

FORM 5

**SUBMISSION ON NOTIFIED PROPOSAL FOR PLAN CHANGE**

Clause 6 of Schedule 1, Resource Management Act 1991

To Timaru District Council

Name Alliance Group Limited ("**Alliance**")

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

4. **Background matters that inform Alliance's position on the Proposed Plan are:**

4.1 Alliance is a large meat processing and exporting wholly farmer owned co-operative company which operates seven processing plants throughout New Zealand. On an annual basis, Alliance processes approximately 5 million lambs, 1 million sheep, over 400,000 cattle, 100,000 deer and 270,000 calves. This equates to approximately 30% of New Zealand's sheep meat production, 15% of beef and 30% of venison sourced from 4,500 sheep, beef and deer farms.

4.2 During the peak processing season, Alliance employs over 4,800 people nationwide (permanent and seasonally). Alliance's annual turnover for the 2022 season was \$2.2 billion, with a profit of \$117.2 million before provisions, distribution and tax. As a farmer 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.

**Alliance's Smithfield processing site**

4.3 Alliance owns and operates a meat processing plant on 52 Bridge Road, Smithfield, Timaru. The meat processing plant is part of Alliance's 32-hectare landholding at Smithfield (the "**Site**").

- 4.4 The site is surrounded by a number of zones including large format retail, open space, natural open space, general rural and general residential zones under the Proposed Plan.
- 4.5 The site employs approximately 635 people at the peak of the processing season, operating two lamb chains and one venison chain.
- 4.6 The site operates in accordance with several resource consents issued by the Canterbury Regional Council. The consents include a water permit for the abstraction of groundwater, a permit for the discharge of contaminants to air and stormwater discharge permits. These authorise activities until 2030 for the discharge of contaminants to air consent and 2043 for the stormwater discharge permits. The site also holds a trade waste permit to discharge wastewater into the Timaru District Council (“**TDC**”) trade waste network. Potable water is supplied to the site from TDC.
- 4.7 Key operational features of the site include:
- a. Stockyards and truck un/loading areas;
  - b. Meat processing facilities, including a slaughter board; carcass cooling; chilling and freezing;
  - c. Rendering facilities;
  - d. Produce loadout facilities, including loadout by road and rail;
  - e. Ancillary offices and staff facilities; and
  - f. Boiler operations.
- 4.8 The location of the site is shown on Figure 1 below.
- 4.9 Under the Operative Timaru District Plan (“**Operative Plan**”) the site is subject to the following controls:
- > Industrial H Zone
  - > Rural 3 Zone
  - > 100 Year Coastal Erosion Line
  - > Designated Area: Soil Conservation and River Control



Figure 1: Site location

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

- > General Industrial Zone;
- > Natural Open Space Zone;
- > General Rural Zone
- > Coastal Erosion Overlay
- > Sea Water Inundation Overlay
- > Flood Assessment Overlay
- > Liquefaction Overlay
- > Major Hazard Facility ref. SHF-12
- > Wahi Taoka Overlay

- > Wahi Tupuna Overlay
- > Light Sensitive Area Overlay, co-located with the Wahi Taoka Overlay
- > Outstanding Natural Features Overlay
- > Significant Natural Areas Overlay ref. SNA-825
- > Coastal Environment Overlay
- > Esplanade Overlay
- > Public Access Overlay

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, Alliance 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 Alliance hold about the Proposed Plan are summarised below.

**Natural Hazards chapter**

4.13 The Proposed Plan applies several natural hazard layers (relating to flooding, liquefaction and erosion) to the site, including a large part of the area occupied by the processing plant. Alliance’s 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 Alliance also seeks clarity about where High Hazard Areas occur in the form of mapping. According to the e-Plan, a significant portion of the Alliance site is mapped as being within a Flood Assessment Area, so the site is potentially subject to flooding, however it is not known if it is also within a High Hazard Area.

4.15 If the High Hazard Area corresponds to some extent with the Flood Assessment 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 m<sup>2</sup>. Clarity is therefore sought about where these provisions may apply to allow Alliance to assess the significance of them on its operation.



Figure 2: Proposed Flood Assessment Area Overlay extent (shown in hatch) at the site

#### **Hazardous Substances chapter**

- 4.16 While Alliance processing plant is shown on the e-Plan maps as a Major Hazard Facility with the reference number SHF-12, 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 Alliance seeks that the proposed Plan be amended to confirm whether the 'Major Hazard Facility' provisions of the Proposed Plan do apply to the site.
- 4.18 Otherwise, Alliance's 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.

### **Sites and Areas of Significance to Māori**

- 4.19 The Wāhi Taoka Overlay applies to all of Alliance's Smithfield landholding including the entirety of the meat processing plant. Permitted activity earthworks activities are heavily restricted across the entirety of the site, largely to earthworks associated with maintenance and repair of existing fences, tracks and other activities. Other earthworks, including repair of unground pipework for example, would require consent as a restricted discretionary activity.
- 4.20 As Smithfield is a large industrial site, with significant amounts of infrastructure located underground and regularly changing facilities it is likely that SASM-R1(2) will generate the requirement for repetitive and inefficient earthworks consent applications. In addition, the need to obtain consents for most earthworks will significantly slow the speed at which Alliance can respond to any issues with its underground assets. This could potentially result in undesirable environmental outcomes.
- 4.21 Alliance considers that the requirement of rule SASM-R2 PER-4 for an Accidental Discovery Protocol commitment form to be lodged provides appropriate surety that any accidental discovery (which is an event that can occur regardless of the scale of earthworks) will be appropriately managed. However, it should be noted that Alliance would prefer to do this once only for all earthworks intended to be captured by this rule, rather than prior to every earthworks event.

### **Light Sensitive Area chapter**

- 4.22 The entirety of the Alliance site is within the Light Sensitive Areas Overlay corresponding to the Wahi Taoka Overlay as shown in Figure 3. Alliance activities require lighting for health and safety purposes 24 hours per day. Because lighting on the Alliance site would not comply with the permitted activity requirement that light be installed in a manner that precludes its operation between 10pm and 7am the following day (Light-R3 PER-2(3)) consent would be required as a non-complying activity for lighting at the site. This is entirely inappropriate for an industrial site with night-time activities and Alliance requests that PER-2(3) of Light-R3 be deleted.



Figure 3: Proposed Light Sensitive Area Overlay extent (shown in hatch) at the site

#### **Ecosystems and Indigenous Biodiversity chapter and Natural Character chapters**

4.23 The site includes one area that the Proposed Plan applies a Significant Natural Area control to (referenced as SNA825) and the site is bisected by one watercourse. 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.

4.24 Alliance's 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.

#### **Public Access chapter**

4.25 An access track traverses the Alliance site to enable public access to the coastal marine area. The access track is subject to coastal erosion (it is contained entirely within the Coastal Erosion Overlay) and Alliance is seeking to ensure that the provisions within the Proposed Plan appropriately reflect this. This includes that public access be restricted where necessary for health and safety purposes and to not require that it be maintained to Council standards for recreational areas where natural process may compromise the design.

- 4.26 Alliance is unclear about the purpose of rule PA-R1 and how it is intended to work for any new land use, subdivision or development in the General Industrial Zone where there is a waterway. As worded, it indicates that a consent for a controlled activity would be required for any development on the site. Because the reason for this is unclear, it is requested that this rule be deleted.

#### **Coastal Environment chapter**

- 4.27 The provisions of the Coastal Environment chapter are generally acceptable to Alliance except for provisions regarding the ability of Alliance to protect its significant assets from natural hazards through mitigation works in the Coastal Erosion and Sea Water Inundation Overlays (refer Figure 4). If natural hazard mitigation works are undertaken in these areas by Council, the Crown or Regional Council, a restricted discretionary consenting pathway is provided. Similarly, if natural hazard mitigation work is undertaken by a party who is not the Crown, Canterbury Regional Council or the Timaru District Council in the Coastal Environment Area Overlay (which is not also in the Coastal Erosion and Sea Water Inundation Overlays) the activity is provided a restricted discretionary consenting pathway. Alliance has made a significant investment in its site and a less onerous consenting pathway should be available for protecting its assets from natural hazards in these areas.



**Figure 4:** Proposed Coastal Erosion and Sea Water Inundation Overlay extent (shown in hatch) at the site



### **General Industrial Zone**

4.28 The proposed General Industrial Zone (“**GIZ**”) applies to the meat processing plant and curtilage. Alliance’s 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, Alliance largely supports the GIZ provisions.

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

**Signature:**



Doyle Richardson

(Mitchell Daysh Limited) on behalf of Alliance Group Limited.

**Date:** 15 December 2022.

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Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
<b>Definitions</b>			
<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"> <li>1. the incidental use and storage of hazardous substances in minimal domestic scale quantities;</li> <li>2. retail outlets for hazardous substances intended for domestic usage (e.g. supermarkets, hardware stores and pharmacies);</li> <li>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;</li> <li>4. pipelines used for the transfer of hazardous substances such gas, oil, trade waste and sewage;</li> <li>5. fuel in motor vehicles, boats, airplanes and small engines;</li> <li>6. the use, transportation, or storage of any hazardous substance for any temporary military training activity;</li> </ol>	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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<p>7. the transportation of hazardous substances (e.g. in trucks or trains); or</p> <p>8. mixing and application of hazardous substances solely for the purpose of controlling plant and animal pests on site.</p>			
<p>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.</p>	Oppose.	<p>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.</p> <p>Clarification is sought with respect to the implementation of this definition, given the implications of the various hazard overlays for project consenting.</p>	Amend this definition, or clarify the various hazard overlays, to confirm the implementation of this definition.
<p>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.</p>	Support.	It is appropriate for the definition to align with the National Planning Standards 2019.	Retain definition as notified.
<p>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.</p>	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.

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<p>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 livestock is substantially provided from off-site sources, but excludes:</p> <ul style="list-style-type: none"> <li>a. calf-rearing for three months in any calendar year;</li> <li>b. pig production for domestic self-subsistence home use;</li> <li>c. extensive pig farming;</li> <li>d. free range poultry farming; and</li> <li>e. the feeding of supplementary feed during adverse weather events such as drought or snow.</li> </ul>	Oppose in part.	<p>This definition requires amendment to ensure that the supplementary feeding of stock being temporarily held at a meat processing plant is not 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 Alliances site that are within the GIZ.</p>	<p>Amend as follows:</p> <p>INTENSIVE OUTDOOR PRIMARY PRODUCTION</p> <p>[...]</p> <ul style="list-style-type: none"> <li>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></li> </ul>
<p>INTENSIVELY FARMED STOCK means:</p> <ul style="list-style-type: none"> <li>a. cattle or deer grazed on irrigated land or contained for break-feeding of winter feed crops; and</li> <li>b. dairy cattle, including cows, whether dry or milking, and whether on irrigated land or not; and</li> <li>c. Pig farming (except pig farming for domestic self-subsistence home use);</li> </ul>	Oppose in part.	<p>As a meat processing business Alliance may on occasions need to temporarily hold stock on land surrounding their site that may have come from a site that undertakes intensive primary production which could be included in sub clause (d). They may also need to provide the stock supplementary feed which would meet the definition of 'Intensive Outdoor Primary Production'.</p>	<p>Amend the definition as follows:</p> <p>INTENSIVELY FARMED STOCK means:</p> <ul style="list-style-type: none"> <li>a. cattle or deer grazed on irrigated land or contained for break-feeding of winter feed crops; and</li> <li>b. dairy cattle, including cows, whether dry or milking, and whether on irrigated land or not; and</li> </ul>

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d. any stock that is associated with an intensive primary production.		Stock being held for processing purposes should not be considered 'Intensively Farmed Stock'.	<p>c. Pig farming (except pig farming for domestic self-subsistence home use);</p> <p>d. any stock that is associated with an intensive primary production (<u>excluding stock held for processing</u>).</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 hazard facility under the Health and Safety at Work (Major Hazard Facilities) Regulations 2016.	Support.	It is appropriate to define Major Hazard Facilities consistent with the Worksafe designations in order to operationalise the policies and rules (including those relating to the protection of facilities from reverse sensitivity effects) later in the proposed Plan.	Retain as notified.
<p>NOISE SENSITIVE ACTIVITY means:</p> <p>a. Residential activities;</p> <p>b. Visitor accommodation;</p> <p>c. Educational facility;</p> <p>d. Healthcare activities; and</p> <p>e. Marae (building only).</p>	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.
REVERSE SENSITIVITY means the potential for the operation of an existing lawfully established activity to be compromised, constrained, or curtailed by the	Oppose.	It is appropriate to recognise the potential negative effects for approved, existing or permitted	<p>Amend the definition as follows:</p> <p><b>Reverse sensitivity</b> means the potential for the operation of a</p>

