

Before the Independent Hearing Panel
Appointed by the Timaru District Council

Under	Schedule 1 of the Resource Management Act 1991 (RMA)
In the matter of	Submissions on the Proposed Timaru District Plan
Between	Various
	Submitters
And	Timaru District Council
	Respondent

Alanna Marise Hollier - s42A summary statement – Hearing B

Urban Zones – General Industrial and Port Zones

17 July 2024

Council's solicitors:

Michael Garbett | Jen Vella

Anderson Lloyd

Level 12, Otago House, 477 Moray Place, Dunedin 9016

Private Bag 1959, Dunedin 9054

DX Box YX10107 Dunedin

p + 64 3 477 3973

michael.garbett@al.nz | jen.vella@al.nz

**anderson
lloyd.**

Introduction

- 1 My name is Alanna Hollier. I am a Senior Policy Planner for the Timaru District Council and have been involved in the Proposed District Plan Review. I prepared the s42A report on the General Industrial (**GIZ**) and Port (**PORTZ**) Zones. I confirm that I have read all submissions, further submissions, submitter evidence and relevant technical documents and higher order objectives relevant to my s42A report. I have the qualifications and experience as set out in my s42A report.
- 2 The purpose of this summary is to provide the Panel and submitters with the following:
 - (a) Brief summary of key issues raised in submissions;
 - (b) Corrections I wish to make to my s42A report;
 - (c) A list of issues raised in evidence prior to the hearing, including identifying (where possible):
 - (i) issues that are resolved on the basis of the pre-circulated evidence; or
 - (ii) issues that remain outstanding pending the hearing of evidence; and
 - (d) Further comments on specific evidence; and
 - (e) Updates to the recommendations contained in my s42A report.

Summary of key issues

- 3 The key issues raised in submissions include:
 - (a) Whether industrial activities, and activities ancillary to them, should be enabled within the zone, as this is the only zone in which they are permitted;
 - (b) That the establishment of sensitive activities do not undermine industrial activity operation and development, specifically that they do not compromise Regionally Significant Infrastructure;
 - (c) Whether the management of maintenance of amenity within the GIZ, and effects of industrial activities on adjoining zones are managed broadly. Conversely to this, that offensive trades be effectively prohibited along zone boundaries with residential, recreational and open space zones.

- (d) That the management of effects on air quality are a matter of regional council jurisdiction and not that of a district council;
- (e) Whether the GIZ has capacity to include new activities (i.e. Community Correction Activities, Educational Activities and Supermarkets), including even if these uses are incompatible with industrial activities;
- (f) Port Bryson and Hilton Development Trust seek to rezone the properties of 16A, 16D, 16E and 18 Hilton Highway from General Residential Zone (**GRZ**) to GIZ as the GIZ is more reflective of the past, current and future use and desired uses for these properties;
- (g) Simo Enterprises seek to add a precinct to various properties adjoining State Highway 1 in Washdyke, Timaru, or alternatively seek that they are re-zoned to Mixed Use Zone (**MUZ**);
- (h) Canterbury Woodchip seek to rezone 2-8 Arowhenua Street and 61 Bridge Street from GRUZ to GIZ to recognise the existing use of their site;
- (i) Fonterra considered the GIZ fails to consider the unique characteristics of the Clandeboye site and that the provisions are unsuitable for the site. They seek amendments to introduce a new “Special Purpose Zone – Clandeboye Dairy Manufacturing Zone”, in preference to a precinct, tailored to the operations on the Clandeboye site. This included an initial request to rezone 37 Rolleston Road, 2 and 10 Kotuku Place from GRUZ to GIZ.

Corrections to my s42A report

- 4 I wish to make a clarification regarding the GIZ zoning of 110 Donehue Road (Fonterra, 165.3) and the discussion and recommendation relating to this property at paragraphs 6.2.2 and 6.2.3 of my s42A report. 110 Donehue Road includes two lots on the PDP map viewer, one is zoned GIZ (Lot 1 DP 75226) and one is zoned General Rural Zone (**GRUZ**) (Section 4 Clandeboye SETT NO 2). My recommendation at 6.2.3 only relates to Lot 1 DP 75226.

