

Submission on Proposed Timaru District Plan - He Po. He Ao. Ka Awatea.

Form 5 Submission on publically notified proposal for policy statement or plan, change or variation

Clause 6 of Schedule 1, Resource Management Act 1991

To: Timaru District Council - Planning Unit

Date received: 15/12/2022

Submission Reference Number #:54

This is a submission on the following proposed plan (the **proposal**): Proposed Timaru District Plan - He Po. He Ao. Ka Awatea.

Submitter:

Milward Finlay Lobb - Andrew Rabbidge

Address for service:

Milward Finlay Lobb
Milward Finlay Lobb Ltd PO Box 434 Timaru 7940
New Zealand

Email: admin@mflnz.co.nz

Submission on behalf of:

Steve Dale & Anthony Dale

Attachments:

Dale Submission - Complete.pdf

I wish to be heard: Yes

I am willing to present a joint case: Yes

Could you gain an advantage in trade competition in making this submission?

- No

Are you directly affected by an effect of the subject matter of the submission that

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition

- No

Submission points

Point 54.1

Section: General

Sentiment: Oppose

Submission:

Please see attached Multiple Submission Point spreadsheet

Relief sought

Please see attached Multiple Submission Point spreadsheet

Submission on Notified Proposal for Plan, Change or Variation

Clause 6 of Schedule 1, Resource Management Act 1991

To: Timaru District Council

Name of submitters:

Steve Dale

Anthony Dale

[State full name]

This is a submission on the following proposed plan *or* on a change proposed to the following plan *or* on the following proposed variation to a proposed plan *or* on the following proposed variation to a change to an existing plan) (the 'proposal'):

Proposed Timaru District Plan

[State the name of proposed or existing plan and (where applicable) change or variation].

We ~~could~~/could not* gain an advantage in trade competition through this submission.

[*Select one.]

The specific provisions of the proposal that my submission relates to are: [Give details]

Multiple Submission Point spreadsheet - attached.

Our submission is: [Include whether you support or oppose the specific provisions or wish to have them amended; and reasons for your views]

[If your submission relates to a proposed plan prepared or changed using the collaborative planning process, you must indicate the following:

- Where you consider that the proposed plan or change fails to give effect to a consensus position and therefore how it should be modified; or
- In the case that your submission addresses a point on which the collaborative group did not reach a consensus position, how that provision in the plan should be modified.]

Multiple Submission Point spreadsheet - attached.

We seek the following decision from the local authority: [Give precise details as this is the only part of your submission that will be summarised in the summary of decisions requested]

Multiple Submission Point spreadsheet - attached.

We wish (~~or do not wish~~) † to be heard in support of my submission.

[*In the case of a submission made on a proposed planning instrument that is subject to a streamlined planning process, you need only indicate whether you wish to be heard if the direction specifies that a hearing will be held.]

[†Select one.]

We wish to be heard in support of my submission.

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

[*Delete if you would not consider presenting a joint case.]

Yes

Signature of submitter (or person authorised to sign on behalf of submitter)

[A signature is not required if you make your submission by electronic means]

Electronic means

Date **15 December 2022**

Electronic address for service of submitter:

steve@safetysys.com.au

Telephone: **+61 419 176 966**

Postal address (or alternative method of service under s352 of the Act):

C/- PO Box 434, Timaru 7940

Contact person: *[name and designation, if applicable]*

Steve Dale

Note to person making submission

1. If you are making a submission to the Environmental Protection Authority, you should use form 16B. If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.
2. Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):
 - It is frivolous or vexatious:
 - It discloses no reasonable or relevant case:
 - It would be an abuse of the hearing process to allow the submission (or the part) to be taken further:
 - It contains offensive language:
 - It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialist knowledge or skill to give expert advice on the matter.

