



**REPORT ON AN APPLICATION FOR SUBDIVISION & LAND USE CONSENT
PURSUANT TO SECTION 42A OF THE RESOURCE MANAGEMENT ACT 1991 – 101/102.2025.119.1**

Applicant:	Yedo Investments Limited
Application Description:	Subdivision consent to undertake a 25-lot rural-residential subdivision over two stages and establish a new road to vest and local purpose reserve for stormwater Land use consent to establish an undersized road, and to erect dwellings on proposed allotments, including setback and density and signage non-compliances
Application Status:	DISCRETIONARY – Operative District Plan NON-COMPLYING – Proposed District Plan
Property Address:	44 Gresham Street, Geraldine
Legal Description:	Lot 2 DP 68947 & Lot 3 DP 68947
Operative District Plan Zone:	Rural 4A Zone (Rural Lifestyle Sub Zone)
Proposed District Plan Zone:	Rural Lifestyle Zone
Author:	Patrick O’Toole Intermediate Planner
Date of Report:	31 March 2026

1.0 INTRODUCTION

1.1 GENERAL

This report has been prepared under section 42A of the Resource Management Act 1991 (the Act) to document the assessment of the application for subdivision and land use consent. This report does not represent the views or options of the Commissioner or the Council.

1.2 REPORTING OFFICER

My name is Patrick O’Toole. I hold a Masters in International Development and Planning from the University of Otago. I have worked in a planning capacity since November 2021 and have been a Planner at the Timaru District Council since 19 February 2024.

2.0 PROPOSAL, SITE & HISTORY DESCRIPTION

2.1 PROPOSAL DESCRIPTION

Subdivision

Yedo Investments Limited has applied for subdivision consent to subdivide the land legally described as Lots 2 & 3 DP 68947 at 44 Gresham Street, Geraldine into 25 rural-residential allotments over two stages. The subdivision will include the formation of a new looped road connecting Gresham Street and Huffey Street, along with associated infrastructure and landscaping works. Stage 1 will comprise 13 allotments: these being Lots 1-5, 20-25, 100 (a road), and the balance Lot 300. Stage 2 (being a further subdivision of Lot 300) will comprise 16 further allotments: these being Lots 6-19, 101 (a road), and 200 (a local purpose reserve).

Figure 1 shows the development pattern for Stages 1 and 2 with the allotments pertaining to each stage.

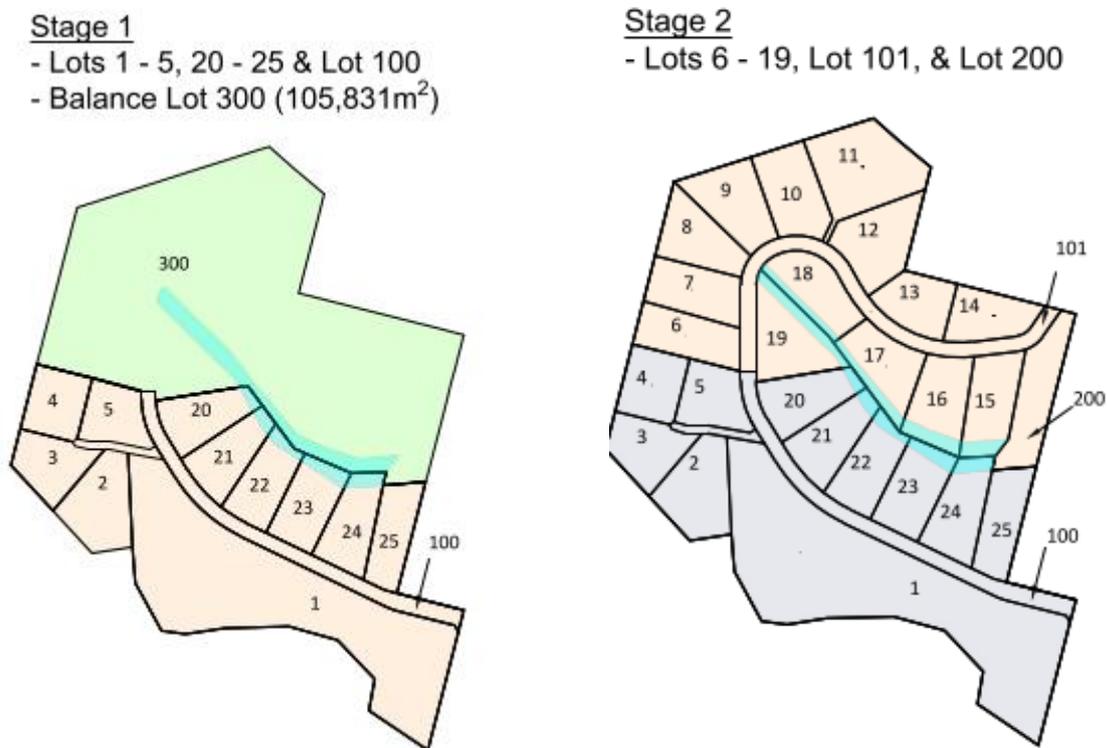


Figure 1: Allotment configuration for Stages 1 and 2. Source: Revised Scheme Plan¹.

Table 1 below shows the areas and proposed uses of each allotment for Stage 1.

Table 1: Lots with respective areas and proposed uses for Stage 1 of development.

Lot Number	Area (sqm) ²	Proposed Use	Lot Number	Area (sqm)	Proposed Use
1	44,083	Rural Residential	20	5,784	Rural Residential
2	7,420	Rural Residential	21	5,758	Rural Residential
3	5,448	Rural Residential	22	5,822	Rural Residential

¹ Received via email 21 November 2025. See CM9 Doc Ref 1808493.

² All areas are net unless where specified.

4	5,192	Rural Residential	23	6,179	Rural Residential
5	5,013	Rural Residential	24	6,107	Rural Residential
100	8,474	Road to Vest	25	5,552	Rural Residential
300	105,831	Balance Land			

Table 2 shows the areas and proposed uses of each allotment for Stage 2. Figure 2 shows the final development form after completion of Stage 2.

Table 2: Lots with respective areas and proposed uses for Stage 1 of development

Lot Number	Area (sqm) ³	Proposed Use	Lot Number	Area (sqm)	Proposed Use
6	5,775	Rural Residential	14	5,014	Rural Residential
7	5,773	Rural Residential	15	6,153	Rural Residential
8	5,780	Rural Residential	16	6,326	Rural Residential
9	6,480	Rural Residential	17	6,203	Rural Residential
10	6,474	Rural Residential	18	6,021	Rural Residential
11	10,390	Rural Residential	19	7,382	Rural Residential
12	6,984	Rural Residential	101	9,062	Road to Vest
13	5,013	Rural Residential	200	7,000	Local Purpose Reserve (Stormwater)

As shown in Tables 1 and 2, the proposed allotments will range between 5,000m² to 11,000m²: with Lot 1 being the only proposed allotment containing an existing dwelling and being notably larger at 44,083m² in size. New allotments for roads to be vested in Council (Lots 100 and 101) have been shown and cover the entirety of land to be vested as road for each corresponding stage. One local purpose reserve for stormwater purposes (Lot 200) will be created for Stage 2. An area within Lot 1 will also be subject to an easement in gross to drain stormwater, but this area will not be a defined land parcel in its own right.

Land Use Consent

The applicant has applied for land use consent to authorise future residential units within defined 32-metre x 32-metre building platforms on each of the new allotments, with those platforms on Lots 10 and 13-24 breaching the 15-metre site-boundary setback for the Rural 4A Zone when measured from the proposed new road, and Lots 8, 9, 14, and 25 when measured from neighbouring site boundaries within the application site.

New entrance signs proposed at each respective intersection for the new looped road with Huffey Street and Gresham Street will also exceed the 3m² maximum area for signs in the Rural 4A Zone and require land use consent.

Lastly land use consent is required for the proposed new legal road which will have a compliant 20-metre width for the first 100 metres from Gresham Street before reducing to a non-compliant 17-metre width for the balance of the road width. Infrastructure works will include a water supply extension of the existing watermain (or alternative options to be confirmed at engineering approval stage), and wastewater disposal through a combination of gravity and low-pressure systems connecting to Council's reticulated network. Stormwater will be managed through on-site attenuation tanks, swales, a central gully, and two detention ponds, discharging to Geraldine Downs Creek. I note that stormwater discharge consent (CRC260266) has been granted by Environment Canterbury.

³ All areas are net unless where specified.

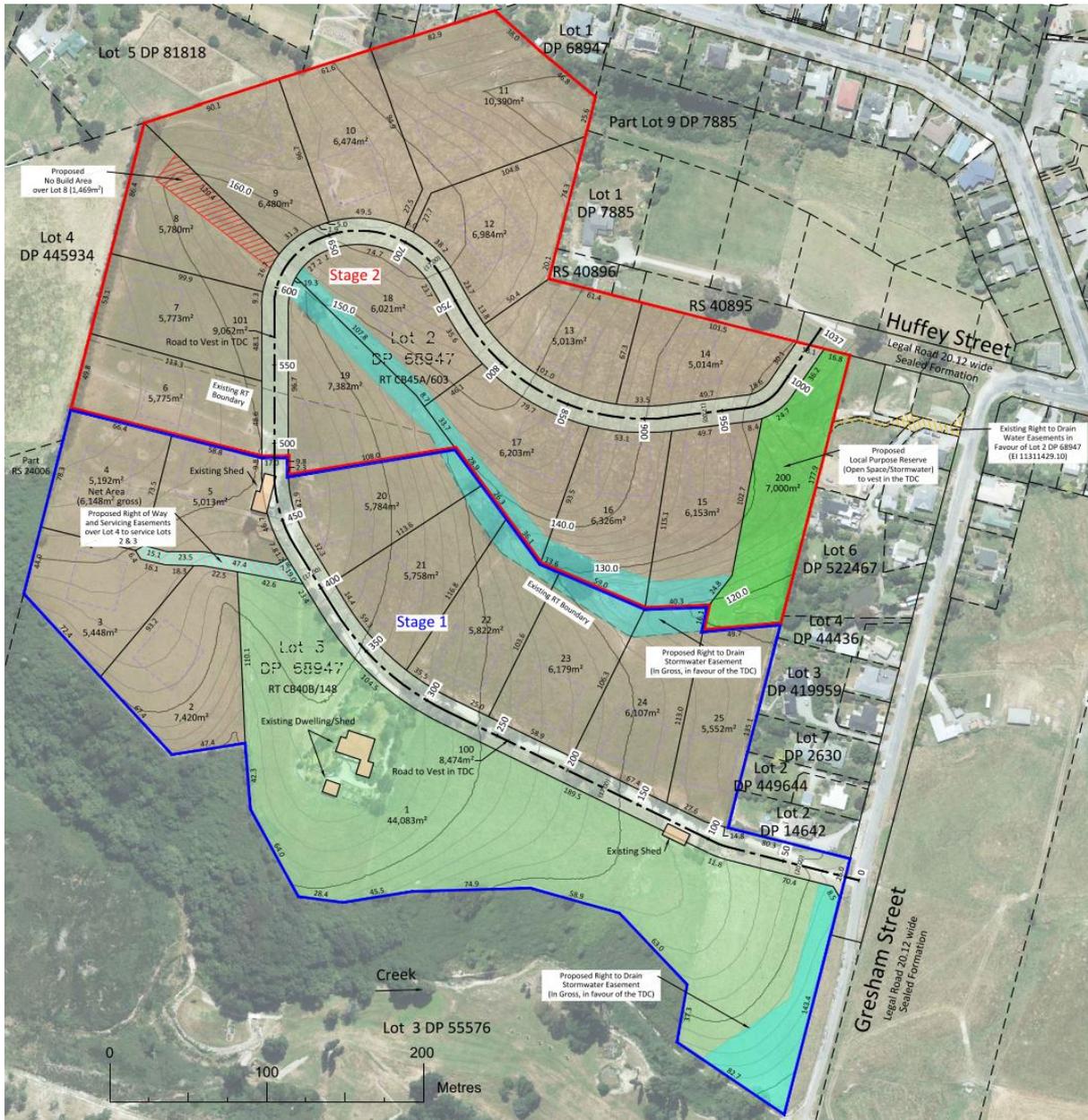


Figure 2: Final lot configuration for development upon completion of Stages 1 and 2. Source: Revised Scheme Plan.

Earthworks associated with the subdivision are permitted under General Rule 6.0.1(2), and will include road formation, creation of building platforms, stormwater ponds, and reshaping of the central gully, with an estimated cut volume of 21,000–25,000 m³.

A comprehensive landscape plan has been provided with the application. The intention of the plan is to integrate the development into the Geraldine Downs environment. This includes street planting, landscaped bunds, and native species to enhance amenity and biodiversity values. Volunteered design controls are proposed to manage building height, materials, colours, and fencing, in order to maintain rural character. Consent notices are proposed to be used to secure these requirements.

The Applicant has also requested that the financial contribution of \$5,000 per lot (or \$120,000 total for 24 new allotments each capable of accommodating a new household unit) under Part D6.5, Rule 6.5.2.2(5)(a) be deferred until the time a Building Consent application is received for each new

allotment. This financial contribution is required to support the development of walking and cycling tracks and habitat enhancement in the Geraldine Downs area.

2.2 SITE DESCRIPTION

The subject site is located at 44 Gresham Street, Geraldine and is zoned Rural 4A Rural Lifestyle Sub Zone in the Operative District Plan (ODP) and Rural Lifestyle Zone in the Proposed District Plan (PDP). The land has an area of approximately 21.77 hectares and is comprised of two land parcels legally described as Lot 2 DP 68947 and Lot 3 DP 68947 held in Records of Title CB45A/603 and CB40B/148 respectively.

The site has an irregular shape and undulating topography, with a shallow depression running east–west through its centre. The site is currently used for livestock grazing and contains an existing dwelling and ancillary farm buildings. Vegetation is predominantly pasture grass, with hedgerows and scattered specimen trees. The property has frontage to Gresham Street and an unformed section of Huffey Street, with the existing driveway servicing the single dwelling onsite (sited on proposed Lot 1) from Gresham Street. The site is not serviced by reticulated water supply or wastewater infrastructure. An aerial photograph of the application site is provided as Figure 3.

The surrounding environment is characterised by a mix of rural lifestyle and residential development typical of areas located on the town periphery. To the north, the site adjoins a rural lifestyle property accessed from Huffey Street and zoned Residential 5 under the ODP, proposed to be rezoned General Residential under the PDP. Further north are suburban residential properties along Darby Street, while Downs Road accommodates rural residential lots. To the west, the land comprises larger rural holdings of approximately 8 to 10 hectares. The southern boundary adjoins the Grande Vue Golf Course, zoned Sport and Active Recreation Zone under the PDP and the same zoning as the application site under the ODP. To the east, the site borders suburban residential properties within the Residential 1 Zone (General Residential under the PDP).

The site is contiguous with the Geraldine urban boundary and lies within an area identified in the Geraldine Downs Landscape Study as having high visual amenity values. The PDP identifies overlays including a flood assessment area within the central gully, a light-sensitive area, and a visual amenity landscape classification. The site is not identified as a Significant Natural Area and does not contain any water bodies requiring esplanade reserves under the ODP. The Listed Land Use Register confirms that no Hazardous Activities and Industries List (HAIL) activities have occurred on the site, and the National Environmental Standard for Assessing and Managing Contaminants in Soil does not apply.

An aerial photograph of the application site is illustrated in Figure 3, and the location of the site relative to both the Geraldine Downs and the Geraldine township is illustrated in Figure 4.

A site visit was undertaken on 26 November 2025 as part of the original notification assessment. The applicant was not present during this site visit. Photographs taken during the site visit are held in the resource consent file⁴.

⁴ See CM9 Doc Ref 1809382.



Figure 3: Aerial photograph of application site. The subject land is highlighted in blue (Source: Council GIS).



Figure 4: Location of application site relative to the open character of the Geraldine Downs left of image and urban character of the Geraldine township to the right. Subject land highlighted in blue (Source: Council GIS).

2.3 SITE HISTORY/BACKGROUND

The following is a summary of the relevant site history:

Resource Consents:

Approvals

- Land Use Consent No. 102.2003.26550.1 was granted in May 2003 to add a veranda to the existing dwelling and a roof over the deer yards.
- Subdivision Consent No. 101.2022.71.1 was granted in January 2025 to carry out a boundary adjustment encompassing Lot 1 of this subdivision and the balance area of the two existing allotments. Certification under s223 and s224 has not been granted. I note that as part of a s92(1) request for further information, the Agent confirmed that the Applicant has no intention to implement 101.2022.71.1 following this resource consent application and ongoing processing. This consent (101.2022.71.2) was varied on 26 February to confirm this position.
- Land Use Consent No. 102.2026.8.1 was granted February 2026 to establish a detached minor residential unit ancillary to an existing primary dwelling.

Processing

- Applications for Subdivision Consent No. 101.2023.94.1 and Land Use Consent 102.2023.94.1 were received July 2023 for a 21-lot fee simple subdivision with similar configuration to this development proposal that has been on a volunteered s91D hold under the Act following a notification decision to publicly notify that proposal. This followed a previously returned consent application (101.2023.86.1) for the same development as incomplete.

Building Consents:

There is no Building Consent history relevant to the application.

3.0 PLANNING FRAMEWORK

3.1 ZONING AND COMPLIANCE ASSESSMENT

The subject site is zoned Rural 4A (Rural Lifestyle Sub Zone) under the Operative District Plan and Rural Lifestyle Zone under the Proposed District Plan. The activity status of the proposal is commented on below:

Operative District Plan

Subdivision

Rule	Assessment
Rule 6.3.5 – Discretionary Activities in All Zones (i) Any subdivision which does not comply with one or more of the Performance Standards for subdivision, except as prescribed in Section 6.3.5A.	APPLIES Performance standards breached by the proposal are set out in the following Table.

Performance Standard	Assessment
<p>6.3.7 - Performance Standards for Subdivision in All Zones</p> <p>(1) All relevant performance standards applicable within the zone shall be complied with or consent to a discretionary or non-complying activity shall be obtained.</p> <p>(2) Sites shall be of a regular shape so as to facilitate the efficient use of the land except where an alternative would better satisfy the objectives or policies of the Plan and where recognition is given to natural features on the site.</p> <p>(3) For allotments for access, utilities, telecommunication facilities and radiocommunication facilities, reserves and roads there shall be no minimum allotment size, diameter, or frontage in any zone.</p>	<p>COMPLIES</p> <p>The site already has an irregular shape, but the proposed allotments are as regular a shape as can be attempted for the site. The zone non-compliances are outlined below. Lots 100, 101 and 200 are to be vested as reserves in Council and have not been assessed for minimum allotment size, diameter, or frontage.</p>
<p>6.3.11 - Performance Standards for Subdivision in All Rural Zones</p> <p>(1) All allotments created by subdivision in Rural Zones shall have a minimum legal road frontage of 8 metres or shall be provided with access by way of an 8-metre-wide private access.</p> <p>(2) Where a corner allotment is included in any subdivision the corner shall be cut off to a distance, along the road frontages, of not less than 15 metres from the intersection and vested as road.</p> <p>(3) Properties within a rural water supply scheme will require evidence of access to the scheme for stock water, or an alternative water supply, and be subject to a consent notice registered against the title.</p> <p>(4) New allotment boundaries shall be set back 30 metres from any wetland except for esplanade reserves.</p>	<p>DOES NOT COMPLY</p> <p>(1) Lots 2 and 3, while they do not have 8 metres of legal road frontage, are accessed via an 8-metre-wide private right of way easement burdened by Lot 4. Lots 1 and 5-25 all comply with the minimum 8-metre frontage requirement.</p> <p>(2) Visibility splays have been provided for in the road design, but the splay at the Gresham Street intersection with the new road does not comply with a 15-metre setback as measured from the same intersection.</p> <p>Performance standards (3) and (4) are not relevant to the proposal.</p>

Rule	Assessment
<p>6.3.15A - Rules for Subdivision in Rural 4A Zone (Geraldine Downs)</p> <p>(2) Discretionary</p> <p>Any subdivision in the Rural 4A (Geraldine Downs Zone) which does not comply with any Performance Standards under Section 6.3.15A(3) of the District Plan shall be a Discretionary Activity.</p>	<p>APPLIES</p> <p>Performance standards breached by the proposal are set out in the following Table.</p>

Performance Standard	Assessment
<p>6.3.15A.3 - Performance Standards for subdivision in the Rural 4A (Geraldine Downs) Zone</p> <p>(i) Minimum Allotment Size</p>	<p>DOES NOT COMPLY</p> <p>–(i) The proposed subdivision creates allotments (Lots 2-25) well below the 10-hectare minimum allotment size, ranging from 5,013m² to 10,390m² in area.</p>

<ul style="list-style-type: none"> • Rural Residential Subzone - 2 ha with the exception of Lots 1 and 2 DP 444786 which shall have minimum site area of 5000m². • Rural Lifestyle Subzone - 10 ha • Rural Production Subzone - 40 ha <p>(ii) <i>Walkways and Cycleways</i> All subdivisions shall vest land to Timaru District Council for the walkways and cycleways as indicated in Appendix 1 of the Rural 4A Zone. The walking and cycling tracks shall have a minimum legal width of 2.5 metres.</p>	<p>(ii) The site contains a part of the Walking and Cycling Network shown in Appendix 1 of Part D1, Rule 1.11.4A of the Plan. This land has not been offered to be vested in Council.</p>
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Operative District Plan

Land Use – Rural 4A Zone

Rule	Assessment
<p><i>Rule 1.11.4A.3 – Restricted Discretionary Activities</i> 3.1(a) New buildings, including farm buildings (except that provided as a permitted or controlled activity), household units, accessory buildings and works (including accessways) to household units, fences and walls not provided as a permitted activity and telecommunication/radio communication facilities not permitted by the NES (Telecommunication Facilities);</p>	<p>APPLIES Consent is sought to establish future building platforms that will authorise all new residential built form and ancillary buildings within each defined area.</p>
<p><i>Rule 1.11.4A.3 – Restricted Discretionary Activities</i> Rule 3.4 - Any activity that does not comply with the Performance Standards for the zone or general rules. Discretion is limited to the matter not complied with.</p>	<p>APPLIES Performance standards breached by the proposal are set out in the following Table.</p>

Performance Standard	Assessment
<p><i>1.11.4A.6 - Performance Standards for All Activities in This Zone</i></p> <p><i>Sunlight and Outlook</i> 6.1(a) All buildings in the Geraldine Downs Rural Production Sub Zone and Rural Lifestyle Sub Zone shall be set back a minimum of 15 metres from site boundaries.</p> <p>6.1(b) N/A 6.2 All buildings shall be contained within a building envelope constructed by recession planes as set out in Appendix 2 of the District Plan.</p> <p>6.3 The maximum height of buildings shall be 8 metres.</p> <p><i>Visual Amenity</i> 6.4(1) Reflective metal finishes shall not be allowed. 6.4(2) A landscape plan shall be submitted with each resource consent application for a household unit, accessory building or commercial development (except farm buildings). The landscape plan should be</p>	<p>DOES NOT COMPLY</p> <p>The building platforms for Lots 10, and 13-24 are within 15 metres of the boundary with a neighbouring allotment created under this subdivision proposal.</p> <p>Lots 8 (162 Greenvale Road), 9 (31 Downs Road), 14 (1 Huffey Street) and 25 (32 & 34 Gresham Street) are also within 15 metres of existing boundary with neighbouring properties (the affected property being identified in brackets).</p> <p>6.3 - The proposed buildings will all have conditions restricting their height to below 8 metres.</p> <p>6.4 - Volunteered conditions of consent also prohibit reflective colours and the site as whole has been submitted with a comprehensive landscape plan and planting specimen list.</p>

prepared by a suitably qualified person, with qualifications formally accredited by the New Zealand Institute of Landscape Architects, or a full member of that institute. However if applicants do not use an appropriately qualified person to prepare the landscape plan, then Council may, if considered necessary, have such a plan peer reviewed by a qualified landscape architect which will be at the cost of the applicant.

