

**IN THE MATTER OF**      Resource Management Act 1991

**AND**

**IN THE MATTER OF**      Proposed Timaru District Plan

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**Recommendation Report – Part 9**

**Designations**

**DRAFT FOR TECHNICAL REVIEW**

**3 February 2026**

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# Part 9: Designations

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# 1 DESIGNATIONS

## 1.1 INTRODUCTION

[1] This Part of the Report makes recommendations to requiring authorities in relation to:

- (a) Requiring authorities (other than Timaru District Council) under cl9(1) of Schedule 1 of the RMA in accordance with s171(2) of the RMA to confirm, modify, impose conditions or withdraw the requirement. The requiring authority then will decide whether to accept or reject the Hearing Panel recommendation in whole or in part pursuant to s172 of the RMA.
- (b) Timaru District Council in its role as requiring authority under cl9(2) of Schedule 1 of the RMA in accordance with s168A(4) of the RMA to confirm, modify, impose conditions, or withdraw the requirement. Timaru District Council, on receipt of the recommendation, can make its decision on our recommendations.

[2] We did not have any party appear at the hearing for this topic. We received written statements from parties which we address in our recommendations on specific designations.

## 1.2 STATUTORY CONSIDERATION FOR DESIGNATIONS

[3] Under RMA Schedule 1, cl9(3), where an existing designation is being rolled over without modification and there have been no submissions, making a recommendation or decision is precluded, and the designation is automatically rolled over. We have not made any recommendations or decisions on these designations.

[4] Our duties, when considering other requirements and any submissions received, are listed in RMA s168A(3) (when the territorial authority is the requiring authority) and s171 (where the NOR or designation belongs to another requiring authority). The matters we can consider are:

*subject to Part 2, consider the effects on the environment of allowing the requirement, having particular regard to—*

- (a) *any relevant provisions of—*
  - (i) *a national policy statement;*
  - (ii) *a New Zealand coastal policy statement;*
  - (iii) *a regional policy statement or proposed regional policy statement;*
  - (iv) *a plan or proposed plan; and*
- (b) *whether adequate consideration has been given to alternative sites, routes, or methods of undertaking the work if—*
  - (i) *the requiring authority does not have an interest in the land sufficient for undertaking the work; or*
  - (ii) *it is likely that the work will have a significant adverse effect on the environment; and*

- (c) whether the work and designation are reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought; and
- (d) any other matter the territorial authority considers reasonably necessary in order to make a recommendation on the requirement.

[5] When considering a requirement and submissions we must not have regard to trade competition, in accordance with RMA s168A(2A) and s171(1A).

[6] In accordance with RMA s171(3) reasons must be given for the recommendations.

### **1.3 GENERAL SUBMISSIONS**

#### **1.3.1 Assessment**

[7] We generally accept Ms Williams' analysis and recommendations in response to those submitters addressing general matters. It is important for the Introduction to the Designations provisions to explain their application and how they relate to the District Plan. In reaching this view, we received no evidence seeking a contrary outcome. We have accepted much of the wording recommended by Ms Williams with simplifications, by removing references that have designations operating like either a "spot zoning" or plan change, as that approach does not assist in understanding what a designation is. We have also sought to ensure that the information included in the Introduction is accurate.

#### **1.3.2 Recommendation of Panel**

[8] We adopt Ms Williams' analysis and recommendations on general matters, with the addition of minor amendments to the Introduction addressed above. The amendments to the Introduction are set out in **Appendix 3**.

### **1.4 EXISTING DESIGNATIONS PROPOSED TO BE MODIFIED WHERE NO SUBMISSIONS WERE RECEIVED**

#### **1.4.1 Assessment**

[9] Ms Williams in her s42A Report set out designations proposed to be rolled over from the Operative District Plan, with minor modifications, where no submissions have been received. The designations and minor modifications are:

- (a) Chorus NZ Ltd (CNZ-1 to CNZ-5 and CNZ-7 to CNZ-13), updating the requiring authority name, adding the site names and addresses, removing legal descriptions, updating the designation hierarchy, clarifying the purpose of the designations, and updating the address and mapped area of CNZ-12;
- (b) Environment Canterbury (ECAN-1 to ECAN-17), adding a site name and address and removing legal descriptions;
- (c) Meteorological Service of New Zealand (MSNZ-1) adding a site name and address and removing legal descriptions;

