

**SUBMISSION ON PUBLICLY NOTIFIED PROPOSAL FOR POLICY STATEMENT OR  
PLAN, CHANGE OR VARIATION**

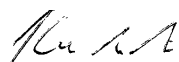
*Clause 6 of Schedule 1, Resource Management Act 1991*

**To** Timaru District Council

Name of submitter: PrimePort Limited (*PrimePort*)

- 1 This is a submission on the proposed Timaru District Plan (the **Proposed Plan**).
- 2 PrimePort could not gain an advantage in trade competition through this submission.
- 3 PrimePort's submission relates to the entire Proposed Plan.
- 4 PrimePort seeks the following decision from the local authority:
  - 4.1 The relief as set out in **Annexure A**.
  - 4.2 Any other similar relief that would address the relief sought by PrimePort.
  - 4.3 All necessary consequential amendments.
- 5 PrimePort **wishes to be heard** in support of the submission.
- 6 If others make a similar submission, PrimePort will consider presenting a joint case with them at a hearing.

**Signed** for and on behalf of PrimePort Limited by



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Principal Planner  
15 December 2022

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## ANNEXURE A


The drafting suggested in this annexure reflects the key changes PrimePort seeks. Consequential amendment may also be necessary to other parts of the proposed provisions.

PrimePort proposes drafting below and seeks that this drafting, or drafting with materially similar effect, be adopted by the Council.

### PLANNING MAPS

	<b>Provision</b>	<b>Position</b>	<b>Submission</b>	<b>Relief Sought</b>
1	Zoning – PORTZ extent	Support	The extent/boundaries of the Port Zone are supported, as they accurately reflect the extent of current Port operational activity, and the extent of business and industrial activity that has a close relationship with the Port.	Retain the PORTZ as notified.
2	Major Hazard Facilities	Oppose	The mapping of Major Hazard Facilities does not match Schedule 2. The planning maps refer "SHF-" while the schedule refers "MHF-". The descriptions of the MHF in the schedule do not match the mapped facilities, e.g. SHF-3 is noted as Lot 30 DP 23140, but Lot 30 DP 23140 is unmapped, e.g. SHF-15 on the maps does not have a corresponding listing in the schedule but is assumed to be MHF-2. Also SHF-15 on the Maps does not appear to correctly reflect the adjoining tank farm boundaries.	Amend Planning Maps to correctly reference the Major Hazard Facilities.
3	Areas within 250m from Major Hazard Facilities	Oppose in part	These areas may need to be amended, if any Major Hazard Facilities are incorrectly mapped, including SHF-15.	Make any changes that may be required to the areas within 250m of Major Hazard facilities, consequent to the changes requested in Submission Point 2 above.
4	Esplanade Provision	Oppose in part	The area of land north of Talbot Street within the Port Zone, being land contained within Lot 2 DP 326718, forms part of the working Port area and may on occasion require closure for health and safety reasons, or may be developed for Port	Delete the Esplanade Provision overlay within Lot 2 DP 326718.

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			<p>purposes. Provision for an esplanade reserve is inconsistent with those uses, nor is an esplanade reserve required in that location given public access can be gained to the coast from Talbot Street, the adjoining Open Space Zone and along the coast itself.</p>	
5	Port Inner Noise Control Boundary	Support	<p>The proposed Port Inner Noise Control Boundary is consistent with that previously recommended by Acoustic Engineering Services, per their report of February 2022</p> <p><a href="https://www.timaru.govt.nz/_data/assets/pdf_file/0005/669866/Primeport-AES-2022-Noise-Report.pdf">https://www.timaru.govt.nz/_data/assets/pdf_file/0005/669866/Primeport-AES-2022-Noise-Report.pdf</a></p>	Retain the Port Inner Noise Control Boundary as notified
6	Port Outer Noise Control Boundary	Support	<p>The proposed Port Outer Noise Control Boundary is consistent with that previously recommended by Acoustic Engineering Services, per their report of February 2022</p> <p><a href="https://www.timaru.govt.nz/_data/assets/pdf_file/0005/669866/Primeport-AES-2022-Noise-Report.pdf">https://www.timaru.govt.nz/_data/assets/pdf_file/0005/669866/Primeport-AES-2022-Noise-Report.pdf</a></p>	Retain the Port Outer Noise Control Boundary as notified
7	Public Access Provision	Oppose in part	<p>Oppose extension of the Public Access Provision north of Talbot Street, within Lot 2 DP 326718. Land in this area forms part of the Port Operational area that periodically requires closure for health and safety purposes. Public access can be gained to the coast from Talbot Street, the adjoining Open Space Zone and along the coast itself.</p>	Delete the Public Access Provision overlay within Lot 2 DP 326718.
8	Public Access Provision	Support in part	<p>Public access to the coastal marine area within the operational areas of the Port must not be required, for public health and safety, and security reasons. The Proposed Plan does not require public access provision in those areas and this is supported.</p>	Retain no Public Access Provision within the operational Port area (as notified).