Noise

6.5-6.7 N/A

Servicing

6.8 For household units, Council will require evidence of access to potable (drinkable) water from either a community water supply scheme, a private bore, or be able to provide storage of potable (drinkable) water from another source subject to a consent notice registered against the title.

Artificial Lighting

6.9(1) Except street lighting, no lighting exceeding 5 lux measured in the horizontal or vertical plane shall fall on adjoining properties.

6.9(2) All outdoor lighting (including street lighting) shall be shielded from above in such a manner that the edge of the shield shall be below the whole of the light source.

6.9(3) All fixed exterior lighting shall be directed away from adjacent roads and properties.

Minimum Site Area Requirements for a Household Unit in the Rural 4A Zone (Geraldine Downs)

6.10(2) Rural Lifestyle Sub Zone - 10 ha

Stormwater Management

6.11(1) All buildings shall be setback a minimum of 10 metres from the centre line of a stream or river.

6.11(2) Any impermeable areas of new development shall be provided with on-site storage and attenuation of stormwater to cater for a 1 in 5-year storm event.

Earthworks

6.12(1-5)

Provided that Rule 6.12 does not apply to the following earthworks:

- Earthworks in conjunction with the construction of a building and access to that building;
- Earthworks involved in subdivision, provided that detailed engineering plans for these earthworks have been expressly approved by the Council as part of the subdivision consent process;

6.8 - The Applicant has provided a Development Capacity Assessment (DCA) from WSP and an Engineering Servicing Memorandum (ESM) from Davis Ogilvie that together outline the capacity of the existing reticulated water supply network and solutions to provide servicing for the proposal. Infrastructure upgrades and extensions of the existing mains will be required for the site, and this will be confirmed at the time of engineering approval. For the purpose of this rule assessment this arrangement is considered compliant.

6.9 –All lighting proposed for future built form will need to comply with this requirement, but since no built form is proposed as part of this development this standard is considered complied with.

6.10 – Per the subdivision breach, this minimum site area standard is also not complied with.

6.11 - All proposed building platforms are well setback from any streams or rivers and attenuation provisions are compliant with this standard.

6.12 – All proposed earthworks are in conjunction with a subdivision consent and so for the purpose of this assessment are deemed as permitted.

<ul style="list-style-type: none"> • Cultivation; • Tree planting; • Earthworks as part of the construction of a walkway or cycleway indicated in Appendix 1 of the Rural 4A Zone (Geraldine Downs). <p><i>Rainwater Harvesting</i></p> <p>6.13 All new household units and commercial buildings (excluding accessory buildings less than 35m² in area) that are connected to a Timaru District Council operated water supply scheme shall be fitted with a storage tank to harvest rainwater. The storage tank shall have a minimum capacity of 10,000 litres. Rainwater storage tanks shall provide backflow prevention that shall comply with the Water Supply Protection Regulations 1961 where connections to a potable water supply exist.</p>	<p>6.13 – The proposed water supply solution for the subdivision involves an extension of the reticulated water supply main such that all future dwellings on each of the rural-residential allotments will not be connected to a Council water supply scheme. As a result, this performance standard does not apply.</p>
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Operative District Plan

Land Use – Financial Contributions

Rule	Assessment
<p><i>Rule 6.5.2.2(3) Discretionary Activity</i></p> <p>Any application to have General Rule 6.5.2.2.1 or 6.5.2.2.2 varied or waived is a discretionary activity.</p>	<p>APPLIES</p> <p>Rules breached by the proposal are set out below.</p>
<p><i>Rule 6.5.2.2(5) Rural 4A Zone (Geraldine Downs)</i></p> <p>(a) At the time of resource consent, or building consent for a new dwelling that does not need resource consent, all new development in the Rural 4A (Geraldine Downs) Zone shall pay a financial contribution to Timaru District Council. The financial contribution shall be in the form of money or land or a combination thereof. The value of the financial contribution shall be determined in accordance with the following table:</p> <p>New Household Unit or new allotment that will accommodate a new household unit:</p> <ul style="list-style-type: none"> • \$3,000 Tracks • \$2,000 Natural Habitat <p>(b) Where the land to be subdivided or developed contains part of the off-road walking and cycling tracks identified in Appendix 1 of the Rural 4A Zone being the tracks and esplanade strip numbered 1, 2 and 3, the financial contribution shall be in the form of land (or an interest in that land) up to the level determined by the table above. In circumstances where further land is required to complete the track alignment within the property to be developed that is in excess of the financial contribution, such</p>	<p>DOES NOT COMPLY</p> <p>(a) – The Applicant wishes to defer this financial contribution so that it is paid at the time of Building Consent. Since all new dwellings in the Rural 4A Zone require resource consent (as what is being applied for herein includes defined building platforms for future dwellings) the time for this payment to be made is with this application. The deferment is considered a non-compliance with this Rule.</p> <p>(b) – Applies. The land to be subdivided contains parts of the walking and cycling tracks defined in Appendix 1 of the Rural 4A Zone. The Applicant has not volunteered a financial contribution in the form of that land up to the defined value for the Rule. This is also considered a non-compliance with this Rule.</p>

land shall only be acquired by negotiation and agreement between the parties, with appropriate compensation paid.	
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Operative District Plan

Land Use – Roading

Rule	Assessment
<p><i>Rule 6.6.3 Discretionary Activities</i> (3) Any proposal which does not comply with any Rule regarding road widths of private accesses or roads.</p>	<p>APPLIES The proposed road will narrow to 17 metres which is less than the minimum access requirement for local roads serving more than 7 household units in Rural zones (20 metres).</p>

Operative District Plan

Land Use – Signs

Rule	Assessment
<p><i>Rule 6.15.2.7 Discretionary Activities in Recreation, Residential, and Rural Zones</i> The following are discretionary activities subject to complying with the General Rules: Any sign listed as a permitted activity which does not meet with any of the Performance Standards is a discretionary activity.</p>	<p>APPLIES Performance standards breached by the proposal are set out in the following Table.</p>

Performance Standard	Assessment
<p><i>6.15.2.8 - Performance Standards for Signs in Recreation, Residential and Rural Zones</i> (1) All signs shall comply with the height and recession plane requirements for the zone in which they are located. (2) The maximum total area of signs on any site shall not exceed the following: <ul style="list-style-type: none"> • 0.5m² in Residential Zones • 3m² in Recreation and Rural Zones (3) No sign shall be erected on or adjacent to a road which will: (a) Obstruct the line of sight of any corner, bend, intersection or vehicle crossing; (b) Obstruct, obscure or impair the view of any traffic sign or signal; (c) Resemble or be likely to be confused with any traffic sign or signal; (d) Use reflective materials that may interfere with a road users vision; (e) Use intermittent or revolving lights. (f) Internally and externally signs shall not exceed the maximum luminance as set out in the following table:</p>	<p>DOES NOT COMPLY 1 – The signs comply with the height and recession plane requirements for the Rural 4A Zone. 2 – The signs will be 2.1m high x 1.7m wide resulting in a total area of 3.57m² and is therefore non-compliant. 3 – The signs will not obstruct corner visibility, impair views from traffic signals, and have been sufficiently setback from new intersections. Reflective materials will not be used in the signs' construction and will not incorporate intermittent or revolving lights. For this assessment it is assumed the signs do not breach the luminance standard (600 candelas/m²).</p>

3.1.1 ACTIVITY STATUS UNDER OPERATIVE DISTRICT PLAN

Per the above assessment, the proposal requires both a subdivision consent and a land use consent for Discretionary activities under the Operative District Plan.

Proposed District Plan

The PDP was publicly notified on 22 September 2022. At the time this application's notification decision was issued (1 December 2025) the following rules in the PDP had immediate legal effect:

Chapter	Rule(s)
Activities on the Surface of Water Chapter	All rules
Historical Heritage Chapter	All rules
Ecosystems and Indigenous Biodiversity Chapter	All rules
Versatile Soils Chapter	All rules
Sites and Areas of Significance to Māori Chapter	All rules
Drinking Water Protection Chapter	All rules
Natural Character Chapter	NATC-R1 and NATC-R3
Subdivision Chapter	Subdivision within the General Rural Zone: <ul style="list-style-type: none"> SUB-R3, SUBS1.3.1 and associated General Rural Zone map
Transport Chapter	Accessible parking and loading spaces: <ul style="list-style-type: none"> TRAN-R5 as it relates to TRAN-S7 TRAN-R6 as it relates to TRAN-S4

None of the above rules were relevant to the application, and therefore no consents under the PDP were required. The Final Decision for the PDP has since been issued by the Hearings Panel and notification of the Decision was published 19 March 2026.

Recognising that all the rules in the PDP now have legal effect, I proceed with an assessment of the proposal against the relevant provisions of the PDP.

Proposed District Plan

Subdivision

Rule	Assessment
<p><i>SUB-R3 Subdivision not listed in SUB-R1 and SUB-R2</i> Activity status: Restricted Discretionary</p> <p>Where:</p> <p>RDIS-1 SUB-S2 — to SUB-S9 are complied with; and</p> <p>RDIS-2 SUB-S1 is complied with.</p>	<p>APPLIES</p> <p>Standards SUB-S1, S2, and S7, have not been complied with. Where SUB-S1 is not complied with this becomes a Non-Complying activity. An assessment against the chapter standards is set out in the following Table.</p>
<p><i>SUB-R5 Subdivision within natural hazard overlays</i> Activity status: Restricted Discretionary</p> <p>Where:</p> <p>RDIS-1</p>	<p>APPLIES</p> <p>The Flood Assessment Area overlay is limited to the central gully portion of the site, with only one proposed building platform (Lot 25) affected by the overlay. The Agent has volunteered a consent notice that prior to a residential unit being</p>

<p>A Flood Assessment Certificate for the subdivision is issued in accordance with NH-S1; and,</p> <p>RDIS-2 A building platform is identified on the subdivision plan and it is not located within a high hazard area as stated in a Flood Assessment Certificate issued in accordance with NH-S1.</p>	<p>established within the platform that the relevant assessments take place to ensure a finished floor level above a 0.5% AEP event. Where compliance is not achieved with RDIS-1 this is a <u>Non-Complying</u> activity.</p>
<p><i>SUB-R14 Subdivision (excluding boundary adjustments) and natural features and landscapes</i> Activity status: Discretionary</p> <p>Where: Visual Amenity Landscapes Overlay</p>	<p>APPLIES The site is wholly located within the Visual Amenity Landscapes Overlay. This is a <u>Discretionary</u> activity.</p>

Standards	Assessment
<p><i>SUB-S1: Allotment sizes and dimensions</i> (4) Rural Lifestyle Zone If no DAP is required, allotments must have a net site area no less than:</p> <ol style="list-style-type: none"> 1. 5,000m² for Lots 1 and 2 DP 444786; 2. 2ha in the 2ha Allotment Size Specific Control Area; 3. 10ha in the 10ha Allotment Size Specific Control Area; and 4. in any other areas, 5,000m² if there is a sewer connection to each residential allotment, otherwise 2ha; and 5. 1.5ha in the Raukapuka North Specific Control Area where the access is not onto State Highway 79. 	<p>DOES NOT COMPLY The site is overlain by a 10ha Specific Control Area. The proposed allotments are all undersized.</p>
<p><i>SUB-S2: Stormwater treatment, catchment and disposal</i> All Zones</p> <ol style="list-style-type: none"> 1. Stormwater management must be provided in accordance with the Stormwater Management Chapter; and 2. Allotments must be connected to a reticulated stormwater network where: <ol style="list-style-type: none"> a. a conveyance structure that forms part of a reticulated stormwater network passes within 50m of the allotment boundary; and b. stormwater is able to be conveyed into the reticulated network under gravity; and c. the distance between the conveyance structure and the source of the stormwater is less than 100m; and d. the network utility operator has confirmed in writing that it will accept the stormwater from the allotment.; and 3. Each allotment required to connect to a reticulated stormwater network under SUB-S2.2 must be provided with a piped outfall connection laid at least 600mm into the net site area of the allotment.; and 4. Where an allotment will not be connected to a reticulated stormwater network, all stormwater must be disposed within the net site area of the allotment. 	<p>DOES NOT COMPLY The Applicant has sought to discharge all stormwater generated by the development into the central gully via onsite attenuation and then discharge to one of two stormwater basins onsite before draining into Geraldine Downs Creek. This has been approved via CRC260266. A technical non-compliance is created by having a portion of the stormwater generated by each allotment attenuated but ultimately discharging outside the net site area of each allotment.</p>

<p><i>SUB-S3: Water supply</i> (2) Rural Lifestyle Zone Each allotment (excluding allotments for a network utility, road, reserve or for access purposes) must:</p> <ol style="list-style-type: none"> 1. be within a reticulated drinking water supply network; and 2. be provided with confirmation in writing from the relevant network utility operator that it has capacity for an additional connection; and 3. be provided be provided with a connection laid at least 600mm into the allotment. 	<p>COMPLIES As set out in the Engineering Services Memorandum (ESM), each allotment will be connected to Council’s reticulated water supply network via a new main, however the specific details of where that connection will be established is yet unconfirmed.</p>
<p><i>SUB-S4: Wastewater disposal</i> (2) Rural Zones 1. All allotments must be connected to a reticulated wastewater network where:</p> <ol style="list-style-type: none"> a. a wastewater pipeline passes within 50m of the allotment boundary; and b. the distance between the pipeline and the building where wastewater is generated is less than 100m; and c. the network utility operator has confirmed that it will accept the wastewater from the property.; and <p>2. Where a connection to the Council's urban reticulated wastewater system is not available, the subdivision application must demonstrate that the discharge of wastewater to ground either complies with the Canterbury Land and Water Regional Plan or has a CRC discharge consent.</p>	<p>COMPLIES As set out in the ESM, wastewater from the development is proposed to be serviced via a combination of low-pressure and gravity wastewater systems, discharging into Council’s existing reticulated wastewater network in Huffey Street and/or Gresham Street. The exact location is to be decided at the time of engineering approval in consultation with Council. Council has confirmed there is capacity in the network to accommodate the additional wastewater generated.</p>
<p><i>SUB-S5: Electricity supply and telecommunications</i> (1) All Zones except GRUZ All allotments, other than allotments for access, roads, network utilities or reserves, must be provided with connections at the boundary of the net area of the allotment to an electricity supply and telecommunication service through an open access fibre network, unless evidence is provided that a suitable alternative supply can be provided, and a mechanism is proposed alerting future purchasers.</p> <p>This standard does not apply to allotments for a network utility, road, reserve or for access purposes.</p>	<p>COMPLIES The Applicant has volunteered a condition of consent requiring power and telecommunication infrastructure to be provided underground to each lot.</p>
<p><i>SUB-S6: Vehicular access</i> All zones 1. All allotments must be provided with legal and physical access to a road; and</p> <ol style="list-style-type: none"> 2. Any new vehicular access must not be to a state highway, or across a railway line; and 3. The vehicular access shall be designed and constructed in accordance with the requirements in the Transport Chapter; and 4. For developments where a fire appliance is not able to reach either: <ol style="list-style-type: none"> a. the residential unit; or b. a firefighting water supply source from the public road, 	<p>COMPLIES All allotments will have access to the new proposed legal road as part of the development. This ensures that no access is to a state highway or across a railway line. The vehicular access for each allotment has been designed in accordance with the Transport Chapter. A firefighting water supply will be provided from the public road, with the development to be established in accordance with SNZ PAS 4509:2008.</p>

vehicle access for fire appliances must be provided in accordance with SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice.	
<p><i>SUB-S7: Roads, cycleways and pedestrian access</i></p> <p>(1) All Zones All roads, cycleways and pedestrian access must be designed, constructed and vested in accordance with the Transport standards in the Transport Chapter except where alternative standards are set out in a Development Area Plan chapter.</p> <p>(2) Geraldine Downs - Walking and Cycling Tracks Specific Control Areas A 5m wide access allotment is vested to Council in accordance with the Geraldine Downs Walking and Cycling Tracks Specific Control Area as showing shown on the planning map.</p>	<p>DOES NOT COMPLY The new proposed road does not comply with the standards under the Transport chapter of the PDP.</p> <p>A 5m wide access allotment has not been created as part of the subdivision for the part of the Geraldine Downs Walking and Cycling Track overlain on the application site.</p>
<p><i>SUB-S8: Esplanade reserves and esplanade strips</i></p> <p>All Zones (except the Port Zone)</p> <p>1. Where land is subdivided adjoining the coast, or any river listed in SCHED-12 — Esplanade Provisions, unless otherwise specified in the schedule, an esplanade reserve, esplanade strip or access strip (at Council’s discretion) must be provided along the margins of the coast/river, with a minimum width of:</p> <p>a. 5m where an allotment(s) of 4ha or more is created; or</p> <p>b. 10m where an allotment(s) of less than 4ha is created; and</p> <p>2. No esplanade reserve or esplanade strip is required where the public access or the conservation or recreation values identified in SCHED 12 Esplanade Provisions is secured by a marginal strip under Part IV of the Conservation Act 1987.</p>	<p>DOES NOT COMPLY The site is overlain with an Esplanade and Public Access provision on the PDP maps with respect to Downs Creek located near the southern boundary with the Grand Vue Golf Club. Satellite imagery confirms however that no part of the creek enters the application site and the overlay is in error. This is only a technical non-compliance.</p>
<p><i>SUB-S9: Tree Planting Brookfield Road Specific Control Area</i></p> <p>...</p>	<p>NOT APPLICABLE</p>

Proposed District Plan

Land Use – Rural Lifestyle Zone

Rule	Assessment
<p><i>RLZ-R2: Residential units including minor residential units</i></p> <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 There is a maximum of one principal residential unit per site and one minor residential unit per site; and</p> <p>PER-2</p>	<p>DOES NOT COMPLY The plans show only one building will be established on each of the proposed allotments. All allotments will have a minimum site area of 5,000m², with no minor residential units proposed as part of the application. The development does not comply with a number of standards in the Rural Lifestyle Zone as shown in the table below. This is a non-compliance with PER-5 and is therefore a Restricted Discretionary activity.</p>

<p>There is a minimum site area of 5,000m², unless the site existed before the date this rule was made Operative; and</p> <p>PER-3 The minor residential unit has a maximum gross floor area of 80m²; and</p> <p>PER-4 Access to the minor residential unit, including any car parking area provided for the minor residential unit, is from the same access as the principal residential unit; and</p> <p>PER-5 All the standards of this chapter are complied with.</p>	
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Standards	Assessment
<p><i>SLZ-S1: Height of buildings and structures</i> (1) Rural Lifestyle Zone The height of buildings and structures must not exceed 8m, except for buildings and structures located within 50m of a General Residential Zone, which must not exceed 4.5m in height. Towers and poles associated with emergency service facilities must not exceed 15m.</p>	<p>CAN COMPLY The proposed buildings will all have conditions restricting their height to below 8 metres (6m), with specific conditions for Lots 12, 13, 14, and 25 limiting building height to 4.5m within 50m of neighbouring GRZ boundaries’.</p>
<p><i>RLZ-S2: Height in relation to boundary</i> Rural Lifestyle Zone Buildings and structures must be contained within a building envelope defined by recession planes from points 2.5m above ground level at the boundaries of the site. The method for determining recession planes and any permitted projection is described in APP8 - Recession Planes.</p>	<p>COMPLIES The building platforms on Lots 8 and 14 breaching RLZ-S4 lie south of their affected mutual boundaries so any resultant shadowing will be limited by the northerly aspect. The Lot 25 building platform at its closest point is 5.2m from its nearest boundary interface which, assuming a building was located at this closest point would be over 8 metres in height to cause a breach – well above the maximum proposed building height for the development⁵. The volunteered height condition eliminates this possibility.</p>
<p><i>RLZ-S3: Building coverage</i> Rural Lifestyle Zone The building coverage of any site must not exceed 10%.</p>	<p>CAN COMPLY The Applicant did not make an assessment against this provision; however, it is likely compliance can be achieved with the smallest sized lots of the subdivision being Lots 5 and 13 (both 5,013m²) resulting in a maximum building coverage for each of these sites of 500m². This application does not seek consent to breach this standard, so any future building on a proposed allotment above this limit would require a further resource consent.</p>
<p><i>RLZ-S4: Setbacks for buildings and structures</i> (2) Rural Zones All new buildings and structures (excluding fences, irrigators, water troughs, crop support structures and</p>	<p>DOES NOT COMPLY The new building platform on Lot 8 will be located approx. 7.6-metres from the boundary with 162 Greenvale Road.</p>

⁵ Calculating the height to breach the daylight envelope using the applicable recession plane angle as measured by APP8- Recession Planes, at a height of 2.5m from existing ground and a setback of 5.2m: $5.2(\tan(47)) + 2.5 = 8\text{m}$ building height.