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<p>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>		<p>activity’s which may be generated through reverse sensitivity.</p> <p>However, amendments are needed as follows:</p> <ul style="list-style-type: none"> <li>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</li> <li>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.</li> </ul>	<p><del>existing permitted, consented or</del> lawfully established activity, <u>and the future development or expansion of that activity</u> to be compromised, constrained, or curtailed by the <del>more recent possible or proposed</del> establishment, <u>intensification</u> or alteration of another activity which may be sensitive to the actual, potential or perceived adverse environmental effects generated by an <del>existing</del> <u>that</u> activity.</p>

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<p>SENSITIVE ACTIVITY means:</p> <ol style="list-style-type: none"> <li>1. Residential activities;</li> <li>2. Education facilities and preschools;</li> <li>3. Guest &amp; visitor accommodation;</li> <li>4. Health care facilities which include accommodation for overnight care;</li> <li>5. Hospitals;</li> <li>6. Marae (building only); or</li> <li>7. Place of assembly.</li> </ol> <p>except that:</p> <ol style="list-style-type: none"> <li>a. subclause f. above is not applicable in relation to electronic transmission.</li> <li>b. subclause g. above is not applicable in relation to noise or electronic transmission.</li> </ol>	Oppose.	<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"> <li>1. Residential activities (<u>excluding seasonal workers accommodation and caretaker dwellings</u>);</li> </ol> <p><i>[Entire definition not shown here].</i></p>
<b>SD – Strategic Direction</b>			
<p>SD-O1 Residential Areas and Activities</p> <ol style="list-style-type: none"> <li>i. There is sufficient residential development capacity in existing and proposed urban areas to meet demand and household choice, provided through: <ol style="list-style-type: none"> <li>a. the use of existing zoned greenfield areas;</li> </ol> </li> </ol>	Oppose.	<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:</p> <p>SD-O1 Residential Areas and Activities</p> <p><i>[...]</i></p> <p><i><u>iv. The location of new residential areas and activities avoids creating conflict with incompatible zones and activities.</u></i></p>



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<ul style="list-style-type: none"> <li>b. a range of densities in existing urban areas; and</li> <li>c. higher residential densities in close proximity to the Timaru and Geraldine town centres, and Highfield Village Mall;</li> <li>d. the new Future Development Areas identified for the General Residential Zone.</li> </ul> <ul style="list-style-type: none"> <li>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</li> <li>iii. limited residential opportunities are maintained in existing rural settlements, subject to adequate servicing.</li> </ul>			<p><i>[Entire provision not shown here].</i></p>
<p>SD-O4 Natural Hazards</p> <p>Natural hazards risks are addressed so that:</p> <ul style="list-style-type: none"> <li>i. areas subject to natural hazards and risk are identified;</li> <li>ii. development is avoided in areas where the risks of natural hazards to people, property and infrastructure are assessed as being unacceptable; and</li> </ul>	<p>Support in part.</p>	<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 need to be mitigated everywhere – only when necessary to facilitate an activity.</p>	<p>Amend as follows:</p> <ul style="list-style-type: none"> <li>iii. for other areas, natural hazards risks are appropriately mitigated <u>if necessary to enable a land use, development or subdivision</u></li> </ul>

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<p>iii. for other areas, natural hazards risks are appropriately mitigated.</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"> <li>i. providing sufficient land for a range of business activities to cater for projected growth;</li> <li>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.</li> </ul>	<p>Oppose.</p>	<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"> <li>i. providing sufficient land for a range of business <u>and industrial</u> activities to cater for projected growth;</li> <li>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 <u>or the viability of industrial zones.</u></li> <li>iii. <u>Avoiding the encroachment of incompatible activities that are sensitive to the effects of commercial and industrial activities.</u></li> </ul>

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<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"> <li>i. protecting versatile soils for productive uses;</li> <li>ii. managing the adverse effects of intensive activities on sensitive activities;</li> <li>iii. managing the adverse effects of new sensitive activities on primary production;</li> <li>iv. avoiding activities that have no functional/operational need to locate in the rural area;</li> <li>v. identifying and maintaining the character, qualities and amenity values of rural areas;</li> <li>vi. ensuring Future Development Area overlay remains available for future urban or rural lifestyle development.</li> </ul>	<p>Support in part.</p>	<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><del>A range of primarily</del> <u>Primary</u> production <del>and supporting</del> activities are enabled in the rural environment to <del>enable the ongoing use of land for primary production for present and future generations;</del> while:</p> <ul style="list-style-type: none"> <li>i. protecting versatile soils for productive uses;</li> <li>ii. managing the adverse effects of intensive activities on <u>existing</u> sensitive activities;</li> <li>iii. managing the adverse effects of new sensitive activities on primary production, <u>rural industry and supporting activities</u>;</li> <li>iv. avoiding activities that have no functional/operational need to locate in the rural area;</li> <li>v. identifying and <del>maintaining</del> <u>managing</u> the character, qualities and amenity values of rural areas;</li> <li>vi. ensuring Future Development Area overlay remains available for</li> </ul>

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			future urban or rural lifestyle development.
<b>UFD – Urban Form and Development</b>			
<p>UFD-O1 Settlement Patterns</p> <p>A consolidated and integrated settlement pattern that:</p> <ul style="list-style-type: none"> <li>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;</li> <li>ii. is integrated with the efficient use of infrastructure;</li> <li>iii. reduces adverse effects on the environment, including energy consumption, carbon emissions and water use;</li> <li>iv. protects drinking water supplies from the adverse effects of subdivision, use and development;</li> <li>v. is well-designed, of a good quality, recognises existing character and amenity, and is attractive and functional to residents, business and visitors;</li> <li>vi. avoids areas with important natural, cultural and character values;</li> </ul>	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-O1Settlement Patterns</p> <p>A consolidated and integrated settlement pattern that:</p> <p>[...]</p> <ul style="list-style-type: none"> <li>vi. avoids <u>significant adverse effects on areas</u> with important natural, cultural and character values;</li> </ul> <p>[...]</p> <ul style="list-style-type: none"> <li>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> <del>or which would require additional hazard mitigation</del>; and</li> <li>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.</li> </ul>

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<p>vii. minimises the loss of versatile soils;</p> <p>viii. enables papakāika, to occur on ancestral lands;</p> <p>ix. avoids locating new growth in areas where the impacts from natural hazards are unacceptable or which 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>
<p><b>CL – Contaminated Land</b></p>			
<p>Introduction</p> <p><i>[...]</i></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>	<p>Support.</p>	<p>Alliance supports the approach undertaken in the proposed Plan to only provide objective and policy direction for the assessment of any resource consent application made 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>	<p>Retain as notified.</p>

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Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the 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>	<p>Support in part.</p>	<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, <del>land disturbance</del>, 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"> <li>1. manage contaminated soil to protect human health; and</li> <li>2. ensure the land is suitable for its intended use.</li> </ol>	<p>Amend.</p>	<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 (or other such similar outcome that has the same or similar effect as the relief sought).
<b>NH – Natural Hazards</b>			
<p>H-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"> <li>1. avoided in high hazard areas; and</li> <li>2. avoided or mitigated elsewhere to an acceptable level.</li> </ol>	<p>Oppose.</p>	<p>Parts of Alliances site are subject to the Flood Assessment Area Overlay, Sea Water Inundation Overlay and the Coastal Erosion Overlay. Those portions of the site could 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"> <li>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></li> <li>2. <i>land outside of greater Christchurch subject to coastal erosion over the next 100 years; and</i></li> <li>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</i></li> </ol>	<p>Amend as follows:</p> <p>H-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"> <li>1. <u>avoided in high hazard areas; and</u></li> <li>2. <u>avoided or mitigated elsewhere to an acceptable level.</u></li> </ol>

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Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
		<p><i>Maps in Appendix 5 of this Regional Policy Statement that 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 Alliances 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, <b>even in areas of high natural hazard</b>. Notably, RPS objectives 11.2.1, 11.2.2 and Policy 11.3.1 direct that:</p> <ul style="list-style-type: none"> <li>› Subdivision, use and development must either avoid worsening natural hazard risks, or if avoidance is not possible, mitigate the risks.</li> <li>› In high hazard areas, new activities are avoided <b>if</b> they cannot mitigate risk appropriately.</li> </ul> <p>Therefore, proposed objective NH-O1 is inconsistent with RPS directions that</p>	



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Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
		contemplate risk mitigation in areas of natural hazard risk.	
<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>	Oppose.	<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 for 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"> <li>1. the type of natural hazard that applies; and</li> <li>2. the level and severity of risk to people and property from the natural hazard; and</li> </ol>	Oppose	This policy does not expressly reflect the obligation of RMA s75(3)(c) for district plans to give effect to regional policy statements.	Include reference to aligning the proposed district plan mapping of natural hazards with that of the Canterbury RPS.

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Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
<ol style="list-style-type: none"> <li>3. the sensitivity of activities to loss of life or damage to property from a natural hazard; and</li> <li>4. the ability for communities to recover after a natural hazard event.</li> </ol>			
<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"> <li>1. it is not likely to suffer significant damage in a flood event; and</li> <li>2. it will not significantly affect the functioning of the flood plain; and</li> <li>3. it will not generate the need for new or upgraded public natural hazard mitigation works to mitigate or avoid the natural hazard; and</li> <li>4. a minimum floor level above the 0.5% AEP design flood level can be achieved; and</li> <li>5. major hazard facilities will not be inundated; and</li> <li>6. significant adverse effects on people and property are avoided; and</li> </ol>	<p>Oppose.</p>	<p>Alliance is included in the Major Hazard Facility overlay as SHF-12 but isn't 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>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>Alliance considers that the provision requires refinement to avoid undue regulation simply because a building is in a Flood Assessment Area.</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>

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Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
<p>7. increased risk on other sites is avoided as a priority and where this is not practicable, will be appropriately mitigated.</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 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.</p>	Support.	It is appropriate to provide for subdivision that avoids or mitigates risk in the Liquefaction Awareness Areas Overlay.	Retain as notified.
<p>NH-P9 Natural hazard mitigation works</p> <p>Natural hazard mitigation works [...]</p> <p>2. not undertaken by the Crown, Canterbury Regional Council or the Council, will only be acceptable where:</p> <ol style="list-style-type: none"> <li>a. the natural hazard risk cannot otherwise be reasonably avoided; and</li> <li>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</li> <li>c. any adverse effects arising from the construction or operation of the works on the identified values and qualities of Outstanding</li> </ol>	Oppose.	<p>It is appropriate to provide for private natural hazard mitigation works subject to the criteria specified in this policy.</p> <p>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.</p>	<p>Amend as follows:</p> <p>NH-P9 Natural hazard mitigation works</p> <p>Natural hazard mitigation works</p> <p>[...]</p> <p>d. the construction or operation of the works will <u>avoid or acceptably mitigate</u> <del>not lead to</del> any increased or new risk from flooding <del>to</del> human life and property.</p> <p><i>[Entire provision not shown here].</i></p>

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Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
<p>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, 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>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"> <li>1. it is a building that is not a natural hazard sensitive activity or is unlikely to suffer damage; or</li> <li>2. it can be demonstrated that the risks of the natural hazard can be mitigated so that: <ol style="list-style-type: none"> <li>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</li> </ol> </li> </ol>	<p>Support in part.</p>	<p>The reference to “mapped or <i>identified</i> 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 “<b>any</b> 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>Amend as follows:</p> <p>NH-P10 High Hazard Areas</p> <p>Avoid subdivision, use and development (excluding Regionally Significant Infrastructure) in; mapped or <del>identified</del> High Hazard Areas, unless:</p> <ol style="list-style-type: none"> <li>1. it is a building that is not a natural hazard sensitive activity or is unlikely to suffer damage; or</li> <li>2. it can be demonstrated that the risks of the natural hazard can be mitigated so that: <ol style="list-style-type: none"> <li>1. in the event of a natural hazard, there is likely to be</li> </ol> </li> </ol>

