

Appendix 1 - Recommended Amendments

Where I recommend changes in response to submissions, these are shown as follows:

I have identified as **red text** those amendments directly attributable to the submitter(s)

- Text recommended to be added to the Proposed Plan is underlined.
- Text recommended to be deleted from the Proposed Plan is ~~struck through~~.

I have identified in **green text** those amendments I have recommended either within the general scope of submissions seeking changes, or under cl16(2).

- Text recommended to be added to the Proposed Plan is underlined.
- Text recommended to be deleted from the Proposed Plan is ~~struck through~~.

DEFINITIONS

URBAN DEVELOPMENT

has the same meaning as in section 9 of the Urban Development Act 2020 which includes:

- a. development of housing, including public housing and community housing, affordable housing, homes for first-home buyers, and market housing;
- b. development and renewal of urban environments, whether or not this includes housing development;
- c. development of related commercial, industrial, community, or other amenities, infrastructure, facilities, services, or works.

means development within an area zoned as a Residential Zone, Settlement Zone, Commercial and Mixed Use Zone, General Industrial Zone, an Open Space Zone or a Sport and Active Recreation Zone that is adjacent to the aforementioned zones. It also includes development outside of these zones which is not of a rural or rural-lifestyle character and is differentiated from rural development by its scale, intensity, visual character and the dominance of built structures. For the avoidance of doubt, it does not include the provision of regionally significant infrastructure in Rural Zones¹.

WELL-FUNCTIONING URBAN ENVIRONMENT²

Has the meaning as in clause 1.4 in the National Policy Statement on Urban Development (2022)

¹ ECan 183.9

² TDC [42.7]

FUTURE DEVELOPMENT AREA

Introduction

This chapter applies to activities within the Future Development Area Overlay, which is an overlay that identifies land that is suitable for future urban or rural lifestyle development. This chapter addresses how future growth will be managed in the Future Development Area Overlay and how activities that could compromise future growth in the overlay will be addressed. It also addresses how urban development not anticipated by the District Plan located outside the Future Development Area Overlay will be managed and how urban development within the Future Development Area Overlay but out of sequence will be managed.

While land in the Future Development Area Overlay is suitable for urban development or rural lifestyle development, it cannot be developed until it is rezoned to enable that development to occur. Until such time, land within the overlay remains in the General Rural Zone and may be used for a range of primary production activities. Activities that potentially compromise the development of the overlay are to be managed through the consent process to avoid any permanent effects on the future development of this area.

Development Area Plans will be required for each Future Development Area to ensure areas within the overlay are developed sustainably and that all the effects of development are assessed and addressed in advance of development occurring. The level of analysis and detail required in each Development Area Plan should correspond with the type and scale of development. Development Area Plans are contained in the Development Area Plan chapters.

Relationships with other Chapters

The General Rural Zone underlies the Future Development Area Overlay. Accordingly, the General Rural Zone provisions objectives, policies and rules apply to activities within the Future Development Area Overlay but are modified by the provisions objectives, policies and rules of this chapter. In the instance of any conflict between the two chapters, the provisions objectives, policies and rules³ of this chapter takes precedence. When assessing any activity located in the Future Development Area Overlay that is not subject to a rule in this chapter and is classified as discretionary or non-complying activity in the General Rural Zone, the objectives and policies of the Future Development Area chapter also apply.

The Strategic Directions chapter provides objectives that relate to urban form and development capacity that are relevant to future urban growth.

Objectives	
FDA-O1	Availability of land for future development
Land in the Future Development Area Overlay remains available for future urban <u>development</u> ⁴ or rural lifestyle development.	
FDA-O2	Development within the Future Development Area
Urban <u>development</u> ⁵ growth or rural lifestyle development does not occur within the Future	

³ Cl16(2) Amendments
⁴ J R Livestock [241.6], Rosa Westgarth and Jan Gibson [227.4] and Warren and Elizabeth Scott [128.6]

Development Area Overlay until the land⁶ it is rezoned for the anticipated General Residential Zone, General Industrial Zone, or Rural Lifestyle zone⁷ set out in SCHED15 - Schedule of Future Development Areas ~~identified future land use~~ and a comprehensive⁸ Development Area Plan is incorporated into the District Plan as appropriate⁹ ~~approved~~ as part of the plan change¹⁰ ~~that~~ process.

FDA-O3 Unanticipated and out of sequence development

Unanticipated urban development outside of the Future Development Area Overlay or out of sequence development is only considered when significant development capacity is provided and it contributes to a well-functioning urban environment.

Policies

FDA-P1 Activities within the Future Development Area Overlay

In the Future Development Area Overlay:

1. Enable primary production activities that:
 - a. will not compromise the ability to develop the area for urban ~~development¹¹ growth~~ or rural lifestyle purposes; and
 - b. will be compatible with those activities once that development occurs.
2. Only allow other activities that are unlikely to compromise the ability to develop the area for urban ~~development¹²~~ or rural lifestyle purposes; and
3. Avoid activities that will likely compromise the ability to develop the area for urban ~~development¹³~~ or rural lifestyle purposes unless:
 - a. the activities will not constrain, limit or compromise the ability to comprehensively develop the area; and
 - b. the activities are compatible once that development occurs; or
 - c. the activities are cost effective and practical to remove or relocate.

