

Before the Hearing Panel  
Appointed by the Timaru District Council

Under                                      The Resource Management Act 1991 (**RMA**)  
In the matter of                      submissions on the Proposed Timaru District Plan

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**Supplementary legal submissions of Counsel on behalf of Timaru  
District Council - Hearing G**

8 July 2025

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**anderson  
lloyd.**

## May it please the Hearing Panel:

### Introduction

- 1 These legal submissions are made on behalf of the Timaru District Council (**TDC**) in relation to the Timaru Proposed District Plan (**PDP**) – Hearing G. The purpose of these submissions is to respond to Minute 41.
- 2 In Minute 41, the Panel has requested:<sup>1</sup>
  - (a) identification of the specific Resource Management Act 1991 (**RMA**) provisions and objectives and policies in the National Policy Statement for Urban Development (**NPS-UD**), the National Policy Statement for Highly Productive Land (**NPS-HPL**), the Canterbury Regional Policy Statement (**CRPS**), and PDP that require the Panel to consider effects on landscape, amenity and ‘character’ when considering a change from a rural zone to an urban or rural lifestyle zone or changes to the Future Development Areas (**FDAs**) to accommodate future growth;
  - (b) an explanation as to how landscape, amenity and character have been considered in the planning recommendations outside of the coastal environment, margins of wetlands and rivers, Outstanding Natural Landscape (ONL) and Visual Amenity Landscape (VAL) overlays; and
  - (c) identification of the relevant National Policy Statements, CRPS or PDP objectives and policies that underpin each of Ms Pfluger's opinions identified by Minute 41.
- 3 Counsel has worked with Mr Bonis and Ms Pfluger to provide a high-level initial response to these questions in order to assist the Panel to further direct its questions at the hearing. Mr Bonis and Ms Pfluger are prepared to answer questions on these matters at the hearing and can provide further evidence in their interim reply if further information is considered necessary.
- 4 These legal submissions address:
  - (a) the specific provisions of the RMA under which landscape, amenity and character matters relating to the re-zoning requests are to be considered;
  - (b) the relevant objectives and policies in the higher order planning documents that require the Panel to consider effects on landscape,

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<sup>1</sup> Minute 41, at [6].

amenity and character when considering a change from a rural zone to an urban zone;

- (c) how landscape, amenity and character have been considered in the planning recommendations outside of the coastal environment, margins of wetlands and rivers, Outstanding Natural Landscape (ONL) and Visual Amenity Landscape (VAL) overlays; and
- (d) An initial response to the specific questions raised by the Panel in relation to Ms Pfluger's memorandum.

### Context

- 5 The preliminary section 42A Growth report (**preliminary report**) (released in October 2024) identified the relevant landscape, amenity and character (including natural character) related information that Mr Bonis considered was required to enable him to make a full assessment for each request for rezoning.<sup>2</sup> Under the heading "Environmental Values", the preliminary report noted that the planning framework requires a consideration of the existing environment and broader environmental values, including landscape and natural character.
- 6 The preliminary report identified that the following information was required specifically in relation to landscape and natural character, and amenity and rural character:

10.2.1 There are no submissions that relate to an Outstanding Natural Feature or Outstanding Natural landscape<sup>3</sup> as identified in the PDP.

10.2.2 Several submissions<sup>4</sup> adjoin or include wetlands and rivers<sup>5</sup>.

10.2.3 The CRPS seeks that the natural character values of freshwater bodies and their margins be maintained or improved<sup>6</sup>. The relevant provisions of the PDP seeks that the natural character of the district's wetlands and rivers and their margins be preserved and protected from inappropriate subdivision, use and development, and where possible enhanced<sup>7</sup>.

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<sup>2</sup> This work was undertaken in response to the Panel's direction in Minute 6.

<sup>3</sup> Section 6(b) RMA1991

<sup>4</sup> Including Submission Numbers 250.66, 250.67, 20.1, 30.1, 98.1, 27.11, 231.1, 81.1, 157.2 and 32.1

<sup>5</sup> Section 6(a) RMA1991.

<sup>6</sup> CRPS Policy 7.3.1.

<sup>7</sup> PDP NATC-O1, NATC-P4

10.2.4 Submitters shall provide information whether any additional standards, rules or methods (other than those already contained within the respective zone standards) are required to maintain or enhance any specific attribute, natural character or natural feature, and where such features should be retained through subsequent subdivision, use or development.

