

BEFORE THE HEARING PANEL IN TIMARU

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of the hearing of submissions in relation to the Proposed
Timaru District Plan

**STATEMENT OF PRIMARY EVIDENCE OF KIM MARIE SEATON ON BEHALF
OF PRIMEPORT TIMARU LIMITED
AND TIMARU DISTRICT HOLDINGS LIMITED**

**HEARING STREAM G
GROWTH**

Dated: 27 June 2025

TABLE OF CONTENTS

TABLE OF CONTENTS	1
EXECUTIVE SUMMARY	1
INTRODUCTION	1
THE SUBMISSIONS	2
DEFINITION - URBAN DEVELOPMENT	3
DEFINITION – URBAN AREA	4
MISCELLANEOUS REZONING AMENDMENTS	4
CONCLUSION	5

EXECUTIVE SUMMARY

1. My full name is Kim Marie Seaton. I am a principal planner practicing with Novo Group Limited in Christchurch.
2. My evidence relates to the submissions and further submissions of PrimePort Timaru Ltd (PrimePort) and Timaru District Holdings Limited (TDHL) on the Proposed Timaru District Plan (PDP) as relevant to Hearing Stream G.
3. For the reasons set out below:
 - (a) I reiterate my previously expressed view that the definition of Urban Development should explicitly include the Port Zone, and agree that the Canterbury Regional Council submission on the definition of 'Urban Area' should be rejected.
 - (b) I support the Section 42A Report's recommendation regarding the mapped extent of the Port Zone, and the Urban Area overlay as it applies to the Port Zone.

INTRODUCTION

4. My full name is Kim Marie Seaton. I am a principal planner practicing with Novo Group Limited in Christchurch.
5. I hold the qualifications of a Bachelor of Arts and a Master of Regional and Resource Planning from the University of Otago.
6. I have 25 years of experience as a resource management planner with particular experience in land use development planning as a consultant to property owners, investors, developers and community organisations, and through processing resource consents for district councils.
7. I am authorised to provide this evidence on behalf of PrimePort and TDHL.

CODE OF CONDUCT

8. I have read and am familiar with the Environment Court's Code of Conduct for Expert Witnesses, contained in the Environment Court Practice Note 2023, and agree to comply with it. My qualifications as an expert are set out above. Other than where I state that I am relying on the advice of another person, I confirm that the issues addressed in this statement of evidence are within my area of expertise. I have not omitted to consider

material facts known to me that might alter or detract from the opinions that I express.

Scope of evidence

9. I have previously given evidence for PrimePort and TDHL at Hearing Streams A, B, D and E. Those parties also presented evidence at Hearing F.
10. This evidence relates to those parts of the submissions and further submissions of PrimePort and TDHL on the Proposed Plan that relate to Hearing Stream G, and which include:
 - (a) Definitions – ‘Urban Development’ and ‘Urban Area’.
 - (b) Miscellaneous rezoning amendments, as they relate to PrimePort.
11. In preparing the evidence I present now, I have reviewed and considered the following:
 - (a) The Proposed District Plan (**PDP**);
 - (b) The Canterbury Regional Policy Statement (**CRPS**);
 - (c) The New Zealand Coastal Policy Statement (**NZCPS**);
 - (d) The National Planning Standards;
 - (e) Relevant National Policy Statements;
 - (f) The PrimePort and TDHL submissions and further submissions on the PDP;
 - (g) The Growth Section 42A report dated 4 June 2025 by Mr Matt Bonis.

THE SUBMISSIONS

12. PrimePort, in its original submission, supported the extent of the Urban Area shown on the notified planning maps, which encompassed the large majority of the Port Zone. The Urban Area overlay did however exclude a small portion of the Port Zone at its northeastern extent, an oversight which PrimePort sought to remedy. TDHL made a further submission on the definition of Urban Area, seeking the Port Zone be included in the Urban Area. I consider amending the planning maps to fully encompass the Port

Zone within the Urban Area overlay is consequential to that further submission.

13. PrimePort and TDHL made further submissions on the definitions of Urban Development and Urban Area, opposing both in part insofar as they did not clearly capture the Port Zone.
14. PrimePort and TDHL have latterly raised an additional issue that was not explicitly covered in its submissions or further submissions, being the extent of the Port Zone and Urban Overlay in regard to an area of newly titled reclaimed land.