FDA-P2 Process to enable urban development and rural lifestyle development in the Future Development Areas Overlay

Urban ~~development¹⁴~~ and rural lifestyle development within the Future Development Area overlay is required to:

1. be undertaken in accordance with the¹⁵ sequence set out in SCHED15 - Schedule of Future Development Areas in order to avoid adverse effects on urban consolidation; and
2. be developed in accordance with the anticipated General Residential Zone, General Industrial Zone, or Rural Lifestyle¹⁶ zone¹⁷ ~~land use~~ set out in SCHED15 - Schedule of Future Development Areas; and
3. be undertaken in accordance¹⁸ with submit a plan change that includes a Development Area Plan prepared and implemented¹⁹ in accordance with FDA-P4 as incorporated into the District

⁵ J R Livestock [241.7], Rosa Westgarth and Jan Gibson [227.5] and Warren and Elizabeth Scott [128.7]

⁶ J R Livestock [241.7], Rosa Westgarth and Jan Gibson [227.5] and Warren and Elizabeth Scott [128.7]

⁷ J R Livestock [241.7], Rosa Westgarth and Jan Gibson [227.5] and Warren and Elizabeth Scott [128.7]

⁸ J R Livestock [241.7], Rosa Westgarth and Jan Gibson [227.5] and Warren and Elizabeth Scott [128.7]

⁹ Clause 16(2) Recommended amendments

¹⁰ J R Livestock [241.7], Rosa Westgarth and Jan Gibson [227.5] and Warren and Elizabeth Scott [128.7]

¹¹ J R Livestock [241.9], Rosa Westgarth and Jan Gibson [227.7] and Warren and Elizabeth Scott [128.9]

¹² J R Livestock [241.9], Rosa Westgarth and Jan Gibson [227.7] and Warren and Elizabeth Scott [128.9]

¹³ J R Livestock [241.9], Rosa Westgarth and Jan Gibson [227.7] and Warren and Elizabeth Scott [128.9]

¹⁴ Rosa Westgarth [227.8], J R Livestock Limited [241.10], Warren and Elizabeth Scott [128.10]

¹⁵ Rosa Westgarth [227.8], J R Livestock Limited [241.10], Warren and Elizabeth Scott [128.10]

¹⁶ Clause 16(2) Recommended amendments

¹⁷ Rosa Westgarth [227.8] J R Livestock Limited [241.10], Warren and Elizabeth Scott [128.10]

¹⁸ Rosa Westgarth [227.8], J R Livestock Limited [241.10], Warren and Elizabeth Scott [128.10]

¹⁹ Rosa Westgarth [227.8], J R Livestock Limited [241.10], Warren and Elizabeth Scott [128.10]

Plan as part of the plan change process²⁰.

FDA-P3 Prioritised Future Development Areas

Timaru District Council will prepare the²¹ Development Area Plans for the future development areas listed indicated²² as priority areas in SCHED15 - Future Development Area and as identified on the planning maps²³.

FDA-P4 Development Area Plans

Require Development Area Plans to provide for a comprehensive, coordinated and efficient development that addresses the following matters:

1. the ability to manage any potential conflict between existing activities and future activities;
2. the type, location and density of development on the land to ensure it is suitable for the area;
3. the benefits of urban consolidation/intensification to support a quality compact urban form;
4. the topography and natural and physical constraints of the site, including natural hazards and areas of contamination;
5. the future servicing needs of the area and the provision of adequate, coordinated and integrated infrastructure to serve those needs, including using water sensitive design to manage stormwater;
6. whether staging is appropriate to ensure development occurs logically;
7. the integration of the area with surrounding areas and the way any conflict between areas and reverse sensitivity²⁴ effects is are²⁵ to be managed;
8. the provision of multi-modal²⁶ transport links (including active transport links) and connected transport networks that allow ease of movement to, from and within the area;
9. the provision and integration of accessible open space networks, parks and esplanade strips;
10. the potential impact of development on any cultural, spiritual and/or historic values and interests or associations of importance to mana whenua, and the outcomes of any consultation with and/or cultural advice provided by mana whenua, including with respect to:
 - a. opportunities to incorporate matauranga Māori principles into the design and/or development of the structure plan area;
 - b. opportunities for mana whenua's relationship with ancestral lands, water, sites, wāhi tapu and other taoka to be maintained or strengthened; and
 - c. options to avoid, remedy or mitigate adverse effects;
11. the maintenance or enhancement of identified natural features, waterbodies and/or indigenous vegetation or habitats of indigenous fauna;
12. opportunities for the provision of business and retail activities, and educational facilities²⁷ that are compatible and complimentary to the planned growth and will serve the needs of the new community;
13. how good urban design principles have informed the design.

