

Submission on Notified Proposal for Plan, Change or Variation

Clause 6 of Schedule 1, Resource Management Act 1991

To: Timaru District Council

Name of submitter:

Melven George Aitken, Paul Alexander Johnston, RSM Trust Limited.

[State full name]

This is a submission on the following proposed plan or on a change proposed to the following plan or on the following proposed variation to a proposed plan or on the following proposed variation to a change to an existing plan) (the 'proposal'):

Proposed Timaru District Plan

[State the name of proposed or existing plan and (where applicable) change or variation].

~~I could/could not* gain an advantage in trade competition through this submission.~~

[*Select one.]

~~*I am/am not† directly affected by an effect of the subject matter of the submission that—~~

~~(a) adversely affects the environment; and~~

~~(b) does not relate to trade competition or the effects of trade competition.~~

[*Delete or strike through entire paragraph if you could not gain an advantage in trade competition through this submission.]

[†Select one.]

The specific provisions of the proposal that my submission relates to are: [Give details]

Please refer attached submission

My submission is: [Include whether you support or oppose the specific provisions or wish to have them amended; and reasons for your views]

[If your submission relates to a proposed plan prepared or changed using the collaborative planning process, you must indicate the following:

- Where you consider that the proposed plan or change fails to give effect to a consensus position and therefore how it should be modified; or
- In the case that your submission addresses a point on which the collaborative group did not reach a consensus position, how that provision in the plan should be modified.]

Please refer attached submission

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I seek the following decision from the local authority: *[Give precise details as this is the only part of your submission that will be summarised in the summary of decisions requested]*

Please refer attached submission

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I wish ~~(or do not wish)~~† to be heard in support of my submission.

*[*In the case of a submission made on a proposed planning instrument that is subject to a streamlined planning process, you need only indicate whether you wish to be heard if the direction specifies that a hearing will be held.]*

[†Select one.]

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

*[*Delete if you would not consider presenting a joint case.]*

Thomas Frederic Coughlan, on behalf of the submitters

Signature of submitter (or person authorised to sign on behalf of submitter)

[A signature is not required if you make your submission by electronic means]

Date 15th December 2022.....

Electronic address for service of submitter: fred@do.nz.....

Telephone: 03 962 8572.....

Postal address (or alternative method of service under s352 of the Act): PO Box 589, Christchurch 8041.....

Contact person: *[name and designation, if applicable]* Fred Coughlan, Senior Planner.....

Note to person making submission

1. If you are making a submission to the Environmental Protection Authority, you should use form 16B. If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.
2. Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):
 - It is frivolous or vexatious:
 - It discloses no reasonable or relevant case:
 - It would be an abuse of the hearing process to allow the submission (or the part) to be taken further:
 - It contains offensive language:
 - It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialist knowledge or skill to give expert advice on the matter.

SUBMISSION ON THE PROPOSED TIMARU DISTRICT PLAN

(Clause 6 First Schedule Resource Management Act 1991)

To Timaru District Council
Address 2 King George PI, Timaru Central, Timaru 7910
By Email pdp@timdc.govt.nz

Submitter Details

Full Name(s) Melven George Aitken, Paul Alexander Johnston, RSM Trust Limited.

Submitter Agents Name Davis Ogilvie Aoraki
Contact Person Fred Coughlan
Address for Service PO Box 589
Christchurch 8041

Email Fred@do.co.nz
Phone number (03) 962 8572

Hearing

The submitters wish to be heard in support of their submission.

Specific provisions that this submission relates to

The submission relates to the Proposed Timaru District Plan.



Fred Coughlan

Senior Planner, Davis Ogilvie

For and on behalf of the submitter(s)

STATEMENT OF INTEREST AND BACKGROUND

1. The submission relates to the properties identified in Table 1 below.

Table 1: Submission Properties		
Address	Legal Description / RT	Site Area (m²)
26 Factory Road, Temuka	Lot 2 DP 377989	8.3425 ha
No Address	Lot 1 DP 377989	2,136 m ²
52 Factory Road, Temuka	Lot 39 DP 6860	9.3836 ha
52 Factory Road, Temuka	Lot 38 DP 6860	9.9653 ha

2. The location of the properties is identified in Figure 1.



Figure 1: Location of Submission Properties (Timaru Proposed District Plan)

