

**BEFORE THE INDEPENDENT HEARINGS PANEL
APPOINTED ON BEHALF OF THE TIMARU DISTRICT COUNCIL**

UNDER the Resource Management Act 1991

AND

IN THE MATTER OF the Proposed TIMARU District Plan –
Hearing Stream G – Growth

AND the submissions of TG Blackler on
the Proposed Timaru District Plan
(Sub No. 231).

**JOINT WITNESSS STATEMENT
Planning**

Dated: 22 August 2025

1 INTRODUCTION

1.1 This joint statement relates to submissions made by TG Blackler (Sub No. 231) on the Proposed Timaru District Plan (**TPDP**), requesting the rezoning of their 10.6Ha land at 10 Burke Street, Pleasant Point (the **Site**) to General Residential Zone (GRZ). The evidence provided by their consultants Davis Ogilvie was predicated on the GRZ to be necessary to enable an 'aged care and retirement village' development on the site.

1.2 The evidence confirmed:

- (a) A narrowing of relief, to the application of GRZ to that area south of Pleasant Point Stream, with the area to the north to be retained as General Rural Zone (GRUZ).
- (b) In terms of the expert landscape evidence provided by Ms Pfluger that the Pleasant Point Stream would provide a geophysical boundary for urban development '*as long as the stream is maintained as a landform boundary for development and setbacks from the waterway are maintained for natural character reasons*¹.

1.3 Minute 42 was issued by the Independent Hearings Panel (**IHP**) on 18 July 2025. At [14] the Minute requested:

expert conferencing between the relevant s42A Report author or expert and submitters' expert witnesses

and for Blackler this is to include Ms Dolan (Submitter Planner), and Mr Bonis (Growth s42A) and Mr MacLennan (Rural s42A), with the express purpose of:

"Provid[ing] a Joint Witness Statement setting out a possible GRUZ precinct and/or site-specific rule that enables a retirement village with care home on a site adjoining the urban area of Pleasant Point as a restricted discretionary activity, with discretion limited to landscape, cultural values, natural hazards and infrastructure requirements (and any other matters you may consider appropriate). Please record any disagreements and reasoning as necessary".

¹ EiC Pfluger. S42A Appendix 4.

1.4 The Joint Witness Statement relates to:

- (a) A GRUZ district plan mechanism as associated with the site that would enable a retirement village with care home as a restricted discretionary activity, with the Council's discretion limited to a discrete number of matters;
- (b) Any disagreements and reasoning associated with the mechanism; and
- (c) A record of any agreements and disagreements as associated with the broader statutory consideration of the mechanism in (a).

1.5 Initial conferencing of the Planning witnesses took place on Monday 29 July 2025, with an iterative process being undertaken until the JWS was signed on 22 August 2025. The joint witness conference attendees were as follows:

- (a) Matt Bonis (**MB**) on behalf of the Timaru District Council (s42A Growth).
- (b) Andrew MacLennan (**AM**) on behalf of Timaru District Council (s42A Rural).
- (c) Sonia Dolan (**SD**) on behalf of Blackler (Sub.No 231).

1.6 This joint statement has been prepared in accordance with sections 9.4 and 9.5 of the Environment Court Practice Note 2023, which relates specifically to expert conferencing. The attendees confirm they have read, and agree to abide with, the updated Code of Conduct for Expert Witnesses included in Section 9 of the Environment Court Practice Note 2023.

1.7 This joint witness statement sets out all matters agreed and disagreed.

1.8 It is assumed that all submitted evidence has been reviewed and understood as a precursor to this joint witness statement.

2 MATTERS AGREED

The foundation of a mechanism

- 2.1 MB, AM and SD (**the Planners**) all agreed that a GRUZ Precinct was preferable in comparison to a site specific Restricted Discretionary (RDIS) rule. The reasons for agreement were a need to spatially identify key attributes and constraints associated with site development under a precinct plan, compared to a RDIS rule which would be necessarily complex in drafting and also create an uncomfortable fit within the GRUZ provisions architecture.
- 2.2 The Planners all agreed that the activity to be enabled is a '*Retirement Village*' as defined in the Proposed Timaru District Plan (**PTDP**) rather than an undefined 'Retirement Lifestyle Village' as presented in the submitter evidence package. The Planners agreed that that 'Retirement Village' is nested in the Interpretations Section of the Plan as 'residential activity' and within 'urban development'. SD agreed that that that definition incorporated all of the relevant activities being sought.
- 2.3 The Planner's agreed that the structure of the Precinct Plan will include:
- (a) A Precinct Plan identifying those constraints and developable areas within the site, including:
 - (i) Provision of public access, landscaping and improvements in natural character as associated with Pleasant Point Stream, noting agreement that (i) the TPDP identifies an esplanade reserve provision and public access provision overlays for the site and (ii) no subdivision would be proposed under the submitter relief.
 - (ii) That area north of Pleasant Point Stream would be included in the Precinct Plan as identified with building restrictions to provide for a 'buffer' to maintain rural character and amenity at the boundary.

- (b) One objective, with the dual purpose of enabling a Retirement Village, whilst recognising and providing for the relevant management and development constraints associated with the site, including but not limited to character and amenity, flood hazard, and efficient infrastructure provision.
- (c) Two policies: the first being the enabling aspect of the site to provide for a Retirement Village; and the second to give further direction on matters to be managed and controlled in subsequent site development. It was agreed that this would recognise the need to acknowledge that rural character and amenity would not be maintained on the site, but through the northern buffer area could be managed at the interface with surrounding GRUZ zoned land.
- (d) A single RDIS Rule to be inserted into the GRUZ provisions which referenced the Precinct Plan and a series of 'matters to be considered'. Non-compliance would be deemed a Discretionary Activity,
- (e) A 'series of matters' to be considered as associated with the Precinct Plan including:
 - (i) Landscape
 - (ii) Cultural Values
 - (iii) Natural Hazards
 - (iv) Infrastructure
 - (v) Treatment associated with the riparian margin(s) of Pleasant Point Stream.
 - (vi) Character and amenity, including reverse sensitivity on adjoining landowners
 - (vii) Built form

2.4 The Precinct Provisions (and consequential amendments to the TPDP) are attached as **Appendix 1**, the provisions have been developed iteratively, and the Planners agree that that the Precinct PRECXX could fit within the architecture of the TPDP.

Enablement and household type

- 2.5 The Planners agree that the Precinct PRECXX would enable a Retirement Village on the site, in a manner that would provide for additional household choice within Pleasant Point. In particular, the proposal will provide for more household choice offering retirement village facilities within the Pleasant Point and the wider community.

Natural Character and recreational access

- 2.6 The Planners agree that the Precinct PRECXX would enable enhancements to the Pleasant Point Stream in terms of both natural character and the provision of public access.

3 MATTERS DISAGREED WITH, AND REASONS IN TERMS OF THE MECHANISM AND PROVISIONS.

MB and AM:

- 3.1 Acknowledging the statutory framework assessment at Section 4 and Section 32AA consideration at Section 6, MB and AM consider:
- (a) The Precinct mechanism (PRECXX) is **not** the more **efficient** in achieving the Objectives, and implementing the policies of the TPDP, in comparison to retention of a base General Rural Zone (GRUZ).
 - (b) Whilst the approach provides for economic and social benefits as associated with the establishment and occupation of a Retirement Village, it results in environmental costs as associated with maintaining the integrity of the General Rural zone. These include adverse effects on rural character and amenity, as well as inappropriate use and development of highly productive soils. There remains considerable uncertainty as to the extent and avoidance of unacceptable flood risk on any development of the site, and whether on-site mitigation would transfer such risk to adjoining properties. Mr Bonis acknowledges that the Precinct PRECXX retains discretion to consider a hazard risk and amenity effects at the interface in any proposal as advanced.

(c) The Precinct mechanism (PRECXX) is **not effective** in advancing the relevant Objectives and Policies of the NPS-HPL, CRPS and TPDP. This is recognised through the extent of 'exemptions' as agreed by the Planners to overcome where the enabled development would be incongruent with key Objectives and Policies. The Precinct mechanism would not achieve and implement:

- (i) Objective 2.1 and Policies 4 and 8 of the NPS-HPL, it is considered the proposal would not meet the exemption under cl3.10.
- (ii) CRPS Policy 5.3.1, as the proposal would not support urban consolidation or encourage within urban areas a co-ordinated pattern of development.
- (iii) CRPS Policy 5.3.2(2)(a) in terms of hazards, and cl3(a) in terms of the efficient and effective provision of infrastructure.
- (iv) CRPS Objective 11.2.1 and Policy 11.3.1 in relation to unacceptable hazard risk.
- (v) CRPS Objective 15.2.1 and Policy 15.3.1 in relation to the productive capacity of versatile soils.
- (vi) TPDP Objective SD-04, NH-O1 and NH-P10 in relation to hazard risk.
- (vii) TPDP Objective SD-09, GRUZ-O2, GRUZ-O3, GRUZ-P2 and GRUZ-P7 in that the mechanism and development would not achieve clauses relating to retaining versatile soils, maintaining the character and quality of the rural environment, or the Retirement Village establishing a functional or operational need to be located in the rural environment.

