

FORM 5

SUBMISSION ON NOTIFIED PROPOSAL FOR PLAN CHANGE

Clause 6 of Schedule 1, Resource Management Act 1991

To Timaru District Council

Name: Silver Fern Farms Limited (**'Silver Fern Farms'**)

- 1. This is a submission on the proposed Timaru District Plan ("Proposed Plan").**
- 2. Silver Fern Farms could not gain an advantage in trade competition through this submission.**
- 3. The specific provisions of the proposal that Silver Fern Farms' submission relates to are summarised below. The specific relief Silver Fern Farms seeks is detailed in Appendix A.**

4. Background matters that inform Silver Fern Farms' position on the Proposed Plan are:

4.1 Silver Fern Farms is a large meat processing and exporting company which operates 14 processing plants throughout New Zealand. On an annual basis, Silver Fern Farms processes 30% of New Zealand's lamb, beef and venison, sourced from 16,000 sheep, beef and deer farms.

4.2 During the peak processing season, Silver Fern Farms employs over 7,000 people nationwide (permanent and seasonally). Silver Fern Farms' annual turnover for the 2021 season was \$2.7 billion, with a net profit of \$103 million after tax. As a partially owned co-operative company, profits are returned to the community through the farmer shareholders, with a portion retained for growth and capital upgrades, including environmental improvements.

Silver Fern Farms' Pareora processing site

4.3 Silver Fern Farms owns and operates a meat processing plant at The Avenue, Pareora, about 13 kilometres south of Timaru (the **'site'**)¹. The site comprises a meat processing plant generally situated around the eastern end of The Avenue and adjoining the coastal

¹ The legal description of the land hosting the meat processing plant is Part Lots 35 & 39 DP 736. The wider landholding is comprised of numerous titles with the street address of 635-661 Timaru-Pareora Highway.

foreshore. The Pareora River adjoins the southern side of the site with the river mouth adjoining the south-east corner of the site.

- 4.4 Silver Fern Farms' wider landholding around the processing plant is 456 hectares, comprised of 44 titles extending west to State Highway 1 and north almost to Craigie Road. The site is shown on Figures 1 and 2.
- 4.5 The landholding encloses but does not include the small town of Pareora. Pareora is demarcated by a Residential 3 Zone currently and by a Settlement Zone under the Proposed Plan. The nearest dwellings not in Silver Fern Farms ownership are approximately 100 m from the area developed with the processing plant. Land used by Silver Fern Farms for wastewater irrigation is adjacent to the north and south of the residential area of Pareora, as shown in Figure 2.
- 4.6 Meat processing activities have been established at the site for over 110 years, having commenced in 1904 under the Canterbury Frozen Meat Company. The site was rebranded as Silver Fern Farms in 2008. The site now employs around 830 people at the height of the processing season, operating 3 lamb chains and 1 beef/venison chain.
- 4.7 The site operates in accordance with several resource consents issued by the Canterbury Regional Council. The consents include land use consents, coastal permits, water permits and discharge permits. These consents authorise activities well into the 2040s, including gravel excavation at and around the foreshore, the taking of groundwater, coastal occupation and discharges of contaminants (wastewater) to land for wastewater irrigation.
- 4.8 Key operational features of the site include:
 - a. Stockyards and truck un/loading areas.
 - b. Meat processing (slaughtering) facilities and ancillary offices and staff facilities.
 - c. Extensive wastewater irrigation fields over some 222 hectares. These activities have recently been re consented by the regional council to operate to 2047.
 - d. A composting facility.
 - e. Boiler operations.
- 4.9 Under the Operative Timaru District Plan ('**Operative Plan**') the site is subject to the following controls:
 - Industrial H Zone (applies to the footprint of the processing plant and its curtilage to the north and south).
 - Rural 1 Zone.
 - Rural 2 Zone.
 - Rural 3 Zone.

- Recreation 2 Zone (the Pareora Domain, which is part of Silver Fern Farms landholding).
- Coastal Inundation Line.
- Coastal Erosion Line.

4.10 The Proposed Plan would make the Site subject to the following controls:

- General Industrial Zone, over the operative Industrial H Zone extent.
- General Rural Zone.
- Open Space Zone (over the Pareora Domain, the operative Recreation 2 Zone extent).
- Height Specific Control Area.
- Coastal Erosion Overlay.
- Sea Water Inundation Overlay.
- Liquefaction Awareness Areas Overlay.
- Major Hazard Facility ref. SHF-14.
- Wahi Tupuna Overlay.
- Coastal High Natural Character Overlay.
- Coastal Environment Overlay.
- Drinking Water Protection Overlay.
- Versatile Soils Overlay.
- Light Sensitive Areas Overlay, co-located with Significant Natural Area ref. 95(f).



Figure 1: Site overview.

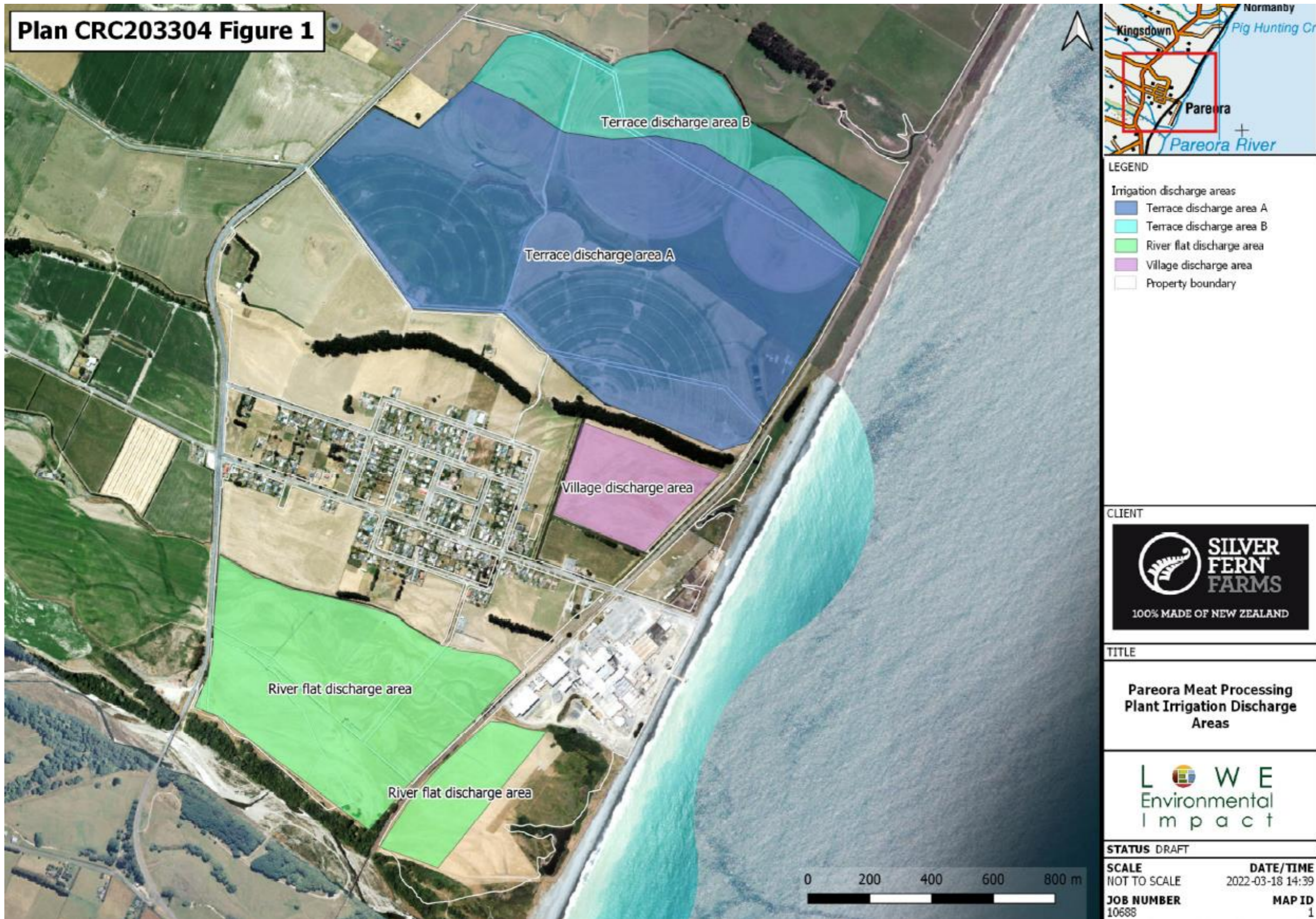


Figure 2: Irrigation discharge areas.

4.11 Given the significant “sunk” costs associated with the facilities on the site, which could not be recovered if the site was required to downsize, close or relocate, Silver Fern Farms wishes to ensure that the Proposed Plan appropriately provides for the continued operation of the activities that are carried out across the site.

4.12 Key concerns that Silver Fern Farms hold about the Proposed Plan are summarised below.

Drinking Water Protection Area Overlay

a. The proposal to make industrial activity located within 50 metres of the mapped Drinking Water Protection Area Overlay a non-complying activity under Rule DWP-R5. It is appreciated that drinking water supplies need to be protected. However, the Proposed Plan identifies two existing bores at Silver Fern Farms’ site that are located amidst the existing industrial meat processing complex.

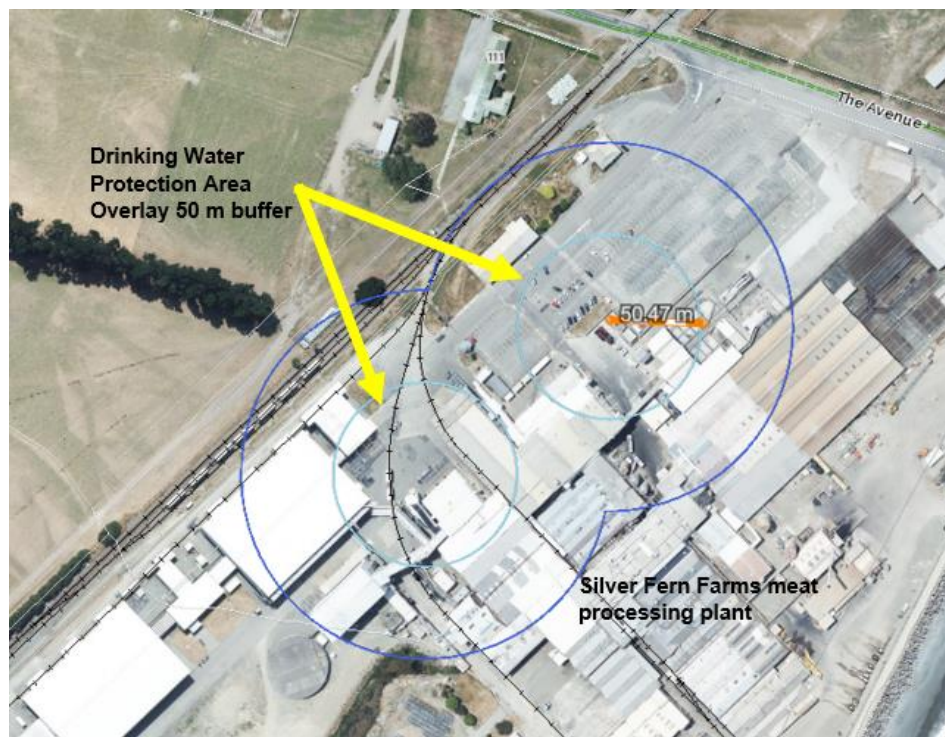


Figure 3: Proposed Drinking Water Protection Area Overlay at the site.

b. It is untenable for the efficient operation of the site for a non-complying activity status to be applied to this extensive existing industrial facility on this basis. The bores are used for private rather than community / municipal water supply. The bores (and wider site) are managed in accordance with Regional Council resource consents authorising the water takes. Discharges, which are a key consideration for the management of groundwater, are already regulated separately through the

Canterbury Regional Plan². Other regulations, like the Resource Management (National Environmental Standard for Sources of Human Drinking Water) Regulations 2007 and the Drinking Water Standards for New Zealand.

- c. The s32 report states:

Industrial activities including rural industry include a wide range of processes and activities. Many, have the potential to affect community drinking water supplies by hazardous substances associated with these activities entering groundwater. While most hazardous substances in sensitive environments are managed under the hazardous substances chapter of the Proposed District Plan, hazardous substances stored in vehicles and small engines are not. Industrial activities normally involve vehicles and engines and can include large amounts of the same (e.g., a transport yard). Leaks of hazardous substances associated with vehicles or engines is common and can include fuel and a range of other hazardous substances such as oil or engine coolant. Accidental spillages from refuelling vehicles are also common. While these spillage or leaks are generally small, overtime they can be significant.

There is also the risk that industrial activities will use hazardous substances without obtaining resource consent. This is common as not many people are aware of the need for resource consent. Accordingly, there are associated risks with leaks, accidental spillage and also intentional illegal discharge of hazardous substances to ground. Despite this situation being a low-moderate probability of occurring the risks to the water supply are potentially high.

To manage these risks, it is more effective to require consent for industrial activities as an activity rather than through the hazardous substances chapter

- d. In Silver Fern Farms view, this problem analysis does not justify the Proposed Plan's consenting framework for industrial activities in relation to drinking water bores. Significant industrial sites, like that operated by Silver Fern Farms, are designed with a drainage network to divert contaminants away from environmental receptors like groundwater. Accidental spills are managed by methods like the bunding of refuelling areas.
- e. The proposition that the unconsented use of hazardous substances at industrial sites warrants the proposed rule framework is not supported by any evidence or examples in the s32 report. Section 1.5 ('Other District Plan Approaches') of the s32 report does note that a review did not identify any comparable district plan frameworks for drinking water protection to that sought under the Proposed Plan. No s32 analysis is given to a combination of education and management via the hazardous substances chapter and separate hazardous substances regulations

² As summarised on page 8 of the Section 32 Report Drinking Water Protection Overlay May 2022.

Natural Hazards chapter

- 4.13 The Proposed Plan applies several natural hazard layers (relating to flooding, liquefaction and erosion) to the site, including most of the area occupied by the processing plant. Silver Fern Farms' submissions on this chapter seek to ensure that the provisions provide for the management of natural hazard risks to development without resorting to a setting that simply requires the avoidance of all natural hazard risks. Any such setting would likely represent a significant constraint on the operation, maintenance, upgrade and expansion of the processing plant in the future.
- 4.14 Silver Fern Farms also seeks clarity about the relationship (if any) between the proposed Sea Water Inundation Overlay and the High Hazard Area Overlay. According to the e-Plan maps, the former overlay applies to much of the site while the latter does not. However, the definition of "High Hazard Area" in the Proposed Plan refers to inundation.
- 4.15 If land in the proposed Sea Water Inundation Overlay is, by default, also included in the High Hazard Area Overlay, the regulatory implications are significant for the processing plant, given the High Hazard Area Overlay applies a non-complying activity status under Rule NH-R4(2) to buildings that are >30 m². Clarity is therefore sought about the correct interpretation of the rule framework in this regard.

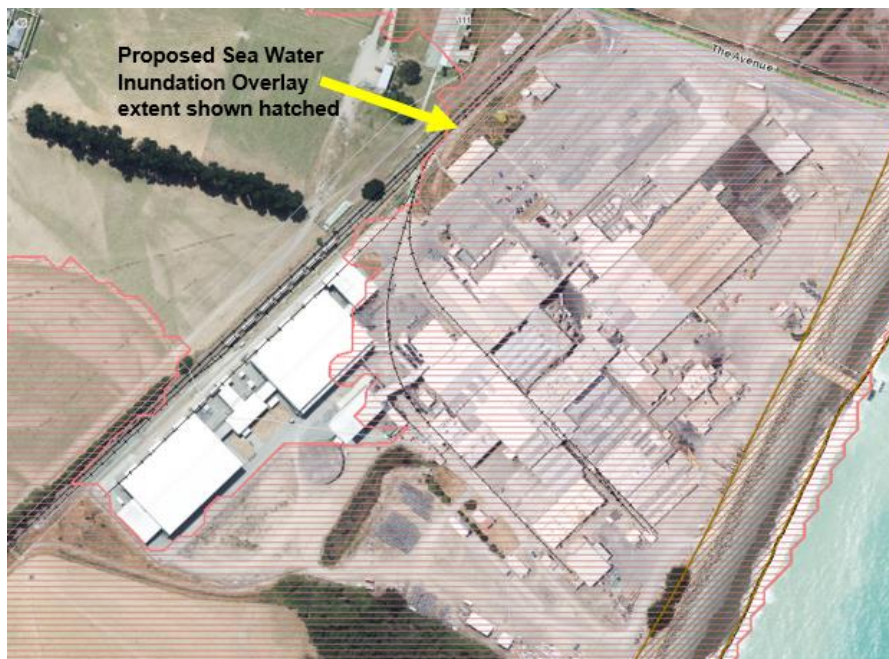


Figure 4: Proposed Sea Water Inundation Overlay extent at the processing plant.

Hazardous Substances chapter

- 4.16 While Silver Fern Farms' processing plant is shown on the e-Plan maps as a Major Hazard Facility with the reference number SHF-14, there is no corresponding annotation in Schedule 2, which is the schedule of major hazard facilities in the Timaru District. As such, it is unclear if the 'Major Hazard Facility' provisions of the Proposed Plan apply to the site or if it is to be defined as a 'Hazardous Facility' only. The distinction is relevant insofar as various of the proposed provisions seek to manage the establishment of sensitive activities in the environs around a major hazard facility but are less stringent with respect to 'Hazardous Facilities' that are not 'major'.
- 4.17 Silver Fern Farms seeks that the proposed Plan be amended to confirm that the 'Major Hazard Facility' provisions of the Proposed Plan do apply to the site. This is appropriate given the site is designated by Worksafe as a major hazard facility and managed accordingly.
- 4.18 Otherwise, Silver Fern Farms' submission points on this chapter seek to ensure that provisions that would restrict activities are appropriately focussed on the use and storage of hazardous substances in areas of risk. It would not be appropriate for the Proposed Plan to apply resource consent requirements to proposals that do not involve hazardous substances, simply because the proposal is located at an industrial facility.

Ecosystems and Indigenous Biodiversity chapter and Natural Character chapters

- 4.19 The site includes one area that the Proposed Plan applies a Significant Natural Area control to (referenced as SNA95(f)) and the site is bisected by several watercourses. The site would be subject to proposed provisions which (for example) regulate activities within 10 m of the banks of a stream that is less than 3 m wide, within 50 m of a wetland and activities within 20 m of Mean High Water Springs.
- 4.20 Silver Fern Farms' submissions on these chapters seek to ensure that provisions support, but do not inappropriately mandate, ecological restoration and enhancement activities. Greater allowances are sought for earthworks associated with ecological restoration activities in Significant Natural Areas and riparian margins.

Coastal Environment chapter

- 4.21 The provisions of the Coastal Environment chapter include a Coastal Environment Area Overlay and an associated policy and rule distinction between land subject to that overlay that is in "urban areas" versus land outside "urban areas"³. Although Silver Fern Farms' site includes a large area in the proposed General Industrial Zone, the site is not within a

³ Defined as "URBAN AREAS means towns with a population of 1,000 or more. In the Timaru District, it includes Timaru, Pleasant Point, Temuka and Geraldine as shown on the District Planning Map".

defined “urban area”. The CE provisions provide less onerous policy directions and consenting frameworks for proposals located in defined “urban areas”.

- 4.22 The distinction is quite marked, with Silver Fern Farms’ site facing a non-complying activity status (Rule CE-R4(5)) for buildings >25 m², compared to sites in defined urban areas which will face a restricted discretionary consenting pathway under Rule CE-R4(4). This is notable given a reasonable portion of the site (including existing development) is subject to the proposed Coastal Environment Area Overlay.



Figure 5: Proposed Coastal Environment Area Overlay extent at the site.

- 4.23 A similar distinction applies under standard CE-S2 to site coverage by buildings and structures. A maximum permitted allowance of 500 m² is provided for development in the Coastal Environment Overlay outside of “urban areas”. However, development in the Coastal Environment Overlay and within urban areas is enabled in accordance with the (more enabling) rules/standards of the underlying zone. For example, the General Industrial Zone has no standard that limits site coverage by buildings/structures, which reflects the expectations of the zone for substantial development. As can be seen from Figure 5, the portion of the processing plant covered by the proposed Coastal Environment Area Overlay includes areas of existing development footprint. As such, even modest extensions to the existing development footprint in the Coastal Environment Area Overlay would face a non-complying consenting pathway under proposed Rule CE-R4.

- 4.24 While Silver Fern Farms appreciates that the intent of the rule framework is to manage development in the coastal environment outside of already highly modified urban areas, it

considers that the CE provisions fail to appropriately have regard to, and provide for, the development of highly modified sites located outside of the defined “urban areas” in the district.

- 4.25 Given other proposed provisions – like the General Industrial Zone and the Height Specific Control Area overlay - anticipate large buildings, it is apparent that Council recognises the role and development potential of the site. Silver Fern Farms considers that minor amendments to the CE chapter are needed to ensure the chapter does not compromise an otherwise (largely) coherent regulatory framework for development at the site.

General Rural Zone

- 4.26 Most of the site’s area is in the General Rural Zone (‘GRUZ’). Silver Fern Farms’ submission supports various proposed provisions of the zone that seek to restrict the encroachment of incompatible uses into the urban environment. Such uses can generate reverse sensitivity effects that adversely affect rural activities – such as Silver Fern Farms’ consented wastewater irrigation activities (see Figure 2 above).
- 4.27 The focus of the GRUZ is largely on providing for primary production activities. While this is supported, Silver Fern Farms notes that a whole range of activities are associated with, and support, primary production. It is appropriate to include policy recognition of such activities, given they are critical to the rural economy and typically have operational or functional needs for a rural location.