<p>artificial crop protection structures) shall be setback 8m from all site boundaries.</p>	<p>The new building platform on Lot 14 will be located approx. 6.8-metres from the boundary with 1 Huffey Street.</p> <p>The new building platform on Lot 25 will be located approx. 5.2-metres from the boundary with 40 Gresham Street, 5.4-metres from the boundary with 34 Gresham Street, and 6.5-metres from 32 Gresham Street.</p>
<p><i>RLZ-S5: Boundary treatment styles</i> Rural Lifestyle Zone Boundary treatments must be limited to:</p> <ol style="list-style-type: none"> 1. post and rail fences; or 2. post and wire fences (including netting); or 3. hedges; and <p>The height of hedges must not exceed 1.2m.</p>	<p>DOES NOT COMPLY All future lots have some variety of tree/shrub planting that is not one of the specified permitted boundary treatments.</p>
<p><i>RLZ-S6: Colour reflectance</i> Rural Lifestyle Zone The colour reflectance of materials must be no greater than:</p> <ol style="list-style-type: none"> 1. 10% for roofs; and 2. 30% for the exterior of building walls. 	<p>DOES NOT COMPLY The Agent has volunteered a condition for the building roofs to have a light reflectance value between 10 and 15%. The Agent volunteers a condition for the building walls to have a reflectance value no greater than 40%.</p>
<p><i>RLZ-S7: Exterior building materials - Brookfield Road Specific Control Area</i> ...</p>	<p>NOT APPLICABLE</p>
<p><i>RLZ-S8: Trees</i> Rural Lifestyle Zone</p> <ol style="list-style-type: none"> 1. Within each site there must be a minimum of four trees (for sites under 5,000m²), or eight trees (for sites over 5,000m²) capable of attaining a minimum height of 8m at maturity and those trees must: <ol style="list-style-type: none"> a. be 2.5m high at planting with a trunk diameter of 50mm; and b. be planted no closer than 20m apart; and c. include at least two trees planted in the road boundary setback, except for rear allotments; and d. be established prior to the issue of building consent for a building; and e. be maintained and any dead or diseased trees replaced; and f. not consist of pines, firs or eucalypts; and 2. the height of any trees located within 100m of a residential unit on an adjoining site are contained within an envelope defined by a recession plane of 1m vertical for every 3.5m horizontal that originates from the closest point of the residential unit. 	<p>DOES NOT COMPLY All lots are over 5,000m² with most allotments not shown to comply with the minimum tree planting requirements. Most trees are shown to be closer than 20 metres separation and are clustered along the central gully, in bunds separating each allotment boundary, or by the roadside.</p>
<p><i>RLZ-S9: Water supply</i> Rural Lifestyle Zone All residential activities and visitor accommodation activities on a site must be connected to a reticulated drinking water supply and comply with the New Zealand Fire Service Firefighting Water Supplies Code of Practice.</p>	<p>COMPLIES All residential lots will be connected to a reticulated water supply and will comply with the New Zealand Fire Service Firefighting Water Supplies Code of Practice.</p>

<p><i>RLZ-S10: Geraldine Downs Walking and Cycling Track Specific Control Area</i></p> <p>Geraldine Downs Walking and Cycling Tracks Specific Control Area</p> <p>Buildings must not be located in the Geraldine Downs Walking and Cycling Tracks Specific Control Area identified on the planning map.</p>	<p>COMPLIES</p> <p>No buildings have been shown to be located in the Geraldine Downs Walking and Cycling Tracks Specific Control Area.</p>
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Proposed District Plan

Land Use – Visual Amenity Landscape

Rule	Assessment
<p><i>NFL-R1 Buildings, structures (other than fences) and irrigators and associated earthworks</i></p> <p>(3) The area of VAL-3 Geraldine Downs that is within the Rural Lifestyle Zone</p> <p>Activity status: Restricted Discretionary</p> <p>Where:</p> <p>RDIS-1 NFL-S1, NFL-S2, NFL-S3, NFL-S4 and NFL-S5 are complied with.</p>	<p>APPLIES</p> <p>Standards NFL-S3, S5, and S6 are not complied with. These non-compliances make the activity Restricted Discretionary in nature. A full assessment of the proposal against the standards is set out in the following Table.</p>
<p><i>NFL-R2: Earthworks not listed in NFL-R1, NFL-R3 or NFL-R4</i></p> <p>(2) Visual Amenity Landscape Overlay</p> <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The earthworks are for the purpose of maintenance and repair of any of the following:</p> <ol style="list-style-type: none"> 1. existing fences; or 2. existing farm tracks; or 3. existing walking/cycling tracks; or 4. existing roads; or 5. existing reticulated stock water systems including troughs; or 6. existing natural hazard mitigation works; or <p>PER-2 The earthworks are for the purpose of sealing existing roads; and</p> <p>PER-3 NFL-S6 is complied with. This rule does not apply to earthworks within the beds of rivers.</p>	<p>APPLIES</p> <p>Activity status when this Rule is not complied with is Discretionary. I note that the earthworks involved are to establish the new road, associated gradient flattening and establishing the new stormwater basins. The earthworks are not for sealing existing roads and NFL-S6 is not complied with.</p>
<p><i>NFL-R5: Tree planting, other than commercial forestry</i></p> <p>(2) Visual Amenity Landscape Overlay</p> <p>Activity status: Permitted</p>	<p>APPLIES</p> <p>Tree planting is proposed for the development however in many cases across the development the tree planting will be located outside of a 100m setback from the proposed building</p>

<p>Where:</p> <p>PER-1 The tree planting is for amenity planting and is located within 100m of an existing residential unit; or</p> <p>PER-2 The tree planting is of indigenous species and for restoration or conservation purposes.</p> <p>CON-1 The tree planting is for erosion control or shelterbelts.</p>	<p>platforms. All proposed plant specimens are indigenous species however they are not for restoration or conservation purposes. The tree planting equally is not for erosion control or shelterbelt purposes. All in all, this makes the activity Restricted Discretionary.</p>
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Standards	Assessment
<p><i>NFL-S1: Maximum height</i></p> <p>(2) Visual Amenity Landscape Overlay The maximum height of buildings and structures, above existing ground level shall be:</p> <ol style="list-style-type: none"> 1. 8m for farm buildings and structures; or 2. 8m for any residential unit in VAL-3 Geraldine Downs; or 3. 5m for any other building or structure. 	<p>COMPLIES The Agent has volunteered a condition of consent to limit the height of all proposed buildings to 6 metres.</p>
<p><i>NFL-S2: Location of buildings, structures and irrigators</i></p> <p>(2) Visual Amenity Landscape Overlay Buildings, structures and irrigators within a VAL shall not be located:</p> <ol style="list-style-type: none"> 1. within a 20m vertical or 100m horizontal distance of any ridgeline; or 2. at any point above 900m above sea level. 	<p>COMPLIES There are no identified ridgelines across the application site. The application site is not above 900m above sea level.</p>
<p><i>NFL-S3: Proximity of new residential units, farm buildings and structures to existing buildings</i></p> <p>(2) Visual Amenity Landscape Overlay New residential units, farm buildings and structures must be located within 100m of an existing farm building or residential unit.</p>	<p>DOES NOT COMPLY Proposed residential units would be the first/principal residential units on each of the proposed allotments.</p>
<p><i>NFL-S4: Footprint of buildings and structures and length of irrigators</i></p> <p>(2) Visual Amenity Landscape Overlay 1. The maximum footprint of any building or structure shall be:</p> <ol style="list-style-type: none"> a. 40m² for public amenity buildings; and b. 500m² for farm buildings or residential units; and c. 200m² for any other building or structure. 	<p>COMPLIES As limited by RLZ-S3, the maximum building footprint for each allotment will be 500m². The proposed building platform areas are 1,600m², but this will be the area where the 500m² buildings area will be located.</p>
<p><i>NFL-S5: Colours and materials</i></p> <p>(2) Visual Amenity Landscape Overlay The exterior surfaces of buildings and structures shall be constructed of materials and/or finished in a manner which achieves a light reflectance value not greater than 30%, except that this standard shall not apply to any farm buildings and structures using unpainted corrugated iron.</p>	<p>DOES NOT COMPLY The Agent's volunteered building finish condition limits the reflectance value to 40% only.</p>
<p><i>NFL-S6: Earthworks</i></p> <p>(2) Visual Amenity Landscape Overlay Earthworks shall comply with all of the following:</p> <ol style="list-style-type: none"> 1. the depth of the earthworks shall not exceed 2m below the original surface of the ground; and 	<p>DOES NOT COMPLY Initial engineering designs for the proposal (Appendix 13) show earthworks cut exceeding 2 metres in places (e.g. 3m depth at chainage 650.00) from the original ground surface.</p>

<p>2. the depth of fill shall not exceed 1m above the original surface of the ground; and</p> <p>3. the area of the earthworks shall not exceed 1,500m²; in any 12-month period and</p> <p>4. there shall be no change from unsealed surfacing of roads and tracks to sealed surfaces.</p>	<p>Maximum fill levels are only to 1 metre maximum depths beyond original surface. The area of the earthworks vastly exceeds 1,500m² and is definitely likely to extend beyond this figure over a 12-month period. There are currently no unsealed roads or tracks to be converted to road and sealed as part of the proposal.</p>
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Proposed District Plan

Land Use – Light

Rule	Assessment
<p><i>LIGHT-R1 Artificial outdoor lighting</i></p> <p>(1) All zones (excluding the Port Zone and PREC-8 Clandeboye Dairy Manufacturing Precinct)26 outside the Long-Tailed Bat Habitat Protection Area Overlay</p> <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 LIGHT-S1 and LIGHT-S2 are complied with.</p>	<p>Standards LIGHT-S1 and S2 can be complied with.</p>

Standards	Assessment
<p><i>LIGHT-S1: General lighting standards</i></p> <p>1. All exterior lighting must be oriented so that light is emitted away from any adjoining and adjacent sites properties; and</p> <p>2. All artificial outdoor lighting must comply with the horizontal and vertical illuminance levels for the relevant zone or area set out in Table 22 — Horizontal and vertical illuminance levels. Where a development is located on a site, which adjoins or is directly across a road from a different lighting category, the most sensitive classification of the two categories will apply when measured at their common boundary; and</p> <p>3. Where conformance with the limits set in Table 22 — Horizontal and vertical illuminance levels is to be determined by calculation, the calculation must be undertaken by a person who is professionally qualified and competent in the discipline of illumination engineering and be based upon: a. a maintenance factor of 1.0 (i.e., no depreciation); and b. the horizontal plane be calculated for a series of points along the property boundary at no greater than 2m spacings; and c. the vertical plane be calculated for a series of points along the property boundary at no greater than 2m spacings horizontally and vertically from ground level to a height equal to the height of 10m; and</p>	<p>CAN COMPLY</p> <p>The Agent has volunteered a condition of consent that all lighting at the time of installation shall comply with the District Plan requirements.</p>

<p>4. Where conformance with the limits set in Table 22 – Horizontal and vertical illuminance levels is to be determined by measurement, illuminance measurements must take place at the boundary at a height above ground level of 1.5m; and</p> <p>5. Where measurements of any illuminance above background levels from the use of artificial lighting cannot be made because the artificial lighting cannot be turned off, measurements may be made in areas of a similar nature that are not affected by the artificial lighting. The result of these measures may be used for determining the effect of the artificial lighting.</p>	
<p><i>LIGHT-S2: Traffic safety on roads</i> All Zones</p> <p>1. Outdoor artificial lighting operating on any site between sunset and sunrise must not exceed the threshold increment limit stated in Table 23, on any state highway, arterial or principal road, calculated within each traffic lane in the direction of travel; and</p> <p>2. All exterior lighting must be oriented so that light is emitted away from any state highway or arterial or principal roads, or any oncoming traffic.</p> <p><i>Table 22 – Horizontal and vertical illuminance levels Rural Lifestyle Zone</i></p> <p>Horizontal and vertical illuminance above the background level at a site boundary (Times: 7.00am – to 10.00pm): 5 lux</p> <p>Horizontal and vertical illuminance above the background level at a site: 1 lux</p>	<p>COMPLIES See response to standard LIGHT-S1.</p>

Proposed District Plan

Land Use – Earthworks

Rule	Assessment
<p><i>EW-R1: Earthworks, excluding earthworks: a. for tree planting, or the removal of trees not protected by the District Plan; b. for test pits, wells or boreholes permitted under a regional plan or where all necessary regional resource consents have been obtained; c. for infrastructure that is identified as permitted, controlled or restricted discretionary in Sections A, B, C and E of the Energy and Infrastructure Chapter and in TRAN-R1 to TRAN-5 and TRAN-R8 of the Transport Chapter of the District Plan; d. required for maintenance of existing drains and ponds; e. for natural hazard mitigation works carried out by Council or CRC that are permitted by the relevant District Plan chapter or are within the bed of a river and are within the jurisdiction of the CRC; f. for</i></p>	<p>APPLIES</p> <p>Earthworks for the proposal have been confirmed to not comply with other permitted provisions elsewhere in this Plan. Standards EW-S1 and EW-S2 are not complied with and therefore consent is required for a <u>Restricted Discretionary</u> activity. Performance standards breached by the proposal are set out in the following Table.</p>

<p><i>cemeteries, including pet cemeteries, and urupā; g. permitted under a National Environment Standard, unless otherwise subject to a rule in this District Plan; and h. within the building footprint, or within 2m of the outer edge of, a building that has building consent, will be subject to a building consent, and that complies with EW-S3. This exemption does not apply to earthworks associated with retaining walls/structures which are not required for the structural support of the principal building on the site or adjoining site.</i></p> <p>All zones Activity status: Permitted Where:</p> <p>PER-1 EW-S1, EW-S2, EW-S3, EW-S4 and EW-S5 are complied with; and</p> <p>PER-2 Except where an Archaeological Authority has been obtained from HNZPT, the earthworks shall be undertaken in accordance with the accidental discovery protocol contained within APP4.</p>	
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Standards	Assessment
<p><i>EW-S1: Areas</i> (1) Rural Lifestyle Zone The area of earthworks must be limited to as follows: 1. for any primary production activity that is a permitted activity in the zone, there is no limit; and 2. for any ancillary rural earthworks, there is no limit; and 3. for other activities: 2,000m² in any 12-month period per site.</p>	<p>DOES NOT COMPLY The area of earthworks exceeds the 2,000m² area threshold over any 12-month period onsite.</p>
<p><i>EW-S2: Excavation and filling</i> All zones Earthworks must meet the following standards: 1. Earthworks do not exceed a maximum depth or height of 1.5m below or above existing ground level; and 2. Earthworks are not undertaken at any point on land with a slope gradient greater than 1 in 4; and 3. All fill consists of cleanfill material.</p> <p>Except that a cut or fill height up to 2.5m measured vertically does not need to meet this standard where it is retained by a building or structure authorised by a building consent (which must be obtained prior to any earthworks commencing).</p>	<p>DOES NOT COMPLY As set out in my assessment against standard NFL-S6, proposed earthworks will exceed 2 metres along sections of the proposed road as measured from existing ground levels.</p>
<p><i>EW-S3: Setbacks</i> All zones Earthworks involving filling and/or excavation must not exceed 0.5m in depth or height below or above existing ground level within 1.5m of any site boundary.</p>	<p>NOT APPLICABLE The closest section of earthworks will be setback 1.95m from a site boundary (6B Gresham Street).</p>

<p><i>EW-S4: Rehabilitation and reinstatement</i></p> <p>All zones</p> <p>1. No more than 12 months after the earthworks commenced and on completion of the earthworks, the area of land disturbed as a result of the earthworks must be:</p> <p>a. built upon; or</p> <p>b. sealed with hardstand material; or</p> <p>c. landscaped; or</p> <p>d. recontoured and replanted.</p>	<p>COMPLIES</p> <p>The Agent has volunteered a condition of consent that all construction activities associated with the proposed subdivision are undertaken in line with a Construction Management Plan. The CMP will be updated to ensure all excavated soils are reinstated to a weather resistant state.</p>
<p><i>EW-S5: Earthworks in proximity of the National Grid and/or a 66kV electricity distribution line, excluding earthworks for...</i></p>	<p>NOT APPLICABLE</p>

Proposed District Plan

Land Use – Transport

Rule	Assessment
<p><i>TRAN-R3: Vehicle access ways</i></p> <p>All zones</p> <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 TRAN-S9, TRAN-S10, TRAN-S12, TRAN-S14, TRAN-S15, TRAN-S16 and TRAN-S18 are complied with.</p>	<p>COMPLIES</p> <p>The proposal constitutes a Permitted activity under this Rule.</p>
<p><i>TRAN-R4: Vehicle crossings</i></p> <p>All zones</p> <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The vehicle crossing is not located on the site between Tiplady Road zoned and the Winchester Geraldine Road zoned General Industrial Zone and legally described as Lot 1 DP8102 (or its successor); and</p> <p>PER-2 TRAN-S9, TRAN-S10, TRAN-S12, TRAN-S13, TRAN-S14, TRAN-S15, TRAN-S16, TRAN-S17 and TRAN-S18 are complied with.</p>	<p>COMPLIES</p> <p>The proposal constitutes a Permitted activity under this Rule.</p>
<p><i>TRAN-R11: New private roads, roads and other land transport infrastructure outside of existing road or rail corridors</i></p> <p>All zones</p> <p>Activity status: Discretionary</p> <p>Where:</p>	<p>DOES NOT COMPLY</p> <p>The proposal does not comply with TRAN-S2. this escalates the proposal to a Non-Complying activity.</p>

DIS-1 TRAN-S2, TRAN-S3 are complied with.	
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Standards	Assessment
<p><i>TRAN-S2: Road design requirements</i></p> <p>1. Roads must meet the requirements specified in Table 8— Road design requirements and explained in Figure 6— Transport corridor cross section example; and</p> <p>2. Cul-de-sacs must meet the Local Road requirements in Table 8 and the following additional requirements:</p> <p>a. it must not exceed a maximum length of 150m; and</p> <p>b. there must be a pedestrian link at the end of a cul-de-sac in all residential zones and commercial and mixed-use zones; and</p> <p>c. there must be no cul-de-sac located off a cul-de-sac; and</p> <p>d. there must be no more than one private way at the end of a cul-de-sac; and</p> <p>e. the minimum turning head diameter requirements that must be met are as follows:</p> <p>i. 25m diameter with on-street parking permitted (residential zones); and</p> <p>ii. 30m diameter with no on-street parking permitted (other zones).</p> <p>Note: Where classification of the roading hierarchy is required to read Table 8, refer to SCHED1 — Schedule of Roading Hierarchy.</p> <p><u>Table 8:</u> Rural Lifestyle Zone (Local Road) Min. road reserve width: 20m Traffic lane: 2x 3.5m Shoulder: 2x 0.5m (sealed) Footpath requirement (1.8m): One side Utility / Amenity strip requirement (1m): One side Parking: No Cycle Lanes: No</p>	<p>DOES NOT COMPLY</p> <p>The road width is 20m wide for the first 100m as measured from the intersection with Gresham Street and then reduces to 17m for the remainder of the road. The road complies with the 2x 3.5m wide carriageway, 0.5m shoulder, and footpath and amenity strip on one side of the road requirements.</p> <p>The new road is not a cul-de-sac.</p>
<p><i>TRAN-S3: Street lights</i></p> <p>All zones</p> <p>Any development that creates a new road or which extends the requirement for street lighting must include a street lighting layout that is designed and constructed in accordance with AS/NZS 1158 Lighting for Roads and Public Spaces and all relevant parts of the standard.</p>	<p>COMPLIES</p> <p>The development can comply with this standard.</p>
<p><i>TRAN-S9: Rail level crossing sightlines and vehicle crossing setbacks</i></p> <p>All zones</p> <p>1. Any vehicle access way and vehicle crossing must not cross a railway line, and any vehicle crossing must</p>	<p>NOT APPLICABLE</p>