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9	Urban Area	Oppose in part	<p>The Urban Area encompasses the large majority of the Port Zone, which is supported as the Port Zone is developed and utilised for urban purposes. There is however a sliver of land in the north eastern section of the Port Zone that is zoned "Port Zone" but lies outside the Urban Area boundaries. That area should also be zoned Urban Area. The area of land in question is annotated on the Planning Map snip below (area in blue).</p> 	Retain Urban Area boundary and extend to fully encompass the Port Zone.
10	Precinct 7	Support	The Precinct 7 boundaries are consistent with the core Port operational area.	Retain
11	Height Specific Control Area	Oppose	A Height Specific Control Area covers a large part of the Port Zone. This is inconsistent with Schedule 16B which states that the Height Specific Control Area is located in the General Industrial Zone only, and inconsistent with the rules of the Special Purpose Port Zone, which make no reference to the Height Specific Control Area. It therefore appears to serve no purpose.	Delete the Height Specific Control Area within the Port Zone.

	Section	Provision	Position	Submission	Relief Sought
12.	Definitions	Lifeline Utilities	Support	The definition appropriately includes the Port of Timaru.	Retain
13.	Definitions	Regionally Significant Infrastructure	Support	The definition appropriately includes the Port of Timaru.	Retain
14.	Definitions	Port Activity	Support	The definition appropriately reflects the range of activity that occurs within the PORTZ.	Retain
15.	Definitions	Natural Hazard Sensitive Activity	Oppose	The number of employees listed (two or more on a full time basis), is overly restrictive. Within the Port Zone for example, even relatively sparsely staffed storage warehouses would be caught by this definition.	Amend as follows:  Means: Buildings which: <ol style="list-style-type: none"> <li>1. Contain one or more habitable rooms; and/or</li> <li>2. Contain <del>two</del> <u>ten</u> or more employees on a full time basis; and/or</li> <li>3. Are a place of assembly.</li> </ol>
16.	Strategic Directions	SD-08 (iv)	Support	Reference to the benefits and recognition of regionally significant infrastructure and lifeline utilities is appropriate.	Retain

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17.	Strategic Directions	SD-O10	Oppose in part	Objective SD-010 references provision for public access to and along the coastal marine area. While this is appropriate along much of the coastal marine area, it is not appropriate within the operational area of the Port of Timaru. This is appropriately reflected in the proposed provisions for public access and esplanade reserves and should be similarly reflected in this objective	Amend SD-O10 as follows:  A range of recreational, social and community facilities and open spaces that meet the long-term needs of the community are enabled, including: <ul style="list-style-type: none"> <li>i. <u>Other than within the Port of Timaru</u>, the provision of public access to and along the coastal marine area and margins of identified rivers; and</li> <li>ii. the provision of a network of facilities and open spaces to support densification and new growth areas, including co-location.</li> </ul>
18.	Energy and Infrastructure	EI-O2	Support in part	Provision for regionally significant infrastructure to locate in sensitive environments where there is an operational need is supported.	Retain
19.	Energy and Infrastructure	EI-O4	Support	The protection of regionally significant infrastructure and lifeline utilities from other development and reverse sensitivity effects is appropriate, given the value and importance of that infrastructure.	Retain
20.	Energy and Infrastructure	EI-P1	Support	Recognition of the benefits of, and enablement of, regionally significant infrastructure and lifeline utilities from other development and reverse sensitivity effects is	Retain

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				appropriate, given the value and importance of that infrastructure.	
21.	Energy and Infrastructure	EI-P2	Support	Provision for regionally significant infrastructure to locate in sensitive environments where there is a functional and operational need is supported.	Retain
22.	Energy and Infrastructure	EI-P3	Support	The protection of regionally significant infrastructure and lifeline utilities from other development and reverse sensitivity effects is appropriate, given the value and importance of that infrastructure.	Retain
23.	Stormwater Management	SW-S2	Oppose	The requirement for stormwater neutrality is onerous and impractical in a zone such as the Port Zone, which has historically (and continues to be) densely developed with little space for the size of stormwater neutrality devices that are likely to be required for large warehouse type buildings and extensive sealed areas (as are commonly found in the Port Zone).	Delete or amend so that Port Zone is excluded.
24.	Stormwater Management	SW-S3(2)	Oppose	The requirement for stormwater neutrality is onerous and impractical in a zone such as the Port Zone, which has historically (and continues to be) densely developed with little space for the size of stormwater neutrality devices that are likely to be required for large warehouse type buildings and extensive sealed areas (as are commonly found in the Port Zone).	Delete or amend so that Port Zone is excluded.