FDA-P5 Unanticipated and out of sequence urban development

Avoid unanticipated urban development outside the Future Development Area Overlay and out of sequence development within the Future²⁸ Development Area Overlay unless:

²⁰ Clause 16(2) Recommended amendments

²¹ JR Livestock [241.11] Rosa Westgarth and Jan Gibson [227.9], and Warren and Elizabeth Scott [128.11]

²² JR Livestock [241.11] Rosa Westgarth and Jan Gibson [227.9], and Warren and Elizabeth Scott [128.11]

²³ JR Livestock [241.11] Rosa Westgarth and Jan Gibson [227.9], and Warren and Elizabeth Scott [128.11]

²⁴ Horticulture New Zealand [245.82]

²⁵ Clause 16(2) Recommended amendments

²⁶ NZTA [143.108]

²⁷ MoE [106.14]

²⁸ Cl16(2) Amendment

1. significant development capacity is provided having regard to:
 - a. the zoning, objectives, policies, rules and overlays that apply in the relevant proposed or operative RMA planning documents; and
 - b. provision of adequate development infrastructure to support the development of the land for housing or business use; and
2. there is robust evidence that demonstrates that the development contributes to a well-functioning urban environment in that:
 - a. for residential development, it enables a variety of homes that: meets the needs in terms of type, price and location of different households and enables Māori to express their cultural traditions and norms;
 - b. for business development, it has or will enable a variety of sites that are suitable for different business sectors in terms of location and site size;
 - c. supports, and limits as much as possible adverse impacts on, the competitive operation of land and development markets;
 - d. has good accessibility for people to employment, education, commercial, community, open space and transport services including by way of public or active transport;
 - e. is consistent with the urban form strategic objectives and UFD-01;
 - f. supports reductions in greenhouse gas emissions and is resilient to the current and future effects of climate change;
 - g. it will not affect the feasibility, affordability and deliverability of planned growth within existing zoned areas, development area plans or the future development area overlay;
 - h. it can be demonstrated that there is commitment to and capacity available for delivering the development within a reasonable timeframe;
 - i. in cases where the development is proposing to replace a planned land use with an unanticipated land use, whether it can be demonstrated that the proposal will not result in a short, medium or long-term shortfall in residential or business land;
 - j. the development protects and provides for human health;
 - k. for residential development, the development would contribute to the affordable housing stock within the district;
 - l. the development does not compromise the efficiency, affordability or benefits of existing and/or proposed infrastructure in the district;
 - m. the development can be serviced without undermining infrastructure development programmes²⁹ (as identified in the Long Term Plan, or the local authority's Infrastructure Strategy)³⁰ and/or policies of, or committed infrastructure investments made by local authorities, lifeline utility providers³¹, or central government (including Waka Kotahi NZ Transport Agency);
 - n. the development demonstrates efficient use of local authority and central government financial resources, including prudent local authority debt management, demonstrating the extent to which cost neutrality for public finances can be achieved;
 - o. there is compatibility of any proposed land use with adjacent land uses including planned land uses, with reverse sensitivity³² effects at the urban / rural interface appropriately managed³³;
 - p. the development avoids areas identified as having significant natural or cultural values, or that is subject to significant natural hazards;
 - q. the plan change includes a comprehensive Development Area Plan prepared in accordance with FDA-P4; and
3. it is well connected along transport corridors; and

²⁹ TDC [42.44]

³⁰ Consequential amendment - TDC [42.44]

³¹ Alpine Energy Ltd [55.17]

³² Horticulture NZ [245.83]

³³ Consequential amendment - Horticulture NZ [245.83]

4. it meets any criteria for unanticipated out of sequence development in the Regional Policy Statement.

FDA-P6 Unanticipated and out of sequence rural lifestyle development

Avoid unanticipated ~~and out of sequence~~ rural lifestyle development outside the Future Development Area Overlay and out of sequence rural lifestyle development within the Future Development Area Overlay³⁴ unless

1. a ~~P~~plan ~~C~~change application to rezone the land is made and is lodged after July 2027; and
2. rural lifestyle development is undertaken in accordance with the plan change includes a comprehensive Development Area Plan prepared and implemented in accordance with FDA-P4 as incorporated into the District Plan as part of the plan change³⁵; and
3. at least 60% of ~~the existing~~ Rural lifestyle zoned land has been efficiently and intensively³⁶ developed within the applicable settlement; and
4. ~~the development will comply with the Objectives set out in the Strategic Direction Chapter; and³⁷~~
5. ~~the development will comply with the Canterbury Regional Policy Statement; and³⁸~~
6. it can be demonstrated that the development can be serviced without undermining infrastructure development programmes³⁹ (as identified in the Long Term Plan, or the local authority's Infrastructure Strategy)⁴⁰ and/or policies of, or⁴¹ committed infrastructure investments made by local authorities or central government (including Waka Kotahi NZ Transport Agency); and
7. it can be demonstrated that the compatibility of any proposed land use with adjacent land uses including planned land uses and the land is not located within 500m of an intensive primary production activity or an established quarry; and
8. it will avoid areas of high natural or cultural values and significance.

