

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

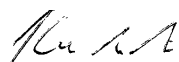
Clause 6 of Schedule 1, Resource Management Act 1991

To Timaru District Council

Name of submitter: Timaru District Holdings Limited (*TDHL*)

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

Signed for and on behalf of TDHL Limited by



Kim Seaton
Principal Planner
15 December 2022

Address for service of submitter:

Timaru District Holdings Limited
c/- Kim Seaton
Novo Group Ltd
PO Box 365
Christchurch 8140
Ph 03 365 5570

Email address: kim@novogroup.co.nz

ANNEXURE A

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

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

PLANNING MAPS

	Provision	Position	Submission	Relief Sought
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 Hazardous 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.

	Provision	Position	Submission	Relief Sought
4	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>https://www.timaru.govt.nz/_data/assets/pdf_file/0005/669866/Primeport-AES-2022-Noise-Report.pdf</p>	Retain the Port Inner Noise Control Boundary as notified
5	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>https://www.timaru.govt.nz/_data/assets/pdf_file/0005/669866/Primeport-AES-2022-Noise-Report.pdf</p>	Retain the Port Outer Noise Control Boundary as notified
6	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.
7	Heritage Item and Heritage Item Extent	Oppose	Heritage Item 75 applies to a building for which TDHL holds a Certificate of Compliance to demolish, and which is intended to be demolished whilst the CoC remains valid. The Heritage Item notation, and the related Heritage Item Extent, should be deleted.	Delete notation HHI-75 and related Heritage Item Extent.

	Section	Provision	Position	Submission	Relief Sought
8.	Definitions	Port Activity	Support	The definition appropriately reflects the range of activity that occurs within the PORTZ.	Retain
9.	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"> 1. Contain one or more habitable rooms; and/or 2. Contain two <u>ten</u> or more employees on a full time basis; and/or 3. Are a place of assembly.
10.	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.
11.	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	Delete or amend so that Port Zone is excluded.

	Section	Provision	Position	Submission	Relief Sought
				buildings and extensive sealed areas (as are commonly found in the Port Zone).	
12.	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.
13.	Transport	TRAN-P3	Support	The ongoing operation, maintenance and upgrading of existing land transport infrastructure is appropriate.	Retain
14.	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>
15.	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

	Section	Provision	Position	Submission	Relief Sought
16.	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 it practicable, such features are not always sufficient to enable hazard mitigation.	Amend as follows: 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> .
17.	Natural Hazards	NH-P4	Oppose	<p>The Port Zone is subject to flood hazard, including in some places (TDHL 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"> 1. it is not likely to suffer significant damage in a flood event; and 2. it will not significantly affect the functioning of the flood plain; and 3. it will not generate the need for new or upgraded public natural hazard mitigation works to mitigate or avoid the natural hazard; and 4. a minimum floor level above the

	Section	Provision	Position	Submission	Relief Sought
					<p>0.5% AEP design flood level can be achieved <u>or the effects of flooding on the building can be mitigated</u>; and</p> <p>5. major hazard facilities will not be inundated; and</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>
18.	Natural Hazards	NH-S2	Oppose	<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, for example, 250m² 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>	<p>Amend NH-S2(1) as follows:</p> <p>The earthworks do not exceed:</p> <ul style="list-style-type: none"> • 2,000m² in area in any calendar year in a Rural zone <u>site</u>; and • 250m² in area in any calendar year in any <u>site within any other zone</u>.

	Section	Provision	Position	Submission	Relief Sought
19.	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>
20.	Hazardous Substances	HS-P2	Support	It is important to enable the repair and maintenance of existing Major Hazard Facilities.	Retain
21.	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"> 1. Enable hazardous facilities (other than Major Hazard Facilities), provided that: <ol style="list-style-type: none"> a. <u>Other than the Port Zone,</u> The facility is located outside of a sensitive environment (except for a

	Section	Provision	Position	Submission	Relief Sought
					<p>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, Only</u> 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>
22.	Hazardous Substances	HS-R1	Oppose in part	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.	Amend PER-1 so that it does not apply to the Port Zone.