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Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
<p>b. it will not require new or upgraded public natural hazard mitigation works to mitigate the natural hazard; and</p> <p>c. it is not likely to exacerbate the potential effects of the natural hazard on adjoining or surrounding land; and</p> <p>d. it does not increase reliance on emergency services in a hazard event.</p>		<p>A slight amendment is proposed to clause (2)(a) to remedy this unqualified avoidance policy setting.</p>	<p>no loss of life or serious injury <del>or and any built development is not likely to suffer</del> significant <u>property</u> damage or loss; and</p> <p><i>[Entire provision not shown here].</i></p>
<p>NH-R1 Earthworks, excluding land disturbance and for natural hazard mitigation works</p> <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1</p> <p>If the site is subject to flooding in a 0.5% AEP rainfall event, NH-S2 is complied with; and</p> <p>PER-2</p> <p>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>	<p>Support in part.</p>	<p>Alliance 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, Alliance opposes clause PER-1 of this rule insofar as standard NH-S2 limits earthworks to 250 m<sup>2</sup> per calendar year. On a large industrial site such as the Smithfield site, this small allowance is a significant and undue constraint on typical operations.</p>	<p>Either:</p> <ul style="list-style-type: none"> <li>› Delete clause PER-1 of Rule NH-R1; or,</li> <li>› Retain NH-R1 as notified, subject to the grant of the relief sought by Alliance in respect of NH-S2, being an increased allowance for earthworks in the GIZ.</li> </ul>
<p>NH-R4 Natural hazard sensitive activities or structures and additions to such activities or structures with a ground floor area of 30m<sup>2</sup> or more</p> <p>Activity status: Permitted</p>	<p>Oppose.</p>	<p>Alliance 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</p>	<p>Show High Hazard Areas on the High Hazard Area Overlay.</p>

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Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
Where: 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 PER-2 A Flood Risk Certificate for the activity has been issued in accordance with NH-S1; and 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 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 PER-5 The Flood Risk Certificate issued under PER-2 states either: 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.		restricted discretionary activity status if not met.  However, Alliance seeks clarity with respect to the non-complying status under rule NH-R4(2) for >30m <sup>2</sup> developments in a “High Hazard Area Overlay”.  The proposed plan defines a “High Hazard Area” as:  <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>  While Alliances site is not mapped on the e-Plan as within the High Hazard Area Overlay, parts of the site may meet the definition of a High Hazard Area and parts of the site are subject to the Sea Water Inundation Overlay.  Will land that is mapped in the Sea Water Inundation Overlay also be classed as a High Hazard Area?  Alliance opposes the non-complying activity status for buildings >30m <sup>2</sup> , which appears to apply regardless of	Retain a permitted and restricted discretionary consenting pathway for land in a Flood Assessment Area.  Amend rule NH-R4(2) and other provisions as necessary to clarify that land in the Flood Assessment Area or Sea Water Inundation Overlay is not subject to a non-complying consenting pathway for development of >30m <sup>2</sup> .

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Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
		<p>whether a proposal includes appropriate freeboard above the flood level.</p> <p>This consenting pathway could constrain development on parts of the site subject to the High Hazard Area Overlay, or Sea Water Inundation Overlay if it is also defined as a High Hazard Area.</p>	
<p>NH-R7 Natural Hazard Sensitive Activities and additions, new buildings, and structures with a ground floor area of less than 30m<sup>2</sup> (excluding Regionally Significant Infrastructure)</p> <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1</p> <p>The building or structure or addition is below ground; or</p> <p>PER-2</p> <p>The new building or structure or addition has a ground floor area of less than 10m<sup>2</sup>; or</p> <p>PER-3</p> <p>The new building or structure or addition is located within a road corridor; or</p>	<p>Support.</p>	<p>It is appropriate to provide a permitted status for small buildings and structures.</p>	<p>Retain as notified.</p>

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Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
<p>PER-4</p> <p>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>			
<p>NH-R8 Subdivision</p> <p>1 Flood Assessment Area Overlay</p> <p>Activity status: Restricted Discretionary</p> <p>[...]</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>[...]</p> <p>Activity status where compliance not achieved: Not applicable</p> <p>3 Earthquake Fault (subdivision) Awareness Areas Overlay</p> <p>[...]</p> <p>4 High Hazard Area Overlay</p> <p>Activity status: Non-complying</p>	<p>Oppose</p>	<p>While Alliance supports a restricted discretionary consenting pathway for subdivision in the Flood Assessment Area Overlay and the Liquefaction Awareness Areas Overlay, it is concerned about whether parts of the site would meet the definition of a High Hazard Area and the ambiguity about whether land in the Sea Level Inundation Overlay would also be considered a High Hazard Area Overlay.</p> <p>If parts of the site are in fact part of the High Hazard Area and/or whether the Sea Level Inundation Overlay would also be considered a High Hazard Area Overlay, 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>	<p>Amend rule NH-R8(4) and other provisions as necessary to clarify that the subdivision of land in the High Hazard Area Overlay is not subject to a non-complying consenting pathway under the 'High Hazard Area Overlay'.</p>



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Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
<p>NH-S1 Flood Risk Certificate</p> <p>Flood Assessment Areas Overlay</p> <p>[...]</p> <p>Note: A minimum finished floor level will not be provided for sites located within a High Hazard Area.</p> <p><i>[Entire provision not shown here].</i></p>	Oppose in part.	<p>Further to its submission points on NH-R4 and NH-R8 Alliance 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 portion of the site at Smithfield.</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</p> <p>The earthworks do not exceed:</p> <ul style="list-style-type: none"> <li>- 2,000m<sup>2</sup> in area in any calendar year in a Rural zone; and</li> <li>- 250m<sup>2</sup> in area in any calendar year in any other zone.</li> </ul>	Oppose in part.	<p>Alliance operates a large industrial site with large industrial buildings that are proposed to be included in the GIZ.</p> <p>An allowance for 250 m<sup>2</sup> of earthworks in a calendar year is entirely insufficient in this context and will generate inefficient resource consent requirements.</p> <p>A 2,000 m<sup>2</sup> permitted earthworks limit - as provided for the Rural zones – would be more appropriate.</p>	<p>Amend as follows:</p> <p>The earthworks do not exceed:</p> <ul style="list-style-type: none"> <li>- 2,000m<sup>2</sup> in area in any calendar year in a Rural <u>or General Industrial</u> zone; and</li> <li>- 250m<sup>2</sup> in area in any calendar year in any other zone.</li> </ul>

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Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
<b>HS – Hazardous Substances</b>			
<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>	<p>Oppose in part.</p>	<p>The Alliance is included in the Major Hazard Facility overlay as SHF-12, but isn't listed in <i>SCHED2 – Schedule of Major Hazard Facilities</i>.</p> <p>As such, it is unclear if Major Hazard Facility provisions apply to the site or if it is classified as a 'Hazardous Facility' only (there is no schedule of 'Hazardous Facilities' in the proposed Plan).</p> <p>Alliance 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 the Alliance site <b>is</b> a Major Hazard Facility, Alliance 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</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 for '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 (or other such similar outcome that has the same or similar effect as the relief sought).
<ol style="list-style-type: none"> <li>1. potential adverse effects on sensitive activities and sensitive environments;</li> <li>2. reverse sensitivity effects caused by sensitive activities locating too close to hazardous facilities;</li> <li>3. the risks to hazardous facilities from natural hazards and consequential risks to the environment;</li> <li>4. cumulative effects of major hazard facilities locating too close each other.</li> </ol> <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 <math>1 \times 10^{-6}</math> per year (one in a million). Where a</p>		<p>requirement to prepare a QRA will be redundant and should not be mandatory.</p>	

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Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
Quantitative Risk Assessment has been prepared, sensitive activities are required to located outside of the (1 x 10 <sup>-6</sup> per year) risk area, or if no such 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.	Alliance 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,</u> minimise 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>	Oppose in part.	Alliance questions 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	Clarification is required to ensure a Quantitative Risk Assessment for all additions to Major Hazard Facilities is only required where there is likely to

## APPENDIX A: TABLE OF RECOMMENDATIONS

Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
<ol style="list-style-type: none"> <li>1. using Quantitative Risk Assessments to ensure the risk of an individual human fatality is not greater than 1 x 10<sup>-6</sup> per year (one in a million), including cumulative effects; and</li> <li>2. ensuring Major Hazard Facilities do not cause unacceptable cumulative effects by locating too close to each other; and</li> <li>3. locating Major Hazard Facilities outside of sensitive environments, except for Natural Hazard Areas (not defined as a High Hazard Area); and</li> <li>4. ensuring, in Natural Hazard Areas (not defined as a High Hazard Area), suitable measures are to undertaken to:               <ol style="list-style-type: none"> <li>a. avoid or minimise adverse effects from natural hazards on hazardous facilities and Major Hazard Facilities; and</li> <li>b. minimise the risk of hazardous substances entering the environment in the event of a natural hazard event.</li> </ol> </li> </ol>		<p>proposed or where they are situated on site.</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 Alliance to assess the impact of the proposed provisions on its operation.</p>	<p>be a change in risk as a result of the additions.</p> <p>Clarification is required to allow Alliance to identify any High Hazard Area and appropriately assess the impact of 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>	<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 the subject of policy</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>

## APPENDIX A: TABLE OF RECOMMENDATIONS

Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
		support, given upgrades can improve the safety of these facilities.	
<p>HS-P3 Sensitive activities in proximity to Major Hazard Facilities</p> <p>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.</p>	Oppose.	An avoidance clause is sought to be added, for the reasons given in respect of objective HS-O2.	<p>Amend as follows:</p> <p>HS-P3 Sensitive activities in proximity to Major Hazard Facilities</p> <p>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>
<p>HS-P4 Hazardous facilities (other than Major Hazard Facilities)</p> <ol style="list-style-type: none"> <li>1. Enable hazardous facilities (other than Major Hazard Facilities), provided that:               <ol style="list-style-type: none"> <li>a. The facility is located outside of a sensitive environment (except for a Flood Assessment Area); and</li> <li>b. The facility is located within a Flood Assessment Area where the flood hazard can be mitigated; and</li> </ol> </li> <li>2. Only allow hazardous facilities (other than Major Hazard Facilities) in sensitive environments where the risks to the sensitive environments</li> </ol>	Support in part.	<p>Alliance 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>Alliance also supports that hazardous facilities be allowed if risks to sensitive environments can be avoided and if not possible, minimised.</p>	Retain as notified.

## APPENDIX A: TABLE OF RECOMMENDATIONS

Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
<p>can be avoided in the first instance, or where avoidance is not possible, minimised.</p>			
<p>HS-R1 Use and/or storage of hazardous substances in a hazardous facility (excluding Major Hazard Facilities)</p> <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1</p> <p>The hazardous facility is located outside a sensitive environment (other than a Flood Assessment Area Overlay); and</p> <p>PER-2</p> <p>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>Support.</p>	<p>Alliance supports the provision for the permitted use and storage of hazardous substances as set out in this rule.</p>	<p>Retain as notified.</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</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>

## APPENDIX A: TABLE OF RECOMMENDATIONS

Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
		hazardous facilities. Upgrades should also be provided for, given the benefits that upgrades can entail.	
<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>PER-1</p> <p>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</p> <p>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>	Support in part.	<p>Alliance 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>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>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> <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>



**APPENDIX A: TABLE OF RECOMMENDATIONS**

Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
			Activity status where compliance not achieved: Non-Complying.
<p>HS-R4 New Major Hazard Facilities and additions to Major Hazard Facilities</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 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>Amend rule to clarify that a 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 capture activities not already managed by existing legislation, for example where hazardous substances are located in a natural hazard area.</p>
<p>HH-R3 New buildings, structures and signs within a heritage setting</p> <p>All Zones</p> <p>Activity status: Restricted Discretionary</p> <p><i>[Entire rule not shown here]</i></p>	Support	A restricted discretionary activity status is appropriate for these works in a heritage setting.	Retain as notified.

## APPENDIX A: TABLE OF RECOMMENDATIONS

Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
<p>HH-R4 Earthworks within heritage settings</p> <p>All Zones</p> <p>Activity status: Restricted Discretionary</p> <p><i>[Entire rule not shown here]</i></p>	Support	A restricted discretionary activity status is appropriate for earthworks in a heritage setting.	Retain as notified.
<b>SASM – Sites and Areas of Significance to Māori</b>			
<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 750m<sup>2</sup>; 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>	Oppose in part	<p>The Wāhi Tupuna Overlay applies to all of Alliances Smithfield landholding, including the entirety of the meat processing plant.</p> <p>The allowance for 750m<sup>2</sup> 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 750m<sup>2</sup> allowance is expended.</p> <p>The requirement of rule SASM-R1 PER-2 for an Accidental Discovery Protocol commitment form to be lodged, is</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.

