

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

Nick Boyes – Hearing E – Interim Reply in Response to Minute 24

Subdivision and Development Areas Chapters

17 April 2025

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**anderson
lloyd.**

Introduction

- 1 My name is Nick Boyes. I am a self-employed Consultant Planner (trading as Core Planning and Property Ltd). I prepared the section 42A report relating to submissions lodged on the Subdivision and Development Areas Chapters of the Proposed Timaru District Plan (PTDP). I confirm that I have read all the submissions, further submissions, submitter evidence and relevant technical documents and higher order objectives relevant to my section 42A report. I have the qualifications and experience as set out in my section 42A report.
- 2 The purpose of this Interim Reply Report is to:
 - (a) Respond to the matters set out in Minute 24 of the Hearing Panel; and
 - (b) Record any changes to my section 42A recommendations as an interim reply to the matters raised in evidence before the Proposed District Plan (PDP) Hearings Panel on the Subdivision (SUB) and Development Areas (DEV Areas) chapters¹.
- 3 A final reply responding to any unresolved matters will be provided to the Hearing Panel at the conclusion of the hearing process.
- 4 The table attached at **Appendix A** contains my updated recommendations, including reasons, having regard to the evidence presented at Hearing E; as well as the directions set out in Minute 24 of the Hearing Panel.
- 5 Recommended amendments to the provisions are attached as **Appendix B** and shown in blue text. Please note that these amendments include those referred to as a result of corrections and consideration of evidence as set out in my section 42A Summary Statement dated 4 February 2025.

Response to Matters raised in Minute 24

- 6 At paragraph 10 the Hearing Panel set out a series of questions for my response. These are set out in turn below.
 - a) ***The CRPS requires the Rural Lifestyle Zone (RLZ) to be attached to urban environments. Where does the RLZ adjoin and where does it not adjoin the urban environment in Timaru?***

¹ In accordance with Minute 14, paragraphs 6 and 7.

- 7 The broader response to this matter depends on whether the references in CRPS **Policy 5.3.1** to 'rural residential' and 'urban areas' respectively mean the same as 'rural lifestyle zone' and 'urban environment' as used in more recent higher order planning documents².
- 8 The Canterbury Regional Policy Statement (CRPS) **Objective 5.2.1** states that *"development is located and designed so that it functions in a way that...achieves consolidated, well designed and sustainable growth in and around existing urban areas as the primary focus for accommodating the region's growth;"*. Related **Policy 5.3.1** 'Regional Growth (Wider Region)' seeks to ensure that limited rural residential development occurs in a form that concentrates and is attached to existing urban areas and promotes a coordinated pattern of development.
- 9 The CRPS defines rural residential (as it applies to the wider region) as follows:
- means zoned residential development outside or on the fringes of urban areas which for primarily low density residential activities, ancillary activities and associated infrastructure.*
- 10 More specific guidance as to what constitutes rural residential development is set out in the Explanation and Reasons for **Policy 5.3.1**, which states:
- Rural residential development is typified by clusters of small allotments usually in the size range of up to 2.0 hectares zoned principally for residential activity.*
- 11 Under the National Planning Standards the Rural Lifestyle Zone (RLZ) is a type of Rural zone, being described as:
- Areas used predominantly for a residential lifestyle within a rural environment on lots smaller than those of the General rural and Rural production zones, while still enabling primary production to occur.*
- 12 In my view allotment sizes falling within the description of RLZ can be larger than what would be considered rural residential under the CRPS. On that basis, I consider there is no CRPS requirement that all allotments falling within the RLZ (described in the National Planning Standards as occurring

² Being the National Planning Standards and the National Policy Statement on Urban Development respectively.

within a rural environment), to adjoin (or be attached to³) urban environments (or urban areas⁴).