	Section	Provision	Position	Submission	Relief Sought
23.	Hazardous Substances	HS-R2	Support	Maintenance and repair of Major Hazard Facilities is necessary and important.	Retain
24.	Hazardous Substances	HS-R4	Support	Support provision for new Major Hazard Facilities and additions to existing facilities.	Retain
25.	Coastal Environment	CE-O6	Support	It is appropriate to recognise existing urban activities in the Coastal Environment, which includes a wide range of urban activity in the Port Zone, and to provide for their ongoing activity. Those urban areas are already highly modified and their ongoing use is an efficient use of existing resources.	Retain
26.	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, and industrial activities related to the Port of Timaru operations, 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 need for reliance on emergency services, and the ability for the activity or use to recover after a coastal natural hazard; and 2. the likelihood of adverse effects on people

	Section	Provision	Position	Submission	Relief Sought
					<p>and property from a coastal natural hazard; and</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>
27.	Coastal Environment	CE-P9	Support	The policy appropriately recognises that urban zoned coastal areas have different qualities than non-urbanised coastal areas.	Retain
28.	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
29.	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 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	<p>Amend so that CE-P12 does not apply to the Port Zone.</p> <p>3. Within existing urban areas, <u>other than the Port Zone</u>, avoid increasing the risk of social, economic, or environmental harm</p>

	Section	Provision	Position	Submission	Relief Sought
				could establish in the Sea Inundation Overlay of the Port Zone, under this policy.	from coastal natural hazards.
30.	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
31.	Coastal Environment	CE-R4(4)	Oppose in part	TDHL 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 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-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</u> materials that will be water tight and any openings below this level must be capable of being sealed mechanically.
32.	Coastal Environment	CE-R6	Support	Support provision for land disturbance in Coastal Environment Area Overlay and Sea Water Inundation Overlay as permitted activities.	Retain
33.	Coastal Environment	CE-R7	Oppose in part	TDHL 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	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

	Section	Provision	Position	Submission	Relief Sought
				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.	with NH-S1 is constructed of <u>flood durable</u> materials that will be water tight and any openings below this level must be capable of being sealed mechanically.
34.	Coastal Environment	CE-R8	Oppose in part	TDHL 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 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-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</u> materials that will be water tight and any openings below this level must be capable of being sealed mechanically.
35.	Coastal Environment	CE-S1	Support	It is appropriate for this rule to defer to the underlying Port Zone height standard.	Retain
36.	Coastal Environment	CE-S2	Support	It is appropriate for this rule to defer to the underlying urban zone coverage standard.	Retain
37.	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	Retain

	Section	Provision	Position	Submission	Relief Sought
				there is a requirement for highly reflective colour to be utilised (e.g. cool stores, fuel storage).	
38.	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
39.	Light	LIGHT-R1(1)	Support	TDHL 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.
40.	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
41.	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
42.	Noise	NOISE-R8	Oppose in part	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	Amend NOISE-R8 as follows: 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

	Section	Provision	Position	Submission	Relief Sought
				<p>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"> - 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 industrial area, were it applied within the Port Zone. - 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. - 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 	<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"> 1. the 5 day Ldn noise limit must not exceed 65 dB Ldn; 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 LAmx <p>PER-4 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</p>

	Section	Provision	Position	Submission	Relief Sought
				<p>residential activity may be occurring), as is the case under the Operative District Plan.</p> <p>- 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.</p>	<p>following noise limit applies <u>within Precinct 7</u>:</p> <ol style="list-style-type: none"> 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 LAm_{ax}; <p><u>PER-5</u> <u>Except Precinct 7, NOISE-S2 is complied with for the following zones only:</u></p> <ol style="list-style-type: none"> 1. <u>General Residential Zone;</u> 2. <u>Medium Density Residential Zone;</u> 3. <u>Mixed Use Zone;</u> 4. <u>Central City Commercial.</u> <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>