List of resolved and outstanding issues

- 5 A list of issues that are either resolved on the basis of pre-circulated evidence, or that remain outstanding pending the hearing of evidence, is attached at **Appendix A** in order to assist the Panel.

Further comments on specific evidence

KiwiRail

- 6 KiwiRail have requested a new setback be added to all zones for all buildings and structures within 5m of the rail corridor for health and safety reasons. Mr MacLennan, Ms White and I have reviewed and discussed the evidence of Ms Grinlinton-Hancock and Mr Gifford and legal submissions of Ms Arthur-Young and Ms Gunnell (for KiwiRail). While we wish to hear the evidence and Panel questions before providing a response on this evidence, we have undertaken some additional analysis, which is set out below, in order to assist the Hearings Panel with considering this request in the context of the PDP.
- 7 Firstly, we note that the standard sought refers to the boundary “with the rail corridor”. We note that there is no definition of ‘rail corridor’ within the PDP although these words are used within the transport and large format retail zone chapters. If the setback was taken from the legal boundary, or extent of the designated area, then this may go beyond what is necessary to address the issue, especially where these boundaries themselves are well setback from the railway line itself. Further consideration is needed as to what is necessary to achieve TRAN-O1 and TRAN-P6.
- 8 There are already boundary and road setbacks within most zones of the PDP and these vary between zones. These are set out in **Appendix B**. Ms Grinlinton-Hancock has also included diagrams in her evidence to support the width of the setback requested, which relate to different building heights. There are building and structure height limits within most zones which also vary between zones. However, the setback sought by the submitter is the same across all zones, regardless of the height limit applying in each zone. The below table details the boundary setbacks per zone, and the permitted building and structure height limit per zone.
- 9 **Appendix B** also notes where the railway technically adjoins a zone, including where the railway itself is located at the bottom of a cliff. We consider that this may be relevant to the efficiency of applying a setback in all cases, regardless of the topography/actual context of the railway line.

Fonterra

- 10 I note that Fonterra are pursuing the Clandeboye Dairy Manufacturing Site Special Purpose Zone, and as such further comments are contained within Mr MacLennan’s summary statement. I have read his summary statement and agree with his comments.

Updates to recommendations

- 11 I have not provided a preliminary view on all outstanding matters at this time, as I wish to hear the evidence and the Panel questions before I provide updated recommendations. I understand that I will have the opportunity to provide a formal response to the matters heard at the hearing.
- 12 However, I do not wish to make any changes to the recommendations as per my s42A report at this time.

Alanna Hollier

17 July 2024

APPENDIX A

Status of issues raised in evidence – Industrial and Port Zones – Hearing B

Notes:

- 1 *Status: The status of the issue reflects my understanding of the status of resolution as between those submitters who pre-circulated evidence for Hearing B. It does not attempt to reflect whether the issue is agreed between submitters who did not pre-circulate evidence for Hearing B.*
- 2 *Status: An asterisk (*) against the status denotes where I have made an assumption based on the amendments I have recommended. However, I am not certain as to that status because the amendments I have recommended are different to that sought by the submitter.*
- 3 *Relevant submitters: Relevant submitters are those who pre-circulated evidence for Hearing B. Other submitters who did not pre-circulate evidence may be interested in the issue (as submitters in their own right, or as further submitters) but they have not been listed here.*

