

IN THE MATTER OF Resource Management Act 1991

AND

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

MINUTE 31
HEARING F - DIRECTIONS REGARDING KIWIRAIL EVIDENCE
DATED 28 APRIL 2025

1. INTRODUCTION

[1] The Panel¹ has received evidence from KiwiRail (submitter 187) (the **Submitter**) dated 9 April 2025² to Hearing F, which:

- i. Seeks a 100m setback from the edge of the rail designation boundary within which noise and vibration provisions are proposed to apply; and
- ii. References and attaches a Section 32 Report³ prepared by Lisa Thorne and Louise Taylor of Taylor Planning.

2. DISCLOSURE

[2] The Panel wishes to disclose that Lisa Thorne is contracted by Timaru District Council to support the Panel as an independent planning advisor. This role is to provide technical planning support, and does not relate to advising on the merits of submissions or the Panel's decisions. The Panel is also aware that Lousie Taylor is contracted by Timaru District Council as a planning advisor and peer reviewer of the Section 42A reports. Ms Taylor is not providing support and advice to the Panel.

¹ The Timaru District Council ("the Council") appointed Cindy Robinson (Chairperson), Ros Day-Cleavin, Councillor Stacey Scott, Jane Whyte, Megen McKay, and Raewyn Solomon ("the Panel") to hear submissions and further submissions, and evidence to make decisions on the Timaru Proposed District Plan ("the Proposed Plan") pursuant to Section 34A(1) of the Resource Management Act 1991 ("RMA"). Our delegation includes all related procedural powers to conduct those hearings.

² Statement of Evidence of Michelle Grinlinton-Hancock on Behalf of Kiwirail Holdings Limited, and Primary statement of evidence of Catherine Lynda Heppelthwaite regarding Hearing F of the Proposed Plan.

³ KiwiRail Holdings Limited, Standard Railway Noise and Vibration Reverse Sensitivity Provisions and Section 32 Report, 16 August 2023.

[3] Taylor Planning have confirmed that they are not representing KiwiRail in relation to KiwiRail's submissions to the Proposed Timaru District Plan.

[4] Out of an abundance of caution the Panel advises that Ms Thorne will not provide technical support to the Panel in relation to the noise provisions in the Timaru District Plan.

[5] Any party to the hearing may raise the matter with the Chair should they have a concern regarding an actual or potential conflict of interest. This may be raised in writing to the Chair prior to the Hearing, or at the Hearing on 30 April - 1 May 2025.

2. DIRECTIONS REGARDING 100M SETBACK SOUGHT IN SUBMISSION

The Panel wishes to understand the spatial extent of the Submitter's 100m setback in relation to the urban areas of Timaru township, including the proposed zoning and the topographical contours of this area. The Panel requests that the Submitter provides PDF aerial maps illustrating the proposed setback against these features prior to the Submitter's presentation at the hearing.

A handwritten signature in dark ink, appearing to read 'C E Robinson', written over a horizontal line.

C E ROBINSON – CHAIR ON BEHALF OF THE HEARINGS PANEL