3.2 Further MB considers that the mechanism Precinct PRECXX approach replaces the District Plan formation process as to whether the outcome of a Retirement Village is the more appropriate as a zoning response; as substituted with a resource consent process to assess, identify and respond to matters through a subsequent land use consenting regime.

Whilst several matters can be satisfactorily resolved through matters of discretion, it is considered that conflicts with the higher order planning framework associated with hazard risk, efficient infrastructure provision, rural character and function are not able to be overcome.

- 3.3 SD acknowledges that the Precinct mechanism (PRECXX) may not achieve all of the relevant Objectives and implementing the policies of the TPDP, in comparison to retention of a base General Rural Zone (GRUZ) there are economic and social benefits as associated with the establishment and occupation of a Retirement Village within the community. The design of the retirement village has meant that within the ODP, Areas 2 and 3 has been set aside as a rural amenity area and as a riparian margin and by virtue will provide both open space and a rural environment. This will mean that the development will ensure rural land use character in perpetuity.
- 3.4 SD considers that to offset the permanent loss of approximately 6.5 hectares of highly productive land (earmarked as Area 1) the precinct includes Areas 2 and 3 (a total 4.5 hectares of 11 hectares) that will maintain a rural character and open space amenity as anticipated within the General Rural Zone. SD notes that that if LUC 3 is proposed to be removed as part of the RM reform, then effectively the only HPL soil remain within Area 1 will be LUC 2 (2 ha).
- 3.5 SD considers that the proposal and PREC mechanism will give effect to the policy 3 as the site at 10 Burke Street is technically feasible to service for water, wastewater, and stormwater, subject to detailed engineering design, modelling and consenting processes.
- 3.6 SD considers that policy direction and matters of discretion have been included within the proposed Precinct to ensure this flood assessment is undertaken, albeit after the site has been included in the TPDP to enable intensive residential development. As such, the proposal will demonstrate and provide for mitigation measures with an appropriate design solution at the resource consent stage. Thereby the proposal will give effect to Objective 11.2.1 or Policy 11.3.1.
- 3.7 SD considers that in the absence of the assessment to achieve Objective NH-O1 and Policy NH-P10, that the development in relation to flood engineering mitigation measures, would be designed to meet the avoidance threshold.

- 3.8 SD considers that although reverse sensitivity effects on nearby primary production are likely to be limited due to adjacent residential zoning, and rural character can be maintained through site design given the natural and scale of a retirement village needing a large site within the rural environment then it is considered that the proposed PRECXX would achieve objective SD-O9.
- 3.9 SD considers that the proposed Precinct gives effect to this policy especially in light of Policy 5.3.1 (2) in that it offers housing choice, offers an array of recreation and community facilities, offers employment and business opportunities that are all considered to be of a character and form that supports urban consolidation within the Pleasant Point community.
- 3.10 Further it is most apparent in that the Planners have agreed that there would need to be stated exemptions for a number of key Rural Objectives and Policies as relevant to the PREC XX in order to achieve the precinct objectives, policies and provisions.
- 3.11 The s32AA as required is provided in Section 5.

4 CONSIDERATION OF STATUTORY FRAMEWORK

- 4.1 The Planners agree that the following objectives and policies are relevant to the consideration of the proposed Precinct. Within the table below, the Planners have provided an assessment of whether they consider the proposed Precinct provisions achieve the required outcomes of the relevant planning instruments.

Provision	Assessment
National Policy Statement for Highly Productive Land	
<u>2.1 Objective</u> <i>Highly productive land is protected for use in land-based primary production, both now and for future generations.</i>	AM, SD and MB agree that the site is Highly Productive Land (HPL) under the NPS-HPL (cl 3.5(7)) as identified in the s42A HPL Memo ² . The site contains approximately 11 hectares of LUC 2 and 3 land.
<u>Policy 4</u> <i>The use of highly productive land for land-based primary production is prioritised and supported.</i>	The Planners agree that the proposition of a 'Precinct' overlaying a retained GRUZ for the site 'overcomes' the strict application of cl 3.6 but engages with cl 3.10. Accordingly, a number of objectives and policies in

² [Timaru-District-Counsel-Memorandum-of-Counsel-Appendix-A-Memo-re-application-of-NPS-HPL-to-re-zoning-requests-210125.pdf](#)

<p><u>Policy 8</u></p> <p><i>Highly productive land is protected from inappropriate use and development.</i></p>	<p>the NPS-HPL remain relevant to the proposition of a 'retirement village' precinct.</p>
<p><u>Policy 9</u></p> <p><i>Reverse sensitivity effects are managed so as not to constrain land-based primary production activities on highly productive land.</i></p>	<p>AM and MB consider that the proposed Precinct does not give effect to the majority of the relevant objectives and policies of the NPS-HPL.</p> <p>AM and MB consider that the proposed Precinct enables a retirement development and use that would permanently remove the land from land-based primary production, contrary to Objective 2.1 and Policy 4, which prioritise such land for current and future productive use.</p> <p>MB and AM consider that the proposed use is not land-based primary production, nor does it support it. As such, it represents an inappropriate use and development under Policy 8 and does not achieve the exemption within Clause 3.10 discussed below.</p> <p>SD considers that whilst Area 1 would be contrary to Objective 2.1 and Policy 4, which prioritise such land for current and future productive use. SD considers that Areas 2 and 3 has been set aside as a rural amenity area and as a riparian margin and by virtue will provide both open space and a rural environment that will maintain a rural land use character in perpetuity. Therefore these 2 areas would not be contrary to Objective 2.1 and Policy 4.</p> <p>SD considers that whilst Area 1 of site is proposed not to be land-based primary production and therefore represents an inappropriate use and development under Policy 8 and does not achieve the exemption within Clause 3.10. On the flipside, Areas 2 and 3 has been set aside as a rural amenity area and as a riparian margin and by virtue will provide both open space and a rural environment that will maintain a rural land use character in perpetuity. Therefore these areas would achieve the exemption within Clause 3.10.</p> <p>In light of the above, SD considers that that the proposed Precinct – Area 1 does not give effect to the majority of the relevant objectives and policies of the NPS-HPL, however within the precinct, Areas 2 and 3 do give effect</p>

	<p>to the majority of the relevant objectives and policies of the NPS-HPL.</p> <p>Collectively these two Area 2 and 3 areas make up 43% of the site – approximately 4.5 hectares of the site.</p> <p>SD advises that within Area 1 being 6.5 ha, that if LUC 3 is proposed to be removed as part of the RM reform, then effectively the only HPL soil remain will be LUC 2 (2 ha).</p> <p>All Planners agree that the risk of reverse sensitivity effects is likely low due to adjacent residential zoning and can be appropriately managed through provisions in a Precinct to ensure these effects are managed. Therefore, Policy 9 is likely satisfied.</p>
<p><u>Clause 3.6</u></p> <p><i>Restricting urban rezoning of highly productive land</i></p>	<p>The Planners agree that Clause 3.6 is not relevant to the proposal as no urban rezoning is proposed.</p>
<p><u>Clause 3.8</u></p> <p><i>Avoiding subdivision of highly productive land</i></p>	<p>The Planners agree that Clause 3.8 is not relevant to the proposal as no subdivision is proposed.</p>
<p><u>Clause 3.9</u></p> <p><i>Protecting highly productive land from inappropriate use and development</i></p>	<p>The Planners agree that Clause 3.9(1) and (3) will not be achieved by the proposal.</p> <p>It is agreed that none of the matters listed in Clause 3.9(2) apply to the proposal.</p>
<p><u>Clause 3.10</u></p> <p><i>Exemption for highly productive land subject to permanent or long-term constraints</i></p>	<p>AM and MB consider that:</p> <p>The applicant has submitted an assessment from the Agribusiness Group noting that the site's size and partial fragmentation make it uneconomic as a standalone farming unit. It is noted that the assessment within this report is focused on Clause 3.6 of the NPS-HPL rather than Clause 3.10; this reflects the original rezoning request for a General Residential Zone.</p> <p>Clause 3.10(2) of the NPS-HPL requires a thorough evaluation of reasonably practicable options to retain the productive capacity of the land, such as boundary adjustments, lease arrangements, alternate land uses, or improved land management strategies. This type of evaluative analysis has not been included in the</p>

	<p>materials provided. Therefore, clause 3.10(1)(a) is not satisfied.</p> <p>The proposal would enable a retirement village development over approximately 6.5 hectares of LUC 2 and LUC 3 soils. While this may not be a large area in isolation, it represents a permanent loss of highly productive land and its productive capacity.</p> <p>The land is relatively self-contained and adjoins the existing residential zone on three sides. Therefore, it is not considered to fragment an otherwise cohesive area of productive land.</p> <p>Given the surrounding zoning, the risk of reverse sensitivity effects appears low and is likely to be managed through site layout and buffers.</p> <p>The applicant argues there are social and economic benefits in providing local aged care to support ageing in place. While these benefits are acknowledged, they must be weighed against the irreversible loss of versatile soils, as required by clause 3.10(1)(c). There is no clear evaluation of alternative land-based production forms, lease options, or adjustments to support continued rural use. The Agribusiness Group's commentary is general in nature and does not meet the evidentiary threshold set by subclauses (2) and (3). Moreover, the assessment appears to consider the economic benefit of residential development, which must be excluded under clause 3.10(3)(a).</p> <p>As such, the proposal does not meet the exemption criteria under clause 3.10 of the NPS-HPL. While the applicant suggests that the site's productive use is limited, they have not demonstrated a permanent or long-term constraint, nor provided an adequate evaluation of reasonably practicable options to retain the land's productive use.</p> <p>As such, the proposal does not comply with clause 3.10 and enabling residential development on this land would be inconsistent with the intent and direction of the NPS-HPL.</p>
--	--

