

Before the Hearing Panel  
Appointed by the Timaru District Council

Under the Resource Management Act 1991 (**RMA**)

In the matter of the Proposed Timaru District Plan

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**Memorandum of Counsel on behalf of Timaru District Council – Hearing  
G – Hearing timetable**

**9 May 2025**

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**Council's solicitors:**

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## **May it please the Hearing Panel:**

### **Introduction**

- 1 This memorandum is filed by counsel for the Timaru District Council (**Council**) in relation to Hearing G, which is scheduled for 8 – 10 July 2025. The purpose of this memorandum is to seek amendments to the hearing timetable for Hearing G as it relates to the Future Development Areas chapter and rezoning requests (Growth topic).

### **Background**

- 2 Minute 6 makes directions as to timeframes for the circulation of section 42A reports, expert evidence and legal submissions for each hearing as follows:
  - (a) Section 42A reports – 20 working days prior to the hearing;
  - (b) Expert evidence – 10 working days prior to the hearing; and
  - (c) Legal submissions – 5 working days prior to the hearing.
- 3 A different timetable for the Growth topic was established, as amended by Minute 13, as follows:
  - (a) Preliminary section 42A report – 29 October 2024;
  - (b) Submitter information – 20 February 2025;
  - (c) Final section 42A report – 21 May 2025 (30 working days prior to the hearing, noting King's Birthday on 2 June 2025 and Matariki on 20 June 2025);
  - (d) Submitter evidence – 19 June 2025 (10 working days prior to the hearing);
  - (e) Legal submissions – 27 June 2025 (6 working days prior to the hearing);
  - (f) Section 42A author summary of issues – 2 July 2025 (3 working days prior to the hearing).
- 4 Since Minute 13 was issued, the Financial Contributions and Designations chapters have been re-allocated to Hearing G. The Council has progressed on the assumption that the directions in Minute 6 continue apply to those topics, despite the directions in Minute 13 that specifically relate to the Growth topic.

- 5 In relation to the Growth topic, the preliminary section 42A report was released on 29 October 2024. It was an extensive report that gave detailed directions as to matters submitters would need to address in support of submissions to rezone General Rural Zone land to urban, rural lifestyle or industrial, or to amend the timeframes or scope of Future Development Areas (**FDAs**). It included a residential, rural lifestyle and capacity analysis undertaken by Property Economics, outlined information required to understand infrastructure and servicing requirements and set out environmental values that need to be addressed.
- 6 Following site visits in November 2024, it became evident to the section 42A officer that the application of the National Policy Statement for Highly Productive Land (NPS-HPL) to rezoning requests or requests to amend FDAs were not well understood. The section 42A officer prepared a supplementary memorandum, which was filed on 22 January 2025, addressing whether the NPS-HPL applies to each request, in order to assist submitters to prepare the required information.
- 7 Two submitters were granted extensions of time for filing information in response to the preliminary section 42A report.<sup>1</sup>
- 8 Nineteen packages of submitter information were received in response to the preliminary section 42A report. That information has been assessed by a range of subject matter experts, including in relation to residential, rural lifestyle and industrial land capacity and sufficiency, transport matters, three waters infrastructure and landscape. Those assessments will inform the section 42A author's recommendations to the Panel.

#### **Request for extension of time**

- 9 Given the number of submitter packages received and the volume of information from subject matter experts that requires synthesizing prior to the section 42A officer making a recommendation, the Council respectfully requests an extension of time for issuing the section 42A report to **6 June 2025**. This would ensure the section 42A report is still filed 20 working days prior to the hearing, but will allow the section 42A officer sufficient time to compile the required information, formulate his recommendations, and finalise the section 42A report.
- 10 The Council further requests that legal submissions and the section 42A summary are due 5 working days and 2 working days prior to the

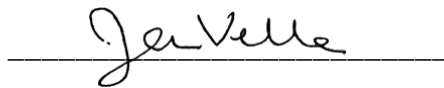
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<sup>1</sup> Minute 23.

hearing, i.e., **30 June 2025** and **3 July 2025**, respectively. Although minor, these amendments will better enable counsel and the section 42A officer to respond to matters raised in submitters' evidence relating to the Growth topic.

- 11 Together, these amendments will align the filing dates for all section 42A reports, legal submissions and section 42A summaries for Hearing G.
- 12 The Council is grateful for the Panel's attention to these matters.

Dated this 9 May 2025

A handwritten signature in cursive script, reading "Jen Vella", is written over a horizontal line.

Jen Vella  
Counsel for Timaru District Council