

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 – Hearing B - Interim reply

Urban Zones – General Industrial and Port Zones

20 September 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 statement is to:
 - (a) respond to direction contained in Hearing Panel Minute 14; and
 - (b) provide an interim reply to the matters raised in evidence before the Proposed District Plan (PDP) Hearings Panel on the GIZ and PORTZ chapters.
- 3 As directed by the Panel, my updated recommendations, including reasons, are contained in the table **attached** at **Appendix A**.
- 4 I have also discussed and agreed the matters that cross over with the other Hearing B section 42A authors (Ms White and Mr MacLennan), being submissions from Port Bryson, Hilton Developments Trust, Fonterra, KiwiRail and Transpower.
- 5 There are no changes recommended to the PORTZ or GIZ chapters since my section 42A report, although Mr MacLennan is recommending changes to the GIZ chapter to incorporate a precinct for the Clandeboye site. This is addressed in his evidence.

Alanna Hollier

20 September 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	Post-hearing interim reply
Retain GIZ zoning	110 Donehue Road, Clandeboye	Resolved	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 ¹], 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 ²], Mr Tuck letter (3 July 2024), paragraph 3 and Appendix A.	
	GIZ-R3, GIZ-R4, GIZ-R5, GIZ-S3, SCHED16	Resolved	Alliance Group [various ³], Mr Richardson letter (3 July 2024), paragraph 3.	

¹ 165.130 - 165.134, 165.136

² 172.134, 172.140, 172.147, 172.4, 172.145, 172.146, 172.148, 172.149, 172.161

³ 173.129, 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	Post-hearing interim reply
Enable ancillary activities within the GIZ, including where they include residential activities	GIZ-O1, GIZ-P1, GIZ-P2, GIZ-R2	Resolved	<p>Alliance Group [173.130, 173.133, 173.134, 173.140], Mr Richardson letter (3 July 2024), paragraph 3.</p> <p>Silver Fern Farms [172.135, 172.137, 172.138, 172.144], Mr Tuck letter (3 July 2024), paragraph 3 and Appendix A.</p>	
Reduce specificity in how amenity is managed (both within the GIZ and effects on other zones)	GIZ-O2, GIZ-P3	Resolved	<p>Alliance Group [173.131], Mr Richardson letter (3 July 2024), paragraph 3.</p> <p>Silver Fern Farms [172.136], Mr Tuck letter (3 July 2024), paragraph 3 and Appendix A.</p>	
	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	<p>Alliance Group [173.132], Mr Richardson letter (3 July 2024), paragraph 3.</p> <p>Silver Fern Farms [172.18FS], Mr Tuck letter (3 July 2024), paragraph 3 and Appendix A.</p>	
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	<p>Alliance Group [173.135, 173.138], Mr Richardson letter (3 July 2024), paragraph 3.</p> <p>Silver Fern Farms [172.139, 172.142], Mr Tuck letter (3 July 2024), paragraph 3 and Appendix A.</p>	

Issue (raised in evidence)	Relevant provision(s)	Status	Relevant submitter(s) that pre-circulated evidence	Post-hearing interim reply
Offensive trades should be enabled within the GIZ	GIZ-P5	Resolved	Alliance Group [173.137], Mr Richardson letter (3 July 2024), paragraph 3. 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	Resolved*	Transpower [159.99], Ms McLeod evidence (5 July 2024), paragraph 32 - 41.	Addressed within the interim reply of Ms White.
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.	Addressed within the interim reply of Mr MacLennan.

Issue (raised in evidence)	Relevant provision(s)	Status	Relevant submitter(s) that pre-circulated evidence	Post-hearing interim reply
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.	
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.	Addressed within the interim reply of Ms White.
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 ⁴] and TDHL [various ⁵], 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.	

⁴ 175.9, 175.13, 175.78 – 175.93

⁵ 186.6, 186.53 – 186.68

Issue (raised in evidence)	Relevant provision(s)	Status	Relevant submitter(s) that pre-circulated evidence	Post-hearing interim reply
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.	
Rezone of 16A, 16D, 16E and 18 Hilton Highway from GRZ to MUZ	Planning Maps, Definition of 'Trade Supplier' and 'Industrial Activity', GIZ-O1, GIZ-O2, GIZ-O3, GIZ-P6, GIZ-R1, GIZ-R2, GIZ-R5, MUZ-O1, MUZ-O2, MUZ-P1, MUZ-P2, MUZ-P3, MUZ-P6, MUZ-R3, MUZ-R7, MUZ-R11, SDXX	Outstanding	Port Bryson [104.3] and Hilton Development [205.3], Mr Pipe statement of evidence, Part A.	I retain the recommendation as expressed within my s42A report and agree with the further clarification provided within Ms White's interim reply.
Reduction of Gross Floor Area for convenience stores, restaurants, cafes and take away food outlets from 200m ² to 100m ²	GIZ-R3	Outstanding	Enviro NZ [162.15], Ms Rosser hearing statement, paragraphs 4.4 – 4.7.	There is no 'right' gross floor area to include within a district plan to ensure that reverse sensitivity effects from convenience stores, restaurants and take away food outlets are managed. I consider the notified 200m ² gross floor area is appropriate to achieve GIZ-O1, GIZ-O2 and GIZ-O3. It does not mean that these will not be achieved by a lesser gross floor area. Instead, the threshold acts as a trigger point for a more specific assessment. Beyond this threshold a resource consent is required as a non-complying activity where a case-by-case assessment is undertaken to determine the effects of a particular proposal. I consider this approach is appropriate and retain the recommendation as expressed in my s42A report.