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25.	Stormwater Management	SW-S4	Oppose	The standards are impractical and potentially onerous. The removal rates should be expressed as a trigger value, beyond which adverse water quality effects can be expected. Anything less than that trigger should be permitted. Under the rule as written, a brand new roof would require reduction of suspended solids by more than 80%, even though a nil reduction would likely still result in a significantly less suspended solids discharge than, for example, a new road.	Delete or amend so that Port Zone is excluded.
26.	Transport	TRAN-P3	Support	The ongoing operation, maintenance and upgrading of existing land transport infrastructure is appropriate.	Retain
27.	Transport	TRAN-S1	Oppose	The Port Zone is a highly modified urban area with no ability to expand to meet future demand for Port-related industry. Efficient use of the land is therefore very important and requiring landscaping for car parking areas would undermine that efficiency. Historically, where landscaping has been required in car parking areas it has caused safety issues with visibility for vehicles. This standard should not apply to the Port Zone	Amend TRAN-S1 as follows:  All Zones <u>except the Port Zone</u>
28.	Contaminated Land	Rules	Support	It is appropriate that the District Plan should contain no rules controlling contaminated land and instead defer to the NES for Assessing and Managing Contaminants in Soil to Protect Human Health.	Retain
29.	Natural Hazards	NH-O3	Oppose in part	Whilst it is agreed that the use of natural features and buffers for natural hazard mitigation is preferable where	Amend as follows:



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				it practicable, such features are not always sufficient to enable hazard mitigation.	Natural hazard mitigation works reduce risks to people and property, with a preference for the use of natural features and buffers <u>where practicable</u> .
30.	Natural Hazards	NH-P4	Oppose	<p>The Port Zone is subject to flood hazard, including in some places (PrimePort understands) land subject to a 0.5% AEP flood event. It may not always be practicable to achieve a floor level above that flood level. Equally a lower floor level may in some cases be appropriate, if the building can be designed with resilience, this should be reflected in the policy.</p> <p>Clause (5) specifies that major hazard facilities will not be inundated. This is likely not achievable in the Port Zone, where major hazard facilities are required (for functional and operational reasons) to locate in a Flood Assessment Area. –</p>	<p>Amend as follows:</p> <p>Enable subdivision, use and development (excluding Regionally Significant Infrastructure) in areas subject to inundation by a 0.5% AEP flood event provided that:</p> <ol style="list-style-type: none"> <li>1. it is not likely to suffer significant damage in a flood event; and</li> <li>2. it will not significantly affect the functioning of the flood plain; and</li> <li>3. it will not generate the need for new or upgraded public natural hazard mitigation works to mitigate or avoid the natural hazard; and</li> <li>4. a minimum floor level above the 0.5% AEP design flood level can be achieved <u>or the effects of</u></li> </ol>

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					<p><u>flooding on the building can be mitigated; and</u></p> <p>5. <del>major hazard facilities will not be inundated; and</del></p> <p>6. significant adverse effects on people and property are avoided; and</p> <p>7. increased risk on other sites is avoided as a priority and where this is not practicable, will be appropriately mitigated.</p>
31.	Natural Hazards	NH-R5	Oppose in part	Provision for the maintenance, replacement and upgrading of regionally significant infrastructure as a permitted activity is supported, however PER-1 is unhelpfully restrictive, particularly where infrastructure is large scale.	<p>Amend PER-1 as follows:</p> <p>The infrastructure is within <u>520m</u> of the existing alignment or location; and</p>
32.	Natural Hazards	NH-S2	Oppose	It is unclear from the rule as to whether the limits are applied on a per site, project or per zone basis. It is assumed that it is not a per zone limit as, for example, 250m <sup>2</sup> of earthworks per year across the entirety of the Port Zone (as most of the zone is within a Flood Assessment Area) would be highly restrictive. The rule should be amended to make clear the volume is per site.	<p>Amend NH-S2(1) as follows:</p> <p>The earthworks do not exceed:</p> <ul style="list-style-type: none"> <li>• 2,000m<sup>2</sup> in area in any calendar year in a Rural zone <u>site</u>; and</li> </ul>

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					<ul style="list-style-type: none"> <li>250m2 in area in any calendar year in any <u>site within any other zone</u>.</li> </ul>
33.	Hazardous Substances	HS-P1	Oppose in part, support in part	<p>Clause 3 states that Major Hazard Facilities must not locate inside sensitive environments. The definition of sensitive environments includes the coastal environment area, that covers all of the Port Zone. Under this policy, new or additional major hazard facilities could potentially not establish in the Port Zone, which is impractical and onerous given the operational requirement for those facilities to locate there. This clause is opposed.</p> <p>Clause 4 provides for Major Hazard Facilities to locate in Natural Hazard Areas where measures are taken to minimise adverse effects, which is a practicable requirement, this clause is therefore supported.</p>	<p>Amend clause (3) to exclude its application to the Port Zone.</p> <p>Retain clause (4).</p>
34.	Hazardous Substances	HS-P2	Support	It is important to enable the repair and maintenance of existing Major Hazard Facilities.	Retain
35.	Hazardous Substances	HS-P4	Oppose in part	Clause 1 is problematic for hazardous facilities located within the Port Zone (the entirety of which is a sensitive environment due to its location within the Coastal Environment Area), however clause 2 does enable some pragmatic consideration of the Port's situation.	<p>Amend Clause 1 as follows:</p> <ol style="list-style-type: none"> <li>Enable hazardous facilities (other than Major Hazard Facilities), provided that: <ol style="list-style-type: none"> <li><u>Other than the Port Zone, The</u></li> </ol> </li> </ol>

