

IN THE MATTER OF Resource Management Act 1991

AND

IN THE MATTER OF **the hearing of submissions in relation to
the Proposed Timaru District Plan**

MINUTE 41

**PANEL QUESTIONS FOR MS PFLUGER, MR BONIS AND MS VELLA IN RELATION TO
LANDSCAPE EVIDENCE**

INTRODUCTION

[1] The Panel¹ is currently pre-reading evidence for Hearing G in preparation for the hearing which will take place on 8 and 9 July 2025 and has identified a number of questions about the planning and legal context for the Council's landscape evidence.

[2] The Panel wishes to ask clarifying questions of Ms Pfluger about her evidence and provide an opportunity for Mr Bonis, the s42A author for growth issues, and counsel for the Timaru District Council to comment on planning and legal issues arising from our questions when they appear at the hearing.

[3] Counsel and planning experts for the submitters referenced in the Table below may provide comments on the relevant RMA provisions, National Policy Statement on Urban Development (NPS-UD), National Policy Statement for Highly Productive Land (NPS-HPL) and Canterbury Regional Policy Statement (CRPS) (higher order planning documents) and PDP objectives and policies related to landscape, amenity and natural character when they appear at the hearing (or at the latest in writing before 5pm on 9 July 2025) should they wish to do so.

[4] The Panel request written responses to all questions, regardless of whether they are answered orally during the hearing.

¹ The Timaru District Council ("the Council") appointed Cindy Robinson (Chairperson), Ros Day-Cleavin, Councillor Stacey Scott, Jane Whyte, Megan McKay, and Raewyn Solomon ("the Panel") to hear submissions and further submissions, and evidence to make decisions on the Timaru Proposed District Plan ("the Proposed Plan") pursuant to Section 34A(1) of the Resource Management Act 1991 ("RMA"). Our delegation includes all related procedural powers to conduct those hearings.

QUESTIONS OF CLARIFICATION

[5] In her Memorandum Ms Pfluger has helpfully described the elements of the physical environment that relate to each of the submissions seeking zone changes from the General Rural Zone (GRUZ) to Rural Lifestyle Zone (RLZ), General Residential Zone (GRZ), General Industrial Zone (GIZ) or another urban zone and/or modifications to the proposed Future Development Areas (FDAs). However, in the context of the proposals by submitters for those zone changes it would further assist the Panel to understand the statutory context for Ms Pfluger's landscape, amenity and natural character opinions with reference to the relevant higher order planning documents and requirements of Part 2, ss32 and 32AA and ss74 and 75 of the RMA.

[6] The Panel wishes to ensure that it can correctly frame the statutory basis (RMA provision, NPS, CRPS or PDP objective and policy) for considering Ms Pfluger's evidence, on which Mr Bonis also relies. In particular:

- (a) Please identify the specific RMA provisions and objectives and policies in the NPS-UD, NPS-HPL, CRPS, and PDP that require the Panel to consider effects on landscape, amenity and 'character' when considering a change from a rural zone to an urban zone or GRUZ to RLZ or changes to the FDAs to accommodate future growth.
- (b) Can Mr Bonis and Ms Vella explain how landscape, amenity and character have been considered in the planning recommendations outside of the coastal environment, margins of wetlands and rivers, Outstanding Natural Landscape (ONL) and Visual Amenity Landscape (VAL) overlays?
- (c) Can Ms Pfluger please identify the relevant, NPSs, CRPS or PDP objectives and policies that underpin each of her opinions set out below:

Submitter	Comments from Ms Pfluger's memorandum of 26 May 2025 Appendix 4 to s42A Report
145	<i>'The site is considered suitable for residential development from a landscape perspective, as the rural character has already been diminished in light of surrounding development.'</i>

