

Submission on Notified Proposal for Plan, Change or Variation

Clause 6 of Schedule 1, Resource Management Act 1991

To: Timaru District Council

Name of submitter:

[Hilton Haulage Limited Partnership](#)

[State full name]

This is a submission on the following proposed plan or on a change proposed to the following plan or on the following proposed variation to a proposed plan or on the following proposed variation to a change to an existing plan) (the 'proposal'):

[Proposed Timaru District Plan](#)

[State the name of proposed or existing plan and (where applicable) change or variation].

I could/**could not*** gain an advantage in trade competition through this submission.

[*Select one.]

*I am/am not† directly affected by an effect of the subject matter of the submission that—

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

[*Delete or strike through entire paragraph if you could not gain an advantage in trade competition through this submission.]

[†Select one.]

The specific provisions of the proposal that my submission relates to are: [Give details]

[Refer to attached submission.](#)

My submission is: [Include whether you support or oppose the specific provisions or wish to have them amended; and reasons for your views]

[If your submission relates to a proposed plan prepared or changed using the collaborative planning process, you must indicate the following:

- Where you consider that the proposed plan or change fails to give effect to a consensus position and therefore how it should be modified; or
- In the case that your submission addresses a point on which the collaborative group did not reach a consensus position, how that provision in the plan should be modified.]

[Refer to attached submission.](#)

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I seek the following decision from the local authority: *[Give precise details as this is the only part of your submission that will be summarised in the summary of decisions requested]*

[Refer to the attached submission](#).....
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I wish (or do not wish) † to be heard in support of my submission.

*[*In the case of a submission made on a proposed planning instrument that is subject to a streamlined planning process, you need only indicate whether you wish to be heard if the direction specifies that a hearing will be held.]*
[†Select one.]

***If others make a similar submission, I will consider presenting a joint case with them at a hearing.**

*[*Delete if you would not consider presenting a joint case.]*

[Penelope Gallagher](#)

Signature of submitter (or person authorised to sign on behalf of submitter)

[A signature is not required if you make your submission by electronic means]

Date [15 December 2022](#).....

Electronic address for service of submitter: penny.g@do.nz jason.reed@hiltons.co.nz.....

Telephone: [0278403199](tel:0278403199) (Penny).....

Postal address (or alternative method of service under s352 of the Act): [PO Box 359 Timaru](#).....

Contact person: *[name and designation, if applicable]* [Penny Gallagher, Davis Ogilvie \(Aoraki\) Ltd](#).....

Note to person making submission

1. If you are making a submission to the Environmental Protection Authority, you should use form 16B. If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.
2. Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):
 - It is frivolous or vexatious:
 - It discloses no reasonable or relevant case:
 - It would be an abuse of the hearing process to allow the submission (or the part) to be taken further:
 - It contains offensive language:
 - It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialist knowledge or skill to give expert advice on the matter.

SUBMISSION ON THE PROPOSED TIMARU DISTRICT PLAN

(Clause 6 First Schedule Resource Management Act 1991)

This submission is made by Hilton Haulage Limited Partnership (HHLP).

STATEMENT OF INTEREST AND BACKGROUND

1. HHLP own and operate a nationwide transport logistics company. HHLP's services include general, bulk, dairy, chilled and container transportation, and warehousing. It employs 460 people across its 17 locations.
2. Originally known as Hilton Haulage, the company was founded in Timaru in 1972 as an agricultural carting company.
3. Washdyke continues to be a key node for HHLP's operations. It's activities on these sites include heavy transport storage and workshop, container and other goods storage, and offices and administration. The key sites cover an area of some 18ha.
4. The Proposed Timaru District Plan (PTDP) proposes the HHLP sites as General Industrial Zone (GIZ). It identifies that the sites are subject to the following overlays:
 - Aerodrome Flight Path Protection Area
 - Indicative and Proposed Roads
 - Coastal Erosion Overlay
 - Sea Water Inundation Overlay
 - Flood Assessment Area
 - Major Hazard Facilities
 - Wahi Tupuna – SASM3
 - Light Sensitive Area
 - Coastal Environment Area
 - Urban Area – Timaru
 - Washdyke Industrial Expansion Precinct (PREC3)
 - Washdyke Industrial Development Area (DEV3)
 - Height Specific Control Area
 - Designated Area (Wastewater Treatment Plant)


SUBMISSION

5. HHLP seek to ensure that the PTDP appropriately provides for the continued operation, and future development of its sites and operations.