	<p>SD considers that whilst Area 1 of site is proposed not to be land-based primary production and therefore represents an inappropriate use and development under Policy 8 and does not achieve the exemption within Clause 3.10.</p> <p>SD advises that within Area 1 being 6.5 ha, that if LUC 3 is proposed to be removed as part of the RM reform, then effectively the only HPL soil remain will be LUC 2 (2 ha).</p> <p>Areas 2 and 3 has been set aside as a rural amenity area and as a riparian margin and by virtue will provide both open space and a rural environment that will maintain a rural land use character in perpetuity. Collectively these two areas make up 43% of the site (4.5 ha) Therefore these areas would achieve Policy 8 and therefore has an exemption of Clause 3.10 of the NPS:HPL</p>
<i>Clause 3.11 Continuation of existing activities</i>	The Planners agree that Clause 3.11 is not relevant to the proposal.
National Policy Statement on Urban Development	
<i>Definition of "urban environment"</i>	<p>The Planners agree that Pleasant Point is not an "urban environment" under the NPS-UD.</p> <p>AM considers that the NPS-UD does not apply to the proposal.</p> <p>MB notes that pursuant to Clause 1.5(1) of the NPS-UD which provides for 'Tier 3' local authorities being strongly encouraged to undertaken Tier 1 and 2 obligations, adopting 'whatever modifications' to the NPS are necessary or helpful for them to do so, that as identified in the evidence of Mr Heath³ there is sufficient realisable capacity in Pleasant Point under both a medium and high growth forecast to 2053 in the absence of the proposal. This includes the buffer provided by the Competitiveness Margins in Clause 3.22. MB retains his view that to the extent that the NPS-UD is relevant to the proposal it will not be the more</p>

³ https://www.timaru.govt.nz/__data/assets/pdf_file/0018/1017450/s42A-Report-Appendix-6-Economics.-Tim-Heath.pdf

	<p>appropriate in terms of promoting well-functioning urban environments, or Objective 6 given residential sufficiency and an absence of analysis as to efficient infrastructure integration and provision.</p> <p>SD considers that the NPS-UD does not apply to the proposal. SD also notes that there has not been any projected capacity for aged care facilities and so the property economics analysis would not apply in the circumstances.</p>
Canterbury Regional Policy Statement	
<p><u>Objective 5.2.1 Location, Design and Function of Development</u></p> <p><i>Development is located and designed so that it functions in a way that:</i></p> <ul style="list-style-type: none"> <i>a. 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 natural values;</i> <i>b. ...</i> <i>i. avoids conflicts between incompatible activities</i> 	<p>The Planners agree that the proposed Precinct broadly give effect to this objective as the quality of the Pleasant Point Stream will be enhanced and conflicts between incompatible activities will be avoided.</p>
<p><i>Policy 5.3.1 – Regional growth</i></p> <p><i>To provide, as the primary focus for meeting the wider region's growth needs, sustainable development patterns that:</i></p> <ul style="list-style-type: none"> <i>1. ensure that any:</i> <ul style="list-style-type: none"> <i>a. urban⁴ growth; and</i> 	<p>AM considers that the proposed Precinct broadly give effect to this policy. The development is directly adjacent to existing GRZ land on three sides. The Pleasant Point Stream forms a natural boundary to the north, beyond which no residential development is proposed.</p> <p>MB considers that the proposal achieves some elements of the Policy in that it is 'attached to' an existing urban area and the Pleasant Point</p>

⁴ Urban mean: A concentration of residential, commercial and/or industrial activities, having the nature of town or village which is predominantly non-agricultural or non-rural in nature.

<p><i>b. limited rural residential⁵ development occur in a form that concentrates, or is attached to, existing urban areas and promotes a coordinated pattern of development;</i></p> <p><i>2. encourage within urban areas, housing choice, recreation and community facilities, and business opportunities of a character and form that supports urban consolidation;</i></p>	<p>stream forms a natural boundary to the north. Given the extent of forecast residential zoned supply in Pleasant Point the proposal does not, in his view support urban consolidation. MB considers that the PRECXX proposal as a mechanism does not promote a co-ordinated pattern of development.</p> <p>SD considers that the proposed Precinct gives effect to this policy. The development is directly adjacent to existing GRZ land on three sides. The Pleasant Point Stream forms a natural boundary to the north, beyond which no residential development is proposed.</p> <p>SD considers that the proposed Precinct gives effect to this policy especially in light of Policy 5.3.1 (2) in that it offers housing choice, offers an array of recreation and community facilities, offers employment and business opportunities that are all considered of a character and form that supports urban consolidation within the Pleasant Point community</p>
<p><i>Policy 5.3.2 – Development conditions</i></p> <p><i>To enable development ... which:</i></p> <p><i>1. ensure that adverse effects are avoided, remedied or mitigated, including where these would compromise or foreclose :</i></p> <p><i>a. ...;</i></p> <p><i>b. options for accommodating the consolidated growth and development of existing urban areas;</i></p> <p><i>c. the productivity of the region's soil resources, without regard to the need to make appropriate use of soil which is valued for existing or foreseeable future primary</i></p>	<p>MB and AM consider the proposal and PREC mechanism will not give effect to the Policy. Given the likely flood hazard risk to the site, the unknown nature of geotechnical works to manage that risk associated with property development, and the potential transfer of that hazard risk to adjoining properties, MB considers the proposal will not achieve Clause 2(a) in relation to hazards.</p> <p>MB, SD and AM consider that the controls associated with Area 3 for PRECXX will manage issues associated with reverse sensitivity (Clause 2(b)).</p> <p>MB, based on the evidence of Mr Kemp⁶ and Mr Chang considers that there remains an information gap as to both infrastructure modelling and the efficient and effective provision of infrastructure under Clause 3(a), noting Mr Chang's evidence that the</p>

⁵ Rural Residential development means zoned residential development outside or on the fringes of urban areas which for primarily low density residential activities, ancillary activities and associated infrastructure.

⁶ [Timaru-District-Council-Response-to-Minute-42-Expert-summary-Infrastructure-25-July-2025.pdf](#)

<p><i>production, or through further fragmentation of rural land;</i></p> <p><i>d. ...;</i></p> <p><i>e. ...;</i></p> <p><i>2. avoid or mitigate:</i></p> <p><i>a. natural and other hazards, or land uses that would likely result in increases in the frequency and/or severity of hazards;</i></p> <p><i>b. reverse sensitivity effects and conflicts between incompatible activities, including identified mineral extraction areas; and</i></p> <p><i>3. integrate with:</i></p> <p><i>a. the efficient and effective provision, maintenance or upgrade of infrastructure; and</i></p> <p><i>b. transport networks, connections and modes so as to provide for the sustainable and efficient movement of people, goods and services, and a logical, permeable and safe transport system.</i></p>	<p>site could 'technically be serviced' including where there are capacity issues that would need to be resolved through wastewater pump station, holding tank and off-peak pumping'.</p> <p>MB and SD considers based on the evidence of Mr Collins that 'there would not be any fundamental transport constraints'⁷ that the proposal would achieve Clause 3(b).</p> <p>SD considers that the proposal and PREC mechanism will give effect to the policy 2(a) as there is no evidence proposed to suggest that the land use activity would likely result in increases in the frequency and/or severity of hazards. Further ECAN has provided feedback that there are no significant issues with the design at this stage as the low ground potential for development appears to have been avoided ⁸.</p> <p>SD considers that the proposal and PREC mechanism will give effect to the policy 3 as the site at 10 Burke Street is technically feasible to service for water, wastewater, and stormwater, subject to detailed engineering design, modelling and consenting processes.</p>
<p><u><i>11.2.1 Avoid new subdivision, use and development of land that increases risks associated with natural hazards</i></u></p> <p><i>New subdivision, use and development of land which increases the risk of natural hazards to people, property and infrastructure is avoided or, where avoidance is not possible, mitigation measures minimise such risks.</i></p>	<p>AM and MB consider that:</p> <p>The proposal does not achieve and implement Objective 11.2.1 and Policy 11.3.1. While the ODP indicatively identifies that built development is located away from some of the highest flood hazard areas, the site is within a mapped Flood Assessment Area and includes land subject to inundation of over 1 metre in a 1-in-200 and 1-in-500 year flood event.</p> <p>The application proposes to avoid development in the deepest flood</p>

⁷ [Timaru-District-Council-Response-to-Minute-42-Expert-summary-Traffic-25-July-2025.pdf](#) [6]

⁸ Feedback from Oliver Hermans (ECAN).