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Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
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.		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.	
<p>SASM-R1 Earthworks not including quarrying and mining</p> <p>2. Wāhi Taoka and Wai Taoka Overlay</p> <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The earthworks are for the purpose of maintenance, repair, or replacement, of any of the following:</p> <ol style="list-style-type: none"> <li>1. existing fencing; or</li> <li>2. existing tracks or roads; or</li> <li>3. existing reticulated stock water systems including troughs; or</li> <li>4. existing natural hazard mitigation works; and</li> </ol> <p>PER-2</p> <p>The earthworks are only undertaken within the footprint or modified ground comprised by the existing item; and</p> <p>PER-3</p>	Oppose in part.	<p>The Wāhi Taoka Overlay applies to all of Alliances Smithfield landholding including the entirety of the meat processing plant.</p> <p>The Wai Taoka Overlay corresponds to SNA 825 on the site.</p> <p>Any new earthworks on the site will trigger the need for a restricted discretionary consent 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.</p> <p>Otherwise, SASM-R2 will generate a requirement for repetitive, inefficient earthworks consent applications.</p> <p>The requirement of rule SASM-R2 PER-4 for an Accidental Discovery Protocol commitment form to be lodged, is considered to provide appropriate</p>	Amend to align the permitted maximum earthworks area with the limits and timescales specified for the underlying zones in EW-S1, while modifying the performance standard under SASM-R2 PER-4 for accidental discovery protocols to be observed in a way that does not mean that Alliance has to submit a form to make this commitment prior to every earthworks activity.

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Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
<p>Any replacement item is of the same nature, character and scale of the item being replaced; and</p> <p>PER-4</p> <p>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.</p>		<p>surety that any accidental discovery (which is an event that can occur regardless of the scale of earthworks) will be appropriately managed. As Alliance undertake earthworks regularly, and at short notice in response to unplanned maintenance events, Alliance would prefer to commit to complying with this Protocol for all earthworks, rather than submitting this to Council prior to every earthworks event.</p>	
<p>SASM-R2 Buildings and structures, including additions and alterations to existing buildings and structures and network utilities</p> <p>1. Wāhi taoka Overlay</p> <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1</p> <p>1. For buildings or structures located outside of the residential zones, Commercial and mixed use zones, Industrial zones or Port Zone, the following limitations apply:</p> <p>2. The maximum height of buildings and structures does not exceed 5m above ground level; and</p>	<p>Support.</p>	<p>Alliance agrees that these limits shouldn't apply in the General Industrial Zone.</p>	<p>Retain as notified.</p>

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Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
<p>3. Buildings and structures are not located within 20m vertical or 100m horizontal of any ridgeline; and</p> <p>4. Buildings and structures are not located at any point above 900m above sea level; and</p> <p>5. The maximum footprint of any building or structure does not exceed 300m<sup>2</sup>.</p>			
<p>Note: For buildings or structures located within the residential zones, Commercial and mixed use zones, Industrial zones or Port Zone, there is no limitation.</p>			
<p>SASM-R3 Indigenous vegetation clearance</p> <p>Wāhi taoka, wāhi tapu, wai taoka, and wai tapu overlays</p> <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1</p> <p>The indigenous vegetation clearance is carried out by Ngāi Tahu whanui for the purposes of mahika kai or other customary uses; or</p> <p>PER-2</p> <p>The indigenous vegetation to be cleared is causing an imminent danger to human life, structures, or utilities and the clearance is undertaken in</p>	<p>Support.</p>	<p>Alliance supports permitted activity indigenous vegetation clearance as described here.</p>	<p>Retain as notified.</p>

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Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
<p>accordance with advice from a suitably qualified arborist; or</p>			
<p>PER-3</p>			
<p>The indigenous vegetation clearance is for the purpose of maintenance, repair or replacement of existing lawfully established fences, vehicle tracks, roads, walkways, firebreaks, drains, ponds, dams, waterlines, waterway crossings, or network utilities; or</p>			
<p>PER-4</p>			
<p>The indigenous vegetation has been planted and managed specifically for the purpose of harvesting; or</p>			
<p>PER-5</p>			
<p>The indigenous vegetation has been planted and/or managed as part of a domestic or public garden or has been planted for amenity purposes or as a shelterbelt; or</p>			
<p>PER-6</p>			
<p>The indigenous vegetation clearance is necessary in the course of removing pest plants and pest animals in accordance with any regional pest management plan or the Biosecurity Act 1993, or where this occurs as part of indigenous biodiversity restoration or enhancement; or</p>			

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Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
<p>PER-7</p> <p>The indigenous vegetation clearance is for natural hazard mitigation works and is authorised under ECO-R2 (either as a permitted activity, or through a resource consent having been obtained).</p>			
<p>SASM-R6 Intensively farmed stock</p> <p>2. Wāhi taoka, wāhi tapu, and wai tapu overlays</p> <p>Activity status: non-complying</p>	Oppose.	<p>The entirety of the Alliance site, including stock holding paddocks is within the Wāhi taoka and the activity of holding stock on Alliance land for processing could meet the definition of 'Intensively Farmed Stock'. Requiring a consent for this as a non-complying activity could significantly impact the site operations.</p>	<p>Amend the definition of 'Intensively Farmed Stock' so that it is clear that it does not include stock being held for processing purposes or provide a less restrictive consenting pathway for this activity.</p>
<b>ECO – Ecosystems and Indigenous Biodiversity</b>			
<p>ECO-01 Protection of significant indigenous biodiversity</p> <p>The values of significant indigenous vegetation and significant habitats of indigenous fauna across the District are protected.</p>	Oppose.	<p>The objective should be linked to the Significant Natural Area mapping to avoid uncertainty about where the requirement to protect these values applies.</p>	<p>Amend as follows:</p> <p>ECO-01 Protection of significant indigenous biodiversity</p> <p>The values of significant indigenous vegetation and significant habitats of indigenous fauna <u>mapped</u> across the District are protected.</p>

## APPENDIX A: TABLE OF RECOMMENDATIONS

Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
<p>ECO-02 Maintenance and enhancement of indigenous biodiversity</p> <p>The indigenous biodiversity of the District is maintained or enhanced.</p>	Support.	It is appropriate to provide for the maintenance or enhancement of indigenous biodiversity.	Retain as notified.
<p>ECO-P1 Assessment and identification of significant indigenous biodiversity</p> <p>Identify Significant Natural Areas by:</p> <ol style="list-style-type: none"> <li>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</li> <li>2. including Significant Natural Areas on the Planning Maps and in SCHED7 - Schedule of Significant Natural Areas.</li> </ol>	Support.	<p>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).</p> <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>	Retain as notified.
<p>ECO-P2 Appropriate indigenous vegetation clearance in significant natural areas</p> <p>Provide for the clearance of indigenous vegetation in Significant Natural Areas where it is appropriate for health and wellbeing or customary reasons, by enabling clearance:</p> <ol style="list-style-type: none"> <li>1. for mahika kai and other customary uses, where this is undertaken in accordance with tikaka protocols; or</li> </ol>	Support.	It is appropriate to provide exemptions for certain vegetation removal in SNAs.	Retain as notified.



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Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
<ol style="list-style-type: none"> <li>2. where it is causing imminent danger to human life, structures, or utilities; or</li> <li>3. where necessary to manage plant or animal pests or unwanted organisms; or</li> <li>4. for flood protection works by appropriate authorities where those works are required to protect people and communities from the effects of flooding; or</li> <li>5. for the operation, maintenance or repair of the National Grid and public roads.</li> </ol>			
<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"> <li>1. riparian areas, wetlands and springs; and</li> <li>2. coastal areas; and</li> <li>3. areas at higher altitude; and</li> <li>4. areas on steep slopes.</li> </ol>	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>	Oppose.	This policy does not accord with the subsequent rule ECO-R1 which allows limited indigenous vegetation clearance in SNA's for various other	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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Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
<ol style="list-style-type: none"> <li>1. can be undertaken in a way that protects the identified ecological values; and</li> <li>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.</li> </ol>		reasons aside from infrastructure development.	
<p>ECO-R1 Clearance of indigenous vegetation (except as provided for in ECO-R2 for flood protection works or ECO-R3 for National Grid activities)</p> <p>Activity status: Permitted</p> <p>Where</p> <p>...</p> <p>PER-5</p> <p>The clearance is unavoidable in the course of removing pest plants and pest animals in accordance with any regional pest management plan or the Biosecurity Act 1993, or where this occurs as part of indigenous biodiversity restoration or enhancement.</p>	Support.	It is appropriate the provision be made for unavoidable clearance of indigenous vegetation in the course of removing pest plants and animals as a permitted activity.	Retain as notified.
<p>ECO-R2 Clearance of indigenous vegetation for natural hazard mitigation works</p> <p>Significant Natural Areas Overlay</p> <p>Within 50m of any wetland</p>	Oppose.	Natural hazard's can impact property neither the Regional Council or Timaru District Council have an interest in protecting.	Amend the activity status when compliance is not achieved for PER-2 to Controlled, consistent with non-compliance with PER-1.

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Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
<p>In the Coastal Environment, within 20m of Mean High Water springs</p> <p>Within 20m of the bank of any waterbody</p> <p>[...]</p> <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1</p> <p>The indigenous vegetation removed is only pohuehue (<i>muehlenbeckia australis</i>, <i>muehlenbeckia axillaris</i> or <i>muehlenbeckia complexia</i> only); and</p> <p>PER-2</p> <p>The vegetation clearance is carried out solely by the Regional Council, Timaru District Council, or an agent authorised by one of these parties.</p> <p>Activity status where compliance not achieved with PER-1: Controlled</p> <p>Matters of control are restricted to:</p> <ol style="list-style-type: none"> <li>1. any adverse effects on indigenous vegetation and habitats of indigenous fauna and proposed mitigation measures; and</li> <li>2. any adverse effects on the mauri of the site, mahika kai, wāhi tapu or wāhi taoka; and</li> </ol>		<p>It is unclear why clearance of indigenous vegetation for natural hazard mitigation work is permitted when undertaken by either of these parties, but the most restrictive consenting pathway possible applies when undertaken by others as indicated by PER-2.</p>	

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Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
<p>3. opportunities for enhancement of indigenous vegetation or habitats of indigenous species; and</p> <p>4. methods proposed to monitor or inspect the works undertaken; and</p> <p>5. the ability to apply a management plan approach to the works and the content of any management plan; and</p> <p>6. the timing of works to minimise adverse effects on significant indigenous species.</p> <p>Activity status where compliance not achieved with PER-2: Non-complying</p>			
<p>ECO-R5 Earthworks in a Significant Natural Area</p> <p>Activity status: Restricted discretionary</p> <p>Where:</p> <p>RDIS-1</p> <p>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> <p>1. any adverse effects on indigenous vegetation and habitats of indigenous fauna and</p>	<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 require 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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Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
<ol style="list-style-type: none"> <li>2. the necessity for the earthworks and any alternate options that have been considered</li> <li>3. the mitigation measures proposed to ensure that the values of the SNA are maintained; and</li> <li>4. any adverse effects on the mauri of the site, mahika kai, wāhi tāpu or wāhi taoka; and</li> <li>5. opportunities for enhancement of indigenous vegetation or habitats of indigenous species; and</li> <li>6. methods proposed to monitor or inspect the works undertaken; and</li> <li>7. the ability to apply a management plan approach to the works and the content of any management plan; and</li> <li>8. the timing of works to minimise adverse effects on significant indigenous species.</li> </ol> <p>[...]</p> <p>Activity status where compliance not achieved: Non-complying</p>			
<b>NATC – Natural Character</b>			
<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</p>	Oppose	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	<p>Amend as follows:</p> <p>NATC-O1 Protection of natural character</p>

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Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
and protected from inappropriate subdivision, use and development, and where possible enhanced.		the “encourage” rather than “require” stance expressed in the subsequent policies of this chapter.	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>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"> <li>1. the natural character is degraded, and restoration and/or enhancement will achieve long-term improvement in natural character values; and/or</li> <li>2. it will assist in the establishment or restoration of indigenous biodiversity or ecosystems, particularly for ecosystems that are threatened or unrepresented in protected areas; and/or</li> <li>3. they provide existing trout or salmon habitat; and/or</li> <li>4. it will enhance the taoka species and mahika kai and the ability of Kāti Huirapa to exercise kaitiakitanga; and/or</li> <li>5. it will improve or establish connections between habitats and create corridors for indigenous</li> </ol>	Support	It is appropriate to encourage enhancement actions rather than require them.	Retain as notified.

