

Under the Resource Management Act 1991

and

In the matter of the Proposed Timaru District Plan

**Memorandum to the Hearings Panel from David William Collins**

1. My wife Siobhan and I lodged a submission on the Proposed District Plan requesting:  
*“Include Blandswood in the Settlement Zone, and make any consequential amendments to the Proposed District Plan.”*
2. We have received the Notice of Hearing for Hearing B and the section 42A Report on the Rural Zones.
3. The s42A Report addresses Blandswood on pages 187 to 192. At paragraph 13.3.17 on page 192, under the heading *“Conclusions and Recommendations”* the reporting officer writes:  
  
*“No further amendments to the GURZ chapter are recommended. I recommend that the submissions listed in 8.9.1 above be transferred to the OSZ topic hearing for further consideration.”*
4. The reference to 8.9.1 appears to be an error because 8.9.1 relates to gravel extraction, but I take it that the reporting officer is recommending that our submission, and the other 21 submissions requesting that Blandswood is included in the Settlement Zone, are considered by the Hearing Panel at a later hearing.
5. At paragraph 13.3.16 the reporting officer states:  
  
*“However, I note that the relief sought within the submissions is not limited to just seeking a rezoning of the Blandswood area. The submissions also sought consequential amendment for the PDP that achieve a similar outcome. Given this, I consider there is scope within the submissions to make amendments to the OSZ to provide a greater ability to develop properties in the Blandswood area.”*
6. In my view this is simply wrong. None of the submissions relating to Blandswood request re-zoning to anything but the Settlement Zone. There no jurisdictional scope provided in the submissions to amend the provisions of any other zones.
7. As noted in paragraph 1 above, my submission (and some others) seek to *“Include Blandswood in the Settlement Zone, and make any consequential amendments to the Proposed District Plan.”* *“Consequential”* in this context can only mean consequential to the re-zoning sought. The context is not akin to the exceptional circumstances where Courts have allowed “and” to be interpreted as including “or”. These words were included in the submission to provide the Hearing Panel with scope to make

consequential amendments, particularly minor changes to the Settlement Zone provisions to eliminate any anomalies created by the inclusion of Blandswood.

8. The purpose of this Memorandum is to bring the recommendation in the s42A to the attention of the Hearing Panel with some urgency because there is a possibility that it may be treated as just an administrative matter.



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