RELIEF SOUGHT

6. HHLP's submission is in support of the Proposed Timaru District Plan (PTDP), as it relates to its sites, subject to the relief set out in the attached submission table.
7. Consequential amendments may be required in association with the relief sought in the attached submission table.

SUBMISSION TABLE – HILTON HAULAGE LIMITED PARTNERSHIP, WASHDYKE


PROVISION	POSITION	SUBMISSION	RELIEF SOUGHT
STRATEGIC DIRECTION			
Objective SD-06	Support	Objective SD-06 is considered appropriate.	Retain as notified.
PLANNING MAPS			
Major Hazard Overlay	Support in part	<p>The Major Hazard Facility Overlay identifies the whole site (12ha) at 6 Milward Street as a Major Hazard Facility 'SHF-16'.</p> <p>SHF-16 relates to Southern Proteins Limited which recently gained land use consent (102.2022.249.1) to operate a facility on 1.56ha at the western extent of 6 Milward Street. That area has also been subject to a subdivision consent, and new Titles are expected to be issued shortly.</p> <p>The SHF-16 notation should be amended to only cover the 1.56ha Southern Proteins site.</p>	<p>Amend Planning Maps to ensure SHF-16 overlay only covers the Southern Proteins site:</p> 
SITES OF MAORI SIGNIFICANCE			
Rule SASM-R1 – PER-1	Support in part	<p>The HHLP sites are covered by the Wahi Tupuna Overlay SASM3.</p> <p>PER-1 permits earthworks not exceeding 750m². 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>	Delete PER-1 in its entirety.

PROVISION	POSITION	SUBMISSION	RELIEF SOUGHT
		It is considered that PER-2 appropriately provides for accidental discoveries and PER-1 should be deleted.	
RELOCATED BUILDINGS AND SHIPPING CONTAINERS			
Policy RELO-P1	Support	Policy RELO-P1 is considered appropriate.	Retain as notified.
Rule RELO-R1	Support	Rule RELO-R1 is considered appropriate.	Retain as notified.
Rule RELO-R2	Support	Rule RELO-R2 is considered appropriate.	Retain as notified.
COASTAL ENVIRONMENT			
Policy 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 in the Sea Inundation Overlay in accordance with this policy.	Amend as follows. <i>Within existing urban areas, manage avoid-increasing the risk of social, economic, or environmental harm from coastal natural hazards.</i>
Rule 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.
NOISE			
Table 24 – Noise Performance Standards	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>It is considered that the GIZ is the zone where the noisiest activities are anticipated to occur. 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 the principle of an in-zone noise limit in 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.