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					<p>facility is located outside of a sensitive environment (except for a Flood Assessment Area); and</p> <p>b. The facility is located within a Flood Assessment Area where the flood hazard can be mitigated; and</p> <p>2. <u>Other than the Port zone,</u> Only allow hazardous facilities (other than Major Hazard Facilities) in sensitive environments where the risks to the sensitive environments can be avoided in the first instance, or where avoidance is not possible, minimised.</p>
36.	Hazardous Substances	HS-R1	Oppose in part	<p>PER-1 is opposed in the Port Zone as the entirety of the Zone is a sensitive environment (coastal environment) and as such all new hazardous facilities would require resource consent, an unnecessary consenting burden. The requirement under PER-2 for hazardous facilities to achieve minimum floor levels is more reasonable.</p>	<p>Amend PER-1 so that it does not apply to the Port Zone.</p>

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37.	Hazardous Substances	HS-R2	Support	Maintenance and repair of Major Hazard Facilities is necessary and important.	Retain
38.	Hazardous Substances	HS-R4	Support	Support provision for new Major Hazard Facilities and additions to existing facilities as a discretionary activity.	Retain
39.	Public Access	PA-O1	Oppose in part	PrimePort agrees that public access to the coastal marine area is important and should only be restricted in certain circumstances, but the wording of this objective "...only restricted where desirable" is uncertain. Amend to provide more certainty.	Amend PA-O1 as follows:  Public access to and along the coastal marine area and the margins of identified wetlands and rivers is maintained and enhanced, and only restricted where <del>desirable</del> <u>it is incompatible with public health and safety, the sensitivity of the receiving environment or the protection of natural, historic and cultural values of the coastal environment.</u>
40.	Public Access	PA-P2	Support	The policy sets out a range of matters where public access might appropriately be excluded, which are appropriate from PrimePort's perspective, including where public safety risks could be created, and where existing suitable public access points exist in the vicinity.	Retain
41.	Public Access	PA-P4	Support	Provision for limiting public access in some situations is supported, including as set out in clause (d) to protect public health or safety, and clause (f) the operation of regionally significant infrastructure.	Retain

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42.	Subdivision	SUB-P7	Support in part	There will be some sites where esplanade reserve or strip provision is not appropriate (other than where already identified in the Proposed Plan), and it is appropriate that the policy set out circumstances where those requirements can be reduced or waived.	Retain
43.	Subdivision	SUB-S8	Support	There are significant health and safety and security issues, as well as operational efficiency issues, with requiring esplanade reserves and strips within the Port area. Exclusion of the Port from Rule SUB-S8 is appropriate.	Retain
44.	Coastal Environment	CE-O6	Support	It is appropriate to recognise existing urban activities in the Coastal Environment, and the Port of Timaru in particular, and to provide for their ongoing activity. Those urban areas are already highly modified and provision for their ongoing use is an efficient use of existing resources.	Retain
45.	Coastal Environment	CE-P3	Oppose in part	While provision for a risk-based approach to managing subdivision, use and development in Coastal Hazard Areas is supported, the policy does not recognise that activities within the Port of Timaru have a functional and operational requirement to locate in the Coastal Environment, and this requirement should be a matter for consideration in the risk-based approach.	Amend as follows:  Identify Coastal Hazard Areas on the planning maps and take a risk-based approach to the management of subdivision, use and development based on the following:  1. the sensitivity of the activity or use to loss of life, potential damage from a coastal natural hazard, the

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					<p>need for reliance on emergency services, and the ability for the activity or use to recover after a coastal natural hazard; and</p> <p>2. the likelihood of adverse effects on people and property from a coastal natural hazard; <del>and</del></p> <p>3. the impact on the wider community from the loss of, or damage to, the activity or use; <u>and</u></p> <p>4. <u>a functional or operational need to locate in the Coastal Hazard Area.</u></p>
46.	Coastal Environment	CE-P9	Support	The policy appropriately recognises that urban zoned coastal areas have different qualities than non-urbanised coastal areas.	Retain
47.	Coastal Environment	CE-P10	Support	The policy appropriately recognises that development in existing urban areas will likely be appropriate where it is consistent with the anticipated character and qualities of the zone. It also appropriately recognises the need for Infrastructure to locate there.	Retain
48.	Coastal Environment	CE-P12	Oppose	The Port Zone includes areas of land and activities that do not fall within the boundaries of the Port of Timaru, but are closely related to and important for accommodating Port-related activity (e.g. marine services, freight storage). Clause 2 of this policy is	Amend so that CE-P12 does not apply to the Port Zone.

