

23 February 2026

Independent Hearing Panel – Timaru District Plan
C/- Secretariat (pdp@timdc.govt.nz)
Timaru District Council

By email

Dear IHP

Timaru District Plan -comments on 'draft decisions for technical review'

1. We act for the Bidwill Trust Hospital (**Trust**).
2. The Trust received the Independent Hearing Panel's (**IHP**) draft decisions document that was issued in draft form to enable a technical review. It is inferred that the term technical review relates to identifying any issues of a 'technical' nature, as opposed to substantive findings. However, we have not been provided with any written confirmation of that position.
3. The Trust has indicated that it would like two issues brought to the attention of the IHP:
 - 3.1. The first relates to proposed wording that the Trust is concerned does not convey what it understands the relevant standard is intended to convey; and
 - 3.2. Secondly, the Trust does want to express its concern at how the issue of the scope of its submission was handled.
4. The Trust recognises that raising this second issue may go beyond the intention of the IHP in releasing its draft decisions. However, the legal issue of scope is both technical and binary in nature. The Trust is also mindful that the only alternative to raising the issue now is to lodge an appeal when the decisions are formally issued. Accordingly, the Trust has instructed that we raise this issue, in case the draft outcome can be reconsidered.

The wording issue

5. This relates to the wording included for MRZ-R13 PER-2, which provides permitted activity status where:

"The building or structure is less than 200m²; and"

6. The issue is that the intention for the rule is to also enable extensions to existing buildings and, as framed, would not allow for any extension where the resulting building exceeded 200m².
7. The wording that had been proposed in the planners Joint Witness Statement (**JWS**) made an allowance for extensions to existing buildings of less than 200m². It is unclear from the decision whether this change was deliberate or why it was considered necessary.
8. The Trust's preference, and the intent of its submission, is that the ability to also make modest extensions to existing buildings be permissible. Therefore, the Trust asks that the wording be amended to that agreed by the planners, specifically:

"Any new building or structure, or expansion to any existing building or structure, is no more than 200m²; and"

The scope issue

9. The Trust is disappointed that the IHP has determined that the dimensions of the proposed precinct must be reduced to the footprint of the current site. That decision essentially negates a principal objective of the Trust in making its submission: that future growth, that inevitably entails some growth outside the current site footprint, be enabled, while recognising the need to maintain residential character.
10. The Trust also wonders whether the IHP fully understood the evolution of the relief it is seeking. Specifically, that the Trust initially sought its own zone, and specifically sought the ability to allow for the growth of the zone, or to make changes within the TDC's proposed zoning (MRZ) that would make any future growth permitted.
11. Two points made in the draft decision indicate a perceived level of uncertainty regarding what the Trust was proposing. The first is based on the use of the term "development" that the IHP noted could be either on-site or off-site, while the second was the idea that a permitted rule could allow for such development anywhere in the MRZ.
12. With respect, if these aspects of the submission did create uncertainty, which the Trust does not think is the case, that would have also provided a concerned reader of the submission (or the relief in the summary at least) sufficient reason to submit. Either way the outcome being promoted by the Trust (future growth that extended the hospital site) was plainly one of the options that was "on the table" which, in turn, supports that scope exists for the Trust's preferred outcome.

13. The Trust maintains that the objective of enabling the growth of the hospital could only mean that the footprint of the hospital site would have to increase, a fact that is clear to surrounding residents. Subsequently to the submission, the Trust has purchased 3 neighbouring properties. The relief the Trust originally sought would have allowed for this objective and included wording that made that tolerably clear.
14. If the process behind the “draft for technical review” enables a reconsideration of these points, the Trust would appreciate the mapping of the precinct being amended to reflect the plan included in the planners JWS. If it is not, then as noted the Trust will need to contemplate its options on receipt of the final decision.
15. Any assistance in this regard is appreciated.
16. At the very least, the Trust hopes that the wording change outlined to MRZ-R13 PER-2 can be affected under this technical review process.
17. Please advise if any further information is required.

Yours faithfully



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