

Before the Independent Hearing Panel  
Appointed by the Timaru District Council

Under	Schedule 1 of the Resource Management Act 1991 ( <b>RMA</b> )
In the matter of	Submissions on the Proposed Timaru District Plan
Between	<b>Various</b>
	Submitters
And	<b>Timaru District Council</b>
	Respondent

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***Rachael Williams (Wilcox) – Hearing F – s42A summary statement***

***Earthworks, Relocated Buildings and Shipping Containers, Signs and  
Temporary Activities Chapters***

*23 April 2025*

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**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 Rachael Williams (Wilox). I am a Senior Policy Planner at the Timaru District Council. I prepared the s42A report on the Earthworks (EW), Relocated Buildings and Shipping Containers (RELO), Signs (SIGN) and Temporary Activities (TEMP) chapters. I confirm that I have read all the submissions, further submissions, submitter evidence<sup>1</sup> 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 summary is to provide the Panel and submitters with the following:
  - (a) Brief summary of key issues raised in submissions;
  - (b) Corrections I wish to make to my s42A report;
  - (c) A list of issues raised in evidence prior to the hearing, including identifying (where possible):
    - (i) issues that are resolved on the basis of the pre-circulated evidence; or
    - (ii) issues that remain outstanding pending the hearing of evidence; and
  - (d) Updates to the recommendations contained in my s42A report.

## **Summary of key issues**

- 3 In my s42A report, I identified the following matters as the key issues raised in submissions:
  - (a) EW-R1 and the earthworks exclusions;
  - (b) The requirements to submit a form prior to commencement of earthworks;
  - (c) The restrictiveness of the earthworks standards;

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<sup>1</sup> I have also read the Statement of Evidence of Mr. Jonathan Bhana-Thomson (CEO, House Movers Section of New Zealand Heavy Haulage Association Inc) submitted for Hearing B dated 22-26 July 2024 and the Statement of Evidence and Memorandum on behalf of Te Rūnanga o Ngāi Tahu for Hearing E prepared by Ms. Pull dated 22 January 2025 and 31 March 2025

- (d) The restrictiveness of the relocated buildings and shipping container provisions;
  - (e) The approach to off-site signs including digital billboards and third-party signage;
  - (f) The traffic safety standards and the standards managing illuminated, moving, flashing and digital signs;
  - (g) The maximum area and height controls for signs in the CMUZ, GIZ and PORTZ;
  - (h) The management of emergency services training activities and Freedom Camping in the TEMP chapter and PDP; and
  - (i) The restrictiveness of the TEMP chapter provisions.
- 4 Of the above, I note that those that appear to remain outstanding, with respect to evidence lodged are:
- (a) EW-R1 and the earthworks exclusions; and
  - (b) The traffic safety standards (including my consequential recommended amendments to SIGN-S6.1) and the standards managing illuminated, moving, flashing and digital signs.
- 5 In addition to the key issues that were identified in the s42A report, I note that the following matters raised in submissions are further addressed in evidence:
- (a) The relationship between the EIT and EW chapters; and
  - (b) The management of temporary military training activities.

### **Corrections to my s42A report and Appendices**

- 6 In paragraph 9.1.8 of my s42A report I recommend that the general submission point from ECan [183.4] in the context of the EW chapter be accepted. This should read accepted in part.
- 7 In paragraph 9.3.2 of my s42A report the submission points from Alliance Group and Hort NZ should read as follows: Alliance Group [173.989] and Hort NZ [2454.78].
- 8 In paragraph 9.9.12 of my s42A report and Appendix 1, I recommend amendments to EW-S5 to ensure the standard only applies to earthworks

in proximity of 66kV electricity distribution lines. In reviewing EW-S5, I recommend minor amendments to the layout of the standard as follows:

***Earthworks, in proximity of the National Grid and/or a 66kV electricity distribution line, excluding earthworks for:***

- a. a network utility as part of an electricity transmission activity; or***
- b. agricultural or domestic cultivation; or***
- c. the repair, sealing or resealing of a road, footpath, driveway or farm track.***