- (d) Minister of Police / NZ Police (MPOL-1 to MPOL-4), adding a site name and address and removing legal descriptions;
- (e) Minister of Justice (MJUS-1), updating the requiring authority name, adding a site name and address, and removing legal descriptions, clarifying the purpose of the designation;
- (f) Spark New Zealand Trading Limited (SPK-1 to SPK-3, SKP-5 and SPK-6) updating the requiring authority name, updating designation hierarchy, adding a site name and address, and removing legal descriptions;
- (g) Timaru District Council (TDC-1 to TDC-21, TDC-23 to TDC-44 and TDC-46 to TDC-60), adding a site names and addresses, removing legal descriptions and converting from points to areas; and
- (h) Transpower New Zealand (TPR-1 to TPR-6). Updating the purpose of the designations, adding site names and addresses, and removing legal descriptions.

[10] Under RMA, Schedule 1, cl9(3), where an existing designation is being rolled over without modification and there have been no submissions, the designation automatically rolls over, and we are precluded from making a recommendation or decision on these designations. These designations with the minor modifications are included in **Appendix 3**.

## **1.5 CNZ – CHORUS NEW ZEALAND LIMITED AND SPK – SPARK NEW ZEALAND LIMITED**

### **1.5.1 Assessment**

[11] Ms Williams in her s42A Report addressed the rollover of designations of Chorus New Zealand Limited and Spark New Zealand Limited.

[12] The first matter she addressed is a rollover of an existing designation with modifications to update the requiring authority name and address in relation the Clandeboye Exchange, which was relocated from RS 38157 to Lot 4 DP 75226 in 2009, identified in the District Plan as CNZ-6 and SPK-4. Chorus New Zealand Limited holds the primary designation and Spark New Zealand Limited has a secondary designation.

[13] One submission was received from Timaru District Council [42.65] in relation to CNZ-6 that sought additional conditions be imposed on the designation. The submitter sought conditions consistent with those imposed on Land Use Consent 6858, relating specifically to the telecommunication infrastructure administered by Spark New Zealand Limited. The conditions address matters such as height, construction type of colour of the mast, size and location of an equipment cabinet, size of antennas site access requirements and maintenance requirements of the structures.

[14] The second matter she addressed was Chorus New Zealand Limited requesting a Notice of Requirement for the Hilton Exchange, located at Brenton Road, Hilton, Geraldine, identified in the Proposed Plan as CNZ-14. No submissions were received on this site.

[15] We did not receive any evidence or statements from either Chorus New Zealand Limited or Spark New Zealand Trading Limited.

[16] Ms Williams analysed and evaluated the relevant matters when considering a designation and submission. We accept Ms Williams' recommendations, especially that the designations are necessary to ensure certainty for the site's future operation, maintenance, use, and improvement. We agree with her evaluation that it is not necessary to impose the conditions sought by the submitter on CNZ-6 and note that the outline plan process does allow for appropriate consideration of any adverse effects from any works proposed in the future.

### **1.5.2 Recommendation of Panel**

[17] We adopt Ms Williams' analysis, reasons, and recommendations on CNZ-6, SPK-4 and CNZ-14.

## **1.6 KRH – KIWIRAIL HOLDINGS LIMITED**

### **1.6.1 Assessment**

[18] Ms Williams addressed the rollover of 21 designations of KiwiRail Holdings Limited, including modifications as follows:

- (a) changes to the requiring authority name from 'New Zealand Railways Corporation' to 'KiwiRail Holdings Limited';
- (b) amendments to the railway designation to reflect the linear nature of the network by rationalising the designations into one and updating the purpose of the designations to 'Railway purposes (Main South Line)'; and
- (c) changes to the railway land cadastre which may have occurred over the life of the ODP, including rail land that is currently undesignated or has been deemed surplus, and existing railway lines that cross over roads and watercourses.

[19] Ms Williams advised<sup>1</sup> us that:

KiwiRail Holdings Limited submitted an electronic data set with their Clause 4 Notice which, sought amendments to mapping that were not properly identified and assessed in the Clause 4 Notice. This included the mapping changes (subject to KRH submission, detailed below) as well as larger areas owned and operated by KRH. Because of this, KRH designation was rolled over to the PDP with minor modifications only. Modifications were limited to merging of all designations into one, changing the name from 'New Zealand Railways Corporation' to 'KiwiRail Holdings Limited' and updating the purpose of the designation to railway purposes (Main South Line).