PROVISION	POSITION	SUBMISSION	RELIEF SOUGHT
GENERAL INDUSTRIAL ZONE			
Objective GIZ-O1	Support	Objective GIZ-O1 is considered appropriate.	Retain as notified.
Objective GIZ-O2	Support in part	Objective GIZ-O2(7) seeks that buildings and activities 'do not compromise' the amenity of adjoining Residential and Open Space and Recreation Zones. This is considered an onerous threshold for the GIZ. It is suggested that the term 'maintain', is more appropriate. This would align with Objective GIZ-O4(3).	Amend as follows: <i>buildings and activities that do not compromise <u>maintain</u> the amenity of adjoining Residential and Open Space and Recreation Zones; and</i>
Objective GIZ-O3	Support	Objective GIZ-O3 is considered appropriate.	Retain as notified.
Objective PREC3-O1	Support	Objective PREC3-O1 is considered appropriate.	Retain as notified.
Policy GIZ-P1	Support	Policy GIZ-P1 is considered appropriate.	Retain as notified.
Policy GIZ-P3	Support	Policy GIZ-P3 is considered appropriate.	Retain as notified.
Policy GIZ-P4	Support	Policy GIZ-P4 is considered appropriate.	Retain as notified.
Policy GIZ-P6	Support	Policy GIZ-P6 is considered appropriate.	Retain as notified.
Rule GIZ-R1	Support in part	<p>Rule GIZ-R1 permits industrial activity but excludes ancillary activities. The definition of "Industrial Activity" in the PDTP is defined to include "any ancillary activity".</p> <p>Given this, Rule GIZ-R1 is considered to be at odds with the definition of "Industrial Activity" and this creates confusion for plan users.</p> <p>In order to remove the conflict, an amendment is proposed to the rule to remove the exclusion of ancillary activities. It is also proposed to combine Rule GIZ-R1 with Rule GIZ-R2, to streamline the rule framework.</p> <p>PER-2 is blunt and is worded in a way that captures all activities which require a trade waste connection, even if the site has an existing available connection. It is suggested that PER-2 should target those activities that require a trade waste connection on a site not currently serviced, or not able to be serviced by the trade waste network.</p>	<p>Amend as follows:</p> <p><i>Rule GIZ-R1 - Industrial activity, Trade supplier, Laboratories, Service stations, Motor garage, Emergency services facilities, Veterinary clinics, excluding any industrial ancillary activity and offensive trades</i></p> <p><i>PER-1 -The activity and its buildings and structures (excluding fences) are located more than 50 metres from any Residential Zones or Rural Lifestyle Zone; and</i></p> <p><i>PER-2 – If the activity does not require a new industrial and trade waste connection, <u>and a trade waste connection is available</u>; and</i></p> <p><i>PER-3 -The activity and its buildings and structures, complies with all the Standards of this chapter; and</i></p> <p><i>PER-4 – Any ancillary activity does not include a residential activity; and</i></p>

PROVISION	POSITION	SUBMISSION	RELIEF SOUGHT
			<p><u>PER-5 -Any ancillary activity(s):</u></p> <ol style="list-style-type: none"> <u>are located on the same site of the primary industrial activity; and</u> <u>has a maximum combined gross floor area of 15% of the primary industrial buildings on the site.</u>
Rule GIZ-R2	Oppose	As above.	Delete Rule GIZ-R2 and amend Rule GIZ-R1 as above.
Standard GIZ-S1	Support	Standard GIZ-S1 is considered appropriate.	Retain as notified.
Standard GIZ-S2	Support	Standard GIZ-S2, in particular the 35m height limit in the Height Control Area, is considered appropriate.	Retain as notified.
Standard GIZ-S3	Support in part	<p>Standard 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.</p> <p>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.</p>	<p>Amend as follows:</p> <ol style="list-style-type: none"> <i>Any building or structure must be setback a minimum of 53m from any road boundary; and</i> <i>Any building or structures must be setback a minimum of 3m from any boundary with a Residential Zone, Rural Zone or Open Space and Recreation Zone.</i>
Standard GIZ-S6	Support	Standard GIZ-S6 is considered generally appropriate, however Clause 4 should allow planting to occur in the following planting season.	<p>Amend Condition 4 as follows:</p> <ol style="list-style-type: none"> <i>The landscaping strip must be permanently maintained and if any plants die or become diseased, the must be replaced <u>in the next planting season immediately.</u></i>
ENERGY AND INFRASTRUCTURE			
Rule E1-R39	Support in part	<p>Ensuring the safe operation of aircraft is supported. However, greater clarity of the Airport certification process is required.</p> <p>Clarity is required from Council on whether the height limit in the Aerodrome Flight Protection Path applies to the land within the horizontal and conical surfaces (or just the runway approaches).</p>	<p>Insert detail of the certification process at PER-1, potentially via a note.</p> <p>Council to clarify if the height limits noted for the Aerodrome Flight Protection Path apply to land within the horizontal and conical surfaces.</p>