10.2.5 The CRPS seeks that amenity values be maintained and enhanced<sup>8</sup>. The relevant provisions of the PDP seeks that the character, qualities and amenity values of rural areas are maintained<sup>9</sup>, and that settlement patterns recognise existing character and amenity.

10.2.6 Submissions seeking rezoning of the General Rural zone to either Urban zonings or the Rural Lifestyle zone shall provide analysis as to how the rezoning sought could generate adverse effects on rural character and amenity<sup>10</sup> and how these effects will be managed where necessary.

- 7 In response to the preliminary report, the Council received 19 submitter packages. Of those, only one submitter provided expert technical information on landscape and natural character-related matters, which was limited to a conceptual framework and did not provide an assessment of landscape, natural character and visual effects of the proposal.
- 8 In light of the absence of technical expert analysis, Ms Pfluger was requested to provide a brief comment on proposals in light of the information available. This information was intended to assist the Panel to understand the potential landscape, character and amenity related effects and to signal where further information is likely to be required.
- 9 The scope of Ms Pfluger's brief is recorded in her memorandum as follows:

For the preparation of this report, TDC requested me to:

- Where the submitter information package has provided technical landscape and natural character information, identify whether that is sufficient to enable a recommendation to be made or whether there are gaps in that information, and undertake a review of that information in order to inform a planning recommendation;
- Where no technical information is provided, provide brief commentary on the landscape and natural character matters and whether further information is required to inform a recommendation;

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<sup>8</sup> CRPS Policy 5.3.1(4).

<sup>9</sup> PDP SD-O9

<sup>10</sup> Section 7(c) 'Amenity Values' and Section 7(f) 'Quality of the Environment'.

Landscape and natural character considerations for rezonings may include considerations of character, amenity, density sought in the request, and provision of clear defensible edges as associated with the rezoning / FDA request.

- 10 Ms Pfluger was requested not to "backfill" information that ought to be provided by submitters seeking rezoning, and was not requested to specifically comment on the objective and policy framework. Mr Bonis considered the objective and policy framework in making his section 42A recommendations (discussed below), in light of Ms Pfluger's high-level comments on the potential landscape, amenity and character effects – which must be considered in the context of section 32 (see below).

### **Legislative framework for considering landscape, amenity and character**

- 11 The Council's opening legal submissions for Hearing A provide a detailed overview of the statutory assessment to be undertaken by the Panel,<sup>11</sup> which is relevant to the Panel's consideration of requests to rezone land.

- 12 Key provisions of the RMA relevant to the Panel's consideration of landscape, amenity and character are:

(a) The PDP must:

- (i) be prepared in accordance with the Council's functions<sup>12</sup> and with Part 2;<sup>13</sup> and
- (ii) give effect to national policy statements and operative regional policy statements;<sup>14</sup>

- (b) The objectives of the proposal being advanced by a submitter must be examined to ascertain whether they are the most appropriate way to achieve the purpose of the RMA,<sup>15</sup> and the provisions of that proposal must be examined as to whether they are the most appropriate way to achieve the objectives of the PDP (or proposed amended objectives);<sup>16</sup>

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<sup>11</sup> See [Legal submissions of Counsel on behalf of Timaru District Council \(30 April 2024\)](#), at 19 – 22 and Annexure 1.

<sup>12</sup> Section 74(1)(a).

<sup>13</sup> Section 74(1)(b).

<sup>14</sup> Section 75(3).

<sup>15</sup> Section 32(1)(a).

<sup>16</sup> Section 32(1)(b).

- (c) In assessing whether the provisions are the most appropriate way of achieving the objectives of the PDP, the benefits and costs of the environmental, economic, social and cultural effects that are anticipated from the implementation of the proposal – being the alternative zones being promoted – must be identified and assessed;<sup>17</sup>
  - (d) In making its decision on rules, the Panel must have regard to the actual and potential effects on the environment, including, in particular, any adverse effect.<sup>18</sup>
- 13 In other words, the relevant statutory framework for the consideration of landscape, amenity and character-related matters is as follows:
- (a) The PDP must give effect to the higher order documents that provide guidance on landscape, amenity and character related matters (including natural character);
  - (b) The proposed rezoning must be assessed in light of the strategic directions of the PDP that relate to landscape, amenity and character, and the extent to which the proposed rezoning achieves the objectives of the PDP must be evaluated; and
  - (c) The benefits and costs of landscape, amenity and character related effects of the rezoning must be identified and assessed, and regard must be had to these effects when considering a request to rezone land.