<p>not be located less than 30m from a rail level crossing. The 30m shall be measured from the edge of the closest rail track to the edge of seal on the proposed vehicle access point; and</p> <p>2. Any building, structure, planting or other visual obstruction must not be located within the restart or approach sightline areas of a rail level crossing as shown in the shaded areas in Figure 7 or Figure 8 below.</p> <p>a. Where Figure 7 applies, the 30m distance is to be measured from the closest outside rail, and where there is more than one set of railway tracks, then 25m is added to the 320m distance along the railway track for each additional set of tracks.</p> <p>b. Where Figure 8 applies, the 5m distance is to be measured from the closest outside rail, and 50m is to be added to the 677m along the railway track for each additional set of tracks,</p>	
<p><i>TRAN-S10: Vehicle access way requirements</i> All zones</p> <p>1. Vehicle access ways must meet the requirements outlined in Table 15 — Vehicle access way requirements, measured in accordance with Figure 14 in TRAN-S13; and</p> <p>2. Where a vehicle access way is provided in the Rural Lifestyle Zone, Settlement Zone, Māori Purpose Zone or General Rural Zone onto a sealed road, then the vehicle access way must be formed, sealed and drained for at least the first 5m from the road boundary. Vehicle access ways in other zones must be formed, sealed and drained for their entire length; and</p> <p>3. Where any site fronting a Primary Road (National Route, Regional Arterial, District Arterial or Principal Road) also has frontage to a Secondary Road (Collector or Local Road or a Service Lane), all vehicle access ways to the site (providing for either ingress or egress) must be provided to the Secondary Road; and</p> <p>4. When a vehicle access way is provided in the residential zones, where two-way access (5.5m formed width or greater) is not provided, a passing bay is required at the boundary, and thereafter at a minimum interval of every 50m. A passing bay should have a minimum width of 5.5m and length 7m with 45-degree tapers.</p> <p><u>Table 15:</u> Rural zones Development served: Up to 6 allotments Min. vehicle access way width: 6.5m Min. vehicle access way formed width: 5.5m Max. length: No limit Max. gradient: 1:5 (20%)</p>	<p>COMPLIES</p> <p>The accessway off the proposed road will service Lots 2, 3, 4, and 5. The vehicle access way meets the minimum required width (9m). The access way complies with the max gradient provision.</p> <p>The access way will be formed sealed and drained for this entire length.</p> <p>Both Huffey Street and Gresham Street are Local roads.</p> <p>This provision does not apply.</p>

<p>Note: Emergency responder access requirements are further informed by the dimensions required for fire appliances for developments in SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice where a driveway length exceeds 75m or a fire appliance is not able to reach the source of a firefighting water supply from a public road.</p>	
<p><i>TRAN-S12: Minimum sight distance from vehicle crossings</i> All zones 1. Any vehicle crossing onto roads with a posted speed limit of 60km/hr or greater or onto any state highway must comply with the minimum sight distance in Figure 12; and 2. Any vehicle crossing onto roads with a posted speed limit less than a 60km/h must comply with the minimum sight distance in Figure 13. <i>(Visibility splay 2m x 5m)</i></p>	<p>COMPLIES The development can comply with this standard.</p>
<p><i>TRAN-S13: Vehicle crossing widths</i> All zones 1. The maximum width of any vehicle crossing must comply with Table 16 – Maximum width of vehicle crossing, calculated in accordance with Figure 14; and 2. Where a vehicle crossing terminates greater than 135m from the nearest road that has a reticulated water supply (including hydrants), the minimum vehicle crossing width required is 4m to allow for access by emergency service vehicles.</p> <p>Note: For vehicle crossings to roads with speed limits 70km/h and above, TRAN-S17 applies.</p> <p><u>Table 16:</u> Rural zones Max. Width of crossing at road boundary: 6m*</p> <p>*Maximum width of up to 9.0m is permitted where the vehicle crossing needs to accommodate the tracking path of large heavy vehicles.</p> <p>Figure 14: N/A.</p>	<p>COMPLIES The development can comply with this standard.</p>
<p><i>TRAN-S14: Maximum number of vehicle crossings</i> All zones The maximum number of vehicle crossings per site must comply with Table 17 — Maximum number of vehicle crossings below.</p> <p><u>Table 17:</u> Collector and Local Roads Frontage (0-20m): max. crossings 1 Frontage (>20m-100): max. crossings 2</p>	<p>COMPLIES No allotment is proposed to have more than one vehicle crossing.</p>
<p><i>TRAN-S15: Minimum distance between vehicle crossings</i></p>	<p>NOT APPLICABLE</p>

<p>All zones</p> <p>The minimum distance between vehicle crossings must comply with Table 18 — Recommended minimum distance between vehicle crossings on same side of road, measured in accordance with Figure 15 in TRAN-S16.</p> <p>Table 18: N/A (speed limit <70km/h)</p>	
<p><i>TRAN-S16: Minimum distance between vehicle crossings and intersections</i></p> <p>All zones</p> <p>The minimum distance between vehicle crossings and intersections must comply with Table 19 – Minimum distance of vehicle crossings from intersections below, measured in accordance with Figure 15.</p> <p>Table 19: N/A (speed limit >70km/h)</p>	NOT APPLICABLE
<p><i>TRAN-S17: Vehicle crossings onto roads with 70km/h or greater posted speed limits...</i></p>	NOT APPLICABLE
<p><i>TRAN-S18: Reverse manoeuvring</i></p> <p>All zones</p> <p>1. Where vehicular access is from a National, or Regional, or District Arterial or Principal Road as identified in SCHED1 — Schedule of Roading Hierarchy, there must be sufficient space provided to ensure no reverse manoeuvring onto or off the road; and</p> <p>2. For all non-residential uses where any parking or loading spaces are required and any residential activity with a vehicle access way to six or more car parking spaces, there must be sufficient space provided to ensure no reverse manoeuvring onto or off the road.</p>	NOT APPLICABLE

Proposed District Plan

Land Use – Financial Contributions

Rule	Assessment
<p><i>FC-R3: Subdivision</i></p> <p>All zones</p> <p>Activity status: Controlled</p> <p>Matters of Control:</p> <p>The amount of the financial contribution having regard to the following matters:</p> <p>1. The purpose of the contribution and any matter in APP7 - Financial Contribution;</p>	APPLIES

<p>2. The benefit that may accrue to other properties or the public as a result of the financial contribution;</p> <p>3. The extent to which the proposed development is a replacement or modification of existing development on the site, which was of a greater or similar intensity and scale;</p> <p>4. The extent to which the proposal will lead to the enhancement of the natural and physical environment by:</p> <ol style="list-style-type: none"> i. protecting or enhancing amenities, habitats, ecosystems, landscape features, archaeological sites, cultural values or heritage features; ii. mitigating, reducing or avoiding land use activity or subdivision impacts on sensitive parts of the natural or physical environment; iii. giving public access to esplanade areas, areas of indigenous vegetation or habitats, heritage features or natural landscape features; iv. creating open spaces, landscaping, recreation areas or facilities or amenity areas additional to those required by the District Plan; <p>5. The extent to which the developer is creating or retaining a natural or physical resource to be used for any of the purposes in (1.d) beyond that required to meet District Plan or other statutory requirements;</p> <p>6. The extent with which previous provision has been made for open space and recreation area purposes on an earlier development of the same land;</p> <p>7. The extent to which the proposal will create a demand on open space and recreation areas and whether the amount of the contribution should be reduced accordingly.</p>	
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3.1.2 ACTIVITY STATUS UNDER PROPOSED DISTRICT PLAN

As the rules of the Proposed District Plan now have legal effect, the activity status of the application is assessed under the PDP as a **Non-Complying Activity** for both the subdivision and the land use consent.

4.0 NATIONAL ENVIRONMENTAL STANDARDS (NES)

A total of six National Environmental Standards are currently in effect, as follows:

- The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health;
- The National Environmental Standard for Sources of Drinking Water;
- The National Environmental Standards for Telecommunication Facilities;
- The National Environmental Standards for Electricity Transmission Activities;
- The National Environmental Standards for Plantation Forestry; and
- The National Environmental Standards for Air Quality.

The NES considered relevant to this application are considered below:

2 King George Place - PO Box 522 Timaru 7940 - Telephone 03 687 7200

4.1 The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NESCS)

The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES) came into force on 10 October 2011.

Clause 5 sets out that these NES regulations:

- a) *apply when a person wants to do an activity described in any of subclauses (2) to (6) on a piece of land described in sub-clause (7) or (8):*
- b) *do not apply when a person wants to do an activity described in any of subclauses (2) to (6) on a piece of land described in sub-clause (9).*

On that basis whether or not the regulations apply depends on whether the application site is described as a 'piece of land' under sub-clause (7), being:

- a) *an activity or industry described in the HAIL is being undertaken on it:*
- b) *an activity or industry described in the HAIL has been undertaken on it:*
- c) *it is more likely than not that an activity or industry described in the HAIL is being or has been undertaken on it.*

Irrespective of whether or not a 'HAIL' activity has been undertaken on the land on which the network is proposed to cross, sub-clause (8) sets out that these regulations only apply to production land, if a person wants to:

- b) *sample or disturb-*
 - (i) *soil under existing residential buildings on the piece of land:*
 - (ii) *soil used for the farmhouse garden or other residential purposes in the immediate vicinity of existing residential buildings:*
 - (iii) *soil that would be under proposed residential buildings on the piece of land:*
 - (iv) *soil that would be used for the farmhouse garden or other residential purposes in the immediate vicinity of proposed residential buildings.*
- c) *subdivide land in a way that causes the piece of land to stop being production land*
- d) *change the use of the piece of land in a way that causes the piece of land to stop being production land*

As confirmed in the s95 report, the site is currently used for pastoral farming and contains a dwelling and ancillary farm buildings. There is no evidence of activities such as sheep dips, fuel storage, or other HAIL-related uses. The proposal involves the subdivision of the two contiguous land parcels into 25 rural residential allotments and a change in land use to enable residential development. While these activities would normally fall within the scope of NES-CS if HAIL activities were present, the absence of any identified HAIL activities means the NES-CS does not apply.

5.0 STATUTORY CONSIDERATION

5.1 Section 104, 104B & 104D

In accordance with section 104B of the Act, a consent authority may grant or decline a resource consent for a Discretionary Activity and may impose conditions under section 108 of the Act. Under the Operative District Plan statutory framework, consent was only required for a Discretionary activity at the time this application was lodged.

However, with the rules of the Proposed District Plan now having legal effect, the activity status of the application is now a Non-Complying activity. In accordance with section 104D of the Act, a consent authority may grant a resource consent for a Non-Complying activity only if it is satisfied that either the adverse effects of the activity on the environment will be minor, or the application will not be contrary to the objectives and policies of the District Plan. Conditions may be imposed under section 108 of the Act.

5.2 Section 106

Natural Hazards

Section 106(1)(a) of the Act stipulates that a consent authority when considering a subdivision consent has to consider whether the land is suitable for subdivision and take into account any measures proposed by the applicant to protect the land from the effects of natural hazards. An assessment of the risk from natural hazards requires a combined assessment of the following matters:

- The likelihood of natural hazards occurring (whether individually or in combination);
- The material damage to land in respect of which the consent is sought, other land, or structures that would result from natural hazards; and
- Any likely subsequent use of the land in respect of which the consent is sought that would accelerate, worsen, or result in material damage of the kind referred to in paragraph (b).

Assessment

As set out in the s95 assessment, the application site is subject to a Flood Assessment Area associated with the central gully which traverses the site. The majority of proposed allotments and building platforms are located outside the mapped 0.5% AEP flood extent, with only limited encroachment affecting one proposed building platform (Lot 25). Flood risk has been assessed and has been taken into account in the design of the subdivision.

Measures proposed to address flood risk include the placement of building platforms outside flood-prone areas where practicable, the provision of minimum finished floor levels above the 0.5% AEP flood level for affected platforms, and the implementation of stormwater management infrastructure designed to avoid floodwater displacement or diversion onto adjoining land. Stormwater disposal is further supported by a discharge consent issued by Environment Canterbury. Having regard to the likelihood of flooding, the potential consequences of inundation, and the mitigation measures proposed, I am satisfied that the proposed subdivision is not subject to a significant risk from natural hazards for the purposes of section 106(1)(a).

Legal and Physical Access

Section 106(1)(c) of the Act outlines that a consent authority may refuse to grant a subdivision consent or may grant a subdivision consent subject to conditions if it considers that insufficient provision has been made for legal and physical access to each allotment to be created.

Assessment

All proposed allotments will be provided with legal and physical access via the formation of a new internal road connecting to Gresham Street and Huffey Street. The proposed road layout has been assessed through an Integrated Transport Assessment, and no fundamental access or safety deficiencies have been identified. While aspects of the road do not comply with all dimensional standards of the ODP/PDP, the access provided is capable of safely and efficiently serving the development and can be secured through conditions and engineering approval.

Each allotment will have legal frontage to the new road, or lawful access via private access arrangements where proposed, and no reliance is placed on informal or unformed access. Emergency vehicle access and firefighting requirements can be met through compliance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice, which is proposed to be secured by condition.

I am therefore satisfied that sufficient provision has been made for legal and physical access to each allotment, for the purposes of section 106(1)(c) of the Act.

5.2.3 Conclusion

Having regard to the above Section 106 matters, I do not consider that there are any grounds for the subdivision consent to be refused.

5.3 PART 2

Part 2 of the RMA sets out the purpose and principles of the RMA, being “to promote the sustainable management of natural and physical resources” which is defined to mean:

managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic and cultural wellbeing and for their health and safety while –

- (a) *Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) *Safeguarding the life-supporting capacity of air, water, soil and ecosystems; and*
- (c) *Avoiding, remedying or mitigating any adverse effects of activities on the environment.*

Section 6 sets out matters of national importance, although in my view no matters in this Section are relevant to the proposal.

Section 7 requires particular regard to be had to ‘other matters.’ Of relevance to this application are:

- (c) *The maintenance and enhancement of amenity values*
- (f) *Maintenance and enhancement of the quality of the environment*

Section 8 requires the principles of the Treaty of Waitangi to be taken into account.

6.0 PROCESSING OF CONSENT

The application for consent was formally received on the 26 September 2025. A site visit was undertaken and a notification report and recommendation were prepared. The application was publicly notified on 11 December 2025. The following parties were considered to be adversely affected by the proposal and were served notice of the application:

Table 3: Table of Identified Potentially Adversely Affected Persons.

No.	Name	Address
1	Satendra Singh Babita Mala	2 Gresham Street Lot 1 DP 522467 held in RT 828891
2	Rajan Sharma Sonam Sharma	4 Gresham Street Lot 2 DP 522467 held in RT 828892
3	Kevin J Neumann	6 Gresham Street

	Valerie A Speirs	Lot 3 DP 522467 held in RT 828893
4	Jason R Hoar Michelle E Hoar	6A Gresham Street Lot 4 DP 522467 held in RT 828894
5	Joanne M Drake	6B Gresham Street Lot 5 DP 522467 held in RT 828895
6	Giles R Patrick Bronwyn J E Patrick	8 Gresham Street Lot 1 DP 312624 held in RT 49664
7	Kevin J Neumann Valerie A Spiers	18 Gresham Street Lot 6 DP 522467 held in RT 828897 and 876989
8	Beverley A Cunniffe	32 Gresham Street Lot 7 DP 2630 held in RT CB618/23
9	Yvonne D Weaver Kenneth S Grave	34 Gresham Street Lot 2 DP 449644 held in RT 570337
10	Yvonne D Weaver Kenneth S Grave	36 Gresham Street Lot 1 DP 449644 held in RT 570336
11	Allan J Dale Gillian B Dale	40 Gresham Street Lot 2 DP 14642 held in RT 570340
12	Robert M Swann Kaye E Porter	19 Darby Street Lot 4 DP 34111 held in RT CB13K/70
13	Department of Conservation	35 Darby Street Lot 11 DP 34111
14	Department of Conservation	37 Darby Street Lot 12 DP 34111
15	Devon P Wilson Carol R Wilson	39 Darby Street Lot 13 DP 34111 held in RT CB13K/79
16	Anna H Guerin Austin J Guerin Hubbard Trustees Limited	3 Downs Road Lot 1 DP 68947 held in RT CB40B/146
17	Kevin Weaver Leila Weaver	9 Downs Road Lot 2 DP 370654 held in RT 286285
18	Bruce C Martin Lynette F Martin RSM Trust Limited	11 Downs Road Lot 1 DP 370654 held in RT 286284
19	Edward J Gould Jeanie M Gould	15 Downs Road Lot 1 DP 15674 Part RS 12841 held in RT CB3A/234 3367416
20	Alastair H Ensor Prudence J Ensor	17 Downs Road Lot 1 DP 81818 held in RT CB47B/145
21	Derek G Neill Faye K Neill	31 Downs Road Lot 5 DP 81818 held in RT CB47B/149
22	Peter M Johnston	1 Huffey Street Lot 1 DP 7885 held in RT CB13K/80
23	Fiona J Roberts Nathan W Begg Shannon W Begg	44 Huffey Street Lot 2 DP 39083 held in RT CB17K/1148
24	Kirstin L Ross	72 Cox Street Lot 7 DP 2441 held in RT 3399226
25	Michelle L Baker	74A Cox Street Lot 2 DP 33842 held in RT CB15B/132
26	Peter T Nelson June C Nelson	74B Cox Street Lot 3 DP 33842 held in RT CB16K/1489
27	Mark D Autridge	78A Cox Street Lot 2 DP 476668 held in RT 7624065
28	Gavin T Willis	80B Cox Street

	Judith M Peterson	Lot 3 DP 449431 held in RT 569634
29	Craig M Wright Garth P Wright	82A Cox Street Lot 2 DP 493072 held in RT 718270
30	Joyce L Peoples Susan J Peoples Russell N Peoples	84A Cox Street Lot 1 DP 40277 held in RT CB18B/465
31	Jamie A Greenall	86A Cox Street Lot 2 DP 38138 held in RT CB17B/249
32	Marie A Halsey David K Halsey	88A Cox Street Lot 2 DP 40851 held in RT CB21K/733
33	Ministry of Education	90/90A Cox Street Lot 16 DP 2441 held in RT 1181893
34	Karen N Treloar Simon N Yorke	92 Cox Street Lot 17 DP 2441 held in RT CB11B/638
35	James O Payne Harry A Payne	94 Cox Street Lot 18 DP 2441 held in RT CB11B/648
36	Denise M Ellis Megan J Nikora Tania J Ellis	96A Cox Street Lot 2 DP 412926 held in RT 448043
37	Francis A Searle Kimberley J Searle Jessie D Searle	98 Cox Street Lot 20 DP 2441 held in RT CB11B/640
38	Bruce E Allan Rosa R Allan	100 Cox Street Lot 21 DP 2441 held in RT CB11B/641
39	Lorraine M Hill Mark F Timblich	102 Cox Street Lot 22 DP 2441 held in RT CB11B/642

The submission period closed on 29 January 2026.

7.0 SUBMISSIONS

The application received eight (8) submissions within the submission period. Of the submissions received, three (3) submissions were received in support of the proposal, three (3) submissions were received in opposition to the proposal, and two (2) submissions were received which were neutral. One submission (in support of the proposal) was received late, and a recommendation on its admissibility sent to the Commissioner for review under s37A of the Act. The Commissioner accepted the late submission⁶ and it has been added to the submission summary.

The submissions are summarised in Table 4 and discussed in the Assessment of Effects in Section 8. Copies of the submissions received are available online⁷.

Table 4: Summary of Submissions

#	Name	Summary of Submission	Wish to be Heard
1	Peter Johnston (Owner, 1 Huffey Street)	Supports (with conditions) – Mr Johnston supports the proposed subdivision and land use consent, subject to practical matters being managed during construction. He seeks assurance that existing services (water,	NO

⁶ See accepted recommendation by Hearings Commissioner issued 2 March 2026. CM9 Doc Ref 1827645.

⁷ <https://www.timaru.govt.nz/services/planning/resource-consents/notified-applications-and-decisions/current-resource-consents-publicly-notified/101102.2025.119.1-resource-consent-for-subdivision-and-land-use>

		power, and internet), property access, and fencing responsibilities are appropriately addressed, and that any effects on nearby trees are assessed. He acknowledges construction effects such as dust and noise and requests that works proceed efficiently to minimise disruption.	
2	Bruce and Rosa Allan (Owners, 100 Cox Street, Geraldine)	Opposes – Bruce and Rosa Allan oppose the application, primarily on the basis that the proposed high-density subdivision represents inappropriate urban expansion into the Rural 4A Zone. They consider the development to result in adverse landscape and visual effects, including impacts on skyline and natural character values, and raise concerns about the ability of the proposed stormwater system to adequately manage increased runoff, particularly during extreme weather events. They seek that the applications be declined, while noting no objection in principle to less intensive residential development more aligned with rural character.	YES
3	Donald H Gibson (PO Box 5, Winchester 7958)	Opposes (with conditions) – Donald Harvie Gibson (Trustee, Gibson Family Trust) opposes the proposed subdivision, citing limited market demand for large rural-residential sections and expressing concern that further development should not proceed until already zoned land has been developed. He considers the proposal premature and seeks that development be delayed or limited to a lower-intensity outcome, including an alternative of allowing larger 2-hectare sites instead of the proposed subdivision.	YES
4	Joanne Drake (Owner, 6B Gresham Street, Geraldine)	Opposes (with conditions) – Joanne Drake opposes the application, raising concerns about the effects of the proposed subdivision on residential amenity, safety, and character. Key issues include potential shading and privacy effects from proposed landscaping, construction noise and runoff during earthworks, increased traffic safety risks at the Gresham Street /Huffey Street intersection, stormwater management in extreme weather events, and the perceived loss of rural outlook resulting from the change in urban boundary. She seeks that conditions be imposed to manage these effects, particularly in relation to landscaping height, construction controls, traffic safety, and stormwater design and monitoring.	NO
5	Arlia O’Sullivan (Beca)	Neutral (with conditions) – Fire and Emergency New Zealand is neutral on the	YES

	(on behalf of Fire and Emergency New Zealand (FENZ))	application, subject to conditions relating to emergency access and firefighting water supply. While the proposed main internal road is considered adequate, Fire and Emergency raises concerns that the private right of way serving Lots 2–4 may not meet emergency vehicle access and hose-run requirements and seeks confirmation that both access and firefighting water supply will comply with the relevant codes of practice. They request conditions to ensure the final design provides adequate emergency access and water supply for firefighting purposes.	
6	Alastair Hugh Ensor (Owner, 17 Downs Road, Geraldine)	Supports (with conditions) – Alastair Ensor supports the subdivision in principle but seeks conditions to mitigate visual effects from buildings and landscaping. He raises concerns about the visual prominence of proposed building platforms and plantings on lots directly visible from his property, and seeks controls on building height, vegetation height, ridgeline planting, and exterior finishes to reduce adverse landscape and visual impacts.	YES
7	Robert Michael Swann and Kaye Elizabeth Porter (Owners, 19 Darby Street, Geraldine)	Supports – Robert Swann and Kaye Porter support the application in its entirety. They consider the proposed subdivision to be a positive outcome that will make land available for residential housing and note that the development will not adversely affect their views or amenity.	NO
8	Satendra Singh and Babita Mala (Owners, 2 Gresham Street, Geraldine)	Neutral (with conditions) – Satendra Singh and Babita Mala are neutral on the application but raise concerns about stormwater and drainage effects associated with the extent of hard surfaces created by the subdivision. They also express concern about potential shading and loss of sunlight resulting from proposed building placement and tall tree planting, particularly on northern slopes. They seek conditions to manage stormwater retention and drainage and to restrict tall planting that could adversely affect sunlight and residential amenity.	NO
9 ⁸	Alister and Lesley France (Owners, 30 Gresham Street, Geraldine)	Supports (with conditions) – The Holbrook Trust is generally supportive of the proposed subdivision and land use consent but raises concerns about stormwater runoff and historical flooding affecting their downstream property. They note past flooding from the subject land and seek a remedy in the form of a permanent shallow swale along the boundary of the lower lots to direct runoff to the existing creek. They indicate they are	NO

⁸ Submission was received after 5pm on 29 January 2026.

		otherwise comfortable with the proposal, subject to appropriate stormwater management measures.	
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8.0 ASSESSMENT OF EFFECTS

8.1 Permitted Baseline

A consent authority may disregard an adverse effect of the activity on the environment if a national environmental standard or plan permits an activity with that effect. This is termed the 'permitted baseline'. It is at the consent authority's discretion as to whether the permitted baseline is taken into account when considering an application. The permitted baseline has not been considered as the subdivision is not provided for as a permitted activity. The rules in both the Operative and Proposed District Plans both specify that the minimum allotment size for allotments created by subdivision to be 10ha, indicating the level of density that is generally anticipated for this site.