General Industrial Zone

- 4.28 The proposed General Industrial Zone (‘GIZ’) applies to the meat processing plant and curtilage. Silver Fern Farms detailed submission points at **Appendix A** recommend various amendments that would improve policy directions and rules relating to reverse sensitivity issues, ancillary activities to industry and offensive trades. However, overall, Silver Fern Farms largely supports the GIZ provisions.

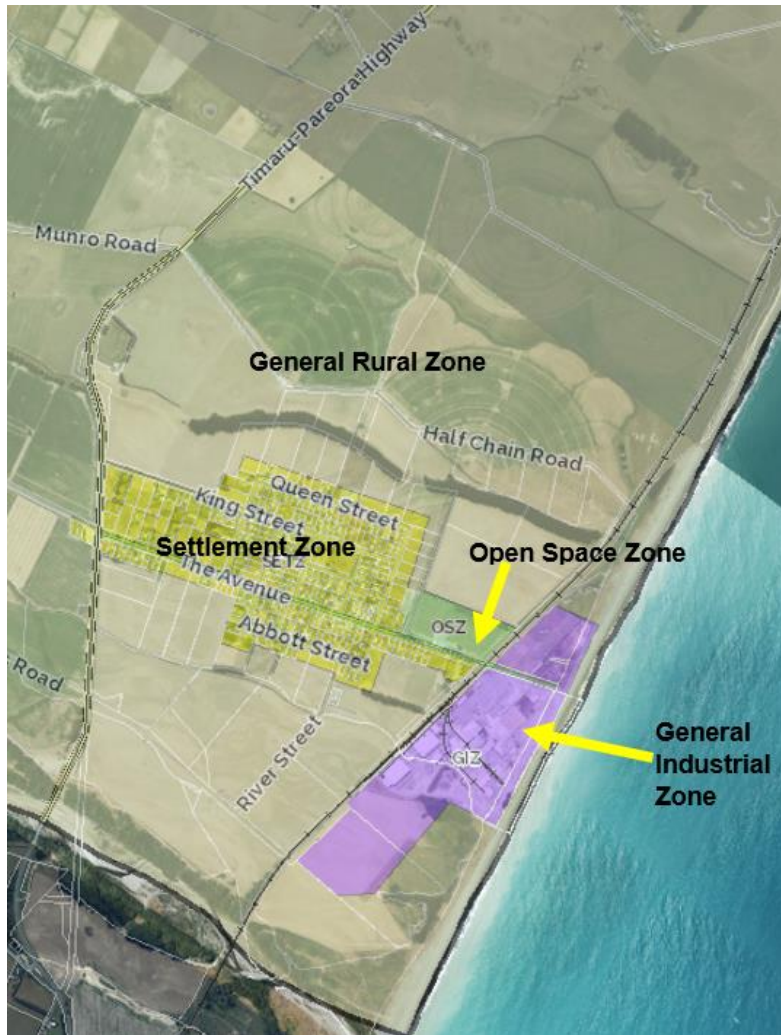


Figure 6: Proposed site zoning and Pareora Settlement Zone.

4.29 The foregoing is a summary only. Please refer to **Appendix A** for the full details of the relief sought by Silver Fern Farms in relation to the Proposed Plan.

5. Silver Fern Farms seeks the following decision from the local authority:

5.1 Where specific wording has been proposed in **Appendix A**, words or provisions to similar effect.

5.2 All necessary and consequential amendments, including any amendments to the Proposed Plan provisions themselves or to other provisions linked to those provisions submitted on, and including any cross-references in other chapters.

5.3 All further relief that is considered necessary to give effect to the concerns described above and in **Appendix A**.

6. **Silver Fern Farms does wish to be heard in support of its submission. If others make a similar submission, Silver Fern Farms will consider presenting a joint case with them at any hearing.**

Signature:



Steve Tuck

(Mitchell Daysh Limited) on behalf of Silver Fern Farms Limited.

Date: 15 December 2022.

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Provision	Position	Reason	Relief Sought
Interpretation - Definitions			
<p>HAZARDOUS FACILITY means a facility or activity that involves the use, storage or disposal of any hazardous substance, but excludes:</p> <ol style="list-style-type: none"> 1. the incidental use and storage of hazardous substances in minimal domestic scale quantities; 2. retail outlets for hazardous substances intended for domestic usage (e.g. supermarkets, hardware stores and pharmacies); 3. the incidental storage and use of agrichemicals, fertilisers and fuel for land based primary production activities and the incidental storage of agrichemicals, fertilisers and fuel for land based primary production activities which are not located in a drinking water; 4. pipelines used for the transfer of hazardous substances such gas, oil, trade waste and sewage; 5. fuel in motor vehicles, boats, airplanes and small engines; 6. the use, transportation, or storage of any hazardous substance for any temporary military training activity; 7. the transportation of hazardous substances (e.g. in trucks or trains); or 	Support.	The inclusion of this definition is appropriate insofar as it enables rules in the Hazardous Substances chapter to be operationalised.	Retain definition as notified.

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8. mixing and application of hazardous substances solely for the purpose of controlling plant and animal pests on site.			
HIGH HAZARD AREA means flood hazard areas subject to inundation events where the water depth (metres) x velocity (metres per second) is greater than or equal to 1 or where depths are greater than 1 metre, in a 0.2% annual exceedance probability flood event.	Oppose.	As discussed later in this table with respect to rule NH-R4, it is unclear whether the reference in this definition to “inundation” means land in the Sea Water Inundation Overlay will also be subject to the High Hazard Overlay. Clarification is sought with respect to the implementation of this definition, given the implications of the various hazard overlays for project consenting.	Amend this definition, or clarify the various hazard overlays, to confirm the implementation of this definition.
INDUSTRIAL ACTIVITY means an activity that manufactures, fabricates, processes, packages, distributes, repairs, stores, or disposes of materials (including raw, processed, or partly processed materials) or goods. It includes any ancillary activity to the industrial activity.	Support.	It is appropriate for the definition to align with the National Planning Standards 2019.	Retain definition as notified.
INDUSTRIAL AND TRADE WASTE means liquid waste, with or without matter in suspension, from the receipt, manufacture or processing of materials as part of a commercial, industrial or trade process, but excludes sewage and greywater.	Support.	It is appropriate to define industrial and trade waste to exclude sewage and greywater, in order to implement differentiated consenting pathways for the management of these substances.	Retain as notified.
INTENSIVE OUTDOOR PRIMARY PRODUCTION means primary production activities involving the keeping or rearing of livestock that principally occurs outdoors, where the regular feed source for the	Oppose in part.	This definition requires amendment to ensure that the supplementary feeding of stock being temporarily held at a meat processing plant is not	Amend as follows: INTENSIVE OUTDOOR PRIMARY PRODUCTION

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<p>livestock is substantially provided from off-site sources, but excludes:</p> <ul style="list-style-type: none"> a. calf-rearing for three months in any calendar year; b. pig production for domestic self-subsistence home use; c. extensive pig farming; d. free range poultry farming; and e. the feeding of supplementary feed during adverse weather events such as drought or snow. 		<p>inadvertently defined as 'Intensive Outdoor Primary Production'. Otherwise, a non-complying activity status under Rule GIZ-R5 would inappropriately apply in cases where stock are held in portions of Silver Fern Farms' site that are within the GIZ.</p>	<p>[...]</p> <ul style="list-style-type: none"> e. the feeding of supplementary feed during adverse weather events such as drought or snow <u>or while stock are temporarily held prior to processing.</u>
<p>INTENSIVELY FARMED STOCK means:</p> <ul style="list-style-type: none"> a. cattle or deer grazed on irrigated land or contained for break-feeding of winter feed crops; and b. dairy cattle, including cows, whether dry or milking, and whether on irrigated land or not; and c. pig farming (except pig farming for domestic self-subsistence home use); d. any stock that is associated with an intensive primary production. 	Oppose in part.	<p>As a meat processing business, Silver Fern Farms on occasion temporarily holds stock on its site prior to processing intensive primary production. They may also need to provide supplementary feed to stock, which would inadvertently meet the definition of 'Intensive Outdoor Primary Production'.</p> <p>Stock being held for processing purposes should not be considered 'Intensively Farmed Stock' and the supplementary feeding of stock being held temporarily should not be defined as 'Intensive Outdoor Primary Production'.</p>	<p>INTENSIVELY FARMED STOCK means:</p> <p>[...]</p> <ul style="list-style-type: none"> d. any stock that is associated with an intensive primary production <u>(excluding stock held for processing).</u>

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<p>LIGHT SENSITIVE AREA Includes land in the following areas outside of the Port Zone:</p> <ul style="list-style-type: none"> a. Wāhi tapu, Wāhi taoka and Wai taoka Overlays b. Significant Natural Areas Overlay c. Outstanding Natural Landscapes Overlay d. Visual Amenity Landscape Overlay e. the Rural Lifestyle Zone; and f. the Natural Open Space Zone. 	Oppose in part.	<p>This definition simply lists land affected but does not explain the meaning of the term, which would aid understanding of the reasons for the application of the Light Sensitive Area Overlay.</p> <p>The non-exclusive definition (“<i>Includes</i> land in...”) of areas that can be defined as “Light Sensitive Areas” is unhelpful. For example, the definition does not expressly identify the GRUZ and GIZ, but land in those zones is included in the Light Sensitive Areas overlay shown on the e-Plan maps.</p> <p>It would be more helpful to revise the definition to explain the meaning of the term and to:</p> <ol style="list-style-type: none"> 1. Specify exactly which land cannot be defined as “Light Sensitive Areas”; or 2. Refer in the definition to the “mapped” Light Sensitive Areas. This will ensure the term cannot be misinterpreted as applying to the entirety of any zones or overlays referenced. 	Amend the definition to ensure the meaning of the term is expressed clearly and if specified in the definition, the spatial coverage of the overlay is represented more precisely.
<p>MAJOR HAZARD FACILITY means a facility or activity that has been designated by Worksafe as a lower tier major hazard facility or an upper tier major</p>	Support.	It is appropriate to define Major Hazard Facilities in order to operationalise the policies and rules (including those relating to the	Retain as notified.

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hazard facility under the Health and Safety at Work (Major Hazard Facilities) Regulations 2016.		protection of facilities from reverse sensitivity effects) later in the proposed Plan.	
<p>NOISE SENSITIVE ACTIVITY means:</p> <ul style="list-style-type: none"> a. Residential activities; b. Visitor accommodation; c. Educational facility; d. Healthcare activities; and e. Marae (building only). 	Support.	It is appropriate to define these activities in order to implement the provisions of the Noise chapter, including the required mitigation of noise from industrial zones and activities.	Retain as notified.
<p>REVERSE SENSITIVITY means the potential for the operation of an existing lawfully established activity to be compromised, constrained, or curtailed by the more recent establishment or alteration of another activity which may be sensitive to the actual, potential or perceived adverse environmental effects generated by an existing activity.</p>	Oppose	<p>It is appropriate to recognise the potential negative effects for approved, existing or permitted activity's which may be generated through reverse sensitivity.</p> <p>However, amendments are needed as follows:</p> <ul style="list-style-type: none"> a. The exclusive focus on "existing lawfully established activity" is too narrow. Consented but unimplemented activities also form part of the existing environment. There is no recognition of activities that are permitted in the relevant zone nor of potential constraints on expansion of the existing activity; and 	<p>Amend the definition as follows:</p> <p>REVERSE SENSITIVITY means the potential for the operation of an existing permitted, consented or lawfully established activity, and the future development or expansion of that activity to be compromised, constrained, or curtailed by the more recent possible or proposed establishment, intensification or alteration of another activity which may be sensitive to the actual, potential or perceived adverse environmental effects generated by an existing that activity.</p>

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		<p>b. The phrase “<i>more recent establishment or alteration of another activity</i>” implies that reverse sensitivity is not relevant until such time as the new sensitive activity is physically established and the reverse sensitivity effects are in place. This would clearly be the opposite of the intent, which is to manage the risk of reverse sensitivity effects arising in the first place.</p>	
<p>SENSITIVE ACTIVITY means:</p> <ol style="list-style-type: none"> 1. Residential activities; 2. Education facilities and preschools; 3. Guest & visitor accommodation; 4. Health care facilities which include accommodation for overnight care; 5. Hospitals; 6. Marae (building only); or 7. Place of assembly. <p>except that:</p> <ol style="list-style-type: none"> a. subclause f. above is not applicable in relation to electronic transmission. 	<p>Oppose</p>	<p>Seasonal workers accommodation and caretaker dwellings are sometimes established on industrial sites.</p> <p>It is recommended that this definition be amended to exclude those residential sub-sets, to prevent unintended complications/policy conflicts from arising in consenting processes.</p> <p>Furthermore, the references in (a) and (b) appear to require re-numbering and rationalisation.</p>	<p>Amend as follows:</p> <p>SENSITIVE ACTIVITY means:</p> <ol style="list-style-type: none"> 1. Residential activities (<u>excluding seasonal workers accommodation and caretaker dwellings</u>); <p><i>[Entire definition not shown here].</i></p>

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<p>b. subclause g. above is not applicable in relation to noise or electronic transmission.</p>			
<p>SD – Strategic Direction</p>			
<p>SD-O1 Residential Areas and Activities</p>	<p>Oppose</p>	<p>It is recommended that the fundamental land use planning issue of separation between incompatible uses be expressed in this objective.</p>	<p>Amend as follows: SD-O1 Residential Areas and Activities [...] <i><u>iv. The location of new residential areas and activities avoids creating conflict with incompatible zones and activities.</u></i> [Entire provision not shown here].</p>
<p>i. There is sufficient residential development capacity in existing and proposed urban areas to meet demand and household choice, provided through:</p> <ul style="list-style-type: none"> a. the use of existing zoned greenfield areas; b. a range of densities in existing urban areas; and c. higher residential densities in close proximity to the Timaru and Geraldine town centres, and Highfield Village Mall; d. the new Future Development Areas identified for the General Residential Zone. <p>ii. limited rural lifestyle development opportunities are provided where they concentrate and are attached to existing urban areas, achieve a coordinated pattern of development and are capable of efficiently connecting to reticulated sewer and water infrastructure; and</p>			

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<p>iii. limited residential opportunities are maintained in existing rural settlements, subject to adequate servicing.</p>			
<p>SD-O2 The Natural and Historic Environment</p> <p>The District’s natural and historic environment is managed so that:</p> <p>i. the health and wellbeing of the community are recognised as being linked to the natural environment;</p> <p>ii. an integrated management approach is adopted that recognises that all parts of the environment are interdependent;</p> <p>iii. the natural character of the coastal environment, wetlands and waterbodies is preserved and protected from inappropriate subdivision, use, and development;</p> <p>iv. important landscapes and features are protected from inappropriate subdivision, use, and development;</p> <p>v. significant indigenous vegetation and significant habitats of indigenous fauna are identified and their values recognised, protected and where appropriate, enhanced;</p> <p>vi. the life-supporting capacity of ecosystems and resources is safeguarded for future generations;</p> <p>vii. the important contribution of historic heritage to the District’s character and identity is</p>	<p>Oppose in part.</p>	<p>This objective roughly re-states parts of RMA ss. 5 and 6. The value that this adds to the high-level objectives of the Proposed Plan is unclear.</p> <p>Sub-clause (iv) refers to the protection of “important” landscapes and features, whereas under RMA s6(b) landscape protection is reserved to “<i>outstanding</i>” natural features and landscapes.</p>	<p>Amend to the objective to provide meaningful direction beyond simply re-stating Part 2 of the RMA and to apply thresholds of “protection” that accord with Part 2.</p>

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recognised, and significant heritage and its values are protected from inappropriate subdivision, use, and development.			
<p>SD-O4 Natural Hazards</p> <p>Natural hazards risks are addressed so that:</p> <ul style="list-style-type: none"> i. areas subject to natural hazards and risk are identified; ii. development is avoided in areas where the risks of natural hazards to people, property and infrastructure are assessed as being unacceptable; and iii. for other areas, natural hazards risks are appropriately mitigated. 	Support in part.	<p>It is appropriate to anticipate the mitigation of natural hazard risks.</p> <p>However, as drafted, sub-clause (iii) could be interpreted as requiring natural hazard mitigation by landowners regardless of any triggering proposal or event.</p> <p>Natural hazard risks will not need to be mitigated everywhere – only when necessary to facilitate an activity.</p>	<p>Amend as follows:</p> <ul style="list-style-type: none"> iii. for other areas, natural hazards risks are appropriately mitigated <u>if necessary to enable a land use, development or subdivision</u>
<p>SD-O6 Business Areas and Activities</p> <p>Business and economic prosperity in the District is enabled in appropriate locations, including by:</p> <ul style="list-style-type: none"> i. providing sufficient land for a range of business activities to cater for projected growth; ii. providing opportunities for a range of business activities to establish and prosper, provided that commercial activities outside of commercial areas are limited so they do not detract from the role and function of the City Centre and Town Centre zones. 	Oppose	<p>It would be appropriate to directly recognise industry, given the importance of the sector to the district’s economy. Furthermore, it would be appropriate to reiterate the principle of separation between incompatible activities.</p>	<p>Amend as follows:</p> <p>SD-O6 Business Areas and Activities</p> <p>Business and economic prosperity in the District is enabled in appropriate locations, including by:</p> <ul style="list-style-type: none"> i. providing sufficient land for a range of business <u>and industrial</u> activities to cater for projected growth; ii. providing opportunities for a range of business activities to establish and prosper, provided that commercial activities outside of commercial areas are limited so

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Provision	Position	Reason	Relief Sought
			<p>they do not detract from the role and function of the City Centre and Town Centre zones <u>or the viability of industrial zones.</u></p> <p>iii. <u>Avoiding the encroachment of incompatible activities that are sensitive to the effects of commercial and industrial activities.</u></p>
<p>SD-O9 Rural Areas</p> <p>A range of primarily productive activities are enabled in the rural environment to enable the ongoing use of land for primary production for present and future generations, while:</p> <ul style="list-style-type: none"> i. protecting versatile soils for productive uses; ii. managing the adverse effects of intensive activities on sensitive activities; iii. managing the adverse effects of new sensitive activities on primary production; iv. avoiding activities that have no functional/operational need to locate in the rural area; v. identifying and maintaining the character, qualities and amenity values of rural areas; vi. ensuring Future Development Area overlay remains available for future urban or rural lifestyle development. 	Support in part.	<p>Supporting activities to primary production should be recognised in the objective, lest it be constructed in an inappropriately restrictive manner.</p> <p>Sub-clause (ii) requires a minor amendment to reflect that the burden of mitigation falls to new sensitive activities locating in the rural environment, not already established rural activities.</p> <p>Sub-clause (v) requires amendment to reflect that maintenance will not always be practicable or desirable, given the land use composition of areas changes over time.</p>	<p>Amend as follows:</p> <p>SD-O9 Rural Areas</p> <p>A range of primarily <u>Primary production</u> and supporting <u>activities</u> are enabled in the rural environment to enable the ongoing use of land for primary production for present and future generations; while:</p> <ul style="list-style-type: none"> i. protecting versatile soils for productive uses; ii. managing the adverse effects of intensive activities on <u>existing</u> sensitive activities; iii. managing the adverse effects of new sensitive activities on primary production, <u>rural industry and supporting activities;</u>

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Provision	Position	Reason	Relief Sought
			<ul style="list-style-type: none"> iv. avoiding activities that have no functional/operational need to locate in the rural area; v. identifying and maintaining <u>managing</u> the character, qualities and amenity values of rural areas; vi. ensuring Future Development Area overlay remains available for future urban or rural lifestyle development.
UFD – Urban Form and Development			
<p>UFD-O1 Settlement Patterns</p> <p>A consolidated and integrated settlement pattern that:</p> <ul style="list-style-type: none"> i. efficiently accommodates future growth and capacity for commercial, industrial, community and residential activities, primarily within the urban areas of the Timaru township, and the existing townships of Temuka, Geraldine, and Pleasant Point; ii. is integrated with the efficient use of infrastructure; iii. reduces adverse effects on the environment, including energy consumption, carbon emissions and water use; 	Support in part.	<p>This objective provides an adequate strategic direction for urban form and development.</p> <p>Minor amendments are recommended to ensure that the avoidance clauses are appropriately focussed.</p>	<p>Amend as follows:</p> <p>UFD-O1 Settlement Patterns</p> <p>A consolidated and integrated settlement pattern that:</p> <p>[...]</p> <ul style="list-style-type: none"> vi. avoids <u>significant adverse effects on areas with important natural, cultural and character values;</u> [...] ix. avoids locating new growth in areas where the impacts from natural hazards are unacceptable <u>and natural hazard risk cannot be acceptably mitigated</u> or which

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Provision	Position	Reason	Relief Sought
<ul style="list-style-type: none"> iv. protects drinking water supplies from the adverse effects of subdivision, use and development; v. is well-designed, of a good quality, recognises existing character and amenity, and is attractive and functional to residents, business and visitors; vi. avoids areas with important natural, cultural and character values; vii. minimises the loss of versatile soils; viii. enables papakāika, to occur on ancestral lands; ix. avoids locating new growth in areas where the impacts from natural hazards are unacceptable or which would require additional hazard mitigation; and x. controls the location of activities, primarily by zoning, to minimise conflicts between incompatible activities and avoid these where there may be significant adverse effects. 			<p>would require additional hazard mitigation; and</p> <p>x. controls the location of activities, primarily by zoning, to minimise conflicts between incompatible activities and avoid these where there may be significant adverse effects.</p> <p><i>[Entire provision not shown here].</i></p>
SW - Stormwater Management			
<p>Section B: Activities in the General Industrial Zone, Port Zone and Open Space and Recreation zones</p> <p>SW-R4 All developments, other than a road, that result in an increase in impervious surfaces of greater than 30m², excluding stormwater discharges that are authorised by a resource consent from the</p>	Support in part.	It is appropriate to provide for onsite stormwater disposal in the GIZ as a restricted discretionary activity. However, assessment matter 3 (“the consequences of a lack of maintenance of the stormwater neutrality device”) appears to inappropriately anticipate that	<p>Amend as follows:</p> <p>2. the consequences of a lack of maintenance of the stormwater neutrality device; and</p> <p><i>[Entire provision not shown here].</i></p>

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Provision	Position	Reason	Relief Sought
<p>Canterbury Regional Council pursuant to the relevant regional plan</p> <p>Where there is an available reticulated stormwater network in any of the:</p> <p>General industrial Zone</p> <p>Port Zone</p> <p>Open Space and Recreation Zones</p> <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 All stormwater is captured and directed to the Council’s reticulated stormwater network and does not flow onto neighbouring properties; and</p> <p>PER 2 Written permission has been obtained from the owner of the reticulated stormwater network in accordance with SW-S3 and SW-S4 that allows entry of the stormwater into the reticulated stormwater network.</p> <p>Activity status when compliance not achieved: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the extent to which the design, location, capacity, type and construction of the stormwater neutrality device or other system proposed is sized, to ensure stormwater neutrality is achieved; and 2. the extent of any potential flood risk from additional stormwater exceeding the capacity of 		<p>stormwater devices will not be maintained.</p> <p>Typically, consent conditions would require maintenance in accordance with the manufacturer’s specifications and any breach should be treated as a compliance matter rather than as a foregone conclusion in the rule.</p>	

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Provision	Position	Reason	Relief Sought
<p>the Council's reticulated stormwater network; and</p> <p>3. the consequences of a lack of maintenance of the stormwater neutrality device; and</p> <p>4. the adverse effects of stormwater on a neighbouring property, waterway or road; and</p> <p>5. the effects of any additional contaminants entering the Council's reticulated stormwater network; and</p> <p>6. any relevant site or operational constraints.</p>			
CL – Contaminated Land			
<p>Introduction</p> <p>[...]</p> <p>The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NESCS) provides a rule framework for managing certain activities on land affected or potentially affected by soil contaminants. The Council is responsible for administering the NESCS.</p> <p>This chapter provides objective and policy direction for the assessment of any resource consent application made under the NESCS.</p> <p><i>[Entire provision not shown here]</i></p>	Support.	<p>Silver Fern Farms supports the approach in the proposed Plan to only provide objective and policy direction for the assessment of resource consent applications under the NESCS.</p> <p>It also supports the reference to the NESCS without including additional rules to manage the effects of contaminated land on land use changes and human health.</p>	Retain as notified.