### **Relevant objectives and policies in higher order documents**

- 14 The preliminary section 42A report highlights the key provisions of higher order documents and other matters that would need to be considered in the context of a rezoning request (see above). The section 42A report also sets out relevant provisions of the NPS-UD, NPS-HPL and CRPS.<sup>19</sup>
- 15 There are no objectives or policies relevant to landscape, amenity and character-related matters in the NPS-HPL.
- 16 There are no landscape or natural character related objectives and policies in the NPS-UD. The only relevant objectives and policies of the NPS-UD are Objective 4 and Policy 6 – which acknowledge that urban environments,

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<sup>17</sup> Sections 32(1)(b)(ii) and 32(2)(a).

<sup>18</sup> Section 76(3).

<sup>19</sup> Section 42A report: Growth, at section 5.

including amenity values, develop and change over time in response to the changing needs of people and confirm that the fact that the amenity of urban environments changes is not in and of itself an effect. Policy 6 only relates to planned urban form anticipated by RMA planning instruments – and does not apply to rural areas proposed by a submitter to be rezoned to urban.

- 17 Mr Bonis has provided a full list of relevant provisions of the CRPS and strategic directions of the PDP, attached at **Appendix A**.

**Consideration of landscape, amenity and character in planning recommendations**

- 18 The Panel has queried how Mr Bonis' planning recommendations have considered landscape, amenity and character outside of the coastal environment, margins of wetlands and rivers and ONL/ VALs.

- 19 Mr Bonis has advised that:

- (a) his recommendation is based on the information provided by the submitters and the high-level comments provided by Ms Pfluger (which, as noted above, were not intended to backfill gaps in submitter evidence);
- (b) while the section 42A report does not contain a detailed analysis of each rezoning proposal against relevant statutory or plan provisions relating to amenity, landscape and character, he has considered the provisions of the CRPS and PDP as set out in the table at Appendix A;
- (c) in most instances, landscape, amenity and character effects were not determinative to his recommendation.

- 20 Mr Bonis has advised he took the following approach to considering the submissions requesting that land be rezoned (including landscape, amenity and character matters):

- (a) for each rezoning submission, he considered whether the proposal gives effect to the higher order instruments in terms of: contributing to well-functioning urban environments (including considering sufficiency and infrastructure integration) under the NPS-UD; the relevant NPS-HPL provisions relating to rezoning requests; the CRPS provisions that relate to consolidation and coordinated settlement patterns, and efficient integration of infrastructure and land-use; and whether the proposal would be the most appropriate

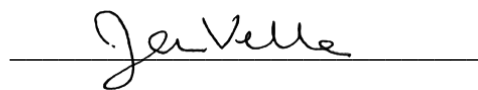
way of achieving the provisions in the PDP that require a concentrated, coordinated and integrated pattern of development;

- (b) where a proposal was considered to give effect to those higher order planning instruments, Mr Bonis then considered whether the proposed rezoning was the most appropriate way to achieve the relevant objectives of the PDP, taking into account landscape, amenity and character effects;
- (c) where Mr Bonis considered that the proposal (or a variation of the proposal) was the most appropriate approach, he has undertaken a section 32AA assessment to support his recommendation; and
- (d) no submissions were recommended to be rejected due to the significance of landscape, amenity and character effects (i.e., costs of the proposal), but submissions were recommended to be rejected where landscape effects were not adequately addressed by submitters.

#### **Response to specific questions of Ms Pfluger**

- 21 Ms Pfluger and Mr Bonis have prepared an initial high-level response to the specific questions asked of Ms Pfluger, attached at **Appendix B**.
- 22 The Council is grateful to the Panel for its attention to these matters.

Dated this 8th of July 2025

A handwritten signature in black ink, appearing to read 'Jen Vella', is written over a horizontal line.