8.2 Written Approvals

The application includes written approvals from the following persons in Table 5⁹:

Table 5: Written approvals received.

Name	Address
Gyles Roger Patrick & Bronwyn Jane Evelyn Patrick (Owner-Occupier)	8 Gresham Street, Geraldine
Satendra Singh (Owner-Occupier)	2 Gresham Street, Geraldine
Yvonne Denise Weaver (Owner-Occupier)	34 Gresham Street, Geraldine
	36 Gresham Street, Geraldine

The above identified properties are shown relative to the application site in Figure 5.

⁹ Affected party approvals received for 2, 34, and 36 Gresham Street do not include the approvals of all listed landowners. For all affected party approvals, the form has been completed but has not been accompanied by the signed and dated plans. Approvals received 17 October 2025. See CM9 Doc Ref 1801186.



Figure 5: The subject site is highlighted in red. Adjoining properties that have provided written approval are highlighted in yellow.

8.3 Assessment of Effects (s104(1) / s104D(1)(a))

Landscape and Visual Amenity

The application site occupies a prominent position on the western edge of the Geraldine township, forming part of the rural backdrop to the settlement and functioning as a transitional area between the urban environment and the wider Geraldine Downs landscape. The site is characterised by a rolling pastoral landform, a high degree of openness, and long-range views from public streets, private properties, and the township more generally. These attributes contribute to both landscape character and amenity values, and they are recognised through the site's zoning (i.e., as Rural 4A, Rural Lifestyle Sub Zone) and, under the Proposed District Plan, its inclusion within the Geraldine Downs Visual Amenity Landscape as well as the 10-hectare Specific Control Area.

As identified in the Applicant's Landscape and Visual Assessment, the proposal would result in a fundamental change in land use from light pastoral farming to a relatively high-density rural-residential subdivision, increasing the number of potential residential units from the underlying expectation of low-density development (effectively what is the existing situation, being two Records of Title, one being 10ha and the other at 11.77ha) to a total of 25 allotments. The assessment acknowledges that this represents a noticeable intensification of development, but concludes that, with mitigation, the site has sufficient landscape capacity to absorb the change and that overall effects would be low or less than minor.

An independent peer review of that assessment accepted the methodology and identification of landscape values but reached a different conclusion as to the magnitude of effects. In particular, the peer review found that the proposal would result in a moderate (more than minor) adverse effect on landscape character, due to the loss of rural openness, the increased sense of domestication, and the extension of the apparent urban edge westward into the Geraldine Downs. While it was acknowledged that planting and design controls would assist to integrate the development over time, the peer review

placed significant weight on the short- to medium-term effects, noting that the proposed mitigation would require a period well in excess of five years to become effective.

Having previously considered both positions in detail, I remain of the view that the peer review more accurately reflects the scale of change proposed and the sensitivity of the receiving environment. While the proposal has been designed to avoid ridgelines, limit building heights, and incorporate extensive landscape planting, it would nevertheless introduce a level of density and built form that is not anticipated for this part of the Geraldine Downs. The resulting change in character would be readily perceived from surrounding public viewpoints and from the township, particularly prior to the maturation of planting, and would erode the sense of openness that currently defines the rural edge of Geraldine.

In visual terms, the effects from individual public viewpoints are generally assessed as low to minor, reflecting the undulating landform, intermittent visibility, and proposed mitigation. However, when considered collectively, those visual changes contribute to a broader landscape character effect that is more than minor. In this respect, the overall landscape effect is not simply the sum of individual viewpoints, but rather the perceptual change arising from the introduction of a continuous pattern of development across the hillside forming the township backdrop.

Cumulative Effects

Individually, many of the components of the development — such as access upgrades, building platforms, domestic-scale dwellings, and landscaping — would be typical of rural-residential development. However, when combined at the scale proposed, and set within the broader pattern of existing and potential development at the urban fringe of Geraldine, those components contribute to a cumulative change in settlement form and landscape character.

In particular, the cumulative effect of increased density, domestic activity, lighting, vehicle movements, and associated infrastructure would reinforce the perception of westward urban expansion into the Geraldine Downs. This would blur the distinction between the urban area and the rural landscape beyond, reducing the legibility of the settlement boundary and incrementally altering the character of the surrounding downs. These effects are not fully mitigated by site-specific planting or design controls, as they relate not only to visibility but to the broader function and identity of the area within the township's settlement pattern.

I therefore consider that, when assessed cumulatively, the proposal would result in adverse effects that extend beyond the immediate site and contribute to a wider pattern of landscape and settlement change. These cumulative effects are relevant when considering the overall impact of the proposal on the environment and form an important part of the subsequent statutory assessment.

Other Effects (Adopted from Notification Assessment)

In addition to the landscape, visual, precedent and cumulative effects discussed above, the application has been assessed for a range of other potential environmental effects as part of the notification stage under sections 95A–95E of the Act. Those matters were examined in detail in my s95 Notification Assessment dated 27 November 2025, and the conclusions of that assessment were subsequently adopted by an Independent Hearings Commissioner when determining that the application should be publicly notified.

Given the extent and depth of that prior assessment and noting that no materially new information has been presented that would alter those conclusions, it is neither necessary nor efficient to re-open those matters in detail for the purposes of this section 104 assessment. Instead, the findings from the

notification assessment are adopted, summarised below, and relied upon insofar as they remain relevant to the consideration of the application.

Natural Hazards

Natural hazard effects, including flood risk associated with the central gully, were assessed with reference to site-specific flood mapping. With the exception of a single proposed building platform on Lot 25 of the subdivision, all platforms are located outside identified flood-prone areas, and an appropriate consent notice and conditions are proposed to ensure future development is undertaken with finished floor levels above the standard 0.5% AEP flood event and without displacement of floodwaters onto adjoining land. Taking into account these measures and the granted Environment Canterbury stormwater discharge consent, the risk from natural hazards was found to be less than minor.

Cultural & Historic Heritage

Cultural and historic heritage effects were also considered in detail. The site is not identified as a site or area of significance to Māori, nor does it contain any known archaeological or heritage features. Mana whenua consultation was undertaken prior to lodging the application, and concerns raised in relation to stormwater and wastewater disposal were addressed through changes to the proposal and supporting conditions. Subject to the inclusion of an Accidental Discovery Protocol condition, effects on cultural and historic values were assessed as less than minor.

Ecology

Ecological effects were assessed as part of the notification process, acknowledging that the existing environment is largely comprised of modified pasture with limited indigenous biodiversity values. The proposed development includes extensive native planting within the central gully, stormwater reserve, road corridors and lot boundaries, resulting in an overall enhancement of ecological values. A condition of consent has been incorporated to establish the proposed planting in line with the concept landscaping master plan provided as part of the application. No significant adverse ecological effects were identified.

Infrastructure & Servicing

Infrastructure and servicing effects, including water supply, wastewater and stormwater, were assessed with reference to the Development Capacity Assessment and Engineering Services Memorandum prepared for the proposal. Subject to detailed engineering approval and compliance with recommended conditions for wastewater, roading, and water supply infrastructure to be established in accordance with an approved engineering design, the effects of the development on Council infrastructure networks were assessed as less than minor.

Transport

Transportation effects were considered through an Integrated Transport Assessment, which concluded that the local road network can safely and efficiently accommodate the additional traffic generated by the development. While aspects of the proposed roading do not comply with certain District Plan design standards (noting the activity status for breaching Rule TRAN-R11 under the transport provisions is non-complying under the PDP), the operational traffic effects, access arrangements and safety outcomes were assessed as acceptable, subject to conditions. These matters are therefore not considered to generate adverse effects that are more than minor in environmental terms.

Earthworks & Construction Effects

Construction-related effects, including earthworks, noise, dust and traffic disruption, were assessed as temporary in nature and capable of being appropriately managed through standard conditions, including a Construction Management Plan (CMP) which was provided as part of the application. Upon

review of the CMP however, while most of the matters were considered appropriate for the works intended, I noted the construction noise national standard referenced was out of date, with a new version (NZS6803:1999) now implemented nationally. Following the PDP now having legal effect, I also note that new requirements under the PDP for site stabilisation detail (see standard EW-S4) will be required and a revised CMP with this detail outlined will need to be submitted to the Subdivision and Monitoring Officer prior to earthworks starting onsite. A condition requiring a revised CMP is suitable to address this.

Overall, the effects addressed in this section were assessed during the notification stage as being less than minor, subject to the implementation of appropriate conditions and consent notices. These effects do not materially influence the overall scale or character of the adverse effects identified earlier in this report and, accordingly, are not determinative in the subsequent statutory assessment.

Positive Effects

In addition to the adverse effects identified, the proposal would give rise to a number of positive effects that are relevant to the overall consideration of the application.

The subdivision would enable the provision of additional rural-residential housing opportunities at the edge of the Geraldine township, contributing to housing supply and offering a range of lot sizes that may assist in meeting diverse housing preferences. While this benefit must be weighed against the appropriateness of location and density, it nonetheless represents a positive outcome in terms of providing for social and economic wellbeing.

The proposal includes the creation of a local purpose reserve for stormwater management, accompanied by extensive indigenous planting within the central gully and surrounding areas. This planting will enhance biodiversity values, improve riparian and landscape amenity, and contribute to ecological connectivity within the Geraldine Downs area. Over time, these measures are expected to result in a net ecological gain relative to the existing pastoral environment.

Infrastructure upgrades associated with the development, including extensions to water supply, wastewater and road networks, would improve servicing resilience and local connectivity. The proposed internal road and pedestrian links would enhance access and circulation within the area, while financial contributions associated with the subdivision will support the delivery of walking and cycling infrastructure and habitat enhancement projects in the wider Geraldine Downs.

Finally, the development will generate short-term economic benefits through construction activity, including employment and demand for local goods and services, which represents a positive albeit temporary effect.

While these positive effects do not negate or outweigh the adverse effects identified elsewhere in this report on their own, they form part of the broader context within which the proposal must be assessed and are relevant to the subsequent consideration of objectives, policies and the overall planning balance.

Submissions

The application was publicly notified, and a range of submissions were received in support of, in opposition to, and neutral towards the proposal. The matters raised by submitters have been reviewed and taken into account as part of the section 104 assessment, insofar as they raise relevant resource management considerations.

A number of submissions, particularly those in opposition, expressed concern regarding the scale and density of the proposed subdivision and its effect on rural character, landscape openness, and the perceived westward expansion of the Geraldine township into the Geraldine Downs. These submissions align with the landscape, precedent, and cumulative effects identified earlier in this report, and they reinforce the conclusion that the receiving environment is sensitive to change and that the proposal would result in a noticeable alteration to settlement edge character. While submitter concern does not of itself determine the presence or magnitude of an effect, it provides useful context confirming that the adverse effects identified are tangible and experienced by members of the surrounding community.

Several submitters raised issues relating to stormwater management, flood risk, construction effects, traffic safety, and the capacity of infrastructure networks. These matters were assessed in detail as part of the notification assessment process, informed by technical reports and, where relevant, approvals granted by Environment Canterbury. Subject to the proposed conditions and consent notices, those effects were assessed as less than minor. Having reviewed the submissions received, I consider that no new information has been presented that would materially alter the conclusions previously reached in respect of these matters, and they are therefore adopted for the purposes of this assessment.

Submissions in support of the proposal identified benefits associated with the provision of additional housing opportunities, infrastructure upgrades, and the inclusion of landscaping and planting intended to integrate the development into its surroundings. These matters have been considered as part of the assessment of positive effects and are acknowledged as contributing benefits, although they do not, on their own, resolve the adverse landscape and settlement pattern effects identified elsewhere in this report.

Some submissions raised matters relating to land values, market demand, or the timing and desirability of residential development more generally. While such matters reflect the personal views or aspirations of submitters, they do not carry significant weight for the purposes of a resource consent decision under the Resource Management Act and are therefore afforded limited consideration in this assessment.

Overall, the submissions received do not identify new adverse effects beyond those already considered, nor do they highlight anything additional in relation to the nature or scale of the effects considered through the notification assessment and expert evidence. They have nevertheless been considered as part of the broader context for evaluating the proposal and inform, but do not dictate, the subsequent statutory assessment under sections 104 and 104D of the Act.

8.5 Conclusion with respect to s104D(1)(a)

This assessment of effects under section 104(1)(a) of the Act has identified that the proposal gives rise to adverse effects on landscape character, rural openness, and settlement edge integrity that are more than minor in the short to medium term. These effects arise principally from the scale and density of the subdivision in a visually sensitive location at the western edge of Geraldine, and from the extension of rural-residential development into the Geraldine Downs landscape.

Other potential effects, including natural hazard risk, infrastructure capacity, transportation, construction impacts, lighting, cultural values, and ecology, have been assessed in detail at the notification stage and were found to be less than minor, subject to appropriate conditions and consent notices. Those findings are adopted for the purposes of this assessment.

Given the scale and nature of the identified adverse effects and recognising that the application is required to be assessed as a non-complying activity under the Proposed District Plan, the application must be considered against the gateway tests set out in section 104D of the Act.

Both the LVA peer review and my previous s95D assessment conclude that the proposal will, in the short–medium term, result in more than minor adverse effects on landscape character and rural openness. These effects arise from the introduction of a denser pattern of rural-lifestyle lots at the settlement edge, the associated domestication of the Geraldine Downs backdrop, and a perceptible westward extension of urban character. While the proposed mitigation measures (height limits, defined platforms, comprehensive planting) will reduce these effects over time, the peer review is clear that the time-lag to effective mitigation materially exceeds five years, so near-term effects cannot be characterised as minor. For this reason, I find the adverse effects are more than minor and the application therefore does not pass s104D(1)(a).

8.6 Statutory Considerations (s104D(1)(b))

The Operative District Plan (ODP) and the Proposed District Plan (PDP) are the only statutory planning documents or regulations that are pertinent to the consideration of this application. Accordingly, and in the interests of conciseness, no other statutory planning documents or regulations are considered in the below assessment.

Operative District Plan

Operative District Plan		
Clause	Objective / Policy	Assessment
Part D (1) Rural Zones		
1.1.2 Objective	Manage land in the District for the greatest benefit of present and future generations while safeguarding the life-supporting capacity of soil and ecosystems and avoiding, remedying or mitigating any adverse environmental effects.	The purpose of the Rural 4A Zone recognises that this area possesses particularly high natural and amenity values, and that development within the zone must be carefully managed to retain and enhance landscape character, amenity values, natural habitats, and opportunities for walking and cycling. The zone anticipates a wide range of rural land use activities but does so within a framework that deliberately limits new development and requires a higher level of scrutiny and management than applies in other rural zones. Central to this approach is the avoidance or mitigation of adverse environmental effects, which for the Rural 4A Zone is particularly focused on landscape character, amenity values, natural habitats and walking/cycling facilities, alongside the use of financial contributions and land-based mechanisms to support recreation and ecological enhancement outcomes.
1.1.3(1)(d)(i) Policy	To provide for a range of land use activities in rural areas while avoiding or mitigating the adverse environmental effects of these activities by way of the following zones: (d) Rural 4 Zones (i) Rural 4A Zone (Geraldine Downs) <i>This zone recognises the high natural and amenity values of the Geraldine Downs and also the values and aspirations of the people that live in and use the area. The zone seeks to not only retain, but also to enhance the area's landscape character, amenity values, natural habitats and walking/cycling</i>	The proposed subdivision introduces a level of residential development that exceeds what is typically anticipated within the Rural 4A Zone, and it therefore creates a clear contrast with the zone's intended low-density character and

Operative District Plan

Clause	Objective / Policy	Assessment
	<p><i>facilities. It also seeks to provide for artisan, travellers accommodation and commercial recreation activities and the protection of established productive activities. To achieve these aims, the zone limits new development and requires development to be managed more intensively than in other rural zones. It also requires the payment of financial contributions to implement the proposed walking and cycling network and for natural habitat enhancement. If developed to its potential, the Geraldine Downs could become a significant recreation, ecological, tourism and amenity asset to Geraldine.</i></p>	<p>emphasis on openness. In that respect, the proposal does not fully align with the aspect of the zone’s purpose that seeks to limit new development and manage it more intensively to protect the rural landscape backdrop to Geraldine. This tension is particularly evident in the short- to medium-term effects on landscape openness and rural character, as discussed earlier in this report.</p> <p>Acknowledging the above, I also note that the assessment does not end at the question of density alone. The zone purpose also contemplates that development may occur where adverse effects are avoided or mitigated, and where positive outcomes for amenity, habitat enhancement, and active recreation are delivered. In this case, the proposal incorporates a comprehensive design and mitigation framework, including defined building platforms, reduced building heights, extensive indigenous planting, protection and enhancement of the central gully, and the creation of a local purpose reserve. Financial contributions are also proposed to support the implementation of the Geraldine Downs walking and cycling network and ecological enhancement initiatives, which directly align with the aspirations expressed in the zone purpose. Assessing the proposal holistically, the development can be seen as one that does not fully align but ultimately does not completely compromise the overall intent of the Rural 4A Zone. While it departs from the anticipated development intensity, it does so within a tightly managed framework that seeks to enhance ecological values, improve amenity over time, and contribute to the long-term recreational and environmental potential of the Geraldine Downs. On that basis and recognising the need for strict conditions to ensure the anticipated mitigation and enhancement outcomes are realised, the proposal is considered to be finely balanced but not “contrary” to the purpose of the Rural 4A Zone.</p>
1.2.2 Objective	Avoid, remedy or mitigate the adverse effects of intensive development in rural areas.	The proposal does not comply with several relevant performance standards, and the cumulative effects associated with subdivision density and landscape change have been identified as more than minor, which creates tension with the objective and policy here. That said, the environmental effects arising from these departures have been comprehensively assessed
1.2.3(1) Policy	To provide for a range of sites and uses, as long as the environmental effects including cumulative effects of	

Operative District Plan

Clause	Objective / Policy	Assessment
	development meet performance standards for the zone.	and are capable of being adequately mitigated through design and conditions. As such, I consider that the proposal does not undermine the underlying intent of managing effects and therefore, while not completely aligned with the objective, does not conflict with it to the extent that it is contrary to the outcome sought.
1.8.2(1) Objective	Maintain a high standard of roading in rural areas and require the safe and efficient provision of roading access from new rural allotments to the roading network.	The proposal includes the formation of a new internal road connecting Gresham Street and Huffey Street, and the operational traffic, access, and safety effects have been assessed as acceptable. While the road does not comply with all dimensional performance standards, the roading design provides safe and efficient access and does not give rise to adverse traffic effects. The proposal is considered consistent with the intent of this objective.
1.8.2(2) Objective	Ensure trees are not planted adjacent to roads or road intersections where they may unduly obstruct the vision of motorists or cause shading and subsequent icing of the roadway.	The proposal includes landscaping and tree planting within road corridors however these are subject to detailed design controls and conditions requiring compliance with sightlines, setbacks, and road safety requirements at intersections and access points. Subject to these controls, planting can be managed so that visibility for motorists is maintained and adverse shading effects are avoided. Accordingly, the proposal is considered not contrary to this pair of objectives and policies.
1.8.3(1) Policy	To ensure road access is available to new rural allotments subject to compliance with performance standards which have regard to traffic safety and the efficiency of the roading network.	
1.10.1(1) Objective	New residential development in the Geraldine Downs is only provided for in appropriate areas and at appropriate densities.	The scale and density of the proposed subdivision exceeds what is generally anticipated for the Geraldine Downs. I consider that subdivision meeting the minimum allotment sizes would generally align with this objective; so for an undersized subdivision as is sought here, I have considered alignment with the objective in terms of whether the location and density in this instance is still "appropriate". The proposed subdivision introduces a level of residential density that substantially exceeds that anticipated for the Geraldine Downs, resulting in more than minor adverse effects on rural character, openness, and the integrity of the settlement edge in the short to medium term. While the site adjoins the existing Geraldine township, adjacency alone does not, in my view, determine appropriateness under this objective. The scale and density of development proposed do not achieve the outcome sought by limiting development to appropriate densities in this area.