~~1. Any earthworks must not exceed a depth or fill of 300mm within a distance measured 12m from the outer visible edge of any National Grid support structure; or~~

1. Earthworks within 12 metres of the centre line of a 110kV or a 220kV National Grid transmission line or within 10m of the centre line of a 66kV transmission line must:

- a. be no deeper or higher than 300mm below or above ground level<sup>f</sup> within 6m of a foundation of a transmission line support structure; and

- b. be no deeper than 3m below ground level<sup>g</sup> ~~when:~~

- ~~i. between 6 and 12 metres from the foundation of a 110kV or a 220kV National Grid transmission line support structure; or~~

- ~~ii. between 6 and 10 metres from the foundation of a 66kV transmission line support structure; and~~

- c. ~~iii.~~ not result in a reduction in the ground conductor clearing distances below what is required by Table 4 in NZECP34:2001, unless the requirements of Clause 2.2.3 of NZECP34:2001 are met.

**Note: Earthworks and land disturbance within the National Grid Yard are assessed in EI-R28.**

9 In paragraph 10.4.15 of my s42A report the submission points from Hilton Haulage, Silver Fern Farms, Alliance Group, PrimePort, Barkers, and TDHL should read as follows: Hilton Haulage [168.~~54~~], Silver Fern Farms [172.10~~87~~], Alliance Group [173.1~~1009~~], PrimePort [175.7~~24~~], Barkers [179.2~~54~~], and TDHL [186.4~~19~~].

10 In paragraphs 11.2.6 and 11.2.11 of my s42A report and Appendix 1, I have recommended a new policy in the SIGN chapter which enables signs (excluding off-site signs) in all zones where they are an official sign, or they meet the requirements in SIGN-P1 and SIGN-P2. In reviewing SIGN-PX, I recommend a minor amendment to the title of this policy as follows:

**SIGN-PX ~~Enable S~~signs.**

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<sup>2</sup> ECan [183.4]

<sup>3</sup> ECan [183.4]

- 11 In paragraph 11.2.7 of my s42A report I recommend that the submission point from Waka Kotahi [143.121] in relation to SIGN-P1 be accepted. This should read accepted in part.
- 12 In paragraph 11.5.16 of my s42A report I recommend that the submission points from Waka Kotahi [143.3], Out of Home Media [188.8] and Go Media [18.8] be accepted in part. This paragraph should also include Kiwi Rail [187.83].
- 13 In paragraphs 11.4.24, 11.6.16 and 11.8.6 of my s42A report I recommend new matters of discretion relating to traffic safety in SIGN-R4, SIGN-S2, SIGN-S5 and SIGN-S6. There is variation in the suggested wording in the s42A report and Appendix 1. The s42A report refers to '*traffic safety*' or '*any traffic safety effects*' and Appendix 1 refers to '*any adverse effects on traffic safety*'. My preference is to use the wording in Appendix 1 noting that this aligns with the wording suggested by Waka Kotahi [143.126, 143.127 and 143.143.128] and, in my view, more accurately depicts what needs to be assessed. I also recommend a consequential amendment, pursuant to Clause 10(2)(b) of the RMA to the matters of discretion in SIGN-S1 as follows:

***Matters of discretion are restricted to:***

1. *any adverse effects on traffic safety; and*
  2. *the design and location of the sign; and*
  3. *any positive effects of the sign.*
- 14 Appendix 1 to my s42 report includes a set of recommend changes to the EW, RELO, SIGN and TEMP chapters. There are minor errors within that Appendix that I would like to bring to the Hearing Panels attention at this time:
    - (a) The EW Introduction in Appendix 1 includes an amendment to make it clear that in the event that an unidentified archaeological site or wāhi tapu site is located during earthworks all earthworks must follow the Accidental Discovery Protocol contained in APP4. There is a minor difference in the suggested wording in the s42A report and Appendix 1 with the s42A Report referring to '*any*' earthworks. For the avoidance of doubt, my preference is to use the wording in the s42A report as follows:

*In the event that an unidentified archaeological site or wāhi tapu site is located during any earthworks, all earthworks must follow the Accidental Discovery Protocol contained in APP4 – Accidental Discovery Protocol.*

- (b) RELO-R2 (CON-2) in Appendix 1 currently reads as follows:

**CON-2**

*The maximum ~~total~~ gross floor area and number of all shipping containers on the site does not exceed:*

<i>Site area</i>	<i><del>Total</del> <u>Gross floor area of shipping containers</u></i>	<i><u>Number of shipping containers</u></i>
<i>&lt;10ha</i>	<i><del>2</del>30m<sup>2</sup></i>	<i><u>2</u></i>
<i>&gt;10ha</i>	<i><del>2</del>30m<sup>2</sup> per 10ha of site area</i>	<i><u>2 per 10ha of site area</u></i>

Based on my s42A report, and to remove any ambiguity RELO-R2 (CON-2) should read as follows:

**CON-2**

*The maximum ~~total~~ gross floor area and number of all shipping containers on the site does not exceed:*

<i>Site area</i>	<i><del>Total</del> <u>Gross floor area of shipping containers</u></i>	<i><u>Number of shipping containers</u></i>
<i>&lt;10ha</i>	<i><del>2</del>30m<sup>2</sup></i>	<i><u>2</u></i>
<i>&gt;10ha</i>	<i><del>2</del>30m<sup>2</sup> per 10ha of site area</i>	<i><u>2 per 10ha of site area</u></i>

- (c) In paragraphs 10.4.10 and 10.4.17 of my s42A report I recommend amendments to the Rule Note in the RELO chapter to make it clear that the rules in the underlying zone chapters also apply to relocated buildings and shipping containers. There are minor differences in my suggested wording in the s42A report and Appendix 1. My preference is to use the wording in the s42A report as follows:

**Note:** ~~Activities not listed in the rules of this chapter are classified as a permitted under this chapter. The underlying zone rules and standards in Part 3 – Area Specific Matters – Zone Chapters apply to relocated buildings and shipping containers. The provisions of Part 2 – District-wide Matters Chapters also apply to relocated buildings and shipping containers. Consent may be required by rules in more than one chapter in the Plan. Unless expressly stated otherwise by a rule, consent is required under each of those rules.~~ The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1, HPW – How the Plan Works – General Approach.

- (d) In paragraph 11.4.24 of my s42A report I recommend amendments to the title of SIGN-R4 as follows:

*SIGN-R4 Any signs not otherwise listed address in the Rules section of this chapter*

These amendments have not been accurately replicated in Appendix 1.

- 15 The above changes will be included in the updated chapters provided to the Hearing Panel as part of the s42A Reply Report prepared following the conclusion of the hearing evidence.
- 16 Appendix 2 to my s42A report includes a table outlining whether I recommend submission points be accepted, rejected or accepted in part. The submission points from OWL [181.74], PrimePort [175.76] and TDHL [186.45] have been incorrectly identified as 'Accept' or 'Reject' and should read 'Accept in Part'.
- 17 I am not aware of any further corrections required to my s42A report or appendices at this time.

#### **List of resolved and outstanding issues**

- 18 A list of issues that are either resolved on the basis of pre-circulated evidence, or that remain outstanding pending the hearing of evidence, is attached at **Appendix A** in order to assist the Panel.

