legal submissions provide an overview of the WSTB's current position on the PDP following the release of the section 42A report for Hearing B2: Rural.³
- 1.4 WSTB is calling evidence from Ms Penny Gallagher on planning matters arising from the reporting officer's recommendations on the Submission.
- 1.5 Arrangements can be made for Mr Stuart Ford, author of the National Policy Statement for Highly Productive Land (**NPS-HPL**) assessments for the Sites to be available should the Panel have any NPS-HPL related questions pertaining to the Submission.

2. WAIHI SCHOOL PRECINCT (PREC8)

- 2.1 As Ms Gallagher has explained in her evidence,⁴ following the filing of the Submission, Timaru District Council's (**Council's**) reporting officer, Mr MacLennan, invited WSTB to:

¹ Lot 1 DP 46763, CB26B/127.

² Sec 42 RES 389, CB20A/986.

³ *Proposed Timaru District Plan, Section 42A Report: Rural Zones, Report on submissions and further submissions, Author: Andrew MacLennan, dated 19 June 2024 (Section 42A Report).*

⁴ Statement of Evidence of Ms Gallagher, dated 5 July 2024, at [22] to [25].

- (a) Prepare a proposed package of plan provisions that it considered would satisfy the concerns raised in the Submission; and
- (b) Provide an assessment under the NPS-HPL, supporting the adoption of a site-specific planning framework for the Sites.

2.2 Ms Gallagher prepared the requested package of plan provisions, supported by Mr Ford's NPS-HPL assessments.⁵ This information has since been considered by Mr MacLennan, and has informed his recommendation for:⁶

- (a) A new "Waihi School Precinct" over the Sites to be included in the PDP; and
- (b) A new policy (PREC8-P1) and rule (GRUZ-R7);

to recognise the existing Waihi School and education facilities and to provide for future education facilities on the Sites.

2.3 Ms Gallagher has described Mr MacLennan's recommendations in her evidence,⁷ and has formed the view that they:⁸

- (a) Address the matters raised in the Submission;
- (b) Are an efficient and effective method of achieving GRUZ-O1; and
- (c) Will ensure that the character and quantities of the GRUZ set out in GRUZ-O2 will be maintained.

2.4 Ms Gallagher is also satisfied, on the basis of Mr Ford's assessments, that the NPS-HPL does not provide an impediment to the inclusion of a site-specific planning framework for educational facilities on the Sites.⁹

3. DECISIONS SOUGHT BY WSTB

3.1 On the basis of Ms Gallagher's advice, WSTB supports Mr MacLennan's recommendations in relation to Submission Points 236.1 and 236.2.

⁵ Attached to the Section 42A Report as Appendix – 3.

⁶ Section 42A Report, at 13.1.29 to 13.1.30.

⁷ Statement of Evidence of Ms Gallagher, at [26].

⁸ Statement of Evidence of Ms Gallagher, at [25].

⁹ Statement of Evidence of Ms Gallagher, at [21].

Accordingly, WSTB respectfully requests that the Hearings Panel adopt those recommendations.

Dated: 11 July 2024

A handwritten signature in blue ink, appearing to read 'J. Hamilton', is positioned above a horizontal line.

Georgina Hamilton
Counsel for Waihi School Trust Board