Operative District Plan		
Clause	Objective / Policy	Assessment
		For these reasons, I consider that the proposal is contrary to Objective 1.10.1(1).
1.10.1(1.1) Policy	Residential development in the Geraldine Downs will avoid, remedy or mitigate adverse effects on: <ul style="list-style-type: none"> the landscape and amenity values of the area; significant natural areas; roading and other essential infrastructure; the operation of existing activities; walking and cycling tracks. 	The proposal introduces a higher density of residential development than is generally anticipated for the Geraldine Downs, and this is acknowledged in my response to Objective 1.10.1(1). I consider that the anticipated level of density is aligned with the first policy's emphasis on managing the effects of development on the landscape character of the area, and the second policy's directive to avoid uncoordinated urban sprawl. In considering whether the higher level of density still aligns with the policy direction, I have considered the following. The proposal is located at the edge of the existing township and can be considered to include a comprehensive and coordinated approach that has considered the provision of infrastructure services, protection and enhancement of the central gully, landscape mitigation, and financial contributions toward walking and cycling infrastructure. While the density is higher than the scale of development generally considered appropriate for the location (i.e. as reflected in the minimum area standards), this particular development is planned and integrated rather than ad-hoc, and adverse effects are managed as a result. On balance, I consider that there remains some tension between the proposal and these policies, but ultimately the tension does not result in the proposal being contrary to these policies.
1.10.1(1.2) Policy	The quantum and density of new residential development is to be limited in order to control uncoordinated urban sprawl throughout the Geraldine Downs.	
1.10.1(1.3) Policy	A range of residential densities will be provided for in appropriate locations in the Geraldine Downs.	
1.10.2(2) Objective	The landscape character and amenity values of the Geraldine Downs are retained and, where appropriate, enhanced.	The proposed development will result in a noticeable change to the existing rural landscape character, and in the short to medium term this creates tension with the policy's emphasis on retention of landscape character and amenity values. At the same time, the proposal incorporates a coordinated design response, including the avoidance of building on ridgelines, restricted building heights, defined building platforms, and extensive indigenous planting within the central gully, road corridors, and lot boundaries. These measures will assist in integrating the development into the surrounding landscape, and softening and screening visual effects over time. While the adverse effects on landscape character remain and are afforded weight, the proposal is
1.10.2(2.1) Policy	All new development is required to be designed so that it avoids or minimises adverse effects on landscape and amenity values and is integrated with the surrounding landscape.	
1.10.2(2.2) Policy	All new development will be required to provide landscaping that: <ul style="list-style-type: none"> will maintain and/or enhance the unique landscape and visual amenity values of the surrounding area; 	

Operative District Plan		
Clause	Objective / Policy	Assessment
	<ul style="list-style-type: none"> will assist in screening and softening the visual effects of the built form where this is considered necessary. 	considered on balance to not be contrary to this policy, subject to the implementation of the proposed landscaping and design controls.
1.10.2(2.4) Policy	Exterior lighting will be managed so that it does not have a significant adverse effect on the landscape character and amenity values.	The proposal does not include detailed lighting design at this stage; however, exterior lighting effects have been assessed and are capable of being appropriately controlled through conditions requiring compliance with District Plan lighting standards at the time of installation. Subject to these controls, exterior lighting can be managed to avoid significant adverse effects on landscape character and amenity, and the proposal is therefore consistent with this policy.
1.10.4(4) Objective	The natural habitats of the Geraldine Downs are retained and where appropriate enhanced, particularly Talbot Forest.	All proposed planting for the development will be comprised of indigenous species. The development is consistent with this objective and policy.
1.10.4(4.3) Policy	Timaru District Council will actively promote the planting of indigenous eco-sourced vegetation.	
1.10.5(5) Objective	An improved network of off-road walking facilities is provided in the Geraldine Downs, along with a new network of off-road cycling facilities, particularly mountain bike tracks.	A financial contribution for the cycling and walking tracks has been made payable as part of this consent. Moreover, as confirmed by 101.2022.71.2, the development of the track is already well under construction at no cost to Timaru District Council.
1.10.5(5.1) Policy	Provide for a network of off-road walking and cycling tracks in the Geraldine Downs that will include: <ul style="list-style-type: none"> new mountain bike trails for different levels of ability; a network of longer walking tracks; connections with the existing and proposed network of roads and tracks; provision for joint use of tracks, both pedestrian and cyclist. 	
1.10.5(5.2) Policy	All new development will be required to pay a financial contribution that will help pay for the development and maintenance of a network of off-road walking and cycling tracks on the Geraldine Downs.	

Operative District Plan		
Clause	Objective / Policy	Assessment
1.10.6(6) Objective	Existing productive activities on the Geraldine Downs will continue and develop without constraints from new residential development.	The site is surrounded by urban residential, recreational, and rural lifestyle property. The development will not constrain existing productive activities.
Part B (9) Services and Infrastructure		
Part B (9), Objective 1	(a) Avoid, remedy, or mitigate the adverse effects of development, including servicing infrastructure, on the environment. (b) Ensure that an adequate level of infrastructure is provided to enable the efficient use and development of natural and physical resources by the recovery of the costs of providing that infrastructure directly from developers and, where appropriate, by apportioning costs between the developer and the community in accordance with the relative benefits of providing that infrastructure.	Servicing capacity for the proposed subdivision has been confirmed for the site by way of the WSP Capacity Assessment. All infrastructure will be established by the Applicant via an engineering approval process. A \$3,000 connection fee forms part of this process and has been considered sufficient to cover ongoing costs associated with the new demand on Council's reticulated infrastructure.
Part B (9), Policy 3	To discourage development that may compromise subsequent efficient servicing and subdivision of land identified for future residential development.	The development is not of a scale to compromise the future servicing capabilities of adjoining land parcels.
Part B (9), Policy 4	To ensure that sufficient servicing is provided for intensive development in a way that avoids, remedies or mitigates adverse effects on the environment.	As discussed in the s95 assessment, sufficient servicing is available for the development. Stormwater detention and future controls ensure effects on the environment are suitably mitigated.
Part B 11 (a) Amenity Values - Amenity Planting		
Part B 11 (a), Objective 1	Achievement of greater amenity by improving the quality of tree planting on private and publicly owned land.	An indicative planting schedule showing a variety of tree and shrub species has been provided for as part of the landscaping solution for the development. The addition of these plantings greatly improves the amenity of the subject site and is in line with this Objective.
Part B 11 (a), Policy 1	To promote improved amenity tree planting on residential and commercial sites and historically and culturally significant sites.	The indicative planting schedule proposes a variety of ornamental tree species, grasses, and low-lying native species for the site. I consider this additional planting greatly diversifies and improves the planting amenity onsite.
Part B (13) Community Enablement and Physical Resources		

Operative District Plan		
Clause	Objective / Policy	Assessment
Part B 13, Objective 1	To accommodate growth while protecting and enhancing the quality of the environment.	The proposal accommodates growth in the District while enhancing the quality of the environments through a contiguous development pattern, effective roading design, and large individual building platforms that have been positioned in such a way so to not detract from the surrounding environment.

Proposed Timaru District Plan

The objectives and policies in the PDP gained legal effect upon notification of the PDP and therefore must be considered, alongside any operative plan provisions. However, the weight given to the objectives and policies in the PDP is not equal to that of the operative plan and depends on how far the plan has progressed through the plan making process.

The objectives and policies in the PDP most relevant to the application are as follows:

Proposed District Plan		
Clause	Objective / Policy	Assessment
RLZ – Rural Lifestyle Zone		
RLZ-O1	<p>Purpose of the Rural Lifestyle Zone</p> <p>The Rural Lifestyle Zone provides for areas adjoining Timaru, Temuka, Geraldine and Pleasant Point used predominantly for a residential lifestyle within a rural environment on lots smaller than those of the General Rural Zone, while enabling compatible primary production to occur.</p>	The proposal is consistent with the residential lifestyle function anticipated for the Rural Lifestyle Zone and is located adjoining the Geraldine township, where this type of development is expected. While the scale and density of subdivision exceed what is typically anticipated, the development remains residential in nature and is supported by design measures intended to maintain a rural setting and compatibility with surrounding land uses. Primary production activities on neighbouring land are not precluded, and from the application document the Agent confirms that the site is not currently being used for primary production in any case. On balance, and notwithstanding the density tension addressed elsewhere, the proposal is considered not contrary to RLZ-O1.
RLZ-O2	<p>Character and qualities of the Rural Lifestyle Zone</p> <p>The character and qualities of the Rural Lifestyle Zone comprise:</p> <ol style="list-style-type: none"> 1. natural character and openness; and 2. residential buildings, trees and landscaping that integrate with the 	This objective describes a Rural Lifestyle Zone characterised by a high degree of natural character and openness, a pastoral landscape, and a pattern of low-density residential development that integrates visually with the rural environment while maintaining high levels of amenity. While the objective also contemplates development capable of efficient connection to infrastructure,

Proposed District Plan

Clause	Objective / Policy	Assessment
	<p>natural and rural character of the area; and</p> <p>3. a high level of amenity, outlook, access to sunlight and environmental quality; and</p> <p>4. a pastoral landscape and the presence of compatible primary production; and</p> <p>5. a coordinated pattern of development at a density that is capable of efficiently connecting to sewer and water infrastructure.</p>	<p>this is expressly tied to development maintaining the character and qualities of the zone, including openness and pastoral character.</p> <p>The proposal introduces a density of residential development that will reduce the existing sense of openness and pastoral character in the short to medium term. These effects have been identified as more than minor and weigh against the proposal.</p> <p>Despite the above, the development is structured as a coordinated subdivision with defined building platforms, restricted building heights, and extensive landscaping intended to integrate residential buildings into the rural setting over time. The proposal is located adjoining the Geraldine township and is capable of efficient connection to reticulated water and wastewater infrastructure, aligning with the objective's emphasis on coordinated, serviced development. Primary production activities on surrounding land are not precluded, and residential amenity outcomes such as sunlight, outlook, and environmental quality can be maintained through design controls and conditions. While the short to medium effects of the proposal are apparent, there is also a recognition that once the mitigation measures take hold (sub-clause 2), the setting would eventually come to reflect the same character and quality aspirations originally sought for the RLZ. Overall, while there is some tension between the proposal and aspects of the objective, I do not consider it, on the whole, to be contrary to RLZ-O2.</p>
<p>RLZ-O3</p>	<p>Protection from inappropriate activities Activities that have significant potential to have adverse effects on the environment do not occur in the Rural Lifestyle Zone.</p>	<p>The proposed land use is residential, which is anticipated in this zone. Residential activity is not inherently high-impact or incompatible with the RLZ, as say an industrial or intensive commercial use might be. The adverse effects identified from this particular residential land use arise primarily from development intensity rather than from the nature of the activity itself, and are mitigated through a coordinated design framework, landscape integration, infrastructure servicing, and enforceable conditions. Noting this I do not consider the proposal to be contrary to RLZ-O3.</p>
<p>RLZ-O5</p>	<p>Integrated development Rural lifestyle development is integrated with the environment and appropriate infrastructure.</p>	<p>The proposal will introduce a level of residential development that alters the existing rural landscape character, which creates tension with the environmental integration sought by this</p>

Proposed District Plan

Clause	Objective / Policy	Assessment
		objective. As set out already during this statutory assessment however, the subdivision has been designed as a coordinated development with elements that will assist in integrating built form with the surrounding environment over time. The proposal is also supported by efficient connection to reticulated water and wastewater infrastructure and does not give rise to unresolved servicing or access constraints. On balance, I do not consider the development to be contrary to RLZ-O5.
RLZ-P1	<p>Residential activities Enable residential activities, including minor residential units and supported residential care activities where:</p> <ol style="list-style-type: none"> 1. they maintain the character and qualities of the Zone; and 2. are connected to a reticulated drinking water supply; and 3. any minor residential unit is subordinate to the principal residential unit; and 4. any supported residential care activity is ancillary to the use of the residential unit; and 5. they can comply with the New Zealand Fire Service Firefighting Water Supplies Code of Practice. 	The proposal provides for residential activities consistent with a rural lifestyle context and does not include minor residential units or supported residential care activities. The development is capable of connection to reticulated drinking water supply and can comply with the New Zealand Fire Service Firefighting Water Supplies Code of Practice, satisfying the servicing and safety components of the policy. As stated throughout, the density of development is central to achievement of the character outcomes sought for the zone, but measures to mitigate this have been incorporated into the design. Subject to conditions securing servicing and design outcomes, the proposal is not considered contrary to RLZ-P1.
RLZ-P3	<p>Character and qualities The character and qualities of the Rural Lifestyle Zone are maintained by:</p> <ol style="list-style-type: none"> 1. ensuring the scale and setback of buildings and structures provides for an open character and access to sunlight; and 2. ensuring trees do not cause overshadowing; and 3. requiring trees that will contribute to rural and natural character; and 4. ensuring road boundary treatments and allotment sizes maintain an open character; and 5. ensuring activities are compatible with residential amenity values and do not adversely affect the character and qualities of the Zone. 	See response for RLZ-O2.
SUB – Subdivision		
SUB-O1	<p>General Subdivision Design New subdivisions will:</p>	The proposed subdivision introduces a level of development density that exceeds what is generally anticipated for the Rural Lifestyle Zone

Proposed District Plan

Clause	Objective / Policy	Assessment
	<ol style="list-style-type: none"> 1. accord with the purpose, character and qualities of the zone; and 2. respond positively to the physical and associative characteristics of the site and its context; and 3. maintain and enhance amenity values and the quality of the environment; and 4. be accessible, connected and integrated with surrounding neighbourhoods; and 5. protect identified natural and cultural values; and 6. respond appropriately to natural hazards, risks and site constraints; and 7. have infrastructure and facilities appropriate for the intended use; and 8. avoid where possible, and otherwise remedy or mitigate adverse effects on regionally significant infrastructure or primary production; and 9. provide for the health, wellbeing and safety of people; and 10. not intentionally prevent, hinder or limit the use or development of adjoining or adjacent land, including by way of reverse sensitivity effects. 	<p>and Geraldine Downs, which creates an inconsistency with the objective's emphasis on maintaining zone character and qualities, amenity values and environmental quality. These matters, particularly landscape character and cumulative effects relating to settlement pattern, weigh against the proposal and have been afforded significant weight.</p> <p>Notwithstanding this, the proposal demonstrates a coordinated subdivision design that responds to the physical characteristics of the site, including topography, the central gully, and proximity to the Geraldine township. Building platforms are defined, ridgelines are avoided, building heights are restricted, and extensive indigenous landscaping is proposed to integrate built form with the surrounding landscape over time. The proposal protects identified natural and cultural values through gully enhancement, appropriate management of cultural effects, and inclusion of an Accidental Discovery Protocol. Natural hazard risks, including flood risk, have been appropriately assessed and can be managed through consent notices.</p> <p>The subdivision is supported by reticulated water and wastewater infrastructure, has appropriate roading access, and does not give rise to unacceptable effects on regionally significant infrastructure or ongoing primary production activities. Residential amenity, safety, and wellbeing can be maintained through conditions addressing access, servicing, landscaping, and construction effects, and no undue reverse sensitivity effects on adjoining land are anticipated. While the proposal is well beyond the intensity contemplated in this area, the subdivision is planned, integrated, and managed rather than ad-hoc. Overall, the proposal aligns with aspects of SUB-O1 and is somewhat contrary with other aspects. I consider that the proposal is very finely balanced but assessing the proposal in the round is not contrary to the intent of SUB-O1.</p>
SUB-O2	<p>Infrastructure Infrastructure required to serve subdivision is provided in an integrated, efficient and co-ordinated manner.</p>	<p>Reticulated water, wastewater, stormwater, and roading infrastructure has been informed by an integrated Development Capacity Assessment and an Engineering Services Memorandum. Infrastructure provision is planned as part of a single, coordinated subdivision layout rather than piecemeal development, and is capable of</p>

Proposed District Plan

Clause	Objective / Policy	Assessment
		<p>efficient connection to existing Council networks servicing the Geraldine township. While aspects of the subdivision design do not fully comply with all District Plan infrastructure standards, the servicing strategy has been assessed as effective and capable of being appropriately secured through conditions and engineering approval. Therefore, I consider that the proposal is consistent with SUB-O2.</p>
<p>SUB-O3</p>	<p>Rural Subdivision</p> <p>Subdivision in the rural zones will:</p> <p>...</p> <p>3. maintain a contrast between the rural environment and adjoining urban, Rural Lifestyle Zone and Settlement Zone; and</p> <p>4. avoid where possible and otherwise minimise reverse sensitivity effects on primary production.</p>	<p>The proposal introduces a form and density of rural-residential development that reduces the degree of contrast between the Rural Lifestyle Zone and the adjoining urban area of Geraldine,</p> <p>This has the effect of diminishing the visual and functional distinction between the urban extent of Geraldine and the rural landscape of the Downs, particularly in the short to medium term. Ultimately the subdivision would present as a near-continuous pattern of residential development extending beyond the established settlement edge, reducing the clarity and strength of the rural–urban transition anticipated by this objective.</p> <p>While the subdivision does not completely eliminate rural character or reduce lot sizes to urban levels, the resulting density and consolidation of development means that the degree of contrast maintained is less than that envisaged by SUB-O3. In this respect, the proposal does not fully achieve the outcome sought by this objective but is not totally contrary to it either. With respect to reverse sensitivity, the surrounding environment contains limited primary production activity, and no significant reverse sensitivity effects have been identified. However, this does not outweigh the reduced rural–urban contrast arising from the subdivision pattern proposed.</p> <p>On balance, the proposal is considered incompatible, but not totally contrary to SUB-O3.</p>
<p>SUB-P1</p>	<p>Subdivision</p> <p>Require subdivision design to accord with the purpose, character and qualities of the applicable zone.</p>	<p>See response to SUB-O1 and RLZ-O2.</p>
<p>SUB-P4</p>	<p>Quality of the environment and amenity</p> <p>Require subdivision to maintain and enhance amenity values and the quality</p>	<p>The proposal responds to the site’s physical features by avoiding ridgelines, aligning development with existing topography, and incorporating the central gully as a defining landscape and ecological feature. Street layout</p>

Proposed District Plan

Clause	Objective / Policy	Assessment
	<p>of the environment by ensuring subdivision design:</p> <ol style="list-style-type: none"> 1. responds positively to the natural and physical features and their associative values such as underlying landscape, topography and established trees and vegetation that provide amenity, contribute to local character and sense of place; and 2. aligns streets to focus on significant views or landmarks; and 3. provide street trees and landscaping; and 4. avoids, remedies or mitigates adverse effects on the water quality, soil resources and important ecosystems. 	<p>and subdivision design respond to the site context rather than imposing a rigid grid, and landscaping, including street trees and indigenous planting, is proposed to integrate built form and soften visual effects over time.</p> <p>While the subdivision will result in a change to the existing pastoral landscape and a reduction in openness, these effects have been addressed through coordinated design, defined building platforms, and extensive landscaping. Stormwater, earthworks, and servicing effects have been assessed and can be appropriately managed to avoid adverse effects on water quality, soils, and ecosystems. The proposal is consistent with this policy.</p>
<p>SUB-P6</p>	<p>Infrastructure Ensure subdivision is serviced sustainably with infrastructure by requiring:</p> <ol style="list-style-type: none"> 1. infrastructure to be installed at the time of subdivision, except for on-site infrastructure that cannot be constructed until the buildings are designed; and 2. certainty that infrastructure networks have sufficient capacity to accommodate the additional development, or requiring any necessary upgrades to be completed at the time of subdivision; and 3. allotments to connect to the Council's reticulated systems where available; and 4. incorporation of water sensitive design measures and on-site stormwater infrastructure; and 5. new infrastructure to comply with the Energy and Infrastructure Chapter; and 6. infrastructure to be provided efficiently and integrated with existing or planned infrastructure; and 7. the consideration of multi-nodal transport links (including active transport links) and connected transport networks that allow ease of movement to, from and within the area; and 	<p>The proposed subdivision provides for infrastructure to be installed at the time of subdivision, with water supply, wastewater, stormwater and roading works to be delivered through the engineering approval and certification process. Detailed servicing design is required to be completed prior to section 224(c) certification, ensuring that all necessary network connections and upgrades are established before the creation of new titles, except where on-site infrastructure is appropriately deferred until building design is known.</p> <p>Evidence has been provided to confirm that Council's reticulated water and wastewater networks have sufficient capacity to accommodate the additional development, or that any necessary upgrades can be implemented as part of the subdivision works. All residential allotments are proposed to connect to Council's reticulated water and wastewater systems, consistent with the direction of this policy and avoiding reliance on ad hoc or isolative servicing solutions. Accordingly, the proposal achieves the outcomes sought by this policy and is consistent with SUB-P6.</p>

