

**BEFORE THE HEARINGS PANEL
FOR THE PROPOSED TIMARU DISTRICT PLAN**

UNDER the Resource Management Act 1991 (RMA)

AND

IN THE MATTER of the Proposed Timaru District Plan

CANTERBURY REGIONAL COUNCIL RESPONSE TO MINUTE 53

3 March 2026

INTRODUCTION

- 1 This document contains the Canterbury Regional Council (**CRC**) response to Minute 53, which allows submitters on the proposed Timaru District Plan (**pTDP**) to identify any technical corrections to the draft Decision Reports and Provisions. We welcome the opportunity to provide this response.
- 2 This response has been prepared by Rachel Tutty with input from other CRC staff, where requested.
- 3 The response is set out in Table 1 which identifies where edits are suggested to the Draft Decision provisions and the reasons for those suggested changes.
- 4 In Table 1, underlined text indicates suggested additions to, and ~~struck-through~~ text indicates suggested deletions from, the draft decisions version of the provisions.

Dated this 3rd day of March 2026



Lisa Jenkins
Regional Planning Manager

Table 1 – Suggested Edits to Provisions

Chapter	Provision	Change requested	Comment
Contents	National Direction Instruments	Amend Contents Chapter as follows: NATIONAL DIRECTION INSTRUMENTS National Policy Statements and New Zealand Coastal Policy Statement National Environmental Standards Regulations <u>Water Conservation Orders</u>	Water Conservation Orders have not been included in the list.
Contents	Relocation of Buildings and Shipping Containers	Amend Contents Chapter as follows: Relocated ion of Buildings and Shipping Containers	Name in Contents Chapter does not match chapter name
Contents	SCHED3-4	Amend Contents Chapter as follows: SCHED3-4 – Schedules of Historic Heritage Chapter	Wording could be improved for clarity
General approach	Table 2 – Activity status to rebuild a building on Stafford Street	Amend the list of resource consents as follows: As illustrated above, resource consent is required: <ul style="list-style-type: none"> • to demolish a building in the City Centre Zone; • to demolish a building in the Historic Heritage Area Overlay; • to erect a new building in the City Centre Zone; and • <u>to erect a new building in the Historic Heritage Area Overlay; and</u> • for any earthworks in the Historic Heritage Area Overlay 	One resource consent has been left off the list
Relationship between Spatial Layers	Wording under Figure 4	Amend wording below Figure 4 as follows: 2. When there is a conflict between and an area-specific spatial layers, <u>a</u> layers with higher ranking in the below figure	Wording could be improved for clarity

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		prevails over the relevant provisions in the layers underneath it.	
Definitions	Flood assessment Area	Amend the definition as follows: Means areas that may are highly likely to be subject to flooding and inundation but which require site specific assessment to determine the level of risk to people and property.	Section 42A report (hearing I) recommended change in wording in response to ECan submission point 183.28, but this change has not been reflected in the draft decision version of the definition
Definitions	Flood Assessment Certificate	Amend the definition as follows: Means a certificate issued by the Timaru District Council (that is valid for three years from the date of issue) which specifies: a. if the site is within a high hazard area; and the flood event risk level for specific land (being either land not subject to flooding in a 0.5% AEP flood event, or land subject to flooding in a 0.5% AEP flood event, or land within a High Hazard area); and b. where the site is not within a high hazard area, or where the site is within an urban zoned area, where a. above identifies that the specific land is subject to flooding in a 0.5% AEP flood event, the a minimum finished floor level for any new building or structure (or part thereof) on the specific land to provide at least that is 300mm freeboard above the flood level in a 0.5% AEP flood level event; and c. if located within the Overland Flowpath Assessment Area Overlay, whether the land is located within an overland flow path.	Definition should be amended for consistency with NH-S1
Definitions	Hazard overlay	Amend the definition as follows: d. High Hazard Area; and e. Liquefaction Awareness Area; and	Minor grammatical error
Definitions	Hazardous facility	Amend the definition as follows:	Storage seems to have been covered twice