Jen Vella  
Counsel for Timaru District Council



## Appendix A

### Relevant objectives and policies

<b>Canterbury Regional Policy Statement</b>	
<b>Chapter</b>	<b>Objective or Policy</b>
<b>Chapter 5 – Land use and Infrastructure</b>	<p><b>Objective 5.2.1</b></p> <p><i>Development is located and designed so that it functions in a way that:</i></p> <ol style="list-style-type: none"> <li><i>1. achieves consolidated, well designed and sustainable growth <u>in and around existing urban areas</u> as the primary focus for accommodating the region's growth; and</i></li> <li><i>2. enables people and communities, including future generations, to provide for their social, economic and cultural well-being and health and safety; and which:</i> <ol style="list-style-type: none"> <li><i>a. <u>maintains, and where appropriate, enhances the overall quality of the natural environment of the Canterbury region, including its coastal environment, outstanding natural features and landscapes, and <u>natural values</u></u>;...</i></li> </ol> </li> </ol> <p>The Principal Reasons associated with Objective 5.2.1 states:</p> <p><i>A consolidated pattern of urban development, as the primary focus for accommodating the region's growth, together with a limitation on the extent of areas of rural-residential activity, will:</i></p>

	<p>1. <i>minimise energy use; ...</i></p> <p>5. <u><i>maintain regional identity and character.</i></u></p> <p><b>Policy 5.3.1</b></p> <p><i>To provide, as the primary focus for meeting the wider region's growth needs, sustainable development patterns that:</i></p> <ol style="list-style-type: none"> <li>1. <i>ensure that any</i> <ol style="list-style-type: none"> <li>a. <i>urban growth; and</i></li> <li>b. <i>limited rural residential development <u>occur in a form that concentrates, or is attached to, existing urban areas and promotes a coordinated pattern of development;</u></i></li> </ol> </li> <li>2. <i>encourage within urban areas, housing choice, recreation and community facilities, and business opportunities <u>of a character and form that supports urban consolidation;</u> ...</i></li> <li>5. <u><i>encourage high quality urban design, including the maintenance and enhancement of amenity values.</i></u></li> </ol>
<p><b>Chapter 10 – Beds of Lakes and Rivers and their Riparian Zones</b></p>	<p><b>Objective 10.2.1</b></p> <p><i>Enable subdivision, use and development of river and lake beds and their riparian zones <u>while protecting all significant values of those areas, and enhancing those values in appropriate locations.</u></i></p> <p><b>Policy 10.3.2</b></p>

	<u>To preserve the natural character of river and lake beds and their margins and protect them from inappropriate subdivision, use and development, and where appropriate to maintain and/or enhance areas of river and lake beds and their margins and riparian zones where: ....</u>
<b>Proposed District Plan</b>	
<b>Chapter</b>	<b>Objective or Policy</b>
<b>Strategic Directions</b>	<p><b>SD-O1 Residential Areas and Activities</b></p> <p>(ii) <i>limited rural lifestyle development opportunities are provided <u>where they concentrate and are attached to existing urban areas, achieve a coordinated pattern of development</u> and ...; and</i></p>
<b>Urban Form and Development</b>	<p><b>UFD-O1 Settlement patterns</b></p> <p><i>A consolidated and integrated settlement pattern that:</i></p> <p>(iii) <i><u>reduces adverse effects on the environment</u>, including energy consumption, carbon emissions and water use;</i></p> <p>(v) <i>is well-designed, of a good quality, <u>recognises existing character and amenity</u>, and is attractive and functional to residents, business and visitors;</i></p> <p>(vi) <i><u>avoids areas with important natural, cultural and character values.</u></i></p>

<b>Natural Character</b>	<p>There are numerous objectives and policies relating to natural character. Key examples include:</p> <p><b>SD-O2 The Natural and Historic Environment</b></p> <p><i>The District's natural and historic environment is managed so that:</i></p> <p><u>(iii) the natural character of the coastal environment, wetlands and waterbodies is preserved and protected from inappropriate subdivision, use, and development.</u></p> <p><b>NATC-O1 Protection of natural character</b></p> <p><u>The natural character of the Timaru District's wetlands and rivers and their margins is preserved and protected from inappropriate subdivision, use and development, and where possible enhanced.</u></p>
<b>Residential</b>	<p><b>GRZ-O2 Character and qualities of the General Residential Zone</b></p> <p><i>The character and qualities of the General Residential Zone comprise:</i></p> <ol style="list-style-type: none"> <li>1. a low to moderate building site coverage; and</li> <li>2. a built form of single and two-storey attached or detached buildings; and</li> <li>3. ample space around buildings; and</li> <li>4. provision for on-site outdoor living areas; and</li> <li>5. sites that incorporate plantings; and</li> <li>6. a good level of sunlight access; and</li> <li>7. a good level of privacy between properties.</li> </ol>