Proposed District Plan

Clause	Objective / Policy	Assessment
	<p>8. sufficient legal and physical access to each allotment; and</p> <p>9. allotments to have access to a water supply suitable for firefighting; and</p> <p>10. infrastructure to maintain or enhance Kāti Huirapa values onsite and downstream.</p>	
<p>SUB-P14</p>	<p>Rural allotments Avoid subdivision that creates allotments that are less than the required minimum allotment size within the General Rural Zone and Rural Lifestyle Zone unless:</p> <ol style="list-style-type: none"> 1. the subdivided allotments are solely for the purpose of network utilities, esplanade reserves or esplanade strips, roads, walkways, cycleways or access; or 2. the non-compliance is minor and the subdivision maintains the residential unit density anticipated for the zone; and or 3. the subdivision is necessary for natural hazard mitigation works; or 4. the subdivision is necessary to protect the values of sensitive environments. 	<p>The proposal is, in my view, contrary to SUB-P14. The subdivision creates a large number of allotments materially smaller than the minimum lot size anticipated in the Rural Lifestyle Zone within the Geraldine Downs 10 ha Specific Control Area; and the non-compliance is not minor. None of the four explicit exceptions in SUB-P14 are met: the subdivision is not for network utilities, esplanade purposes, or natural hazard mitigation; and the scale of under sizing does not maintain the residential density anticipated for the zone.</p>
<p>SUB-P15</p>	<p>Rural Lifestyle Zone Require subdivision in the Rural Lifestyle Zone to:</p> <ol style="list-style-type: none"> 1. maintain the character and qualities of the Rural Lifestyle Zone; and 2. connect to the Council reticulated drinking water network; and 3. require connection to the Council reticulated wastewater networks where available, or if not available, provide a suitable site area for on-site disposal; and 4. maintain larger allotment sizes in the Geraldine Downs to protect its landscape character and amenity values.; and 5. provide opportunities for smaller allotment sizes within the Raukapuka North Specific Control Area to reflect the existing character and amenity. 	<p>SUB-P15 sets specific expectations for subdivision within the Rural Lifestyle Zone, with particular emphasis in the Geraldine Downs on maintaining larger allotment sizes in order to protect landscape character and amenity values. Clause (4) of the policy is explicit in its direction that subdivision outcomes in the Geraldine Downs should retain larger allotments as a means of managing development intensity and safeguarding the rural landscape.</p> <p>The proposed subdivision creates a large number of allotments that are substantially smaller than the allotment sizes anticipated for the Geraldine Downs. This represents a fundamental departure from the density framework envisaged by this policy. The resulting pattern of development has been assessed as giving rise to more than minor adverse effects on landscape character and rural openness in the short to medium term. While the proposal provides for reticulated water and wastewater infrastructure in accordance with clauses (2) and (3), and is designed as a coordinated subdivision, these matters do not</p>

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Clause	Objective / Policy	Assessment
		address the core concern of SUB-P15 in the Geraldine Downs context, which is the retention of larger allotment sizes to protect landscape character and amenity values. As a result, the development is contrary to this policy in the short to medium term.
NFL – Natural Features and Landscapes		
NFL-O2	<p>Visual Amenity Landscapes The landscape values and characteristics of the VALs of the District are maintained or enhanced.</p>	<p>The application site is located within the Geraldine Downs Visual Amenity Landscape (VAL-3), and the existing landscape is characterised by openness, a pastoral landform, and its role as the rural backdrop to the Geraldine township. The proposed subdivision will result in a noticeable change to the existing landscape character, particularly through an increase in residential density and a corresponding reduction in openness. As identified in the landscape peer review, these effects are more than minor in the short to medium term and create tension with the objective of retaining existing landscape character.</p> <p>Commensurate with this, the proposal incorporates a comprehensive design response intended to integrate development within the landscape over time. While these measures do not eliminate the initial change in character, they will assist in softening built form and improving amenity as planting establishes. While the proposal stretches the capacity of the VAL it does not result in the wholesale loss or degradation of the values identified for the Geraldine Downs.</p>
NFL-P2	<p>Enabling appropriate use and development Enable certain activities in VALs, ONFs and ONLs, including buildings and structures associated with existing primary production, small scale earthworks, maintenance of existing tracks and fences, operation and maintenance of regionally significant infrastructure, and underground network utilities, that are consistent with:</p> <ol style="list-style-type: none"> 1. protecting the identified values and characteristics of the ONLs and ONFs described in SCHED8 — Schedule of Outstanding Natural Landscapes and SCHED9 — Schedule of Outstanding Natural Features; and 	<p>As outlined under NFL-O2, the proposal will result in a noticeable change to landscape character and amenity within the Geraldine Downs VAL, and those effects have been afforded significant weight. In response to this policy direction, the proposal incorporates a suite of avoidance and mitigation measures. The subdivision design also protects and enhances the central gully as a landscape and ecological feature rather than fragmenting it through development. While these measures do not fully avoid adverse landscape effects, particularly in the short to medium term, they demonstrate a deliberate and coordinated approach to mitigating visual and character impacts in a manner consistent with the intent of NFL-P2.</p>

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Clause	Objective / Policy	Assessment
	2. maintaining or enhancing the identified values and characteristics of the VALs described in SCHED10 — Schedule of Visual Amenity Landscapes.	
NFL-P3	<p>Maintaining and enhancing Visual Amenity Landscapes Only allow subdivision, use and development within VALs, that is not provided for in NFL-P2, where it can be demonstrated:</p> <ol style="list-style-type: none"> 1. how the identified values and characteristics of the VALs described in SCHED10 — Schedule of visual amenity landscapes will be maintained or enhanced; and 2. that the landscape has the capacity to absorb the change; and 3. that the proposal can be visually integrated into the landscape and will not break the skyline or ridgelines; or 4. for regionally significant infrastructure, that adverse effects are managed in accordance with EI- P2, or for the National Grid, EI-P5... 	<p>As already stated, the Geraldine Downs Visual Amenity Landscape is sensitive to change, and the proposal will result in a discernible modification of existing landscape character, particularly through increased development density. Notwithstanding this sensitivity, the proposal demonstrates several of the matters required by NFL-P3. Development is concentrated away from ridgelines and avoids skyline intrusion, building platforms are located on lower slopes, and building heights are restricted to remain subordinate to the surrounding landform. The subdivision layout responds to existing topography and retains the central gully as a dominant landscape feature, which is further enhanced through indigenous planting and reserve provision rather than fragmented by development.</p> <p>While the landscape does not have unlimited capacity to absorb change, the effects have been assessed as localised and capable of being visually integrated over time through a coordinated design and landscape mitigation framework. The proposal does not result in ridgeline development or the loss of defining landform legibility, which are key concerns addressed by this policy.</p>
NH – Natural Hazards		
NH-O1	<p>Areas subject to natural hazards Risk to human life and significant risk to property, from natural hazards is:</p> <ol style="list-style-type: none"> 1. avoided in high hazard areas that are outside of urban zoned areas; and 2. avoided or mitigated in high hazard areas that are within urban zoned areas; and 3. avoided or mitigated in all other areas to an acceptable level. 	<p>The application site is partially subject to a Flood Assessment Area associated with the central gully; however, the majority of proposed allotments and building platforms are located outside the mapped flood extent, with only limited encroachment affecting one proposed building platform.</p> <p>Flood risk has been assessed through site-specific analysis, and measures are proposed to ensure minimum floor levels above the 0.5% AEP flood level and to avoid displacement or diversion of floodwaters onto adjacent land.</p>
NH-P4	<p>Subdivision, use and development in Flood Assessment Areas, excluding high hazard areas Enable subdivision, use and development (excluding regionally significant infrastructure) in areas subject to inundation by a 0.5% AEP flood event provided that:</p>	<p>The proposal does not involve regionally significant infrastructure or hazardous facilities, and it will not generate the need for new or upgraded public flood mitigation works. Stormwater management is coordinated and supported by a granted regional discharge</p>

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Clause	Objective / Policy	Assessment
	<p>1. it is not likely to suffer significant damage in a flood event; and 2. it will not significantly affect the functioning of the flood plain; and 3. it will not generate the need for new or upgraded public natural hazard mitigation works to mitigate or avoid the natural hazard; and 4. for natural hazard sensitive buildings, a minimum floor level above the 0.5% AEP design flood level can be achieved; and 5. for major hazard facilities, there is no risk of hazardous substances entering the environment; significant adverse effects on people and property are avoided; and 6. increased risk on other sites, including through floodwater displacement and diversion, is avoided as a priority and where this is not practicable, will be appropriately mitigated.</p>	<p>consent, and subdivision design responds to existing floodplain dynamics rather than constraining them. Subject to the proposed consent notices and conditions securing mitigation measures at the building consent stage, flood risk effects are managed and localised. The proposal is consistent with NH-O1 and NH-P4.</p>
TRAN – Transport		
TRAN-O1	<p>Land transport infrastructure Land transport infrastructure that is well-connected, integrated and accessible, supports low emissions and which:</p> <p>1. is safe, efficient and effective for all transport modes; and 2. meets and is responsive to current and future needs, including projected population growth; and 3. aligns and integrates with the timing and location of urban development; and 4. promotes multi-modal transport options, including the use of active transport and public transport, and reduces dependency on private motor vehicles; and 5. supports consolidated, well designed and sustainable growth in and around existing urban locations; and 6. encourages sustainable economic development; and 7. provides parking opportunities in an efficient, functional and sustainable manner and to avoid adverse effects on the environment.</p>	<p>The proposal includes a new internal road connecting to Gresham Street and Huffey Street, integrates with the existing local road network, and has been supported by a detailed Integrated Transport Assessment. Operational traffic effects, access arrangements, and road safety outcomes have been assessed as acceptable, and the proposed infrastructure is capable of meeting the needs of the development without compromising the efficiency or safety of the surrounding network.</p> <p>The subdivision is located adjoining the existing Geraldine urban area and therefore aligns with the timing and location of established and anticipated urban development, supporting a consolidated settlement pattern rather than dispersed rural growth. Pedestrian connections are provided, and financial contributions toward walking and cycling infrastructure will promote active transport opportunities in the wider Geraldine Downs area. While the rural lifestyle context means ongoing reliance on private vehicles is expected, this does not conflict with the intent of TRAN-O1, provided opportunities for active transport are enabled and adverse transport effects are avoided.</p>

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Clause	Objective / Policy	Assessment
		<p>Parking and access arrangements can be provided efficiently and without adverse environmental or safety effects, and transport infrastructure is not anticipated to constrain sustainable economic or residential development. Overall, while some infrastructural elements do not comply with all dimensional standards, the transport outcomes are safe, efficient, integrated, and responsive to current and future needs. The proposal is consistent with TRAN-O1.</p>
<p>TRAN-P4</p>	<p>New land transport infrastructure Only allow new land transport infrastructure: 1. within sensitive environments / overlays, where it can be demonstrated that: a. adverse effects on identified characteristics and values of the overlay it is within are avoided, remedied or mitigated; and b. the relevant objectives and policies for the overlay will be achieved; and c. there is a functional need or operational need for the land transport infrastructure to be located in the overlay; and 2. in other locations, where it is consistent with or will not compromise achieving the relevant objectives of the zone(s) it is or will be situated.</p>	<p>The development includes the formation of a new local road within an area subject to landscape and visual amenity controls; however, the road has a clear functional and operational need to serve the subdivision and provide safe and efficient access to all allotments. Adverse effects on landscape character and amenity arising from the road formation have been identified and mitigated through alignment with existing topography, avoidance of ridgelines, landscape planting, and road design controls. The proposed land transport infrastructure is integrated with the existing local road network and supports a coordinated and consolidated pattern of development adjoining the Geraldine urban area. The infrastructure does not compromise the achievement of relevant zone objectives or overlay outcomes, and transport effects have been assessed as acceptable. On this basis, the proposal is considered not contrary to TRAN-P4.</p>

8.7 Assessment with regard to Section 104D(1)(b)

Under section 104D(1)(b) of the Act, consent may be granted for a non-complying activity where the proposal is not contrary to the objectives and policies of the relevant plan. This assessment requires a broad, overall evaluation of the proposal against the planning framework as a whole, rather than a numerical tally of individual policy conflicts. As set out in the preceding assessment, the proposal is contrary to some of the key objectives and policies directed at managing subdivision density and landscape character in the Geraldine Downs. Namely these are Objective 1.10.1(1) of the Operative District Plan, and RLZ-O2, SUB-O3 (in part), SUB-P14, and SUB-P15 of the Proposed District Plan. These provisions seek to maintain low-density subdivision patterns, retain rural openness, and manage the rural–urban interface in a manner that avoids the erosion of landscape character and settlement edge legibility. The conflicts with these provisions are substantive and have been afforded significant weight in this assessment. However, the section 104D(1)(b) test is not whether a proposal is free from conflict, but whether it would undermine the overall outcomes sought by the objectives and policies when read as a coherent whole.

In that context, I note it is important to recognise the unique qualities of the application site.

44 Gresham Street immediately adjoins the existing Geraldine township and provides for a rural-residential land use here, rather than within a more remote or open part of the Geraldine Downs. The proposal is a single, comprehensive, master-planned subdivision, rather than a fragmented or incremental pattern of rural lot creation that provides for full reticulation of water and wastewater infrastructure, and coordinated delivery of transport and stormwater infrastructure, consistent with the outcomes sought by SUB-P6 and related infrastructure provisions.

The proposed built form will avoid prominent ridgelines, limit building heights, and has defined building platforms that will manage built-form effects in a deliberate and controlled manner, as well as incorporating enforceable landscape and design controls intended to integrate development with the surrounding environment over time.

While these matters do not negate the identified conflicts with density and landscape policies, they materially inform whether the proposal defeats the strategic intent of the District Plan, or whether it represents a managed and contained departure in a specific and constrained location. I note that the landscape visual assessment peer review determines effects to be more than minor in the short to medium term, but in the longer term the mitigatory planting and other measures should be established to such a degree that the development does transition into a 'less-than-minor' type of development. This is acknowledged with regards to RLZ-O2 *Character and qualities of the Rural Lifestyle Zone* and SUB-P15 *Rural Lifestyle Zone* where the character and qualities anticipated for the RLZ (i.e., natural character and openness; and residential buildings, trees and landscaping that integrate with the natural and rural character of the area) are reflected in the 'final' version of the project.

Having regard to the planning framework as a whole, I am ultimately satisfied that the proposal does not undermine the District Plan's broader strategy for managing rural lifestyle development, infrastructure provision, and settlement growth. The outcome sits at the upper limit of what can reasonably be contemplated in this location and relies on strict conditions and controls, but in my view, it does not compromise the integrity of the objectives and policies when assessed collectively.

Accordingly, while the proposal is contrary to several individual objectives and policies, I conclude that it is not contrary to the objectives and policies of the Operative and Proposed District Plans overall for the purposes of section 104D(1)(b) of the Act.

8.8 Conclusion with regard to Section 104D(1)(b)

Based on the above assessment, it is concluded that the proposal will not be contrary to the Objectives and Policies of the District Plan. Accordingly, it is considered that the proposal passes the second test provided by section 104D of the Act.

9.0 ANY OTHER MATTERS

9.1 Financial Contributions

A condition regarding financial contributions has been included in Section 13 of this report, in accordance with Rule 6.5.2.2(5) of the Operative District Plan 2005 and Rule FC-R3/APP7 – Financial Contribution of the Proposed District Plan 2026, towards the development of the off-road walking and cycling tracks and enhancement of natural habitats. The Agent requested that this financial

contribution be deferred until such time that a Building Consent be granted for new development on each of the lots created by the subdivision.

Regarding the timing and implementation of the financial contributions, I am satisfied that the contributions will be secured through enforceable consent conditions and consent notices and will be triggered prior to the establishment of residential units. This ensures that the contributions are collected in a manner that remains directly linked to development occurring on the land, while providing flexibility in delivery that does not undermine the effectiveness or purpose of the requirement. I note this approach also mirrors the PDP's strategy in delaying the taking of the contribution until Building Consent.

9.2 Precedent Effects and Plan Integrity

Concerns regarding precedent commonly arise where approval of a proposal may create an expectation that similar outcomes will be acceptable in other locations that share materially similar planning controls or environmental characteristics. In this context, the issue of precedent is not whether this decision would bind future consent authorities, but whether granting consent would undermine the integrity of the District Plan framework or weaken its ability to manage rural subdivision outcomes elsewhere. In particular, I have considered whether the grant of this consent would establish an expectation regarding the scale and form of development that may be considered acceptable within an area where the development density is anticipated – under both the ODP and PDP – at a minimum of 10 hectares per allotment created.

The proposal is for a level of subdivision intensity that substantially exceeds that anticipated by the zoning framework, both under the Operative District Plan and Proposed District Plan. Granting consent for a development of this density in a visually sensitive and strategically important location at the settlement edge would risk signalling that similar outcomes may be appropriate elsewhere within the Geraldine Downs, despite the clear intent of the planning framework to retain a low-density, open character in this area. Such an effect would be particularly relevant in other locations that share similar landscape attributes or proximity to the township edge of Geraldine.

While each application must be assessed on its own merits, the approval of a materially intensified outcome in this context has the potential to weaken the effectiveness of the subdivision and landscape controls recently adopted through the District Plan review process, which in this location, carry forward the density specified in the ODP. In my view, the potential for the granting of this application to set a precedent is a particularly important consideration.

The proposal is contrary to several plan provisions directed at managing subdivision density and landscape character in the Geraldine Downs, including Objective 1.10.1(1) of the ODP, and RLZ-O2, SUB-O3 (in part), SUB-P14 and SUB-P15 of the PDP. Importantly, the granting of consent in this instance does not, in my opinion, dilute the overall intent of those provisions, nor does it establish a general acceptance that undersized rural lifestyle subdivision is appropriate across the Rural Lifestyle Zone or Geraldine Downs.

I consider that this application is highly site-specific and distinguishable from other potential subdivision scenarios due to a combination of factors, including the site being immediately contiguous with the existing Geraldine urban boundary, rather than being located within a more open or remote part of the Geraldine Downs; as well as the development being a single, comprehensive, master-planned subdivision, as opposed to an incremental or piecemeal fragmentation of rural land.

All allotments are provided with full reticulation to Council water and wastewater infrastructure, reducing the reliance on on-site servicing solutions typically associated with dispersed rural

subdivision; and most importantly the subdivision incorporates a high degree of development control: with strict controls determining building platforms locations and built form coverage, building height limits, landscape mitigation requirements, and consent notices that will bind all future owners for this site in perpetuity.

Landscape effects, while more than minor in the short to medium term, have been deliberately constrained through siting, design, and enforceable conditions, and are not indicative of an uncontained or ad hoc suburban expansion into the Geraldine Downs. These characteristics materially differentiate the proposal from other sites within the Geraldine Downs that may also be subject to a 10-hectare allotment framework but do not share the same locational context, infrastructure availability, or comprehensively planned development structure. Approval of this proposal would therefore not signal that similar departures from minimum allotment sizes would be appropriate in other rural lifestyle locations. Ultimately, I consider that the grant of this consent does not give rise to precedent effects and does not challenge the integrity of either the ODP or the PDP.

10.0 PART 2 MATTERS

RJ Davidson family Trust v Marlborough District Council (2018) confirms that Part 2 of the Act, in most cases, remains highly relevant to the determination of a resource consent application.

Part 2 of the Resource Management Act stipulates the purpose and principles of the Act. The purpose of the Act, as set out in section 5, to promote the sustainable management of natural and physical resources. In the Act sustainable management means:

“Managing the use, development and protection of natural and physical resources in a way or at a rate, which enables people and communities to provide for their social, economic and cultural well-being and for their heathy and safety while...avoiding, remedying or mitigating any adverse effects of activities on the environment.”

Having regard to the assessment of effects above, the proposed subdivision and land use consent would enable residential development on land adjoining the Geraldine township, contributing to housing supply and social wellbeing in a location that is serviced by public infrastructure. However, the proposal also gives rise to adverse effects on landscape character, openness, and amenity values, particularly in the short to medium term.

These adverse effects have been explicitly identified, assessed, and afforded significant weight. They are mitigated through a coordinated design framework and enforceable conditions. While mitigation does not eliminate all adverse effects, particularly in relation to subdivision density, the effects are localised, managed, and do not compromise the life-supporting capacity of soil, water, or ecosystems. Overall, the proposal represents a form of development that enables social and economic wellbeing while managing environmental effects in a manner consistent with the sustainable management purpose of the Act.

Section 6 of the Act relates to matters of national importance. This section does not contain any provisions relevant to this application.

Section 7 of the Act relates to managing the use, development and protection of natural and physical resources. The following provisions are considered relevant to the application:

- c. *The maintenance and enhancement of amenity values; and*
- f. *The maintenance and enhancement of the quality of the environment.*

The proposal introduces adverse effects on rural amenity and landscape quality due to the scale and density of subdivision within the Geraldine Downs. These effects have been fully acknowledged and weigh against the proposal. However, the development also incorporates measures aimed at maintaining and enhancing amenity over time, including extensive landscaping, ecological enhancement, and the provision of a local purpose reserve. Infrastructure and servicing effects are acceptable and do not detract from overall environmental quality.

Section 8 of the Act requires the Treaty of Waitangi to be taken into account when considering the use, development and protection of natural and physical resources. The proposal does not raise any concerns regarding the Treaty of Waitangi.

Overall, it is considered that the proposal accords with Part 2.

11.0 CONCLUSION

With the above matters in mind, and subject to the recommended conditions being imposed on the consent, it is considered that the proposal is acceptable in terms of the matters listed under section 104 of the Act. In particular, it is considered that the proposal passes the second test of Section 104D as it will not be contrary to the Objectives and Policies of the Operative and Proposed Timaru District Plans.

12.0 RECOMMENDATION

Pursuant to sections 104, 104B, 104D and 108 of the Resource Management Act 1991, it is recommended that consent be GRANTED subject to the recommended conditions outlined below.

Reported on and recommended by:



Patrick O'Toole
Intermediate Planner

Date: 31 March 2026

13.0 RECOMMENDED CONDITIONS

LAND USE

General

1. The development shall be undertaken in accordance with the application submitted by Perspective Limited entitled "Assessment of the Effects on the Environment (Revised), Yedo Investments Limited, 44 Gresham Street, Geraldine".

Advice Note: For the avoidance of doubt, this consent permits the establishment of a principal residential unit on each of the allotments created by subdivision consent 101.2025.119.1.