DEFINITION - URBAN DEVELOPMENT

15. PrimePort and TDHL are further submitters on the Canterbury Regional Council submission 183.9, seeking to amend the definition of Urban Development. The further submissions opposed the Canterbury Regional Council definition insofar as it does not clearly list the Port Zone as containing urban development. That definition was addressed in Hearing E. My evidence for Hearing E was that for the avoidance of doubt, the definition of Urban Development should specifically list the Port Zone, and I consequently sought the following relief¹:

'Urban development

*means development within an area zoned as a Residential Zone, Settlement Zone, Commercial and Mixed Use Zone, General Industrial Zone, **Port Zone**, an Open Space Zone or a Sport and Active Recreation Zone that is adjacent to the aforementioned zones. It also includes development outside of these zones which is not of a rural or rural-lifestyle character and is differentiated from rural development by its scale, intensity, visual character and the dominance of built structures. For the avoidance of doubt, it does not include the provision of regionally significant infrastructure in Rural Zones.'*

16. To my knowledge this remains a matter for the Hearing Panel to determine.
17. In his Section 42A Report for this hearing, Mr Bonis confirmed that he agreed with the reporting officer for Hearing E's amended definition (or alternatively considers it could be deleted)². I refer the Panel again to my

¹ Kim Seaton Evidence in Chief for Hearing E, paragraph 19.

² Mr Bonis's Section 42A Report, paragraph 9.1.22.

evidence for Hearing E as noted above, and it remains my opinion that the definition would benefit from specific referral to the Port Zone. It remains my opinion that the definition, with the inclusion of the Port Zone, is appropriate.

DEFINITION – URBAN AREA

18. PrimePort and TDHL made further submissions on the Canterbury Regional Council request to amend the definition of Urban Area, opposing it for lack of certainty as to the inclusion of the Port Zone. This matter was deferred in Hearing E for consideration at a future hearing.
19. Mr Bonis has recommended rejection of the Canterbury Regional Council submission on the basis that an alternative wording has not been suggested³. I note that the original submission sought that the 'Urban Area' definition be tied to the definition of 'Urban Development'. I am uncertain what the Canterbury Regional Council had in mind and without specific wording to review (either by Canterbury Regional Council or Mr Bonis), I agree with Mr Bonis that the submission should be rejected.

MISCELLANEOUS REZONING AMENDMENTS

URBAN AREA BOUNDARY AND PORT ZONE BOUNDARY

20. As I stated in paragraph 12 above, PrimePort have submitted supporting the extent of the Urban Area shown on the notified planning maps, which encompasses the large majority of the Port Zone. PrimePort sought to extend the overlay to include a small portion of the Port Zone at its northeastern extent, which appeared to have been omitted in error. TDHL made further submissions on the definition of Urban Area, requesting the Port Zone be clearly included as part of the Urban Area.
21. Mr Bonis has correctly noted that the land in question is zoned Port Zone and has title. He recommends the 'Urban Area' boundary be extended to encompass the entirety of the Port Zone, per Figure 53 of his evidence⁴. I agree with that recommendation.
22. Mr Bonis has also addressed a matter that I raised earlier in my evidence for Hearing E, being the incorporation of a recently titled (late 2024) area of reclaimed land adjoining the PrimePort logging yard, into the Port Zone and

³ Mr Bonis's Section 42A Report, paragraph 9.1.29.

⁴ Mr Bonis's Section 42A Report, paragraphs 14.2.2.2-14.2.7.

Urban Area overlay⁵. Mr Bonis has correctly noted the area of land to be included, in his Figure 53, and I provided the Record of Title for that land in my Hearing E evidence. I agree that the PrimePort submission included sufficiently broad relief as to enable the reclaimed and newly titled land to be incorporated into the planning maps. I also consider it is an appropriately pragmatic solution, given the newly titled land needs to be incorporated into the District Plan planning maps, if not by this means then by another.

CONCLUSION

23. I reiterate my previously expressed view that the definition of Urban Development should explicitly include the Port Zone, and agree that the Canterbury Regional Council submission on the definition of Urban Area should be rejected.
24. I agree with Mr Bonis that the planning maps should be amended so that the Urban Area encompasses all of the Port Zone, and that the newly titled land adjoining the logging yard should be also be included in the Port Zone and Urban Area overlay.

Date: 27 June 2025

Kim Marie Seaton

⁵ Mr Bonis's Section 42A Report, paragraphs 14.2.3-14.2.7.