Chapter	Provision	Change requested	Comment
		3. the incidental storage and use of agrichemicals, fertilisers and fuel for land based primary production activities and the incidental storage of agrichemicals, fertilisers and fuel for land based primary production activities which are not located in a Drinking Water Protection Area Overlay;	
Definitions	Hazardous substance	Insert definition title as follows: Hazardous substance	Definition title is missing
Natural hazards	Introduction	Amend paragraph 5 of the Introduction as follows: This chapter and associated planning map overlays identify a range of natural hazards and the level of risk they pose and . The chapter sets out applies rules to avoid risk to development and activities within areas that have been identified as high risk (both <u>according to scale and probability</u>) from natural hazards. A precautionary approach has been taken to areas where it is difficult to map different levels of flood risk and accordingly large areas, particularly of the General Rural Zone, are identified as a Flood Assessment Areas Overlay. Therefore, some types of natural hazards may be mapped within the District Plan (such as earthquake fault awareness areas <u>coastal erosion areas</u>) and others may be identified through either mapping or a certification approach within the Flood Assessment Area Overlay <u>assessment overlays</u> (such as high hazard areas and overland flowpaths).	Paragraph 5 of the Introduction needs rewording for clarity. The earthquake fault awareness areas (and liquefaction assessment areas) don't map a hazard, they map where you need to map a hazard as part of a subdivision consent. Using the earthquake fault awareness areas isn't such a good example of natural hazards that are mapped – perhaps better to use a coastal hazard example.
Natural hazards	NH-R1	Amend NH-R1 as it relates to the Flood Assessment Area Overlay as follows: PER-1 Where a site is located within the Overland Flowpath Assessment Area Overlay, a Flood Risk Assessment Certificate for the site has been issued in accordance with	Refers to “Flood Risk Certificate” rather than “Flood Assessment Certificate” CRC assume that the intention is that if the land is within an overland flowpath, a resource consent will be required.

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		NH-S1, and the certificate states that the activity is not located on land that is within an overland flowpath; and	
Natural hazards	NH-R1	Amend NH-R1 Notes as they apply both outside and inside the Port Zone: Notes: 1. A Flood Assessment Certificate issued in accordance with NH-S1 will identify if the site is subject to flooding in events up to and including a 0.5% AEP flood event. <u>The certificate will not identify whether the proposal will create or increase the diversion or displacement of floodwater</u>	CRC are concerned that the note as it stands may lead to expectations that a Flood Assessment will identify whether the proposal will create or increase the diversion or displacement of floodwater, and that is not the case.
Natural Hazards, Ecosystems and Indigenous Biodiversity, Natural Character, Natural Features and Landscapes, Sites and Areas of Significance to Māori	NH-R4, ECO-R1, ECO-R2, ECO-R4, NATC-R2, NFL-R2, SASM R1	Amend ECO-R1, ECO-R2, ECO-R4, NATC-R2, NFL-R2, and SASM-R1 to include a note as follows: Note: This rule does not apply to activities covered by NH-R4.	The note under the Rules section in the Natural Hazards Chapter states that: “For the purposes of NH-R4 the rules in the Ecosystems and Indigenous Biodiversity, Natural Character, Natural Features and Landscapes and Sites and Areas of Significance to Māori chapters do not apply”. NH-R4 covers Natural hazard mitigation works including associated earthworks and incidental vegetation removal, within certain overlays, so outside those overlays, rules in the other chapters still apply. ECO-R1, R2 and R4, NATC-R2, NFL-R2 and SASM-R1 all cover vegetation removal or earthworks associated with natural hazard mitigation works. For clarity, CRC requests that those rules include notes stating that they do not apply to activities covered under NH-R4.
Natural hazards	NH-R1, NH-R2, NH-R3, NH-R5, NH-R6, NH-R7, NH-R8, NH-S1	If the Sea Water Inundation Overlay is no longer mapped, remove references to that Overlay in NH-R1, NH-R2, NH-R3, NH-R5, NH-R6, NH-R7, NH-R8, NH-S1	The Sea Water Inundation Overlay is not included in the definition of “Hazard overlay”. The s42A report for Hearing F [1.2.6] states that “the separate Sea Water Inundation Overlay would be replaced by an expanded Flood Assessment Overlay that incorporates sea water flooding”. As

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			no maps have been provided with the draft decision documents, it is uncertain whether this overlay is still mapped.
Subdivision	SUB-R5	Amend Rule SUB-R5 as follows: 2 Liquefaction Awareness Areas Overlay	Minor change for consistency with NH Chapter