

**BEFORE INDEPENDENT HEARING COMMISSIONERS  
AT TIMARU**

**IN THE MATTER  
AND**

of the Resource Management Act 1991

**IN THE MATTER**

of the hearing of submissions on the **Proposed  
Timaru District Plan**

**HEARING TOPIC: Hearing F - Noise**

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**STATEMENT OF PRIMARY EVIDENCE OF MICHAEL ROBERT CAMPBELL  
ON BEHALF OF PROPERTY INCOME FUND NO.2 LIMITED (56)**

**(PLANNING)**

**9 APRIL 2025**

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## 1. EXECUTIVE SUMMARY

- 1.1 My full name is Michael Robert Campbell. I am a director of Campbell Brown Planning Limited (Campbell Brown). I have been engaged by Property Income Fund No. 2 Limited ("**PIF No.2**") to provide planning evidence in support of its primary submissions to Timaru District Council's ("**the Council**") Proposed Plan ("**the PPC**").
- 1.2 In summary, I generally support the recommendations of the reporting planner as set out in the Council's Section 42A report with regard to the recommendations on submissions 56.1 and 56.2 by the PIF No.2.
- 1.3 In line with the acoustic advice obtained by the submitter, I support additional amendments to NOISE-R8.2 to address an identified gap in the Noise rules.
- 1.4 The recommended and proposed changes will continue to ensure that the PORTZ is able to operate in a manner that can provide for a range of industrial and other compatible activities that will contribute to the wellbeing of the district while at the same time maintaining the amenity values of adjacent Residential Zones and Open Space and Recreation Zones.
- 1.5 Copies of the proposed additional changes are included in my evidence at **Appendix A**. The reporting officer's changes are noted in blue while my additional proposed wording is noted in red text. A section 32AA assessment of the changes is provided at **Appendix B**.

## 2. INTRODUCTION

- 2.1 My full name is Michael Robert Campbell. I am a director of Campbell Brown Planning Limited (Campbell Brown), a professional services firm in Auckland specialising in planning and resource management.
- 2.2 I graduated from Massey University in 1995 with a Bachelor's Degree in Resource and Environmental Planning (Honours).
- 2.3 I began my career in planning and resource management in 1995. I was employed by the Auckland City Council as a planner from June 1995 to August 1998. I worked as a planner for the London Borough of Bromley in the United Kingdom from December 1998 to August 2000. I was employed by a Haines Planning, a planning consultancy firm, from October 2000 to December 2003.
- 2.4 From January 2004 to October 2010, I worked for Waitakere City Council, beginning as a Senior Planner. In my final role at the Council, I was Group Manager Consent Services, where I oversaw the Planning, Building and Licensing Departments. In 2010, I started Campbell Brown together with my co-director Philip Brown.
- 2.5 I am a full member of the New Zealand Planning Institute. In July 2011, I was certified with excellence as a commissioner under the Ministry for the Environment's Making Good Decisions programme. I was a member of the Auckland Urban Design Panel from 2014 to 2024. In 2014, I was awarded the New Zealand Planning Institute's Best

Practice Award for Excellence in Integrated Planning, as well as the Nancy Northcroft Supreme Best Practice Award.

- 2.6 I have been involved in a number of plan review and plan change processes. In particular, I have been involved in the following policy planning projects including:
- (a) The Auckland Unitary Plan review for a range of residential and commercial clients and assisted the Auckland Council with the Quarry Zone topic;
  - (b) Plan change for Westgate Town Centre comprising residential and commercial activities;
  - (c) Proposed Plan Change 59 in relation to a private plan change for 1,800 homes in Albany;
  - (d) Presentation of evidence in relation to the New Plymouth Proposed District Plan.
  - (e) Presentation of evidence in relation to the Central Hawkes Bay Proposed District Plan.
  - (f) Presentation of evidence in relation to plan changes 9 and 12 of the Hamilton City District Plan.

#### **Code of Conduct**

- 2.7 Although this is a Council hearing, I confirm that I have read the Expert Witness Code of Conduct set out in the Environment Court's Practice Note 2023. I have complied with the Code of Conduct in preparing this evidence and agree to comply with it while giving evidence. Except where I state that I am relying on the evidence of another person, this written evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in this evidence.

