

**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: Southern Proteins Limited (*'Southern Proteins'*)

- 1 This is a submission on the Proposed Timaru District Plan (**'the Proposed Plan'**).
- 2 Southern Proteins could not gain an advantage in trade competition through this submission.
- 3 Southern Proteins' submission relates to the entire Proposed Plan.
- 4 Southern Proteins 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 Southern Proteins.
  - 4.3 All necessary consequential amendments.
- 5 Southern Proteins **wishes to be heard** in support of the submission.
- 6 If others make a similar submission, Southern Proteins will consider presenting a joint case with them at a hearing.

**Signed** for and on behalf of Southern Proteins Limited by



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Senior Planner  
14 December 2022

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## ANNEXURE A

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

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

Suggested amendments and alternative drafting is shown in track change – Southern Protein’s requested deletions are shown using ~~red~~ ~~strike through~~ and requested insertions shown using red underline.

### PLANNING MAPS

	<b>Provision</b>	<b>Position</b>	<b>Submission</b>	<b>Relief Sought</b>
1	Zone – GIZ	Support	General Industrial Zone is supported including for land at Lot 2 DP 397304.	Retain the GIZ zoning including of land at Lot 2 DP 397304 as notified.
2	Major Hazard Facilities	Oppose in part	The mapping of Major Hazardous Facilities does not match Schedule 2. The planning maps refer to 'SHF' - while the schedule refers to 'MHF'. The descriptions of the MHF in the schedule do not match the mapped facilities. SHF-16 is noted as Lot 2 DP 397304, which is correct, but it should only apply to the northwest end of the property. Lot 2 DP 397304 (144 Meadows Road) measures approximately 12.3 hectares and is in the process of being subdivided with new titles imminent following issue of a s224 certificate in March this year. The subdivision creates a separate 1.56-hectare title (Lot 1) which is the site of the subject Major Hazardous Facility. Further, SHF-16 on the maps does not have a corresponding listing in the schedule.	Amend Planning Maps to correctly reference the Major Hazard Facility.
3	Areas within 250m from Major	Oppose in part	These areas may need to be amended, if any Major Hazard Facilities are incorrectly mapped, including SHF-16.	Make any changes that may be required to the areas within 250m of Major Hazard facilities, consequent to the changes

	Provision	Position	Submission	Relief Sought
	Hazard Facilities			requested in Submission Point 2 above.

	Section	Provision	Position	Submission	Relief Sought
4	Definitions	Natural Hazard Sensitive Activity	Oppose in part	The number of employees listed (two or more on a full-time basis), is overly restrictive.	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>twelve</u> or more employees on a full time basis; and/or</li> <li>3. Are a place of assembly.</li> </ol>
5	Strategic Directions	SD-O6	Support	The reference to providing opportunities for a range of business activities to establish and prosper is appropriate.	Retain as notified.
6	Energy and Infrastructure	EI-R39	Support in part	Ensuring the safe operation of aircraft is supported. However, greater clarity/detail of the Airport certification process is required.	Insert detail of the certification process at PER-1, potentially via a note.
7	Natural Hazards	NH-R4	Support	The rule provides a pathway to permit natural hazard sensitive activities that are subject to flooding, including by way of minimum finished floor level requirements.	Retain as notified.

	Section	Provision	Position	Submission	Relief Sought
8	Natural Hazards	NH-S2	Support in part	<p>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. The rule should be amended to make clear the volume is per site.</p> <p>Further, earthworks to achieve the required minimum floor levels should be excluded from the volume restrictions.</p>	<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> <li>• 250m<sup>2</sup> in area in any calendar year in any <u>site within any</u> other zone.</li> </ul> <p><u>except for earthworks necessary to achieve minimum floor levels specified in a Flood Risk Certificate in Rule NH-S1 which are not subject to this rule.</u></p>
9	Hazardous Substances	HS-P1	Support	<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>Retain Clause 4 as notified.</p>
10	Hazardous Substances	HS-P2	Support in part	<p>In addition to enabling the repair and maintenance of existing Major Hazard Facilities, HS-P2 should provide for expansion of existing facilities.</p>	<p>Amend HS-P2 as follows:</p> <p>Enable the repair, <u>and</u> maintenance <u>and expansion</u> of existing Major Hazard Facilities.</p>
11	Hazardous Substances	HS-R2	Support in part	<p>Maintenance and repair of Major Hazard Facilities is necessary and important. It is also appropriate to provide for expansion of existing facilities.</p>	<p>Amend HS-R2 as follows:</p> <p>Maintenance and repair of Major Hazard Facilities <u>and additions to Major Hazard Facilities</u></p>