- 13 However, I consider CRPS **Policy 5.3.1** does apply to the more intensive 'rural residential' development provided for by the PTDP RLZ framework (being 2ha minimum reducing to 5,000m² if connected to reticulated sewer). The CRPS seeks to ensure this type of development is attached to existing urban areas to promote a coordinated pattern of development.
- 14 The definition of 'Urban' included in the CRPS as applied to the wider region, i.e., outside Greater Christchurch, through Chapter 5 of the CRPS, is as follows:

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

- 15 It is noted that this is different in both form and context to the definition of 'urban environment' included in the National Policy Statement on Urban Development 2020 (NPSUD), which states:

any area of land (regardless of size, and irrespective of local authority or statistical boundaries) that:

- (a) is, or is intended to be, predominantly urban in character; and*
- (b) is, or is intended to be, part of a housing and labour market of at least 10,000 people*

- 16 Consistent with this CRPS policy approach, the Introduction to the Rural Lifestyle Zone (RLZ) states that "*it is provided within areas adjoining Timaru, Temuka, Geraldine and Pleasant Point at locations that are capable of integrating with infrastructure...*". There is no question that Timaru City is an 'urban environment' as defined by the NPSUD. However, whether that extends to include Temuka, Geraldine and Pleasant Point depends on whether they are considered part of the same housing and labour market. In any case, as outlined above, I do not consider that is necessarily required in order to "give effect" to the CRPS policy framework outlined above given it refers to 'urban areas'.
- 17 Having reviewed the spatial distribution of RLZ within the PTDP, it is attached to the existing urban areas of Timaru, Temuka, Geraldine and Woodbury. I note there does not appear to be any RLZ at Pleasant Point. I

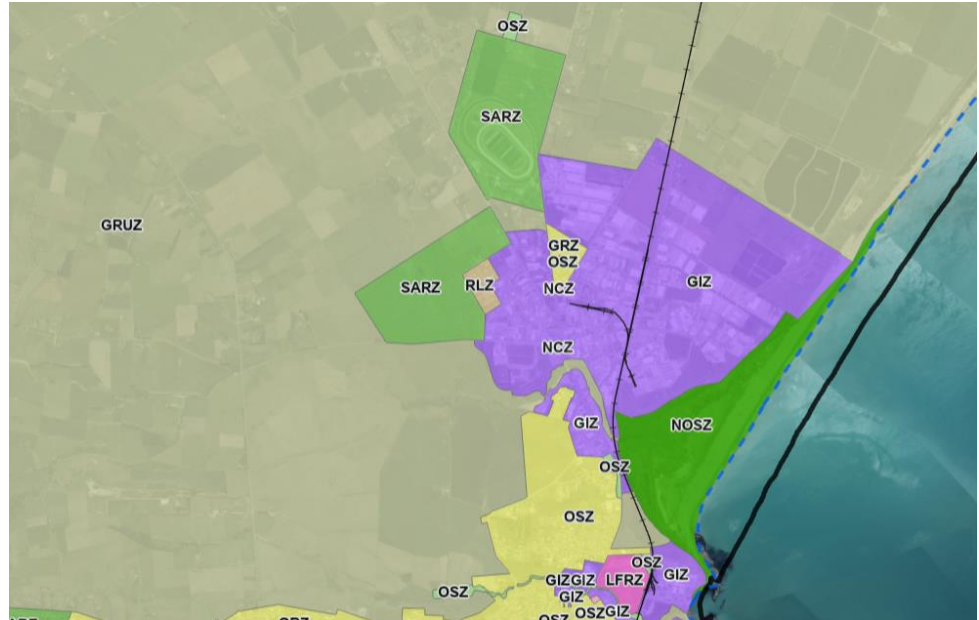
³ Wording as used in CRPS Policy 5.3.1.

⁴ Wording as used in CRPS Policy 5.3.1.