	<p>[Note: The objective has been considered relevant where a site contains attributes more consistent with the outcomes in GRZ-O2 than the PDP zoning – e.g., Sub 145 Johnston, King Street Temuka].</p>
<b>Rural Zones</b>	<p><b><i>RLZ-O2 Character and qualities of the Rural Lifestyle Zone</i></b></p> <p><i>The character and qualities of the Rural Lifestyle Zone comprise:</i></p> <ol style="list-style-type: none"> <li><i>1. natural character and openness; and</i></li> <li><i>2. residential buildings, trees and landscaping that integrate with the natural and rural character of the area; and</i></li> <li><i>3. a high level of amenity, outlook, access to sunlight and environmental quality; and</i></li> <li><i>4. a pastoral landscape and the presence of compatible primary production.</i></li> </ol> <p>[Note: The objective has been considered relevant where a site contains attributes more consistent with the outcomes in GRZ-O2 than the PDP zoning – e.g., Sub 160 Payne, Geraldine, FDA11].</p> <p><b><i>GRUZ—O2 Character and qualities of the General Rural Zone</i></b></p> <p><i>The character and qualities of the General Rural Zone comprise:</i></p> <ol style="list-style-type: none"> <li><i>1. large allotments with large areas of open space; and</i></li> <li><i>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</i></li> <li><i>3. higher levels of amenity immediately around sensitive activities and zone boundaries; and</i></li> <li><i>4. vegetation, pasture, crops and forestry and livestock across a range of landscapes.</i></li> </ol>

	<p>[Note: The landscape outcomes in GRUZ-O2 have been considered in assessing likely effects of a proposal – e.g., FDA9 Sub No. 217.1 Ford [10.9.12] and FDA10 Sub No33.1 Ford [10.10.12(b)].</p>
<b>Future Development Areas</b>	<p><b><i>FDA-P4 Development Areas Plans</i></b></p> <p><i>Require Development Area Plans to provide for a comprehensive, coordinated and efficient development that addresses the following matters:</i></p> <p>(4) <i>the topography and natural and physical constraints of the site, including natural hazards and areas of contamination;</i></p> <p>(9) <i>the provision and integration of accessible open space networks, parks and esplanade strips;</i></p> <p>(11) <i>the maintenance or enhancement of identified natural features, waterbodies and/or indigenous vegetation or habitats of indigenous fauna;</i></p> <p>[Note: This provision is a relevant to proposals seeking immediate rezoning (whether identified as an FDA or not).]</p>
	<p><b><i>FDA-P5 Out of Sequence urban Development</i></b></p> <p><i>Avoid unanticipated urban development outside the Future Development Area Overlay and out of sequence development within the Development Area Overlay unless:</i></p> <p>2. <i>there is robust evidence that demonstrates that the development contributes to a well-functioning urban environment in that:</i></p> <p>(p) <i>the development avoids areas identified as having significant natural or cultural values, or that is subject to significant natural hazards;</i></p>

	<p>(q) the plan change includes a comprehensive Development Area Plan prepared in accordance with FDA-P4; and...</p>
	<p><b>FDA-P6 Unanticipated and out of sequence rural lifestyle development.</b></p> <p>Avoid unanticipated and out of sequence rural lifestyle development unless:</p> <p>2. the plan change includes a comprehensive Development Area Plan prepared in accordance with FDA-P4; and ....</p>
<b>Subdivision</b>	<p><b>SUB-P13 Development Area Plans</b></p> <p>Require subdivisions to comply with the relevant Development Area Plan, unless it can be demonstrated that an alternative proposal can better achieve the objectives of the Development Area Plan.</p>
	<p><b>SUB-P15 Rural Lifestyle Zone</b></p> <p>Require subdivision in the Rural Lifestyle Zone to:</p> <ol style="list-style-type: none"> <li>1. <u>maintain the character and qualities of the Rural Lifestyle Zone; and ...</u></li> <li>4. <u>maintain larger allotment sizes in the Geraldine Downs to protect its landscape character and amenity values.</u></li> </ol> <p>[Note: This provision is relevant to Sub No.19 Waitui Deer Farm Limited. No information provided by the submitter assesses how the proposal will achieve and implement SUB-P15.]</p>