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<sup>1</sup> Rachael Williams Section 42A Report: Designations, 6 June 2025, paragraph 3.5.2

[20] KiwiRail Holdings Limited lodged submissions supporting the wording in the Designation Chapter but sought amendments to the mapped extent of KRH-1.

[21] Ms Williams described<sup>2</sup> the submission from KiwiRail, which suggested the following changes could be made pursuant to cl16(2) of the RMA:

- (a) changes to the alignment of the designation, over the rail corridor, as a result of technological improvements; and
- (b) the inclusion of minor gaps in the designation over KiwiRail owned land, so that the designation more accurately reflects the alignment of the submitter's assets within the rail corridor.

[22] In KiwiRail's view, the proposed amendments are minor changes which will have a neutral effect (given their scale and/or location) and will not be prejudicial to any other parties.

[23] As detailed in its submission, KiwiRail intended to pursue any larger mapping changes via a separate Section 181 process.

[24] Ms Williams analysed and evaluated the relevant matters when considering the designation and submissions. She concluded that the mapping changes could be considered without reliance on cl16(2).

[25] Ms Williams agreed with most amendments; however, she identified certain exceptions that ought to be handled through a s181 process. In her s42A Report she noted that KiwiRail was sending updated shape files for the sites where changes are sought, so the mapping extent shown in her report was illustrative. In her summary statement,<sup>3</sup> she advised that the updated shape files had been received and that she had no concerns with the updated mapping changes.

[26] We received a tabled letter from KiwiRail<sup>[OBJ]</sup> stating that they were supportive of the recommendations of Ms Williams. This included recognition that the exceptions will be addressed in the future via a Section 181 process.

[27] We accept Ms Williams' recommendations in response to these submissions, as supported by KiwiRail. The designations are needed to ensure future certainty for the site's operation, maintenance, use, and improvement.

### **1.6.2 Recommendation of Panel**

[28] We adopt Ms Williams' analysis, reasons, and recommendations on KRH-1. The recommended amendments are set out in **Appendix 2**.

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<sup>2</sup> Rachael Williams Section 42A Report: Designations, 6 June 2025, paragraphs 3.5.4 to 3.5.6

<sup>3</sup> Rachael Williams, Hearing G s42A Summary Statement, Designations, 4 July 2025.

## 1.7 MEDU – MINISTER OF EDUCATION

### 1.7.1 Assessment

[29] Ms Williams, in her s42A Report<sup>4</sup>, addressed the designations of the Minister of Education. These designations relate to 22 rollovers of existing designations (with modifications), one designation to be deleted and five new Notice of Requirements. Ms Williams described the changes sought as follows:

- (a) changes to the designation purpose of each school to 'Education Purposes' and an explanatory note is included for each school to define 'Education Purposes';
- (b) updating of seven designations to identify the correct location and/or legal descriptions;
- (c) minor changes to the mapped extent of two designations to reflect correct legal boundaries; and
- (d) five Notices of Requirements for new sites being:
  - MEDU-24 – St Joseph's School, Timaru;
  - MEDU-25 – St Joseph's School, Pleasant Point;
  - MEDU-26 – St Joseph's School, Temuka;
  - MEDU-27 – Roncalli College, Timaru; and
  - MEDU-28 – Sacred Heart School, Timaru.<sup>5</sup>

[30] The Minister of Education lodged submissions supporting the designations but sought amendments to the descriptions, site identifiers, mapped extent of some designations, correcting property addresses and other minor matters within the designations as notified. Ms Williams described these submission points as seeking changes to:

- (a) the site identifier of each school is amended to include legal descriptions to match their designation confirmation letter dated 25 May 2021;<sup>6</sup>
- (b) the mapped area of MEDU-6 is amended to exclude Part Lot 32 DP 2069 [106.58];
- (c) the mapped area of MEDU-7 is amended to include Part Lot 32 DP 2069, Part Lot 1 DP 2365, and Lot 7 DP 241 [106.60];
- (d) MEDU-11 is deleted and incorporated into MEDU-9, noting that this area has been incorrectly identified as being associated with Timaru South School

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<sup>4</sup> Rachael Williams Section 42A Report: Designations, 6 June 2025, Section 3.6

<sup>5</sup> Now renumbered MEDU-23 – MEDU-27 in the Decision Version of the provisions.

