

**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

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**MINUTE 18**

**DECISION TO WAIVE TIME FOR RECEIVING FURTHER SUBMISSIONS IN RESPONSE  
TO SUBMISSION 78**

**DATED 6 NOVEMBER 2024**

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**1. INTRODUCTION**

[1] The Council received a late further submission from the owners of two properties in opposition to a submission from Mr Templeton (submitter 78) to list the two properties as Scheduled Heritage Items in Schedule 3 of the Proposed District Plan. The late further submissions are from:

[2] Inspire Residential Limited (Mr Gonczy) the owner of a property at 32 Bidwell Street, Timaru; and

[3] Precision Securities Limited (Chris and Zella Leech), the owner of a property at 9A-B Sara Street/16 Sefton Street Timaru.

[4] The Council filed a memorandum explaining that Inspire Residential Limited is based in Auckland so was not aware of the submission requesting the listing of 32 Bidwell Street until the Council s42A Report Author contacted the owner to arrange access to the property.<sup>1</sup> In relation to Precision Securities Limited, the late further submitter appears to also have unaware of the request to include their property in the Schedule until contacted by Council s42A Report Author.<sup>2</sup>

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<sup>1</sup> Memorandum of Counsel for the Council, 16 October 2024

<sup>2</sup> Memorandum of Counsel for the Council, 25 October 2024

[5] The Council is not opposed to the Panel receiving either of the late further submissions and referred the Panel to the following relevant considerations:

- (a) Inspire Residential Limited is directly affected by the proposal to include 32 Bidwill Street in SCHED3;
- (b) the Council understands that Mr Gonczy lives in Auckland and was not aware of the submission relating to the property;
- (c) the section 42A officer is aware of Mr Gonczy's views on the submission and will take those views into account in making recommendations to the Panel; and
- (d) accepting the further submission is not likely to result in any delay because the section 42A report will be published on 10 December 2024 and Hearing E is scheduled for 10 – 14 February 2025.

[6] We accept this reasoning is equally applicable to the request in relation to Precision Securities Limited.

[7] Mr Templeton was served with the late further submissions, the Council memorandum and Minute 16 and confirmed by email that he had no opposition to the request to waive time to receive the further submissions out of time.<sup>3</sup>

## **2. DECISION**

[8] The Panel accepts the request for waivers of time made by Council in relation to the late further submissions to submission 78. The submission directly relates to the interests of the owners of the properties, who were unaware of the originating submission and therefore in the interests of fairness we consider that it is appropriate that they have an opportunity to be heard, along with the originating submitter in relation to this matter.

[9] We understand from Council that both late further submitters and submitter 78 have been provided with the Council assessment of the heritage values of the property in relation to this matter. The submissions are due to be heard in Hearing E, due to commence in February next year, therefore there is no prejudice to any party.

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<sup>3</sup> Email to TDC Hearing Administrator 31 October 2024.

[10] The late further submitters should familiarise themselves with the Panel's directions for hearings in Minute 6 (subject to the amended timeline in Minute 13) available on the TDC Proposed Plan website at [www.timaru.govt.nz/pdp](http://www.timaru.govt.nz/pdp).

Dated this 6th day of November 2024

A handwritten signature in black ink, appearing to read 'C E Robinson', written in a cursive style. The signature is positioned above a horizontal line.

C E ROBINSON - CHAIR ON BEHALF OF THE HEARINGS PANEL