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				potentially problematic, as “avoid” sets a very high threshold, yet even a small amount of temporary coastal inundation could be deemed to increase the risk of economic harm from a coastal natural hazard (albeit that harm may only fall to the building owner), as “increase” is not quantified. Potentially, no new buildings could establish in the Sea Inundation Overlay of the Port Zone, under this policy.	3. Within existing urban areas, <u>other than the Port Zone</u> , avoid increasing the risk of social, economic, or environmental harm from coastal natural hazards.
49.	Coastal Environment	CE-P13	Support	The policy appropriately provides for Regionally Significant Infrastructure in coastal hazard areas.	Retain
50.	Coastal Environment	CE-P14	Support in part	PrimePort undertakes hard engineering hazard mitigation on the breakwaters and eastern spurs within the Port of Timaru. Those works are necessary to control wave action into the Port and restrict movement of sediment not the Port channel. Soft engineering solutions are considered insufficient in those locations. For this reason, Clause 1 of the policy is supported.	Retain clause 1.
51.	Coastal Environment	CE-R4(1)	Support	Provision for buildings and structures as a permitted activity in urban areas of the Coastal Environment area overlay is appropriate.	Retain
52.	Coastal Environment	CE-R4(4)	Oppose in part	PrimePort supports the flexibility this rule affords insofar as PER-4 recognises that buildings with lower floor levels may be appropriate in some cases. However the requirement for the buildings to be able to be made completely watertight is unhelpfully onerous and may not be able to be economically achieved. Provided the	Amend PER-4 as follows:  That part of the building below the minimum finished floor level as stated in a Flood Risk Certificate issued in accordance with NH-S1 is constructed of



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				materials of the building below the required minimum floor level are resilient and hazardous substances are not stored below that level (addressed via Rule HS-R1 PER-2), that should be sufficient to mitigate adverse effects from seawater inundation.	<del>flood durable materials that will be water tight and any openings below this level must be capable of being sealed mechanically.</del>
53.	Coastal Environment	CE-R6	Support	Support provision for land disturbance in Coastal Environment Area Overlay and Sea Water Inundation Overlay as permitted activities.	Retain
54.	Coastal Environment	CE-R7	Oppose in part	PrimePort supports the flexibility this rule affords insofar as PER-5 recognises that buildings with lower floor levels may be appropriate in some cases. However the requirement for the buildings to be able to be made completely watertight is unhelpfully onerous and may not be able to be economically achieved. Provided the materials of the building below the required minimum floor level are resilient and hazardous substances are not stored below that level (addressed via Rule HS-R1 PER-2), that should be sufficient to mitigate adverse effects from seawater inundation.	Amend PER-5 as follows:  That part of the building below the minimum finished floor level as stated in a Flood Risk Certificate issued in accordance with NH-S1 is constructed of <u>flood durable materials</u> <del>that will be water tight and any openings below this level must be capable of being sealed mechanically.</del>
55.	Coastal Environment	CE-R8	Oppose in part	PrimePort supports the flexibility this rule affords insofar as PER-4 recognises that buildings with lower floor levels may be appropriate in some cases. However the requirement for the buildings to be able to be made completely watertight is unhelpfully onerous and may not be able to be economically achieved. Provided the materials of the building below the required minimum	Amend PER-4 as follows:  That part of the building below the minimum finished floor level as stated in a Flood Risk Certificate issued in accordance with NH-S1 is constructed of <u>flood durable materials</u> <del>that will</del>

	Section	Provision	Position	Submission	Relief Sought
				floor level are resilient and hazardous substances are not stored below that level (addressed via Rule HS-R1 PER-2), that should be sufficient to mitigate adverse effects from seawater inundation.	<del>be water tight and any openings below this level must be capable of being sealed mechanically.</del>
56.	Coastal Environment	CE-R9	Oppose in part	PrimePort undertakes natural hazard mitigation works within/adjoining the Port Zone. Rule CE-R12 recognises new works may be required to be undertaken by PrimePort, Rule CE-R9 needs to make similar provision for Port maintenance of existing works.	Amend to add: <u>PER-4</u> <u>The activity is undertaken by PrimePort and is within or adjacent to the Port Zone and is required to protect the ongoing operation of the Port.</u>
57.	Coastal Environment	CE-R12 RDIS-2	Support	The rule appropriately makes provision for Port natural hazard mitigation works.	Retain
58.	Coastal Environment	CE-S1	Support	It is appropriate for this rule to defer to the underlying Port Zone height standard.	Retain
59.	Coastal Environment	CE-S2	Support	It is appropriate for this rule to defer to the underlying urban zone coverage standard.	Retain
60.	Coastal Environment	CE-S3	Support	It is appropriate for the Port Zone to be exempted from this standard, noting for some buildings in the Port Zone there is a requirement for highly reflective colour to be utilised (e.g. cool stores, fuel storage).	Retain

