

SUBMISSION ON PROPOSED PLAN CHANGE 66 TO THE SELWYN DISTRICT PLAN

TO: Selwyn District Council (**Council**)
Via email: submissions@selwyn.govt.nz

SUBMITTER: Midland Port,
Lyttleton Port Company Limited

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1. NAME OF THE SUBMITTER

- 1.1 The submitter is Lyttleton Port Company Limited (the **submitter** or **LPC**)

2. TRADE COMPETITION

- 2.1 The submitter could not gain an advantage in trade competition through this submission.

3. SPECIFIC PROVISIONS OF PLAN CHANGE 66

- 3.1 The submission is in **support** of the Plan Change to rezone 27.3ha from Rural Plains to Business 2A zone immediately to the north of the LPC Midland Port, Rolleston.
- 3.2 The submission, opposes (or seeks further clarification to remedy) the following narrow elements of Proposed Plan Change 66 (**PC66**) to the Selwyn District Plan, in so far as this rezoning:
- (a) has the potential to increase sensitive activities proximate to Port operations at Midland Port, which is able to be addressed through provisions sought in this submission to avoid sensitive activities within 80m of the interface with Midland Port; and
 - (b) results in increased vehicle movements in the surrounding road network which may be to the detriment of network safety, efficiency and effectiveness, particularly in terms of the main access of Midland Port via Jones Road, and the performance of the intersection of Hoskyns Road / Jones Road and State Highway 1;
- 3.3 LPC also acknowledge that whilst not opposed in principle to the potential use of rail infrastructure to facilitate freight movements as identified in the accompanying section 32, such would require consequential amendments to resource consents held by LPC (RC155101), and / or consequential amendments to the District Plan to insert appropriate noise contours to prevent the potential for reverse sensitivity effects on Strategic Infrastructure represented by the Port.

4. SUBMISSION

- 4.1 The submitter **supports** the proposed rezoning in terms of providing additional Business 2A zoned land within Selwyn District.
- 4.2 The submitter is **opposed** (or seeks further clarification, or thresholds to manage the effects of) aspects of the rezoning that would facilitate activities that:
- (a) are sensitive to Port operations; and
 - (b) would generate transport movements on the road network, where these are of a scale or frequency, to the detriment of safety, efficiency and effectiveness of freight operations being undertaken at Midland Port.

5. REASONS FOR THE SUBMISSION

Background and context

- 5.1 LPC currently undertake Inland Port operations from a 27ha site in Jones Road, Rolleston (Lot 2 DP 475847).
- 5.2 The Canterbury Regional Policy Statement (2013) (**CRPS**) identifies both the Port of Lyttelton (including associated facilities) and *Significant Regional Transport Hubs* as *Strategic Infrastructure*. These facilities are also defined as Regionally Significant Infrastructure, which extends to Transport Hubs. Transport Hubs are

defined as including the exchange or storage of cargo at a regional facility, between vehicles or between transport modes.

- 5.3 The CRPS seeks to ensure that development does not adversely affect the efficient operation, use, development and future planning of strategic infrastructure and freight hubs (Objective 6.2.1(10)), and correspondingly Policy 6.3.5 seeks to only provide for new development that does not affect both the use and development of strategic infrastructure.

- 5.4 Authorised by RC155101, the Midland Port operations include:

- (a) 24 hours a day / seven days a week container exchange (by Jones Road to State Highway 1 and internal rail siding to Main South Line).
- (b) Empty container storage and repairs.
- (c) Reefer container use.
- (d) Customs approved facilities.
- (e) Storage and use of hazardous materials.

- 5.5 Given the activities undertaken and their importance to the Canterbury Region, noise effects and lighting are not able to be fully internalised within the Midland Port site. In part, LPC manages these effects from its operation through a combination of:

- (a) Acoustic barrier adjoining the reefers and landscaped earth bund along the eastern boundary of the site.
- (b) Assumptions and 'contours' associated with the generation of noise emissions, predicated on:

Four to seven trains per 24 hour period with up to four of these movements occurring during night time hours (8:00pm-7:30am). The assessment also takes into account the use of trucks (Mafi Trucks or similar), top lifters, and mechanical plant noise e.g. refrigeration motors from reefer containers, based upon their location shown on the site plan.

The lawfully established parameters of operations and associated noise emissions requires from LPC both a management and protection regime. A management regime to ensure that activities undertaken within Midland Port conform with the acoustic assumptions above, and a protection regime to prevent sensitive activities proximate to Midland Port which would otherwise be subject to a loss of amenity, community health effects and the potential to give rise to reverse sensitivity effects on Port operations.