Accidental Discovery Protocol

2. In the event of an accidental discovery of any archaeological material (evidence can include oven stones, charcoal, shell middens, ditches, banks and pits, building foundations, artefacts of Māori and non-Māori origin or human burials) during the undertaking of earthworks the following steps will be taken:
 - a. All work on the site will cease immediately. The contractor/works supervisor will shut down all equipment and activity.
 - b. The contractor/works supervisor/landowner will take immediate steps to secure the site (tape it off) to ensure the archaeological material is left undisturbed and the site is safe in terms of health and safety requirements.
 - c. The contractor/works supervisor/landowner will notify Heritage New Zealand, Te Rūnanga o Arowhenua and any required statutory agencies if this has not already occurred.
 - d. Site access will be provided to Heritage New Zealand and Te Rūnanga o Arowhenua to enable appropriate procedures and tikanga to be undertaken.
 - e. If the material is confirmed by Heritage New Zealand as being archaeological, under the terms of the Heritage New Zealand Pouhere Taonga Act, the landowner will ensure that an archaeological assessment is carried out by a qualified archaeologist, and if appropriate, an archaeological authority is obtained from Heritage New Zealand before work resumes.
 - f. If evidence of burials or human remains/kōiwi tangata are uncovered, following steps a. to b. being taken, Heritage New Zealand, the New Zealand Police and Te Rūnanga o Arowhenua will be contacted immediately. The area must be treated with discretion and respect and the kōiwi tangata/human remains dealt with according to law and tikanga.
 - g. Works at the site area will not recommence until an archaeological assessment has been made, all archaeological material has been dealt with appropriately, and approval to recommence has been given by Heritage New Zealand and, if human remains are involved, the New Zealand Police. All parties will work towards work being recommenced in the shortest possible timeframe while ensuring that archaeological and cultural requirements are complied with.

Residential Design

3. All built form / residential development shall adopt the following design controls:
 - a. All residential buildings and accessory buildings must be contained within the building platform illustrated for each site indicated on the Concept Master Plan 'Whakarua

Place' by Innate Landscape Architecture (dated 22 September 2025, Revision F) and/or the subdivision scheme plan approved as part of resource consent 101.2025.119.1.

- b. The maximum height for all buildings on this site must not exceed 6m above ground level, except for chimneys and other minor structures that may exceed the 6m height limit by a maximum of 1.2 metres.
- c. All building roofs must have a pitch of no more than 35 degrees.
- d. Building roofs shall be coloured natural greens, greys or browns with a light reflectance value no greater than 10%, and shall have a matte finish, or a living 'green' roof with vegetation to blend into the surrounding landscape.
- e. The exterior cladding of buildings must be timber (naturally weathered, stained or painted) and/or locally sourced stone, painted steel sheeting, plain concrete block or painted plaster.
- f. All exterior cladding of buildings must be green, grey, blue or brown in colour with a Light Reflectivity Value of no greater than 30%. Window and door joinery shall be the same or darker colour as wall and roof colours to avoid contrast.
- g. Accessory buildings shall be similar in style and materials to the main building.
- h. All exterior lighting must comply with the District Plan requirements at the time of installation.
- i. Lot boundary and internal fencing (except fencing associated with site entrance features or in the curtilage of the dwelling) must be limited to timber post and wire/steel mesh or netting for lot boundaries. Curtilage fencing must be timber post and wire/netting or timber post and rail.
- j. Lot entrance features shall be limited to 1.5m height and up to 15m either side of the driveway, and shall be limited to timber, locally sourced stone, and minor steel and concrete components.
- k. Bunds must be no higher 1m about ground level and must be shaped with gentle curves.

Landscaping

4. Landscaping of the road reserve must be implemented in general accordance with the Concept Master Plan 'Whakarua Place' by Innate Landscape Architecture (dated 22 September 2025, Revision F) being the approved development landscape plan attached to this decision and stamped XX March 2026.
5. Landscaping of the road reserve must occur within the first planting season (extending from 1 April to 30 September) from the completion of the road and associated infrastructure within each stage.
6. The planting on the approved landscape plan along the boundaries of Huffey Street and properties accessed from Downs Road, Darby Street and Gresham Street must be established in consultation with those neighbouring property owners. The landscaping must be implemented within the first planting season (extending from 1 April to 30 September) following the decision of this land use consent.
7. The plants must be irrigated and if any plants die, are diseased, or fail to thrive or are damaged, they must be replaced with the same or similar plant species within the next available planting season (extending from 1 April to 30 September).

8. Native planting is to be planted at a minimum grade of PB5, and trees which can attain a minimum height of 8 metres shall be a minimum grade of 25L. If any tree is to become damaged or die it shall be replaced within the next available planting season (extending from 1 April to 30 September).

Transfer of CRC260266

9. Prior to the issuing of Engineer Design Acceptance, the applicant shall enter into an agreement with Timaru District Council for the maintenance, operation, monitoring and reporting on the proposed stormwater management system approved under CRC260266.

Advice Note: Timaru District Council anticipates that the applicant will agree to maintain, operate, monitor and report on the proposed stormwater management system approved under CRC260266 for a 2-year period following the Discharge Consent becoming operational.

10. The consent holder shall transfer the Environment Canterbury Discharge Contaminants to Water Consent (CRC260266) to Timaru District Council, following the issue of an Acceptance of the Assets to Vest for the Engineering Design.

SUBDIVISION

Both Stages

General

1. The subdivision shall be carried out in general accordance with the application submitted (reference 101/102.2025.119.1) and the scheme plan entitled "Lots 1-25 and Lots 100, 101 & 200 being a Proposed Subdivision of Lots 2 & 3 DP 68947" (Drawing AP01, Issue D), except for any amendments required by the conditions of consent. The Council approved subdivision plan is attached, and date stamped **XX** March 2026.

Easements

2. All easements necessary to secure access and/or access to services shall be shown on the Land Transfer Plan or in a Memorandum of Easements attached to the Land Transfer Plan, prior to certification pursuant to section 223 of the Resource Management Act 1991.

Construction Management Plan

3. All construction activities associated with the proposed subdivision must be undertaken in accordance with a Construction Management Plan (CMP) that outlines:
 - a. Notification of Works
 - b. Hours of Construction Works & Noise
 - c. Erosion and Sediment Control Measures
 - d. Complaints Procedure
 - e. Discovery of Unexpected Contamination
 - f. Site Rehabilitation and Reinstatement

The CMP shall be made available to Council's Subdivision and Monitoring Officer (rcmionitoring@timdc.govt.nz) at least 5 working days prior to earthworks commencing onsite.

Cross Boundary Services

4. The consent holder shall attach to the application for s224(c) certification correspondence from a suitably qualified person stating that any infrastructure services that pass over or through any other lots have been disconnected or are protected by an appropriate easement.

Design Controls

5. In accordance with section 221 of the Resource Management Act this condition shall be registered as a consent notice on the Record of Title for Lots 2-25 to be complied with on an ongoing basis with the following text:

"All built form / residential development shall adopt the following design controls:

- a. *All residential buildings and accessory buildings must be contained within the building platform illustrated for the site indicated on the landscape plan titled "Concept Master Plan 'Whakarua Place'" by Innate Landscape Architecture (dated 22 September 2025, Revision F) and/or the subdivision scheme plan approved as part of resource consent 101.2025.119.1.*
- b. *The maximum height for all buildings on this site must not exceed 6m above ground level, except for chimneys and other minor structures that may exceed the 6m height limit by a maximum of 1.2 metres.*
- c. *All building roofs must have a pitch of no more than 35 degrees.*
- d. *Building roofs shall be coloured natural greens, greys or browns with a light reflectance value no greater than 10%, and shall have a matte finish, or a living 'green' roof with vegetation to blend into the surrounding landscape.*
- e. *The exterior cladding of buildings must be timber (naturally weathered, stained or painted) and/or locally sourced stone, painted steel sheeting, plain concrete block or painted plaster.*
- f. *All exterior cladding of buildings must be green, grey, blue or brown in colour with a Light Reflectivity Value of no greater than 30%. Window and door joinery shall be the same or darker colour as wall and roof colours to avoid contrast.*
- g. *Accessory buildings shall be similar in style and materials to the main building.*
- h. *All exterior lighting must comply with the District Plan requirements at the time of installation.*
- i. *Lot boundary and internal fencing (except fencing associated with site entrance features or in the curtilage of the dwelling) must be limited to timber post and wire/steel mesh or netting for lot boundaries. Curtilage fencing must be timber post and wire/netting or timber post and rail.*
- j. *Lot entrance features shall be limited to 1.5m height and up to 15m either side of the driveway, and shall be limited to timber, locally sourced stone, and minor steel and concrete components.*
- k. *Bunds must be no higher 1m about ground level and must be shaped with gentle curves."*

Landscaping

6. Landscaping of the road reserve must be implemented in general accordance with the Concept Master Plan 'Whakarua Place' by Innate Landscape Architecture (dated 22 September 2025, Revision F) being the approved development landscape plan attached to this decision and stamped XX March 2026.
7. Landscaping of the road reserve must occur within the first planting season (extending from 1 April to 30 September) from the completion of the road and associated infrastructure within each stage.
8. The planting on the approved Landscape Concept Master Plan along the boundaries of Huffey Street and properties accessed from Downs Road, Darby Street and Gresham Street must be established in consultation with those neighbouring property owners. The landscaping must be implemented within the first planting season (extending from 1 April to 30 September) following the decision of this subdivision consent.
9. The plants must be irrigated and if any plants die, are diseased, or fail to thrive or are damaged, they must be replaced with the same or similar plant species within the next available planting season (extending from 1 April to 30 September).
10. Native planting is to be planted at a minimum grade of PB5, and trees which can attain a minimum height of 8 metres shall be a minimum grade of 25L. If any tree is to become damaged or die it shall be replaced within the next available planting season (extending from 1 April to 30 September).
11. In accordance with section 221 of the Resource Management Act this condition shall be registered as a consent notice on the record of title for Lots 2-25 and be complied with on an ongoing basis with the following text:

"Prior to the establishment of a residential building on the site, a detailed landscape plan must be prepared for the site by a full Member of the New Zealand Institute of Landscape Architects and submitted for certification to the consent authority that:

- a. Accords with the approved development landscape plan under resource consent 101.2025.119.1; and,*
- b. Indicates a minimum of 6 trees on each allotment that are capable of attaining a minimum height of 8 metres at maturity and are planted no closer than 10 metres apart. At least 2 of the 6 required trees shall be planted in the 6m road setback; and,*
- c. Illustrates how the provisions of Part D1 1.11.4A 7.3 of the Timaru District Plan guided the landscape design.*
- d. Illustrates how its planting will mitigate the visual adverse effect of built form when viewed from beyond the subdivision.*
- e. Includes the planted bunds shown on the approved development landscape plan.*
- f. Indicates that the majority of the plant species have been selected from the Geraldine Downs Native Bush Areas Species List, provided in Appendix 2 of the Geraldine Downs Landscape Study OR the Indigenous Plants of Talbot Forest List outlined by the Department of Conservation and does not include Contorta/lodgepole pine (*Pinus contorta*); Scots Pine (*Pinus sylestris*); Corsican pine (*Pinus nigra*); Radiata pine (*Pinus radiata*); Douglas fir (*Pseudotsuga mensiesii*); European larch (*Larix decidua*); Ash Sycamore; Rowan; Bay Laurel.*

- g. *The landscape plan certified by the consent authority for the site must be implemented within the first planting season (extending from 1 April to 30 September) following construction of the buildings on the site. The exception is the planted bunds shown on the approved development landscape plan as ‘immediate plantings’, which must be established within the first planting season of building consent being lodged for the dwelling. The plants must be irrigated and if any plants die, are diseased, or fail to thrive or are damaged, they must be replaced with the same or similar plant species within the following planting season.”*

Shelter Belt

12. In accordance with section 221 of the Resource Management Act this condition shall be registered as a consent notice on the Record of Title for Lots 3, 4, 6, 7 and 8 to be complied with on an ongoing basis with the following text:

“The existing shelterbelt along the western site boundary is retained, although can be trimmed/pruned to a height of 4m to prevent overshadowing of dwellings or their curtilage area.

Should any tree (existing shelter belt) on the western boundary of the site become damaged or die it shall be replaced within the next appropriate planting season (extending from 1 April to 30 September) to continue to mitigate views from the west.”

Infrastructure

13. All telecommunication and power infrastructure must be installed underground to each lot.
14. At the time of Section 224(c) approval, the consent holder must submit the following certificates to Timaru District Council:
- a. A Contractor’s Completion Certificate; to certify that the infrastructure was constructed in accordance with the Infrastructure Design Standard; and,
 - b. Engineer’s Completion Certificate, to certify that the construction of the required works was supervised by a suitably qualified person.
15. All vested infrastructure which is located within private property must be protected by an easement in gross to Timaru District Council.

Financial Contribution

16. In accordance with section 221 of the Resource Management this condition shall be registered as a consent notice on the Record of Title for Lots 2-25 and be complied with on an ongoing basis with the following text:

“Prior to the issuance of a Building Consent for a new dwelling on this lot, the landowner shall pay the Timaru District Council a financial contribution towards the development of the off-road walking and cycling tracks and enhancement of natural habitats at a value the greater of either \$5,000 or 4% of the registered valuation of the site (land value only) for 1,000m² of land immediately surrounding the proposed residential unit (in accordance with Rule 6.5.2.2(5) of the Operative District Plan 2005 and APP7 – Financial Contribution of the Proposed District Plan 2026).”

Stage 1

Water Supply

17. Water supply for the site shall be undertaken in accordance with an approved engineering design application. Evidence shall be in the form of provisional acceptance of assets to vest as part of an Engineering Approval.

Advice Note: A \$3,000 connection fee will be included as part of the engineering approval.

Advice Note: Council maintains that all necessary upgrades and respective costs, confirmed at the time of engineering approval, shall be undertaken and incurred by the consent holder.

18. Prior to certification pursuant to Section 224(c) of the Resource Management Act 1991, Lots 1 – 5 and 20 - 25 shall be connected to the Timaru District Council water supply network via a new independent connection to the public reticulated network. Evidence of a compliant water supply constructed to the requirements of the Timaru District Council must be supplied to the Subdivision and Monitoring Officer.

Advice Note: Evidence should be in the form of a service consent Infrastructure Compliance Certificate (ICC) or provisional acceptance of assets as part of an Engineering Approval.

Wastewater Disposal

19. Wastewater management for the site shall be undertaken in accordance with an approved engineering design application. Evidence shall be in the form of provisional acceptance of assets to vest as part of an Engineering Approval.

Advice Note: A \$3,000 connection fee will be included as part of the engineering approval.

Advice Note: Council maintains that all necessary upgrades and respective costs, confirmed at the time of engineering approval, shall be undertaken and incurred by the consent holder.

20. Prior to certification pursuant to Section 224(c) of the Resource Management Act 1991, Lots 1 - 5 and 20 – 25 shall be connected to a Timaru District Council sewer main with a lateral installed to a minimum length of one metre into each Lot and in accordance with an approved Building Consent or Service Consent. Evidence of a compliant wastewater disposal constructed to the requirements of the Timaru District Council must be supplied to the Subdivision and Monitoring Officer.

Advice Note: Evidence should be in the form of a service consent Infrastructure Compliance Certificate (ICC) or provisional acceptance of assets as part of an Engineering Approval.

21. Prior to certification pursuant to Section 224(c) of the Resource Management Act 1991, the existing house located on Lot 1 shall be connected to the reticulated sewer network. At this time, the existing discharge field shall be disestablished by a suitably qualified person and rehabilitated.

Stormwater Disposal & Land Drainage

22. In accordance with section 221 of the Resource Management Act this condition shall be registered as a consent notice on the record of title for Lots 2 - 5 and 20 – 25 to be complied with on an ongoing basis with the following text: -

‘Stormwater generated on this Lot by built development and hardstand areas, including the formed driveway, shall be contained and attenuated before discharge to ground in accordance with ECan Consent CRC260266. Stormwater management shall be designed to a 1 in 10-year return period, 1-hour rainfall event.’

23. An easement in gross must be provided in favour of Timaru District Council for the right to drain stormwater over that part of Lot 1 as indicated on the stamped approved subdivision plan.
24. An easement in gross must be provided in favour of Timaru District Council for the right to drain stormwater over that part of Lots 20-25 as indicated on the stamped approved subdivision plan.

Flooding

25. In accordance with section 221 of the Resource Management Act, this condition must be registered as a consent notice on the Record of Title for Lot 25 and is to be complied with on an ongoing basis with the following text:

“Prior to a residential unit being constructed on this site, a certificate from a registered engineer must be submitted to Timaru District Council stating that:

- a. the floor level of the proposed residential unit will be above the 0.5% AEP flooding event; and,*
- b. the development of the site will not increase flooding on any adjoining sites beyond that modelled at pre-development levels.”*

Land Transport

26. The proposed new road to vest (Road 100) shall be formed, sealed and drained in accordance with a Timaru District Council approved engineering design.
27. A 1.8m wide footpath must be provided for the full length of the proposed road.
28. The Right of Way to service Lots 2, 3 and 4 must be formed, sealed, and drained in accordance with Council requirements, in particular NZS4404:2010 and as required by Timaru District Plan Part D 6.6 Table 6.6.2(5) Table of private access. A Schedule 1B certificate for the construction of the right of way must be provided to Council’s Subdivision and Monitoring Officer (rcmonitoirng@timdc.govt.nz) at the time that a 224c certificate is applied for.
29. Visibility splays measuring 2m x 5m where the shorter distance is parallel with the road boundary shall be established either side of all future vehicle crossings created along the proposed road.

30. In accordance with section 221 of the Resource Management Act, this condition must be registered as a consent notice on the Record of Title for Lots 2 - 5 and 20 – 25 to be complied with on an ongoing basis with the following text: -

“Any planting or structures within the designated visibility splays must not exceed 900mm in height as measured from the ground level at the road boundary in order to preserve driver visibility for vehicles entering and exiting the property.”

Vesting

31. Prior to certification pursuant to section 224 of the Resource Management Act 1991, the consent holder shall vest Lot 100 to the Timaru District Council as Road.

Other Matters

32. Prior to an application for 224(c) of the Resource Management Act 1991, any damage to Council assets within the road reserve caused by site development works shall be remediated to Council standard.

Stage 2

Water Supply

33. Water supply for the site shall be undertaken in accordance with an approved engineering design application. Evidence shall be in the form of provisional acceptance of assets to vest as part of an Engineering Approval.

Advice Note: A \$3,000 connection fee will be included as part of the engineering approval.

Advice Note: Council maintains that all necessary upgrades and respective costs, confirmed at the time of engineering approval, shall be undertaken and incurred by the consent holder.

34. Prior to certification pursuant to Section 224(c) of the Resource Management Act 1991, Lots 6 - 19 shall be connected to the Timaru District Council water supply network via a new independent connection to public reticulated network. Evidence of a compliant water supply constructed to the requirements of the Timaru District Council must be supplied to the Subdivision and Monitoring Officer.

Advice Note: Evidence should be in the form of a service consent Infrastructure Compliance Certificate (ICC) or provisional acceptance of assets as part of an Engineering Approval.

Wastewater Disposal

35. Wastewater management for the site shall be undertaken in accordance with an approved engineering design application. Evidence shall be in the form of provisional acceptance of assets to vest as part of an Engineering Approval.

Advice Note: A \$3,000 connection fee will be included as part of the engineering approval.

Advice Note: Council maintains that all necessary upgrades and respective costs, confirmed at the time of engineering approval, shall be undertaken and incurred by the consent holder.

36. Prior to certification pursuant to Section 224(c) of the Resource Management Act 1991, Lots 6 – 19 shall be connected to a Timaru District Council sewer main with a lateral installed to a minimum length of one metre into each Lot and in accordance with an approved Building Consent or Service Consent. Evidence of a compliant wastewater disposal constructed to the requirements of the Timaru District Council must be supplied to the Subdivision and Monitoring Officer.

Advice Note: Evidence should be in the form of a service consent Infrastructure Compliance Certificate (ICC) or provisional acceptance of assets as part of an Engineering Approval.

Stormwater Disposal & Land Drainage

37. In accordance with section 221 of the Resource Management Act this condition shall be registered as a consent notice on the record of title for Lots 6 – 19 to be complied with on an ongoing basis with the following text: -

'Stormwater generated on this Lot by built development and hardstand areas, including the formed driveway, shall be contained and attenuated before discharge to ground in accordance with ECan Consent CRC260266. Stormwater management shall be designed to a 1 in 10-year return period, 1-hour rainfall event.'

Flooding

38. Prior to construction of the stormwater pond on Lot 200, a certificate from a registered engineer must be submitted to Timaru District Council stating that the pond will not increase flooding on any adjoining sites from predevelopment levels in the 2% AEP event.
39. An easement in gross must be provided in favour of Timaru District Council over Lots 15-19 in relation to the central gully which is part of the proposed stormwater system.
40. A consent notice must be registered against Lot 8 requiring that no buildings are erected on the proposed no build area as indicated on the approved subdivision plan.

Land Transport

41. The proposed new road to vest (Road 101) shall be formed, sealed and drained in accordance with a Timaru District Council approved engineering design.
42. A 1.8m wide footpath must be provided for the full length of the proposed road.
43. Visibility splays measuring 2m x 5m where the shorter distance is parallel with the road boundary shall be established either side of all future vehicle crossings created along the proposed road.
44. In accordance with section 221 of the Resource Management Act, this condition must be registered as a consent notice on the Record of Title for Lots 6 - 19 to be complied with on an ongoing basis with the following text: -

“Any planting or structures within the designated visibility splays must not exceed 900mm in height as measured from the ground level at the road boundary in order to preserve driver visibility for vehicles entering and exiting the property.”

Vesting

45. Prior to certification pursuant to section 224 of the Resource Management Act 1991, the consent holder shall vest Lot 101 to the Timaru District Council as Road.
46. Prior to certification pursuant to section 224 of the Resource Management Act 1991, the consent holder shall vest Lot 200 to the Timaru District Council as Local Purpose Reserve.

Other Matters

47. Prior to an application for 224(c) of the Resource Management Act 1991, any damage to Council assets within the road reserve caused by site development works shall be remediated to Council standard.