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61.	Light	Introduction	Support in part	The final paragraph of the introduction accurately reflects the role of the Light Management Plan in managing lighting within the Port Zone, and recognises the importance of lighting for health and safety purposes for 24 hour operation of the Port.	Retain
62.	Light	LIGHT-R1(1)	Support	PrimePort supports the exclusion of the Port Zone from this rule, as Port lighting is more appropriately managed under LIGHT-R1(2).	Retain the exclusion of the Port Zone.
63.	Light	LIGHT-R1(2)	Support	The rule provides appropriate flexibility for night time Port operations whilst ensuring that exterior lighting does not unduly adversely affect adjoining residential zones.	Retain
64.	Light	LIGHT-S1	Support in part	Support Port Zone exclusion from this standard, lighting standards are addressed in the adopted Light Management Plan for the Port.	Retain
65.	Noise	NOISE-O2	Support	The objective appropriately recognises the potential for the Port to be adversely affected by reverse sensitivity effects, so as not to compromise its operation.	Retain
66.	Noise	NOISE-P5	Support	The policy appropriately reflects the need to protect the Port from potential adverse reverse sensitivity effects, so as not to compromise its operation.	Retain
67.	Noise	NOISE-P7	Support in part	The policy appropriately reflects the need to protect the Port from potential adverse reverse sensitivity effects, so as not to compromise its operation.	Retain

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68.	Noise	NOISE-R1	Support in part	Support application of this rule only to activities generating noise not otherwise specified in the Rules section. Noise from activities generated in the Port Zone is more appropriately controlled under Rule NOISE-R8 only.	Retain so that the rule does not apply to noise generated within the Port Zone
69.	Noise	NOISE-R8	Oppose in part	<p>Provision for the management of noise from activities within the Port Zone via a specific rule is supported, given the distinctive circumstances of the Port of Timaru, being regionally significant infrastructure that requires 24 hour operation. It is also appropriate that noise from core Port activities is measured via NZS 6809:1999 Acoustics Port Noise Management and Land use Planning, as that standard was developed specifically to address the particular characteristics and circumstances of Port noise.</p> <p>However, the rule as drafted has several issues:</p> <ul style="list-style-type: none"> <li>- the Port Noise Control Boundaries (Inner and Outer) are only intended to apply outside the Port Zone, i.e. Port activities should not have to comply with the noise control boundary limits within the Port Zone. The Operative District Plan contains no noise limits for activity within the Port industrial area and that same flexibility is sought under the Proposed District Plan. The Outer control boundary in particular would set an unhelpfully restrictive night time noise limit for an</li> </ul>	<p>Amend NOISE-R8 as follows:</p> <p>PER-1 <u>Within Precinct 7</u>, the maximum noise generated from activities is measured in accordance with NZS 6809:1999 Acoustics Port Noise Management and Land Use Planning; and</p> <p>PER-2 <u>Except Precinct 7, NOISE-S1 is complied with; and</u></p> <p>PER-3 When measured at any point <u>outside the Port Zone</u>, at or landward of the Port Noise Inner control boundary shown on the planning maps, the following noise limits apply <u>within Precinct 7</u>:</p> <ol style="list-style-type: none"> <li>1. the 5 day Ldn noise limit must not exceed 65 dB Ldn;</li> </ol>

	Section	Provision	Position	Submission	Relief Sought
				<p>industrial area, were it applied within the Port Zone.</p> <ul style="list-style-type: none"> <li>- The Port Noise Control Boundaries were modelled based on Port noise generation from within Precinct 7 only (see AES report "PrimePort Timaru: Port Noise Contours", dated 11 February 2022). They have not accounted for industrial activity that may be occurring within the Port Zone but outside Precinct 7.</li> <li>- There appears to be no noise rule applying to Port Zone activities that sit outside the Port Noise Control Boundaries, but inside the Port Zone. Noise within the Port Zone but outside Precinct 7 should be subject to other zone noise standards at sensitive zone boundaries (i.e. zones where residential activity may be occurring), as is the case under the Operative District Plan.</li> <li>- The measurement of industrial and other noise within the Port Zone (i.e. non-Port industrial and other activity occurring outside Precinct 7) is more appropriately measured under NZS 6801:2008 Acoustics – Measurement of environmental sound, and assessed in accordance with NZS 6802:2008 Acoustics – Environmental noise.</li> </ul>	<p>2. LAeq 'night' (10pm to 7am) must not exceed 60 dB LAeq (9hours) provided that no single 15 minute measurement will exceed 65 dB LAeq and 85dBA LAmix</p> <p><u>PER-4</u> When measured at any point <u>outside the Port Zone</u>, at or landward of the Port noise outer control boundary shown on the planning maps, the following noise limit applies <u>within Precinct 7</u>:</p> <p>1. on any day between 10pm to 7am the following day, noise generated must not exceed 52 dB LAeq (9hours) provided that no single 15 minute sound measurement level must not exceed 57 dB LAeq and 77 dB LAmix;</p> <p><u>PER-5</u> <u>Except Precinct 7, NOISE-S2 is complied with for the following zones only:</u></p>