	Section	Provision	Position	Submission	Relief Sought
43.	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, excluding those sites located to the east of the Main South Railway Line and forming part of, or adjoining the Port of Timaru.
44.	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
45.	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
46.	Relocated Buildings and Shipping Containers	RELO-R2	Support	Shipping containers are common in the Port Zone and fundamental to its operations.	Retain
47.	Signs	SIGN-R4(3)	Support	The signage provision is appropriately flexible for the Port Zone.	Retain
48.	Signs	SIGN-S3(2)	Support	The proposed height limits are appropriate for the Port Zone.	Retain

	Section	Provision	Position	Submission	Relief Sought
49.	Signs	SIGN-S4(6)	Support	The signage provision is appropriately flexible for the Port Zone.	Retain
50.	Signs	SIGN-S6(1)	Support	The signage provision is appropriately flexible for the Port Zone.	Retain
51.	City Centre Zone	Introduction	Oppose in part	Strong and consistent feedback from throughout the various town centre surveys, CBD stakeholder engagement, CityHub project and CityTown project has been the need for public open space in the CBD. There is no recognition of this in the City Centre Zone chapter, or mechanisms that enable its contemplation.	Amend the introduction as follows: There is also a need to maintain and improve the quality of the City Centre Zones streetscapes to ensure a high-quality urban environment. This will help improve the experience of people visiting the city centre and in turn improve the quality of retailing and make it a desirable place to live and work. <u>This may include provision of an area or areas of public open space within the City Centre.</u>
52.	City Centre Zone	CCZ-P4	Oppose in part	Strong and consistent feedback from throughout the various town centre surveys, CBD stakeholder engagement, CityHub project and CityTown project has been the need for public open space in the CBD. There is no recognition of this in the City Centre Zone chapter, or mechanisms that enable its contemplation.	Amend CCZ-P4 as follows: 4. that demolition of existing buildings and the erection of new buildings minimises gaps in the streetscape, <u>other than</u>

	Section	Provision	Position	Submission	Relief Sought
					<u>where public open space is proposed; and</u>
53.	City Centre Zone	CCZ-R6	Oppose in part	Strong and consistent feedback from throughout the various town centre surveys, CBD stakeholder engagement, CityHub project and CityTown project has been the need for public open space in the CBD. There is no recognition of this in the City Centre Zone chapter, or mechanisms that enable its contemplation. This rule needs to be amended to allow demolition of buildings where public open space is specifically proposed.	<p>Amend CCZ-R6 as follows:</p> <p>CON-1</p> <p>The resource consent application is lodged concurrently with the application under CCZ-R7 for a new building. <u>Or</u></p> <p><u>CON-2</u></p> <p><u>The resource consent application is lodged concurrently with an application to establish public open space under CCZ-RX.</u></p> <p>Matters of control are restricted to:</p> <p><u>CON-1</u></p> <p>1. the duration between the demolition of the building and construction of a new building; and</p>

	Section	Provision	Position	Submission	Relief Sought
					<p>2. measures to ensure the construction of the new building; and</p> <p>3. any mitigation measures proposed to minimise the impact on the streetscape during construction of the new building.</p> <p><u>CON-2</u></p> <p>1. <u>the duration between the demolition of the building and establishment of the public space;</u></p> <p>2. <u>landscaping and other measures proposed to ensure the site will provide a high quality of public open space;</u></p> <p>3. <u>any mitigation measure proposed to minimise the impact on the streetscape during construction of the public open space.</u></p>