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Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
<p>species and their movement between areas; and/or</p> <p>6. riparian margins provide a buffer from activities that may adversely affect the natural character values of the river or wetland; and/or</p> <p>7. riparian margins provide spawning or other significant habitats for at risk or threatened species.</p>			
<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"> <li>1. reducing or waiving consent application costs; and/or</li> <li>2. providing funding, grants and other incentives; and/or</li> <li>3. providing expert advice.</li> </ol>	Support.	Policy direction about the use of incentives for ecological restoration is an appropriate method to achieve NATC-O1.	Retain as notified.
<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"> <li>1. avoids, or if avoidance is not possible, minimises any adverse effects on the elements, patterns,</li> </ol>	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>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 <del>only</del> allowing</p>

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Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
<p>processes and experiential qualities outlined in NATC-P1;</p> <ol style="list-style-type: none"> <li>2. maintains natural character values which have been modified but are highly valued;</li> <li>3. restores or enhances natural character values in circumstances identified in NATC-P2; and</li> <li>4. avoids or, where that is not possible, does not exacerbate bank erosion.</li> </ol>		<p>The direction under NATC-P4 to “<b>only</b> 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"> <li><i>a. 10m of the bank edge of a river that is up to 3m wide (and is not listed in (c) below); and/or</i></li> <li><i>b. 20m of the bank edge of a river that is greater than 3m wide (and is not listed in (c) below); and/or</i></li> <li><i>c. 100m of the bank edges of the Rangitata; Ōpihi; and Ōrāri Rivers; and/or;</i></li> <li><i>d. 50m of any wetland”.</i></li> </ol> <p>This definition means riparian margins are reasonably extensive areas. If 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</p>	<p>subdivision, use and development that:</p> <p><i>[Entire provision not shown here].</i></p>



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Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
		direction is adequately flexible to be implemented in consenting assessments where riparian enhancements are not a practical option.	
NATC-R1 Vegetation clearance Riparian margins of a river that is not an HNWB <i>[Entire provision not shown here].</i>	Support.	Provision of a permitted activity status, with a default restricted discretionary consenting pathway, for vegetation clearance in a riparian margin, is supported.	Retain as notified.
NATC-R3 Earthworks Riparian margins of a river that is not an HNWB Activity status: Permitted <i>[Entire provision not shown here].</i>	Support in part.	Provision of a permitted activity status, with a default restricted discretionary consenting pathway, for earthworks in a riparian margin, is supported.  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.	Amend as follows: 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> <i>[Entire provision not shown here].</i>
NATC-R4 Construction of fences Riparian margins of a river that is not an HNWB	Support.	Provision of a permitted activity status for post-and-wire fences in a riparian margin, is supported.	Retain as notified.

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Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
<p>Activity status: Permitted</p> <p><i>[Entire provision not shown here].</i></p>			
<p>NATC-R5 Buildings and structures excluding fences</p> <p>Riparian margins of a river that is not an HNWB</p> <p>Activity status: Restricted Discretionary</p> <p><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.
<b>PA – Public Access</b>			
<p>PA-01 Public access</p> <p>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>	Amend.	<p>The public access along the coastal marine area on Alliance owned land is subject to coastal erosion and it is likely to become increasingly difficult for this to be maintained into the future.</p> <p>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”.</p>	<p>Amend as follows:</p> <p>PA-01 Public access</p> <p>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 <del>desirable</del> <u>necessary</u>.</p>
<p>PA-P2 Requirements for public access</p> <p>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.	Alliance 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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Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
<ol style="list-style-type: none"> <li>1. there is benefit in providing public access as outlined in PA-P1; or</li> <li>2. it would               <ol style="list-style-type: none"> <li>a. enable the creation of new public walking or cycling tracks; or</li> <li>b. extend existing public walking or cycling tracks; or</li> <li>c. improve connections between existing/proposed public walking or cycling tracks; or</li> </ol> </li> <li>3. it would improve connections to and between public spaces; and</li> <li>4. the site or development is large enough to adequately accommodate public access without significantly constraining the site's development potential; and</li> <li>5. enabling public access would not significantly constrain the operation of legally established activities occurring on the site; and</li> <li>6. there are no significant public safety risks created by the public access; and</li> <li>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</li> </ol>		<p>Alliance also supports the requirement that Council has budget to compensate the landowner for the public access strip as provided for in sub-clause 8.</p>	

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Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
<p>8. Council has budget to compensate the landowner for the public access strip.</p>			
<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>	<p>Oppose.</p>	<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"> <li>1. in order to protect:           <ol style="list-style-type: none"> <li>a. sensitive indigenous species and their habitats; or</li> <li>b. sites and activities of cultural value to mana whenua; or</li> <li>c. historic heritage; or</li> <li>d. public health or safety; or</li> </ol> </li> </ol>	<p>Support.</p>	<p>It is appropriate that an exemption be provided for the requirement to provide public access when public health and safety issues would arise from providing public access.</p>	<p>Retain as notified.</p>

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Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
<ul style="list-style-type: none"> <li>e. the natural character values of the coastal marine area, wetland or rivers; or</li> <li>f. the stability, performance, maintenance and operation of regionally significant infrastructure; or</li> <li>g. the natural buffers to coastal erosion or river flooding; or</li> </ul> <p>2. in order to enable temporary activities including temporary events.</p>			
<p>PA-R1 Any new land use, subdivision or development</p> <p>All sites overlaid or adjoining waterways identified in the Public Access Provision Overlay</p> <p>Activity status: Permitted</p> <p>Where</p> <p>...</p> <p>PER-2 The activity is located in the General Industrial Zone and is on a site that is less than 5,000m<sup>2</sup> and does not require a discretionary or non-complying activity resource consent in any other chapters.; or</p> <p>...</p> <p>Activity status where compliance not achieved: Controlled Activity</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 indicates that any new development on a GIZ site larger than 5,000m<sup>2</sup> that includes a waterway identified in the Public Access Provision Overlay requires a consent as a controlled or restricted discretionary activity.</p> <p>Because the Alliance site is a GIZ site larger than 5,000m<sup>2</sup> that includes a waterway identified in the Public Access Provision Overlay a consent would be required for any new development as a controlled activity.</p>	<p>Delete this rule.</p>

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Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
		The purpose and mechanics of this rule are unclear and clarification is sought.	
<b>SUB – Subdivision</b>			
SUB-O3 Rural subdivision Subdivision in the rural zones will: 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	The potential for subdivision to cause reverse sensitivity effects on existing industrial activities in rural areas should be recognised in this objective.	Amend as follows: [...] 4. minimise reverse sensitivity effects on intensive primary production <u>and existing industrial activities in any zone.</u>
SUB-P5 Reverse sensitivity 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.	Oppose	Subdivision design should also be cognisant of interfaces with non-residential zones.	Amend as follows: SUB-P5 Reverse sensitivity Only allow subdivision that does not result in reverse sensitivity effects that would compromise the operation of regionally significant infrastructure/facilities and legally

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Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
			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"> <li>1. the subdivision design contributes to local character and sense of place; and</li> <li>2. natural features and waterbodies are incorporated into the design; and</li> <li>3. earthworks and land disturbance is minimised by designing building platforms that integrate into the natural landform; and</li> <li>4. open space and street planting are incorporated into the design of larger scale subdivisions; and</li> <li>5. streets are aligned with, and open spaces are designed to focus on, significant views or landmarks; and</li> <li>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</li> <li>7. conflict between residential activities and adjoining land uses are minimised.</li> </ol>	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 <del>are</del> <u>is avoided or minimised including by integrating buffers between new lots and adjoining zones</u>.</p>

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Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
<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"> <li>1. the subdivided allotments are solely for the purpose of network utilities, esplanade reserves or strips, roads, walkways, cycleways or access; or</li> <li>2. the non-compliance is minor and the subdivision maintains the dwelling density anticipated for the zone; and</li> <li>3. the subdivision is necessary for natural hazard mitigation; or</li> <li>4. the subdivision is necessary to protect the values of sensitive environments.</li> </ol>	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 Alliances 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 Smithfield 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"> <li>2. the non-compliance is minor, <u>and</u> 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></li> </ol>
<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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Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
Allotments must have a minimum road frontage width of 7 m.			
<b>CE – Coastal Environment</b>			
CE-O2 Quality of the Coastal Environment  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.	Support.	Alliance supports the intent of this policy and agrees that access should only be provided where it is safe to do so.	Retain as notified.
CE-O5 Natural features and buffers  Natural features and buffers are retained and used for coastal hazard management, in preference to natural hazard mitigation works, wherever appropriate.	Support.	Where there is existing development within coastal hazard areas it may not be appropriate to use natural features and buffers to manage the hazards because there may be insufficient buffer space.  The words "wherever appropriate" appropriately provide for this scenario.	Retain as notified.
CE-O6 Existing urban activities  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.	Support.	Alliance agree that it should be recognised that parts of the coastal environment are highly modified by urban activities which includes industrial activities.	Retain as notified.

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Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
<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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Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
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"> <li>1. will maintain the coastal natural character qualities identified in CE-P8 or</li> <li>2. if located within urban areas, are consistent with the anticipated qualities of the applicable zone.</li> </ol>	Support.	It is appropriate that activities be allowed that are consistent with the qualities of the zone that they are located in.	Retain as notified.
<p>CE-P10 Preserving the natural character of the Coastal Environment</p> <p>Enable subdivision, use and development outside of areas of coastal high natural character that:</p> <ol style="list-style-type: none"> <li>1. avoids significant adverse effects; and</li> <li>2. avoids, remedies or mitigates any other adverse effects on the qualities that contribute to the natural character of the Coastal Environment; while recognising that: <ol style="list-style-type: none"> <li>a. in rural zoned areas, buildings and structures for non-intensive primary production and residential activities may be appropriate depending on their size, scale and nature;</li> <li>b. for existing urban areas, development will likely be appropriate where it is consistent</li> </ol> </li> </ol>	Oppose in part	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>CE-P10 Preserving the natural character of the Coastal Environment</p> <p>Enable subdivision, use and development outside of areas of coastal high natural character that:</p> <ol style="list-style-type: none"> <li>1. avoids significant adverse effects <u>on areas within the Coastal Environment Area Overlay</u>; and</li> <li>2. avoids, remedies or mitigates any other adverse effects on the qualities that contribute to the natural character of <u>areas within the Coastal Environment Area Overlay</u>; while recognising that: <ol style="list-style-type: none"> <li>a. in rural zoned areas, buildings and structures for non-intensive primary production</li> </ol> </li> </ol>

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<p>with the anticipated character and qualities of the zone; and</p> <p>c. for infrastructure, the development is in accordance with EI-P2 Managing adverse effects of Regionally Significant Infrastructure and other infrastructure.</p>			<p>and residential activities may be appropriate depending on their size, scale and nature;</p> <p>b. for existing urban areas, development will likely be appropriate where it is consistent with the anticipated character and qualities of the zone; and</p> <p>c. for infrastructure, the development is in accordance with EI-P2 Managing adverse effects of Regionally Significant Infrastructure and other infrastructure.</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 Coastal High Natural Character where:</p> <p>1. for infrastructure, the development is in accordance with EI-P2 Managing adverse effects of Regionally Significant Infrastructure and other infrastructure; and</p> <p>2. for other activities:</p> <p>a. avoids significant adverse effects; and</p>	<p>Oppose in part.</p>	<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</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 <del>areas of the</del> Coastal High Natural Character <u>Overlay</u> where:</p> <p>1. for infrastructure, the development is in accordance with EI-P2 Managing adverse effects of Regionally Significant Infrastructure and other infrastructure; and</p>

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

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<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"> <li>1. soft engineering measures would not provide an appropriate level of protection and it can be demonstrated that there are no other reasonable alternatives;</li> <li>2. 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;</li> <li>3. where managed retreat has not been adopted and there is an immediate risk to life or property from the natural hazard;</li> <li>4. it avoids the modification or alteration of natural defences and systems in a way that would</li> </ol>	<p>Oppose in part.</p>	<p>A minor amendment to clause 2 is warranted to recognise that changes to the coastal environment natural hazard profile may be acceptable in some cases – for example where some degree of new or increased coastal environment natural hazard risk is outweighed by the benefits of the natural hazard mitigation project.</p>	<p>iii. retain areas of indigenous vegetation, and enhance these where possible; and</p> <p>iv. recognise river mouths and lagoons as important breeding, feeding and resting places for wetland and coastal birds, including waders.</p> <hr/> <p>Amend as follows:</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> <p>[...]</p> <ol style="list-style-type: none"> <li>2. 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 <u>unless the potential increased natural hazard risks can be appropriately avoided or mitigated</u>;</li> </ol>

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<p>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>CE-R3 Planting of trees and/or vegetation for conservation, restoration, natural hazard mitigation works or enhancement purposes</p> <p>Coastal Environment Area Overlay</p> <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1</p> <p>With the exception of natural hazard mitigation works, the planting is limited to indigenous species.</p>	Support.	Planting of indigenous vegetation and vegetation for natural hazard mitigation works should be supported, therefore a permitted activity status is appropriate.	Retain as notified.
<p>CE-R4 Buildings and structures and extensions (excluding Regionally Significant Infrastructure and fences)</p> <p>1.</p> <p>Coastal Environment area overlay in urban areas</p> <p>Activity status: Permitted</p> <p>[...]</p>	Support.	<p>It is appropriate that buildings, structures and extensions be permitted in the Coastal Environment, acknowledging that they are controlled through the area-specific zone provisions which reflect the character and quality of those zones.</p> <p>A restricted discretionary activity status is also appropriate for buildings, structures and extensions in the Sea</p>	Retain as notified.