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Provision	Position	Reason	Relief Sought
<p>CL-O1 Management of contaminated land</p> <p>Contaminated land is made safe for human health and its intended use before any change of use, land disturbance, development or subdivision.</p>	Support in part.	<p>Objective CL-O1 implies that contaminated land should be made safe for its intended use <i>before</i> any land disturbance.</p> <p>Land disturbance activities (with appropriate health and safety measures in place) are often part of site remediation prior to a change of use. As such, it is necessary to facilitate land disturbance prior to the completion of remediation.</p> <p>CL-P3 suitably provides for how land disturbance activities should be managed.</p>	<p>Amend as follows:</p> <p>CL-O1 Management of contaminated land</p> <p>Contaminated land is made safe for human health and its intended use before any change of use, land disturbance, development or subdivision.</p>
<p>CL-P2 Subdivision, use and development of contaminated land</p> <p>Any proposal to subdivide, use or develop contaminated land must follow a best practice approach to:</p> <ol style="list-style-type: none"> manage contaminated soil to protect human health; and ensure the land is suitable for its intended use. 	Amend.	<p>The phrase 'best practice' implies that there is a hierarchy of approaches or options to contaminated land management.</p> <p>The policy focus should be to require site management in accordance with accepted procedures codified in standards such as the Ministry for the Environment's '<i>Contaminated land management guidelines No. 1: Reporting on contaminated sites in New Zealand (Revised 2021)</i>'.</p>	<p>Replace the phrase 'best practice' with a reference to the particular guidelines or procedural manual that applications will be assessed against.</p>

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Provision	Position	Reason	Relief Sought
NH – Natural Hazards			
<p>NH-O1 Areas subject to natural hazards</p> <p>Risk to human life and significant risk to property, from natural hazards is:</p> <ol style="list-style-type: none"> 1. avoided in high hazard areas; and 2. avoided or mitigated elsewhere to an acceptable level. 	<p>Oppose.</p>	<p>Parts of Silver Fern Farms site are subject to the proposed Sea Water Inundation Overlay and the Coastal Erosion Overlay. Those portions of the site would accord with the definition in the Canterbury Regional Policy Statement ('RPS') of "High hazard areas" below:</p> <p><i>"High hazard areas" are:</i></p> <ol style="list-style-type: none"> 1. <i>flood hazard areas subject to inundation events where the water depth (metres) x velocity (metres per second) is greater than or equal to 1, or where depths are greater than 1 metre, in a 0.2% AEP flood event;</i> 2. <i>land outside of greater Christchurch subject to coastal erosion over the next 100 years; and</i> 3. <i>land within greater Christchurch likely to be subject to coastal erosion including the cumulative effects of sea level rise over the next 100 This includes (but is not limited to) the land located within Hazard Zones 1 and 2 shown on Maps in Appendix 5 of this Regional Policy Statement that</i> 	<p>Amend as follows:</p> <p>NH-O1 Areas subject to natural hazards</p> <p>Risk to human life and significant risk to property, from natural hazards is <u>avoided in high hazard areas or mitigated to an acceptable level.</u>:</p> <ol style="list-style-type: none"> 1. avoided in high hazard areas; and 2. avoided or mitigated elsewhere to an acceptable level.

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Provision	Position	Reason	Relief Sought
		<p><i>have been determined in accordance with Appendix 6; and</i></p> <p>4. <i>land subject to sea water inundation (excluding tsunami) over the next 100 years. This includes (but is not limited to) the land located within the sea water inundation zone boundary shown on Maps in Appendix 5 of this Regional Policy Statement.</i></p> <p>In Silver Fern Farms view, it is inappropriate for mitigation measures to be unavailable in areas of high natural hazard. The RPS does not require all natural hazard risks to be avoided, even in areas of high natural hazard. Notably, RPS objectives 11.2.1, 11.2.2 and Policy 11.3.1 direct that:</p> <ul style="list-style-type: none"> ➤ Subdivision, use and development must either avoid worsening natural hazard risks, or if avoidance is not possible, mitigate the risks. ➤ In high hazard areas, new activities are avoided if they cannot mitigate risk appropriately. <p>Therefore, proposed objective NH-O1 is inconsistent with RPS directions that contemplate risk mitigation in areas of natural hazard risk.</p>	

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Provision	Position	Reason	Relief Sought
<p>NH-O3 Natural hazard mitigation works</p> <p>Natural hazard mitigation works reduce risks to people and property, with a preference for the use of natural features and buffers.</p>	<p>Oppose</p>	<p>Where there is existing development within a natural hazard area it may not be appropriate to use natural features and buffers to manage the hazards because there may be insufficient buffer space to enable this.</p> <p>As such, it is recommended that "wherever appropriate" be inserted to enable the exercise of discretion.</p> <p>These words are used in a similar objective (CE-05) in the Coastal Environment chapter and will provide appropriate flexibility.</p>	<p>Amend as follows:</p> <p>Natural hazard mitigation works reduce risks to people and property, with a preference for the use of natural features and buffers <u>wherever appropriate</u>.</p>
<p>NH-P1 Identification of natural hazards and approach to management within Natural Hazard Areas</p> <p>Identify and map areas subject to natural hazards, taking into consideration the effects of climate change, and apply through rules a risk-based approach to the management of subdivision, use and development based on the following:</p> <ol style="list-style-type: none"> 1. the type of natural hazard that applies; and 2. the level and severity of risk to people and property from the natural hazard; and 3. the sensitivity of activities to loss of life or damage to property from a natural hazard; and 4. the ability for communities to recover after a natural hazard event. 	<p>Oppose</p>	<p>This policy does not expressly reflect the obligation of RMA s75(3)(c) for district plans to give effect to regional policy statements.</p>	<p>Include reference to aligning the proposed district plan mapping of natural hazards with that of the Canterbury RPS.</p>

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Provision	Position	Reason	Relief Sought
<p>NH-P4 Subdivision, use and development in Flood Assessment Areas, excluding high hazard areas and overland flow paths</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 0.5% AEP design flood level can be achieved; and 5. major hazard facilities will not be inundated; and 6. significant adverse effects on people and property are avoided; and 7. increased risk on other sites is avoided as a priority and where this is not practicable, will be appropriately mitigated. 	Oppose	<p>Silver Fern Farms' site is included in the Major Hazard Facility overlay as SHF-14 but is not listed in SCHED2 – Schedule of Major Hazard Facilities.</p> <p>As such, it is unclear if Major Hazard Facility provisions apply to the site.</p> <p>If the provisions do apply, the characteristics of the site's operations mean it is possible that some buildings in the facility contain no hazardous substances at all.</p> <p>Sub-clause (5) appears to regulate all buildings within a Major Hazard Facility, regardless of whether they are associated with the storage of hazardous substances.</p> <p>Silver Fern Farms considers that the provision requires refinement to avoid undue regulation simply because a building is in a Flood Assessment Area.</p> <p>It is noted that the Pareora processing plant <u>is</u> a Worksafe-designated major hazard facility, due to the use and storage of ammonia onsite.</p>	<p>Amend as follows:</p> <p>[...]</p> <p>5. <u>buildings within</u> major hazard facilities <u>containing hazardous substances</u> will not be inundated; and</p> <p><i>[Entire provision not shown here]</i></p>
<p>NH-P5 Subdivision and Regionally significant Infrastructure in Liquefaction Awareness Areas</p> <p>Require subdivision and Regionally Significant Infrastructure in Liquefaction Awareness Areas to</p>	Support	It is appropriate to provide for subdivision that avoids or mitigates risk in the Liquefaction Awareness	Retain as notified.

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apply appropriate measures to avoid or, where avoidance is not reasonably practicable due to the functional needs of the activity, mitigate risks to people and property.		Areas Overlay. That overlay applies to large areas of Silver Fern Farms site.	
NH-P9 Natural hazard mitigation works Natural hazard mitigation works [...]	Oppose.	It is appropriate to provide for private natural hazard mitigation works subject to the criteria specified in this policy.	Amend as follows: NH-P9 Natural hazard mitigation works Natural hazard mitigation works [...]
2. not undertaken by the Crown, Canterbury Regional Council or the Council, will only be acceptable where: a. the natural hazard risk cannot otherwise be reasonably avoided; and b. consideration has been given to alternative solutions such as the relocation, removal or abandonment of existing uses, buildings and structures and all alternatives are not economically viable; and c. any adverse effects arising from the construction or operation of the works on the identified values and qualities of Outstanding Landscapes and Features, the Coastal Environment, Visual Amenity Landscapes, Significant Natural Areas, High Naturalness Waterbodies Areas, Sites of Significance to Māori, historic heritage, cultural, and archaeological areas, riparian margins and Notable Trees are avoided,		A minor amendment to clause (2)(d) is warranted to recognise that changes to the flood risk profile may be acceptable in some cases – for example where some degree of new or increased flood risk is outweighed by the benefits of the natural hazard mitigation project.	[...] d. the construction or operation of the works will <u>avoid or acceptably mitigate</u> not lead to any increased or new risk from flooding to human life and property. <i>[Entire provision not shown here].</i>

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<p>remedied or mitigated in accordance with the provisions in those Chapters; and</p> <p>d. the construction or operation of the works will not lead to any increased or new risk from flooding on human life and property.</p> <p><i>[Entire provision not shown here].</i></p>			
<p>NH-P10 High Hazard Areas</p> <p>Avoid subdivision, use and development (excluding Regionally Significant Infrastructure) in, mapped or identified High Hazard Areas, unless:</p> <ol style="list-style-type: none"> 1. it is a building that is not a natural hazard sensitive activity or is unlikely to suffer damage; or 2. it can be demonstrated that the risks of the natural hazard can be mitigated so that: <ol style="list-style-type: none"> a. in the event of a natural hazard, there is likely to be no loss of life or serious injury and any built development is not likely to suffer significant damage or loss; and b. it will not require new or upgraded public natural hazard mitigation works to mitigate the natural hazard; and c. it is not likely to exacerbate the potential effects of the natural hazard on adjoining or surrounding land; and d. it does not increase reliance on emergency services in a hazard event. 	<p>Support in part.</p>	<p>The reference to “mapped or identified High Hazard Areas” is unclear. All high hazard areas that are to be regulated need to be mapped, so the policy direction can be implemented at a project consenting level.</p> <p>Secondly, the requirement at (2)(a) to protect “any built development” does not recognise that damage to, or loss of, some buildings/structures is unlikely to be of concern.</p> <p>For example, significant damage to, or loss of, a fence or sign is not likely to be an appropriate basis to withhold approval for a proposal.</p> <p>A slight amendment is proposed to clause (2)(a) to remedy this unqualified avoidance policy setting.</p>	<p>Amend as follows:</p> <p>NH-P10 High Hazard Areas</p> <p>Avoid subdivision, use and development (excluding Regionally Significant Infrastructure) in, mapped or identified High Hazard Areas, unless:</p> <ol style="list-style-type: none"> 1. it is a building that is not a natural hazard sensitive activity or is unlikely to suffer damage; or 2. it can be demonstrated that the risks of the natural hazard can be mitigated so that: <ol style="list-style-type: none"> a. in the event of a natural hazard, there is likely to be no loss of life or serious injury or and any built development is not likely to suffer significant <u>property</u> damage or loss; and <p><i>[Entire provision not shown here].</i></p>

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Provision	Position	Reason	Relief Sought
<p>NH-R1 Earthworks, excluding land disturbance and for natural hazard mitigation works</p> <p>Flood Assessment Area Overlay</p> <p>High Hazard Area Overlay</p> <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 If the site is subject to flooding in a 0.5% AEP rainfall event, NH-S2 is complied with; and</p> <p>PER-2 If a Flood Risk Certificate for the site has been issued in accordance with NH-S1, and the certificate states that the activity is not located on land that is within an overland flow path.</p>	Support in part.	<p>Silver Fern Farms supports provision for buildings to be constructed in a Flood Assessment Area on a permitted basis if the specified criteria are met, or a restricted discretionary activity status otherwise.</p> <p>However, Silver Fern Farms opposes clause PER-1 of this rule insofar as standard NH-S2 limits earthworks to 250 m² per calendar year. On a large industrial site such as the Pareora site, this small allowance is a significant and undue constraint on typical operations.</p>	<p>Either:</p> <ul style="list-style-type: none"> ➤ Delete clause PER-1 of Rule NH-R1; or, ➤ Retain NH-R1 as notified, subject to the grant of the relief sought by Silver Fern Farms in respect of NH-S2, being an increased allowance for earthworks in the GIZ.
<p>NH-R4 Natural hazard sensitive activities or structures and additions to such activities or structures with a ground floor area of 30m² or more</p> <p>1 Flood Assessment Area Overlay</p> <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 the building is built to the minimum finished floor level specified in an existing consent notice that is less than five years old; or</p> <p>PER-2 A Flood Risk Certificate for the activity has been issued in accordance with NH-S1; and</p>	Oppose.	<p>Silver Fern Farms agrees that it is reasonable to allow buildings to be constructed in a Flood Assessment Area as a permitted activity if the specified criteria are met as proposed here, with a default to restricted discretionary activity status if not met.</p> <p>However, Silver Fern Farms seeks clarity with respect to the non-complying status under rule NH-R4(2) for >30m² developments in a “High Hazard Area Overlay”.</p> <p>The proposed plan defines a “High Hazard Area” as:</p>	<p>Retain a permitted and restricted discretionary consenting pathway for land in a Flood Assessment Area.</p> <p>Amend rule NH-R4(2) and other provisions as necessary to clarify that land in the Sea Water Inundation Overlay is not subject to a non-complying consenting pathway for development of >30m².</p>

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Provision	Position	Reason	Relief Sought
<p>PER-3 The Flood Risk Certificate issued under PER-2 states that the activity is not located on land that is within an overland flow path; and</p> <p>PER-4 The Flood Risk certificate issued under PER-2 states that the activity is not located on land that is identified as a High Hazard area; and</p> <p>PER-5 The Flood Risk Certificate issued under PER-2 states either:</p> <ol style="list-style-type: none"> 1. the activity is located on land that is not subject to flooding in a 0.5% AEP rainfall event; or 2. the activity is located on land that is subject to flooding in a 0.5% AEP rainfall event and complies with the minimum finished floor level requirement for the site. <p>2 High Hazard Area Overlay</p> <p>Activity status: Non-complying</p>		<p><i>means flood hazard areas subject to inundation events where the water depth (metres) x velocity (metres per second) is greater than or equal to 1 or where depths are greater than 1 metre, in a 0.2% annual exceedance probability flood event.</i></p> <p>While Silver Fern Farms' site is not mapped on the e-Plan as within the High Hazard Area Overlay, parts of the site are subject to the Sea Water Inundation Overlay.</p> <p>Will land that is mapped in the Sea Water Inundation Overlay also be classed as a High Hazard Area?</p> <p>If so, Silver Fern Farms opposes the non-complying activity status for buildings >30m², which appears to apply regardless of whether a proposal includes appropriate freeboard above the flood level.</p> <p>This consenting pathway would very significantly constrain development on almost all of the GIZ part of the Pareora site.</p> <p>Silver Fern Farms holds similar concerns with respect to rule CE-R4(5).</p>	

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Provision	Position	Reason	Relief Sought
<p>NH-R7 Natural Hazard Sensitive Activities and additions, new buildings, and structures with a ground floor area of less than 30m² (excluding Regionally Significant Infrastructure)</p> <p>Activity status: Permitted</p> <p><i>[Entire provision not shown here].</i></p>	Support	It is appropriate to provide a permitted status for small buildings and structures.	Retain as notified.
<p>NH-R8 Subdivision</p> <p>1 Flood Assessment Area Overlay</p> <p>Activity status: Restricted Discretionary</p> <p><i>[...]</i></p> <p>Activity status where compliance not achieved: Non-complying</p> <p>2 Liquefaction Awareness Areas Overlay</p> <p>Activity status: Restricted Discretionary</p> <p><i>[...]</i></p> <p>Activity status where compliance not achieved: Not applicable</p> <p>3 Earthquake Fault (subdivision) Awareness Areas Overlay</p> <p><i>[...]</i></p> <p>4 High Hazard Area Overlay</p> <p>Activity status: Non-complying</p>	Oppose	<p>While Silver Fern Farms supports a restricted discretionary consenting pathway for subdivision in the Flood Assessment Area Overlay and the Liquefaction Awareness Areas Overlay, it is concerned about the ambiguity about whether land in the Sea Level Inundation Overlay would also be considered a High Hazard Area Overlay.</p> <p>If that is the case, then a non-complying activity status under NH-R8(4) would inappropriately conflict with and override the restricted discretionary pathway under rule CE-R11 (1).</p>	Amend rule NH-R8(4) and other provisions as necessary to clarify that the subdivision of land in the Sea Water Inundation Overlay is not subject to a non-complying consenting pathway under the 'High Hazard Area Overlay'.

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<p>NH-S1 Flood Risk Certificate Flood Assessment Areas Overlay [...]</p> <p>Note: A minimum finished floor level will not be provided for sites located within a High Hazard Area. <i>[Entire provision not shown here].</i></p>	Oppose in part.	<p>Further to its submission points on NH-R4 and NH-R8 Silver Fern Farms seeks clarification about whether land in the Sea Water Inundation Overlay would also be subject to the High Hazard Area Overlay provisions.</p> <p>If so, it would oppose the Note at NH-S1 that indicates that a finished floor level will not be provided, given the Sea Water Inundation Overlay covers a large portion of the Pareora site, including most of the area within the GIZ.</p>	Clarify within the proposed Plan whether the High Hazard Area Overlay includes land in the Sea Water Inundation Overlay too.
<p>NH-S2 Volume of earthworks The earthworks do not exceed:</p> <ul style="list-style-type: none"> ➤ 2,000 m² in area in any calendar year in a Rural zone; and ➤ 250 m² in area in any calendar year in any other zone. 	Oppose in part.	<p>Silver Fern Farms operates a large industrial site with large industrial buildings that are proposed to be included in the GIZ.</p> <p>An allowance for 250 m² of earthworks in a calendar year is entirely insufficient in this context and will generate inefficient resource consent requirements.</p> <p>A 2,000 m² permitted earthworks limit - as provided for the Rural zones – would be more appropriate.</p>	<p>Amend as follows:</p> <p>NH-S2 Volume of earthworks The earthworks do not exceed:</p> <ul style="list-style-type: none"> ➤ 2,000 m² in area in any calendar year in a Rural zone <u>or General Industrial Zone</u>; and ➤ 250 m² in area in any calendar year in any other zone.