	Section	Provision	Position	Submission	Relief Sought
					<ol style="list-style-type: none"> <li>1. <u>General Residential Zone;</u></li> <li>2. <u>Medium Density Residential Zone;</u></li> <li>3. <u>Mixed Use Zone;</u></li> <li>4. <u>Central City Commercial.</u></li> </ol> <p>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.</p>
70.	Noise	NOISE-R9	Support	The rule is appropriate to manage both potential adverse noise effects on inhabitants from regionally significant infrastructure (in the case of the Port) and potential reverse sensitivity effects.	Retain
71.	Noise	NOISE-R12(1)	Support	The rule is appropriate to manage both potential adverse noise effects on inhabitants from regionally significant infrastructure (the Port) and potential reverse sensitivity effects. The rule provides a consenting pathway for establishing new noise sensitive activities in Medium Density Residential and City Centre zones within the Inner Control Boundary that is not overly restrictive, but allows for full consideration of potential noise effects.	Retain
72.	Noise	Table 24	Support in part	Clause (2), makes clear that noise from the Port Zone does not apply to the MDRZ between the Terrace and Main South Railway Line. Noise from the Port is instead	Retain

	Section	Provision	Position	Submission	Relief Sought
				subject to Rule NOISE-R8 and the Port Noise Boundary contours.	
73.	Noise	Table 24	Oppose in part	Clause (3)(d) refers General Industrial Zone that is located to the east of the Main South Railway Line and forming part of, or adjoining, the Port of Timaru. All such land is proposed to be zoned Port Zone, not General Industrial Zone.	Amend Clause 3(d) as follows:  d. General Industrial Zone, <del>excluding those sites located to the east of the Main South Railway Line and forming part of, or adjoining the Port of Timaru.</del>
74.	Noise	NOISE-S3(2)	Support	Requirements for acoustic insulation in new or altered buildings for noise sensitive activities within the Outer Control Boundary for the Port Noise Control Overlay will help reduce the potential for reverse sensitivity effects on the Port Zone, and assist with mitigating potential adverse noise effects on noise sensitive activities.	Retain
75.	Relocated Buildings and Shipping Containers	RELO-P1	Support	Shipping containers and relocatable buildings are common in the Port Zone and, in respect of shipping containers in particular, fundamental to its operations.	Retain
76.	Relocated Buildings and Shipping Containers	RELO-R1	Support	Relocatable buildings are common in the Port Zone and it is appropriate provision is made for them as a permitted activity.	Retain

	<b>Section</b>	<b>Provision</b>	<b>Position</b>	<b>Submission</b>	<b>Relief Sought</b>
77.	Relocated Buildings and Shipping Containers	RELO-R2	Support	Shipping containers are common in the Port Zone and fundamental to its operations.	Retain
78.	Signs	SIGN-R4(3)	Support	The signage provision is appropriately flexible for the Port Zone.	Retain
79.	Signs	SIGN-S3(2)	Support	The proposed height limits are appropriate for the Port Zone.	Retain
80.	Signs	SIGN-S4(6)	Support	The signage provision is appropriately flexible for the Port Zone.	Retain
81.	Signs	SIGN-S6(1)	Support	The signage provision is appropriately flexible for the Port Zone.	Retain
82.	Special Purpose Port Zone	Introduction	Support	The introduction reflects the nature and range of activities undertaken in the Port Zone and the value of the Port to Timaru.	Retain
83.	Special Purpose Port Zone	PORTZ-O1	Support	The objective appropriately provides for the establishment, operation and ongoing growth of activities in the Port Zone whilst also recognising the role and amenity values of immediately adjoining zones.	Retain
84.	Special Purpose Port Zone	PREC7-O1	Support	The objective reflects the purpose of the Port Operational Area.	Retain