Rules

Note: The General Rural Zone rules apply to activities within the Future Development Area Overlay but are modified by the rules of this chapter. In the instance of any conflict between the two chapters, the provisions rules⁴² of this chapter takes precedence.

Activities not listed in the rules of this chapter are classified as a permitted under this chapter. For certain activities, consent may be required by rules in more than one chapter in the Plan. Unless expressly stated otherwise by a rule, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1, HPW — How the Plan Works - General Approach.

FDA-R1 Primary production not otherwise addressed in the Rules section

Future Development Area	Activity status: Permitted Where	Activity status where compliance not achieved with PER-2: Restricted Discretionary
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³⁴ Cl16(2) Amendment

³⁵ Cl16(2) Amendment

³⁶ Cl16(2) Amendment

³⁷ Cl16(2) Amendment

³⁸ Cl16(2) Amendment

³⁹ TDC [42.45]

⁴⁰ Consequential amendment - TDC [42.45]

⁴¹ TDC [42.45]

⁴² Cl16(2) Amendments

	<p>PER-1 GRUZ-S5 is complied with; and</p> <p>PER-2 GRUZ-S1, GRUZ-S2, GRUZ-S3, and GRUZ-S6 are complied with.</p> <p><i>Note: Any associated building and structure must be constructed in accordance with FDA-R2.</i></p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the matters of discretion of any infringed standard. <p>Activity status where compliance not achieved PER-1: Non-Complying</p>
FDA-R2	Buildings accessory to primary production	
Future Development Area	<p>Activity status: PER</p> <p>Where</p> <p>PER-1 The building is accessory to a primary production activity permitted under FDA-R1; and</p> <p>PER-2 Any building has a footprint of 100m² or less in area and is relocatable; and</p> <p>PER-3 GRUZ-S1, GRUZ-S2, GRUZ-S3, and GRUZ-6 are complied with; and</p> <p>PER-4 GRUZ-S4 and GRUZ-S5 are complied with if relevant.</p>	<p>Activity status where compliance not achieved with PER-3: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the matters of discretion of any infringed standard. <p>Activity status where compliance not achieved PER-1, PER-2 and PER-4: Non-Complying</p>
FDA-R3	Seasonal workers accommodation	
Future Development Area	<p>Activity status: Discretionary</p> <p>Where</p> <p>DIS-1 Any building has a footprint of 100m² or less in area and is relocatable.</p>	Activity status where compliance not achieved: Non-complying
FDA-R4	Use of Airstrips and helicopter landing sites	
Future Development Area	Activity status: Non-complying	Activity status when compliance not achieved: Not applicable
FDA- R5	Education facilities not permitted by GRUZ-R7	

Future Development Area	Activity status: Non-complying	Activity status when compliance not achieved: Not applicable
FDC-R6	Healthcare or community facilities	
Future Development Area	Activity status: Non-complying	Activity status when compliance not achieved: Not applicable
FDA-R7	More than one residential unit per site, retirement villages or permanent workers accommodation	
Future Development Area	Activity status: Non-complying	Activity status when compliance not achieved: Not applicable

FDA-R8	Visitor accommodation not permitted by GRUZ-R9	
Future Development Area	Activity status: Non-complying	Activity status when compliance not achieved: Not applicable
FDA-R9	Commercial composting	
Future Development Area	Activity status: Non-complying	Activity status when compliance not achieved: Not applicable
FDA-R10	Subdivision resulting in an allotment less than 40ha	
Future Development Area	Activity status: Non-complying	Activity status when compliance not achieved: Not applicable
FDA-R11	Emergency services facilities	
Future Development Area	Activity status: Non-complying	Activity status when compliance not achieved: Not applicable
FDA-R12	Industrial Activity and rural industry (including associated buildings and structures)	
Future Development Area	Activity status: Non-complying	Activity status when compliance not achieved: Not applicable
FDA-R13	Any activity that is listed in the Ministry for the Environment's Hazardous Activities and Industries List (HAIL) in Appendix 2.	
Future Development Area	Activity status: Non-complying	Activity status when compliance not achieved: Not applicable
FDA-R14	Mining, quarrying or mineral exploration activities (including associated building and structures)	
Future	Activity status: Non-complying	Activity status when compliance not

Development Area		achieved: Not applicable
FDA-R15	Intensive primary production (including associated building and structures)	
Future Development Area	Activity status: Non-complying	Activity status when compliance not achieved: Not applicable