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Provision	Position	Reason	Relief Sought
HS – Hazardous Substances			
<p>Introduction</p> <p>Hazardous substances include a variety of toxic substances such as chemicals, medical waste, petroleum products and gases. Hazardous substances are used throughout the District for many purposes, with their use, storage, and disposal being an integral and essential part of many commercial, industrial, rural and domestic activities. However, if not appropriately managed, their storage and use are potential threats to people and the environment.</p> <p>The Hazardous Substances and New Organisms Act 1996 (HSNO) aims to protect the health and safety of people from the adverse effects of hazardous substances. The Health and Safety at Work Act 2015 (HSW) aims to protect people against harm to their health, safety and welfare caused by risks arising from work. These Acts provide the general framework for controlling hazardous substances during their life cycle. However, they do not take into account the sensitivity of the environment in which hazardous substances are located, or other relevant resource management issues.</p> <p>Accordingly, the District Plan addresses the following resource management matters concerning hazardous substances:</p> <ol style="list-style-type: none"> potential adverse effects on sensitive activities and sensitive environments; 	<p>Oppose in part.</p>	<p>Silver Fern Farms’ site is included in the Major Hazard Facility Overlay as SHF-14 (on the e-Plan maps) but is not listed in <i>SCHED2 – Schedule of Major Hazard Facilities</i>.</p> <p>As such, it is unclear if the proposed ‘Major Hazard Facility’ provisions apply to the site or if it is to be defined as a ‘Hazardous Facility’ only (there is no schedule of ‘Hazardous Facilities’ in the proposed Plan).</p> <p>Silver Fern Farms agrees with the general approach to managing hazardous substances, i.e., that the proposed Plan should only focus on managing potential effects that are not addressed in other legislation. It is appropriate for the proposed Plan to manage reverse sensitivity effects.</p> <p>However, on the assumption that Silver Fern Farms’ site is a Major Hazard Facility, Silver Fern Farms opposes the unqualified requirement for a Quantitative Risk Assessment for all additions to Major Hazard Facilities.</p> <p>In cases where an addition does not change the volume or location of hazardous substances use/storage, a requirement to prepare a QRA will be</p>	<p>Clarification as to which facilities are considered Major Hazard Facilities and which are hazardous facilities only is required.</p> <p>Amendments to the Major Hazard Facility overlay are required to ensure only Major Hazard Facilities are shown.</p> <p>A separate mapped overlay and schedule of ‘Hazardous Facilities’ should be included in the proposed Plan to avoid confusion.</p> <p>An amendment is necessary to ensure a Quantitative Risk Assessment for all additions to Major Hazard Facilities is only required where there is likely to be a change in the facility’s risk profile as a result of the additions.</p>

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Provision	Position	Reason	Relief Sought
<p>2. reverse sensitivity effects caused by sensitive activities locating too close to hazardous facilities;</p> <p>3. the risks to hazardous facilities from natural hazards and consequential risks to the environment;</p> <p>4. cumulative effects of major hazard facilities locating too close each other.</p>		<p>redundant and should not be mandatory.</p>	
<p>The adverse effects associated with these resource management issues generally have a low probability of occurring but a high potential impact if they do occur. As such and as the need to comply with the HSNO and HSW Acts significantly reduces most risks associated with hazardous substances, this chapter focuses on higher risk facilities, being hazardous facilities and major hazard facilities. Major Hazard Facilities are identified through the Health and Safety at Work (Major Hazard Facilities) Regulations 2016.</p> <p>Proposals for new Major Hazard Facilities (and additions to Major Hazard Facilities), will require a Quantitative Risk Assessment to be provided which is prepared by a suitably qualified person. This assessment will help quantify the extent and nature of the risk. Unacceptable risks to human health are defined as an individual human fatality not greater than 1×10^{-6} per year (one in a million). Where a Quantitative Risk Assessment has been prepared, sensitive activities are required to be located outside of the (1×10^{-6} per year) risk area, or if no such</p>			

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Provision	Position	Reason	Relief Sought
assessment exists, at least 250m away from the Major Hazard Facilities.			
<p>HS-O1 Hazardous substances, use, storage and disposal</p> <p>The use, storage, disposal and transportation of hazardous substances occurs where unacceptable risks to the environment and human health are avoided</p>	Support.	It is appropriate to avoid unacceptable risks associated with hazardous substances.	Retain as notified.
<p>HS-O2 Sensitive activities</p> <p>New sensitive activities are located to minimise reserve sensitivity effects on major hazard facilities and to avoid unacceptable risks to the sensitive activity.</p>	Support in part.	Silver Fern Farms seeks that an avoidance consideration be added to this objective, given the significant resource management issues that can arise as a result of reverse sensitivity effects.	<p>Amend as follows:</p> <p>HS-O2 Sensitive activities</p> <p>New sensitive activities are located to <u>avoid, or where avoidance is not possible, are designed to mitigate, minimise</u> reserve sensitivity effects on major hazard facilities and to avoid unacceptable risks to the sensitive activity.</p>
<p>HS-P1 New Major Hazard Facilities and additions to existing Major Hazard Facilities</p> <p>Avoid unacceptable risks of new Major Hazard Facilities and additions to Major Hazard Facilities by:</p> <ol style="list-style-type: none"> using Quantitative Risk Assessments to ensure the risk of an individual human fatality is not greater than 1×10^{-6} per year (one in a million), including cumulative effects; and 	Oppose in part.	<p>SFF question whether there is a need for a Quantitative Risk Assessment for all additions to Major Hazard Facilities, particularly in cases where there is no change to the volume of hazardous substances proposed or where they are situated on site.</p> <p>SFF also question whether the unacceptable risk criteria of 1×10^{-6} per year is appropriate.</p>	<p>Clarification is required to ensure a Quantitative Risk Assessment for all additions to Major Hazard Facilities is only required where there is likely to be a change in risk as a result of the additions.</p> <p>Clarification is required to allow SFF to identify any High Hazard Area and appropriately assess the impact of</p>

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Provision	Position	Reason	Relief Sought
<p>2. ensuring Major Hazard Facilities do not cause unacceptable cumulative effects by locating too close to each other; and</p> <p>3. locating Major Hazard Facilities outside of sensitive environments, except for Natural Hazard Areas (not defined as a High Hazard Area); and</p> <p>4. ensuring, in Natural Hazard Areas (not defined as a High Hazard Area), suitable measures are to undertaken to:</p> <p>a. avoid or minimise adverse effects from natural hazards on hazardous facilities and Major Hazard Facilities; and</p> <p>b. minimise the risk of hazardous substances entering the environment in the event of a natural hazard event.</p>		<p>It is not clear where High Hazard Areas are located in the District. There is a High Hazard Area overlay, but it does not appear to contain any information to allow the for SFF to assess the impact of the proposed provisions on its operation.</p>	<p>provisions related to this on its operation.</p>
<p>HS-P2 Repair and maintenance of existing Major Hazard Facilities</p> <p>Enable the repair and maintenance of existing Major Hazard Facilities.</p>	Support in part.	<p>It is appropriate that Major Hazard Facilities are able to be repaired and maintained to assist with ensuring the ongoing safety of the facility. This would also be appropriate for hazardous facilities. Upgrades should also be the subject of policy support, given upgrades can improve the safety of these facilities.</p>	<p>Amend as follows:</p> <p>Enable the <u>upgrade</u>, repair and maintenance of existing Major Hazard Facilities <u>and hazardous facilities</u>.</p>
<p>HS-P3 Sensitive activities in proximity to Major Hazard Facilities</p>	Oppose.	<p>An avoidance clause is sought to be added, for the reasons given in respect of objective HS-O2.</p>	<p>Amend as follows:</p> <p>HS-P3 Sensitive activities in proximity to Major Hazard Facilities</p>

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Provision	Position	Reason	Relief Sought
Require sensitive activities to be sufficiently separated from Major Hazard Facilities to minimise reverse sensitivity effects on the Major Hazard Facility and to avoid unacceptable risks to the sensitive activity.			Require sensitive activities to be sufficiently separated from Major Hazard Facilities to <u>avoid or where avoidance is not possible, to minimise</u> reverse sensitivity effects on the Major Hazard Facility and to avoid unacceptable risks to the sensitive activity.
<p>HS-P4 Hazardous facilities (other than Major Hazard Facilities)</p> <p>1. Enable hazardous facilities (other than Major Hazard Facilities), provided that:</p> <p>a. The 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. 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>	Support in part.	<p>Silver Fern Farms supports the provision that hazardous facilities be enabled in areas outside of a sensitive environment and within Flood Assessment Areas where the flood hazard can be mitigated.</p> <p>Silver Fern Farms also supports that hazardous facilities be allowed if risks to sensitive environments can be avoided and if not possible, minimised.</p>	Retain as notified.
<p>HS-R1 Use and/or storage of hazardous substances in a hazardous facility (excluding Major Hazard Facilities)</p> <p>Activity status: Permitted</p>	Support.	Silver Fern Farms supports the provision for the permitted use and storage of hazardous substances as set out in this rule.	Retain as notified.

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<p>Where:</p> <p>PER-1 The hazardous facility is located outside a sensitive environment (other than a Flood Assessment Area Overlay); and</p> <p>PER-2 The activity is within a Flood Assessment Area Overlay and the hazardous facility has a finished floor level equal to or higher than the minimum floor level as stated in a Flood Risk Certificate issued in accordance with NH-S1.</p> <p>Activity status when compliance not achieved: Restricted Discretionary</p> <p><i>[Entire provision not shown here]</i></p>			
<p>HS-R2 Maintenance and repair of Major Hazard Facilities</p> <p>Activity status: Permitted</p>	<p>Support in part.</p>	<p>It is appropriate that Major Hazard Facilities are able to be repaired and maintained to assist with ensuring the ongoing safety of the facility. This would also be appropriate for hazardous facilities. Upgrades should also be provided for, given the benefits that upgrades can entail.</p>	<p>Amend as follows:</p> <p>Enable the <u>upgrade</u>, repair and maintenance of existing Major Hazard Facilities <u>and hazardous facilities</u>.</p>
<p>HS-R3 Sensitive activity, including subdivision to create a new allotment to accommodate future sensitive activity, in proximity to a Major Hazard Facility</p> <p>Activity status: Permitted</p> <p>Where:</p>	<p>Support in part.</p>	<p>Silver Fern Farms agrees that sensitive activities - and subdivision that would be a precursor to the establishment of such activities - should only be located where risks are acceptable.</p> <p>It is appropriate that a non-complying activity status applies where this is not the case.</p>	<p>Amend as follows:</p> <p>HS-R3 Sensitive activity, including subdivision to create a new allotment to accommodate future sensitive activity, in proximity to a Major Hazard Facility</p> <p>Activity status: Permitted</p>

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Provision	Position	Reason	Relief Sought
<p>PER-1 Where a Quantitative Risk Assessment has been prepared by a suitably qualified person for a Major Hazard Facility and provided to Timaru District Council and the sensitive activity is located outside any area of unacceptable risk; or</p> <p>PER-2 Where a Quantitative Risk Assessment does not exist for a Major Hazard Facility, the sensitive activity is not located within 250m of an existing Major Hazard Facility.</p> <p>Activity status where compliance not achieved: Non-Complying</p>		<p>It would be appropriate for the permitted activity performance standards to require the QRA to be provided to the operator of the Major Hazard Facility, given a development proponent will not necessarily understand if additional/altered development of the Major Hazard Facility is consented or planned – which could affect the validity of the QRA.</p>	<p>Where:</p> <p>PER-1 Where a Quantitative Risk Assessment has been prepared by a suitably qualified person for a Major Hazard Facility and provided to Timaru District Council, and the sensitive activity is located outside any area of unacceptable risk <u>and evidence is provided that the Quantitative Risk Assessment has been received by the operator of the Major Hazard Facility;</u></p> <p>or</p> <p>PER-2 Where a Quantitative Risk Assessment does not exist for a Major Hazard Facility, the sensitive activity is not located within 250m of an existing Major Hazard Facility.</p> <p>Activity status where compliance not achieved: Non-Complying</p>
<p>HS-R4 New Major Hazard Facilities and additions to Major Hazard Facilities</p> <p>All Zones</p> <p>Activity status: Discretionary</p>	Oppose in part.	<p>This rule requires that any additions to a Major Hazard Facility require consent as a Discretionary Activity, even if there is no change to the profile of hazardous substance use and storage on site.</p> <p>Consenting requirements should be triggered by a increase in risk as a result of changes to the volume of</p>	<p>Amend this rule to clarify that a resource consent is only required when the volume of hazardous substance stored on site or there is a change to how they are stored.</p> <p>The rule should also be narrowed to only capture activities not already managed by existing legislation, for example instances where hazardous</p>

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Provision	Position	Reason	Relief Sought
		<p>hazardous substance stored on site or how they are stored.</p> <p>In addition, the proposed Plan should only concern itself with risks that are not already managed by existing legislation, for example where hazardous substances are located in an area of natural hazard risks.</p>	<p>substances are located in an area that is subject to risks from natural hazards.</p>
SASM – Sites and Areas of Significance to Māori			
<p>SASM-R1 Earthworks not including quarrying and mining</p> <p>1. Wāhi Tūpuna Overlay (excluding the Māori Purpose Zone)</p> <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The activity is either:</p> <p>1. earthworks, including those associated with and under new buildings/structures and those necessary for the installation of infrastructure / utilities, do not exceed a maximum area of 750m²; or</p> <p>2. earthworks for the purpose of maintaining existing roads, tracks, or natural hazard mitigation works, and are within the footprint or modified ground comprised by the existing road, track or natural hazard mitigation works; and</p>	<p>Oppose in part</p>	<p>The Wāhi Tupuna Overlay applies to all of Silver Fern Farms’ Pareora landholding, including the entirety of the meat processing plant.</p> <p>The allowance for 750m² of earthworks is not timebound and disregards the earthworks limits set for the underlying zones by rule EW-S1.</p> <p>It is sought that the permitted earthworks limits be aligned with those specified for the respective zones and made subject to a yearly timescale.</p> <p>Otherwise, SASM-R1 PER-1 will generate a requirement for repetitive, inefficient earthworks consent applications once the initial 750m² allowance is expended.</p> <p>The requirement of rule SASM-R1 PER-2 for an Accidental Discovery Protocol</p>	<p>Amend to align the permitted maximum earthworks area with the limits and timescales specified for the underlying zones in EW-S1, while retaining the performance standard under SASM-R1 PER-2 for accidental discovery protocols to be observed.</p>

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PER-2 The Accidental Discovery Protocol commitment form, contained within APP4 - Form confirming a commitment to adhering to an Accidental Discovery Protocol, has been completed and submitted to Council, at least 2 weeks prior to the commencement of any earthworks.		commitment form to be lodged, is considered to provide appropriate surety that any accidental discovery (which is an event that can occur regardless of the scale of earthworks) will be appropriately managed.	
ECO – Ecosystems and Indigenous Biodiversity			
ECO-O1 Protection of significant indigenous biodiversity The values of significant indigenous vegetation and significant habitats of indigenous fauna across the District are protected.	Oppose	The objective should be linked to the Significant Natural Area mapping to avoid uncertainty about where the requirement to protect these values applies.	Amend as follows: ECO-O1 Protection of significant indigenous biodiversity The values of significant indigenous vegetation and significant habitats of indigenous fauna <u>mapped</u> across the District are protected.
ECO-O2 Maintenance and enhancement of indigenous biodiversity The indigenous biodiversity of the District is maintained or enhanced.	Support.	It is appropriate to provide for the maintenance or enhancement of indigenous biodiversity.	Retain as notified.
ECO-P1 Assessment and identification of significant indigenous biodiversity Identify Significant Natural Areas by: 1. assessing areas of indigenous vegetation and habitats of indigenous fauna according to the criteria set out in APP5 - Criteria for Identifying Significant Natural Areas; and	Support.	It is appropriate to proscribe the same methodology for identifying SNA's as set down in the Canterbury Regional Policy Statement, Appendix 3 (Criteria for determining significant indigenous vegetation and significant habitat of indigenous biodiversity).	Retain as notified.

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Provision	Position	Reason	Relief Sought
2. including Significant Natural Areas on the Planning Maps and in SCHED7 - Schedule of Significant Natural Areas.		<p>Consistency with the RPS will assist the efficiency of consenting processes.</p> <p>The mapping and scheduling of SNA's in the proposed Plan is also supported as this minimises uncertainty about where the rules apply.</p>	
<p>ECO-P2 Appropriate indigenous vegetation clearance in significant natural areas</p> <p><i>[Entire provision not shown here].</i></p>	Support.	It is appropriate to provide exemptions for certain vegetation removal in SNAs.	Retain as notified.
<p>ECO-P3 Protection of indigenous biodiversity in sensitive areas</p> <p>Protect indigenous biodiversity by managing the clearance of indigenous vegetation in the following sensitive areas:</p> <ol style="list-style-type: none"> 1. riparian areas, wetlands and springs; and 2. coastal areas; and 3. areas at higher altitude; and 4. areas on steep slopes. 	Support	It is appropriate for policy to contemplate the management of indigenous vegetation clearance rather than applying a mandatory requirement to avoid clearance, which would be inefficient and unduly onerous.	Retain as notified.
<p>ECO-P5 Protection of Significant Natural Areas</p> <p>Avoid the clearance of indigenous vegetation and earthworks within SNAs, unless these activities:</p> <ol style="list-style-type: none"> 1. can be undertaken in a way that protects the identified ecological values; and 	Oppose.	This policy does not accord with the subsequent rule ECO-R1 which allows limited indigenous vegetation clearance in SNA's for various other reasons aside from infrastructure development.	Amend this policy to ensure it does not foreclose on the range of exemptions for clearance specified in rule ECO-R1.

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2. are for regionally significant infrastructure and it can be demonstrated that adverse effects are managed in accordance with EI-P2 Managing adverse effects of Regionally Significant Infrastructure and other infrastructure.			
ECO-R1 Clearance of indigenous vegetation (except as provided for in ECO-R2 for flood protection works or ECO-R3 for National Grid activities) 1 Significant Natural Areas Overlay [...] 2 Within 50 m of any wetland In the Coastal Environment, within 20m of mean high water springs Within 20 m of the bank of any waterbody Within 20 m of any waipuna (spring) At an altitude of 900m or higher Land with an average slope of 30° or greater Activity status: Permitted [...] Activity status where compliance not achieved: Restricted discretionary [Entire provision not shown here].	Oppose	It is considered appropriate to provide a permitted activity status, defaulting to a restricted discretionary, consenting framework, for indigenous vegetation clearance located near areas of ecological value. A further assessment matter is recommended, to enable applicants and decision-makers to differentiate between remnant indigenous vegetation and vegetation that was planted as landscaping.	Amend as follows: Activity status where compliance not achieved: Restricted discretionary Matters of discretion are restricted to: [...] <u>12. Whether the indigenous vegetation is landscaping for amenity or aesthetic purposes.</u>

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<p>ECO-R5 Earthworks in a Significant Natural Area</p> <p>Significant Natural Areas Overlay</p> <p>Activity status: Restricted discretionary</p> <p>Where:</p> <p>RDIS-1 The earthworks are within 2m, and for the purpose, of the maintenance, repair or replacement of existing lawfully established vehicle tracks, roads, walkways, firebreaks, drains, ponds, dams, waterlines, waterway crossings, or utilities.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. any adverse effects on indigenous vegetation and habitats of indigenous fauna and 2. the necessity for the earthworks and any alternate options that have been considered 3. the mitigation measures proposed to ensure that the values of the SNA are maintained; and 4. any adverse effects on the mauri of the site, mahika kai, wāhi tāpu or wāhi taoka; and 5. opportunities for enhancement of indigenous vegetation or habitats of indigenous species; and 6. methods proposed to monitor or inspect the works undertaken; and 7. the ability to apply a management plan approach to the works and the content of any management plan; and 	<p>Oppose.</p>	<p>This rule will require a non-complying resource consent to be obtained for earthworks undertaken in the course of ecological restoration.</p> <p>This stance appears somewhat at odds with the permitted activity status provided for indigenous vegetation clearance in SNAs where the clearance is for SNA rehabilitation (rule ECO-R1 PER-5).</p> <p>The vegetation clearance would be permitted, but the earthworks would face the most onerous consenting pathway available.</p>	<p>Amend the proposed Plan to provide a permitted activity rule for earthworks in an SNA where these are required as part of SNA restoration.</p>

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<p>8. the timing of works to minimise adverse effects on significant indigenous species.</p> <p>[...]</p> <p>Activity status where compliance not achieved: Non-complying</p>			
NATC – Natural Character			
<p>NATC-O1 Protection of natural character</p> <p>The natural character of the Timaru District’s wetlands and rivers and their margins is preserved and protected from inappropriate subdivision, use and development, and where possible enhanced.</p>	Oppose	<p>The objective to enhance natural character “where possible” could, if interpreted literally, be read as a mandatory direction to carry out enhancements. It is inconsistent with the “encourage” rather than “require” stance expressed in the subsequent policies of this chapter.</p>	<p>Amend as follows:</p> <p>NATC-O1 Protection of natural character</p> <p>The natural character of the Timaru District’s wetlands and rivers and their margins is preserved and protected from inappropriate subdivision, use and development, and <u>the enhancement of natural character is encouraged</u> where possible enhanced.</p>
<p>NATC-P2 Restoration and enhancement</p> <p>Provide for and encourage the restoration and/or enhancement of the natural character of wetlands and rivers where:</p> <ol style="list-style-type: none"> the natural character is degraded, and restoration and/or enhancement will achieve long-term improvement in natural character values; and/or it will assist in the establishment or restoration of indigenous biodiversity or ecosystems, 	Support	<p>It is appropriate to encourage enhancement actions rather than require them.</p>	<p>Retain as notified.</p>

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<p>particularly for ecosystems that are threatened or unrepresented in protected areas; and/or</p> <ol style="list-style-type: none"> 3. they provide existing trout or salmon habitat; and/or 4. it will enhance the taoka species and mahika kai and the ability of Kāti Huirapa to exercise kaitiakitanga; and/or 5. it will improve or establish connections between habitats and create corridors for indigenous species and their movement between areas; and/or 6. riparian margins provide a buffer from activities that may adversely affect the natural character values of the river or wetland; and/or 7. riparian margins provide spawning or other significant habitats for at risk or threatened species. 			
<p>NATC-P3 Incentives</p> <p>Encourage and support the restoration and enhancements of natural character values through such measures as:</p> <ol style="list-style-type: none"> 1. reducing or waiving consent application costs; and/or 2. providing funding, grants and other incentives; and/or 3. providing expert advice. 	Support.	Policy direction about the use of incentives for ecological restoration is an appropriate method to achieve NATC-O1.	Retain as notified.