Issue (raised in evidence)	Relevant provision(s)	Status	Relevant submitter(s) that pre-circulated evidence
Retain GIZ zoning	110 Donehue Road, Clandeboye	Resolved ¹	Fonterra [165.3], Ms Tait evidence (5 July 2024), paragraph 6.2.2.
	55 Sheffield Street, Timaru	Resolved	Z Energy [116.27], Mr Trevilla letter (5 July 2024), paragraph 12.
Retain GIZ provisions as notified	Introduction, GIZ-O1, GIZ-O2, GIZ-O3, GIZ-P1, GIZ-P6	Resolved	Fonterra [various ²], Ms Tait evidence (5 July 2024), paragraph 8.2.
	GIZ-S5	Resolved	Z Energy [116.30], Mr Trevilla letter (5 July 2024), paragraph 12.
	Introduction, definition of 'Industrial and Trade Waste', GIZ-O3, GIZ-P4, GIZ-R3, GIZ-R4, GIZ-R5, GIZ-S2, GIZ-S3, SCHED16.	Resolved	Silver Fern Farms [various ³], Mr Tuck letter (3 July 2024), paragraph 3 and Appendix A.
	GIZ-R3, GIZ-R4, GIZ-R5, GIZ-S3, SCHED16	Resolved	Alliance Group [various ⁴], Mr Richardson letter (3 July 2024), paragraph 3.

¹ Noting clarification in this summary statement at paragraph 4.

² 165.130 - 165.134, 165.136

³ 172.134, 172.140, 172.147, 172.4, 172.145, 172.146, 172.148, 172.149, 172.161

⁴ 173.129, 173.136, 173.143, 173.4, 173.141, 173.142, 173.144, 173.145, 173.154

Issue (raised in evidence)	Relevant provision(s)	Status	Relevant submitter(s) that pre-circulated evidence
Enable ancillary activities within the GIZ, including where they include residential activities	GIZ-O1, GIZ-P1, GIZ-P2, GIZ-R2	Resolved	Alliance Group [173.130, 173.133, 173.134, 173.140], Mr Richardson letter (3 July 2024), paragraph 3. Silver Fern Farms [172.135, 172.137, 172.138, 172.144], Mr Tuck letter (3 July 2024), paragraph 3 and Appendix A.
Reduce specificity in how amenity is managed (both within the GIZ and effects on other zones)	GIZ-O2, GIZ-P3	Resolved	Alliance Group [173.131], Mr Richardson letter (3 July 2024), paragraph 3. Silver Fern Farms [172.136], Mr Tuck letter (3 July 2024), paragraph 3 and Appendix A.
	GIZ-P3	Resolved	Fonterra [165.135], Ms Tait evidence (5 July 2024), paragraph 8.3.
Sensitive activities should not compromise the operation of industrial activities	GIZ-O3	Resolved	Alliance Group [173.132], Mr Richardson letter (3 July 2024), paragraph 3. Silver Fern Farms [172.18FS], Mr Tuck letter (3 July 2024), paragraph 3 and Appendix A.
Prevent offensive trades from establishing next to recreational, open space or residential zones	GIZ-P1	Resolved	Z Energy [116.4FS], Mr Trevilla letter (5 July 2024), paragraph 14.
Acknowledgement of the potential effects industrial activities can have on the transport network within GIZ policies	GIZ-P1, GIZ-P2	Resolved	Z Energy [116.1FS], Mr Trevilla letter (5 July 2024), paragraph 13.
Clarify the drafting of GIZ provisions	GIZ-P3, GIZ-P6	Resolved	Alliance Group [173.135, 173.138], Mr Richardson letter (3 July 2024), paragraph 3. Silver Fern Farms [172.139, 172.142], Mr Tuck letter (3 July 2024), paragraph 3 and Appendix A.
Offensive trades should be enabled within the GIZ	GIZ-P5	Resolved	Alliance Group [173.137], Mr Richardson letter (3 July 2024), paragraph 3.