SCHED-15

SCHED15 — SCHEDULE OF FUTURE DEVELOPMENT AREAS				
Unique identifier	Name	Anticipated Zone	Timeframe for DAP	Additional Requirement ⁴³
FDA1	FDA1 - Elloughton South Future Development Area - Residential Development	General Residential Zone	Priority area - 2 years	
FDA2	FDA2 - Kellands Heights East Future Development Area - Residential Development	General Residential Zone	Priority area - 5 years	Development Area Plan to be developed in conjunction with Kellands Heights West⁴⁴
FDA3	FDA3 - Scotts Farm Future Development Area - Residential	General Residential Zone	Priority area - 5 years	
FDA4	FDA4 - Elloughton North Future Development Area - Residential Development	General Residential Zone	Future area - beyond 10 years	
FDA5	FDA5 - Young Farm Future Development Area - Residential	General Residential Zone	Future area - beyond 10 years	
FDA6	FDA6 - Factory Road Future Development Area - Residential	General Residential Zone	Future area - beyond 10 years	
FDA7	FDA7 - Thompson Road Future Development Area - Rural Lifestyle	Rural Lifestyle Zone	Priority area - 2 years	
FDA8⁴⁵	FDA8 — Manse Road — Future Development Area — Rural Lifestyle Development	Rural Lifestyle Zone	Priority area — 5 years	

⁴³ Consequential amendment Sub [211.3]

⁴⁴ Rolling Ridges Trust Sub [211.3]

⁴⁵ Waka Kotahi NZ Transport Agency Sub [173.194]

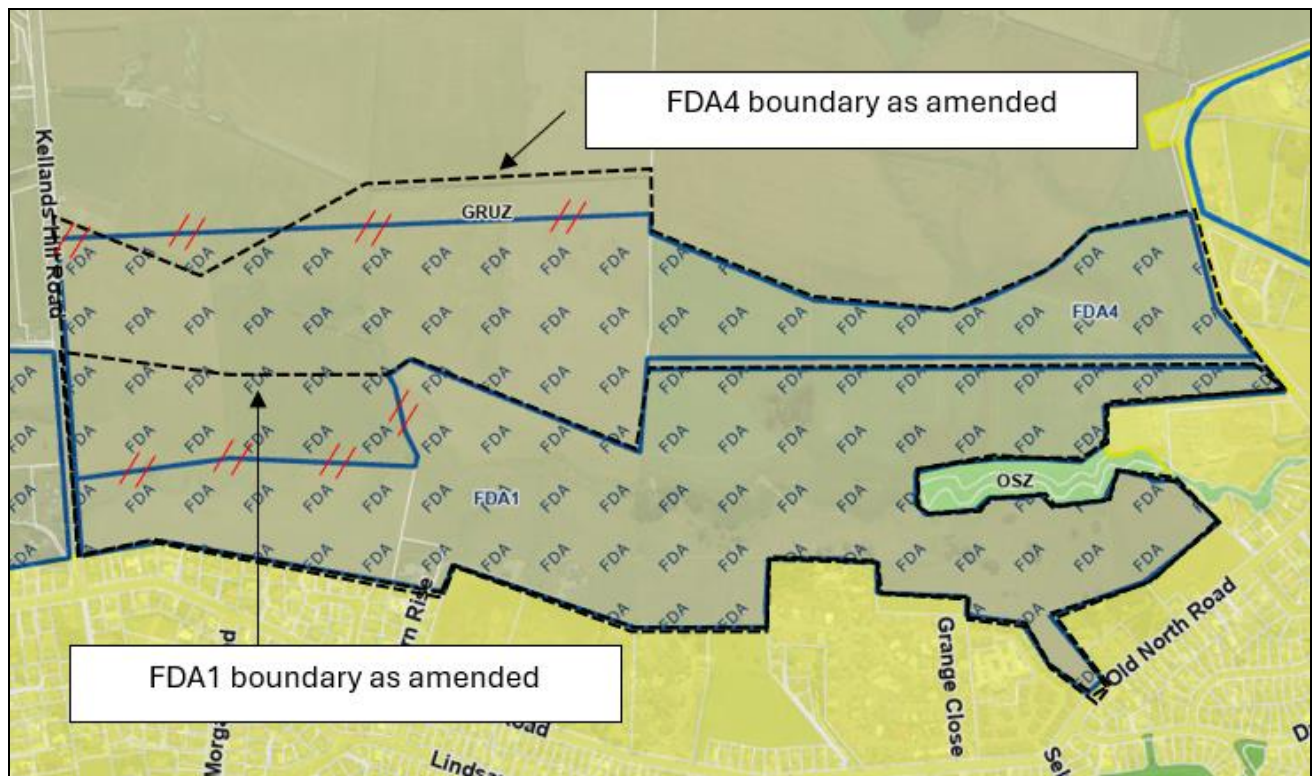
FDA 89	FDA9 - Gleniti North Future Development Area - Rural Lifestyle Development	Rural Lifestyle Zone	Priority area - 5 years	
FDA 910	FDA10 - Kellands Heights West Future Development Area - Rural Lifestyle Development	Rural Lifestyle Zone	Priority area - 5 years	Development Area Plan to be developed in conjunction with Kellands Heights East ⁴⁶
FDA11	FDA11 – Templer Street Future Development Area – Rural Lifestyle ⁴⁷	Rural Lifestyle Zone	Future area – beyond 10 years	
FDA1 02	FDA12 - Sir Basil Arthur Park Future Development Area - Industrial Development	General Industrial Zone	Priority area - 2 years	
FDA1 13	FDA13 – Seadown Road Future Development Area - Industrial Development	General Industrial Zone	Future area – beyond 10 years	
FDA14 ⁴⁸	FDA14 – Kennels Road Future Development Area – Urban Development	Urban Development	Future area – beyond 10 years	