#### **Scope of Evidence**

- 2.8 Hearing F addresses submission points relating to the Timaru Proposed District Plan ("the PDP") – Hazards and Risks (Natural Hazards only) - Other District-wide Matters. The s42A reports split these matters into reports in line with these topics and the structure of the PDP.
- 2.9 In preparing my evidence, I have read:
- a) The relevant s32 Evaluation Reports.
  - b) The 'Section 42A Report: Light and Noise' prepared on behalf of the Council by Ms Liz White.
- 2.10 I have also read, and I am reliant on, the evidence of Mr Gary Walton (acoustic), and the evidence prepared by James Tait-Jaimeson (corporate) on behalf of PIF No.2.
- 2.11 By way of background, the PIF No.2 owns a site at 1 Fraser Street in Parkside, Timaru. The site is legally described as Lot 1 DP 356740 and has an area of 3.1450 hectares. The site includes a large industrial building that has a Gross Floor Area of circa

21,810m<sup>2</sup>. The main southern rail line runs along the western boundary of the site while the coast defines the eastern boundary of the site.

- 2.12 Under Timaru Operative District Plan, the site has a split zoning of Industrial H and Industrial L, while under the Timaru Proposed District Plan, the site is proposed to be zoned as Port Zone (PORTZ).
- 2.13 The site is presently tenanted with a long term lease to Fonterra. The site is operated as a freight and logistics hub. Mr Tait-Jaimeson notes that the site provides Fonterra with high-quality dry goods storage for dairy products processed at Fonterra's South Island factories including Clandeboye and Studholme. The site is well-located, being adjacent to the main trunk line and in close proximity to Timaru Port. It provides a critical link in Fonterra's supply chain, linking South Canterbury farmers with international markets.
- 2.14 Fonterra has lodged similar submissions to the PIF No.2 submission points.
- 2.15 This evidence addresses PIF No.2 primary submission points<sup>1</sup> on the **Noise** matters within the PDP, as they relate to the recommendations of the s42A report on those topics. These are summarised below:

*Submission 56.1 - NOISE-R8 Noise from activities within the Port Zone*

*The submitter supports the rule but notes that part of the Port Zone (to the south) is not covered by either of the noise control boundaries and therefore no rule appears to apply. It is considered a further permitted status is required.*

*Submission 56.2 - Table 24 - Noise Performance Standards*

*The submitter considers that there is no recognition that the Port Zone extends south, to the south where it is opposite but separated from General and Medium Density Residential Zone.*

- 2.16 The section 42A report has considered the above submissions. The Council reporting planner recommends that submission 56.1 is accepted in part and submission 56.2 is rejected.
- 2.17 In terms of primary submission 56.1, the reporting planner notes:
- "8.12.6 Mr Hunt agrees with the various submitters that there is a gap regarding noise generated within the southern part of the Port Zone and that this should be addressed along the lines suggested by submitters. Taking into account Mr Hunt's advice, I agree with the submitters that the rule requires amendment to ensure that noise in the southern part of the Port Zone is appropriately managed. The changes supported by Mr Hunt also ensure that the noise limits applying to activities undertaken in the Port Zone (within Precinct 7) are not applied as an "in-zone" limit, and only apply to noise received at sites outside the Zone."*

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<sup>1</sup> Primary Submissions – 56.1, 56.2

2.18 In terms of primary submission 56.2, the reporting planner notes:

*"8.18.9 I do not consider that changes to Table 24 are required in relation to noise generated from the Port Zone. The noise limits in Table 24 apply to activities managed under NOISE-R1 (which requires compliance with NOISE-S2, which in turn requires compliance with the noise limits in Table 24). However, NOISE-R1 applies to activities generating noise that are otherwise specified in the Rules section. NOISE-R8 applies to activities within the Port Zone, and therefore such activities are not subject to NOISE-R1. NOISE-R8 does not require compliance with NOISE-S2 and therefore Table 24 does not come into play for noise generated by activities in the Port Zone. I note that some confusion does arise from clause 2 of the table referring to noise generated from the Port Zone. Because the Table does not in any case apply to such noise, I recommend that this reference is deleted, as a clause 16(2) change."*

2.19 Following my review of the S.42A report, I confirm my general support of and/or agreement with the changes proposed by Council in the S.42A report.