PROVISION	POSITION	SUBMISSION	RELIEF SOUGHT
NATURAL HAZARDS			
Rule 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 rule as notified.
Standard NH-S2	Oppose 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 as. 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><i>The <u>earthworks</u> do not exceed:</i></p> <ul style="list-style-type: none"> • <i>2,000m² in area in any calendar year in a Rural zone site; and</i> • <i>250m² in area in any calendar year in any <u>site within any other zone.</u></i> <p><i><u>Except for earthworks necessary to achieve minimum floor levels specified in a Flood Risk Certificate in Rule NH-S1.</u></i></p>
Rule CE-R4(4) Seawater Inundation	Support	Rule CE-R4(4) permits is considered generally appropriate.	Retain rule as notified.
WASHDYKE INDUSTRIAL DEVELOPMENT AREA			
Washdyke Industrial Development Area Chapter		<p>The PTDP uses the following references which are understood to relate to the same area of land:</p> <ul style="list-style-type: none"> - Washdyke Development Area - Washdyke Industrial Development Area - Washdyke Expansion Development Area (planning map reference) <p>The PTDP should rely on the reference to “Washdyke Industrial Development Area” and delete or amend any other reference.</p>	Amend the Washdyke Industrial Development Area chapter to ensure all references to the chapter name area correct.
Washdyke Industrial Development Area Plan	Support in part	The 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, as well as security concerns about the export food safety, associated with the use of a walkway and cycleway in this location.	<p>Amend the Washdyke Industrial Development Area Plan walkway/cycleway as follows:</p> <ul style="list-style-type: none"> - delete the section running west/east from Meadows Road to the Washdyke Lagoon along the southern boundary of 6 Milward Street (Seaward Drain); - delete the section running south from Road 4 through the 6 Milward Street site; and

PROVISION	POSITION	SUBMISSION	RELIEF SOUGHT
		<p>It is suggested that the walkway/cycleways extended within the current and future road corridor along Milward Street and Road 4 to Washdyke Lagoon.</p> 	<ul style="list-style-type: none"> - extend the section running west/east from Meadows Road to Washdyke Lagoon along Milward Street and Road 4.
Objective DEV3-O1	Support	Objective DEV3-O1 is generally considered appropriate.	Retain as notified.
Policy 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.	<p>Amend as follows:</p> <p><i>Enable <u>land use, subdivision and development</u> that complies with the Washdyke Industrial Development Area and any associated requirements.</i></p>
Rule DEV-R1	Support	Rule DEV-R1 is considered to be appropriate.	Retain as notified.
Standard DEV3-S1	Support	Standard DEV3-S1 is considered to be appropriate.	Retain as notified.
Standard DEV3-S2	Support	Standard DEV3-S2 is considered to be appropriate	Retain as notified.
Standard DEV3-S3	Support in part	<p>Standard DEV3-S3 is considered generally appropriate however it is considered that it should refer to the design and construction of walkways / cycleways on “their land”, rather than the whole of the Washdyke Industrial Development Area.</p> <p>This is the approach taken for roading in Standard DEV3-S1.</p>	<p>Amend as follows:</p> <p><i>At the time of land use, subdivision or development and prior to any new buildings being occupied, the developer shall design and construct all walkway/cycleways <u>on their land</u> indicated on the Washdyke Industrial Development Area to include:</i></p>
Standard DEV3-S4	Support	The Washdyke Industrial Development Plan does not indicate the location of parks, however it is understood that these may be	Retain as notified.

PROVISION	POSITION	SUBMISSION	RELIEF SOUGHT
		incorporated in future. On this basis, Standard DEV3-S4 is considered appropriate.	
Standard DEV3-S5	Support	Standard DEV3-S5 is considered generally appropriate.	Retain as notified.
EARTHWORKS			
Rule EW-R1	Support in part	An additional exclusion should be applied to earthworks required to achieve minimum flood floor levels.	<p>Amend EW-R1 as follows:</p> <p><i>Earthworks, excluding earthworks:</i></p> <ul style="list-style-type: none"> a. <i>for tree planting, or the removal of trees not protected by the District Plan;</i> b. <i>for test pits, wells or boreholes permitted under a regional plan or where all necessary regional resource consents have been obtained;</i> c. <i>for infrastructure permitted in the Energy, Infrastructure and Transport chapters of the Plan;</i> d. <i>required for maintenance of existing drains and ponds;</i> e. <i>for natural hazard mitigation works carried out by Timaru District Council or Canterbury Regional Council that are permitted by the relevant Plan chapter;</i> f. <i>for cemeteries, including pet cemeteries, and urupā;</i> g. <i>permitted under a National Environment Standard, unless otherwise subject to a rule in this Plan.</i> h. <i>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 site or adjoining site; and</i> i. <u><i>necessary to achieve minimum floor levels specified in a Flood Risk Certificate in Rule NH-S1.</i></u>