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Provision	Position	Reason	Relief Sought
<p>NATC-P4 Preservation of natural character from inappropriate subdivision, use and development</p> <p>Preserves the natural character values of riparian margins by only allowing subdivision, use and development that:</p> <ol style="list-style-type: none"> 1. avoids, or if avoidance is not possible, minimises any adverse effects on the elements, patterns, processes and experiential qualities outlined in NATC-P1; 2. maintains natural character values which have been modified but are highly valued; 3. restores or enhances natural character values in circumstances identified in NATC-P2; and 4. avoids or, where that is not possible, does not exacerbate bank erosion. 	Oppose	<p>Sub-clause (3) applies a mandatory requirement to restore or enhance riparian margins where the NATC-P2 matters are present.</p> <p>NATC-P2(6) and (7) encourage but does not mandate, the restoration or enhancement of the natural character of riparian margins.</p> <p>The direction under NATC-P4 to “only allow” activities that restore riparian margins is a distinct departure from the direction of NATC-P2 to “provide for and encourage” restoration.</p> <p>Furthermore, the definition of ‘riparian margins’ is:</p> <p><i>“means land that is within:</i></p> <ol style="list-style-type: none"> a. <i>10m of the bank edge of a river that is up to 3m wide (and is not listed in (c) below); and/or</i> b. <i>20m of the bank edge of a river that is greater than 3m wide (and is not listed in (c) below); and/or</i> c. <i>100m of the bank edges of the Rangitata; Ōpihi; and Ōrāri Rivers; and/or;</i> d. <i>50m of any wetland”.</i> <p>This definition means riparian margins are reasonably extensive areas. If</p>	<p>Amend as follows:</p> <p>NATC-P4 Preservation of natural character from inappropriate subdivision, use and development</p> <p>Preserves the natural character values of riparian margins by only allowing subdivision, use and development that:</p> <p><i>[Entire provision not shown here].</i></p>

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		<p>NATC-P4 mandates the restoration and enhancement of these areas, it may place a restoration burden on consent applicants that is out of step with the effects of their proposal.</p> <p>It is recommended that the word “only” be deleted to ensure the policy direction is adequately flexible to be implemented in consenting assessments where riparian enhancements are not a practical option.</p>	
<p>NATC-R1 Vegetation clearance Riparian margins of a river that is not an HNWB <i>[Entire provision not shown here].</i></p>	<p>Support.</p>	<p>Provision of a permitted activity status, with a default restricted discretionary consenting pathway, for vegetation clearance in a riparian margin, is supported.</p>	<p>Retain as notified.</p>
<p>NATC-R3 Earthworks Riparian margins of a river that is not an HNWB Activity status: Permitted <i>[Entire provision not shown here].</i></p>	<p>Support in part.</p>	<p>Provision of a permitted activity status, with a default restricted discretionary consenting pathway, for earthworks in a riparian margin, is supported.</p> <p>An amendment is recommended to facilitate earthworks associated riparian restoration activities, similarly to the permitted allowance for vegetation clearance for this purpose under Rule NATC-R1 PER-5.</p>	<p>Amend as follows:</p> <p>NATC-R3 Earthworks Riparian margins of a river that is not an HNWB Activity status: Permitted <i>[...]</i> <u>PER-5 The earthworks are to restore or enhance the natural character or ecological values of the riparian margin.</u></p>

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Provision	Position	Reason	Relief Sought
<i>[Entire provision not shown here].</i>			
<p>NATC-R4 Construction of fences Riparian margins of a river that is not an HNWB Activity status: Permitted <i>[Entire provision not shown here].</i></p>	Support.	Provision of a permitted activity status for post-and-wire fences in a riparian margin, is supported.	Retain as notified.
<p>NATC-R5 Buildings and structures excluding fences Riparian margins of a river that is not an HNWB Activity status: Restricted Discretionary <i>[Entire provision not shown here].</i></p>	Support.	A restricted discretionary consenting pathway for buildings and structures, excluding fences in non-HNWB riparian margins, is supported.	Retain as notified.
PA – Public Access			
<p>PA-01 Public access 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 desirable.</p>	Oppose.	The term ‘desirable’ does not infer an evidence-based approach. Amend this objective to clarify that the provision of public access should be restricted where “necessary”.	Amend as follows: PA-01 Public access 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 desirable <u>necessary</u> .
<p>PA-P2 Requirements for public access Require public access to be provided to and along the coastal marine area and the margins of wetlands and rivers as identified in SCHED11 – Schedule of Public Access Provisions and planning maps where:</p>	Support.	Silver Fern Farms supports the consideration of operational requirements as per sub-clause (5) and of public safety risks as per sub-clause 6.	Retain as notified.

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<ol style="list-style-type: none"> 1. there is benefit in providing public access as outlined in PA-P1; or 2. it would <ol style="list-style-type: none"> a. enable the creation of new public walking or cycling tracks; or b. extend existing public walking or cycling tracks; or c. improve connections between existing/proposed public walking or cycling tracks; or 3. it would improve connections to and between public spaces; and 4. the site or development is large enough to adequately accommodate public access without significantly constraining the site's development potential; and 5. enabling public access would not significantly constrain the operation of legally established activities occurring on the site; and 6. there are no significant public safety risks created by the public access; and 7. there is no existing suitable public access points in the vicinity of the site, or the development will place additional demands for public access that is not capable of being met by any existing public access in the vicinity of the site; and 8. Council has budget to compensate the landowner for the public access strip. 			

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<p>PA-P3 Design and construction of public access</p> <p>Ensure that all public access routes are designed in accordance with Council standards for recreational areas.</p>	Oppose.	<p>Public access along rivers and the coastal marine area is, in some areas, subject to riverine and coastal processes that may preclude the maintenance of an access design that meets Council standards.</p> <p>As such, the policy direction should not foreclose on the ability to consider alternative design outcomes.</p>	<p>Amend as follows:</p> <p>Ensure that all public access routes are designed in accordance with Council standards for recreational areas <u>where natural processes would not compromise the design.</u></p>
<p>PA-P4 Limiting public access</p> <p>Only allow an exemption for the requirement to provide public access or limiting an existing public access, on a temporary or permanent basis, for one or more of the following reasons:</p> <ol style="list-style-type: none"> 1. in order to protect: <ol style="list-style-type: none"> a. sensitive indigenous species and their habitats; or b. sites and activities of cultural value to mana whenua; or c. historic heritage; or d. public health or safety; or e. the natural character values of the coastal marine area, wetland or rivers; or f. the stability, performance, maintenance and operation of regionally significant infrastructure; or 	Support.	<p>It is appropriate that an exemption be provided from the requirement to provide public access in cases when public health and safety issues would arise from providing public access.</p>	Retain as notified.

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<p>g. the natural buffers to coastal erosion or river flooding; or</p> <p>h. in order to enable temporary activities including temporary events.</p>			
<p>PA-R1 Any new land use, subdivision or development All sites overlaid or adjoining waterways identified in the Public Access Provision Overlay</p> <p>Activity status: Permitted</p> <p>Where [...]</p> <p>PER-2 The activity is located in the General Industrial Zone and is on a site that is less than 5,000m² and does not require a discretionary or non-complying activity resource consent in any other chapters.; or [...]</p> <p>Activity status where compliance not achieved: Controlled Activity</p> <p><i>[Entire provision not shown here].</i></p>	<p>Oppose.</p>	<p>It is unclear how this provision is intended to work with respect to sites in the GIZ.</p> <p>The rule appears to require a controlled or restricted discretionary resource consent to be obtained for any new development on a GIZ site larger than 5,000m² that includes a waterway identified in the Public Access Provision Overlay, if the proposal requires a discretionary or non-complying consent for any other reason.</p> <p>Silver Fern Farms Pareora site includes a GIZ site > 5,000m² that adjoins the Public Access Provision Overlay ('PAPO') along the foreshore. The rule is silent on the foreshore PAPO.</p> <p>The purpose and mechanics of this rule are unclear and clarification is sought.</p>	<p>Delete this rule.</p>

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VS – Versatile Soil			
<p>VS-O1 Protection of versatile soils</p> <p>Versatile soils remain available for non-intensive primary production and are protected from inappropriate subdivision, use and development.</p>	Oppose	<p>A range of uses may be appropriate on versatile soils – as described in clause 3.9(2) of the National Policy Statement for Highly Productive Land ('NPS-HPL') – aside from non-intensive primary production.</p> <p>It would be inappropriate to foreclose on 'appropriate' activities contemplated by the higher-order NPS-HPL.</p>	<p>Amend as follows:</p> <p>VS-O1 Protection of versatile soils</p> <p>Versatile soils remain available for non-intensive primary production and are protected from inappropriate subdivision, use and development.</p>
<p>VS-P2 Maintaining availability of versatile soils</p> <p>Maintain the availability of versatile soils for non-intensive primary production within the Versatile Soils Overlay by:</p> <ol style="list-style-type: none"> 1. limiting areas covered by buildings or other impervious surfaces; and 2. encouraging land use practices that reduce the potential for erosion; and 3. requiring earthworks be undertaken in a manner that restores the properties of the soil to the levels they were prior to the earthworks being undertaken; and 4. ensuring any subdivision results in allotment sizes which retain the productive capacity for non-intensive primary production; and 	Oppose in part.	<p>The outcome that is sought by sub-clause 3 is unclear. Is the desired outcome a reference to finished ground level post-earthworks, or a reference to the remediation of contaminated soils?</p> <p>Sub-clause 5(b) is supported insofar as it contemplates exemptions for activities with functional, technical or operational needs that require a location in the Versatile Soils Overlay.</p>	<p>Amend sub-clause (3) to clarify the outcome sought.</p> <p>Retain sub-clause 5(b)</p>

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<p>5. only allowing activities that foreclose the ability to use versatile soils for non-intensive primary production where:</p> <ul style="list-style-type: none"> a. the activity is necessary to support non-intensive primary production; or b. there are significant wider public benefits from the activity and there is a functional, technical or operational need to be located in overlay; or c. it is provided for by VS-P3. 			
<p>VS-R1 Buildings and impervious surfaces</p> <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The maximum area covered by buildings and impervious surfaces must not exceed 10% of that portion of the site within the overlay or 2000m² within the overlay, whichever is the lesser. Except this does not apply to buildings and impervious surfaces for the widening or upgrading (including sealing) an existing road within the existing road reserve.</p> <p>Activity status when compliance not achieved: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> 1. the extent to which the buildings or impervious surfaces are necessary to support non-intensive primary production. 	<p>Support.</p>	<p>It is appropriate to provide a restricted discretionary consenting framework for proposals for larger developments in the Versatile Soils Overlay.</p> <p>The permitted activity performance standard should however be amended to provide for repairs and routine maintenance to existing development in the overlay where the extent of site coverage is not increased.</p>	<p>Amend as follows:</p> <p>VS-R1 Buildings and impervious surfaces</p> <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The maximum area covered by buildings and impervious surfaces must not exceed 10% of that portion of the site within the overlay or 2000m² within the overlay, whichever is the lesser. Except this does not apply to buildings and impervious surfaces for the widening or upgrading (including sealing) an existing road within the existing road reserve, <u>or to repairs and maintenance that do not increase the existing extent of site coverage by buildings and impervious surfaces.</u></p>

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<p>2. the extent to which alternate locations outside the Versatile soil overlay are available on the site and have been considered.</p> <p>3. the extent to which the activity will result in adverse effects on the versatility of the soils which are irreversible.</p>			<i>[Entire provision not shown here].</i>
SUB – Subdivision			
<p>SUB-O3 Rural subdivision</p> <p>Subdivision in the rural zones will:</p> <ol style="list-style-type: none"> 1. minimise the fragmentation of productive land in the General Rural Zone; and 2. maintain the low-density open character of the General Rural Zone; and 3. maintain a contrast between the rural environment and adjoining urban, Rural Lifestyle and Settlement zones; and 4. minimise reverse sensitivity effects on intensive primary production. 	Oppose	<p>The potential for subdivision to cause reverse sensitivity effects on existing industrial activities in rural areas, and major hazard facilities should be recognised in this objective.</p>	<p>Amend as follows:</p> <p>[...]</p> <ol style="list-style-type: none"> 4. minimise reverse sensitivity effects on intensive primary production <u>and existing industrial activities and major hazard facilities in any zone.</u>
<p>SUB-P5 Reverse sensitivity</p> <p>Only allow subdivision that does not result in reverse sensitivity effects that would compromise the operation of regionally significant infrastructure/facilities and legally established intensive primary production.</p>	Oppose	<p>Subdivision design should also be cognisant of interfaces with non-residential zones.</p>	<p>Amend as follows:</p> <p>SUB-P5 Reverse sensitivity</p> <p>Only allow subdivision that does not result in reverse sensitivity effects that would compromise the operation of regionally significant infrastructure/facilities and legally</p>

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			established intensive primary production or <u>industrial activities</u> .
<p>SUB-P9 Residential subdivision</p> <p>Require residential subdivision to accord with the purpose, character and qualities of the zone, and maintain and enhance amenity values, by ensuring:</p> <ol style="list-style-type: none"> 1. the subdivision design contributes to local character and sense of place; and 2. natural features and waterbodies are incorporated into the design; and 3. earthworks and land disturbance is minimised by designing building platforms that integrate into the natural landform; and 4. open space and street planting are incorporated into the design of larger scale subdivisions; and 5. streets are aligned with, and open spaces are designed to focus on, significant views or landmarks; and 6. the subdivision design maximises sunlight access, outlook and amenity including opportunities for future buildings to maximise solar gain, reduce energy and water consumption, and use renewable energy; and 7. conflict between residential activities and adjoining land uses are minimised. 	Oppose	A minor amendment is appropriate to align sub-clause SUB-P9(7) with the direction of SUB-P5.	<p>Amend as follows:</p> <p>SUB-P9 Residential subdivision</p> <p>Require residential subdivision to accord with the purpose, character and qualities of the zone, and maintain and enhance amenity values, by ensuring:</p> <p>[...]</p> <p>conflict between residential activities and adjoining land uses <u>are is avoided or minimised including by integrating buffers between new lots and adjoining zones</u>.</p>

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<p>SUB-P14 Rural allotments</p> <p>Avoid subdivision that creates allotments that are less than the required minimum allotment size within the General Rural Zone and Rural Lifestyle Zone unless:</p> <ol style="list-style-type: none"> 1. the subdivided allotments are solely for the purpose of network utilities, esplanade reserves or strips, roads, walkways, cycleways or access; or 2. the non-compliance is minor and the subdivision maintains the dwelling density anticipated for the zone; and 3. the subdivision is necessary for natural hazard mitigation; or 4. the subdivision is necessary to protect the values of sensitive environments. 	Oppose.	<p>Clauses (2) and (3) of this rule are linked by the term “and”.</p> <p>However, clause (2) appears to relate exclusively to rural residential subdivision, while clause (3) appears to relate exclusively to subdivisions that create lots for natural hazard mitigation purposes. The intent of the rule appears to require replacement of the term “and” with “or”.</p> <p>In Silver Fern Farms view, it is not sufficient that a small-lot rural zone subdivision simply retains the average dwelling density anticipated for the zone. It is also necessary that new allotments do not facilitate the development of rural-residential dwellings in the environs of activities like the Pareora processing site.</p>	<p>Amend as follows:</p> <p>SUB-P14 Rural allotments</p> <p>Avoid subdivision that creates allotments that are less than the required minimum allotment size within the General Rural Zone and Rural Lifestyle Zone unless:</p> <p>[...]</p> <ol style="list-style-type: none"> 2. the non-compliance is minor, and the subdivision maintains the dwelling density anticipated for the zone <u>and does not facilitate the establishment of sensitive activities with reverse sensitivity effects on existing rural and industrial activities; or and</u>
<p>SUB-S1 Allotment sizes and dimensions</p> <p>[...]</p> <p>3 General Rural Zone</p> <p>Allotments must have a minimum net site area of 40ha in area.</p> <p>[...]</p> <p>6 General Industrial Zone</p>	Support	<p>It is appropriate for a 40-hectare minimum lot size to be specified in the GRUZ and for no minimum lot size to be specified for land in the GIZ. This approach supports the respective purposes of these zones.</p>	Retain as notified.

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Allotments must have a minimum road frontage width of 7 m.			
CE – Coastal Environment			
<p>CE-O2 Quality of the Coastal Environment</p> <p>The quality of the Coastal Environment is maintained and/or enhanced, while providing for safe access in appropriate locations to ensure that the public can enjoy the coastal environment.</p>	Support.	<p>Silver Fern Farms agrees that public access to the coastal environment is not required in all locations and should only be provided where it is safe.</p>	Retain as notified.
<p>CE-O5 Natural features and buffers</p> <p>Natural features and buffers are retained and used for coastal hazard management, in preference to natural hazard mitigation works, wherever appropriate.</p>	Support.	<p>Where existing development is subject to coastal hazards it may not be appropriate to rely on natural features and buffers to manage the hazards because there may be insufficient buffer space.</p> <p>The words "wherever appropriate" appropriately provides for this scenario.</p>	Retain as notified.
<p>CE-O6 Existing urban activities</p> <p>Recognise that parts of the coastal environment are highly modified by existing urban activities, including the Port of Timaru, and provide for these ongoing activities</p>	Oppose	<p>This objective fails to recognise existing activities located outside the urban environment but within highly modified parts of the mapped "coastal environment" – such as the Pareora processing site, at which location substantial industrial development is present within the proposed Coastal Environment Overlay.</p>	<p>Amend as follows:</p> <p>CE-O6 Existing urban activities</p> <p><u>Recognise and provide for existing activities located in highly modified parts of the coastal environment that parts of the coastal environment are highly modified by existing urban activities, including the Port of Timaru,</u></p>

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			and provide for these ongoing activities
<p>CE-P1 Identifying the Coastal Environment</p> <p>Identify and map the inland extent of the Coastal Environment, and the different areas, elements and characteristics within it, in accordance with Policy 1 of the New Zealand Coastal Policy Statement.</p>	Support.	It is appropriate for mapping of the coastal environment to align with Policy 1 (Extent and characteristics of the coastal environment) of the New Zealand Coastal Policy Statement.	Retain as notified.
<p>CE-P2 Identifying areas of high coastal natural character</p> <p>Identify the natural character of the areas within the terrestrial part of Timaru’s coastal environment that have high natural character in accordance with the matters set out in CE-P5 below and describe these in SCHED14 - Schedule of attributes/qualities of coastal high natural character areas.</p>	Support.	It is appropriate for mapping of areas of high coastal natural character to align with Policy 13(1)(c) of the New Zealand Coastal Policy Statement.	Retain as notified.
<p>CE-P4 Role of natural features and vegetation</p> <p>Protect and maintain natural topographic features and vegetation that assist in avoiding or mitigating the risk to human life and property from coastal hazards, and where practicable restore such features and vegetation.</p>	Support.	It is appropriate that natural topographic features that assist in avoiding or mitigating the risk to human life and property from coastal hazards are only restored where practicable.	Retain as notified.
<p>CE-P7 Restoration or rehabilitation of natural character</p> <p>Enable and encourage restoration or rehabilitation of the coastal natural character of the coastal environment and require consideration of opportunities for enhancement where a proposal</p>	Support in part.	This policy is broadly consistent with Policy 14 (Restoration of natural character) of the NZCPS.	Retain as notified.