<sup>6</sup> Including [106.52, 106.53, 106.54, 106.55, 106.56, 106.57, 106.59, 106.61, 106.62, 106.63, 106.66, 106.77, 106.88, 106.69, 106.70, 106.71, 106.72, 106.73, 106.74, 106.75, 106.76, 106.77, 106.78, 106.79, 106.80, 106.82 and 106.84];

when it is part of Timaru Girls High School [106.64 and 106.65] and consequential renumbering of subsequent unique identifiers<sup>7</sup>;

- (e) corrections to MEDU-16 and MEDU-21<sup>8</sup> to correct minor spelling errors [106.70 and 106.75];
- (f) amendments to MEDU-9 and MEDU-27<sup>9</sup> to include the correct property address [106.62 and 106.82]; and
- (g) amendments to the designated area of MEDU-26<sup>10</sup> [106.81] and MEDU-27<sup>9</sup> [106.83] to accurately reflect the area attached to their designation confirmation letter dated 25 May 2021.

[31] Submissions<sup>11</sup> were received in relation to MEDU-27.<sup>9</sup> This a new Notice of Requirement for Roncalli College. Ms Williams described the matters addressed by the submitters as:

- (a) McAuley Trust [142.2] request that a 10m yard setback is imposed on MEDU-27.<sup>9</sup> In their view, a 10m setback is needed to mitigate noise and other impacts associated with carparks adjacent to sensitive land uses and to manage the building bulk of education buildings; and
- (b) Dennison, L W and F M [146.1] are concerned that MEDU-27<sup>9</sup> will encourage further movements along an existing alleyway to a designated bus pick up and drop of zone on Cain Street that will block access to the submitter's property.

[32] We did not receive any evidence or further information from any of the submitters at the hearing. We also did not hear further from the Ministry of Education.

[33] We accept Ms Williams' recommendations in relation to submissions received on the rolled over designations with modifications being:

- (a) MEDU-11 including incorporating this into MEDU-9 (Timaru Girls High School);<sup>12</sup>
- (b) Consequential amendments sought to renumber the unique identifiers of MEDU-12 to MEDU-28;<sup>13</sup>

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<sup>7</sup> Including [106.66, 106.67, 106.88, 106.69, 106.70, 106.71, 106.72, 106.73, 106.74, 106.75, 106.76, 106.77, 106.78, 106.79, 106.80, 106.82, 106.83 and 106.84]

<sup>8</sup> Now renumbered MEDU-15 and MEDU-20 in the Decision Version of the provisions.

<sup>9</sup> Now renumbered MEDU-26 in the Decision Version of the provisions.

<sup>10</sup> Now renumbered MEDU-25 in the Decision Version of the provisions.

<sup>11</sup> Further submissions from the Catholic Education Office and Diocese [262.1FS to 262.11FS] were received in support of and opposition to the submissions received from MoE, McAuley Trust and Dennison, LW and FM

<sup>12</sup> Rachael Williams Section 42A Report: Designations, 6 June 2025, paragraph 3.6.8

<sup>13</sup> Rachael Williams Section 42A Report: Designations, 6 June 2025, paragraph 3.6.8

- (c) Corrections and amendments<sup>14</sup> to MEDU-16, MEDU-21, MEDU-9 and MEDU-27<sup>15</sup>; and
- (d) Not amending the mapped area to MEDU-6 [106.58] and MEDU-7 [106.60] as the extent of the designation shown on the Planning Maps includes the areas of land identified in the submission.<sup>16</sup>

[34] MoE [106.81] sought mapping amendments to account for an area where the school has undertaken building works since the Notice of Requirement was submitted and amendments to MEDU-27<sup>9</sup> [106.83] to accurately reflect the designation area that was attached to the Designation Confirmation dated 25 May 2021 as a Notice of Requirement. Ms Williams<sup>17</sup> was comfortable with these mapping changes, subject to receiving updated shape files, or revised maps that clearly show the dimensions of the areas.

[35] While we did not receive any information, including better quality maps or shape files at the hearing from MoE, we recognise that the submission included maps, albeit of a small size and relatively low quality. However, these are sufficient for us to recommend in principle that these areas be included on the Planning Maps as part of the designations. It will be necessary for the requiring authority to provide detailed maps for incorporation into the Plan.