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<p>4.</p> <p>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> <p>[...]</p>		<p>Water Inundation Overlay within an urban area that do not comply with the Permitted Activity requirements.</p>	
<p>6.</p> <p>Coastal Erosion Overlay</p> <p>Activity status: Restricted Discretionary</p> <p>Where</p> <p>RDIS-1</p> <p>The activity includes an addition to an existing building or structure only; and</p> <p>RDIS-2</p> <p>The extension has a maximum floor area of 25m<sup>2</sup> established in any continuous 10-year period from 22 September 2022; or</p> <p>RDIS-3</p> <p>The extension is not to accommodate a natural hazard sensitive activity.</p>			



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Matters of discretion are restricted to:

1. the extent to which the proposal results in an increased risk to people and property;
2. whether the building includes hazard mitigation;
3. the extent to which the building has a functional need or operational need for its location; and
4. the extent of any positive benefits that will result from the proposal; and
5. the extent to which the proposal creates natural hazard risks on adjacent properties; and
6. the extent of any adverse effects on the amenity values of the coastal environment; and
7. the extent to which the proposal will rely on or require additional community scale natural hazard mitigation works.

Activity status where compliance not achieved: Non-complying

*[Entire provision not shown here].*

CE-R6 Land disturbance Coastal Environment Area Overlay Coastal Erosion Overlay Coastal High Natural Character Area Overlay Sea Water Inundation Overlay	Support.	It is appropriate to provide a permitted activity pathway for land disturbance works.	Retain as notified.
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## APPENDIX A: TABLE OF RECOMMENDATIONS

Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
Activity status: Permitted			
<p>CE-R9 Natural hazard mitigation works, including earthworks - maintenance, replacement and upgrading</p> <p><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</p> <p>The natural hazard mitigation works is within 25m of the existing alignment or location vertically and horizontally; and</p> <p>PER-2</p> <p>The footprint of the natural hazard mitigation works is not increased by more than 25%; and</p> <p>PER-3</p> <p>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>	Support.	It is appropriate to provide for private natural hazard mitigation works subject to the criteria specified in this rule.	Retain as notified.

**APPENDIX A: TABLE OF RECOMMENDATIONS**

Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
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Matters of discretion are restricted to:

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
3. any potential adverse effects of diverting or blocking overland flow path(s), including upstream and downstream flood risks; and
4. any increased flood risk for people, property, or public spaces; and
5. the extent to which alternative locations and options for the natural hazard mitigation works have been considered and the merits of those; and
6. any positive effects of the proposal on the community.

<p>CE-R12 Natural hazard mitigation works, including earthworks - New</p> <p><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>Oppose.</p>	<p>A non-complying activity consenting pathway for private natural hazard mitigation work is not appropriate.</p> <p>Alliance has made a significant investment in its site and a less onerous consenting pathway should be available for protecting its assets. A Discretionary activity pathway would be more appropriate when compared</p>	<p>Amend as follows:</p> <p>CE-R12 Natural hazard mitigation works, including earthworks - <del>New</del></p> <p>This rule does not apply to natural hazard mitigation works only involving the planting of vegetation</p> <p>Coastal High Natural Character Area Overlay</p>
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## APPENDIX A: TABLE OF RECOMMENDATIONS

Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
<p>Activity status: Restricted Discretionary</p> <p>Where:</p> <p>RDIS-1</p> <p>The natural hazard mitigation works are undertaken by or on behalf of the Council, Crown or Regional Council; or</p> <p>RDIS-2</p> <p>The works are undertaken by PrimePort and are within or adjacent to the Port Zone and are required to protect the ongoing operation of the Port.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. 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</li> <li>2. the extent to which the works will result in adverse cumulative effects; and</li> <li>3. the extent to which the works will transfer natural hazard risk to other sites and the implications of this; and</li> <li>4. the extent of any positive benefits that will result from the proposal; and</li> <li>5. the extent to which the works have a functional need or operational need for its location.</li> </ol> <p>Activity status when compliance not achieved: Non-complying.</p>		<p>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>In addition, the word 'New' appears to have been inadvertently added to the name of this rule.</p>	<p>Coastal Erosion Overlay</p> <p>Sea Water Inundation Overlay</p> <p>Activity status: Restricted Discretionary</p> <p>[...]</p> <p>Activity status when compliance not achieved: <del>Non-complying</del> <u>Discretionary</u></p> <p><i>[Entire provision not shown here].</i></p>

## APPENDIX A: TABLE OF RECOMMENDATIONS

Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
<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"> <li>1. 4m; or</li> <li>2. if located within the General Industrial Zone or Port Zone, it shall be as per the applicable zone rules and standards.</li> </ol> <p><i>[Entire standard not shown here].</i></p>	Support.	Recognition in clause (2) of the need for an adequate maximum height in the GIZ is supported.	Retain as notified.
<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"> <li>1. 500m<sup>2</sup> for sites that are less than 20ha in area; and</li> <li>2. 500m<sup>2</sup> for every 20ha of site area for sites larger than 20ha in area, or a maximum of 2,000m<sup>2</sup> per property (whichever is the lesser); unless</li> <li>3. if the building and structure is to be located within the urban area, it shall be as per the applicable zone rules and standards.</li> </ol>	Support.	Recognition in clause (3) of the need for adequate site coverage in the GIZ is supported.	Retain as notified.

## APPENDIX A: TABLE OF RECOMMENDATIONS

Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
<p>CE-S3 Building and structure external materials</p> <p>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</p> <p>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>
<b>EW – Earthworks</b>			
<p>EW-O1 Earthworks activity</p> <p>Earthworks facilitate subdivision, and the use and development of the District’s land resource, while ensuring that its adverse effects on the surrounding environment are avoided or mitigated.</p>	Support.	Alliance agrees that it should be recognised that earthworks are necessary for development and that adverse effects associated with them should be avoided or mitigated.	Retain as notified.
<p>EW-P1 Benefits and necessity</p> <p>Recognise the benefits and necessity of earthworks for the subdivision, use and development of land, the provision of utilities, and natural hazard mitigation.</p>	Support.	Alliance agrees that it should be recognised that earthworks are necessary for development.	Retain as notified.
<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</p>

## APPENDIX A: TABLE OF RECOMMENDATIONS

Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
<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 2,000m<sup>2</sup> in any 12-month period per site.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. dust nuisance, sedimentation, land instability, erosion and contamination effects; and</li> <li>2. the impact on the road network, of heavy vehicle and other vehicular traffic generated as a result of earthworks; and</li> <li>3. the impact on visual amenity and landscape character; and</li> <li>4. the impact on any overland flow paths.</li> </ol>	<p>Support.</p>	<p>The allowance for 2,000 m<sup>2</sup> of earthworks per 12-month period in the GIZ is considered to be appropriate.</p>	<p>where <del>they will not impact potential adverse effects</del> on land stability <u>are avoided or mitigated</u>.</p> <p>Retain as notified with respect to the GIZ.</p>

**APPENDIX A: TABLE OF RECOMMENDATIONS**

Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
<b>LIGHT – Light</b>			
<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.	It is appropriate to recognise the benefits of artificial lighting.	Retain as notified.
<p>LIGHT-R2 Outdoor artificial lighting for health and safety</p> <p>Light Sensitive Areas</p> <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1</p> <p>The lighting is for health and safety purposes; and</p> <p>PER-2</p> <p>The lighting is for:</p> <p>a permitted temporary activity; or</p> <p>any other temporary activity that has a duration of no longer than six months; and</p> <p>PER-3</p> <p>LIGHT-S1 and LIGHT-S2 are complied with.</p> <p>Activity status when compliance not achieved: Non-complying</p>	Oppose.	<p>The entirety of the Alliance site is within the Light Sensitive Areas Overlay corresponding to the Wahi Taoka Overlay.</p> <p>Alliance activities requiring lighting for health and safety purposes are not temporary activities as required to be a permitted activity (PER-2), so lighting on the Alliance site for health and safety purposes would require a consent as a non-complying activity. This is not appropriate for an industrial site with night time activities.</p>	<p>Amend as follows:</p> <p>LIGHT-R2 Outdoor artificial lighting for health and safety</p> <p>Light Sensitive Areas</p> <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1</p> <p>The lighting is for health and safety purposes; and</p> <p>PER-2</p> <p>The lighting is for:</p> <p>a permitted temporary activity; or</p> <p>[...]</p> <p>[Entire rule not shown here].</p>



**APPENDIX A: TABLE OF RECOMMENDATIONS**

Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
<p>LIGHT-R3 Outdoor artificial lighting within Light Sensitive Areas not listed in LIGHT-R2</p> <p>Light Sensitive Areas</p> <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1</p> <p>LIGHT-S1 and LIGHT-S2 are complied with; and</p> <p>PER-2</p> <p>The outdoor artificial lighting must:</p> <ol style="list-style-type: none"> <li>1. be fully shielded (see Figure 18 – Lighting Fixtures); and</li> <li>2. have a colour corrected temperature of no greater than 3000K (warm white); and</li> <li>3. be installed in a manner that precludes operation between 10pm and 7am the following day.</li> </ol> <p>Activity status when compliance not achieved: Non-complying.</p>	<p>Oppose.</p>	<p>The entirety of the Alliance site is within the Light Sensitive Areas Overlay corresponding to the Wahi Taoka Overlay.</p> <p>Alliance activities require lighting for health and safety purposes 24 hours per day, so lighting on the Alliance site would require a consent as a non-complying activity as it would not comply with the permitted activity requirements of PER-2(3). This is not appropriate for an industrial site with night-time activities.</p>	<p>Amend as follows:</p> <p>LIGHT-R3 Outdoor artificial lighting within Light Sensitive Areas not listed in LIGHT-R2</p> <p>Light Sensitive Areas</p> <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1</p> <p>LIGHT-S1 and LIGHT-S2 are complied with; and</p> <p>PER-2</p> <p>The outdoor artificial lighting must:</p> <ol style="list-style-type: none"> <li>1. be fully shielded (see Figure 18 – Lighting Fixtures); and</li> <li>2. have a colour corrected temperature of no greater than 3000K (warm white); and</li> <li>3. be installed in a manner that precludes operation between 10pm and 7am the following day.</li> </ol> <p>Activity status when compliance not achieved: Non-complying.</p>

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Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
<b>NOISE – Noise</b>			
<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 in part.	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 zone</u> 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.
<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"> <li>the purpose, character and qualities of the zone that the activity is located in;</li> </ol>	Support.	It is appropriate to provide for noise-generating activities commensurate with the zoning that applies.	Retain as notified.