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has an adverse effect on coastal natural character qualities.			
<p>CE-P9 Anticipated activities</p> <p>Enable activities that are of a scale and type that:</p> <ol style="list-style-type: none"> will maintain the coastal natural character qualities identified in CE-P8 or if located within urban areas, are consistent with the anticipated qualities of the applicable zone. 	Oppose.	<p>Similarly, to the submission point on CE-06 (Existing urban activities), Silver Fern Farms sees this policy as inappropriately disregarding significant extant industrial development that is outside the defined “urban areas”.</p> <p>The Specific Height Control Overlay (35 m maximum permitted height limit) is proposed to apply to the Pareora processing site. It is therefore appropriate to modify CE-P9 to reflect that significant development is anticipated at the site.</p>	<p>Amend as follows:</p> <p>CE-P9 Anticipated activities</p> <p>Enable activities that are of a scale and type that:</p> <ol style="list-style-type: none"> will maintain the coastal natural character qualities identified in CE-P8 or if located within urban areas <u>or a General Industrial Zone</u>, are consistent with the anticipated qualities of the applicable zone.
<p>CE-P11 Preserve the natural character qualities of areas with Coastal High Natural Character</p> <p>Only allow subdivision, use and development in areas of Coastal High Natural Character where:</p> <ol style="list-style-type: none"> for infrastructure, the development is in accordance with EI-P2 Managing adverse effects of Regionally Significant Infrastructure and other infrastructure; and for other activities: <ol style="list-style-type: none"> avoids significant adverse effects; and 	Oppose	<p>This policy is generally consistent with NZCPS Policy 13 (Preservation of natural character). Minor amendments are appropriate to improve the precision of the policy though.</p> <p>For example, the Coastal High Natural Character Overlay applies to land immediately adjacent to highly modified industrial and urban sites. Therefore, the reference in sub-clause (iii) to a sense of remoteness will not be universally applicable to all areas in the Coastal High Natural Character Overlay.</p>	<p>Amend as follows:</p> <p>CE-P11 Preserve the natural character qualities of areas with Coastal High Natural Character</p> <p>Only allow subdivision, use and development in areas of <u>the Coastal High Natural Character Overlay</u> where:</p> <ol style="list-style-type: none"> for infrastructure, the development is in accordance with EI-P2 Managing adverse effects of Regionally Significant Infrastructure and other infrastructure; and

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<ul style="list-style-type: none"> b. avoids, remedies or mitigates all other adverse effects on the identified natural character qualities; and c. demonstrates that it is appropriate by ensuring that the area of Coastal High Natural Character continues to: d. recognise and provide for the on-going natural physical processes that have created the Coastal Environment; and <ul style="list-style-type: none"> i. retain the integrity of landforms and geological features; and ii. retain a sense of remoteness and wildness; and iii. retain areas of indigenous vegetation, and enhance these where possible; and iv. recognise river mouths and lagoons as important breeding, feeding and resting places for wetland and coastal birds, including waders. 		Re-numbering of the sub-clauses after (c) appears to be needed.	<ul style="list-style-type: none"> 2. for other activities: <ul style="list-style-type: none"> a. <u>the activity</u> avoids significant adverse effects <u>on the identified natural character qualities of the area in the Coastal High Natural Character Overlay</u>; and b. avoids, remedies or mitigates all other adverse effects on the identified natural character qualities; and c. demonstrates that it is appropriate by ensuring that the area of Coastal High Natural Character continues to: d. recognise and provide for the on-going natural physical processes that have created the Coastal Environment; and <ul style="list-style-type: none"> i. retain the integrity of landforms and geological features; and ii. retain a sense of remoteness and wildness <u>where these are existing qualities</u>; and iii. retain areas of indigenous vegetation,

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Provision	Position	Reason	Relief Sought
<p>CE-P12 Coastal Hazard Areas (excluding Regional Significant Infrastructure)</p> <ol style="list-style-type: none"> 1. In non-urban areas, avoid subdivision, use and development within the Coastal Erosion Overlay and Sea Water Inundation Overlay where there is a new or increased risk of loss of life, or significant damage to structures or property; 2. Within existing urban areas, avoid increasing the risk of social, economic, or environmental harm from coastal natural hazards. 	<p>Oppose.</p>	<p>Much of Silver Fern Farms’ site is proposed to be included in the Sea Water Inundation Overlay, and part of the site is subject to the Coastal Erosion Overlay. An unqualified policy directive to “avoid” activities in these areas is likely to be problematic given the scale of existing industrial development present.</p> <p>The requirement under sub-clause (1) is to “avoid” activities within these overlays in the event of:</p> <ol style="list-style-type: none"> 1. <i>Any</i> – unquantified - “increased” natural hazard risk to structures/property; or 2. Risk of significant damage to <i>any</i> structures/property, irrespective of the value of the structures/property. <p>The policy would require avoidance of the activity even if the structures/</p>	<p>and enhance these where possible; and</p> <ol style="list-style-type: none"> iv. recognise river mouths and lagoons as important breeding, feeding and resting places for wetland and coastal birds, including waders. <p>Amend this policy to require the avoidance of unacceptable natural hazard risk to life and property, and the management of other risks.</p>

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		<p>property in question are only subject to a small increase in risk rather than an “unacceptable” risk, or are minor structures (e.g., fencing, signs, areas of hardstand) that can be replaced without difficulty.</p> <p>RMA s6(h) requires “the <i>management</i> of significant risks from natural hazards” and given the issues outlined above, it is considered that an “avoidance” policy setting may cause inadvertent issues at a project consenting level, for even minor proposals.</p>	
<p>CE-P14 Hard engineering natural hazard mitigation within the Coastal Environment</p> <p>Only allow hard engineering natural hazard mitigation within the coastal environment that reduces the risk of natural hazards when:</p> <ol style="list-style-type: none"> soft engineering measures would not provide an appropriate level of protection and it can be demonstrated that there are no other reasonable alternatives; the construction of hard engineering measures will not increase the risk from coastal hazards on adjacent properties that are not protected by the hard engineering measures; 	<p>Oppose.</p>	<p>In conjunction with the policy chapeau requirement to “<i>Only</i> allow...”, it appears that sub-clause (4) will operate as a de-facto prohibition of any hard engineering works located seaward of a foreshore, dune system, estuary etc.</p> <p>This would be undesirable as in some instances, it may be necessary for hard engineering mitigation to replace natural defences. This policy would weigh against that outcome being realised.</p> <p>References in sub-clause (4) to natural “<i>systems</i>” appear superfluous, given the focus of the policy is on the</p>	<p>Amend this policy to:</p> <ul style="list-style-type: none"> ➤ Ensure it does not inappropriately foreclose on the ability to use engineering measures to mitigate coastal hazards; and ➤ Remove duplication between (4) and (5).

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<p>3. where managed retreat has not been adopted and there is an immediate risk to life or property from the natural hazard;</p> <p>4. it avoids the modification or alteration of natural defences and systems in a way that would compromise their function as natural defences; and</p> <p>5. significant adverse effects on natural defences and systems from those measures are avoided, and any other adverse effects are avoided, remedied or mitigated.</p>		<p>interplay between engineering and natural “defences” against coastal erosion.</p> <p>Sub-clause (5) appears to unnecessarily repeat the preceding sub-clause. It is unclear what additional policy guidance of value is provided by (5) compared to (4).</p>	
<p>CE-R4 Buildings and structures and extensions (excluding Regionally Significant Infrastructure and fences)</p> <p>1 Coastal Environment area overlay in urban areas</p> <p>Activity status: Permitted</p> <p>2 Coastal Environment Area Overlay outside of urban areas</p> <p>Activity status: Permitted</p> <p>[...]</p> <p>4 Sea Water Inundation Overlay within urban areas</p> <p>Activity status: Permitted</p> <p>[...]</p> <p>Activity status when compliance not achieved: Restricted Discretionary</p>	Oppose	<p>Minor developments at Silver Fern Farms Pareora processing site will be subject to the consenting frameworks below simply because the site is not in a defined “urban area”.</p> <ul style="list-style-type: none"> ➤ A restricted discretionary consenting pathway under Rule CE-R4(2) for buildings > 150 m² and ➤ A non-complying consenting pathway under Rule CE-R4(5) for buildings >25m² <p>This is a comparatively more onerous consenting framework than provided for similar sites located within a defined “urban area”.</p> <p>Given the scale of existing development and value of the</p>	<p>Amend the rule to provide for development of the portions of the Pareora processing site that are subject to the proposed General Industrial Zone with:</p> <ul style="list-style-type: none"> ➤ A permitted activity status under Rule CE-R4(1) for GIZ parts of the site also located in the proposed Coastal Environment Overlay; and ➤ A restricted discretionary consenting pathway under Rule CE-R4(4) for GIZ parts of the site also located in the proposed Sea Water Inundation Overlay.

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<p>5 Sea Water Inundation Overlay outside of urban areas</p> <p>Activity status: Permitted</p> <p>[...]</p> <p>Activity status when compliance not achieved: Non-complying</p> <p>[Entire provision not shown here].</p>		investment in this site, this approach is inefficient and inappropriate.	
<p>CE-R5 Earthworks, excluding:</p> <ul style="list-style-type: none"> ➤ earthworks for natural hazard mitigation works; and ➤ any land disturbance <p>Coastal High Natural Character Area Overlay</p> <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The earthworks are for the purpose of maintenance and repair of existing fence lines, roads or tracks; or</p> <p>PER-2 The earthworks are for the purpose of installation of underground network utilities and ancillary structures; or</p> <p>PER-3 Any other earthworks do not exceed the following quantum:</p> <ol style="list-style-type: none"> 1. 100 m³ within the area of the site located within the Coastal High Natural Character Area Overlay, or 	Oppose	<p>It is appropriate to provide a permitted activity pathway for minor earthworks with a discretionary consenting pathway for larger earthworks proposals in the Coastal High Natural Character Area Overlay.</p> <p>However, the volume and area given are not given a specific timescale. Presumably it is intended that the earthworks quantum specified are a per-year allowance. If this is not the case, the rule would inappropriately require all earthworks to proceed via discretionary consent applications once the initial 100 m² and 100 m³ allowances are expended.</p>	<p>Amend as follows:</p> <p>[...]</p> <p>PER-3 Any other earthworks do not exceed the following quantum <u>per calendar year</u>:</p> <p>100 m³ within the area of the site located within the Coastal High Natural Character Area Overlay, or</p> <p>100 m² within the area of the site located within the Coastal High Natural Character Area Overlay</p>

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<p>2. 100 m² within the area of the site located within the Coastal High Natural Character Area Overlay</p>	Support.	It is appropriate to provide for private natural hazard mitigation works as a restricted discretionary activity subject to the criteria specified in this rule.	Retain as notified.
<p>CE-R9 Natural hazard mitigation works, including earthworks - maintenance, replacement and upgrading <i>This rule does not apply to natural hazard mitigation works only involving the planting of vegetation</i></p> <p>Coastal Environment Area Overlay</p> <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The natural hazard mitigation works is within 25m of the existing alignment or location vertically and horizontally; and</p> <p>PER-2 The footprint of the natural hazard mitigation works is not increased by more than 25%; and</p> <p>PER-3 The activity is undertaken by or on behalf of the Crown, Canterbury Regional Council or the Timaru District Council.</p> <p>Activity status where compliance not achieved: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the likely effectiveness of the natural hazard mitigation works and the need for them; and 2. the extent of any adverse social, cultural and environmental effects, including on any sensitive environments; and 			

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<p>3. any potential adverse effects of diverting or blocking overland flow path(s), including upstream and downstream flood risks; and</p> <p>4. any increased flood risk for people, property, or public spaces; and</p> <p>5. the extent to which alternative locations and options for the natural hazard mitigation works have been considered and the merits of those; and</p> <p>6. any positive effects of the proposal on the community.</p>			
<p>CE-R12 Natural hazard mitigation works, including earthworks - New <i>This rule does not apply to natural hazard mitigation works only involving the planting of vegetation</i></p> <p>Coastal High Natural Character Area Overlay</p> <p>Coastal Erosion Overlay</p> <p>Sea Water Inundation Overlay</p> <p>Activity status: Restricted Discretionary</p> <p>Where:</p> <p>RDIS-1 The natural hazard mitigation works are undertaken by or on behalf of the Council, Crown or Regional Council; or</p> <p>RDIS-2 The works are undertaken by PrimePort and are within or adjacent to the Port Zone and are</p>	Oppose.	<p>A non-complying activity consenting pathway for private natural hazard mitigation work is not appropriate. Silver Fern Farms has made a significant investment in its site and a less onerous consenting pathway should be available for protecting it assets.</p> <p>A Discretionary activity pathway would be more appropriate when compared to pathways provided for activities in the Coastal Environment Overlay (CE-R9) and natural hazard mitigation works undertaken by the Crown or a Council (CE-R12, RDIS-1)</p>	<p>Amend as follows:</p> <p>CE-R12 Natural hazard mitigation works, including earthworks - New <i>This rule does not apply to natural hazard mitigation works only involving the planting of vegetation</i></p> <p>Coastal High Natural Character Area Overlay</p> <p>Coastal Erosion Overlay</p> <p>Sea Water Inundation Overlay</p> <p>[...]</p> <p>Activity status when compliance not achieved: Non-complying Discretionary</p> <p>[Entire provision not shown here].</p>

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Provision	Position	Reason	Relief Sought
<p>required to protect the ongoing operation of the Port.</p> <p>Matters of discretion are restricted to:</p> <p>any adverse impacts on the identified matters contained in CE-P4, CE-P5, CE-P6, CE-P7, CE-P8, CE-P10 and CE-P11; and</p> <p>the extent to which the works will result in adverse cumulative effects; and</p> <p>the extent to which the works will transfer natural hazard risk to other sites and the implications of this; and</p> <p>the extent of any positive benefits that will result from the proposal; and</p> <p>the extent to which the works have a functional need or operational need for its location.</p> <p>Activity status when compliance not achieved: Non-complying</p>			
<p>CE-S1 Height of buildings and structures Coastal Environment Overlay</p> <p>The maximum height of any building or structure must not exceed:</p> <ol style="list-style-type: none"> 1. 4m; or 2. if located within the General Industrial Zone or Port Zone, it shall be as per the applicable zone rules and standards. 	Support.	Recognition in clause (2) of the need for an adequate maximum height in the GIZ is supported.	Retain as notified.

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Provision	Position	Reason	Relief Sought
<i>[Entire rule not shown here].</i>			
<p>CE-S2 Site coverage Coastal Environment Overlay</p> <p>The building and structure within the overlay shall not exceed a maximum floor area of:</p> <ol style="list-style-type: none"> 500m² for sites that are less than 20ha in area; and 500m² for every 20ha of site area for sites larger than 20ha in area, or a maximum of 2,000m² per property (whichever is the lesser); <p>unless</p> <ol style="list-style-type: none"> if the building and structure is to be located within the urban area, it shall be as per the applicable zone rules and standards. 	Oppose	The GIZ applies to land outside of “the urban area”. It would be inappropriate to constrain significant industrial enterprises with existing highly modified sites, due to their location.	<p>Amend as follows:</p> <ol style="list-style-type: none"> if the building and structure is to be located within the urban area or the <u>General Industrial Zone</u>, it shall be as per the applicable zone rules and standards. <p><i>[Entire rule not shown here].</i></p>
<p>CE-S3 Building and structure external materials Coastal Environment Overlay</p> <p>With the exception of the Port Zone, all buildings and structures must be finished in materials with a maximum reflectance value of 30%.</p>	Support in part.	It is appropriate to provide a permitted status for new buildings and structures. However, a minor amendment is required to clarify that the rule does not apply to interior surfaces.	<p>Amend as follows:</p> <p>CE-S3 Building and structure external materials Coastal Environment Overlay</p> <p>With the exception of the Port Zone, all <u>external cladding and roofing of</u> buildings and structures must be finished in materials with a maximum reflectance value of 30%.</p>

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Provision	Position	Reason	Relief Sought
EW – Earthworks			
<p>EW-P5 Land stability</p> <p>Only allow earthworks on steeper slopes and in proximity to boundaries where they will not impact on land stability.</p>	Oppose	The policy is unduly restrictive insofar as it does not clearly recognise that land stability is an inherent part of earthworks design.	<p>Amend as follows:</p> <p>EW-P5 Land stability</p> <p>Only allow earthworks on steeper slopes and in proximity to boundaries where <u>they will not impact potential adverse effects on land stability are avoided or mitigated.</u></p>
<p>EW-S1 Areas</p> <p>1. General Rural Zone Rural Lifestyle Zone</p> <p>The area of earthworks must be limited to as follows:</p> <ol style="list-style-type: none"> for any primary production activity that is a Permitted Activity in the zone, there is no limit; and for any ancillary rural earthworks, there is no limit; and for other activities: 2,000m² in any 12-month period per site <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> dust nuisance, sedimentation, land instability, erosion and contamination effects; and the impact on the road network, of heavy vehicle and other vehicular traffic generated as a result of earthworks; and 	Support.	It is appropriate to apply minimal limits to earthworks in the GRUZ where associated with primary production. A minor amendment is recommended as the standard does not address the volume of any earthworks and if earthworks are to be unlimited, this should be made clear.	<p>Amend as follows:</p> <p>EW-S1 Areas</p> <p>General Rural Zone</p> <p>Rural Lifestyle Zone</p> <p>The area <u>and volume</u> of earthworks must be limited to as follows:</p> <p><i>[Entire provision not shown here].</i></p>

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Provision	Position	Reason	Relief Sought
<ol style="list-style-type: none"> 3. the impact on visual amenity and landscape character; and 4. the impact on any overland flow paths. 			
<p>EW-S1 Areas</p> <p>3. Settlement Zone</p> <p>Commercial and mixed use zones</p> <p>General Industrial Zone</p> <p>Open Space and Recreation zones</p> <p>Port Zone</p> <p>Māori Purpose Zone</p> <p>The area of earthworks must be limited to 2,000m² in any 12-month period per site.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. dust nuisance, sedimentation, land instability, erosion and contamination effects; and 2. the impact on the road network, of heavy vehicle and other vehicular traffic generated as a result of earthworks; and 3. the impact on visual amenity and landscape character; and 4. the impact on any overland flow paths. 	Support.	The allowance for 2,000 m ² of earthworks per 12-month period in the GIZ is considered to be appropriate.	Retain as notified with respect to the GIZ.

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Provision	Position	Reason	Relief Sought
DWP – Drinking Water Protection			
<p>DWP-R5 Industrial activities including rural industry</p> <p>Activity status: Non-complying</p> <p><i>[Entire provision not shown here]</i></p>	Oppose	<p>It is appreciated that activities that may affect potable water supplies need to be regulated.</p> <p>However, as described in the submission point later in this table on the Drinking Water Protection Area overlay ('DWPA') maps, two DWPA areas have been mapped to highly modified parts of Silver Fern Farms existing Pareora processing site.</p> <p>No analysis is presented in the s32 report about the reasons for applying the DWPA overlay to the site. It is recommended that those incongruous DWPA-mapped areas be deleted.</p>	<p>If the relief sought in relation to the mapped DWPA areas at the Pareora processing site is not granted, Silver Fern Farms would oppose the non-complying status under this rule, insofar as it applies to the Pareora site.</p>
LIGHT – Light			
<p>LIGHT-O2 Benefits of artificial lighting</p> <p>The benefits of artificial lighting are recognised while any adverse effects generated do not compromise the health and safety of people and communities, including road safety.</p>	Support.	<p>It is appropriate to recognise the benefits of artificial lighting.</p>	<p>Retain as notified.</p>
<p>LIGHT-R1 Artificial outdoor lighting outside light sensitive areas</p>	Oppose	<p>This performance standard can be interpreted as requiring artificial light to be compliant with the Light Sensitive Areas illuminance levels at the source, regardless of whether the</p>	<p>Amend to only require outdoor lighting to comply with the Light Sensitive Areas standards to the extent that the</p>

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Provision	Position	Reason	Relief Sought
<p>All zones other than Port Zone outside Light Sensitive Areas</p> <p>[...]</p> <p>PER-2 Outdoor artificial lighting that is visible from a Light Sensitive Area must not exceed the illuminance limits for the Light Sensitive Areas stated in Table 22; and</p> <p><i>[Entire provision not shown here].</i></p>		illumination actually affects the Light Sensitive Area.	artificial light spills into a Light Sensitive Area.
NOISE – Noise			
<p>NOISE-O1 Activities that generate noise</p> <p>Noise effects generated by activities are compatible with the purpose, character and qualities of each zone and do not compromise the health and well-being of people and communities.</p>	Oppose	A minor amendment is necessary for clarification as noise only needs to be managed to the extent that it is received in a zone.	<p>Amend as follows:</p> <p>NOISE-O1 Activities that generate noise</p> <p>Noise effects generated by activities are compatible with the purpose, character and qualities of each <u>receiving</u> zone and do not compromise the health and well-being of people and communities.</p>
<p>NOISE-O2 Reverse sensitivity</p> <p>The Airport, Raceway, State Highway, railway lines and the Port and activities located within commercial, mixed use and Industrial zones are not constrained by reverse sensitivity effects arising from noise sensitive activities.</p>	Support.	It is appropriate to recognise, and protect activities with inherent noise-generating elements, from reverse sensitivity.	Retain as notified.

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Provision	Position	Reason	Relief Sought
<p>NOISE-P1 Maintenance of zone character and qualities</p> <p>Enable the generation of noise when it is of a type, character and level that is appropriate, having regard to:</p> <ol style="list-style-type: none"> 1. the purpose, character and qualities of the zone that the activity is located in; 2. the nature, scale, frequency and duration of the noise generating activity; 3. methods of mitigation; and 4. the sensitivity of the surrounding environment. 	Support.	It is appropriate to provide for noise-generating activities commensurate with the zoning that applies.	Retain as notified.
<p>NOISE-P5 Reverse sensitivity</p> <p>Require noise sensitive activities located in higher noise environments to be located and designed so as to minimise adverse effects on the amenity values and health and safety of occupants and minimise sleep disturbance from noise, while taking into account:</p> <ol style="list-style-type: none"> 1. the type of noise generating activity; and 2. other noise sources in the area; and 3. the nature and occupancy of the noise sensitive activity; and 4. mitigation measures, including acoustic insulation, screening and topography. <p>For the purpose of this Policy, higher noise environments include:</p>	Support.	<p>It is appropriate to require that the burden of mitigation falls to sensitive activities seeking to locate in/near noisy environments rather than the reverse.</p> <p>It is noted that “higher noise environments” includes “Residential zones in close proximity to any General industrial zone...”. This is considered acceptable in light of rule NOISE-R9 which refers to a 20m setback from the zone boundary.</p>	Retain as notified.