[36] MoE also sought that legal descriptions be included within the designation. Ms Williams<sup>18</sup> said it was her understanding that the Proposed Plan drafting approach was to remove legal descriptions, because they are not always accurate and can change through subdivision, resulting in mismatches with other property documents/databases. Ms Williams noted the inconsistency and potential for mismatch, but was comfortable with including legal descriptions if that is MoE's preference. Having considered Ms Williams' comments on consistency, we consider that, because designations are stand-alone and relate only to a specific requiring authority, consistency across the Designation Chapter is not as important as it is for other provisions and schedules within the Proposed Plan. We are comfortable recommending that legal descriptions be included.

[37] In relation to the sites with new Notices of Requirements, Ms Williams has recommended that several conditions be imposed on the designations. She considered that the conditions recommended will, in part, address the concerns of the two submitters<sup>19</sup> to the Notice of Requirement for Roncalli College. The conditions she has recommended for each new location address matters including height, height in relation to boundary, setbacks, coverage, natural hazards (where applicable) and high trip generation activities.

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<sup>14</sup> Rachael Williams Section 42A Report: Designations, 6 June 2025, paragraph 3.6.9

<sup>15</sup> Now renumbered MEDU-16, MEDU-20, MEDU-9 and MEDU-26 in the Decision Version of the provisions.

<sup>16</sup> It is recognised that the designation areas shown in blue on the Planning Maps correctly identify the areas in the submissions, however as noted by Ms Williams when the properties subject to the designations clicked on in the e-plan the cadastral boundaries that are highlighted do not match the designation areas.

<sup>17</sup> Rachael Williams Section 42A Report: Designations, 6 June 2025, paragraph 3.6.11

<sup>18</sup> Rachael Williams Section 42A Report: Designations, 6 June 2025, paragraph 3.6.12

<sup>19</sup> Dennison, L W and F M [146.1] and McAuley Trust [142.2]

[38] We have considered the recommendations of Ms Williams to impose conditions requiring compliance with some of the underlying zone standards for the five new school designations. However, we do not support this approach and set out our reasoning below.

[39] Designations under the RMA are intended to provide certainty for requiring authorities in the operation and development of essential public works and facilities, such as schools. Imposing conditions that require compliance with underlying zone standards risks undermining the effectiveness of the designation. If a requiring authority fails to comply with such a condition, it can compromise the requiring authority's ability to rely on the designation itself.

[40] The schools subject to these new Notices of Requirement are long-standing and well-established within their respective sites and surrounding environments. We received no specific evidence to demonstrate that their ongoing operation or built form has resulted in adverse effects warranting additional control through conditions.

[41] The recommended conditions do not address any specific effects identified as arising from the designated activity, nor do they reflect the unique operational requirements of educational facilities. We have considered the submission from McAuley Trust [142.2], requesting a 10-metre yard setback to mitigate noise and other impacts associated with carparks adjacent to sensitive land uses and to manage building bulk related to Roncalli College. We did not hear further details from the submitter, but consider that several matters raised in the submission relate to effects associated with the existing activity on the site. We find that imposing a setback of 10 metres, given the scale and nature of the existing activity on the site, would not be proportionate to the effects identified, and would not align with the purpose of the designation, which is to enable the ongoing use and development of the school for educational purposes.

[42] The submission from Dennison, L W and F M [146.1] raised concerns with traffic effects and potential to block access. We note traffic effects primarily occur on surrounding roads rather than within the designated school sites themselves. Conditions imposed on the designation for Roncalli College would not effectively address issues such as blocked legal access, as these are matters of enforcement rather than matters suitable for designation conditions.

[43] Ms Williams also addressed traffic effects in her s42A Report, which we have considered. Recommended conditions relating to traffic assessments would apply only to new activities, not existing ones. As the principal traffic effects have already occurred with the establishment of these schools, imposing such conditions would have limited practical effect. Should issues arise on surrounding roads, the Timaru District Council, as the road controlling authority, retains the ability to implement appropriate changes to parking, traffic management, and road design. These matters fall outside the scope of the Ministry of Education's management.

[44] For sites where conditions relating to natural hazards have been recommended by Ms Williams, we note that these schools are existing and on well-established sites. Any implications of natural hazards for future development or use can be considered by the

requiring authority as part of ongoing operations and future works. Additional conditions are therefore unnecessary.

[45] We recognise that MEDU-26<sup>20</sup> is located within a Wāhi Tupuna Area Overlay (SASM-4), but it is not necessary to impose any conditions relating to this overlay on the designation because the rules applying to SASM-4 do not restrict the development of school activities and buildings.