	Section	Provision	Position	Submission	Relief Sought
12	Hazardous Substances	HS-R4	Support in part	Support provision for new Major Hazard Facilities. However, additions to existing facilities should be provided for as submitted above.	Amend HS-R4 as follows:  New Major Hazard Facilities <del>and additions to Major Hazard Facilities</del>
13	Sites and Areas of Significance to Māori	SASM-R1 – PER-1	Oppose	<p>The Southern Proteins site at Lot 2 DP 397304 and the surrounding area is subject to the Wahi Tupuna Overlay SASM3.</p> <p>PER-1 permits earthworks not exceeding 750m<sup>2</sup>. PER-2 requires an Accidental Discovery Protocol commitment form be submitted to Council at least two weeks prior to the earthworks. The protocol includes that in the event of an accidental discovery, works shall cease, the site shall be secured, the required agencies will be notified including Te Runanga o Arowhenua, and works shall not recommence until an archaeological assessment has been made and material dealt with appropriately.</p> <p>We consider that PER-2 appropriately provides for accidental discoveries and PER-1 should be deleted.</p>	Delete PER-1
14	Coastal Environment	CE-O4	Support in part	The reference in the objective relates to major hazard facilities via the defined term 'unacceptable risks'. This narrows the focus of the objective which we assume is in error.	Amend to remove the defined term.
15	Coastal Environment	CE-P12	Oppose in part	The use of the term "avoid" in Clause 2 of this policy sets a high threshold and the term "increase" is not quantified. Potentially, no new buildings could establish	Amend so that CE-P12(2) as follows.

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				in the Sea Inundation Overlay in accordance with this policy.	Within existing urban areas, <del>manage avoid increasing</del> the risk of social, economic, or environmental harm from coastal natural hazards.
16	Coastal Environment	CE-R4(4)	Support	In the context of the Washdyke industrial area, it is appropriate that buildings are provided for in the Sea Water Inundation Overlay.	Retain as notified.
17	Coastal Environment	CE-R6	Support	Support provision for land disturbance in Coastal Environment Area Overlay and Sea Water Inundation Overlay as permitted activities.	Retain as notified.
18	Earthworks	EW-R1	Support in part	An additional exclusion should be applied to earthworks required to achieve minimum flood floor levels.	Amend EW-R1 as follows:  Earthworks, excluding earthworks: [...] h. within the building footprint, or within 2m of the outer edge of, a building that has building consent and that complies with EW-S3. This exemption does not apply to earthworks associated with retaining walls/structures which are not required for the structural support of the principal building on the

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					<p>site or adjoining site;  and  i. <u>necessary to achieve minimum floor levels specified in a Flood Risk Certificate in Rule NH-S1.</u></p>
19	Noise	Table 24	Oppose in part	<p>Table 24 sets out the noise performance standards within zones. This includes an 'in-zone' noise limit for the GIZ.</p> <p>Noise limit controls are considered appropriate along the zone boundary with sensitive zones or at the notional boundary of noise sensitive activities in other zones. However, in-zone noise limits within the GIZ is opposed.</p> <p>It is considered that the reference to the GIZ in Table 24 – Noise Performance Standards should be deleted.</p>	Delete the reference to the General Industrial Zone in Table 24 – Noise Performance Standards.
20	General Industrial Zone	GIZ-O2	Support in part	<p>Objective GIZ-O2(7) seeks that buildings and activities 'do not compromise' the amenity of adjoining Residential and Open Space and Recreation Zones. The term 'maintain' is more appropriate and aligns with GIZ-O3(4).</p>	<p>Amend GIZ-O2(7) as follows:</p> <p>buildings and activities that <del>do not compromise</del> <u>maintain</u> the amenity of adjoining Residential and Open Space and Recreation Zones; and</p>
21	General Industrial Zone	GIZ-O3	Support	<p>It is important that activities within the GIZ not be compromised by the establishment of sensitive activities.</p>	Retain as notified.