	Section	Provision	Position	Submission	Relief Sought
54.	City Centre Zone	CCZ-R6	Support in part	Restricted discretionary activity status is supported for non-compliance with this rule, which will allow consideration of potential adverse effects without being unnecessarily restrictive of proposals that have the potential to benefit the City Centre. An example would be where a building is unsafe, or requires geotechnical investigation under the building before a replacement building can be confirmed.	Retain RDA status for non-compliance with this rule.
55.	City Centre Zone	Rules	Oppose in part	Strong and consistent feedback from throughout the various town centre surveys, CBD stakeholder engagement, CityHub project and CityTown project has been the need for public open space in the CBD. There is no recognition of this in the City Centre Zone chapter, or mechanisms that enable its contemplation. A rule to allow public open space to be created needs to be provided, that also allows consideration of both the appropriateness of the location of proposed open space, and the quality of the space to be established.	<p>Insert new rule CCZ-RX as follows:</p> <p><u>City Centre Zone</u></p> <p><u>Public Open Space</u> <u>Activity status: Restricted Discretionary</u></p> <p><u>Matters of Discretion are restricted to:</u></p> <p><u>1. the extent to which the scale, location and design of the space will maintain and enhance amenity values, connectivity, public access and encourage public enjoyment;</u></p> <p><u>2. whether the public open space is designed to incorporate National Guidelines for Crime Prevention through Environmental Design in New Zealand (CPTED), including encouraging surveillance,</u></p>

	Section	Provision	Position	Submission	Relief Sought
					<p><u>effective lighting, management of public areas and boundary demarcation;</u></p> <p><u>3. the extent to which landscaping, including hard surfaces, planting and seating, will contribute to a high quality urban environment; and</u></p> <p><u>4. the legal mechanism proposed to ensure the site is protected as public open space.</u></p> <p><u>Activity status where compliance not achieved: Not applicable.</u></p>
56.	City Centre Zone	CCZ-S3	Oppose in part	<p>It has long been recognised that the elongated nature of Timaru’s CBD along Stafford Street dilutes vitality and makes the concentration of activity problematic. In order to address this, it is submitted that CCZ-S3 only apply to buildings fronting Stafford Street north of George Street. This will not only support a differentiation of streetscapes and allow more concentrated activities north of George Street, but will also recognise the existing street scape along Stafford Street south of George Street where many building do not currently have verandahs, are already set back from the boundary, and includes numerous vehicle crossings and direct access parks. This results in a more open streetscape environment that is markedly different to Stafford Street north of George Street.</p>	<p>Amend CCZ-S3 as follows:</p> <p>City Centre Zone, on sites fronting Stafford Street <u>north of George Street</u></p>

	Section	Provision	Position	Submission	Relief Sought
57.	City Centre Zone	CCZ-S4	Oppose	The existing street scape along Stafford Street south of George Street where many building do not currently have verandahs, are already set back from the boundary, and includes numerous vehicle crossings and direct access parks. This results in a more open streetscape environment that is markedly different to Stafford Street north of George Street. Clause (2) in particular is unreasonably restrictive when applied across the entirety of the zone.	Amend clauses (1) and (2) as follows: <ol style="list-style-type: none"> 1. Except for residential activities within the Southern Centre Precinct <u>and along Stafford Street south of George Street</u>, all new buildings shall be built up to the street frontage. 2. There must be no vehicle crossings across footpaths or pedestrian areas <u>except along Stafford Street south of George Street</u>.
58.	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
59.	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

	Section	Provision	Position	Submission	Relief Sought
60.	Special Purpose Port Zone	PREC7-O1	Support	The objective reflects the purpose of the Port Operational Area.	Retain
61.	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
62.	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
63.	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
64.	Special Purpose Port Zone	PORTZ-P3	Support	TDHL 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

	Section	Provision	Position	Submission	Relief Sought
65.	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
66.	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
67.	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
68.	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
69.	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

	Section	Provision	Position	Submission	Relief Sought
70.	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
71.	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
72.	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
73.	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
74.	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

	Section	Provision	Position	Submission	Relief Sought
75.	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.
76.	Schedules	Schedule 3	Oppose	HHI-75 is a proposed heritage listing over the Sailors' Rest/South Canterbury Seafarers' Centre. TDHL holds a Certificate of Compliance for the demolition of this building, which it intends to implement. The heritage listing should therefore be deleted.	Delete listing HHI-75.