Proposed Timaru District Plan - multiple submission point table

You can attach this table when making your submission via the online PDP submission form <https://timaru.isoplan.co.nz/eplan>
 Or by downloading our submission form https://www.timaru.govt.nz/_data/assets/pdf_file/0005/17987/636102-Template-Form-5-Submission-on-proposed-plan,-change-or-variation.pdf and then emailing it to pdp@timdc.govt.nz

Submitter Name: Anthony & Steve Dale

Chapter / Sub-part	Specific provision / matter	Position	Reason for submission	Decisions requested / relief sought
<i>Please identify what part of the plan your submission point relates to – this could be a subpart or chapter heading within the plan. i.e. General Rural Zone</i>	<i>Please identify the specific provision or matter your submission point relates to – this could be a specific objective, policy, rule, standard, or a more general matter that relates to a whole chapter, topic, zone, or overlay. i.e. GRUZ-01</i>	<i>Please indicate whether you support, oppose, or seek to amend the specific provision / matter. i.e. Support</i>	<i>Please provide reasoning to support your position. This could be a detailed explanation, technical information, or simply stating you support the intent of the provision. i.e. support the direction or GRUZ-01 to provided for rural activities.</i>	<i>Please indicate whether you are seeking to retain the provision as notified in the PDP, delete the provision, or are seeking amendment. If you are seeking to amend a provision please set this out using strikethrough to indicate deletion and underline to indicate additional text. i.e. Retain GRUZ-01 as notified</i>
Earthworks	EW-S1	amend	Larger residential sections may be impacted by this limitation	EW-S1 Clause 2 amend to The area of earthworks must be limited to <u>500 250m2</u> in any 12- month period on site; Or alternatively add additional clause to increase limit for larger sections.
Earthworks	EW-S2		Currently a building consent can only be issued by TDC against a single title. In the case of a subdivision, which is under development and pre-title, this results in all excavations works for multiple proposed sections having to receive building consent under the existing title only. However, regular (single section) constraints apply to these applications. e.g. lineal metre limitation on retaining walls.	Review with the TDC building department to consider how building consents for earthworks on sub-divisions can be issued prior to title release on all sections, with constraints being assessed against the number of sections being released as opposed to the single existing title.
Earthworks	EW-S3	amend	A 1.5m minimum boundary for retaining will result in excessive loss of usable build space for medium density and small residential sections.	Amend EW-S3 to Earthworks involving filling and/or excavation must not exceed 0.5m in depth or height within 1.5m of any site boundary, unless a building consent has been issued to conduct the earthworks.
Earthworks	EW-S4		A 12 month time limit may be to restrictive for some developments, especially considering recent events. Size of project, weather events, labour shortages etc. may all impact on extending a larger development beyond 12 months. Consider the recent showgrounds development.	There needs to be a mechanism or clause added to EW-S4 to allow for sub-divisions and larger project timelines.
General Residential Zone	GRZ-R10	oppose	Proposed fencing requirements are too restrictive and may impact privacy of private open spaces.	Amend PER-1 clause 2 no higher than 1.8m above ground level where at least 45% of the fence is visually permeable
General Residential Zone	GRZ - S5	oppose	This restriction may prohibitively impact smaller section sizes and limit variability in types of buildings as required by GRZ-P1	Delete GRZ-S5 clause 1 The building coverage of the net area of any site must not exceed 40%; and
General Residential Zone	GRZ-S6	amend	Clarity/readability	Amend GRZ-S6 to The maximum gross floor area of any single building must be not exceed 550m2.
General Residential Zone	GRZ-S9	oppose	Proposed landscaping is excessive at 30% and may impact the ability to provide a diverse range of unit types and sizes as required by GRZ-01 & GRZ-P1	Delete GRZ-S9 At least 30% of the site shall be planted in grass, trees, shrubs or other vegetation
Medium Density Residential Zone	MRZ-R10	oppose	Proposed fencing requirements are restrictive and may impact privacy of private open spaces.	Amend PER-1 clause 2 no higher than 1.8m above ground level where at least 45% of the fence is visually permeable
Medium Density Residential Zone	MRZ-S5	oppose	This rule may restrict the objectives and policies of medium density design as set out in MRZ-02, MRZ-P1 and MRZ-P3 to provide diverse unit types and sizes and innovative approaches.	Delete MRZ-S5 The building coverage of the net area of any site must not exceed 50%
Medium Density Residential Zone	MRZ-S6	oppose	Proposed landscaping is excessive at 30% and limits opportunity for diverse design as described by MRZ-01 and MRZ-P1	Delete GRZ-S9 At least 30% of the site shall be planted in grass, trees, shrubs or other vegetation
APP7 - Financial Contribution	2.0 Open Space & Recreation	amend	Policy should ensure it does not inadvertently create a retrospective cost or charge to already submitted consents, which had no visibility of these costs a time of feasibility being undertaken for the project.	New clause 2.0 2d. For any subdivision consent submitted to Timaru District Council prior to the District Plan being fully operative any open space contribution shall be in accordance with the District Plan that was operative at time of submission.