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22	General Industrial Zone	PREC3-P1	Support	The policy makes it clear how amenity values in adjacent zones are to be maintained.	Retain as notified.
23	General Industrial Zone	GIZ-R1 and GIZ-R2 - Effects on air quality as a matter of control/discretion	Oppose	Any potential effects on air quality are better addressed by the regional plan and an air discharge permit.	Delete reference to effects on air quality from matters of control or discretion in the GIZ.
24	General Industrial Zone	GIZ-R1	Oppose in part	PER-2 captures all activities which require a trade waste connection, even if the site has an existing available connection. PER-2 should only be concerned with activities that require a trade waste connection on a site not currently serviced, or not able to be serviced by the trade waste network.	Amend GIZ-R1 as follows:  PER-2  <u>If the activity <del>does not</del> requires a new industrial and trade waste connection and a trade waste connection is available;</u> and
25	General Industrial Zone	GIZ-R4	Support in part	Support provision for offensive trades, including associated buildings and structures. However, restricted discretionary activity status would be more appropriate. Any effects on air quality should be managed through the regional plan.	Amend HS-R4 as follows:  Activity status: <u>Restricted</u> discretionary  Include appropriate matters of discretion such as hours of operation, noise and separation distances from sensitive activities.
26	General Industrial Zone	GIZ-S3	Support in part	GIZ-S3 requires any building or structure be setback 5m from a road boundary whereas GIZ-S6 requires a 3-metre-wide landscaping strip along the road boundary.	Amend GIZ-S3 as follows:  Any building or structure must be setback a minimum of <u>53</u> m from any road boundary; and



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				A 3-metre setback (comprising the required landscaping) is considered an appropriate width to establish the species set out in GIZ-S6 and provide the screening and amenity anticipated.	
27	General Industrial Zone	GIZ-S6	Support in part	GIZ-S6 is considered generally appropriate, however the requirement in Clause 4 may not be practical or feasible.	Amend GIZ-S6(4) as follows:  The landscaping strip must be permanently maintained and if any plants die or become diseased, they must be replaced <u>in the next available planting season immediately</u> .
28	Washdyke Industrial Development Area	DEV3-P1	Support in part	Policy DEV3-P1 is generally considered appropriate, however the reference to "development" should include a reference to "land use and subdivision". Further, it is not clear what the "associated requirements" are. This term is considered unnecessary.	Amend as follows:  Enable <u>land use, subdivision and</u> development that complies with the Washdyke Industrial Development Area <del>and any associated requirements</del> .
29	Washdyke Industrial Development Area	Figure 23 - Washdyke Industrial Development Area Plan	Support in part	A walkway/cycleway is shown along the southern boundary of 6 Milward Street and through 6 Milward Street site. There are public health and safety concerns associated with a walkway/cycleway in this location. The walkway/cycleway should instead extend along Milward Street and Road 4 and on to the lagoon.	Amend the Washdyke Industrial Development Area Plan walkway/cycleway as follows: <ul style="list-style-type: none"> <li>delete the section of along the southern boundary of 6 Milward Street; and</li> </ul>

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					<ul style="list-style-type: none"> <li>extend the section along Milward Street and Road 4 to Washdyke Lagoon.</li> </ul>
30	Schedules	Schedule 2	Oppose	<p>The schedule for Major Hazardous Facilities does not match the mapped facilities. The planning maps refer to "SHF-" while the schedule refers to "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.</p>	Amend Schedule 2 to correctly reference the Major Hazard Facilities.