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Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
<ol style="list-style-type: none"> <li>2. the nature, scale, frequency and duration of the noise generating activity;</li> <li>3. methods of mitigation; and</li> <li>4. the sensitivity of the surrounding environment.</li> </ol>			
<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"> <li>1. the type of noise generating activity; and</li> <li>2. other noise sources in the area; and</li> <li>3. the nature and occupancy of the noise sensitive activity; and</li> <li>4. mitigation measures, including acoustic insulation, screening and topography.</li> </ol> <p>For the purpose of this Policy, higher noise environments include:</p> <ol style="list-style-type: none"> <li>1. Commercial and Mixed Use Zones; and</li> <li>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</li> </ol>	<p>Support.</p>	<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 <b>in close proximity to</b> 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>	<p>Retain as notified.</p>

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Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
<p>City Centre Zone located within the Port Noise Inner Control Boundary; and</p> <p>3. locations in close proximity to a State Highway or the railway line.</p>			
<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"> <li>1. NOISE-S3 and NOISE-S4; and</li> <li>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</li> </ol> <p>PER-2 An acoustic design certificate signed by a suitably qualified acoustic engineer demonstrates either:</p>	<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 (or other such similar outcome that has the same or similar effect as the relief sought).
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[...]

Activity status when compliance not achieved with PER-1.1 or PER-2: Restricted Discretionary

Matters of discretion are restricted to:

1. the matters of discretion of any infringed standard.
2. for activities in breach PER-2, the matters of discretion of NOISE-S3

Activity status when compliance not achieved with PER-1.2: Non-complying

*[Entire rule not shown here].*

### RELO – Relocated Buildings and Shipping Containers

RELO-P1 Relocated buildings and shipping containers in General Industrial Zone  Enable the relocation of buildings and shipping containers in the General Industrial zone and Port Zone.	Support.	It is appropriate to provide for these activities in the GIZ with greater flexibility than in other zones.	Retain as notified.
RELO-R1 Placement of a relocated building  1 General Industrial Zone  Port Zone  Activity status: Permitted	Support.	It is appropriate to permit this activity in the GIZ without any further restrictions.	Retain as notified.

## APPENDIX A: TABLE OF RECOMMENDATIONS

Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
<p>RELO-R2 Placement of a shipping container</p> <p>1 General Industrial Zone</p> <p>Port Zone</p> <p>Activity status: Permitted</p>	Support.	It is appropriate to permit this activity in the GIZ without any further restrictions.	Retain as notified.
<b>GRUZ – General Rural Zone</b>			
<p>GRUZ-O1 Purpose of the General Rural Zone</p> <p>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.</p>	Support.	It is appropriate to recognise that the General Rural Zone predominantly provides for primary production and a limited range of activities that support primary production.	Retain as notified.
<p>GRUZ-O2 Character and qualities of the General Rural Zone</p> <p>The character and qualities of the General Rural Zone comprise:</p> <ol style="list-style-type: none"> <li>1. large allotments with large areas of open space; and</li> <li>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</li> </ol>	Support.	Alliance 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 (or other such similar outcome that has the same or similar effect as the relief sought).
<ol style="list-style-type: none"> <li>3. higher levels of amenity immediately around sensitive activities and zone boundaries; and</li> <li>4. vegetation, pasture, crops and forestry and livestock across a range of landscapes.</li> </ol>			
<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 this.	<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</u> sensitive activities.</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"> <li>1. sensitive activities; and</li> <li>2. land close to Residential, Rural settlement, Māori Purpose and Open space zones.</li> </ol>	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 <b>existing</b> sensitive activities in rural areas, it would not be appropriate for policy to constrain primary production, mining, quarrying etc. if a <b>new</b> sensitive activity establishes in the area.</p>	<p>Amend as follows:</p> <p>GRUZ-O4 <u>Protecting 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"> <li>1. <u>existing</u> sensitive activities; and</li> <li>2. land close to <u>in</u> Residential, Rural <u>s</u>Settlement, Māori Purpose and Open space zones.</li> </ol>

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Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
		<p>Sub-clause (2) is ambiguous, and for implementation in a consenting or compliance context, it is recommended that the vague reference to “close to” be revised to focus on activities located <u>in</u> the specified zones.</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"> <li>allow for the ongoing productive use of land for present and future generations; or</li> <li>maintain the character and qualities of the General Rural Zone; and</li> <li>meet the standards and requirements to minimise adverse effects on sensitive activities and the environment.</li> </ol>	<p>Support in part.</p>	<p>A minor amendment is recommended to ensure that the establishment of new incompatible activities in the GRUZ do not inadvertently receive policy support.</p>	<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"> <li>allow for the ongoing productive use of land for present and future generations; or</li> <li>maintain the character and qualities of the General Rural Zone; and</li> <li>meet the standards and requirements to minimise adverse effects on <u>existing</u> sensitive activities and the environment.</li> </ol>
<p>GRUZ-P2 Character and qualities of the General Rural Zone</p> <p>The character and qualities of the zone are maintained by:</p>	<p>Support.</p>	<p>It is appropriate for policy to reiterate the principle of land use separation, in order to discourage sensitive activities from constraining rural activities.</p>	<p>Retain as notified.</p>



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Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
<ol style="list-style-type: none"> <li>1. requiring a large minimum allotment size that ensures ample open space around buildings; and</li> <li>2. controlling the height and setbacks of buildings and structures; and</li> <li>3. ensuring activities that can generate significant adverse effects and sensitive activities are well separated from each other.</li> </ol>			
<p>GRUZ-P9 Workers accommodation</p> <p>Provide for permanent workers accommodation and seasonal workers accommodation to support primary production where:</p> <ol style="list-style-type: none"> <li>1. the site has an area of least 40 hectares for permanent workers accommodation, or 20ha for seasonal workers accommodation; or</li> <li>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</li> <li>3. measures are put in place to ensure the workers accommodation cannot be subdivided off or sold separately to the site; and</li> <li>4. the necessary infrastructure is provided and adverse effects on adjoining sites are minimised; and</li> </ol>	<p>Support.</p>	<p>It is appropriate to provide for workers accommodation in the GRUZ.</p>	<p>Retain as notified.</p>

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Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
<p>5. the requirements of GRUZ-P5 are met, except for seasonal workers accommodation.</p>			
<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>	<p>Support.</p>	<p>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.</p>	<p>Retain as notified.</p>
<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>Support.</p>	<p>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.</p>	<p>Retain as notified.</p>

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Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
Activity status where compliance not achieved with: Discretionary			
GRUZ-R19 Seasonal Workers Accommodation Activity Status: Permitted Where: <i>[Entire rule not shown here].</i>	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.
GRUZ-R20 Permanent workers accommodation General Rural Zone Activity status: Permitted Where: <i>[Entire rule not shown here].</i>	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.
GRUZ-R21 Rural industry Activity status: Restricted Discretionary Where: RDIS-1 The activity is not an offensive trade. Matters of discretion are restricted to: 1. the suitability of the location, site design and layout; and	Support in part.	A Restricted Discretionary activity status for Rural industry in the General Rural Zone is appropriate.	Retain as notified.

## APPENDIX A: TABLE OF RECOMMENDATIONS

Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
<p>2. the intensity and scale of the activity; and</p> <p>3. the extent of adverse effects on existing or permitted activities; and</p> <p>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</p> <p>5. the provision of infrastructure to service the activity; and</p> <p>6. measures to avoid, mitigate or remedy adverse effects.</p> <p>Activity status where compliance not achieved: Non-complying</p>			
<p>GRUZ-R27 Expansion of existing legally established industrial activities, excluding mines and quarries</p> <p>Activity status: Discretionary</p>	Support.	It is appropriate to provide for the expansion of existing industry with a discretionary consenting pathway.	Retain as notified.
<p>GRUZ-S4 Setbacks for sensitive activities</p> <p><i>[Entire rule not shown here].</i></p>	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.	<p>Amend as follows:</p> <p>GRUZ-S4 Setbacks for sensitive activities</p> <p>1. No new sensitive activity may be established within 500m from:</p> <p>a. the closest outer edge of any paddocks, hard-stand areas, structures or buildings used to</p>

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Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
			<p>house stock, or treatment systems, used for an intensive primary production activity <u>or rural industry</u>; and</p> <p>b. an existing farm effluent disposal area; and</p> <p>c. a lawfully established quarry or mine.</p> <p>2. No new building for a sensitive activity may be erected within 20m from any other site boundary in a different ownership where a primary production <u>or rural industry activity</u> is being 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 20m 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> <p>a. intensive primary production (including expansion of an existing intensive primary</p>	<p>Support.</p>	<p>Alliance 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 (or other such similar outcome that has the same or similar effect as the relief sought).
<p>production), except calf rearing for less than three months in any calendar year; or</p> <p>b. farm effluent disposal area (including expansion of an existing farm effluent area),</p> <p>may be established within:</p> <p>i. 500m of the notional boundary of an existing sensitive activity on a separate site under different ownership; or</p> <p>ii. 100m of the boundary with a separate lot under different ownership; or</p> <p>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> <p><i>[Entire rule not shown here].</i></p>			
<b>LFRZ – Large Format Retail Zone</b>			
<p>LFRZ-P6 Other activities</p> <p>Only allow other activities to establish and operate within the Large Format Retail Zone where they:</p> <ol style="list-style-type: none"> <li>1. are compatible with the purpose, character and qualities of the zone; and</li> <li>2. are of a scale or nature that would not undermine the purpose, function and amenity values of the City Centre Zone;</li> </ol>	<p>Oppose.</p>	<p>The Alliance site is immediately adjacent the Large Format Retail Zone and is sensitive to reverse sensitivity effects. It is appropriate that this is also recognised in this provision.</p>	<p>Amend as follows:</p> <p>LFRZ-P6 Other activities</p> <p>Only allow other activities to establish and operate within the Large Format Retail Zone where they:</p> <ol style="list-style-type: none"> <li>1. are compatible with the purpose, character and qualities of the zone; and</li> </ol>

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Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
<p>3. ensure that the Timaru City Centre remains the focal point for commercial activities.</p>			<p>2. are of a scale or nature that would not undermine the purpose, function and amenity values of the City Centre Zone;</p> <p>3. ensure that the Timaru City Centre remains the focal point for commercial activities; <u>and</u></p> <p>4. <u>Reverse sensitivity effects on are appropriately avoided or mitigated.</u></p>
<p>LFRZ- R13 Community facilities Large Format Retail Zone Activity status: Non-complying</p>	<p>Support.</p>	<p>Alliance supports a non-complying activity status for these activities due to potential reverse sensitivity issues on its site.</p>	<p>Retain as notified.</p>
<p><b>GIZ – General Industrial Zone</b></p>			
<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>	<p>Support.</p>	<p>This concise Introduction section adequately expresses the role of the GIZ.</p>	<p>Retain as notified.</p>

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Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
<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>	<p>Oppose in part.</p>	<p>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 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>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, <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"> <li>1. utilitarian buildings, often with large sites, large yard spaces and external storage; and</li> <li>2. large volumes of light and heavy vehicle traffic; and</li> <li>3. activities that may generate a range of adverse effects including significant adverse effects; and</li> <li>4. activities that may operate 24 hours per day; and</li> <li>5. good vehicle accessibility from major transport routes and centres; and</li> <li>6. a safe and functional working environment; and</li> </ol>	<p>Oppose in part.</p>	<p>Sub-clause (7) requires industry to “not compromise” residential and open space 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</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>



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Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
<p>7. buildings and activities that do not compromise the amenity of adjoining Residential and Open Space and Recreation Zones; and</p> <p>8. landscape planting and screening along road frontages and Open Space and Recreation Zones.</p>		<p>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><del>8. landscape planting and screening along road frontages and Open Space and Recreation Zones.</del></p>
<p>GIZ-O3 Use and development in the General Industrial Zone</p> <p>Use and development in the General Industrial Zone:</p> <p>1. is located so that it can be appropriately serviced by infrastructure; and</p> <p>2. is not compromised by the establishment of sensitive activities; and</p> <p>3. does not compromise the strategic role and function of any of the Commercial and Mixed Use Zones; and</p> <p>4. maintains the amenity values of adjacent Residential and Open Space and Recreation Zones.</p>	<p>Support in part.</p>	<p>The Alliance site is located in the General Industrial Zone and Alliance agrees that its operations should not be compromised by the establishment of sensitive activities as described in clause (2) but does not agree with clause (3), particularly where activities in these zones have been established after the Alliance industrial activity was established.</p> <p>The requirement to maintain the amenity of adjacent Residential and Open Space zone is also inconsistent with the inherent characteristics/qualities of industry described in sub-clauses (1) to (4) of GIZ-02,</p>	<p>GIZ-O3 Use and development in the General Industrial Zone</p> <p>Use and development in the General Industrial Zone:</p> <p>1. is located so that it can be appropriately serviced by infrastructure; and</p> <p>2. is not compromised by the establishment of sensitive activities; and</p> <p><del>3. does not compromise the strategic role and function of any of the Commercial and Mixed Use Zones; and</del></p> <p><del>3. effects on the maintains the amenity values of adjacent Residential and Open Space and Recreation Zones are minimised.</del></p>

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Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the 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"> <li>1. ancillary activities are conducted on the same site as the primary industrial activity; and</li> <li>2. does not include residential activities; and</li> <li>3. they are compatible and complementary to the purpose, character and qualities of the General Industrial Zone.</li> </ol>	Oppose in part.	<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 <del>range of</del> industrial activities and <u>ancillary</u> <del>associated</del> activities, where:</p> <ol style="list-style-type: none"> <li>1. <del>ancillary activities are conducted on the same site as the primary industrial activity; and</del></li> <li>2. <del>does not include residential activities; and</del></li> <li>3. <del>they are compatible and complementary to the purpose, character and qualities of the General Industrial Zone.</del></li> </ol>
<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"> <li>1. they are conducted on an adjoining or adjacent site as the primary industrial activity; and</li> <li>2. they do not undermine the purpose, viability and function of any of the Commercial and Mixed Use Zones; and</li> </ol>	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.<sup>1</sup></p> <p>Read together, the zone and s32 report seem to misapprehend the difference between ancillary activities to industry (which have a rightful place</p>	Delete this policy.