[46] We consider the Outline Plan process provides an appropriate mechanism for considering any adverse effects arising from future buildings or works.

[47] In accordance with s171 of the RMA, our assessment must focus on the effects of allowing the Notice of Requirement, the necessity of the work for achieving the objectives of the requiring authority, and whether adequate consideration has been given to alternatives. In this case, the schools are existing and the effects established. We find that each of the designations is reasonably necessary to provide certainty for ongoing operation and development. We do not consider that imposing additional conditions for these established schools is warranted.

[48] For these reasons, the Panel does not accept the recommendation to impose the proposed conditions on the new Notices of Requirement for school designations.

### **1.7.2 Recommendation of Panel**

[49] We adopt Ms Williams' analysis, reasons and recommendations on the MEDU designations, other than in relation to the five new Notices of Requirement for MEDU-24: St Joseph's School, Timaru; MEDU-25: St Joseph's School, Pleasant Point; MEDU-26: St Joseph's School, Temuka; MEDU-27: Roncalli College, Timaru and MEDU-28: Sacred Heart School, Timaru.<sup>21</sup> For these new Notices of Requirement, we recommend the Notices of Requirement are accepted without conditions for the reasons provided in above in our assessment.

[50] In relation to including legal descriptions, while not necessary, as they are requested to be included by the requiring authority, our recommendation is that they be included.

[51] In relation to the mapping changes to MEDU-9 (to incorporate MEDU-11), MEDU-26 and MEDU-27<sup>22</sup> we recommend that the changes to the maps be made, which will necessitate the requiring authority providing the detailed mapping information.

[52] The recommended amendments are set out in **Appendix 2 and 3**.

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<sup>20</sup> Now renumbered MEDU-25 in the Decision Version of the provisions.

<sup>21</sup> Now renumbered MEDU-23-MEDU-27 in the Decision Version of the provisions.

<sup>22</sup> Now renumbered MEDU-25 and MEDU-26 in the Decision Version of the provisions.

## 1.8 NZTA – NEW ZEALAND TRANSPORT AGENCY (WAKA KOTAHİ)

### 1.8.1 Assessment

[53] Ms Williams, in her s42A Report,<sup>23</sup> addressed the rollover of 30 designations of the New Zealand Transport Agency with modifications, as follows:

- (a) the existing designations are merged into four designations, one for each State Highway (SH 1, SH 8, SH 78 and SH 79);
- (b) the requiring authority name of each designation is changed from 'Transit New Zealand' to 'New Zealand Transport Agency';
- (c) the purpose of each designation is changed from 'Proposed State Highway' to 'State Highway' noting that the designations are operative and no further state highways are proposed; and
- (d) minor modifications to the Planning Maps to follow the correct alignment of the state highways in the Timaru District.

[54] Ms Williams addressed submissions from TDC [42.66], Brownie, J [70.1], Gilbert, T [133.1] and Nixon, P [139.1] which all relate to the Normanby Road Realignment within NZTA-1. The submitters sought that the existing conditions applying to the realignment be imposed as conditions on the designation. This realignment has now been completed.

[55] Ms Williams, in her s42A Report<sup>24</sup>, provided the suite of conditions that was imposed to the Normanby Road Realignment. Waka Kotahi<sup>25</sup> [143.186] submitted that Conditions p. and r. of the Normanby Road Realignment should be included within the Proposed Plan, with amendments made to these conditions to reflect that the realignment been completed. Specific amendments sought are:

**Condition P:** A 300m length of "Open Graded Porous Asphalt (OGPA)" quiet road surfacing, or an alternative form of quiet road surfacing that will achieve at least the equivalent traffic noise level, will be ~~applied within 12 months of completion of the realignment and maintained between meterage points 5900 and 6200 shown on the aerial photos attached in Appendix 3 of the Addendum, to ensure traffic noise levels at the McGlinchy, Donaldson and Paul properties meet or remain within levels recommended by the Transit Guidelines.~~

**Condition R:** A 400m Length of OGPA quiet road surfacing, or an alternative form of quiet road surfacing that will achieve at least the equivalent traffic noise level, ~~will be applied within 12 months of completion of the realignment and maintained between meterage points 6400 and 6800 shown on the aerial photos attached in Appendix 3 of the November 2022 Addendum, so as to~~

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<sup>23</sup> Rachael Williams Section 42A Report: Designations, 6 June 2025, Section 3.7

<sup>24</sup> Rachael Williams Section 42A Report: Designations, 6 June 2025, Appendix 6

<sup>25</sup> Waka Kotahi is the agency referred to in all submissions, but in relation to this chapter the requiring authority is the New Zealand Transport Agency (NZTA)

ensure traffic noise levels at the Monson, Sturgeon and Barrett properties remain within the 1999 Transit Guidelines.