#### **Updates to recommendations**

- 19 I have not provided a preliminary view on the outstanding matters at this time, as I wish to hear the evidence and the Panel questions before I provide updated recommendations. I understand that I will have the opportunity to provide a formal response to the matters heard at the hearing.
- 20 However, at this stage, I consider it appropriate to inform the panel that in considering Mr. Willis recommended amendments to EW-R1.c<sup>4</sup>, and in response to evidence lodged, I am reviewing the relationship between the EW and EI and TRAN provisions (with input of Mr Willis). This review will identify:

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<sup>4</sup> c. for infrastructure that is identified as permitted or restricted discretionary in Sections A to Sections G of the Energy, and Infrastructure chapter and in TRAN-R1 to TRAN-R9 of the Transport chapters of the Plan

- (a) which rules and activities in the EI and TRAN chapters are excluded from EW-R1; and
  - (b) whether additional matters of discretion to manage adverse effects of earthworks are required for restricted discretionary activities in the EI and TRAN chapters.
- 21 Recommendations and results of this review will be provided to the Hearing Panel as part of my interim Reply Report following the conclusion of Hearing F.

***Rachael Williams (Willox)***

**23 April 2025**



## APPENDIX A

### Status of issues raised in evidence – Earthworks, Relocated Buildings and Shipping Containers, Signs and Temporary Activities – *Hearing F*

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 F. It does not attempt to reflect whether the issue is agreed between submitters who did not pre-circulate evidence for Hearing F.*
- 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 F. 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.*
- 4 *Orange shading identifies matters still outstanding.*

Issue (raised in evidence)	Relevant provision(s)	Status	Relevant submitter(s) that pre-circulated evidence
Relationship between the EW and EI and TRAN chapters	EW-O1 and EW-R1	Outstanding	OWL [181] Statement of Evidence of Julia Crossman paragraphs 4.28 to 4.31
EW chapter policies	EW-P1 and EW-P4	Resolved	<p>Transpower [159] Statement of Evidence of Rebecca Eng Attachment A</p> <p>OWL [181] Statement of Evidence of Julia Crossman Annexure B</p> <p>ECan [183] Statement of Evidence of Deidre Francis – Appendix 2</p>

Issue (raised in evidence)	Relevant provision(s)	Status	Relevant submitter(s) that pre-circulated evidence
			<p>KiwiRail [187] – Statement of Evidence Catherine Lynda Heppelthwaite (6.0. i. and j.)</p> <p>BP Oil et al [196] Statement of Evidence of Thomas Trevilla Appendix A</p>
EW-R1 (excluding EW-R1.c, EW-R1.e and EW-R1.h)	EW-R1	Resolved	<p>ECan [183] Statement of Evidence of Deidre Francis – Appendix 2</p> <p>KiwiRail [187] – Statement of Evidence Catherine Lynda Heppelthwaite (6.0.k)</p> <p>BP Oil et al [196] Statement of Evidence of Thomas Trevilla Appendix A</p>
EW-R1.e and EW-R1.h	EW-R1.e and EW-R1.h	Outstanding	<p>Fonterra [165] Statement of Evidence of Susannah Vrena Tait paragraphs 9.1 to 9.5</p> <p>OWL [181] Statement of Evidence of Julia Crossman paragraphs 4.24 to 4.27</p>

Issue (raised in evidence)	Relevant provision(s)	Status	Relevant submitter(s) that pre-circulated evidence
Maximum area thresholds in the EW Chapter	EW-S1	Resolved	Fonterra [165] Statement of Evidence of Susannah Vrena Tait paragraphs 9.1 and 9.2  BP Oil et al [196] Statement of Evidence of Thomas Trevilla Appendix A
Earthworks in proximity to electricity distribution lines	EW-S5	Resolved*  <i>I have recommended minor amendments to the layout of EW-S5 above</i>	Transpower [159] Statement of Evidence of Rebecca Eng Attachment A
Relocated buildings and shipping containers in the GIZ and Port Zone	RELO-R1 and RELO-R2	Resolved	PrimePort [175] – Statement of Evidence of Timothy (Tim) Walsh – paragraphs 109 to 112  PrimePort [175] – Statement of Evidence of Tony Cooper paragraphs 36 and 37  PrimePort [175] – Legal Submissions of C O Carranceja paragraphs 10.1 and 10.2