Issue (raised in evidence)	Relevant provision(s)	Status	Relevant submitter(s) that pre-circulated evidence
			Silver Fern Farms [172.141], Mr Tuck letter (3 July 2024), paragraph 3 and Appendix A.
Recognition of 'operational need' within GIZ policies	GIZ-P6	Resolved	Transpower [159.99], Ms McLeod evidence (5 July 2024), paragraph 27.
Recognition of Regionally Significant Infrastructure within GIZ policies	GIZ-P6	Outstanding	Transpower [159.99], Ms McLeod evidence (5 July 2024), paragraph 32 - 41.
Remove building colour control from GIZ	GIZ-P3, PREC3-P1, GIZ-S4	Resolved	Z Energy [116.29], Mr Trevilla letter (5 July 2024), paragraph 12. Alliance Group [173.146], Mr Richardson letter (3 July 2024), paragraph 3. Silver Fern Farms [172.150], Mr Tuck letter (3 July 2024), paragraph 3 and Appendix A.
Remove 50m setback (and associated matters of control) for buildings and structures close to residential zones	GIZ-R1	Resolved	Z Energy [116.28], Mr Trevilla letter (5 July 2024), paragraph 12.
Outdoor storage should be exempt from GIZ-R1 PER-1	GIZ-R1	Resolved	Alliance Group [173.139], Mr Richardson letter (3 July 2024), paragraph 3. Silver Fern Farms [172.143], Mr Tuck letter (3 July 2024), paragraph 3 and Appendix A.
Consistent terminology used in standards relating to floor areas of buildings	GIZ-R3	Resolved	ECan [183.1], Ms Francis letter (1 July 2024), page 2.
Application of the GIZ standards to the Clandeboye Dairy Manufacturing Site and rezoning of three sites from GRUZ to GIZ.	GIZ-S1, GIZ-S2, GIZ-S6, Planning Maps	Outstanding	Fonterra [165.3], Ms Tait evidence (5 July 2024), paragraph 6.7.15 – 6.7.16.
Method of screening should extend beyond only fences	GIZ-S5	Resolved	Alliance Group [173.147], Mr Richardson letter (3 July 2024), paragraph 3. Silver Fern Farms [172.151], Mr Tuck letter (3 July 2024), paragraph 3 and Appendix A.

Issue (raised in evidence)	Relevant provision(s)	Status	Relevant submitter(s) that pre-circulated evidence
Landscaping requirement should be restricted to use and development that requires visual effects to be mitigated	GIZ-S6	Resolved	Alliance Group [173.148], Mr Richardson letter (3 July 2024), paragraph 3. Silver Fern Farms [172.152], Mr Tuck letter (3 July 2024), paragraph 3 and Appendix A.
Consistent reference to height being measured from ground level for buildings and structures	GIZ-S5 and GIZ-S6	Resolved	ECan [183.4], Ms Francis letter (1 July 2024), page 2.
New standard for 5m setback of buildings and structures from railway corridor	New GIZ standard	Outstanding	KiwiRail [187.85], Mr Gifford evidence (5 July 2024), paragraphs 6.1 – 7.1 and Appendix B.
Retain PORTZ provisions	Introduction, Definition of 'Port Activity', PORTZ-O1, PREC7-O1, PREC7-P1, PORTZ-P1, PORTZ-P2, PORTZ-P3, PORTZ-R1, PORTZ-R2, PORTZ-R3, PORTZ-R4, PORTZ-R6, PORTZ-S1, PORTZ-S2, PORTZ-S3, PORTZ-S4, PREC7 Planning Map.	Resolved	PrimePort [various ⁵] and TDHL [various ⁶], Ms Seaton evidence (5 July 2024), paragraphs 16, 18 - 19.
Removal of the Height Specific Control Area Overlay from the PORTZ.	Planning Maps - Height Specific Control Area Overlay	Resolved	PrimePort [175.10] and TDHL [186.5], Ms Seaton evidence (5 July 2024), paragraph 20.
Title of the Port Zone Overlay is corrected	Planning Maps – Port Purpose Zone Overlay	Resolved	PrimePort [175.1] and TDHL [186.1], Ms Seaton evidence (5 July 2024), paragraph 21.