3. Both 26 and 52 Factory Road contain residential dwellings, with the wider site utilised for agricultural purposes. This is reflected by the properties current Rural 1 (R1) and Rural 2 (R2) zoning (Operative Timaru District Plan).
4. The site is located at the northeastern end of the Temuka Township, immediately north of the existing Temuka urban environment. Opihi College (High School) sits to the east of the site (ID: 17600 – MEDU-13). The properties have good access to the roading network via Factory Road to the west and Seddon Street to the south. Reticulated servicing for the Temuka Township

terminates at southern extents of the site within Factory Road and Seddon Street. Further investigation will be required in relation to existing network capacity with regard to wastewater and potable water services. Stormwater services should be considered for inclusion under the proposed TDC Global Consent structure as part of the anticipated urban area.

5. 26 Factory Road adjoins the Residential 1 Zone (Operative Timaru District Plan) along its southern boundary.
6. The Proposed Timaru District Plan (PTDP) identifies the site as predominantly an underlying zoning of General Rural Zone (GRUZ), with a narrow strip of General Residential Zone (GRZ) located on the access leg to Seddon Street. The site has a Future Development Area Overlay noted as 'FDA 6 – Factory Road Future Development Area – Residential', which encompasses land at both 26 and 52 Factory Road.
7. The PTDP identifies that the site is subject to the following overlays:
 - Future Development Area
 - Flood Assessment Area
 - Aerodrome Flight Paths Protection Area
 - Wahi Tupuna (SASM-4)
 - Versatile Soils
8. The Planz review of the GMS (2022) identified the site as appropriate as a future development area on the basis that the land is well located to amenities, infills the area between the Rural Lifestyle zones, is already partly occupied by the high school and is still relatively unfragmented, being wholly owned by the submitters.

SUBMISSION

9. The landowner's submission is in partial support of the Proposed Timaru District Plan (PTDP), as it relates to their properties, subject to the relief set out below.
10. Primarily, the submitters support the intent of Future Development Area Overlay (FDA6) proposed across their site. This recognises that the land is suitable for future urban development.
11. Schedule 15 of the PTDP notes the anticipated zone for FDA 6 is General Residential Zone, the submitters support the scope of the FDA which provides for future development to General Residential Zone densities

12. Schedule 15 of the PTDP notes that the timeframe for the Development Area Plan is 'Future area - beyond 10 years'. The submitters oppose this timeframe.
13. The submitter also provides comment as to the 'Versatile Soils' overlay.
14. It is noted that the FDA is only an indicator of the anticipated location of future development and the DPR will not result in a change to residential zoning. The submitters understand that the onus for carrying this out would be on the landowner – with the FDA effectively indicating Council support for residential development of the land subject to appropriate investigations and reports.
15. The submitters consider further detail is required in the plan as to the scope of investigations and reports required to undertake a Plan Change to fulfil the FDA. Further the submitters seek clarification as to the procedural process proposed, noting costs for a Private Plan Change fall wholly on the landowners.
16. As noted above, the PTDP notes that the timeframe for the Development Area Plan is 'Future area - beyond 10 years'. The applicants oppose this timeframe for the following reasons.
 - a. All Councils must review their District plans in full every 10 years. If the Council considers that the land supply needs to be demonstrated as of this District Plan cycle it does not make sense for it to then defer it for the duration of the full District Plan cycle.
 - b. Land supply should not be constrained by arbitrary implementation dates. These limit the potential for reactive rezoning to meet potential market demand and may have the effect of limiting land supply where unanticipated demand occurs.
17. The submitter seeks relief by way of removal of any timeframe associated with the implementation of the FDA. Or in the alternative, a timeframe of five years.
18. In terms of the National Policy Statement for Highly Productive Land (NPS-HPL), much of the site is covered by the versatile soils overlay and is Land Use Capability 2. However, as the notification of the PTDP (22 September 2022) predated the commencement date of the NPS-HPL (17 October 2022), and FDA-6 is 'identified for future urban development' in the GMS, it is considered that the site is not classed as 'highly productive land' under Clause 3.5(7)(b)(i) or Clause 3.4(2) of the NPS-HPL. It is therefore considered that the NPS-HPL will not hinder the implementation of FDA-6.
19. It is considered appropriate that the versatile soils overlay is removed from the properties in accordance with the extent of FDA-6, on the basis that the properties have been identified for future urban development.