⁴⁶ Consequential amendment Sub [211.3]

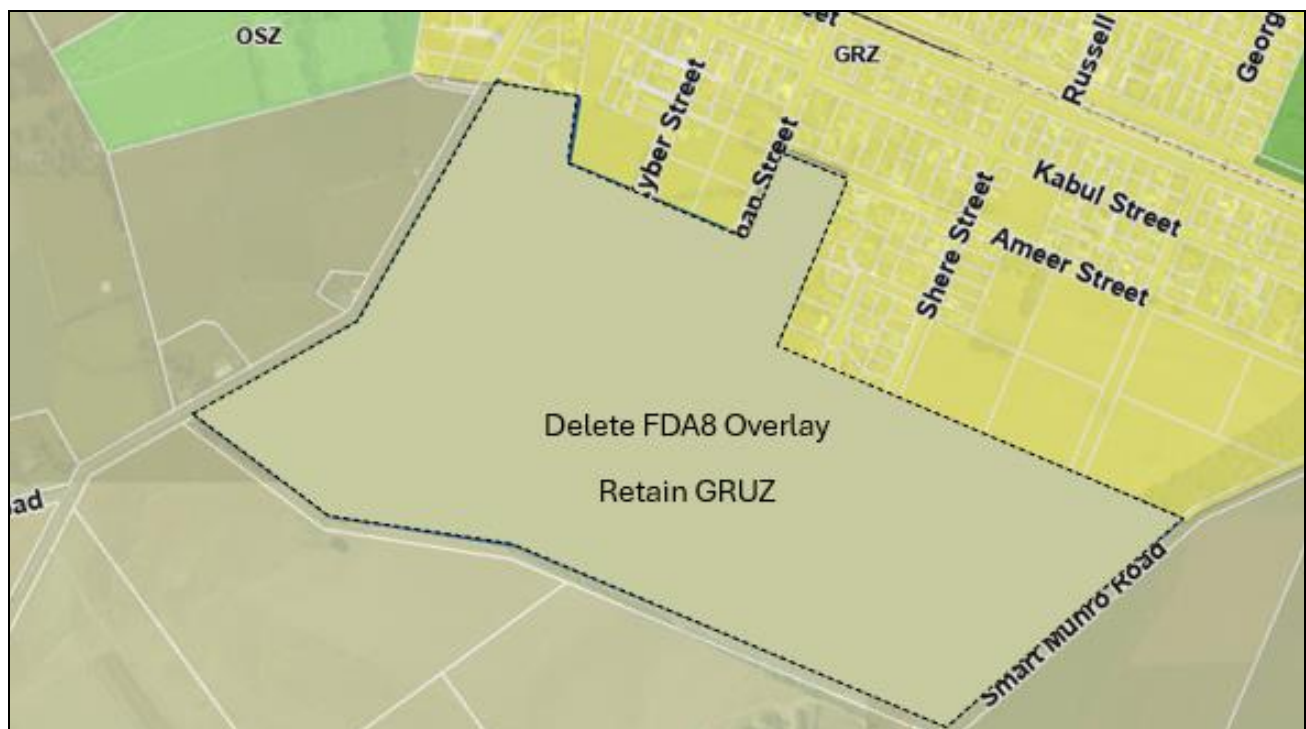
⁴⁷ D&S Payne [160.2], and that part of the submission from George Harper, R & G Kellahan, H Kellahan, B & S Robertson, D & S Payne, G & R Harper [108.2], G Kellahan [26.1]

⁴⁸ Waka Kotahi NZ Transport Agency [143.198] and the Canterbury Regional Council [183.166]

