

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

HEARING STREAM D

Dated: 13 November 2024

1. My full name is Kim Seaton. I am a principal planner practicing with Novo Group Limited in Christchurch.
2. My evidence relates to the submissions and further submissions of PrimePort Timaru Ltd (**PrimePort**) and Timaru District Land Holdings (**TDHL**) on the Proposed Timaru District Plan (**PDP**).
3. This summary statement sets out the executive summary of my Statement of Primary Evidence dated 25 October 2024, and provides an update of my views following my consideration of evidence lodged for other submitters on Hearing D, and Mr Willis's s42A Summary Statement dated 7 November 2024.
4. For the reasons set out in my Statement of Primary evidence:
 - (a) I consider that it is not appropriate for the Contaminated Land chapter to contain provisions protecting indigenous biodiversity.
 - (b) I support amending Objective HS-O2 to include reference to increased scale or intensity of sensitive activities.
 - (c) I consider that clause (3) of Policy HS-P1 should explicitly exclude the Port Zone (PORTZ), and that the clause as currently written is potentially confusing and would benefit from being rewritten.
 - (d) I agree with BP Oil et al that Clause (4) of Policy HS-P1, addressing natural hazards in respect of Major Hazard Facilities other than High Hazard Areas, should become a separate policy. I note Mr Willis, in his summary statement, now agrees that a separate policy is appropriate, though has not yet confirmed his opinion on the wording in respect of high hazard.
 - (e) I support the recommended changes in the Section 42A Report to Policy HS-P4, and Rule HS-R1, to refer to 'sensitive locations' rather than 'sensitive environments', so as to narrow the range of areas to be considered in the Hazardous Substances chapter. However, the 'sensitive locations' definition

requires amendment to more clearly exempt the PORTZ. I comment further on HS-R1 and the 'sensitive locations' definition in light of Mr Thomas Trevilla and Ms Sarah Westoby's evidence for BP Oil et al below.

- (f) I support amending Rule HS-R2 to enable upgrade, addition and alterations to existing Major Hazard Facilities.
 - (g) I consider that the heading of Rule HS-R4 should be amended to remove reference to 'additions to major hazard facilities'. I note Mr Willis, in his summary statement, recommends removing that heading reference and we are therefore now in agreement.
 - (h) I have no issues with the recommended changes in the Section 42A Report to the definition of 'hazardous facility'.
 - (i) I support the proposed amendments to the Planning Maps to clarify the location of the MHFs within the PORTZ.
5. In regard Rule HS-R1, Mr Trevilla and Ms Westoby seek that underground fuel storage tanks at service stations be exempted from this rule in a range of specified natural hazard areas. Mr Willis has agreed with that request where the tanks are within a Flood Assessment Area, High Hazard Area and Sea Water Inundation Overlay. I have no objection to the exemption proposed by Mr Willis for flood and inundation affected areas, as it seems sensible that inundation is not a notable risk factor for underground tanks from short term inundation. In respect of the remaining hazard areas, I do not have a particular view on those matters.
6. In regard the definition of 'sensitive locations' and wetlands/riparian margins, I have no objection to the amendments sought by Mr Trevilla and Ms Westoby and agreed to by Mr Willis in his summary.
7. With regard to HS-P1(3), HS-P1(4) and the definition of sensitive environments (and, presumably, sensitive locations), Mr Willis's summary indicates that he has not yet formed a view on the extent to which it is appropriate to exclude the PORTZ in relation to natural hazards, particularly high hazard. My view remains that:
- i. there is a clear functional and operational requirement for MHF and hazardous facilities to locate within the PORTZ;

- ii. There are strict non-RMA regulations governing the establishment and management of such facilities, though I do not profess to be familiar with them detail;
 - iii. new MHF and any additions greater than 10% require resource consent as a discretionary activity (HS-R2 and HS-R4). I agree that these consenting pathways and activity status are appropriate in the PORTZ;
 - iv. Objective HS-O1, Policy HS-P1 and the definition of sensitive locations as proposed in Appendix 1 to Mr Willis's Section 42A Report, collectively state that MHF are to be avoided in High Hazard Areas;
 - v. There is no certainty as to how High Hazard will be defined in relation to the PORTZ, pending Hearing ^FD. If the Regional Policy Statement definition were adopted for example, as sought in the Environment Canterbury submission, the entirety of the PORTZ would be deemed High Hazard as a result of seawater inundation. Under this scenario, the Timaru District Plan would seek to avoid MHF in the PORTZ.
8. The amendments I recommend to Policy HS-P1 and the definition of sensitive locations are therefore not intended to be *permissive* of MHF in the PORTZ, so much as they are intended to *allow* MHF to be considered and consented, including in High Hazard parts of the zone.

