

Appendix 1 - Recommended Responses to Submissions and Further Submissions

Table B1 – Sweep Up Matters

Submitter	Sub No.	Section/ Appendix	Sub- section	Provision	Submission Point Summary	Relief/ Decision Sought Summary	Accept / Reject
Waterton Farm Ltd	73.2	General	General	General	Supports Federated Farmers submission.	Seeks the relief sought as per Federated Farmers submission.	Accept, accept in part or reject as per Federated Farmers submission
Bruce Wain Rogers	92.1	General	General	General	Supports Federated Farmers submission.	Relief sought as per Federated Farmers submission.	Accept, accept in part or reject as per Federated Farmers submission
David and Judith Moore	100.2	General	General	General	Supports federated Farmers submission.	Relief sought as seen in Federated Farmers submission.	Accept, accept in part or reject as per Federated Farmers submission
Peel Forest Estate	105.1	General	General	General	Support Federated Farmers New Zealand and their submission	As relief sought in Federated Farmers submission.	Accept, accept in part or reject as per Federated Farmers submission
Kerry & James McArthur	113.1	General	General	General	Support Federated Farmer submission.	Consider the Federated Farmer recommendations.	Accept, accept in part or reject as per Federated Farmers submission
Z Energy Limited	116.1	General	General	General	General relief sought.	<p>In addition to the specific outcomes and relief sought in the other submission points, the following general relief is sought:</p> <p>a) Achieve the following:</p> <p>i. The purpose and principles of the Resource Management Act 1991 (RMA) and consistency with the relevant provisions in Sections 6 - 8 RMA;</p> <p>ii. Give effect to the Canterbury Regional Policy Statement;</p> <p>iii. Assist the Council to carry out its functions under Section 31 RMA;</p> <p>iv. Meet the requirements of the statutory tests in section 32 RMA; and</p> <p>v. Avoid, remedy or mitigate any relevant and identified environmental effects.</p> <p>b) Make any alternative or consequential relief as required to give effect to this submission, including, to the degree there is scope, any consequential relief required in any other sections of the PDP that are not specifically subject of this submission but where consequential changes are required to ensure a consistent approach is taken throughout the documents; and</p> <p>c) any other relief required to give effect to the issues raised in this submission.</p>	Reject
Leslie Raymond Rawlings	120.2	General	General	General	The submitter notes that the PDP has a lot of discretionary activities and the cost of opposing requests is expensive. The Court does not grant costs in most cases and the cost should be borne 50:50 by the applicant and the person opposing it.	None specified.	Reject
Radio New Zealand Limited	152.1	General	General	General	<p>Due to its civil defence role, the submitter considers the PDP needs to provide greater recognition and protection of submitter’s facilities, including recognising its critical contribution; its technical/operational constraints; and the need to avoid reverse sensitivity effects.</p> <p>[Refer to the original submission for full reasons].</p>	As outlined in specific submission points.	Reject (refer to more detailed submission points)