	<p>Please identify the relevant objectives and policies in the higher order planning documents or PDP that require consideration of impact on landscape and 'rural character'?</p>
237	<p><i>'In my view, the openness, rural character and absence of rural lifestyle development makes this site less suitable for residential development from a landscape perspective as anticipated under the TPDP as associated for FDA6. The urban growth boundary would be less clearly detectable, leading to an appearance of urban sprawl into the rural environment to the north of Temuka. Accordingly, I consider that from a landscape perspective an approach that consolidates the existing urban area is preferable to a more immediate residential expansion into this area.'</i></p> <p>Please clarify which higher order planning objectives and policies require consideration of the 'appearance of urban sprawl' into the rural environment. Is the concept of 'consolidation' as used Chapter 5 of the CRPS dependent on landscape effects?</p>
19	<p><i>'In my view there is insufficient detail...to provide confidence that an increase in density could be appropriately accommodated in this elevated tableland landscape without adverse landscape character and visual amenity effects'.</i></p> <p>Please identify the specific provisions in the CRPS and/or PDP which manage the 'elevated tableland landscape' that is being referred to?</p>
32	<p><i>'In my view, the Waihi River, its margins and associated low-lying terraces are more sensitive to change. Rezoning of this part of the site is therefore not supported from a landscape and natural character perspective.'</i></p> <p>Please identify the relevant higher order planning objectives and policies and PDP provisions that address this requirement?</p>

128	<p><i>'In order to ensure that existing landscape and natural character values, such as those associated with the Raukapuka Stream are maintained I would recommend...'</i></p> <p>Please identify the relevant higher order planning objectives and policies and PDP provisions that address this requirement?</p>
160	<p><i>'In my view, it would be acceptable from a landscape effects perspective to develop....which would be consistent with the existing landscape character and development.'</i></p> <p>Please identify the relevant higher order planning objectives and policies and PDP provisions that address this requirement?</p>
241	<p><i>'There does not appear to be a landscape-based rationale for the existing (but currently undeveloped) GIZ along Winchester-Geraldine Road.' ...</i></p> <p><i>'The extension of existing GIZ into the western part of the site to connect with Tiplady Road would, in my view, lead to a proliferation of industrial sized buildings with moderate to high landscape and visual effects into an area that currently is not substantially affected by the existing GIZ. The request for GIZ...is not supported from a landscape visual effects perspective.'</i></p> <p>Does there need to be a 'landscape based rationale' in the context of the RMA or higher order planning documents?</p> <p>What RMA and higher order provisions direct consideration of 'proliferation'?</p>
20	<p><i>'Based on landscape and visual effects, residential rezoning is considered appropriate....'</i></p> <p>Is this a requirement of the RMA or higher order planning documents?</p>

30	<p><i>'This would reduce the ability of the existing 'green buffer' to retain an urban edge north of Otipua Stream.'</i></p> <p><i>'...as building locations in relation to the change in landform would influence their visual dominance on the open space below and perception of urban encroachment.'</i></p> <p>What provisions require retention of an 'urban edge' and consideration of the 'perception of urban encroachment'?</p>
11	<p>Ms Pfluger references rural outcomes in GRUZ -O2, however in the context of the NPS-UD and CRPS, when considering a request for a change from a rural zone to an urban zone or RLZ what provisions require our considerations of <i>'....a substantial change in development pattern and adverse effects on rural character.'</i></p>
27	<p><i>'If an appropriate design is prepared for the development of the site, taking into account natural character and amenity considerations, it could be appropriate to bring the development of the FDA forward....'</i></p> <p>What RMA provisions or higher order objectives and policies require the change of sequencing of development to be contingent on taking into account natural character and amenity considerations?</p>
33	<p>Please clarify with reference to relevant higher order objectives and policies what you mean by <i>'sprawl that is not in character with the FDAs identified to the east, as it would extend much further north from Pages Road.'</i></p> <p>Does Ms Pfluger mean it would not meet the 'consolidation' and 'concentration' goals in Chapter 5 of the CRPS or PDP Strategic Directions – or something else?</p>

203	<p><i>'For the northern part of the FDA, there does not appear to be any specific landscape rationale to bring the FDA development into GRZ forward'.</i></p> <p>Does there need to be a landscape rationale?</p>
227	<p><i>'It is possible that the request is acceptable from a landscape/visual perspective if they align with the landform.'</i></p> <p>What provision(s) in the higher order planning documents or PDP require this?</p>
157	<p><i>'In my view, FDA 14 currently does not provide characteristics associated with peri-urban development. Development of this FDA would lead to residential/urban sprawl to the north of Timaru in an area where the urban boundary is currently well defined.'</i></p> <p>Does Ms Pfluger mean it would not meet the 'consolidation' and 'concentration' goals in Chapter 5 of the CRPS or PDP Strategic Directions – or something else?</p>
231,34,190 & 248	<p>The Panel has no preliminary questions of Ms Pfluger for these submissions at this time, but may do so at the hearing.</p>

Dated this 3rd DAY OF JULY 2025.



C E ROBINSON - CHAIR ON BEHALF OF THE HEARINGS PANEL