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Provision	Position	Reason	Relief Sought
<ol style="list-style-type: none"> 1. Commercial and Mixed Use Zones; and 2. Residential zones in close proximity to any General industrial zone and areas within the Port Noise Outer Control Boundary and within that part of the Medium Density Residential Zone and City Centre Zone located within the Port Noise Inner Control Boundary; and 3. locations in close proximity to a State Highway or the railway line. 			
<p>NOISE-R9 Any new building for use by a noise sensitive activity and alterations to existing buildings for use by a noise sensitive activity (not listed in NOISE-R12)</p> <p>General Residential zone within 20m of the boundary with an Industrial zone</p> <p>Medium Residential zone within 20m of the boundary with an Industrial zone</p> <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The building is acoustically insulated and ventilated in accordance with:</p> <ol style="list-style-type: none"> 1. NOISE-S3 and NOISE-S4; and 2. the acoustic insulation must be assessed in accordance with ISO 717-1:2020 Acoustics — Rating of sound insulation in buildings and of building elements — Part 1: Airborne sound insulation; or 	<p>Support in part.</p>	<p>It is appropriate to require new noise sensitive activities to be designed to mitigate noise where they locate near existing sources of noise, such as industrial zones.</p>	<p>Retain as notified.</p>

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Provision	Position	Reason	Relief Sought
<p>PER-2 An acoustic design certificate signed by a suitably qualified acoustic engineer demonstrates either:</p> <p>[...]</p> <p>Activity status when compliance not achieved with PER-1.1 or PER-2: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the matters of discretion of any infringed standard. 2. for activities in breach PER-2, the matters of discretion of NOISE-S3 <p>Activity status when compliance not achieved with PER-1.2: Non-complying</p> <p>[Entire rule not shown here].</p>			
<p>RELO – Relocated Buildings and Shipping Containers</p>			
<p>RELO-P1 Relocated buildings and shipping containers in General Industrial Zone</p> <p>Enable the relocation of buildings and shipping containers in the General Industrial zone and Port Zone.</p>	Support.	It is appropriate to provide for these activities in the GIZ with greater flexibility than in other zones.	Retain as notified.
<p>RELO-R1 Placement of a relocated building</p> <p>1 General Industrial Zone</p> <p>Port Zone</p>	Support.	It is appropriate to permit this activity in the GIZ without any further restrictions.	Retain as notified.

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Provision	Position	Reason	Relief Sought
Activity status: Permitted			
RELO-R2 Placement of a shipping container 1 General Industrial Zone Port Zone	Support.	It is appropriate to permit this activity in the GIZ without any further restrictions.	Retain as notified.
Activity status: Permitted			
GRUZ – General Rural Zone			
GRUZ-O1 Purpose of the General Rural Zone The General Rural Zone predominantly provides for primary production, including intensive primary production, as well as a limited range of activities that support primary production, including associated rural industry, and other activities that require a rural location.	Support.	It is appropriate to recognise that primary production is supported by other activities (like rural industry) that rely on locating in the rural environment.	Retain as notified.
GRUZ-O2 Character and qualities of the General Rural Zone The character and qualities of the General Rural Zone comprise: 1. large allotments with large areas of open space; and 2. a working environment of mostly utilitarian buildings and structures where primary production generates noise, odour, light overspill and traffic, often on a cyclic and seasonable basis; and	Support.	Silver Fern Farms agrees with the clear recognition of the working environment characteristic of land in the GRUZ.	Retain as notified.

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Provision	Position	Reason	Relief Sought
<p>3. higher levels of amenity immediately around sensitive activities and zone boundaries; and</p> <p>4. vegetation, pasture, crops and forestry and livestock across a range of landscapes.</p>			
<p>GRUZ-O3 Protecting primary production</p> <p>The land resource of the General Rural Zone is not diminished by activities with no functional or operational need to locate in the General rural zone, and primary production is protected from sensitive activities.</p>	Support in part.	It is appropriate to provide strong directions about the types of activities that should be excluded from the GRUZ. A minor amendment would clarify	<p>Amend as follows:</p> <p>GRUZ-O3 Protecting primary production</p> <p>The land resource of the General Rural Zone is not diminished by activities with no functional or operational need to locate in the General rural zone, and primary production is protected from <u>encroachment by sensitive activities</u>.</p>
<p>GRUZ-O4 Protecting sensitive activities and sensitive zones</p> <p>Intensive primary production, mining, quarrying and other intensive activities generates no or minimal adverse effects on:</p> <ol style="list-style-type: none"> sensitive activities; and land close to Residential, Rural settlement, Māori Purpose and Open space zones. 	Support in part.	<p>Sub-clause (1) appears to require rural activities to respond to encroachment by incompatible sensitive activities, which is inconsistent with the direction of GRUZ-O3.</p> <p>While it may be feasible to manage effects on existing sensitive activities in rural areas, it would not be appropriate for policy to constrain primary production, mining, quarrying etc. if a new sensitive activity establishes in the area.</p> <p>Sub-clause (2) is ambiguous, and for implementation in a consenting or compliance context, it is</p>	<p>Amend as follows:</p> <p>GRUZ-O4 Protecting <u>Managing</u> sensitive activities and sensitive zones</p> <p>Intensive primary production, mining, quarrying, <u>rural industry</u> and other intensive activities <u>avoid or minimise</u> generates no or minimal adverse effects on:</p> <ol style="list-style-type: none"> <u>existing</u> sensitive activities; and land close to <u>in</u> Residential, Rural <u>s</u>Settlement, Māori Purpose and Open space zones.

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Provision	Position	Reason	Relief Sought
		recommended that the vague reference to “close to” be revised to focus on activities located <u>in</u> the specified zones.	
<p>GRUZ-P1 Primary production activities</p> <p>Enable a range of primary production activities, where they:</p> <ol style="list-style-type: none"> allow for the ongoing productive use of land for present and future generations; or maintain the character and qualities of the General Rural Zone; and meet the standards and requirements to minimise adverse effects on sensitive activities and the environment. 	Support in part.	A minor amendment is recommended to ensure that the establishment of new incompatible activities in the GRUZ do not inadvertently receive policy support.	<p>Amend as follows:</p> <p>GRUZ-P1 Primary production activities</p> <p>Enable a range of primary production activities, where they:</p> <ol style="list-style-type: none"> allow for the ongoing productive use of land for present and future generations; or maintain the character and qualities of the General Rural Zone; and meet the standards and requirements to minimise adverse effects on <u>existing</u> sensitive activities and the environment.
<p>GRUZ-P2 Character and qualities of the General Rural Zone</p> <p>The character and qualities of the zone are maintained by:</p> <ol style="list-style-type: none"> requiring a large minimum allotment size that ensures ample open space around buildings; and 	Support.	It is appropriate for policy to reiterate the principle of land use separation, in order to discourage sensitive activities from constraining rural activities.	Retain as notified.

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Provision	Position	Reason	Relief Sought
<ol style="list-style-type: none"> 2. controlling the height and setbacks of buildings and structures; and 3. ensuring activities that can generate significant adverse effects and sensitive activities are well separated from each other. 			
<p>GRUZ-P5 Protecting primary production</p> <p>Manage sensitive activities in the zone to ensure:</p> <ol style="list-style-type: none"> 1. they are located to avoid adverse effects on primary production; or 2. if avoidance is not possible, the sensitive activity includes mitigation measures so that there is minimal potential for adverse effects on the sensitive activity from primary production activities. 	Support in part.	It would be appropriate to include recognition of rural industry in this policy, given the activity is similarly vulnerable to reverse sensitivity effects and is dependent on a rural location with ample separation from sensitive activities.	<p>Amend as follows:</p> <p>GRUZ-P5 Protecting primary production <u>and supporting activities</u></p> <p>Manage sensitive activities in the zone to ensure:</p> <ol style="list-style-type: none"> 1. they are located to avoid adverse effects on primary production <u>and supporting rural activities</u>; or 2. if avoidance is not possible, the sensitive activity includes mitigation measures so that there is minimal potential for adverse effects on the sensitive activity from primary production <u>and supporting rural activities</u>.
<p>GRUZ-P7 Industrial activities, rural industries and other activities</p> <ol style="list-style-type: none"> 1. Only allow rural industries and other activities (not listed in the rules) in the General Rural Zone where: <ol style="list-style-type: none"> a. the activity 	Support.	Given the significant investment into existing industrial facilities in the rural environment – which could not be easily relocated – an allowance for established industrial activities in the GRUZ to continue is appropriate and necessary.	Retain as notified.

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Provision	Position	Reason	Relief Sought
<ul style="list-style-type: none"> i. was legally established use not permitted in the zone; or ii. supports primary production; or iii. has a functional or operational need for the activity to locate within the Zone; and b. the activity is compatible or complimentary with the character and qualities of the Zone; and c. there is adequate infrastructure available to service the activity, including on-site servicing where reticulated services are not available; and d. there is adequate water supply provided for firefighting purposes; and e. the scale, location and intensity of the activity will not compromise the efficiency and safety of the roading network; and f. the activity does not constrain existing primary production or the establishment of activities otherwise permitted within the General rural zone; and g. any adverse effects on primary production, sensitive activities, zone boundaries or sensitive environments are avoided, and if avoidance is not possible, adverse effects are minimised. 			

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Provision	Position	Reason	Relief Sought
<p>2. Avoid other industrial activities unless:</p> <ul style="list-style-type: none"> a. the matters under GRUZ-P7.1 above are complied with; and b. the activity: <ul style="list-style-type: none"> i. can demonstrate that it cannot be provided for in the General Industrial Zone, or an extension of the General Industrial Zone; or ii. is of such a small scale or nature that all adverse effects on primary production, sensitive environment or sensitive activities will be avoided. 			
<p>GRUZ-P9 Workers accommodation</p> <p>Provide for permanent workers accommodation and seasonal workers accommodation to support primary production where:</p> <ul style="list-style-type: none"> 1. the site has an area of least 40 hectares for permanent workers accommodation, or 20ha for seasonal workers accommodation; or 2. on smaller sites where it can be demonstrated that it is required to meet the needs of the site's primary production activity; and 3. measures are put in place to ensure the workers accommodation cannot be subdivided off or sold separately to the site; and 	Support.	It is appropriate to provide for workers accommodation in the GRUZ.	Retain as notified.

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Provision	Position	Reason	Relief Sought
<p>4. the necessary infrastructure is provided and adverse effects on adjoining sites are minimised; and</p> <p>5. the requirements of GRUZ-P5 are met, except for seasonal workers accommodation.</p>			
<p>GRUZ-R1 Primary production and intensive primary production, not otherwise listed in this chapter</p> <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The activity does not include any offensive trade; and</p> <p>PER-2 GRUZ-S5 is complied with; and</p> <p>PER-3 For grazing of stock within 50m of a residential unit under different ownership located in the Māori Purpose Zone, permanent ground cover of no less than 90% must be maintained, except during crop renewal or resowing.</p> <p>PER-4 For milking sheds and buildings used to house or feed stock are located at least 200m from any land in the Māori Purpose Zone, Settlement Zone and Residential Zones.</p> <p>Activity status where compliance not achieved with PER-1 or PER-2: Discretionary</p> <p><i>[Entire rule not shown here].</i></p>	Support in part.	It is considered appropriate for activities that breach rule GRUZ-R1 PER-2, and for offensive trades associated with primary production, to be processed via a discretionary consenting pathway.	Retain as notified.

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Provision	Position	Reason	Relief Sought
<p>GRUZ-R4 Residential units, excluding seasonal workers accommodation and permanent workers accommodation</p> <p>Activity Status: Permitted</p> <p>Where:</p> <p>PER-1 There is a minimum site area of 40 hectares per residential unit unless the site was created before the 22 September 2022 and does not contain an existing residential unit; and</p> <p>[...]</p> <p>Activity status where compliance not achieved with PER-1 to PER-4: Non-complying</p> <p><i>[Entire rule not shown here].</i></p>	Support.	It is appropriate to only provide for a very low density of residential development in the GRUZ, to support the UFD objectives, including the separation of incompatible activities.	Retain as notified.
<p>GRUZ-R9 Residential visitor accommodation</p> <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The visitor accommodation is contained within, and ancillary to the use of, an existing principal residential unit; and</p> <p>PER-2 The maximum occupancy is six guests per night.</p> <p>Activity status where compliance not achieved with: Discretionary</p>	Support.	It is appropriate to heavily restrict this activity in the GRUZ, given the potential for it to generate reverse sensitivity effects that constrain legitimate primary production and supporting activities.	Retain as notified.

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Provision	Position	Reason	Relief Sought
<p>GRUZ-R15 Shelterbelts</p> <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The height of any trees located within 100m of a residential unit on an adjoining site are contained within an envelope defined by a recession plane of 1m vertical for every 3.5m horizontal that originates from the closest point of the residential unit; and</p> <p>PER-2 Trees are not in such a position that they cause icing of a road as a result of shading the road between 10 am and 2 pm on the shortest day.</p> <p>Activity status where compliance not achieved: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. height and setback of trees from property boundaries and roads; and 2. shading of houses; and 3. shading of roads; and 4. traffic safety; and 5. tree species. 	Support.	It is appropriate to permit the planting of shelterbelts with a fallback restricted discretionary consenting pathway.	Retain as notified.
<p>GRUZ-R19 Seasonal Workers Accommodation</p> <p>Activity Status: Permitted</p> <p>Where:</p> <p><i>[Entire rule not shown here].</i></p>	Support.	It is appropriate to provide for seasonal worker accommodation in the GRUZ as a permitted activity, or as a restricted discretionary activity where the permitted activity performance standards are not met.	Retain as notified.

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Provision	Position	Reason	Relief Sought
<p>GRUZ-R20 Permanent workers accommodation General Rural Zone Activity status: Permitted Where: <i>[Entire rule not shown here].</i></p>	Support.	It is appropriate to provide for permanent worker accommodation in the GRUZ as a permitted activity, or as a restricted discretionary activity where the permitted activity performance standards are not met.	Retain as notified.
<p>GRUZ-R21 Rural industry Activity status: Restricted Discretionary Where: RDIS-1 The activity is not an offensive trade. Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the suitability of the location, site design and layout; and 2. the intensity and scale of the activity; and 3. the extent of adverse effects on existing or permitted activities; and 4. the extent of adverse effects on the safe and efficient operation of the road network, and suitability of onsite loading, manoeuvring and access; and 5. the provision of infrastructure to service the activity; and 6. measures to avoid, mitigate or remedy adverse effects. 	Support in part.	<p>A non-complying activity status for offensive trades associated with rural industry is onerous. Under Rule GRUZ-R1 PER-1, offensive trades associated with primary production or intensive primary production have a discretionary consenting status.</p> <p>Offensive trades associated with rural industry are likely to locate in rural areas preferentially, due to the ability to achieve suitable separation from incompatible activities and the functional need of rural industry for a rural location.</p> <p>A discretionary consenting status provides ample scope to consider the potential for any offensive trade proposal to locate in the GIZ preferentially to the GRUZ. The non-complying activity status under rule GRUZ-R29 for “New industrial activities not listed in GRUZ-21” provides an adequate safeguard against broader flight of generic</p>	<p>Amend as follows: Activity status where compliance not achieved: <u>Discretionary Non-complying</u> <i>[Entire rule not shown here].</i></p>

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Provision	Position	Reason	Relief Sought
Activity status where compliance not achieved: Non-complying		industrial activities (warehouses, manufacturing etc.) from the GIZ.	
GRUZ-R27 Expansion of existing legally established industrial activities, excluding mines and quarries Activity status: Discretionary	Support.	It is appropriate to provide for the expansion of existing industry with a discretionary consenting pathway.	Retain as notified.
GRUZ-S4 Setbacks for sensitive activities <i>[Entire rule not shown here].</i>	Support.	It is appropriate to restrict the siting of sensitive activities relative to primary production activities. Minor amendments are recommended to ensure the setbacks are also applied to supporting activities that are similarly vulnerable to reverse sensitivity effects.	Amend as follows: GRUZ-S4 Setbacks for sensitive activities 1. No new sensitive activity may be established within 500m from: a. the closest outer edge of any paddocks, hard-stand areas, structures or buildings used to house stock, or treatment systems, used for an intensive primary production activity <u>or rural industry</u> ; and b. an existing farm effluent disposal area; and c. a lawfully established quarry or mine. 2. No new building for a sensitive activity may be erected within 20 m from any other site boundary in a different ownership where a primary production <u>or rural industry</u> activity is being

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Provision	Position	Reason	Relief Sought
			<p>conducted, unless the site existed prior to 22 September 2022, in which case a 10m setback applies;</p> <p>3. No new building for a sensitive activity may be erected within 20 m of an existing shelter belt.</p>
<p>GRUZ-S5 Intensive primary production activities and new farm effluent disposal areas</p> <p>1. [...]</p> <p>2. No new:</p> <ul style="list-style-type: none"> a. intensive primary production (including expansion of an existing intensive primary production), except calf rearing for less than three months in any calendar year; or b. farm effluent disposal area (including expansion of an existing farm effluent area), <p>may be established within:</p> <ul style="list-style-type: none"> i. 500m of the notional boundary of an existing sensitive activity on a separate site under different ownership; or ii. 100m of the boundary with a separate lot under different ownership; or iii. 1000m of the boundary with any of the Residential zones, Rural Lifestyle zone, Rural Settlement zone, Māori Purpose zone or Open Space and recreation zones. 	<p>Support.</p>	<p>Silver Fern Farms considers that this standard is appropriately targeted to address the potential effects of new farm effluent disposal areas.</p>	<p>Retain as notified.</p>

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Provision	Position	Reason	Relief Sought
<i>[Entire rule not shown here].</i>			
SETZ – Settlement Zone			
<p>SETZ-O2 Character and qualities of the Settlement Zone</p> <p>The character and qualities of the Settlement Zone comprise:</p> <ol style="list-style-type: none"> 1. small, low density rural settlements that have a mixture of activities including residential, commercial, community, light industrial and home business; and 2. a range of amenity levels in different settlements; and 3. openness, trees, landscaping, access to sun light; and 4. small number of grazing animals. 	Support	It is appropriate to restrict development in the Settlement Zone to “low density rural settlements”, given the interface of the zone with the working rural environment and at Pareora, Silver Fern Farms’ significant meat processing facility, as well as servicing constraints and the strategic directions towards settlement patterns for the district set out in the UFD provisions.	Retain as notified.
<p>SETZ-P1 Range of activities</p> <p>Enable residential activities and non-residential activities that:</p> <ol style="list-style-type: none"> 1. can be adequately and safely serviced by reticulated water supply and by on-site wastewater and stormwater treatment and disposal; and 2. maintains the amenity and character of the settlement the activity is located; and 	Support.	Silver Fern Farms supports the policy direction to ensure that activities are compatible with the unique purpose, character and qualities of the Settlement Zone.	Retain as notified.

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Provision	Position	Reason	Relief Sought
3. are compatible with the purpose, character and qualities of the Settlement zone.			
<p>SETZ-P4 Other activities</p> <p>Only allow other activities where:</p> <ol style="list-style-type: none"> 1. the nature, scale and intensity of the activity is compatible with the character and qualities of the zone and all adverse effects are minimised; and 2. there is adequate infrastructure available to service the activity, including on-site servicing where reticulated services are not available; and 3. there is adequate water supply provided for firefighting purposes; and 4. the activity will not compromise the efficiency and safety of the roading network. 	Support.	It is appropriate to restrict the further development and use of land in the SETZ to activities that are compatible with the zone and can manage adverse effects on the surroundings.	
<p>SETZ-R1 Residential activity and Residential Unit Settlement Zone</p> <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 There is no more than one residential unit per site; and</p> <p>PER-2 if residential visitor accommodation is provided within the residential unit, the maximum occupancy is six guests per night; and</p>	Support.	It is appropriate to require a discretionary resource consent for multi-dwelling development in the SETZ.	Retain as notified.