RELIEF SOUGHT

20. The submitters seek the following decision from the Timaru District Council:

- a. grant the relief set out above and/or
- b. grant any other consequential or similar relief that is necessary to deal with the concerns and the issues raised in this submission or any subsequent further submissions.

Dated 15th December 2022

Submission on Notified Proposal for Plan, Change or Variation

Clause 6 of Schedule 1, Resource Management Act 1991

To: Timaru District Council

Name of submitter:

Melven George Aitken, Paul Alexander Johnston, RSM Trust Limited.

[State full name]

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Proposed Timaru District Plan

[State the name of proposed or existing plan and (where applicable) change or variation].

~~I could/could not* gain an advantage in trade competition through this submission.~~

[*Select one.]

~~*I am/am not† directly affected by an effect of the subject matter of the submission that—~~

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My submission is: [Include whether you support or oppose the specific provisions or wish to have them amended; and reasons for your views]

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*[*Delete if you would not consider presenting a joint case.]*

Thomas Frederic Coughlan, on behalf of the submitters

Signature of submitter (or person authorised to sign on behalf of submitter)

[A signature is not required if you make your submission by electronic means]

Date 15th December 2022.....

Electronic address for service of submitter: fred@do.nz.....

Telephone: 03 962 8572.....

Postal address (or alternative method of service under s352 of the Act): PO Box 589, Christchurch 8041.....

Contact person: *[name and designation, if applicable]* Fred Coughlan, Senior Planner.....

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 - It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialist knowledge or skill to give expert advice on the matter.

SUBMISSION ON THE PROPOSED TIMARU DISTRICT PLAN

(Clause 6 First Schedule Resource Management Act 1991)

To Timaru District Council
Address 2 King George Pl, Timaru Central, Timaru 7910
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Submitter Details

Full Name(s) Melven George Aitken, Paul Alexander Johnston, RSM Trust Limited.

Submitter Agents Name Davis Ogilvie Aoraki
Contact Person Fred Coughlan
Address for Service PO Box 589
Christchurch 8041
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The submitters wish to be heard in support of their submission.

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Fred Coughlan

Senior Planner, Davis Ogilvie

For and on behalf of the submitter(s)

STATEMENT OF INTEREST AND BACKGROUND

- The submission relates to the properties identified in Table 1 below.

Table 1: Submission Properties			
Address	Legal Description / RT	Site Area (m²)	Submitter Position
27 Hally Terrace, Temuka	Lot 1 DP 41595	1832 m ²	Oppose
149 King Street, Temuka	Lots 1 - 4 DP 7289	2012 m ²	Support
165 King Street, Temuka	Lot 33 TN OF Wallingford	2018 m ²	Support
173 King Street, Temuka	Lot 1 and 2 DP 10501	1979 m ²	Support
168 King Street, Temuka	Part Lot 14 TN OF Wallingford	1085 m ²	Oppose
9 Wilmshurst Road West, Temuka	Lot 1 DP 64030	1.63 ha	Support
1 Thomas Street, Temuka	Lot 163 - 167 TN OF Wallingford Lot 174 - 178 TN OF Wallingford	1.1630 ha	Support
No Address (Cnr Thomas Street and Ewen Road)	Lot 368 DP 25 Lot 3 DP 25238 Lot 371 DP 25	4044 m ²	Support
2, 2A, 2B, 4 an 4A King Street, Temuka	RS 9460 Lot 4 DP 52585 Lot 3 DP 52585 Lot 2 DP 52585 Lot 2 DP 46000 Lot 1 DP 52585 Lot 2 DP 83232	5.1104 ha	Support

- The properties are dispersed across the Temuka urban area and utilised for a mixture of industrial, commercial and residential activities generally reflective of their underlying zones.

SUBMISSION

- Relief requested in relation to the above identified properties is outlined below.

27 Hally Terrace, Temuka

- The location of the property is identified in Figure 1 below.