- (c) Management of light spill through managing light levels and down lighting, whilst ensuring appropriate illumination to facilitate safe container unloading, loading and stacking operations.

- 5.6 The operations are also highly dependent on the performance and function of the transport network as follows:

- (a) Midland Port has a primary point of access to Jones Road, designed as a standard sign controlled T intersection with right turn bay, located at the eastern extent of the Izone Business 2A zoned area;
- (b) A rail siding crossing Jones Road extends into the site to provide a transfer of mode in freight between road and rail. The railway line as strategic infrastructure crosses the road network at level crossings at Hoskyns Road and Weedons Ross Road.
- (c) Road access from State Highway 1 is via traffic signals at SH1 / Hoskyns Road and a grade separated interchange at SH1 / Weedons Ross Road.

Operative Business 2A zoning and changes anticipated as a consequence of the rezoning

- 5.7 The Plan Change 66 site is zoned Rural Inner Plains zone under the operative Selwyn District Plan.
- 5.8 Plan Change 66 seeks to provide for a Business 2A zone for the site which would:
- (a) Under Rule 13.1.1 provide for a wide range of general industrial activities.
 - (b) Provide an inconsistent approach to precluding sensitive activities, including restricting visitor accommodation, hospitality¹ and dwellings except where associated with custodial or security purposes² as a controlled activity, but providing for education activities including preschools and healthcare facilities.
 - (c) Restrain the range of retail activities (including the associated requirements for amenity and typically lower trip rates) to trade suppliers³.
- 5.9 The Plan Change request is accompanied by an Outline Development Plan (**ODP**) and associated provisions that:
- (a) provide for potential future road links to Cargo Drive and Factory Drive (via Pallet Drive) to IPort Drive;
 - (b) provide a landscape treatment along the eastern and southern boundary with rural zoned land;
 - (c) prevent access to Maddison's Road as a restricted discretionary activity (no assessment on the ability of Maddison's Road to carry heavy traffic from an amenity perspective is included).
- 5.10 The rezoning would enable a broad range of general industrial activities of a character and amenity **which are compatible with Midland Port operations amenity and character**, and accordingly is seen as an appropriate 'buffer' activity to more sensitive rural activities.
- 5.11 The rezoning, may also result in the potential to
- (a) generate substantially greater volumes of vehicles on the network than otherwise anticipated by the rural zone;
 - (b) enable as permitted activities custodial dwellings and education facilities as sensitive uses proximate to the interface of Midland Port with resultant amenity and community health effects in a manner that may give rise to reverse sensitivity issues.
- 5.12 The matters raised above [5.11(a) and (b)] require either further clarification or provisions to be introduced by the Plan Change to assure LPC that the purpose of the Act is being achieved.

¹ Rule 13.1.7.2(f) and (g)

² Rule 22.8.1.1

³ Rule 22.10.

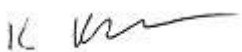
6. RELIEF SOUGHT

- (a) LPC **support** the Plan Change, but in conjunction seek the following relief:
 - (i) LPC **opposes** the rezoning on the basis of potential effects on the supporting transport network, **or seeks** clarification that generated transport movements on the road network will not have material adverse effects, including cumulative effects to the detriment of safety, efficiency and effectiveness of freight operations being undertaken at Midland Port;
 - (ii) LPC **opposes** the rezoning **unless modified** to preclude Noise Sensitive Activities as defined by the plan, by making such activities **Non-Complying** within 80m of the interface with Lot 2 DP 475847 (Midland Port). Noise Sensitive activities include:
 - a. Residential activities, including those used for custodial or security purposes;
 - b. Educational activities including pre-school places or premises;
 - c. Traveller's accommodation;
 - d. Hospitals, healthcare facilities and elderly persons housing or complex.
- (b) LPC acknowledge that additional freight movements through the use of the rail siding would require consequential amendments to resource consents held by LPC (RC155101), and / or consequential amendments to the District Plan to insert appropriate noise contours to prevent the potential for reverse sensitivity effects on Strategic Infrastructure represented by the Port. This is not a matter within the scope of the Plan Change 66.

LPC wishes **to be heard** in support of its submission.

If others are making a similar submission, LPC will consider presenting a joint case with them at the hearing.

Date: 25 February 2021



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Kim Kelleher,
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Lyttelton Port Company Ltd.