

# RESOURCE MANAGEMENT ACT 1991

## FORM 5

### SUBMISSION ON A NOTIFIED PLAN (Clause 6 Schedule 1)

**To:** **Timaru District Council**

Attention:  
Planning Policy Team  
Timaru District Council

(By email: pdp@timdc.govt.nz)

**Submitter:** **McAuley Trust**

**Submission:** To the proposed District Plan for Timaru, that

(1) The specific rules for designated sites are made clear and unambiguous. For example, if the underlying zone controls are to be applied this should be explicitly stated as a general rule at an appropriate location within the Proposed Plan. Presently there appears no explicit statement of the development controls applying to designated sites within MEDU designated sites.

(2) That is respect of Part 3 – Area Specific Matters – Designations - Designation MEDU-27, being the designation enabling the use of the identified site for education purposes a further 'Additional information' Point 4 be included to state:

*'4. That a 10 metre yard apply in respect of any boundary with Lot 1 DP 45190 (7A Craigie Avenue, Parkside) and that no buildings or carparks shall be constructed within this yard.'*

**The basis for the submission and the Decisions sought from the statutory authority are as follows:**

(1) Without an explicit statement (rule) outlining what specific development rules apply to designated sites there is no certainty of rule application and hence certainty and management of environmental effects, including cross-boundary impacts. If the underlying zone provisions are to apply this needs to be stated, or alternatively, specific rules tailored to designated sites need to be outlined and made clear.

(2) In respect of Designation MEDU-27 the abutting property at 7A Craigie Avenue (Lot 1 DP 45190) is an existing site owned by the McAuley Trust for Sisters of Mercy and requiring and benefiting from a quiet environment. The development and use of the abutting school for education purposes is supported but alongside recognition of the need to maintain amenity and the particular land use requirements of the adjoining site at 7A Craigie Avenue. The proposed 10 metre yard reflects the need to manage building bulk normally associated with education buildings, which differ from residential building bulk, and the difficulty of properly mitigating noise and related impacts associated with carparks where they abut particularly sensitive land uses.

It is appropriate that this management measure is outlined specifically within designation MEDU-27 so that it is clear for design and land use management purposes.

**It is confirmed there is no advantage gained for trade competition purposes as a consequence of this submission.**

**I wish to be heard in support of this submission.**

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

**Address for Service:** c/- Resource Management Solutions (RMS)  
P.O. Box 68954  
Victoria Street West  
Auckland

Attention: Matt Feary

Phone: 021 638803 / Email [matt@rms.co.nz](mailto:matt@rms.co.nz)

**Dated 5 December 2022**

**Attachment – Certificate of Title for 7A Craigie Avenue, Parkside, Timaru.**



**RECORD OF TITLE  
UNDER LAND TRANSFER ACT 2017  
FREEHOLD  
Search Copy**



  
R.W. Muir  
Registrar-General  
of Land

**Identifier** CB24B/800  
**Land Registration District** Canterbury  
**Date Issued** 26 November 1982

**Prior References**  
CB445/178

---

**Estate** Fee Simple  
**Area** 3029 square metres more or less  
**Legal Description** Lot 1 Deposited Plan 45190  
**Registered Owners**  
McAuley Trust

---

**Interests**