[56] Ms Williams noted Waka Kotahi [143.186] submitted that Conditions a. to n., q. and s. to v. have been implemented or are covered by its day-to-day maintenance (Condition o.) and therefore do not need to be included as specific conditions in the Proposed Plan.

[57] Ms Williams provided an analysis and evaluation of the relevant matters, stating<sup>26</sup>:

I agree with Waka Kotahi [143.186] that Conditions a. to n., q. and s. to v. of the Normanby Road realignment have been given effect to and do not need to be included in the PDP. The NOR for the Normanby road realignment was completed in 2003, with construction occurring soon after.

I also agree with Waka Kotahi [143.186] that Conditions p. and r. of the Normanby Road realignment should be included within the PDP, with amendments made to these conditions to reflect that the realignment has been given effect to. However, I also recommend that the property owners listed in Conditions p. and r. are removed from the conditions and replaced with site addresses. The reason for this is the landowners have changed since the Normanby Road realignment was completed. For clarity reasons I also recommend that a revised map is included in the PDP as displayed in Figure 6.

[58] We received a tabled letter from NZTA<sup>27</sup> stating that they were supportive of Ms Williams' recommendations imposing these conditions. We did not receive any further information from the other submitters on the Normanby Road realignment.

[59] Ms Williams' s42A Report<sup>28</sup> identified that Waka Kotahi lodged submissions [143.186, 143.87, 143.88 and 143.189] which sought amendments to NZTA-1, NZTA-2, NZTA-3 and NZTA-4. Ms Williams identified that these are minor changes which do not alter the scope of the designations, will ensure consistency with the National Planning Standards and the other Designation Chapters, and will provide certainty/clarity for plan users. In relation to the relationship between the KiwiRail and New Zealand Transport Agency (as requiring authority), it is noted these parties have an agreement that applies when a railway line crosses a state highway. Her recommendation was to accept submission points [143.87], [143.88] and [143.189] and accept submission [143.186] in part only. These recommendations were supported in the letter tabled for<sup>29</sup> the New Zealand Transport Agency.

[60] HB [74.5] sought amendments to NZTA-1 to encourage and provide for indigenous flora and/or cycle lanes between settlements, including along SH1, to promote active transport modes. Ms Williams did not consider it appropriate to impose conditions on NZTA-1 to require indigenous planting or cycle lanes between settlements. She identified that this is not the

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<sup>26</sup> Rachael Williams Section 42A Report: Designations, 6 June 2025, paragraphs 3.7.10 and 3.7.11

<sup>27</sup> New Zealand Transport Agency Letter dated 23 June 2025

<sup>28</sup> Rachael Williams Section 42A Report: Designations, 6 June 2025, paragraph 3.7.6

<sup>29</sup> New Zealand Transport Agency Letter dated 23 June 2025

primary purpose of the designation and, in her view, is not necessary to mitigate potential adverse effects. We received no further information from the submitter on this matter. We accept the recommendation of Ms Williams to not impose further conditions, and note that this was supported in the letter received from the New Zealand Transport Agency.<sup>29</sup>

### 1.8.2 Recommendation of Panel

[61] We adopt Ms Williams' analysis, reasons, and recommendations on NZTA-1, NZTA-2, NZTA-3 and NZTA-4. The recommended modifications are set out in **Appendix 3**.

## 1.9 TDC – TIMARU DISTRICT COUNCIL

### 1.9.1 Assessment

[62] Ms Williams, in her s42A Report<sup>30</sup>, addressed the rollover of designations of Timaru District Council on TDC-22 and TDC-45 with the following modifications:

- (a) add the location/site address and remove legal descriptions; and
- (b) minor amendments to the mapped extent of TDC-45.