## Appendix B

### Initial response to specific questions

Submitter	Comments from Ms Pfluger's memorandum of 26 May 2025 Appendix 4 to s42A Report	Initial response
145 T Johnson	<p><i>'The site is considered suitable for residential development from a landscape perspective, as the rural character has already been diminished in light of surrounding development.'</i></p> <p>Please identify the relevant objectives and policies in the higher order planning documents or PDP that require consideration of impact on landscape and 'rural character'?</p>	<p><u>Relevant provisions:</u></p> <p>CRPS - Policy 5.3.1 PDP - UFD-O1, GRZ-O2, GRUZ-O2</p> <p><u>Section 42A report reference:</u></p> <p>Landscape considerations: [12.3.6, 12.3.9]</p> <p><u>Additional comment:</u></p> <p>Proposal will occur within an existing urban area and promote a coordinated, integrated pattern of development by supporting consolidation.</p>
237 RSM Trust	<p><i>'In my view, the openness, rural character and absence of rural lifestyle development makes this site less suitable for residential development from a landscape perspective as anticipated under the TPDP as associated for FDA6. The urban growth boundary would be less clearly detectable, leading to an appearance of urban sprawl into the rural environment to the north of Temuka. Accordingly, I consider that from and landscape perspective an approach that</i></p>	<p><u>Relevant provisions:</u></p> <p>CRPS – Policy 5.3.1 PDP – UFD-O1, Policy FDA4 - in absence of DAP</p> <p><u>Section 42A report reference:</u></p>



	<p><i>consolidates the existing urban area is preferable to a more immediate residential expansion into this area.'</i></p> <p>Please clarify which higher order planning objectives and policies require consideration of the 'appearance of urban sprawl' into the rural environment. Is the concept of 'consolidation' as used Chapter 5 of the CRPS dependent on landscape effects?</p>	<p>Landscape considerations: [10.6.11]</p> <p>With reference to immediate secondary relief, rezoning southern edge [10.6.16]</p> <p><u>Additional comment:</u></p> <p>Currently urban boundary on eastern side of Factory Road is clearly defined (adjacent to the FD6), while western side already contains smaller lots and lifestyle properties (FDA7). In relation to UFD-01 and Policy 5.3.1 it is considered that FDA7 would not provide for a consolidated urban settlement pattern if advanced ahead of SCHED15 DAP program.</p> <p>Development Area Plans should guide immediate rezoning, but no DAP has been provided (FDA-P4) to assess if the proposed GRZ to promote a coordinated pattern of development or resolve matters in FDA-P4 relating to amenity and character.</p>
19 Waitui Deer Farm	<p><i>'In my view there is insufficient detail...to provide confidence that an increase in density could be appropriately accommodated in this elevated tableland landscape without adverse landscape character and visual amenity effects'.</i></p> <p>Please identify the specific provisions in the CRPS and/or PDP which manage the 'elevated tableland landscape' that is being referred to?</p>	<p><u>Relevant provisions:</u></p> <p>CRPS – Policy 5.3.1 TPDP – UFD-O1</p> <p><u>Section 42A report reference:</u></p> <p>Landscape considerations: [13.2.9, 13.2.14]</p> <p><u>Additional comment:</u></p>

		<p>Also note would not achieve and implement SUB-P15. It is unclear if a proposed development on the site would encompass rural residential development in a form that concentrates, or is attached to, existing urban areas and promotes a coordinated pattern of development as required under CRPS Policy 5.3.1. Given that the landscape has been identified as visually sensitive and contributing to the surrounding areas to the east in terms of its amenity, it is considered important the maintenance and enhancement of amenity values of the site is ensured.</p> <p>TPDP Policy SUB-15(4) requires larger allotment sizes (supporting the 10Ha min) <i>'to protect its landscape character and amenity values'</i>. The initial 'concept plan' is not sufficient, certain or embedded into the district plan in a manner to achieve and implement this Policy. In the absence of considerable more assessment and a robust planning mechanism in the district plan, further intensification as sought would degrade landscape character and amenity values.</p>
32 Selbie	<p><i>'In my view, the Waihi River, its margins and associated low-lying terraces are more sensitive to change. Rezoning of this part of the site is therefore not supported from a landscape and natural character perspective.'</i></p> <p>Please identify the relevant higher order planning objectives and policies and PDP provisions that address this requirement?</p>	<p><u>Relevant provisions:</u></p> <p>CRPS – Policy 5.3.1 CRPS - Policy 10.3.2</p> <p><u>Section 42A report reference:</u></p> <p>Landscape considerations: [13.4.7]</p>