Issue (raised in evidence)	Relevant provision(s)	Status	Relevant submitter(s) that pre-circulated evidence
Official signs	SIGN-PX, SIGN-P1 and SIGN-R1	Resolved	<p>Waka Kotahi [143] Statement of Evidence of Stuart Pearson – paragraph 4.4 (a)</p> <p>Transpower [159] Statement of Evidence of Rebecca Eng Attachment A</p> <p>Fonterra [165] Statement of Evidence of Susannah Vrena Tait – paragraph 13.1</p>
Road safety effects	SIGN-P2	Resolved	KiwiRail [187] – Statement of Evidence Catherine Lynda Heppelthwaite (6.0.I)
Activity status of off-site signs in the CMUZ, GIZ and Port Zone	SIGN-R4	Resolved	PrimePort [175] – Statement of Evidence of Timothy (Tim) Walsh – paragraph 103
Traffic safety standards	SIGN-S1 and SIGN-Table 27	Resolved	<p>Waka Kotahi [143] Statement of Evidence of Stuart Pearson – paragraph 4.4(b) and (c)</p> <p>Waka Kotahi [143] Statement of Evidence of Terry Phillip Church paragraph 7.4(a) and 7.4(d)</p>

Issue (raised in evidence)	Relevant provision(s)	Status	Relevant submitter(s) that pre-circulated evidence
			KiwiRail [187] – Statement of Evidence Catherine Lynda Heppelthwaite (6.0.m)
Minimum separation distances between signs/proliferation of signs	SIGN-S1.4, SIGN-S6.1 and SIGN-Table 28	Outstanding	<p>Waka Kotahi [143] Statement of Evidence of Stuart Pearson – paragraphs 4.7 – 4.15</p> <p>Waka Kotahi [143] Statement of Evidence of Terry Phillip Church – paragraphs 7.4(e) and 8.1 to 8.5</p> <p>Fonterra [165] - Statement of Evidence of Susannah Vrena Tait – paragraph 13.2</p> <p>PrimePort [175] – Statement of Evidence of Timothy (Tim) Walsh – paragraphs 106 - 108</p> <p>PrimePort [175] – Statement of Evidence of Tony Cooper paragraphs 18 to 23</p> <p>PrimePort [175] – Legal Submissions of C O Carranceja paragraphs 9.2 to 9.9</p>

Issue (raised in evidence)	Relevant provision(s)	Status	Relevant submitter(s) that pre-circulated evidence
Digital signs	SIGN-S2	Outstanding	Waka Kotahi [143] Statement of Evidence of Stuart Pearson – paragraphs 4.16 to 4.31  Waka Kotahi [143] Statement of Evidence of Terry Phillip Church paragraphs 7.4(b) and 9.1 to 9.15
Maximum height and area of signs in the CMUZ, GIZ and PORTZ	SIGN-S3 and SIGN-S4	Resolved	Fonterra [165] Statement of Evidence of Susannah Vrena Tait – paragraph 13.1  PrimePort [175] – Statement of Evidence of Timothy (Tim) Walsh – paragraphs 104 and 105
Matters of discretion in the SIGN chapter	SIGN-R4, SIGN-S2, SIGN-S5 and SIGN-S6	Resolved*	Waka Kotahi [143] Statement of Evidence of Stuart Pearson – paragraph 4.4(d)  Waka Kotahi [143] Statement of Evidence of Terry Phillip Church – paragraph 7.4(c)
Relationship between the TEMP chapter and other chapters of the PDP	TEMP- Rule Note	Resolved	Transpower [159] Statement of Evidence of Rebecca Eng Attachment A

Issue (raised in evidence)	Relevant provision(s)	Status	Relevant submitter(s) that pre-circulated evidence
Management of temporary military activities	TEMP-P2, TEMP-R2	Outstanding	Defence Force [151] – Letter prepared by Rebecca Davies dated 17 April 2025
Establishment of temporary buildings/structures (associated with rail works) outside of the rail corridor	TEMP-R1	Resolved	KiwiRail [187] – Statement of Evidence Catherine Lynda Heppelthwaite (6.0.n)