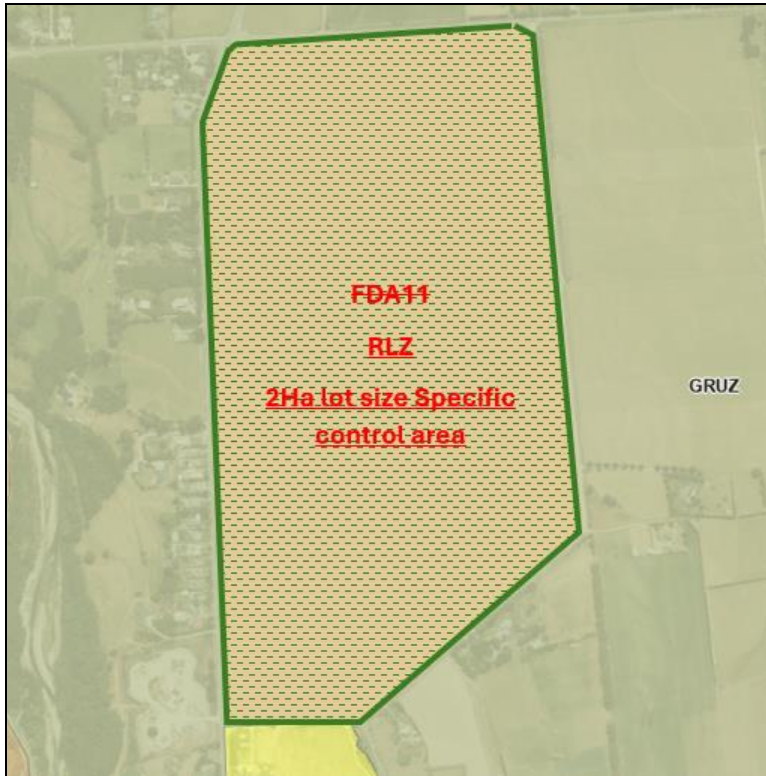
PLANNING MAPS



Recommendation: Westgarth and Gibson (227.1)



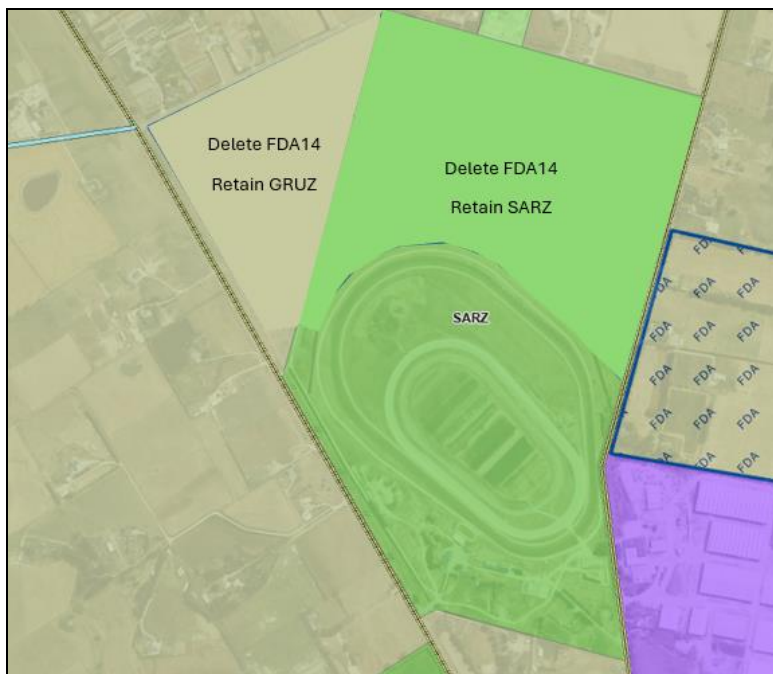
Recommendation: Waka Kotahi NZ Transport Agency [143.194]



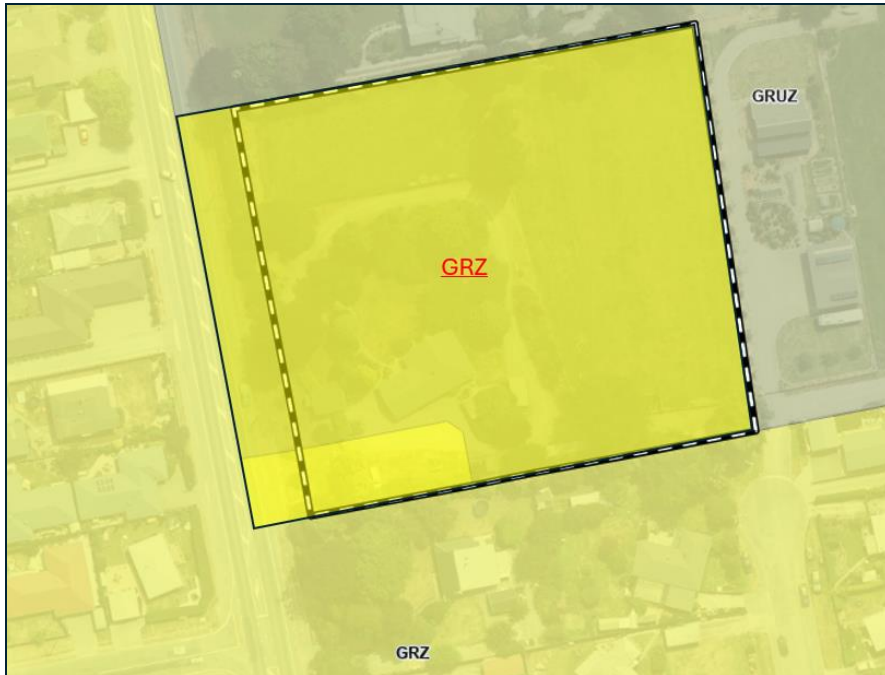
Consequential amendments:

- Insert 2Ha Specific Control Area overlay
- Delete 'highly productive land' overlay

Recommendation: D&S Payne [160.2], and that part of the submission from George Harper, R & G Kellahan, H Kellahan, B & S Robertson, D & S Payne, G & R Harper [108.2], G Kellahan [26.1]



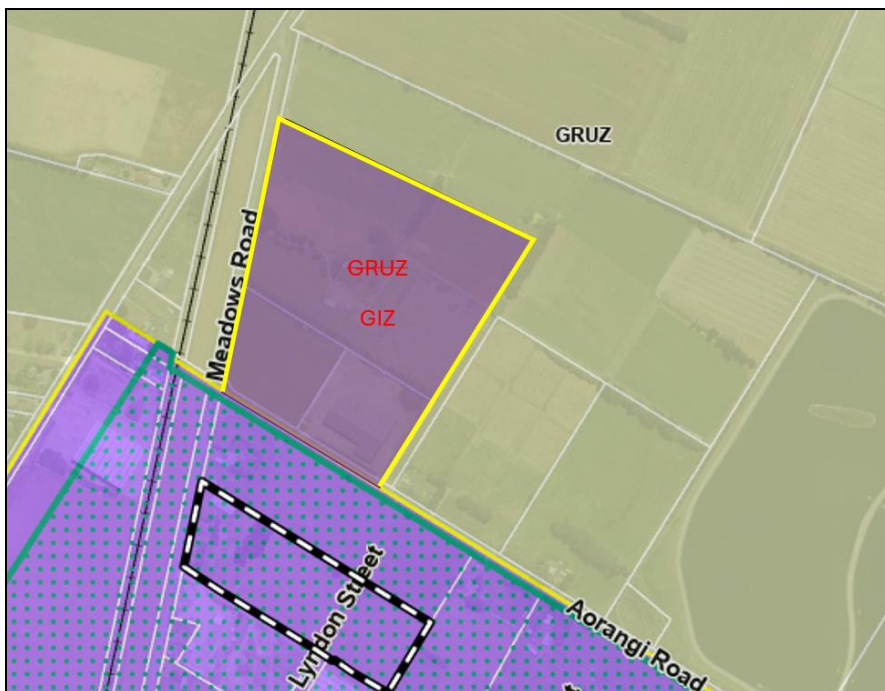
Recommendation: Waka Kotahi NZ Transport Agency [143.198] and the Canterbury Regional Council [183.166]



Consequential amendments:

- Extend 'Urban Area' boundary around the site.
- Delete 'highly productive land' overlay from the site.

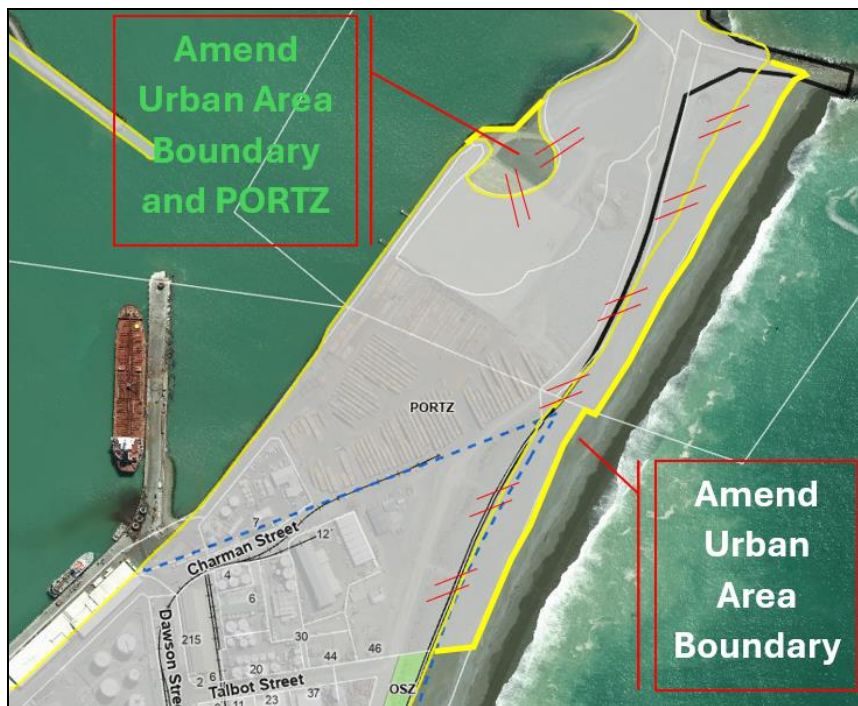
Recommendation: T and W Johnson [145.1]



Amendments:

- Extend 'Urban Area' boundary around the site.

Recommendation: North Meadows 2021 Limited and Thompson Engineering (2002) Limited [190.1 and 190.2]



Recommendation: Prime Port Limited [175.7]

Consequential Amendments:

- Extend 'Urban Area' boundary to all areas above MHWS.
- Extend PORTZ to all areas above MHWS.