Royal Forest and Bird Protection Society	156.1	General	National and Regional Direction Instruments	General	<p><b>Alignment with national and regional policy direction.</b></p> <p>Concerned that the Plan does not adequately give effect to regional and national direction, including direction from:</p> <ul style="list-style-type: none"> <li>NZCPS Policy 1, Policy 11, and Policy 15;</li> <li>Canterbury Regional Policy Statement (CRPS). Chapter seven Freshwater, Chapter eight the Coastal Environment, Chapter nine, and Chapter twelve Landscape;</li> <li>NPS for Indigenous Biodiversity, in anticipation of its gazettal.</li> </ul> <p>[Refer to original submission for full reason].</p>	Requests the PDP gives effect to National and Regional Direction and takes into consideration the proposed NPSIB.	Reject
Transpower New Zealand Limited	159.1	General	General	General	<p>Acknowledges that the PDP goes a long way to achieve statutory requirements under the NPSET, CRPS, NESETA and the RMA. However, considers amendments are required to give effect to or achieve the purpose of the legislation.</p> <p>Considers such amendments to enable the submitter to efficiently operate, maintain and develop the National Grid network to meet increasing demand and to seek security of supply, thereby contributing to New Zealand’s economic and social aspirations.</p> <p>Considers the PDP needs to recognise and accommodate the ever-developing nature of National Grids, responding to changing supply and demand patterns, growth, reliability and security needs.</p> <p>[refer to original submission for full reasons].</p>	<p>1. Key elements of the submitter's relief seeks:</p> <ul style="list-style-type: none"> <li>the refinement of provisions that manage the potential adverse effects of the National Grid to achieve consistency, remove duplication and avoid possible conflict between provisions in different chapters;</li> <li>alignment of the ‘effects tests’ provisions for the development of the National Grid with the direction given in the NPSET;</li> <li>limited amendments to provisions that protect the National Grid to reflect the submitter’s nationally consistent approach;</li> <li>revisions to matters of discretionary to enable the consideration of the benefits of the National Grid; and</li> <li>provisions that appropriately enable the operation, maintenance and particularly upgrading of the National Grid within various overlays, including by recognising the operational needs and functional needs of the National Grid.</li> </ul> <p>2. The submitter seeks the following decision from the local authority: Amend the Proposed District Plan to make all required changes, including the specific amendments set out in the detailed submission points and such further alternative or consequential relief as may be necessary to fully give effect to this submission.</p> <p>[Refer relief sought on specific provisions]</p>	Reject (refer to more detailed submission points)
Penny Nelson, Director-General of Conservation Tumuaki Ahurei	166.1	General	General	General	<p>As specified in particular provisions.</p> <p>The decisions sought in this submission are required to ensure that the proposed Timaru District Plan:</p> <p>Gives effect to New Zealand Coastal Policy Statement 2010, the National Policy Statement for Freshwater Management 2020, and the Canterbury Regional Policy Statement;</p> <p>Recognises and provides for the matters of national importance listed in section 6 of the Act and to has particular regard to the other matters in section 7 of the Act;</p> <p>Promotes the sustainable management of natural and physical resources; and</p> <p>The changes sought are necessary, appropriate and sound resource management practice.</p>	<p>a. That the particular provisions of Proposed Plan that I support, as identified in Attachment 1, are retained;</p> <p>b. That the amendments, additions and deletions to Proposed Plan sought in Attachments 1 are made; and</p> <p>c. Further or alternative relief to like effect to that sought in a. and b. above, including consequential changes or changes required for consistency.</p>	Reject (refer to more detailed submission points)

Rooney Holdings Limited	174.1	General	General	General	Considers the PTDP has been drafted as a restrictive planning document that seeks to micromanage the effects of many activities that have previously been permitted. The PTDP consistently goes that extra step in terms of restrictiveness and micromanagement compared to other district plans is unnecessary and will result in additional costs and delays without adding any value in terms of environmental outcomes and sustainable management.	Request the PTDP to be more enabling and restricts where necessary to achieve statutory requirements.	Reject
Opuha Water Limited	181.1	General	General	General	The submitter notes that the PDP E Plan contains various spelling and grammatical errors; omits the text for footnotes; shows terms as “defined” which either are not defined in the PDP (or the RMA) or do not have operational cross-linkages; contains inconsistent terminology both within chapters and across chapters; and refers to outdated (repealed) legislation (e.g., Health & Safety in Employment Act 1992) amongst other various issues, which are addressed in the specific submission points. The submitter seeks that such errors be addressed in the <b>section 42A Report</b> so that submitters can review the reporting officers’ recommendations prior to the hearing of submissions, and offer further suggestions, if necessary.	Ensure the S.42A reports address the following errors in the PDP: <ul style="list-style-type: none"> <li>• drafting errors such as spelling and grammatical errors, omitted footnoted and inconsistency of terminology used within and between chapters;</li> <li>• technological issues, such as e-plan definition cross-linkage errors;</li> <li>• references to outdated (repealed) legislation.</li> </ul>	Accept in part
Federated Farmers	182.2	General	General	General	<p>The submitter supports the Council’s intention for having many activities able to occur without having an activity classification assigned to them. This recognises that there are activities which can occur without creating adverse effects on the environment and without the need to have controls specified in the District Plan. The submitter also supports the use of the permitted activity classification where some control is required.</p> <p>Submitter seeks that where a consent status is required, Council uses controlled status rather than restricted discretionary and or discretionary which allows Council the ability to decline. This would assist the Council in future proofing the plan for when the Natural and Built Environment Act comes into force which has indicated the removal of the restricted discretionary activity classification. 2.4 Controlled activities require resource consent but are always granted by the consent authority. The application for a resource consent will be assessed according to specified matters over which the Council will exercise its control.</p> <p>Controlled activity consents give certainty to users that the resource consent will be granted provided certain conditions are met. This is appropriate for activities that will have no more than minor effects on the environment and where the non-compliance with the permitted activities rules is minor. Submitter does not support Council moving from permitted activity to restricted discretionary and discretionary activity status without the allowance for a controlled activity. The resource consent process can be costly and result in significant time delays. The more restrictive activity classifications should only be imposed where there is evidence to support that there is a need for the Council to have reserved its discretion over several matters which need to be met.</p> <p>[Refer to original submission for full reason]</p>	<p>Review the District Plan to:</p> <ol style="list-style-type: none"> <li>1. apply a controlled activity status where possible. AND</li> <li>2. provide rules that are: <ul style="list-style-type: none"> <li>(a) are written clearly and concisely;</li> <li>(b) have conditions that are able to be complied with and are enforceable;</li> <li>(c) are consistent with objectives and policies contained in the District Plan;</li> <li>(d) avoid the reservation of the council’s discretion where it is not required or appropriate;</li> <li>(e) are consistent with the rules of other authorities such as the National Grid provide;</li> <li>(f) are consistent with the national direction set through National Environmental Standards and National Policy Statements; and</li> <li>(g) minimise the use of prohibited activity status which place unwarranted barriers for resource consent applicants.</li> </ul> </li> </ol>	Reject
Canterbury Regional Council (Environment Canterbury)	183.13	Definitions	Definitions	General	Notes a number of definitions refer to either "facility" or "activity", and the terms are not used consistently. It is necessary to ensure that both the activity, and the buildings, are covered by the definitions.	Amend any definition containing "facility" or "activity" to ensure that both the land use and the building is covered by the definition.	Reject