		<p><u>Additional comment:</u></p> <p>The CRPS requires preservation of the natural character of the Waihi River and its margins and protect them from inappropriate subdivision, use and development under Policy 10.3.2 (acknowledging the esplanade reserve overlay). Policy 5.3.1 requires that rural residential development occurs in a form that concentrates, or is attached to, existing urban areas and promotes a coordinated pattern of development; It is noted that this development is not directly adjacent to Geraldine's GRZ.</p> <p>Recommendation not determinative based on sensitivity to Waihi River landscape.</p>
128 Scott	<p><i>'In order to ensure that existing landscape and natural character values, such as those associated with the Raukapuka Stream are maintained I would recommend...'</i></p> <p>Please identify the relevant higher order planning objectives and policies and PDP provisions that address this requirement?</p>	<p><u>Relevant provisions:</u></p> <p>PDP - UFD-P1, and absence of a DAP as required under FDA-P4.</p> <p><u>Section 42A report reference:</u></p> <p>Landscape considerations: [10.3.27]</p> <p><u>Additional comment:</u></p> <p>No DAP was provided that demonstrates that high quality urban design, including the maintenance and enhancement of amenity values is achieved. (Policy 5.3.1). A consolidated development pattern can be achieved by using landform boundaries to contain development, since these are the most permanent and legible boundaries in the landscape to rely on.</p>

160 Payne	<p><i>'In my view, it would be acceptable from a landscape effects perspective to develop....which would be consistent with the existing landscape character and development.'</i></p> <p>Please identify the relevant higher order planning objectives and policies and PDP provisions that address this requirement?</p>	<p><u>Relevant provisions:</u></p> <p>CRPS - 5.3.1(1). PDP - GRZ-O2, GRUZ-O2</p> <p><u>Section 42A report reference:</u></p> <p>Landscape considerations: [10.11.12, 10.11.15, 10.11.26]</p> <p><u>Additional comment:</u></p> <p>SD-O1 requires rural lifestyle development opportunities to be provided where they concentrate and are attached to existing urban areas, achieve a coordinated pattern of development. The site is located adjacent to a number of existing sites around 1.5ha size and is the last remaining larger lot. Developing the submitters lot to similar densities would lead to a consolidation in this area.</p>
241 JR Livestock	<p><i>'There does not appear to be a landscape-based rationale for the existing (but currently undeveloped) GIZ along Winchester-Geraldine Road.'</i> ...</p>	<p><u>Relevant provisions:</u></p> <p>PDP - UFD-O1</p>

	<p><i>'The extension of existing GIZ into the western part of the site to connect with Tiplady Road would, in my view, lead to a proliferation of industrial sized buildings with moderate to high landscape and visual effects into an area that currently is not substantially affected by the existing GIZ. The request for GIZ...is not supported from a landscape visual effects perspective.'</i></p> <p>Does there need to be a 'landscape based rationale' in the context of the RMA or higher order planning documents?</p> <p>What RMA and higher order provisions direct consideration of 'proliferation'?</p>	<p><u>Section 42A report reference:</u></p> <p>Landscape considerations: [11.3.8]</p> <p><u>Additional comment:</u></p> <p>The existing GIZ is disjointed from the settlement of Geraldine, surrounded by rural land. The proposed FDA would not expand towards the township and is not considered to achieve a consolidated and integrated settlement pattern. The proposed amendment would give rise to an outcome that would allow for industrial sized building sot occur in this area without any management of landscape effects which would maintain or enhance the amenity values of the area (under RMA S7(c)).</p>
20 O'Neill	<p><i>'Based on landscape and visual effects, residential rezoning is considered appropriate....'</i></p> <p>Is this a requirement of the RMA or higher order planning documents?</p>	<p><u>Relevant provisions:</u></p> <p>CRPS - Policy 5.3.1 PDP - UFD-O1</p> <p><u>Section 42A report reference:</u></p> <p>Landscape considerations: [12.5.7, 12.5.8, 12.5.18].</p> <p><u>Additional comment:</u></p> <p>Urban development on this remaining flat site would lead to consolidation in this area with well-defined landform boundaries where the site is not adjacent to existing urban development.</p>