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Provision	Position	Reason	Relief Sought
<p>PER-3 SETZ-S1, SETZ-S2, SETZ-S3, SETZ-S4, SETZ-S5, and SETZ-S6 are complied with.</p> <p>[...]</p> <p>Activity status where compliance not achieved with PER-1: Discretionary</p> <p>[Entire provision not shown here].</p>			
<p>SETZ-R14 Any activities not otherwise listed Settlement Zone</p> <p>Activity status: Discretionary</p>	Support.	It is appropriate to require a discretionary resource consent for unanticipated activities in the SETZ.	Retain as notified.
GIZ – General Industrial Zone			
<p>Introduction</p> <p>The General Industrial Zone is applied to areas of the District that primarily contain industrial activities. These activities have significant economic benefits, but can also have adverse effects on the environment. The Zone also recognises and provides for a range of ancillary and other activities that are generally compatible with industrial activities.</p>	Support.	This concise Introduction section adequately expresses the role of the GIZ.	Retain as notified.
<p>GIZ-O1 The purpose of the General Industrial Zone</p> <p>The General Industrial Zone provides for a range of industrial activities and other compatible activities that contribute to the economic wellbeing of the District.</p>	Oppose	It is appropriate for this objective to recognise the economic contribution of industry to the district and to provide for a ‘range’ of industry. Given there are no other industrial zones in	<p>Amend as follows:</p> <p>GIZ-O1 The purpose of the General Industrial Zone</p> <p>The General Industrial Zone provides for a range of industrial activities,</p>

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Provision	Position	Reason	Relief Sought
		<p>the proposed Plan, all types of industry will be directed towards the GIZ.</p> <p>The objective should, however, also recognise ancillary activities.</p>	<p><u>ancillary activities</u> and other compatible activities that contribute to the economic wellbeing of the District.</p>
<p>GIZ-O2 Character and qualities of the General Industrial Zone</p> <p>The character and qualities of the General Industrial Zone comprise:</p> <ol style="list-style-type: none"> 1. utilitarian buildings, often with large sites, large yard spaces and external storage; and 2. large volumes of light and heavy vehicle traffic; and 3. activities that may generate a range of adverse effects including significant adverse effects; and 4. activities that may operate 24 hours per day; and 5. good vehicle accessibility from major transport routes and centres; and 6. a safe and functional working environment; and 7. buildings and activities that do not compromise the amenity of adjoining Residential and Open Space and Recreation Zones; and 8. landscape planting and screening along road frontages and Open Space and Recreation Zones. 	Oppose	<p>Sub-clause (7) requires industry to “not compromise” residential amenity. This is tantamount to prohibiting the inherent characteristics/qualities of industry described in sub-clauses (1) to (4),</p> <p>For clear implementation of the policy direction at a project consenting level, it is recommended that sub-clauses 7 and 8 be deleted in favour of a single policy direction requiring adverse effects beyond the GIZ boundaries to be managed.</p> <p>This will enable all forms of mitigation to be considered. It removes the inflexible requirement to “not compromise” residential amenity. Residential amenity expectations at a zone interface should also be tempered by an obligation to not unduly constrain activities in the GIZ (reverse sensitivity). The amendment also removes the impractical all-encompassing direction to landscape all road frontages.</p>	<p>Amend as follows:</p> <p>GIZ-O2 Character and qualities of the General Industrial Zone</p> <p>The character and qualities of the General Industrial Zone comprise:</p> <p><i>[entire policy not shown here]</i></p> <p>7. <u>the management of adverse effects on existing activities in adjoining Residential, Open Space and Recreation and Special Purpose zones, buildings and activities that do not compromise the amenity of adjoining Residential and Open Space and Recreation Zones; and</u></p> <p>8. <u>landscape planting and screening along road frontages and Open Space and Recreation Zones.</u></p>

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Provision	Position	Reason	Relief Sought
<p>GIZ-P1 Industrial activities</p> <p>Enable a range of industrial activities and associated activities where:</p> <ol style="list-style-type: none"> 1. ancillary activities are conducted on the same site as the primary industrial activity; and 2. does not include residential activities; and 3. they are compatible and complementary to the purpose, character and qualities of the General Industrial Zone. 	Oppose	<p>The conservative drafting of this policy does not adequately support industry. The proposed Plan has no other industrial zones besides the GIZ and industry is (rightfully) permitted by rule GIZ-R1.</p> <p>It is therefore inappropriate to qualify the circumstances when ancillary activities to industry are allowed.</p>	<p>Amend as follows:</p> <p>GIZ-P1 Industrial activities</p> <p>Enable a range of industrial activities and <u>ancillary associated activities</u>, where:</p> <ol style="list-style-type: none"> 1. ancillary activities are conducted on the same site as the primary industrial activity; and 2. does not include residential activities; and 3. they are compatible and complementary to the purpose, character and qualities of the General Industrial Zone.
<p>GIZ-P2 Off-site industrial ancillary activities</p> <p>Only allow industrial ancillary activities on a different site of the primary industrial activity where:</p> <ol style="list-style-type: none"> 1. they are conducted on an adjoining or adjacent site as the primary industrial activity; and 2. they do not undermine the purpose, viability and function of any of the Commercial and Mixed Use Zones; and 	Oppose.	<p>The strict regulatory stance towards offsite ancillary industrial activities is inappropriate and unsupported by a s32 analysis of the reasons for this stance.¹</p> <p>Read together, the zone and s32 report seem to misapprehend the difference between ancillary activities to industry (which have a rightful place in the GIZ), and non-industrial activities</p>	Delete this policy.

¹ General Industrial & Port Zone S.32 May 2022.

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Provision	Position	Reason	Relief Sought
<p>3. they are compatible and complementary to the purpose, character and qualities of the General Industrial Zone.</p>		<p>that have no relationship to industry (and should locate in other zones).</p> <p>There are any number of examples where it could be appropriate to locate an ancillary industrial activity on a different site – e.g. offsite storage to support a processing or manufacturing activity, or waste disposal areas separate to the site on which the principal activity is undertaken. The requirement to not allow such activities implied by “only” would unduly constrain otherwise appropriate activities.</p> <p>If the Council’s concern is about encroachment by non-industrial activities into the GIZ, the matter can be addressed by a directive policy and associated rules. GIZ-P6 and GIZ-R3 and GIZ-R5 largely do this.</p> <p>Any concerns about conversion of industrial sites to non-industrial use can be addressed by limiting the scale of ancillary activities. Rule GIZ-R2 PER-3(2) is an example of this, as it limits ancillary activities to a combined maximum gross floor area of 15% of the principal buildings onsite.</p> <p>Ancillary activities that have a rightful place in (and likely, a functional need for), the GIZ should not be unduly</p>	

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Provision	Position	Reason	Relief Sought
		constrained. Rule GIZ-R2 provides sufficient regulatory control. This policy is superfluous.	
<p>GIZ-P3 Streetscape and amenity values</p> <p>Maintain the amenity values of the streetscape, the Residential Zones, and Open Space and Recreation Zones, by requiring:</p> <ol style="list-style-type: none"> 1. storage areas to be screened from road boundaries and Residential Zones; and 2. landscaping along road boundaries and boundaries that adjoining the Open Space and Recreation Zones; and 3. buildings and structures to be a height and setback that will ensure adjoining Residential zones and Open Space and Recreation Zones: <ol style="list-style-type: none"> a) have a reasonable standard of sunlight access; and b) are not unreasonably dominated by built form; and c) maintain privacy of adjoining Residential Zones; and 4. buildings to be a colour and reflectivity that does not detract from the amenity of Residential Zones. 	Oppose	It is considered that minor amendments would improve the clarity of the notified policy.	<p>Amend as follows:</p> <p>GIZ-P3 Streetscape and amenity values</p> <p>Maintain the amenity values of the streetscape, the Residential Zones, and Open Space and Recreation Zones, by requiring:</p> <ol style="list-style-type: none"> 1. <u>outdoor</u> storage areas to be screened from road boundaries and Residential Zones; and 2. landscaping along road boundaries and boundaries that adjoining the Open Space and Recreation Zones; and 3. buildings and structures to be a height and setback that will ensure <u>activities in</u> adjoining Residential zones and Open Space and Recreation Zones: <ol style="list-style-type: none"> a) have a reasonable standard of sunlight access; and b) are not unreasonably dominated by built form; and

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Provision	Position	Reason	Relief Sought
			<p>c) maintain privacy of <u>residential activities in any</u> adjoining Residential Zones; and</p> <p>4. buildings to be a colour and reflectivity that does not detract from the amenity of Residential Zones.</p>
<p>GIZ-P4 Industrial and trade waste connections</p> <p>Only allow activities that require connections to the industrial and trade waste system where:</p> <ol style="list-style-type: none"> 1. there is sufficient capacity within the network to accommodate the additional demand; and 2. the location and design of connections and network extensions do not foreclose the opportunity of other sites in the General Industrial Zone to connect to the system. 	<p>Support.</p>	<p>It is appropriate to ensure that activities that rely on the trade waste system are not enabled unless sufficient capacity is available in that system.</p>	<p>Retain as notified.</p>
<p>GIZ-P5 Offensive trades</p> <p>Only allow offensive trades to establish in the General Industrial Zone where:</p> <ol style="list-style-type: none"> 1. the activity is located in a manner that will maintain the amenity values of adjacent zones; and 2. the activity and buildings is designed in a way that contains or minimises nuisance effects. 	<p>Oppose</p>	<p>The proposed Plan has no other industrial zones aside from the GIZ.</p> <p>Without a Heavy Industrial Zone, the GIZ is likely the most suitable alternative location for offensive trades to locate in. (If seeking to locate in the GRUZ, offensive trades would have a non-complying status under rule GRUZ-R21).</p>	<p>Amend as follows:</p> <p><u>Ensure offensive trades manage adverse effects on other activities and any adjacent non-industrial zone(s).</u></p> <p>Only allow offensive trades to establish in the General Industrial Zone where:</p> <ol style="list-style-type: none"> 1. the activity is located in a manner that will maintain the amenity values of adjacent zones; and

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Provision	Position	Reason	Relief Sought
		<p>As such, the term “<i>Only</i>” is redundant – there are limited alternative zones that can accommodate this activity.</p> <p>Given the foregoing, offensive trades need to be enabled, subject to standard regulatory direction to require the management of effects on other activities and on nearby non-industrial zones.</p>	<p>2. the activity and buildings is designed in a way that contains or minimises nuisance effects.</p>
<p>GIZ-P6 Other activities</p> <p>Avoid the establishment of other activities including residential activities unless:</p> <ol style="list-style-type: none"> there is a functional need for the activity to occur in the General Industrial Zone; and the activity is not provided for in another zone; and the activity does not undermine the purpose, viability and function of any of the Commercial and Mixed Use Zones; and the activity would not result in reverse sensitivity effects that may constrain industrial activities. 	Oppose	The policy requires a minor amendment to improve its clarity.	<p>Amend as follows:</p> <p>Avoid the establishment of <u>non-industrial</u> other activities including residential activities unless:</p> <ol style="list-style-type: none"> there is a functional need for the activity to occur in the General Industrial Zone; and the activity is not provided for in another zone; and the activity does not undermine the purpose, viability and function of any of the Commercial and Mixed Use Zones; and the activity would not result in reverse sensitivity effects that may constrain industrial activities.

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Provision	Position	Reason	Relief Sought
<p>GIZ-R1</p> <p>Industrial activity</p> <p>Trade supplier</p> <p>Laboratories</p> <p>Service stations</p> <p>Motor garage</p> <p>Emergency services facilities</p> <p>Veterinary clinics</p> <p>Excluding any industrial ancillary activity and offensive trades</p> <p><i>[Entire rule not shown here].</i></p>	Support in part.	<p>It is considered appropriate for this rule to permit industrial and compatible activities and to provide fallback controlled or restricted discretionary consenting pathways for activities that breach the permitted activity standards.</p> <p>It is necessary for the setback to provide for outdoor storage, given GIZ-S5 (outdoor storage) provides for this activity up to 15m from a zone boundary.</p>	<p>Amend as follows <i>[Entire rule not shown here]</i>:</p> <p>PER-1</p> <p>The activity and its buildings and structures (excluding fences <u>and outdoor storage</u>) are located more than 50 metres from any Residential Zones or Rural Lifestyle Zone; and</p>
<p>GIZ-R2 Industrial ancillary activities</p> <p><i>[Entire rule not shown here].</i></p>	Support in part.	<p>The permitted, and fallback controlled or restricted discretionary consenting pathways provided for ancillary activities are supported.</p> <p>The restriction on residential activity at clause PER-2 should be refined to provide a discretionary consenting pathway for seasonal workers accommodation.</p>	<p>Amend as follows <i>[entire rule not shown here]</i>:</p> <p>Activity status: Permitted</p> <p>PER-2</p> <p>The activity does not include:</p> <ol style="list-style-type: none"> 1. a residential activity; 2. <u>seasonal workers accommodation</u>); and <p><i>[...]</i></p> <p>Activity status when compliance not achieved with PER-2(1): Non-complying</p>

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Provision	Position	Reason	Relief Sought
			<u>Activity status when compliance not achieved with PER-2(2): Discretionary.</u>
GIZ-R3 Convenience stores, restaurants, cafes and take away food outlets <i>[Entire rule not shown here].</i>	Support.	This rule provides an appropriate framework for the management of food and beverage outlets.	Retain as notified.
GIZ-R4 Offensive trades, including associated buildings and structures Activity status: Discretionary	Support.	A discretionary activity status is appropriate for offensive trades in a General Industrial Zone.	Retain as notified.
GIZ-R5 Any other activity, including associated buildings and structures not otherwise listed in this chapter Activity status: Non-complying	Support.	It is appropriate to heavily restrict encroachment by non-industrial activities into the GIZ, given the high sensitivity of industrial activities to compromise by reverse sensitivity effects.	Retain as notified.
GIZ-S2 Maximum height of buildings and structures 2. Height Specific Control Area Buildings and structures must not exceed a maximum height of 35m measured from ground level. Matters of discretion are restricted to: 1. dominance; and 2. overlooking and loss of privacy; 3. mitigation measures.	Support	The 35 m maximum building height limit appropriately provides for significant industrial developments on large sites.	Retain as notified.

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Provision	Position	Reason	Relief Sought
<i>[Entire rule not shown here]</i>			
<p>GIZ-S3 Setbacks of buildings and structures excluding fences</p> <p>1. General Industrial Zone</p> <ol style="list-style-type: none"> Any building or structure must be setback a minimum of 5m from any road boundary; and 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. <p>Matters of discretion for non-compliance with are restricted to:</p> <ol style="list-style-type: none"> landscaping; and visual amenity, bulk and dominance of building; mitigation measures. 	Support	The setback standards are considered to appropriately balance the functional needs of industrial development with responsiveness to interfaces with non-industrial zones.	Retain as notified.
<p>GIZ-S4 Building colour and reflectivity</p> <ol style="list-style-type: none"> The façade(s) of any building that is visible from and within 50 metres of the General Residential Zone must be painted or finished in a green, grey or tertiary (brown) colour and have a reflectivity value not exceeding 25%; and Any roof of any building that is visible from and within 50 metres of the General Residential Zone must have a reflectivity value not exceeding 15%. 	Support in part.	The colour limitation under sub-clause 1 to green, grey or brown is considered excessive and unlikely to foster good visual amenity outcomes. The key effect to be managed is reflectivity and it is recommended that the rule be modified to focus on that.	<p>Amend as follows:</p> <p>GIZ-S4 Building colour and reflectivity</p> <ol style="list-style-type: none"> The façade(s) of any building that is visible from and within 50 metres of the General Residential Zone must be painted or finished in a green, grey or tertiary (brown) colour and have a reflectivity value not exceeding 25%; and <p><i>[Entire rule not shown here]</i></p>


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Provision	Position	Reason	Relief Sought
Matters of discretion are restricted to:			
<ol style="list-style-type: none"> 1. visual amenity effects on the General Residential Zone; and 2. any glare effects on the General Residential Zone; 3. mitigation measures. 			
GIZ-S5 Outdoor storage	Oppose	The standard requires minor amendments for clarity and to enable flexibility in the method of screening – other options than fencing may be available.	Amend as follows: GIZ-S5 Outdoor storage
<ol style="list-style-type: none"> 1. Any outdoor storage areas must set back 15m from any boundary that adjoins the Residential Zones; and 2. Any outdoor storage area that is located between 15m to 18m from any boundary that adjoins any Residential Zones must not exceed a maximum height of 6m; and 3. Any outdoor storage areas must be fully screened from view at ground level by a fence of no less than 2m in height so that it is not visible from: <ol style="list-style-type: none"> a. any adjoining or adjacent site in the Residential Zones, and b. any residential unit in the General Rural Zone within 50m of the storage. 			<ol style="list-style-type: none"> 1. Any outdoor storage areas must <u>be</u> set back 15m from any boundary that adjoins the Residential Zones; and 2. Any outdoor storage area that is located between 15m to 18m from any boundary that adjoins any Residential Zones must not exceed a maximum height of 6m; and 3. Any outdoor storage areas must be <u>fully</u> screened from view at ground level <u>by a fence to a height</u> of no less than 2m in height so that it is not visible from: <ol style="list-style-type: none"> a. any adjoining or adjacent site in the Residential Zones, and


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Provision	Position	Reason	Relief Sought
			<p>b. any residential unit in the General Rural Zone within 50 m of the storage.</p>
<p>GIZ-S6 Landscaping and bund(s)</p> <p>1. General Industrial Zone</p> <p>1. A landscaping strip is required with minimum depth of 3m along any road boundary or boundary of a Residential Zone or Open Space and Recreation Zone; and</p> <p>2. The landscaping strip required above must be planted with one tree every 15 metres excluding access ways; and</p> <p>3. Any tree that is planted must have a minimum stem diameter of 40mm at the time of planting and be capable of reaching a height of at least five metres at maturity;</p> <p>4. The landscaping strip must be permanently maintained and if any plants die or become diseased, the must be replaced immediately.</p> <p>Matters of discretion are restricted to:</p> <p>1. visual amenity; and</p> <p>2. maintenance of landscaping;</p> <p>3. mitigation measures.</p>	<p>Oppose</p>	<p>It is not necessary to require landscaping along all road frontages and zone boundaries simply because land is in the GIZ.</p> <p>Landscaping should only be required where there is a development/activity with visual effects requiring mitigation.</p>	<p>Amend as follows:</p> <p>1. General Industrial Zone</p> <p>1. A landscaping strip is required to <u>mitigate visual effects must have a</u> with minimum depth of 3m <u>where located</u> along any road boundary or boundary of a Residential Zone or Open Space and Recreation Zone; and</p> <p><i>[Entire rule not shown here]</i></p>

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Provision	Position	Reason	Relief Sought
OSZ –Open Space Zone			
<p>SZ-P3 Primary production activities</p> <p>Enable non-intensive primary production activities where these are compatible with the character and qualities of the Open Space Zone.</p>	Support.	It is appropriate to enable non-intensive primary production in certain cases.	Retain as notified.
<p>OSZ-R5 Non-intensive primary production</p> <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The activity is limited to grazing (except cattle or deer) and the growing and harvesting of grass.</p> <p>Activity status when compliance not achieved: Discretionary</p>	Support.	It is appropriate to allow for light grazing of land in this zone, such as rural sports fields.	Retain as notified.
Maps			
	Oppose.	<p>The Drinking Water Protection Overlay is mapped on two areas at Silver Fern Farms Pareora processing plant.</p> <p>Pursuant to Rule DWP-R5, industry is a non-complying activity in the DWPA overlay.</p> <p>The mapped locations are two bores used to supply drinking water to staff at the site.</p> <p>In Silver Fern Farms’ view it is inappropriate to apply a non-</p>	Delete the Drinking Water Protection Area overlay from the bores at Silver Fern Farms’ Pareora processing plant, or alternative relief to ensure this well-established industrial activity is not inadvertently made subject to a non-complying activity status due to the presence of the bores.

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		<p>complying consenting status to the long-established industrial activity undertaken in the mapped areas.</p> <p>It is sought that the DWP maps be deleted from this area.</p>	
 <p>Major Hazard Facility SHF-14</p>	<p>Support.</p>	<p>It is appropriate for the Pareora processing site to be mapped as a Major Hazard Facility, given it is a facility designated as such by Worksafe.</p>	<p>Retain this mapping.</p>
<p>Versatile Soil overlay</p>	<p>Oppose.</p>	<p>The Versatile Soil overlay near Silver Fern Farms' Pareora processing plant applies to adjacent land that is developed with a railway corridor, and also applies to the adjacent foreshore. Silver Fern Farms queries the accuracy of the proposed mapping, given the context of these areas.</p>	<p>Amend the mapped extent of the Versatile Soil overlay to ensure the associated rules do not inappropriately apply to foreshore areas and to land developed with infrastructure.</p>

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Provision	Position	Reason	Relief Sought
Sea Water Inundation Overlay	Oppose.	<p>Section 2.2 (Approach to managing the Coastal Environment) of the Coastal Environment s32 report states:</p> <p><i>“The coastal environment only contains a limited number of activities; these being mainly limited to rural activities and associated buildings/structures, scattered dwellings and hut settlements outside of the settlement of Timaru [...]”</i></p> <p><i>Coastal hazards are proposed to be identified and managed according to the level of risk: the plan identifies coastal inundation and erosion areas, with more stringent rules applying in the erosion areas to recognise the greater risk to human life and property in this overlay. Provision is made for small buildings or for buildings that are not natural hazard sensitive (e.g., non-habitable buildings). The provisions also recognise that within existing urban areas infrastructure and assets are already there and the community has already accepted a higher level of risk”.</i></p> <p>There appears to be no meaningful recognition in the s32 evaluation of the implications of restricting the significant industrial development present in the coastal environment at</p>	<p>Either:</p> <p>Delete the Sea Water Inundation Overlay maps from Silver Fern Farms’ site, or</p> <p>Amend the provisions associated with this overlay to provide for activities at Silver Fern Farms’ site in a similar fashion to the provision made for industry in defined “urban areas”.</p>

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Provision	Position	Reason	Relief Sought
<p>Silver Fern Farms’ site (and other sites in and out of “urban areas”), nor consideration of providing for established industry outside of Timaru in a similar fashion to the approach taken towards existing activities within defined “urban areas” (see Silver Fern Farms’ submission on Rule CE-R4).</p>			
<p>APP5 – Criteria for Identifying Significant Natural Areas</p>			
<p>APP5 – Criteria for Identifying Significant Natural Areas <i>[Entire provision not shown here]</i></p>	<p>Support</p>	<p>It is appropriate for the proposed Plan to apply a methodology for the identification of SNAs that is consistent with the Canterbury RPS.</p>	<p>Retain as notified.</p>
<p>SCHED2 – Schedule of Major Hazard Facilities</p>			
<p>Schedule 2 <i>[Entire schedule not shown here].</i></p>	<p>Oppose in part</p>	<p>Silver Fern Farms’ site is shown on the e-Plan maps as SHF-14 – a significant hazard facility. However, the site is not referenced in Schedule 2 as a major hazard facility. As such, clarification is sought. The processing plant is a Worksafe-designated major hazard facility.</p>	<p>Clarify the mapping of the Pareora processing site as ‘SHF-14’ without listing the site in Schedule 2.</p>

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Provision	Position	Reason	Relief Sought
SCHED16 – Schedule of Precincts and Specific Control Areas			
SCHED16B - Schedule of Specific Control Areas Layer Name: Height Specific Control Area Zone located: General Industrial Zone <i>[Entire provision not shown here].</i>	Support.	Silver Fern Farms supports this schedule insofar as the Height Specific Control Area is applied to the GIZ part of the Pareora processing site.	Retain as notified.