<p><u>Policy 11.3.1 – Avoidance of inappropriate development in high hazard areas</u></p> <p><i>To avoid new subdivision, use and development (except as provided for in Policy 11.3.4) of land in high hazard areas, unless the subdivision, use or development:</i></p> <ol style="list-style-type: none"> <i>1. is not likely to result in loss of life or serious injuries in the event of a natural hazard occurrence; and</i> <i>2. is not likely to suffer significant damage or loss in the event of a natural hazard occurrence; and</i> <i>3. is not likely to require new or upgraded hazard mitigation works to mitigate or avoid the natural hazard; and</i> <i>4. is not likely to exacerbate the effects of the natural hazard; or</i> <i>5. ...;</i> 	<p>areas (likely 'High Hazard' Areas) and raise floor levels where necessary, but detailed modelling and confirmation of flood mitigation measures are not yet provided. Given this, the risk from flood hazards remains a 'live' issue.</p> <p>While the applicant proposes to locate buildings in lower-risk areas and raise floor levels, it is not yet demonstrated that:</p> <ol style="list-style-type: none"> 1. Loss of life or serious injury can be ruled out in a flood event, 2. Significant damage or loss to property can be avoided, 3. The development would not require upgraded mitigation works, or 4. It would not exacerbate flood hazards, such as by displacing floodwaters. <p>Without site-specific modelling and assessment of floodplain impacts⁹, the risk posed by natural hazards in relation to the zoning response sought through submission remains unresolved. As such, the proposal currently fails to demonstrate that development in a high hazard area is appropriate and does not give effect to Objective 11.2.1 or Policy 11.3.1.</p> <p>SD considers that the proposed development will avoid high hazard areas and will avoid development in the deepest flood areas (likely 'High Hazard' Areas) and raise floor levels where necessary, and the detailed modelling and confirmation of flood mitigation measures will be provided as part of the resource consent application. Detailed modelling will be undertaken in conjunction with ECAN to determine flood heights etc. Further, ECAN has provided feedback that there are no significant issues with the design at this stage as the low ground potential for development appears to have been avoided ¹⁰.</p>
---	--

⁹ Refer Sub 231 Evidence Appendix F: ECAN Feedback , Oliver Hermans 13 Feb 2025

https://www.timaru.govt.nz/__data/assets/pdf_file/0006/1025790/Submitter-231-Timothy-Graeme-Blackler-Appendix-1-Supporting-Evidence-Hearing-G.pdf

¹⁰ Feedback from Oliver Hermans (ECAN).

	As such, the proposal will demonstrate and provide for mitigation measures with an appropriate design solution at the resource consent stage. Thereby the proposal will give effect to Objective 11.2.1 or Policy 11.3.1.
<p><u>Objective 15.2.1</u> <u>Maintenance of soil quality</u></p> <p><i>Maintenance and improvement of the quality of Canterbury's soil to safeguard their mauri, their life supporting capacity, their health and their productive capacity.</i></p> <p><u>Policy 15.3.1 – Protection of versatile soils</u></p> <p><i>In relation to soil:</i></p> <ol style="list-style-type: none"> <i>1. to ensure that land-uses and land management practices avoid significant long-term adverse effects on soil quality, and to remedy or mitigate significant soil degradation where it has occurred, or is occurring; and</i> <i>2. to promote land-use practices that maintain and improve soil quality.</i> 	<p>AM and MB consider:</p> <p>The proposal does not give effect to Objective 15.2.1 and Policy 15.3.1. The site includes approximately 11 hectares of LUC 2 and 3 soils, with around 6.5 hectares proposed to be permanently removed from land-based primary production. This would compromise the productive capacity of the land and adversely affect the life-supporting capacity and mauri of the soil.</p> <p>SD considers that:</p> <p>Area 1 within the proposal does not give effect to Objective 15.2.1 and Policy 15.3.1. Area 1 has around 6.5 hectares proposed to be permanently removed from land-based primary production.</p> <p>SD advises that within Area 1 being 6.5 ha, that if LUC 3 is proposed to be removed as part of the RM reform, then effectively the only HPL soil remain will be LUC 2 (2 ha).</p> <p>SD considers that:</p> <p>Areas 2 and 3 within the proposal will give effect to Objective 15.2.1 and Policy 15.3.1. Areas 2 and 3 will have around 4.5 hectares to be retained as a rural amenity area and riparian buffer and will thereby maintain the land-based primary production character.</p>
Proposed Timaru District Plan – Strategic Directions	
<p><u>SD-O4 Natural Hazards</u></p> <p><i>Natural hazards risks are addressed so that:</i></p>	<p>AM and MB consider that:</p> <p>The ODP proposes to avoid development in the highest-risk flood areas. However, the flood hazard has</p>

<p>i. areas subject to natural hazards and risk are identified;</p> <p>ii. development is avoided in areas where the risks of natural hazards to people, property and infrastructure are assessed as being unacceptable; and</p> <p>iii. for other areas, natural hazards risks are appropriately mitigated.</p>	<p>not yet been comprehensively modelled to confirm whether risks to people, property, and infrastructure are acceptable. Without this evidence, it is left to the future land use consent application to demonstrate whether the development would meet the avoidance threshold required by clause (ii).</p> <p>Policy direction and matters of discretion have been included within the proposed Precinct to ensure this assessment is undertaken, albeit after the site has been included in the TPDP to enable intensive residential development.</p> <p>The proposal refers to elevated floor levels and site layout changes to mitigate flood risk, but detailed flood engineering assessments are not yet provided so the level of mitigation is unclear.</p> <p>AM and MB consider that it remains unclear as to whether the proposal achieves the Objective.</p> <p>SD considers that;</p> <p>The proposal will at the resource consent stage ensure that there will be elevated floor levels and site layout changes to mitigate flood risk. Overall, the development in relation to flood engineering mitigation measures, would be designed to meet the avoidance threshold required by clause (ii).</p> <p>Policy direction and matters of discretion have been included within the proposed Precinct to ensure this flood assessment is undertaken, albeit after the site has been included in the TPDP to enable intensive residential development.</p> <p>Further ECAN has provided feedback that there are no significant issues with the design at this stage as the low ground potential for development appears to have been avoided ¹¹.</p> <p>Given the above, SD considers that the proposal achieves the Objective SD-O4.</p>
--	--

¹¹ Feedback from Oliver Hermans (ECAN).

<p><u>SD-O9 Rural Areas</u></p> <p><i>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:</i></p> <ul style="list-style-type: none"> <i>i. protecting versatile soils for productive uses;</i> <i>ii. managing the adverse effects of intensive activities on sensitive activities;</i> <i>iii. managing the adverse effects of new sensitive activities on primary production;</i> <i>iv. avoiding activities that have no functional/operational need to locate in the rural area;</i> <i>v. identifying and maintaining the character, qualities and amenity values of rural areas;</i> <i>vi. ensuring Future Development Area overlay remains available for future urban or rural lifestyle development</i> 	<p>AM and MB consider:</p> <p>The proposed Precinct achieves and implements some aspects of the Objective SD-O9 and not others. The site is adjacent to the existing residential zones, and the proposed retirement village enabled by the ODP is to be designed to be sensitive to the surrounding character.</p> <p>However, the development would result in the effective loss of approximately 6.5 hectares of LUC 2 and 3 versatile soils. This does not achieve clause (i), which seeks to protect such soils for productive uses. The proposal also does not achieve clause (iv), as a retirement village does not have a functional or operational need to be located in the rural environment.</p> <p>Although reverse sensitivity effects on nearby primary production are likely to be limited due to adjacent residential zoning, and rural character may be partially maintained through site design, the proposed PRECXX would not achieve and implement the objective's core intent to prioritise primary production and limit non-rural land uses that do not have a functional or operational to locate in rural zones, as the core purpose and function of the Retirement Village is to provide for residential living.</p> <p>SD considers;</p> <p>The proposed Precinct achieves Objective SD-O9 for the following reasons;</p> <ul style="list-style-type: none"> i. The site is adjacent to the existing residential zones, and the proposed retirement village enabled by the ODP is to be designed to be sensitive to the surrounding character. ii. Area 1 of the development would result in the effective loss of approximately 6.5 hectares of LUC 2 and 3 versatile soils. This does not achieve clause (i), which seeks to protect such soils for productive uses. iii. SD advises that in relation to (ii) above, that if LUC 3 is
--	--