⁵ 175.9, 175.13, 175.78 – 175.93

⁶ 186.6, 186.53 – 186.68

APPENDIX B

Table summarising permitted height limit, boundary setback and railway line per zone

Zone	Boundary setback		Permitted height limit	Adjoining railway line?
	Road boundary	Site boundary		
GRUZ	10m or 20m depending on type of road*	10m*	<ul style="list-style-type: none"> • 9m (residential unit) • 15m (buildings and structures) • 25m (silos) 	Y
RLZ	8m*	8m*	<ul style="list-style-type: none"> • 8m (buildings and structures) • 4.5m (within 50m GRZ) 	N
SETZ	4.5m (buildings only)	3m (buildings only)	10m	Y
GIZ	5m	<ul style="list-style-type: none"> • 3m from residential, rural and open space and recreation zones • 18m from GRZ (Washdyke Industrial Expansion Precinct) 	<ul style="list-style-type: none"> • 15m (buildings and structures) • 35m (Height Specific Control Area) • 10m within 25m GRZ (Washdyke Industrial Expansion Precinct) 	Y
PORTZ	Nil	Nil	35m (not including quayside and container cranes, lighting towers and container storage)	Y

GRZ	<ul style="list-style-type: none"> 2m (GRZ – buildings only not including garage or carport) 	<ul style="list-style-type: none"> 1m (S42A)(GRZ – buildings only)* 	9m	Y
MRZ	1.5m (s42A)	1m (s42A)(buildings only)*	11m (s42A)	Y (railway mostly at bottom of cliff)
MUZ	3m from residential zones or residential activity (buildings only)(s42A)	3m from residential zones or residential activity (buildings only)(s42A)	16m	Y (railway at bottom of cliff)
NCZ	3.5m from residential zones, open space and recreation zones or residential activity (buildings only)	3.5m from residential zones, open space and recreation zones or residential activity (buildings only)	10m	N
LFRZ	5m (buildings only)	10m from Te Aitarakihi Precinct (buildings only)	10m	Y (railway bottom of cliff)
LCZ	5m from residential zones or open space and recreation zones (buildings only)	5m from residential zones or open space and recreation zones (buildings only)	10m	N
TCZ	<ul style="list-style-type: none"> 3m from residential zones or open space and recreation 	<ul style="list-style-type: none"> 3m from residential zones or open space and recreation 	<ul style="list-style-type: none"> 12m (buildings and structures)(s42A) 30m (church spiers) 	N

	zones (buildings only) <ul style="list-style-type: none"> • 5m from Vine Street (buildings only) 	zones (buildings only) <ul style="list-style-type: none"> • 5m from Vine Street (buildings only) 		
CCZ	Nil	Nil	<ul style="list-style-type: none"> • 20m (buildings and structures) • 30m (church spiers) 	Y (big portion of railway at bottom of cliff)
NOSZ	5m	5m	4m	Y
SARZ	10m*	<ul style="list-style-type: none"> • 10m from residential zones* • 5m from all other boundaries* 	Fences <ul style="list-style-type: none"> • 3m (constructed of wire mesh on steel or wooden frame for stopping balls) • 2m (elsewhere, except 0.9m within 6m of road intersection) Other buildings and structures <ul style="list-style-type: none"> • 15m 	Y
OSZ	5m*	<ul style="list-style-type: none"> • 5m from residential zones* • 10m from rural zones* • 1.5m from all other boundaries* 	Fences Other buildings and structures <ul style="list-style-type: none"> • 8m (buildings and structures) • 4m (Holiday Hut Precinct) • 9m (Te Aitarakihi Precinct) 	Y
MPZ	<ul style="list-style-type: none"> • 5m from state highway for 	<ul style="list-style-type: none"> • 2m for papakāika development 	9m	N

	<p>papakāika development</p> <ul style="list-style-type: none"> • 3m from any other road for papakāika development • 20m for milking sheds and buildings used to house or feed stock • 20m from state highway for all other buildings or structures • 10m from any other road for all other buildings or structures 	<ul style="list-style-type: none"> • 200m for milking sheds and buildings used to house or feed stock • 10m for all other buildings or structures 		
--	---	---	--	--