2.20 In terms of Submission 56.1, the reporting planner has proposed a new PORT-R8.2. I generally support the recommendation of the reporting officer. I consider that it is an appropriate resource management approach to provide for the operational noise requirements of activities within the PORTZ, being Regionally Significant Infrastructure<sup>2</sup>.

2.21 I also note that strategic direction SD-06 of the PDP seeks to achieve the following:

*Business and economic prosperity in the District is enabled in appropriate locations, including by:*

- i. providing sufficient land for a range of business activities to cater for projected growth;*
- ii. providing opportunities for a range of business activities to establish and prosper, provided that commercial activities outside of commercial areas are limited so they do not detract from the role and function of the City Centre and Town Centre zones.*

2.22 Strategic direction SD-08 of the PDP seeks to achieve the following:  
*Across the District:*

- i. improved accessibility and multimodal connectivity is provided through a safe and efficient transportation network that is able to adapt to technological changes;*
- ii. the provision of new network infrastructure is integrated and co-ordinated with the nature, timing and sequencing of new development;*
- iii. drinking water supplies are protected from the adverse effects of subdivision, use and development;*

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<sup>2</sup> As defined by the Canterbury Regional Policy Statement.

- iv. ***the benefits of regionally significant infrastructure<sup>3</sup> and lifeline utilities are recognised and their safe, efficient and effective establishment, operation, maintenance, renewal and upgrading and development is enabled while managing adverse effects appropriately. [My Emphasis]***

- 2.23 I acknowledge that the Strategic Direction of the PDP is not yet decided and a number of changes have been sought by submitters and the Council, but the Strategic Direction does generally align with the Canterbury Regional Policy Statement, and from my review of the changes sought by submitters, the overarching strategic direction, as it applies to regionally significant infrastructure, is not being challenged in submissions.
- 2.24 I note the evidence of Mr Walton, and by Mr Hay on behalf of Fonterra, where they confirm that it would be best practice to also include a daytime limit for the PORTZ outside Precinct 7. I therefore recommend the following amendments to NOISE-R8.2<sup>4</sup>:

NOISE-R8	Noise from activities within the Port Zone	
<u>1. Port Zone within Precinct 7</u>	...	...
<u>2. Port Zone outside Precinct 7</u>	<p><u>Activity Status: Permitted</u></p> <p><u>Where:</u></p> <p><u>PER-1</u></p> <p><u>NOISE-S1 is complied with; and</u></p> <p><u>PER-2</u></p> <ol style="list-style-type: none"> <li><u>1. On any day between 10pm to 7am the following day, noise generated must not exceed 45 dB LAeq (9 hours) when measured at or within any residentially zoned site, provided that any single 15 minute sound measurement level must not exceed 50 dB LAeq and 75 dB LAfmax.</u></li> <li><u>2. On any day between 7am and 10pm, noise generated must not exceed 55 dB LAeq (15 min) when measured at or within any residentially zoned site.</u></li> </ol>	<p><u>Activity status when compliance not achieved: Discretionary with PER-2: Discretionary</u></p> <p><u>Activity status when compliance not achieved with PER-1: Non-complying</u></p>

<sup>3</sup> The PDP definition of Regionally Significant Infrastructure includes "Port of Timaru"

<sup>4</sup> The reporting officer's changes are noted in blue while my additional proposed wording is noted in red text

	<u>Note: For the purpose of Port Noise, daytime is defined as 7am to 10pm on any day, and night time is defined as 10pm to 7am the following day.</u>	
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- 2.25 Mr Walton notes that in making his assessment, the noise levels of this order would reflect the existing activities and the nature of the existing noise environment. This noise limit is also consistent with the ODP daytime noise standards.
- 2.26 I note that where compliance is not achieved with PER-1, failure to use 6801/6802 results in non-complying activity status. I concur with Mr Walton and I consider that discretionary status would be more appropriate, as these standards are not necessarily suitable for all noise sources – for example construction noise, which should be assessed under NZS 6803:1999. I consider that discretionary status would be consistent with the other noise performance standards for the PORTZ.
- 2.27 In terms of the response of the reporting planner regarding primary submission 56.2, I concur with their clarification and recommendation that the reference to clause 2 of the table referring to noise generated from the PORTZ is deleted, as a clause 16(2) change. This will address the concern in submission raised by PIF No.2.