Figure 1: Location of Submission Property (GripMap 2021)

5. The property is zoned Commercial 1 (C1) subject to the Operative Timaru District Plan. The Proposed District Plan shows an underlying proposed zoning of General Residential Zone (GRZ).
6. The proposed zoning will reduce the scope for commercial use of the land, it is the submitters preference that this is retained. Given the location of the subject site and the prior underlying zoning it is considered the Town Centre Zone (TCZ) is more appropriate for the subject property.
7. Therefore, the applicant opposes the proposed General Residential zoning, and seeks relief by way of an alternative zoning of Town Centre Zone (TCZ).

149 King Street, Temuka

8. The location of the property is identified in Figure 2 below.



Figure 2: Location of Submission Property (GripMap 2021)

9. The property is zoned Commercial 1 (C1) subject to the Operative District Timaru Plan. The Proposed District Plan shows an underlying proposed zoning of Town Centre Zone (TCZ).

10. The proposed zoning will retain scope for centres type commercial activities within the property.
11. Therefore, the submitter supports the proposed Town Centre Zone as it relates to the property.

165 King Street, Temuka

12. The location of the property is identified in Figure 3 below.



Figure 3: Location of Submission Property (GripMap 2021)

13. The property is zoned a mix of Commercial 1 (COM 1) and Industrial Light (IND L) subject to the Operative District Timaru Plan. The Proposed District Plan shows an underlying proposed zoning of Town Centre Zone (TCZ) across the overall site.
14. The proposed zoning will retain scope for centres type commercial activities, including the trade supply activity currently undertaken within the property and is appropriate to the main street location.
15. Therefore, the submitter supports the proposed Town Centre Zone as it relates to the property.

173 King Street, Temuka

16. The location of the property is identified in Figure 4 below.



Figure 4: Location of Submission Property (GripMap 2021)

17. The property is zoned a mix of Commercial 1 (COM 1) and Industrial Light (IND L) subject to the Operative District Timaru Plan. The Proposed District Plan shows an underlying proposed zoning of Town Centre Zone (TCZ) across the overall site.
18. The proposed zoning will retain scope for centres type commercial activities and is appropriate to the main street location.
19. Therefore, the submitter supports the proposed Town Centre Zone as it relates to the property.

168 King Street, Temuka

20. The location of the property is identified in Figure 5 below.



Figure 5: Location of Submission Property (GripMap 2021)

21. The property is zoned Commercial 1 (C1) subject to the Operative Timaru District Plan. The Proposed District Plan shows an underlying proposed zoning of General Residential Zone (GRZ).

22. The proposed zoning will reduce the scope for commercial use of the land, it is the submitters preference that this is retained. Given the location of the subject site and the prior underlying zoning it is considered the Town Centre Zone (TCZ) is more appropriate for the subject property.
23. Therefore, the applicant opposes the proposed General Residential zoning, and seeks relief by way of an alternative zoning of Town Centre Zone (TCZ).

9 Wilmhurst Road West, Temuka

24. The location of the property is identified in Figure 6 below.



Figure 6: Location of Submission Property (GripMap 2021)

25. The property is zoned Industrial Light (IND L) subject to the Operative District Timaru Plan. The Proposed District Plan shows an underlying proposed zoning of General Industrial Zone across the overall site.
26. The proposed zoning will retain scope for industrial activities as per the existing use of the property and is appropriate to the industrial character of the underlying area.
27. Therefore, the submitter supports the proposed General Industrial Zone as it relates to the property.

1 Thomas Street, Temuka

28. The location of the property is identified in Figure 7 below.



Figure 7: Location of Submission Property (GripMap 2021)

29. The property is zoned Industrial Light (IND L) subject to the Operative District Timaru Plan. The Proposed District Plan shows an underlying proposed zoning of General Industrial Zone across the overall site.
30. The proposed zoning will retain scope for industrial activities as per the existing use of the property and is appropriate to the industrial character of the underlying area.
31. Therefore, the submitter supports the proposed General Industrial Zone as it relates to the property.

No Address (Cnr Thomas Street and Ewen Road)

32. The location of the property is identified in Figure 8 below.



Figure 8: Location of Submission Property (GripMap 2021)

33. The property is zoned Industrial Light (IND L) subject to the Operative District Timaru Plan. The Proposed District Plan shows an underlying proposed zoning of General Industrial Zone across the overall site.
34. The proposed zoning will retain scope for industrial activities as per the existing use of the property and is appropriate to the industrial character of the underlying area.
35. Therefore, the submitter supports the proposed General Industrial Zone as it relates to the property.