<sup>1</sup> General Industrial & Port Zone S.32 May 2022.

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Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
<p>3. they are compatible and complementary to the purpose, character and qualities of the General Industrial Zone.</p>		<p>in the GIZ), and non-industrial activities 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>	

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Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
		Ancillary activities that have a rightful place in (and likely, a functional need for), the GIZ should not be unduly 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"> <li>1. storage areas to be screened from road boundaries and Residential Zones; and</li> <li>2. landscaping along road boundaries and boundaries that adjoining the Open Space and Recreation Zones; and</li> <li>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"> <li>a) have a reasonable standard of sunlight access; and</li> <li>b) are not unreasonably dominated by built form; and</li> <li>c) maintain privacy of adjoining Residential Zones; and</li> </ol> </li> </ol>	Oppose in part.	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"> <li>1. <u>outdoor</u> storage areas to be screened from road boundaries and Residential Zones; and</li> <li>2. landscaping along road boundaries and boundaries that adjoining the Open Space and Recreation Zones; and</li> <li>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:</li> </ol>

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Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
4. buildings to be a colour and reflectivity that does not detract from the amenity of Residential Zones.			<ul style="list-style-type: none"> <li>a) have a reasonable standard of sunlight access; and</li> <li>b) are not unreasonably dominated by built form; and</li> <li>c) maintain privacy of <u>residential activities in any</u> adjoining Residential Zones; and</li> </ul> 4. buildings to be a colour and reflectivity that does not detract from the amenity of Residential Zones.
GIZ-P4 Industrial and trade waste connections Only allow activities that require connections to the industrial and trade waste system where: <ol style="list-style-type: none"> <li>1. there is sufficient capacity within the network to accommodate the additional demand; and</li> <li>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.</li> </ol>	Support.	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.	Retain as notified.
GIZ-P5 Offensive trades Only allow offensive trades to establish in the General Industrial Zone where:	Oppose in part.	The proposed Plan has no other industrial zones aside from the GIZ. Without a Heavy Industrial Zone, the GIZ is likely the most suitable alternative location for offensive trades	Amend as follows: <u>Ensure offensive trades manage adverse effects on other activities and any adjacent non-industrial zone(s).</u>

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<ol style="list-style-type: none"> <li>1. the activity is located in a manner that will maintain the amenity values of adjacent zones; and</li> <li>2. the activity and buildings is designed in a way that contains or minimises nuisance effects.</li> </ol>		<p>to locate in. (If seeking to locate in the GRUZ, offensive trades would have a non-complying status under rule GRUZ-R21).</p> <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><del>Only allow offensive trades to establish in the General Industrial Zone where:</del></p> <ol style="list-style-type: none"> <li><del>1. the activity is located in a manner that will maintain the amenity values of adjacent zones; and</del></li> <li><del>2. the activity and buildings is designed in a way that contains or minimises nuisance effects.</del></li> </ol>
<p>GIZ-P6 Other activities</p> <p>Avoid the establishment of other activities including residential activities unless:</p> <ol style="list-style-type: none"> <li>1. there is a functional need for the activity to occur in the General Industrial Zone; and</li> <li>2. the activity is not provided for in another zone; and</li> <li>3. the activity does not undermine the purpose, viability and function of any of the Commercial and Mixed Use Zones; and</li> <li>4. the activity would not result in reverse sensitivity effects that may constrain industrial activities.</li> </ol>	<p>Oppose in part.</p>	<p>The policy requires a minor amendment to improve its clarity.</p>	<p>Amend as follows:</p> <p>Avoid the establishment of <u>non-industrial</u> <del>other activities including residential activities</del> unless:</p> <ol style="list-style-type: none"> <li>1. there is a functional need for the activity to occur in the General Industrial Zone; and</li> <li>2. the activity is not provided for in another zone; and</li> <li>3. the activity does not undermine the purpose, viability and function of any of the Commercial and Mixed Use Zones; and</li> </ol>

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			4. the activity would not result in reverse sensitivity effects that may constrain industrial activities.
<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 and <u>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> <p><u>1.</u> a residential activity;</p>

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			<p>2. <u>seasonal workers accommodation</u>); and</p> <p>[...]</p> <p>Activity status when compliance not achieved with PER-2(1): Non-complying</p> <p><u>Activity status when compliance not achieved with PER-2(2): Discretionary.</u></p>
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	Support	The 35m maximum building height limit appropriately provides for significant industrial developments on large sites.	Retain as notified.



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<p>Buildings and structures must not exceed a maximum height of 35m measured from ground level.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. dominance; and</li> <li>2. overlooking and loss of privacy;</li> <li>3. mitigation measures.</li> </ol> <p><i>[Entire rule not shown here]</i></p>			
<p>GIZ-S3 Setbacks of buildings and structures excluding fences</p> <ol style="list-style-type: none"> <li>1. General Industrial Zone</li> <li>1. Any building or structure must be setback a minimum of 5m from any road boundary; and</li> <li>2. 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.</li> </ol> <p>Matters of discretion for non-compliance with are restricted to:</p> <ol style="list-style-type: none"> <li>1. landscaping; and</li> <li>2. visual amenity, bulk and dominance of building;</li> <li>3. mitigation measures.</li> </ol>	<p>Support</p>	<p>The setback standards are considered to appropriately balance the functional needs of industrial development with responsiveness to interfaces with non-industrial zones.</p>	<p>Retain as notified.</p>

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<p>GIZ-S4 Building colour and reflectivity</p> <ol style="list-style-type: none"> <li>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</li> <li>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%.</li> </ol> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>visual amenity effects on the General Residential Zone; and</li> <li>any glare effects on the General Residential Zone;</li> <li>mitigation measures.</li> </ol>	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"> <li>The façade(s) of any building that is visible from and within 50 metres of the General Residential Zone must <del>be painted or finished in a green, grey or tertiary (brown) colour and</del> have a reflectivity value not exceeding 25%; and</li> </ol> <p><i>[Entire rule not shown here]</i></p>
<p>GIZ-S5 Outdoor storage</p> <ol style="list-style-type: none"> <li>Any outdoor storage areas must set back 15m from any boundary that adjoins the Residential Zones; and</li> <li>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</li> <li>Any outdoor storage areas must be fully screened from view at ground level by a fence of</li> </ol>	Oppose in part.	The standard requires minor amendments for clarity and to enable flexibility in the method of screening – other options than fencing may be available.	<p>Amend as follows:</p> <p>GIZ-S5 Outdoor storage</p> <ol style="list-style-type: none"> <li>Any outdoor storage areas must <u>be</u> set back 15m from any boundary that adjoins the Residential Zones; and</li> <li>Any outdoor storage area that is located between 15m to 18m from any boundary that adjoins any Residential Zones must not</li> </ol>

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<p>no less than 2m in height so that it is not visible from:</p> <ul style="list-style-type: none"> <li>a. any adjoining or adjacent site in the Residential Zones, and</li> <li>b. any residential unit in the General Rural Zone within 50m of the storage.</li> </ul>			<p>exceed a maximum height of 6m; and</p> <ul style="list-style-type: none"> <li>3. Any outdoor storage areas must be <del>fully</del> screened from view at ground level <del>by a fence to a</del> <u>height</u> of no less than 2m in height so that it is not visible from: <ul style="list-style-type: none"> <li>a. any adjoining or adjacent site in the Residential Zones, and</li> <li>b. any residential unit in the General Rural Zone within 50m of the storage.</li> </ul> </li> </ul>
<p>GIZ-S6 Landscaping and bund(s)</p> <p>1. General Industrial Zone</p> <ul style="list-style-type: none"> <li>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</li> <li>2. The landscaping strip required above must be planted with one tree every 15 metres excluding access ways; and</li> <li>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;</li> </ul>	<p>Oppose in part.</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> <ul style="list-style-type: none"> <li>1. A landscaping strip is required <u>to mitigate visual effects must have a</u> <del>with</del> 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</li> </ul> <p><i>[Entire rule not shown here]</i></p>

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Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
<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> <ol style="list-style-type: none"> <li>1. visual amenity; and</li> <li>2. maintenance of landscaping;</li> <li>3. mitigation measures.</li> </ol>			
<b>NOSZ – Natural Open Space Zone</b>			
<p>NOSZ-P6 Other activities</p> <p>Only allow other activities where they:</p> <ol style="list-style-type: none"> <li>1. contribute to the overall health and wellbeing of the community; and</li> <li>2. do not adversely affect or, are compatible with, the conservation values of the site; and</li> <li>3. do not adversely affect the character and qualities of the surrounding area; and</li> <li>4. are compatible with the purpose, character and qualities of the zone.</li> </ol>	Support.	The Alliance site is immediately adjacent the Natural Open Space Zone. Alliance agrees that it is appropriate that other activities only be allowed where they do not adversely affect the character and qualities of the surrounding area.	Retain as notified.
<p>NOSZ-R3 Planting of vegetation</p> <p>Natural Open Space Zone</p> <p>Activity status: Permitted</p>	Support in plant.	The Natural Open Space Zone contains areas that are mapped as natural hazards.	Amend as follows: NOSZ-R3 Planting of vegetation Natural Open Space Zone

**APPENDIX A: TABLE OF RECOMMENDATIONS**

Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
<p>Where: PER-1 The planting is of indigenous species.</p>		<p>Planting of trees and/or vegetation for natural hazard mitigation is enabled in rule CE-R3, including the use of non-indigenous vegetation.</p> <p>It is appropriate that this be recognised in this rule.</p>	<p>Activity status: Permitted</p> <p>Where: PER-1 The planting is of indigenous species, <u>except for planting for natural hazard mitigation.</u></p>
<p><b>APP5 – Criteria for Identifying Significant Natural Areas</b></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><b>SCHED2 – Schedule of Major Hazard Facilities</b></p>			
<p>Schedule 2 <i>[Entire schedule not shown here].</i></p>	<p>Oppose in part</p>	<p>Alliances site is shown on the e-Plan maps as SHF-12 – a significant hazard facility. However, the site is not referenced in Schedule 2 as a major hazard facility. As such, clarification is sought.</p>	<p>Clarify the mapping of the Smithfield processing site as ‘SHF-12’ without listing the site in Schedule 2.</p>

**APPENDIX A: TABLE OF RECOMMENDATIONS**

Provision	Position	Reason	Relief Sought (or other such similar outcome that has the same or similar effect as the relief sought).
<b>SCHED3 – Schedules of Historic Heritage Chapter</b>			
Schedule 2 <i>[Entire schedule not shown here].</i>	Oppose in part.	Alliance supports Historical Heritage Item HHI-23 being included in Schedule 3, but the actual location of HHI-23 as shown on the Heritage Item Overlay is approximately 100m to the south east on the same site.	Amend mapping to reflect location of HHI-23. The Heritage Item Extent layer may also need to be amended to reflect this change including that it be sized suitably to manage the item.
<b>SCHED16 – Schedule of Precincts and Specific Control Areas</b>			
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.	Alliance supports this schedule insofar as the Height Specific Control Area is applied to the GIZ part of the Alliance site.	Retain as notified.