### 3. CONCLUSION

- 3.1 I generally support the recommendations of the reporting planner as set out in the Council Section 42A report with regard to the recommendations on submissions 56.1 and 56.2 by the PIF No.2.
- 3.2 In line with the acoustic advice obtained by the submitter, I support additional amendments to NOISE-R8.2 to address an identified gap in the Noise rules.
- 3.3. The proposed changes will continue to ensure that the PORTZ is able to operate in a manner that can provide for a range of industrial and other compatible activities that will contribute to the wellbeing of the Timaru district while at the same time maintaining the amenity values of adjacent Residential Zones and Open Space and Recreation Zones.



**Michael Robert Campbell**  
9 April 2025

## Appendix A - Proposed Text Changes

Black Text – Original wording of Proposed District Plan

Blue Text – Officer's recommended changes, as set out in Section 42a reports.

Red Text - Additional changes proposed by PIF No.2

NOISE-R8	Noise from activities within the Port Zone	
<u>1. Port Zone within Precinct 7</u>	...	...
<u>2. Port Zone outside Precinct 7</u>	<p><u>Activity Status: Permitted</u></p> <p><u>Where:</u></p> <p><u>PER-1</u></p> <p><u>NOISE-S1 is complied with; and</u></p> <p><u>PER-2</u></p> <ol style="list-style-type: none"> <li><u>On any day between 10pm to 7am the following day, noise generated must not exceed 45 dB LAeq (9 hours) when measured at or within any residentially zoned site, provided that any single 15 minute sound measurement level must not exceed 50 dB LAeq and 75 dB LAfmax.</u></li> <li><u>On any day between 7am and 10pm, noise generated must not exceed 55 dB LAeq (15 min) when measured at or within any residentially zoned site.</u></li> </ol> <p><u>Note: For the purpose of Port Noise, daytime is defined as 7am to 10pm on any day, and night time is defined as 10pm to 7am the following day.</u></p>	<p><u>Activity status when compliance not achieved: Discretionary with PER-2: Discretionary</u></p> <p><del>Activity status when compliance not achieved with PER-1: Non-complying</del></p>



## Appendix B - Section 32AA Assessment

Having regard to section 32AA, the following is noted:

### Noise

#### **Effectiveness and efficiency**

- The recommended amendments proposed by PIF No.2 to the noise controls will ensure that the extent of controls imposed are minimised and focused on addressing the adverse health and internal amenity effects that arise from the PORTZ, while at the same time providing the confidence that the anticipated port activities are able to operate in the zone
- The provisions will be more efficient and effective than those proposed in the PDP or by the submitters because they will be more focussed on managing the specific effects arising from the port activities.
- Based on the evidence of Mr Walton, I support the proposed changes.

#### **Costs/Benefits**

- The changes to the noise rules recommended by the Council and PIF No.2 are unlikely to result in additional compliance costs for landowners.

#### **Risk of acting or not acting**

- I consider that the appropriateness of adopting the relief sought must be considered in the context of the direction set out in higher order policy documents and the Strategic objectives of the PDP.
- I note that the NPSUD2020 seeks to enable growth (including business growth) by requiring local authorities to provide development capacity to meet the diverse demands of communities, address overly restrictive rules, and encourage quality, liveable urban environments. It also aims to provide for growth that is strategically planned and results in vibrant cities. I am of the opinion that the relief sought by PIF No.2 will not be contrary with the outcomes expressed in the NPSUD2020.

#### **Decision about most appropriate option**

- The recommended amendments as set out in my evidence at **Appendix A** are therefore considered to be more appropriate in achieving the purpose of the RMA than the notified version of the PDP or the proposed changes set out in the section 42A report, or that proposed by other submitters.