Canterbury Regional Council (Environment Canterbury)	183.2	General	General	General	Notes throughout the whole plan, there are very few activities that propose to dispense with public or limited notification, whereas there are many activities where either public or limited notification is not warranted (for example, breach of outdoor living space provisions). It is recommended that all rules in the plan be considered as to whether limited or public notification can be dispensed with.	Review the entire plan and consider whether public or limited notification can be dispensed with where resource consent is required.	Reject
Canterbury Regional Council (Environment Canterbury)	183.3	General	General	General	Considers there are a number of inconsistencies across zones within the plan in terms of assessment criteria for activities. The assessment criteria should be drafted the same, unless there is a good reason not to, for the same activity.	Review all assessment criteria across the plan to ensure that the same assessment criteria for activities across different zones are consistent.	Reject
House Movers Section of the New Zealand Heavy Haulage Association Inc	184.2	General	General	General	The submitter supports express provision for demolition of all buildings excluding heritage buildings as a permitted activity in all zones where building activities are provided for as a permitted activity.	Request that demolition of non-heritage buildings as a permitted activity in all zones where building activities are provided for as a permitted activity.	Accept
Te Runanga o Ngai Tahu	185.4	General	General	General	The plan contains minor errors that could impact the ability of Council to implement it as intended. E.g. use of abbreviations, legislation references.	Undertake a full check of the plan should be undertaken by a suitably qualified person with understanding of the legal requirements for consistency with legislation and case law as well as consistency between chapters.	Reject
Te Runanga o Ngai Tahu	185.5	General	General	General	Acknowledge that with a document this size there will be some mistakes in the te reo Māori language.	Undertake a full check of the te reo Māori used in the plan and the section 32 reports is undertaken by a suitably qualified person with understanding of the Kāi Tahu dialect before sections/parts become operative.	Accept in part
Te Runanga o Ngai Tahu	185.6	General	General	General	Supports the use of dual naming throughout the proposed plan, however considers the approach needs to be consistent throughout the plan.	Amend the entire plan to ensure the use of dual naming is consistent throughout the plan with te reo Māori first and English second.	Accept
GJH Rooney	191.1	General	General	General	Considers the PTDP has been drafted as a restrictive planning document that seeks to micromanage the effects of many activities that have previously been permitted. The PTDP consistently goes that extra step in terms of restrictiveness and micromanagement compared to other district plans is unnecessary and will result in additional costs and delays without adding any value in terms of environmental outcomes and sustainable management.	Request the PTDP to be more enabling and restricts where necessary to achieve statutory requirements.	Reject
BP Oil, Mobil Oil New Zealand Limited, Z Energy	196.1	General	General	General	Not stated.	In addition to the specific outcomes and relief sought, the following general relief is sought: Achieve the following: <ul style="list-style-type: none"> <li>The purpose and principles of the Resource Management Act 1991 (<i>RMA</i>) and consistency with the relevant provisions in Sections 6 - 8 RMA;</li> <li>Give effect to the Canterbury Regional Policy Statement;</li> <li>Assist the Council to carry out its functions under Section 31 RMA;</li> <li>Meet the requirements of the statutory tests in section 32 RMA; and</li> <li>Avoid, remedy or mitigate any relevant and identified environmental effects;</li> <li>Make any alternative or consequential relief as required to give effect to this submission, including any consequential relief required in any other sections of the proposed plan that are not specifically subject of this submission but where consequential changes are required to ensure a consistent approach is taken throughout the document; and</li> </ul> 3. Any other relief required to give effect to the issues raised in this submission.	Reject
Timaru City Centre Ratepayers Action Group	219.14	APP3 - National Guidelines for Crime Prevention through	General	General	Supports the inclusion of CPTED guidance for the design of public open spaces. However, considers that it must be made clear when and how this guidance is to be used and whether it is mandatory, or not. CPTED and its principles are not 'hard and fast' rules, rather, they are guiding principles that must be adapted to fit the local context.	Amend the relevant chapters of the PDP to make it clear when and how the guidance contained in APP3 is to be used.	Reject