30 McKnight	<p><i>'This would reduce the ability of the existing 'green buffer' to retain an urban edge north of Otipua Stream.'</i></p> <p><i>'...as building locations in relation to the change in landform would influence their visual dominance on the open space below and perception of urban encroachment.'</i></p> <p>What provisions require retention of an 'urban edge' and consideration of the 'perception of urban encroachment'?</p>	<p><u>Relevant provisions:</u></p> <p>PDP – UFD-O1(5)</p> <p><u>Section 42A report reference:</u></p> <p>Landscape considerations: [13.3.12, 13.3.16]</p> <p><u>Additional comment:</u></p> <p>The submission did not make clear how the proposed five Rural Lifestyle Allotments provide for a consolidated and integrated settlement pattern that is well-designed, of a good quality, recognises existing character and amenity, and is attractive and functional to residents.</p> <p>Evidence acknowledges landscape effect and consideration of mechanism to manage these effects.</p>
11 Morton	<p>Ms Pfluger references rural outcomes in GRUZ -O2, however in the context of the NPS-UD and CRPS, when considering a request for a change from a rural zone to an urban zone or RLZ what provisions require our considerations of <i>'...a substantial change in development pattern and adverse effects on rural character.'</i></p>	<p><u>Relevant provisions:</u></p> <p>PDP - SD-O1(2), UFD-O1(v), GRUZ-O2</p> <p><u>Section 42A report reference:</u></p> <p>Landscape considerations: [10.10.24]</p>

<p>27 Singline and RSM Trust</p>	<p><i>'If an appropriate design is prepared for the development of the site, taking into account natural character and amenity considerations, it could be appropriate to bring the development of the FDA forward....'</i></p> <p>What RMA provisions or higher order objectives and policies require the change of sequencing of development to be contingent on taking into account natural character and amenity considerations?</p>	<p><u>Relevant provisions:</u></p> <p>PDP - FDA-P4</p> <p><u>Section 42A report reference:</u></p> <p>Landscape considerations: [10.9.26]</p> <p><u>Additional comment:</u></p> <p>The requirement for a DAP (FDA-P4) is set out, but landscape is not relied on as a basis for the recommendation to reject the relief (2 year DAP process). No specific landscape reasons to comment on this submission.</p>
<p>33 Ford</p>	<p>Please clarify with reference to relevant higher order objectives and policies what you mean by <i>'sprawl that is not in character with the FDAs identified to the east, as it would extend much further north from Pages Road.'</i></p> <p>Does Ms Pfluger mean it would not meet the 'consolidation' and 'concentration' goals in Chapter 5 of the CRPS or PDP Strategic Directions – or something else?</p>	<p><u>Relevant provisions:</u></p> <p>CRPS - Policy 5.3.1 PDP - SD-O1(2)</p> <p><u>Section 42A report reference:</u></p> <p>Landscape considerations [10.10.12]</p> <p><u>Additional comment:</u></p> <p>These provisions seek consolidation and attachment of Rural Lifestyle zones to existing urban areas.</p>

203 Pages Trust and Russell Trust	<p><i>'For the northern part of the FDA, there does not appear to be any specific landscape rationale to bring the FDA development into GRZ forward'.</i></p> <p>Does there need to be a landscape rationale?</p>	<p><u>Section 42A report reference:</u></p> <p>Landscape considerations [10.2.12]</p> <p><u>Additional comment:</u></p> <p>Landscape recommendations not determinative in s42A recommendation. No specific landscape reasons to comment on this submission.</p>
227 Westgarth	<p><i>'It is possible that the request is acceptable from a landscape/visual perspective if they align with the landform.'</i></p> <p>What provision(s) in the higher order planning documents or PDP require this?</p>	<p><u>Relevant provisions:</u></p> <p>PDP - UFD-O1(5), FDA-P4(4)</p> <p><u>Section 42A report reference:</u></p> <p>Landscape considerations: [10.1.11]</p> <p><u>Additional comment:</u></p> <p>UFD-O1(5) and FDA-P4(4) provide a basis by which geophysical features are appropriate to use as defensible boundaries between FDA areas. The topographical information was provided through evidence and the request is considered appropriate in light of these provisions.</p>
		<p><u>Relevant provisions:</u></p>



157 De Joux	<p><i>'In my view, FDA 14 currently does not provide characteristics associated with peri-urban development. Development of this FDA would lead to residential/urban sprawl to the north of Timaru in an area where the urban boundary is currently well defined.'</i></p> <p>Does Ms Pfluger mean it would not meet the 'consolidation' and 'concentration' goals in Chapter 5 of the CRPS or PDP Strategic Directions – or something else?</p>	<p>CRPS - 5.3.1(1) PDP - UFD-O1</p> <p><u>Section 42A report reference:</u></p> <p>Landscape considerations: [10.14.13]</p> <p><u>Additional comment:</u></p> <p>Under CRPS 5.3.1(1) would not 'promote a coordinated pattern of development'.</p> <p>The amending proposal would be the less appropriate in terms of achieving and implementing UFD-O1 which seeks 'a consolidated and integrated settlement pattern</p>
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