2, 2A, 2B, 4 an 4A King Street, Temuka

36. The location of the properties is identified in Figure 8 below.



Figure 8: Location of Submission Property (GripMap 2021)

37. The property is primarily zoned Industrial Light (IND L subject to the Operative District Timaru Plan), with a small portion of Rural 1 (R1) located at the southern extent of the site where it adjoins the Temuka River. The Proposed District Plan shows an underlying proposed zoning of General Industrial Zone across the overall site.
38. The proposed zoning maintains the industrial zoning of this property and converts the existing Rural 1 portion of the site which is now developed as industrial warehousing to General Industrial zone.
39. Therefore, the submitter supports the proposed General Industrial Zone as it relates to the property.

General Comments

40. The following Sites and Areas of Significance to Māori (SASM) overlays apply to the above properties:

- Wahi Tupuna – SASM-4 (all properties)

- Wai Taoka Lines - SASM-20 (RS 9460 only)

41. In relation to the Wahi Tupuna Overlay, the submitters support the intent of the overlay and associated controls however have concerns a to the structure and scope of controls where these relate to earthworks (SASM-R1). The inclusion of activity standards in both the SASM and EW chapters of the plan is not considered efficient, particularly where there is discrepancy between the standards and the existence of two separate rules within the plan results in a duplication of assessment for the same activity.
42. The applicant seeks relief that the earthworks activities standards, in particular the volumetric triggers within the SASM areas are aligned to the zone activity standards.

RELIEF SOUGHT

43. The submitters seek the following decision from the Timaru District Council:
 - a. grant the relief set out above; and/or
 - b. grant any other consequential or similar relief that is necessary to deal with the concerns and the issues raised in this submission or any subsequent further submissions.

Dated 15th December 2022

From: [Fred Coughlan](#)
To: [Megan Geng](#); [PDP](#)
Subject: RE: Submission on the Proposed Timaru District Plan - Melven George Aitken, Paul Alexander Johnston, RSM Trust #2
Date: Tuesday, 11 April 2023 3:37:37 pm
Attachments: [image008.png](#)
[image009.png](#)
[image010.png](#)

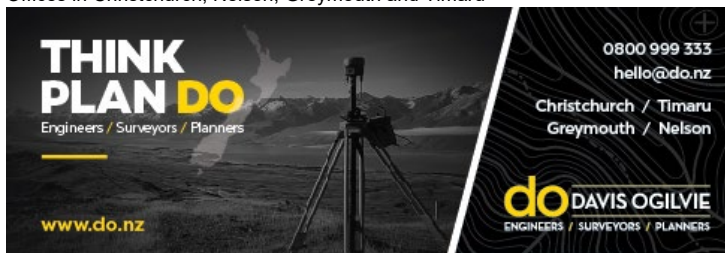
Hi Megan,

Apologies for the delay.

The submitter **Could not** gain an advantage in trade competition through this submission.

Kind regards,

FRED COUGHLAN / Senior Planner / fred@do.co.nz / BEMP, Assoc. NZPI, RMLA
DAVIS OGILVIE & PARTNERS LTD
ENGINEERS / SURVEYORS / PLANNERS
03 962 8572 / 0272929239 / 0800 999 333 / www.do.nz
Level 1, 24 Moorhouse Ave, Addington / P O Box 589, Christchurch 8140
Offices in Christchurch, Nelson, Greymouth and Timaru



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From: Fred Coughlan
Sent: Wednesday, March 29, 2023 8:45 AM
To: Megan Geng <megan.geng@timdc.govt.nz>; PDP <pdp@timdc.govt.nz>
Subject: RE: Submission on the Proposed Timaru District Plan - Melven George Aitken, Paul Alexander Johnston, RSM Trust #2

Hi Megan,

I will follow up with the client and come back to you by the 31st.