		Environmen tal Design in New Zealand			[Refer original submission for full reason]		
Timaru Civic Trust	223.17	APP3 - National Guidelines for Crime Prevention through Environmen tal Design in New Zealand	General	General	Supports the inclusion of CPTED guidance for the design of public open spaces. However, considers that it must be made clear when and how this guidance is to be used and whether it is mandatory, or not. CPTED and its principles are not ‘hard and fast’ rules, rather, they are guiding principles that must be adapted to fit the local context.  [Refer original submission for full reason]	Amend the relevant chapters of the PDP to make it clear when and how the guidance contained in APP3 is to be used.	Reject
Te Tumu Paeroa, Office of the Maori Trustee	240.1	General	General	General	Submitter is generally comfortable with the objectives, policies, rules and standards to manage land use activities and subdivision across the Timaru district in the Proposed Plan. However, the submitter considers amendments are required to recognise all Māori landowners, reduce ambiguity and provide clear direction to those implementing plan.	As detailed in specific provisions.	Reject (refer to more detailed submission points)
Rooney Group Limited	249.1	General	General	General	Considers the PTDP has been drafted as a restrictive planning document that seeks to micromanage the effects of many activities that have previously been permitted. The PTDP consistently goes that extra step in terms of restrictiveness and micromanagement compared to other district plans is unnecessary and will result in additional costs and delays without adding any value in terms of environmental outcomes and sustainable management.	Request the PTDP to be more enabling and restricts where necessary to achieve statutory requirements.	Reject
Rooney Farms Limited	250.1	General	General	General	Considers the PTDP has been drafted as a restrictive planning document that seeks to micromanage the effects of many activities that have previously been permitted. The PTDP consistently goes that extra step in terms of restrictiveness and micromanagement compared to other district plans is unnecessary and will result in additional costs and delays without adding any value in terms of environmental outcomes and sustainable management.	Request the PTDP to be more enabling and restricts where necessary to achieve statutory requirements.	Reject
Rooney Earthmoving Limited	251.1	General	General	General	Considers the PTDP has been drafted as a restrictive planning document that seeks to micromanage the effects of many activities that have previously been permitted. The PTDP consistently goes that extra step in terms of restrictiveness and micromanagement compared to other district plans is unnecessary and will result in additional costs and delays without adding any value in terms of environmental outcomes and sustainable management.	Request the PTDP to be more enabling and restricts where necessary to achieve statutory requirements.	Reject
Timaru Developments Limited	252.1	General	General	General	Considers the PTDP has been drafted as a restrictive planning document that seeks to micromanage the effects of many activities that have previously been permitted. The PTDP consistently goes that extra step in terms of restrictiveness and micromanagement compared to other district plans is unnecessary and will result in additional costs and delays without adding any value in terms of environmental outcomes and sustainable management.	Request the PTDP to be more enabling and restricts where necessary to achieve statutory requirements.	Reject