	<p>proposed to be removed as part of the RM reform, then effectively the only HPL soil remain will be LUC 2 (2 ha out of 6.5 ha).</p> <p>iv. Areas 2 and 3 as the rural amenity area and riparian margin would achieve clause (i).</p> <p>v. In respect to clause (iv), given the size and scale of retirement villages there are plenty of examples for where retirement villages need to be on a large site and therefore these sites are located within the rural environment. Further, the PTDP provides for the activity as a discretionary activity (not as non complying) and therefore there is a functional or operational need to be located in the rural environment.</p> <p>vi. That the reverse sensitivity effects on nearby primary production are likely to be limited due to adjacent residential zoning, that the rural character can be maintained through site design , and further 41% of the site would maintain the rural environment (Areas 2 and 3) then it is considered that the proposed PRECXX would achieve objective SD-O9</p>
Proposed Timaru District Plan – Natural Hazards	
<p><u>NH-O1 - Areas subject to natural hazards</u></p> <p><i>Risk to human life and significant risk to property, from natural hazards is:</i></p> <ol style="list-style-type: none"> <i>1. avoided in high hazard areas; and</i> <i>2. avoided or mitigated elsewhere to an acceptable level.</i> 	<p>AM and MB consider that it remains unclear based on the evidence received as to whether the proposed Precinct achieves and implements Objective NH-O1 and Policy NH-P10.</p> <p>Based on the evidence contained in the evidence on behalf of Blackler¹² and the s42A Report¹³ it is agreed that portions of the site are defined as 'High Hazard Areas' within the TPDP.</p>

¹²

https://www.timaru.govt.nz/__data/assets/pdf_file/0006/1025790/Submit-231-Timothy-Graeme-Blackler-Appendix-1-Supporting-Evidence-Hearing-G.pdf

¹³ S42A Report [Figure 38]

<p><u>NH-P10 – High Hazard Areas</u></p> <p><i>Avoid subdivision, use and development (excluding Regionally Significant Infrastructure) in, mapped or identified High Hazard Areas, unless:</i></p> <ol style="list-style-type: none"> <i>1. it is a building that is not a natural hazard sensitive activity or is unlikely to suffer damage; or</i> <i>2. it can be demonstrated that the risks of the natural hazard can be mitigated so that:</i> <ol style="list-style-type: none"> <i>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</i> <i>b. it will not require new or upgraded public natural hazard mitigation works to mitigate the natural hazard; and</i> <i>c. it is not likely to exacerbate the potential effects of the natural hazard on adjoining or surrounding land; and</i> <i>d. it does not increase reliance on emergency services in a hazard event.</i> 	<p>While the applicant proposes to avoid development in the highest-risk flood areas of the site, flood modelling identifies parts of the property as subject to significant inundation, with depths exceeding 1 metre in a 1-in-200 and 1-in-500 year event.</p> <p>The proposal includes general mitigation measures, such as elevating floor levels and site layout adjustments, but no detailed flood modelling or assessment has been provided to confirm that risk to property and life will be avoided or mitigated to an acceptable level.</p> <p>MB notes that the proposal would not be exempt under the amendment recommended to NH-P9 from the s42A Reporter (Mr Willis) which provides for mitigation where the site is located within an existing urban zone:</p> <p><u>3. it is located within an existing urban zoned area and the risks of the natural hazard are avoided or mitigated.</u>¹⁴</p> <p>MB and AM consider that it remains unclear whether the risk of loss of life or serious injury can be avoided, whether significant damage to buildings can be prevented, or whether the development would exacerbate flooding effects or increase reliance on emergency services. As such, the proposal does not, without further evidence from the applicant, demonstrate full alignment with NH-O1, and NH-P10.</p> <p>In the absence of this assessment being provided in the advance, the Planners have inserted Policy direction and matters of discretion within the proposed Precinct to ensure this assessment is undertaken, and where possible mitigation of hazard risk can be achieved.</p> <p>SD considers that in the absence of the assessment to achieve Objective NH-O1 and Policy NH-P10, that the development in relation to flood engineering mitigation measures,</p>
--	--

14

https://www.timaru.govt.nz/__data/assets/pdf_file/0006/997980/Natural-Hazards-Coastal-Environment-Drinking-Water-Protection-Andrew-Willis-s42a-report-Appendix-1-Recommended-Amendments.pdf

	<p>would be designed to meet the avoidance threshold. Further within the precinct there is policy direction and matters of discretion within the proposed Precinct to ensure this assessment is undertaken, and where possible mitigation of hazard risk can be achieved.</p> <p>Further ECAN has provided feedback that there are no significant issues with the design at this stage as the low ground potential for development appears to have been avoided ¹⁵.</p>
Proposed Timaru District Plan – General Rural Zone	
<p><u>GRUZ-O2 - Character and qualities of the General Rural Zone</u></p> <p><i>The character and qualities of the General Rural Zone comprise:</i></p> <ol style="list-style-type: none"> <i>1. large allotments with large areas of open space; and</i> <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> <i>3. higher levels of amenity immediately around sensitive activities and zone boundaries; and</i> <i>4. vegetation, pasture, crops and forestry and livestock across a range of landscapes.</i> 	<p>AM and MB consider that:</p> <p>The proposed Precinct does not achieve and implement to Objective GRUZ-O2. While the proposed Precinct retains the underlying GRUZ zoning, the intended use of the site for a retirement village departs from the anticipated character and qualities of the GRUZ.</p> <p>The development would introduce a residential land use and density with more intensive built form than the large, open rural lots anticipated under clause (1). It also lacks the utilitarian character and productive land use patterns described in clause (2), and would replace productive land with a more domestic and manicured landscaped setting. While some landscape planting and buffers are proposed, the overall nature of the activity is not consistent with the working rural environment described in the objective. As such, the proposal does not maintain the rural character and land use pattern expected in the General Rural Zone.</p> <p>The Planners agree therefore, if the panel were supportive of the proposed Precinct in the GRUZ, that a note be added to the GRUZ stating that this provision is not applied to the proposed Precinct.</p>
<p><u>GRUZ-O3 - Protecting primary production</u></p>	<p>MB and AM consider that:</p> <p>The proposal does not implement and achieve this objective. Although the</p>

¹⁵ Feedback from Oliver Hermans (ECAN).

<p><i>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.</i></p>	<p>underlying zoning remains GRUZ, the proposed Precinct would enable a retirement village with no functional or operational need to be located in the rural zone. This use would remove versatile soil from future primary production. While the site adjoins existing residential zones and reverse sensitivity risks may be limited in this instance, the activity itself is incongruent with the intent of the objective.</p> <p>Therefore, if the panel supported the proposed Precinct in the GRUZ, the Planners have recommended that a note be added to the GRUZ stating that this provision is not applied to the proposed Precinct to ensure internal consistency within the GRUZ chapter.</p>
<p><u><i>GRUZ-P2 - Character and qualities of the General Rural Zone</i></u></p> <p><i>The character and qualities of the zone are maintained by:</i></p> <ol style="list-style-type: none"> <i>1. requiring a large minimum allotment size that ensures ample open space around buildings; and</i> <i>2. controlling the height and setbacks of buildings and structures; and</i> <i>3. ensuring activities that can generate significant adverse effects and sensitive activities are well separated from each other.</i> 	<p>The Planners agree that the proposal does not achieve and implement Policy GRUZ-P2. The proposed Precinct would enable a retirement village that does not reflect the typical rural character of large allotments and open space anticipated by the policy.</p> <p>Therefore, if the panel supported the proposed Precinct in the GRUZ, the Planners have recommended that a note be added to the GRUZ stating that this provision is not applied to the proposed Precinct to ensure internal consistency within the GRUZ chapter.</p>
<p><u><i>GRUZ-P7 - Industrial activities, rural industries and other activities</i></u></p> <ol style="list-style-type: none"> <i>1. Only allow rural industries and other activities (not listed in the rules) in the General Rural Zone where:</i> <ol style="list-style-type: none"> <i>a. the activity</i> <ol style="list-style-type: none"> <i>i. was legally established use</i> 	<p>The Planners agree that the proposal does not achieve and implement Policy GRUZ-P7. The retirement village enabled by the proposed Precinct does not support primary production, nor does it have a functional or operational need to be located within the GRUZ, as required by clause 1(a).</p> <p>While it may be compatible in terms of physical scale and landscaping, it does not align with the rural zone's intended character or productive function (clause 1(b)).</p>

<p><i>not permitted in the zone; or</i></p> <p><i>ii. supports primary production; or</i></p> <p><i>iii. has a functional or operational need for the activity to locate within the Zone; and</i></p> <p><i>b. the activity is compatible or complimentary with the character and qualities of the Zone; and</i></p> <p><i>c. there is adequate infrastructure available to service the activity, including on-site servicing where reticulated services are not available; and</i></p> <p><i>d. there is adequate water supply provided for firefighting purposes; and</i></p> <p><i>e. the scale, location and intensity of the activity will not compromise the efficiency and safety of the roading network; and</i></p> <p><i>f. the activity does not constrain existing primary production or the establishment of activities otherwise permitted within the General rural zone; and</i></p> <p><i>g. any adverse effects on primary production, sensitive activities, zone boundaries or sensitive environments are avoided, and if avoidance is not</i></p>	<p>MB considers, as above that servicing adequacy has not been demonstrated.</p> <p>Therefore, if the panel supported the proposed Precinct in the GRUZ, the Planners have recommended that a note be added to the GRUZ stating that this provision is not applied to the proposed Precinct to ensure internal consistency within the GRUZ chapter.</p>
--	---

<p><i>possible, adverse effects are minimised.</i></p> <p>2.</p>	
---	--

AM and MB consider that:

- 4.3 The proposed Precinct does not fully give effect to the relevant objectives and policies of the NPS-HPL and CRPS, nor achieve and implement all of the relevant provisions of the PDP, this is most apparent in that the Planners have agreed that there would need to be stated exemptions for a number of key Rural Objectives and Policies as relevant to the PREC XX.
- 4.4 While the proposal adjoins existing residential zones and includes provisions to manage reverse sensitivity and flood risk, it would result in the permanent loss of approximately 6.5 hectares of highly productive land intended to be protected for land-based primary production. Nor would the proposal which enables a Retirement Village of a low to moderate level of built form and density uphold provisions seeking to retain a Rural character and open space amenity.
- 4.5 The proposal lacks sufficient evidence to demonstrate that the land is subject to permanent or long-term constraints that would justify an exemption under clause 3.10 of the NPS-HPL. It also does not align with CRPS objectives relating to soil protection, avoidance of development in high hazard areas, or the efficient use of rural land for its intended purpose. Infrastructure servicing and flood mitigation remain unresolved, the latter of which would require further confirmation at the land use consent stage.
- 4.6 The proposed PREC XX does not implement and achieve a number of relevant GRUZ objectives and policies, particularly as it does not support primary production or reflect the functional, operational, or character expectations of the rural environment. If the proposal is to be incorporated within the architecture of the TPDP, site-specific Precinct provisions and explanatory notes will be necessary to clarify and exempt the extent to which General Rural Zone provisions apply.
- 4.7 The Planners agree that the Precinct PRECXX would enable a Retirement Village on the site, in a manner that would provide for additional household choice within Pleasant Point. In particular the

proposal will provide for more household choice offering retirement village facilities within the Pleasant Point and wider community/District. The planners have also agreed to precinct provisions and explanatory notes which would be necessary to clarify and exempt the extent to which General Rural Zone provisions apply so as to maintain the architecture of the GRUZ provisions and integrity of the remainder of zone.

- 4.8 SD considers that the proposed Precinct gives effect to this policy especially in light of Policy 5.3.1 (2) in that it offers housing choice, offers an array of recreation and community facilities, offers employment and business opportunities that are all considered to be of a character and form that supports urban consolidation within the Pleasant Point and wider community.
- 4.9 SD considers that mechanisms have also been created within this precinct to ensure that site design and provisions are in place including rural amenity to include a rural buffer to the north and a riparian strip along the Pleasant Point stream and a suitable stormwater management area to protect future flood risk.
- 4.10 SD considers that to offset the permanent loss of approximately 6.5 hectares of highly productive land (earmarked as Area 1) the precinct includes Areas 2 and 3 (a total 4.5 hectares of 11 hectares) that will maintain a Rural character and open space amenity as anticipated within the General Rural Zone. SD notes that that if LUC 3 is proposed to be removed as part of the RM reform, then effectively the only HPL soil remain within Area 1 will be LUC 2 (2 ha).
- 4.11 SD considers that in the absence of the assessment to achieve Objective NH-O1 and Policy NH-P10, that the development in relation to flood engineering mitigation measures, would be designed to meet the avoidance threshold.
- 4.12 SD considers that although reverse sensitivity effects on nearby primary production are likely to be limited due to adjacent residential zoning, and rural character can be maintained through site design given the natural and scale of a retirement village needing a large site within the rural environment.

5 SECTION 32AA EVALUATION

5.1 Section 32AA – MB and AM

Table 1: PRECXX Approach

Environmental	
Benefits	<ul style="list-style-type: none"> Increased provision of choice in housing type and supply in Pleasant Point. Restricted Discretionary Status of Precinct PRECXX, ODP and associated text retains discretion to consider and manage effects related to rural character at the interface, and a high-quality built form. Enhancement of natural character and public access associated with Pleasant Point Stream.
Costs	<ul style="list-style-type: none"> Uncertainty as to appropriate management of flood risk, and transfer of that risk to adjoining properties. Highly Productive Land (as recognised by the NPS-HPL) is not protected. Does not maintain Rural zoned land for activities that have an operational or functional reason to be located within the rural zone. (As dependent on the evidence of Mr Heath and Mr Kemp) inefficient provision of three water servicing infrastructure where sufficient residential supply exists in Pleasant Point (under a Medium and High growth forecast) to 2053.
Economic	
Benefits	<ul style="list-style-type: none"> Provision of a comprehensive Retirement Village in one location, including a range of retirement units and aged care facilities. Specifics¹⁶ include: <ul style="list-style-type: none"> 53 residential villas for independent living; 45 beds for residents with dementia; Ancillary facilities for residents such as a workshop / men's shed; and Ancillary facilities for staff.
Costs	<ul style="list-style-type: none"> (As dependent on the evidence of Mr Heath) Oversupply of land for residential purposes to the detriment of providing for a co-ordinated settlement pattern as efficiently integrated (as dependent on the evidence of Mr Kemp) with supporting infrastructure.

16

https://www.timaru.govt.nz/_data/assets/pdf_file/0006/1025790/Submitter-231-Timothy-Graeme-Blackler-Appendix-1-Supporting-Evidence-Hearing-G.pdf [Attachment E]

Social	
Benefits	<ul style="list-style-type: none"> Enables greater opportunities and choice for the aged population to age in place.
Costs	NA
Cultural	
Benefits	<ul style="list-style-type: none"> Provides opportunities for improvements in natural character and the mauri of this section of Pleasant Point stream.
Costs	NA – Maintains Pleasant Point Stream in its existing state.
Efficiency: <i>The measure of whether the provisions will be likely to achieve the objectives at the lowest total cost to all members of society, or achieves the highest net benefit to all of society¹⁷.</i>	<p>Approach is inefficient. Provides environmental and social benefits for a segment of the community and enhancements to this section of Pleasant Point Stream, but opportunity costs due to extent of residential supply to 2053 creates inefficiencies with servicing and fostering consolidated and coordinated settlement patterns.</p> <p>PRECXX approach provides discretion to manage interface effects with rural character and amenity, but results in costs associated with potential flood hazard risk and loss of highly productive land.</p>
Effectiveness <i>The measure of contribution new provisions make towards achieving the objectives of the plan, and how successful they are likely to be in solving the problem they were designed to address¹⁸.</i>	<p>MB: Approach is ineffective. Does not achieve a number of objectives and policies of the NPS-HPL, CRPS and TPDP. To ensure integration with architecture of the TPDP, a number of exemptions to Rural objectives and policies would be required.</p> <p>AM: Approach is ineffective. Does not achieve a number of key objectives and policies of the NPS-HPL, CRPS and TPDP. To ensure integration with architecture of the TPDP, a number of exemptions to key to Rural objectives and policies would be required.</p> <p>For completeness, I have recommended the inclusion of exemptions to objectives and policies in other parts of the PDP, such as within the Blandswood Precinct and the Clandeboye Dairy Manufacturing Precinct. In my view, there are two reasons why exclusions in these other precincts are appropriate. First, both the developments within the Blandswood Precinct and the Clandeboye Dairy Manufacturing Precinct are existing and the inclusion of a precinct provides a bespoke planning framework for a unique area. Second, they are compatible with the intent of the underlying zone, and the bespoke amendments and exclusions are required to ensure integration with the underlying zone framework. In my view, such exemptions can be appropriate where they do not undermine the overall intent of the objectives and policies and are necessary to align the precinct with the existing policy architecture of the PDP.</p> <p>In contrast, the proposed precinct is seeking to establish a new development which is inconsistent with GRUZ-O2, GRUZ-O3 and GRUZ-P7. These provisions are fundamental</p>

¹⁷ Mfe.govt.nz Guide to Section 32 of the Resource Management Amendment Act, pg 18

¹⁸ Mfe.govt.nz Guide to Section 32 of the Resource Management Amendment Act, pg 18

	to the GRUZ framework, as they protect primary production, maintain rural character and amenity, and ensure rural land is primarily used for activities that have a functional or operational need to locate in the rural environment. In my opinion, failure to achieve these key provisions would undermine the integrity of the zone framework.
--	--

Table 2: Retain General Rural Zone

Environmental	
Benefits	<ul style="list-style-type: none"> Rural character and amenity retained. No increase in natural hazard risk to people and property. No loss of Highly Productive Land.
Costs	<ul style="list-style-type: none"> Decrease in choice in housing type and supply in Pleasant Point (although moderated by extent of zoned supply). Opportunity cost associated with enhancement in natural character and public access to this section of Pleasant Point Stream.
Economic	
Benefits	<ul style="list-style-type: none"> Greater 'compression' on development of existing zoned Residential opportunities in Pleasant Point and associated efficiencies of existing infrastructure servicing these areas.
Costs	<ul style="list-style-type: none"> Loss of economic potential to landowner from facilitating more intensive residential opportunities.
Social	
Benefits	NA
Costs	<ul style="list-style-type: none"> Opportunity cost in terms of choice for the aged population to age in place, particularly as associated with a comprehensive Retirement Village complex.
Cultural	
Benefits	<ul style="list-style-type: none"> NA
Costs	<ul style="list-style-type: none"> Opportunity cost associated with reduced opportunities for improvements in natural character and the mauri of this section of Pleasant Point stream.
Efficiency: <i>The measure of whether the provisions will be likely to achieve</i>	Approach is efficient. Whilst opportunity costs as associated with provision of additional housing supply and type exist, these are moderated by extent of zoned

<i>the objectives at the lowest total cost to all members of society, or achieves the highest net benefit to all of society.</i>	residential supply. Loss of benefits associated with improvements to Pleasant Point Stream. Retains highly productive land, and avoids increase risk to people and property associated with potential flood risk.
Effectiveness: <i>The measure of contribution new provisions make towards achieving the objectives of the plan, and how successful they are likely to be in solving the problem they were designed to address.</i>	Approach is effective. Achieves and implements relevant objectives and policies of the NPS-HPL, CRPS and TPDP.