[63] Timaru District Council [42.64] sought for TDC 45 to include several conditions, as follows:

1. *Before any construction commences, an Outline Plan shall be prepared by the Requiring Authority and submitted to Timaru District Council pursuant to Section 176A of the Resource Management Act 1991. In addition to the matters required to be included by section 176A of the Resource Management Act, the Outline Plan shall include the final design details for pedestrian and cycle ways and stormwater management measures associated with all works.*
2. *Before any construction commences, a Traffic Management Plan shall be prepared by the Requiring Authority and submitted to Timaru District Council. The Traffic Management Plan shall include all necessary details of road construction and traffic controls associated with the physical works of the designation. The Traffic Management Plan shall be prepared in accordance with Timaru District Council's standard for temporary traffic management.*
3. *The Requiring Authority shall provide appropriate signage to the general public during physical site works to define the construction areas.*
4. *The Requiring Authority shall take all practicable steps to ensure the noise emissions comply with the provisions of NZS 6803P:1999*

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<sup>30</sup> Rachael Williams Section 42A Report: Designations, 6 June 2025, Section 3.8

*“The measurement and assessment of noise from construction, maintenance, and demolition work”.*

5. *The Requiring Authority shall ensure that areas of exposed soil are established as soon as practicable to minimise the potential for soil erosion and sediment run-off.*
6. *The Requiring Authority shall spray water over the construction area, as and when required, to minimise dust nuisance to private property.*
7. *The Requiring Authority shall ensure the storage and handling of all hazardous substances is undertaken in accordance with relevant hazardous substances regulations and relevant rules in the Timaru District Plan. When stored within the construction area, all vehicles, machinery and fuel tanks shall be locked and secured.*
8. *In the event of an accidental discovery of archaeological matter, including human remains, the Transit New Zealand Accidental Discovery Protocol for Transit NZ Regions 11 (Canterbury) and 12 (West Coast) shall apply.*

[64] Ms Williams accepted the conditions relating to North Street Road extension to be applied to TDC-45 because the road extension physical works are yet to be completed. The proposed conditions, in her opinion, were sensible to manage any future works at the site and would not frustrate the use and/or purpose of the designation.

[65] Enviro NZ [162.18] sought amendments to TDC-22 (Timaru Landfill) on the basis that the designation as notified does not include other resource recovery activities that exist at the site. These include the transfer station, the material recovery facility (recycling), and the organics composting facility. They sought that TDC-22 be amended to include these activities in accordance with the existing resource consent conditions applying to the site.

[66] Ms Williams did not agree<sup>31</sup> with Enviro NZ [162.18] that TDC-22 should include all consented resource recovery activities occurring at the site. She considered that the existing conditions applying to the designation are specific to the landfill activity at the site and do not provide for or manage the activities sought by Enviro NZ. Ms Williams considered that the activities sought by Enviro NZ need to be assessed through a Notice of Requirement process. She also considered that if the designation were modified to include the transfer station, the material recovery facility (recycling), and the organics composting facility in accordance with their existing resource consent(s) conditions, the designation would not give them any future development right over what is already provided for under the existing resource consent(s).

[67] We received a tabled statement of evidence from Kaaren Rosser on behalf of Enviro NZ<sup>32</sup> where she accepts Ms Williams' recommendation stating:

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<sup>31</sup> Rachael Williams Section 42A Report: Designations, 6 June 2025, paragraph 3.8.7

<sup>32</sup> Kaaren Rosser, Statement of Evidence, 23 June 2025

The submission point was to highlight the discrepancy between the landfill designation purpose, its conditions, and all the other waste management facilities on site. It sought, at Paragraph 15 of the submission that the *“designation needs alteration and would like to see the process under s181 of the RMA be undertaken in the near future to update the designation to include the other existing waste recovery facilities on the site”*.

The submitter therefore did not anticipate that the designation be changed through the proposed plan process, and agrees that altering the designation through a Notice of Requirement (NOR) process is required.

[68] Ms Rosser reinforced the importance of the waste management activity as addressed in her evidence to Hearing A and identified that, while accepting the rejection of the submission point requested, considered that TDC should look at altering the designation via the NOR process to better enable future waste reduction goals. This is a matter for TDC and is not a matter we can address as a Hearings Panel.

### **1.9.2 Recommendation of Panel**

[69] We adopt Ms Williams' recommendation to confirm TDC-22 without modifications. We adopt Ms Williams' analysis, reasons, and recommendations on the modifications to TDC-45. The recommended modifications to TDC-45 are set out in **Appendix 3**.