

Before the Independent Hearing Panel  
Appointed by the Timaru District Council

Under                      Schedule 1 of the Resource Management Act 1991 (RMA)

In the matter of        Submissions on the Proposed Timaru District Plan

Between                **Various Submitters**

And                      **Timaru District Council**

Respondent

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Matt Bonis – Hearing G – Response to Panel Minute 48

Growth

3 October 2025

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## Introduction and Purpose

1. My name is Matt Bonis. My qualifications, experience, statement as to conflicts of interest and confirmation of the observation of the Code of Conduct is recorded in my s42A Report<sup>1</sup>. I reconfirm the Code of Conduct commitment.
2. The purpose of this response to clarification is to respond to Hearings Panel (**the Panel**) Minute 48 as dated 24 September 2025 (**'the Minute'**).
3. The Minute requests<sup>2</sup> that I:

*Please provide drafting for an advice note to FDA-P6 pathway for rural lifestyle that cross references HPL-P4 which seeks to avoid rural lifestyle activity on Highly Productive Land.*

## Response

4. I have reflected on this matter further and provide two options for the Panel to consider. The recommended amendment identified for each option are as provided below.
5. As advised in previous evidence, recommendations in response to submissions pre-hearing are in **red**, with those relating to cl16(2)RMA or within the general scope of submissions to improve clarity are in **green**. Post hearing recommendations are in **purple** text.
6. The remaining Future Development Area (**'FDA'**) provisions as recommended to the Panel to be amended through submissions, evidence and respective Joint Witness Statements are as contained within the Reply as dated 25 August 2025.
7. The options are either:

### Option 1: Embed within FDA-P6(6)

Embed the wording of HPL-P4<sup>3</sup> into recommended FDA-P6(6). I consider such an approach to be permissible, representing duplication of an existing and applicable provision rather than the introduction of a new constraint in the absence of the statutory public process. The approach also provides for a more coherent reference to the requirements associated with HPL-P4 than a standalone cross reference.

FDA-P6	Unanticipated and out of sequence rural lifestyle development
Avoid unanticipated <b>and out of sequence</b> rural lifestyle development <u>outside the Future Development Area Overlay and out of sequence rural lifestyle development within the Future Development Area Overlay</u> <sup>4</sup> unless	

<sup>1</sup> S42A Report – Growth. Bonis [1.1.1, 1.1.2]

<sup>2</sup> Minute 48[8]

<sup>3</sup> As recommended to be amended Hort NZ [245.62]. Reference Interim Reply. Hearing F MacLennan [page 29].

<sup>4</sup> Cl16(2) Amendment

1. a ~~Plan Change~~ application to rezone the land is made and is lodged after July 2027; and
2. rural lifestyle development is undertaken in accordance with the plan change ~~includes~~ a comprehensive Development Area Plan prepared and implemented in accordance with FDA-P4 as incorporated into the District Plan as part of the plan change<sup>5</sup>; and
3. at least 60% of ~~the existing~~ Rural lifestyle zoned land has been developed within the applicable settlement; and
- ~~4. the development will comply with the Objectives set out in the Strategic Direction Chapter; and~~<sup>6</sup>
- ~~5. the development will comply with the Canterbury Regional Policy Statement; and~~<sup>7</sup>
4. 6. it can be demonstrated that the development can be serviced without undermining infrastructure development programmes<sup>8</sup> (as identified in the Long Term Plan, or the local authority's Infrastructure Strategy)<sup>9</sup> and/or policies, or<sup>10</sup> committed infrastructure investments made by local authorities or central government (including Waka Kotahi NZ Transport Agency); and
5. 7. it can be demonstrated that the compatibility of any proposed land use with adjacent land uses including planned land uses and the land is not located within 500m of an intensive primary production activity or an established quarry; and
6. 8. it will avoid areas of high natural or cultural values and significance, and / or the expansion of the Rural Lifestyle Zone into areas of highly productive land as required by HPL-P4.

## Option 2: Explicit Cross Reference

Provide for a specific cross-reference within FDA-P6 by way of 'Note'. Whilst such an approach is permissible, I consider this option to be less coherent than Option 1. I am also unaware of a recent generation District Plan prepared under the National Planning Standards (2019) which contains an explicit cross-referenced plan provision as an advice note as attached to a specific policy. Accordingly, I have recommended the addition be added under the heading '*Relationship with other Chapters*' as follows. Alternatively, however the same text could be inserted at the end of FDA-P6.

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<sup>5</sup> C116(2) Amendment  
<sup>6</sup> C116(2) Amendment  
<sup>7</sup> C116(2) Amendment  
<sup>8</sup> TDC [42.45]  
<sup>9</sup> Consequential amendment - TDC [42.45]  
<sup>10</sup> TDC [42.45]

## FUTURE DEVELOPMENT AREA

### Introduction

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

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

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

#### Relationships with other Chapters

The General Rural Zone underlies the Future Development Area Overlay. Accordingly, the General Rural Zone ~~provisions objectives, policies and rules~~ apply to activities within the Future Development Area Overlay but are modified by the ~~provisions objectives, policies and rules~~ of this chapter. In the instance of any conflict between the two chapters, the ~~provisions objectives, policies and rules~~<sup>11</sup> of this chapter takes precedence. When assessing any activity located in the Future Development Area Overlay that is not subject to a rule in this chapter and is classified as discretionary or non-complying activity in the General Rural Zone, the objectives and policies of the Future Development Area chapter also apply.

The Highly Productive Land chapter imposes constraints through the application on the application of FDA-P6 through seeking under HPL-P4 to avoid the expansion of the Rural Lifestyle Zone into areas of highly productive land.

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



Matt Bonis  
3 September 2025

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<sup>11</sup> CL16(2) Amendments