Section 32AA – Dolan

Table 1: PRECXX Approach

Environmental	
Benefits	<ul style="list-style-type: none"> Increased provision of choice in housing type and supply and retirement village facilities in Pleasant Point. Restricted Discretionary Status of Precinct PRECXX, ODP and associated text retains discretion to consider and manage effects related to rural character at the interface, and a high-quality built form. Protection and enhancement of natural character and public access associated with Pleasant Point Stream.
Costs	<ul style="list-style-type: none"> Uncertainty as to appropriate management of flood risk Highly Productive Land (as recognised by the NPS-HPL) is not protected. Does not maintain Rural zoned land for activities that have a operational or functional reason to be located within the rural zone.
Economic	
Benefits	<ul style="list-style-type: none"> Provision of a comprehensive Retirement Village in one location, including a range of retirement units and aged care facilities. Specifics¹⁹ include:

19

https://www.timaru.govt.nz/_data/assets/pdf_file/0006/1025790/Submit

	<ul style="list-style-type: none"> ○ 53 residential villas for independent living; ○ 45 beds for residents with specific aged care needs ○ Ancillary facilities for residents such as a workshop / men's shed; and ○ Ancillary facilities for staff. • Provision of recreation and community facilities and the provision of employment and business opportunities within the Pleasant Point and the wider community. • Construction-related investment within the community
Costs	NA
Social	
Benefits	<ul style="list-style-type: none"> • Enables greater opportunities and choice for the aged population to age in Pleasant Point and within the wider community • Responds to unmet housing demand for older demographics • Retains economic and social contribution to the older demographic within the community • Provides the public access through the site and providing recreational links within the community
Costs	NA
Cultural	
Benefits	<ul style="list-style-type: none"> • Provides opportunities for improvements in natural character and the mauri of this section of Pleasant Point stream. • Incorporates Arowhenua cultural values through protection of stream integrity and avoidance of stream alteration
Costs	NA – Maintains Pleasant Point in its existing state.
Efficiency: <i>The measure of whether the provisions will be likely to achieve the objectives at the lowest total cost to all members of society, or achieves the highest net benefit to all of society²⁰.</i>	<ul style="list-style-type: none"> • Approach is efficient. The precinct mechanism is an efficient method and will not require a lengthy private plan change for the same outcome. • The precinct provides for a targeted, site-specific layer without undermining GRUZ-wide policy integrity • The restoration of the stream along with public access, provides environmental and social benefits for a segment of the community and enhancements to this section of Pleasant Point Stream.

[ter-231-Timothy-Graeme-Blackler-Appendix-1-Supporting-Evidence-Hearing-G.pdf](#) [Attachment E]

²⁰ Mfe.govt.nz Guide to Section 32 of the Resource Management Amendment Act, pg 18

	<ul style="list-style-type: none"> The PRECXX approach provides discretion to manage interface effects with rural character and amenity, but also does result in some costs associated with potential flood hazard risk and loss of highly productive land (2 ha of LUC2).
Effectiveness <i>The measure of contribution new provisions make towards achieving the objectives of the plan, and how successful they are likely to be in solving the problem they were designed to address²¹.</i>	<ul style="list-style-type: none"> Approach is effective. The precinct has been designed and tight provisions included to ensure the rural amenity environment will be maintained as much as possible, to include protection of areas 2 and 3 as a rural environment in perpetuity. There are safeguards in place to ensure flood protection mitigation and reserve sensitivity matters have been addressed. The Pleasant Point stream will be improved with appropriate environmental protection works and with a riparian margin strip in perpetuity The precinct will enable more housing supply and community benefits within the aged care sector. The precinct provides for a targeted, site-specific layer without undermining GRUZ-wide policy integrity Further for this precinct to ensure integration with architecture of the TPDP, several exemptions to the Rural objectives and policies would be required.

Table 2: Retain General Rural Zone

Environmental	
Benefits	<ul style="list-style-type: none"> Rural character and amenity retained. No increase in natural hazard risk to people and property. No loss of Highly Productive Land.
Costs	<ul style="list-style-type: none"> Decrease in choice the choice of retirement village facilities housing type and supply in Pleasant Point Opportunity cost associated with enhancement in natural character and public access to this section of Pleasant Point Stream.
Economic	
Benefits	<ul style="list-style-type: none"> Greater 'compression' on development of existing zoned Residential opportunities in Pleasant Point, and associated existing infrastructure servicing these areas.
Costs	<ul style="list-style-type: none"> Loss of economic potential to landowner from facilitating more intensive residential opportunities and retirement village facilities

²¹ Mfe.govt.nz Guide to Section 32 of the Resource Management Amendment Act, pg 18

Social	
Benefits	NA
Costs	<ul style="list-style-type: none"> Opportunity cost in terms of choice for the aged population to age in place, particularly as associated with a comprehensive Retirement Village complex.
Cultural	
Benefits	<ul style="list-style-type: none"> NA
Costs	<ul style="list-style-type: none"> Opportunity cost associated with reduced opportunities for improvements in natural character and the mauri of this section of Pleasant Point stream.
Efficiency: <i>The measure of whether the provisions will be likely to achieve the objectives at the lowest total cost to all members of society, or achieves the highest net benefit to all of society.</i>	<ul style="list-style-type: none"> Approach is efficient. The precinct mechanism is an efficient method and will not require a lengthy private plan change for a change of General Rural Zone to General Residential zone.
Effectiveness: <i>The measure of contribution new provisions make towards achieving the objectives of the plan, and how successful they are likely to be in solving the problem they were designed to address.</i>	<ul style="list-style-type: none"> Approach is effective. The precinct has been designed and tight provisions included to ensure the rural amenity environment will be maintained as much as possible, to include protection of areas 2 and 3 as a rural environment in perpetuity. This and the unique provisions of the ODP will ensure safeguard are set in place to ensure that the General Rural zone is maintained.

Signed:



Matt Bonis on behalf of Timaru District Council

A handwritten signature in black ink, appearing to read 'Andrew Maclellan', written in a cursive style.

Andrew Maclellan on behalf of Timaru District Council

A handwritten signature in blue ink, appearing to read 'Sonia Dolan', written in a cursive style.

Sonia Dolan on behalf of Blackler (Sub No.231)

Dated: 22 August 2025

ATTACHMENT 1 – BURKE STREET RETIREMENT VILLAGE PRECINCT

Insert: Part 3 - Area Specific Matters / Zones / RURZ - Rural Zones / GRUZ -General Rural zone

The planners agree that the precinct provisions set out below should be inserted at the end of the GRUZ – General Rural Zone, adopting the same approach used for PREC1 – Old North Road General Residential Precinct within the GRZ – General Residential Zone.

Consequential amendments: Insert SCHED-16A

SCHED16A- Schedule of Precincts Layer

SCHED16A - Schedule of Precincts Layer		
Unique Identifier	Name	Zone located
<u>PRECX</u>	<u>PRECX – Burke Street Retirement Village Precinct</u>	<u>General Rural Zone</u>

GRUZ-PRECxx Burke Street Retirement Village Precinct

Introduction

The Burke Street Retirement Village Precinct enables the establishment of a retirement village within the General Rural Zone subject to: managing effects on adjoining rural character and amenity, natural hazard risk and natural character. The Precinct is to ensure recreational access to Pleasant Point Stream, and that infrastructure and servicing needs are efficiently and effectively provided.

Objective

GRUZ-PRECxx(Purpose): The purpose of the Burke Street Retirement Village Precinct

The comprehensive development and operation of a retirement village within Burke Street Retirement Village Precinct xx, while ensuring that:

1. the built form, design, landscaping and setbacks maintain the character and qualities of adjoining land use activities; and
2. reverse sensitivity effects on adjoining rural activities and neighbouring properties are appropriately managed; and
3. development is integrated with the efficient and effective provision and use of infrastructure; and
4. development will avoid or mitigate the risk of natural hazards; and
5. cultural values are appropriately recognised and provided for; and
6. landscape features, including Pleasant Point Stream are to be enhanced through open space and design.

Policies

GRUZ–PRECxx–P1

Enable the establishment and operation of a Retirement Village where it is designed and located in general accordance with Precinct Plan “xx”, including:

1. avoiding built development to the north of Pleasant Point Stream; and
2. establishing, planting and maintaining a riparian margin strip and public access along Pleasant Point Stream.