Kind regards,

FRED COUGHLAN / Senior Planner / fred@do.co.nz / [027 2929239](tel:0272929239)

From: Megan Geng <megan.geng@timdc.govt.nz>
Sent: Tuesday, March 28, 2023 4:58 PM
To: Fred Coughlan <Fred@do.nz>; PDP <pdp@timdc.govt.nz>
Subject: RE: Submission on the Proposed Timaru District Plan - Melven George Aitken, Paul Alexander Johnston, RSM Trust #2

Hi Fred,

We are working through submissions on the Proposed Timaru District Plan and noticed Form 5 isn't complete with regard to trade competition question:

~~**I could/could not* gain an advantage in trade competition through this submission.**~~

~~[*Select one.]~~

~~***I am/am not† directly affected by an effect of the subject matter of the submission that—**~~

~~**(a) adversely affects the environment; and**~~

~~**(b) does not relate to trade competition or the effects of trade competition.**~~

~~[*Delete or strike through entire paragraph if you could not gain an advantage in trade competition through this submission.]~~

~~[†Select one.]~~

Please note the submitter must state if they **Could/Could not** gain an advantage in trade competition through this submission.

Please confirm your answer by returning this email by Friday 31 March 2023.

Original submission is attached for your information.

Regards

Megan



Megan Geng | Team Leader Policy

Timaru District Council | PO Box 522 | Timaru 7940
P: +64 3 687 7419 | Cell: +64 27 332 6051 | W: www.timaru.govt.nz

From: Fred Coughlan <Fred@do.nz>
Sent: Monday, 16 January 2023 10:35 am
To: PDP <pdp@timdc.govt.nz>
Subject: RE: Submission on the Proposed Timaru District Plan - Melven George Aitken, Paul Alexander Johnston, RSM Trust #2

Hi Jane,

Happy new year.

Please see attached submissions with the Form 5 included.

Kind regards,

FRED COUGHLAN / Senior Planner / fred@do.co.nz / 027 2929239

From: PDP <pdp@timdc.govt.nz>
Sent: Thursday, 12 January 2023 10:53 am
To: Fred Coughlan <Fred@do.nz>
Subject: RE: Submission on the Proposed Timaru District Plan - Melven George Aitken, Paul Alexander Johnston, RSM Trust #2
Importance: High

Good Morning Fred ,

I was wondering if you did manage to email in the submission Form 5 ? Thank you.

Regards

Jane



Timaru District Council | PO Box 522 | Timaru 7940
P: 03 687 7200 | W: www.timaru.govt.nz

From: Fred Coughlan <Fred@do.nz>
Sent: Tuesday, 20 December 2022 12:10 pm
To: PDP <pdp@timdc.govt.nz>
Subject: RE: Submission on the Proposed Timaru District Plan - Melven George Aitken, Paul Alexander Johnston, RSM Trust #2

Hi there – I will provide this afternoon.

Kind regards,

FRED COUGHLAN / Senior Planner / fred@do.co.nz / 027 2929239

From: PDP <pdp@timdc.govt.nz>
Sent: Monday, 19 December 2022 10:24 am
To: Fred Coughlan <Fred@do.nz>
Subject: RE: Submission on the Proposed Timaru District Plan - Melven George Aitken, Paul Alexander Johnston, RSM Trust #2

Dear Fred,

Thank you for your email. In order for your submission to be considered please can you complete the attached Submission Form and return as soon as possible.

Kind regards



Timaru District Council | PO Box 522 | Timaru 7940
P: 03 687 7200 | W: www.timaru.govt.nz

From: Fred Coughlan [<mailto:Fred@do.nz>]
Sent: Thursday, 15 December 2022 4:47 pm
To: PDP <pdp@timdc.govt.nz>
Cc: Glen McLachlan <glen@do.nz>
Subject: Submission on the Proposed Timaru District Plan - Melven George Aitken, Paul Alexander Johnston, RSM Trust #2

Good Afternoon,

Please find attached submission documents from Melven George Aitken, Paul Alexander Johnston, RSM Trust

The submission relates the Proposed Timaru District Plan, due 5pm 15th December 2022.

Please confirm receipt of the attached documentation by way of reply.

Kind regards,

FRED COUGHLAN / Senior Planner / fred@do.co.nz / BEMP, Assoc. NZPI, RMLA

DAVIS OGILVIE & PARTNERS LTD

ENGINEERS / SURVEYORS / PLANNERS

03 962 8572 / 0272929239 / 0800 999 333 / www.do.nz

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Offices in Christchurch, Nelson, Greymouth and Timaru



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