

IN THE MATTER OF Resource Management Act 1991

AND

IN THE MATTER OF the hearing of submissions in relation to
the Proposed Timaru District Plan

MINUTE 45
CORRESPONDENCE FROM SUBMITTER 124

[1] The Panel¹ received an email via the hearings administration team from submitter 124, Phillip Gray, outlining recent contact with the Council s42A author for heritage matters. Mr Gray is concerned about the process, whereby he believes the Council continues to be reliant on the expert evidence of a heritage expert (the recent email).²

[2] The Panel records that we received an earlier email from Mr Gray ahead of Hearing E, in lieu of his attendance at that hearing due to availability.³ The Panel will consider that earlier email in our deliberations. The Panel has not invited further comment from Mr Gray. The recent correspondence is unsolicited. The Panel is not required to consider additional material from a submitter after the hearing. We will not consider unsolicited new material as part of our deliberations.

[3] Given the recent correspondence relates to a telephone conversation between Mr MacLennan and the submitter arising from Minute 38 we have asked the hearing administrator to forward it to Ms Vella, counsel for the Council, who may be able to assist Mr Gray in his understanding of the context of Mr MacLennan's approach.

[4] For completeness the Panel records that it expects that in response to the Panel's questions of Mr MacLennan in Minute 38, that he will clarify whether there is a 'demolition consent' in place (as was stated by Mr Gray in his email of 21 January) and what, if any, effect

¹ The Timaru District Council ("the Council") appointed Cindy Robinson (Chairperson), Ros Day-Cleavin, Councillor Stacey Scott, Jane Whyte, Megan McKay, and Raewyn Solomon ("the Panel") to hear submissions and further submissions, and evidence to make decisions on the Timaru Proposed District Plan ("the Proposed Plan") pursuant to Section 34A(1) of the Resource Management Act 1991 ("RMA"). Our delegation includes all related procedural powers to conduct those hearings.

² Email from P Gray addressed to the Chair, 30 July 2025.

³ Email from P Gray in support of submission 124, 21 January 2025.

that has on the heritage listing of the building and address any consistency issues with other recommendations.⁴

[5] The Council Reply (which will set out the Council's final recommendations to the Panel on submissions following the hearing of evidence) is due to be filed on 4 August 2025.⁵ The Council *recommendations* are just that. They are not the final decision as that is the Panel's role.

[6] The Panel will consider the written submissions, submitter presentations, evidence from submitters, Council s42A authors and other expert technical advisor recommendations, along with the Council's final Reply before deciding on submissions and the planning provisions.

[7] The Panel anticipates decisions being available early in the new year as set out in Minute 38.⁶

Dated this 31 July 2025.

A handwritten signature in dark ink, appearing to read 'C E Robinson', written over a horizontal line.

C E ROBINSON - CHAIR ON BEHALF OF THE HEARINGS PANEL

⁴ Minute 38, paragraph 4(c).

⁵ The Procedures for the Hearings on the Proposed Timaru District Plan were provided to all parties in Minute 6, timelines and processes have been updated as the hearings have progressed. Details of the reply process are set out at in Minute 6 paragraph 18, and refined in Minute 7, paragraphs 10-11 where the Panel allowed an 'interim reply' post hearing along with a final reply at the conclusion of the hearing process.

⁶ Minute 38, paragraphs 10-13.