GRUZ–PRECxx–P2

Ensure that the retirement village development is designed, located and managed to;

1. integrate with the natural landform, topography, and existing drainage patterns, including providing for the natural character and public access along Pleasant Point stream; and
2. efficiently and effectively integrated with infrastructure, including safe and permeable connections to the wider transport network; and
3. respond within PRECXX Area 3 to the character and activities associated with the adjoining General Rural Zone, including, avoiding reverse sensitivity effects on primary production; and
4. avoid or mitigate adverse effects of natural hazards, including flooding, and ensure development does not exacerbate these risks or transfer or create unacceptable hazard risk to other people, property, infrastructure or the natural environment; and
5. achieve within PRECXX Areas 1 and 2 high-quality urban design outcomes that are compatible with the character and qualities of the General Residential zone, and provide a high level of amenity for residents and a low to moderate building site coverage; and
6. take into the account the potential impact on any cultural, spiritual and/or historic values and interests or associations of importance to [mana whenua](#).

The following note is to be inserted below GRUZ-O2, GRUZ-O3, GRUZ-P2 and GRUZ-P7:

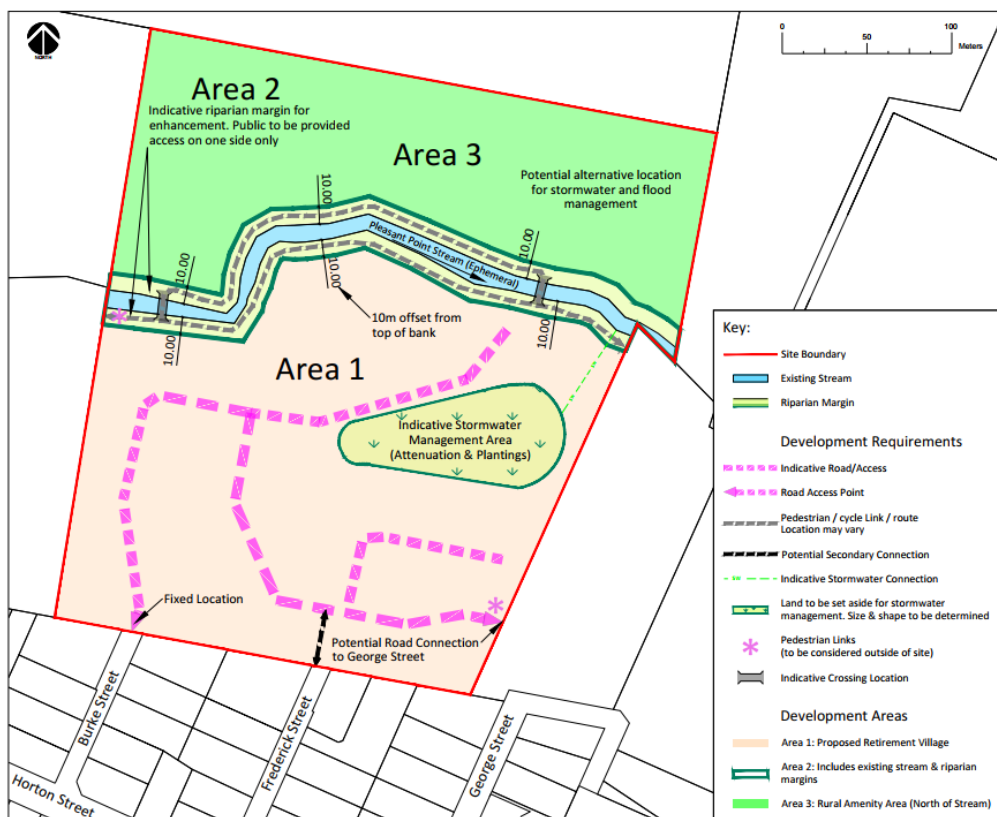
Note: This objective /policy does not apply to Area 1 and Area 2 in the XX Precinct.

GRUZ- RXX	Retirement village
----------------------	---------------------------

<p><u>PRECX - XX Precinct</u></p> <p>-</p>	<p><u>Activity status: Restricted Discretionary</u></p> <p><u>Where:</u></p> <p><u>The establishment and operation of a Retirement Village is a restricted discretionary activity</u></p> <p><u>RDIS-1</u></p> <p><u>The activity is undertaken in accordance with the outline development plan and text as attached in X</u></p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> 1. The adequacy and appropriateness of infrastructure, servicing, and stormwater management solutions; and 2. The design of the built form and infrastructure of the retirement village to ensure any natural hazard risk, or unacceptable transfer of natural hazard risk is appropriately avoided or mitigated; and 3. Any potential adverse effects of diverting or blocking overland flow paths, including: <ol style="list-style-type: none"> a. upstream and downstream flood risks, and b. any increased flood risk for people, property, or infrastructure or the natural environment; and 4. the effectiveness of any proposed natural hazard mitigation measures and any potential adverse effects arising from those measures; and 5. The design, scale, and siting of buildings will appropriately integrate with the adjoining environment and anticipated environmental outcomes in adjoining zones; and 6. Landscape and visual effects, including the effectiveness of proposed landscaping at the rural 	<p><u>Activity status where compliance not achieved:</u></p> <p><u>Discretionary</u></p>
---	---	---

interface. The assessment shall include the appropriateness and effectiveness of landscaping and visual buffer methods; and

7. Riparian margin and natural character enhancement, and public access provision along the Pleasant Point Stream; and
8. The extent to which the development recognises and provides for cultural values associated with SASM-16 including development to implement appropriate accidental discovery protocols in accordance with APP4 - Accidental Discovery Protocol; and
9. Effects on rural character and amenity, including reverse sensitivity on adjoining rural land use and other surrounding properties.



Burke Street Retirement Village Precinct PRECXX – Outline Development Plan

A. Context

The Burke Street Retirement Village Precinct PRECXX is located at 10 Burke Street, Pleasant Point. The Precinct lies immediately north of the existing Pleasant Point urban area, with Pleasant Point Stream / SASM-16 located within the northern half of the Precinct.

The Precinct is divided into three spatial areas as set out within the ODP:

- **Area 1** – the development area for the proposed Retirement Village.
- **Area 2** – a riparian margin and buffer area adjacent to Pleasant Point Stream, including planting and public access.
- **Area 3** – a rural amenity and interface area north of the stream to retain an open space character at the interface with the General Rural Zone to the east, north and west.

B. Development Form and Design

Area 1 – Retirement Village

- Development of a [Retirement Village](#) at a low to moderate building site coverage and scale as consistent with the General Residential Zone located to the south.
- Buildings and landscaping to provide for a high-quality amenity and interface treatment with adjoining rural and residential character.
- Retirement Village development is to be of a design and scale as prescribed in GRZ-S1, GRZ-S2, GRZ-S3, GRZ-S4, GRZ-S5, GRZ-S6, GRZ-S8, GRZ-S9.
- The indicative stormwater management area is to be the primary treatment and detention area for the full development of Area 1, and shall include landscaping and water sensitive design where this remains compatible with the stormwater function.

Area 2 – Riparian Margin

- Enhancement of the existing Pleasant Point Stream through the provision of a 10m wide riparian margin on both sides of the Stream. The riparian margin is to maintain appropriately designed and formed public access along at least one edge, with the balance area landscaped to enhance natural character and biodiversity.
- Provision of appropriate native species to enhance biodiversity and support both ecological function and water quality outcomes.
- No built development.

Area 3 – Rural Amenity Area

- Maintain open space and rural land use character, including provision for low-intensity activities such as planting, ecological enhancement, gardening, or passive recreation.
- Buildings associated with natural hazard-sensitive activities are avoided. Any other buildings within this area must be of a limited scale and compatible with the General Rural Zone.

C. Infrastructure and Servicing

- The development will be efficiently serviced by connections to the Pleasant Point urban water, wastewater, and stormwater networks, subject to Council approval.
- An indicative stormwater management area is identified within Area 1 and will be designed to attenuate run-off, manage detention and flood risk (including transfer of risk to adjoining properties) and improve stormwater quality through planting and treatment measures.
- Infrastructure design will ensure no transfer of unacceptable risk on adjoining sites to downstream flood risk., and will not generate the need for new or upgraded public natural hazard mitigation works to mitigate or avoid the natural hazard. Infrastructure design will ensure that any natural hazard risk is appropriately mitigated

D. Access and transport

- The ODP includes a looped internal road network with footpaths and dedicated pedestrian/cycle connections linking to Burke Street.
- Provision of appropriately formed public access along at least one margin of Pleasant Point Stream.

E. Hazards and Resilience

- Flood risk will be avoided or mitigated through building location, minimum floor levels, site-wide engineered earthworks, riparian setbacks, and stormwater attenuation/management, and will ensure that the transfer of unacceptable risk on adjoining sites to downstream flood risk is avoided.

F. Cultural Values

- The site includes the Pleasant Point Stream / SASM-16 that is of potential cultural significance. Engagement with mana whenua will confirm the appropriate recognition of any cultural, spiritual, or historic values.