SUMMARY STATEMENT OF KIM MARIE SEATON ON BEHALF OF PRIMEPORT TIMARU LIMITED AND TIMARU DISTRICT HOLDINGS LIMITED

HEARING STREAM A

Dated: 8 May 2024

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1. My full name is Kim Seaton. I am a principal planner practicing with Novo Group Limited in Christchurch.

2. My evidence relates to the submissions and further submissions of PrimePort Timaru Ltd (**PrimePort**) and Timaru District Land Holdings (**TDHL**) on the Proposed Timaru District Plan (**PDP**).

3. This summary statement sets out the executive summary of my Statement of Primary Evidence dated 22 April 2024, and provides an update of my views following my consideration of evidence lodged for other submitters on Hearing A.

4. For the reasons set out in my Statement of Primary evidence, I consider that:

   (a) Strategic Objective SD-O4 is acceptable but may need to be revisited through the Natural Hazards chapter hearing;

   (b) the amendments recommended in the Section 42A report to Strategic Objectives SD-O6, SD-O8(iv) and SD-010 are appropriate, though I will make further comment on SD-O6 and SD-O8 shortly in light of evidence for other submitters;

   (c) the new objective proposed by Forest and Bird to require adverse effects to be avoided, remedied or mitigated, and the new definition of risk proposed by the Director General of Conservation, are unnecessary and, in regard to risk, inappropriate;

   (d) the definition of reverse sensitivity should include reference to approved and permitted activities;

   (e) the definition of sensitive activity should not exclude reference to seasonal worker accommodation; and

   (f) there is insufficient evidence to support the inclusion of areas of importance to highly mobile species in the definition of sensitive environment.

5. In regard Strategic Objective SD-O6, I have reflected further on this objective subsequent to reading the evidence of Ms Tait for Fonterra. Ms Tait maintains that a new sub-clause (3) to SD-O6 is warranted to reference specifically to reverse sensitivity issues. Whilst I do not think new sub-clause (3) requested by Ms Tait is necessary, I am not opposed to what she is proposing. I agree with the legal submissions of Mr Carranceja, paragraph 5.4, where he states that if the Panel is minded to insert the new sub-clause (3), that clause should also reference the PORTZ, where reverse sensitivity issues are as much a potential issue as for general industrial zones.

6. In regard Strategic Objective SD-O8, I have read the evidence of Ms Rosser for Enviro NZ subsequent to writing my own evidence. Ms Rosser recommends the addition of the words "*protection from*" into sub-clause (4), so that it reads '*...managing adverse effects, including protection from reverse sensitivity effects, appropriately.*' On further reflection, I agree with Ms Rosser that inclusion of the words "protection from" would be appropriate, so that regionally significant infrastructure and lifeline utilities are protected from reverse sensitivity effects, rather than such effects simply being "managed". I consider "protection" provides better:

   6.1 Internal consistency within the Proposed District Plan, for example with Objective EI-O4 of the Energy and Infrastructure chapter, where that objective seeks that regionally significant infrastructure and lifeline utilities are not constrained or compromised by reverse sensitivity effects;

   6.2 Consistency with the Canterbury Regional Policy Statement, for example Objective 5.2.2 that seeks that 'development does not result in adverse effects on the operation, use and development of regionally significant [infrastructure]' (my emphasis); and

   6.3 In specific regard to Ports, "protection from" is also more consistent with Policy 9 of the New Zealand Coastal Policy Statement, which states:

   > *Recognise that a sustainable national transport system requires an efficient national network of safe ports, servicing national and international shipping, with efficient connections with other transport modes, including by:*
   >
   > *(a) ensuring that development in the coastal environment does not adversely affect the efficient and safe operation of these ports, or their connections with other transport modes;* and (my emphasis)...

7. The language in each of the above examples is reasonably strong and directive, and the insertion of "protection from" reverse sensitivity effects is more consistent with that direction than the more flexible objective of "managing" reverse sensitivity effects.