	<b>Section</b>	<b>Provision</b>	<b>Position</b>	<b>Submission</b>	<b>Relief Sought</b>
85.	Special Purpose Port Zone	PREC7-P1	Support	The efficient operation, use and development of the Port is vital to the wellbeing of the District.	Retain
86.	Special Purpose Port Zone	PORTZ-P1	Support	The policy will assist in guiding the range of industrial, commercial and residential activity that are not Port Activities but which nonetheless may appropriately locate in the zone.	Retain
87.	Special Purpose Port Zone	PORTZ-P2	Support	The policy provides for critical Port Activities within the zone, and recognises that adverse effects from Port Activities need to be mitigated as far as practicable, but that nevertheless the functional needs of the Port may constrain the practicality of some mitigation (e.g. the Port requires 24 hour operation and so must therefore be well lit for health and safety reasons).	Retain
88.	Special Purpose Port Zone	PORTZ-P3	Support	PrimePort considers that offensive trades should be able to establish in the Port Zone but should also require mitigation to ensure they don't create unreasonable adverse nuisance effects on adjoining zones. The proposed policy reflects this.	Retain
89.	Special Purpose Port Zone	PORTZ-R1	Support	The rule provides flexibility to establish a range of Port Activities in the Port Zone as a permitted activity.	Retain

	<b>Section</b>	<b>Provision</b>	<b>Position</b>	<b>Submission</b>	<b>Relief Sought</b>
90.	Special Purpose Port Zone	PORTZ-R2	Support	Emergency service facilities, including the coastguard, are an important activity in the Port Zone and it is appropriate it is provided for as a permitted activity.	Retain
91.	Special Purpose Port Zone	PORTZ-R3(1)	Support	<p>A range of industrial and ancillary activities occur in the Port Zone currently (outside the Port Operational Area), primarily where they have a direct relationship with Port Activities in some way. It is appropriate that industrial activity continues to be permitted.</p> <p>As both residential activity and offensive trade activity may only be appropriate in some restricted circumstances, fully discretionary activity status is suitable to allow full consideration of the potential effects of those activities.</p>	Retain
92.	Special Purpose Port Zone	PORTZ-R3(2)	Support	While there may be some instances where industrial activities are appropriate within the Port Operational Area, for the most part that area is anticipated to be used for Port Activities only and given the very limited potential for expansion of the Port land area, it is vital that the Port Operational Area be protected from uses that do not have a necessity to be there.	Retain
93.	Special Purpose Port Zone	PORTZ-R4	Support	Residential activity in the Port Zone should only be allowed where it is ancillary to a Port Activity or industrial activity. This rule appropriately reflects that.	Retain

	<b>Section</b>	<b>Provision</b>	<b>Position</b>	<b>Submission</b>	<b>Relief Sought</b>
94.	Special Purpose Port Zone	PORTZ-R6	Support	Fully discretionary activity status is appropriate for all other activities in the Port Zone, as it will allow for consideration of all potential effects associated with any unanticipated activity in the zone.	Retain
95.	Special Purpose Port Zone	PORTZ-S1	Support	The proposed height limit allows sufficient flexibility to provide for a range of Port and industrial related activity. The proposed exemptions are supported as the listed activities are key aspects of the function and operation of the Port.	Retain
96.	Special Purpose Port Zone	PORTZ-S2	Support	So as to assist with managing and mitigating potential adverse effects of tall structures and buildings in close proximity to a residential zone, it is appropriate that recession planes be applied at the boundary of any residential zone.	Retain
97.	Special Purpose Port Zone	PORTZ-S3	Support	So as to assist with managing and mitigating potential adverse effects of highly reflective buildings in close proximity to a residential zone, it is appropriate that minimum reflectivity levels be stipulated.	Retain
98.	Special Purpose Port Zone	PORTZ-S4	Support	So as to assist with managing and mitigating potential adverse effects of outdoor storage areas that are located in close proximity residential zones, it is appropriate to require storage to be setback from any shared boundaries. Given the important role of outdoor storage in the Port Zone, 15m is an appropriate set back.	Retain

	<b>Section</b>	<b>Provision</b>	<b>Position</b>	<b>Submission</b>	<b>Relief Sought</b>
99.	Schedules	Schedule 11	Support in part	The land adjoining the Coastal Marine Area north of Talbot Street is a working part of the Port and periodically subject to public closure for health and safety reasons. Access along the Coastal Marine Area north of Talbot Street should be excluded.	Amend so that the Public Access Provisions also do not apply to land beside the Coastal Marine Area, between Talbot and Charman Streets.
100.	Schedules	Schedule 2	Oppose	The schedule for Major Hazard Facilities does not match the mapped facilities. The planning maps refer "SHF-" while the schedule refers "MHF-". The descriptions of the MHF in the schedule do not match the mapped facilities, e.g. SHF-3 is noted as Lot 30 DP 23140, but Lot 30 is unmapped, e.g. SHF-15 on the maps does not have a corresponding listing in the schedule but is assumed to be MHF-2.	Amend Schedule 2 to correctly reference the Major Hazard Facilities.
101.	Schedules	Schedule 12	Support in part	Exclusion of esplanade provision requirements from Timaru Port is appropriate, given health, safety and security concerns within the Port area. The Timaru Port exclusion must extend from Unwin Street to Talbot Street	Retain exclusion for Timaru Port, including that land between Charman Street and Talbot Street.