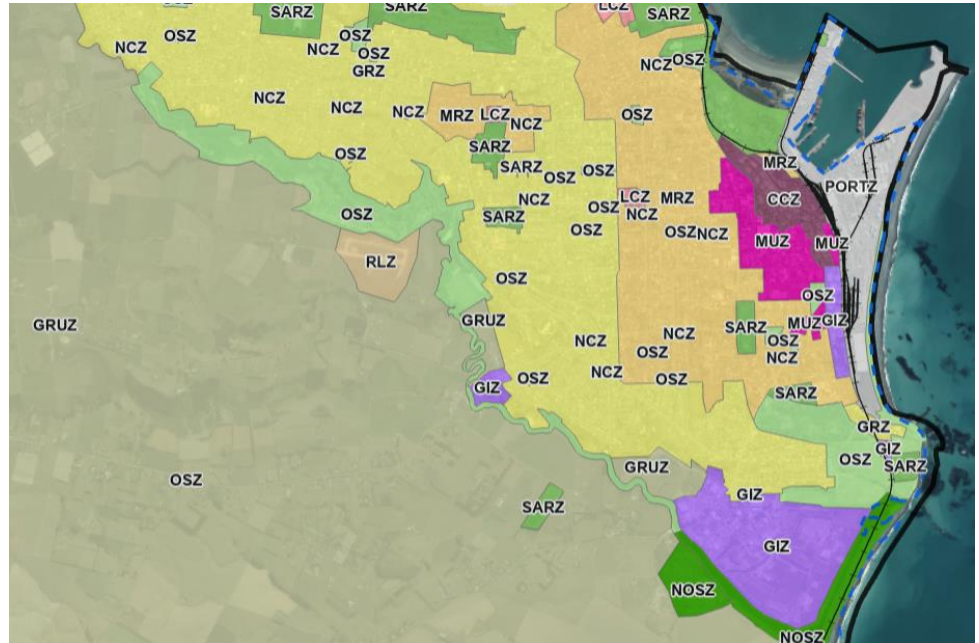
recommend that the Introduction to the RLZ Chapter is updated to reflect this relying on Clause 16(2) Schedule 1 of the RMA (assuming that this remains the situation following the Hearing Panel decisions on submissions).

- 18 The applicable planning maps are included below for reference.

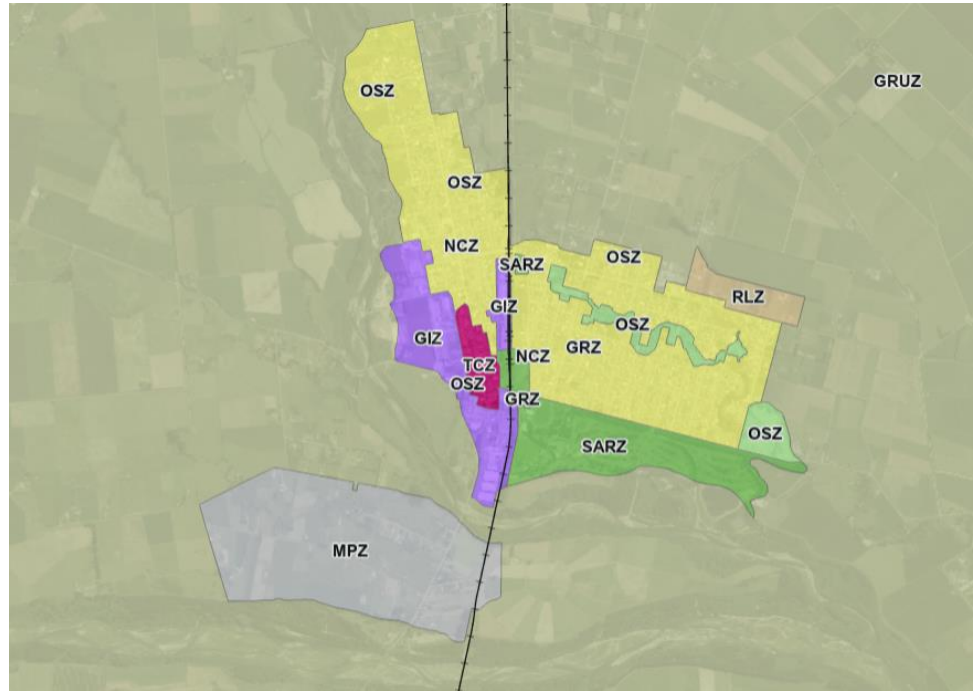
Timaru North:



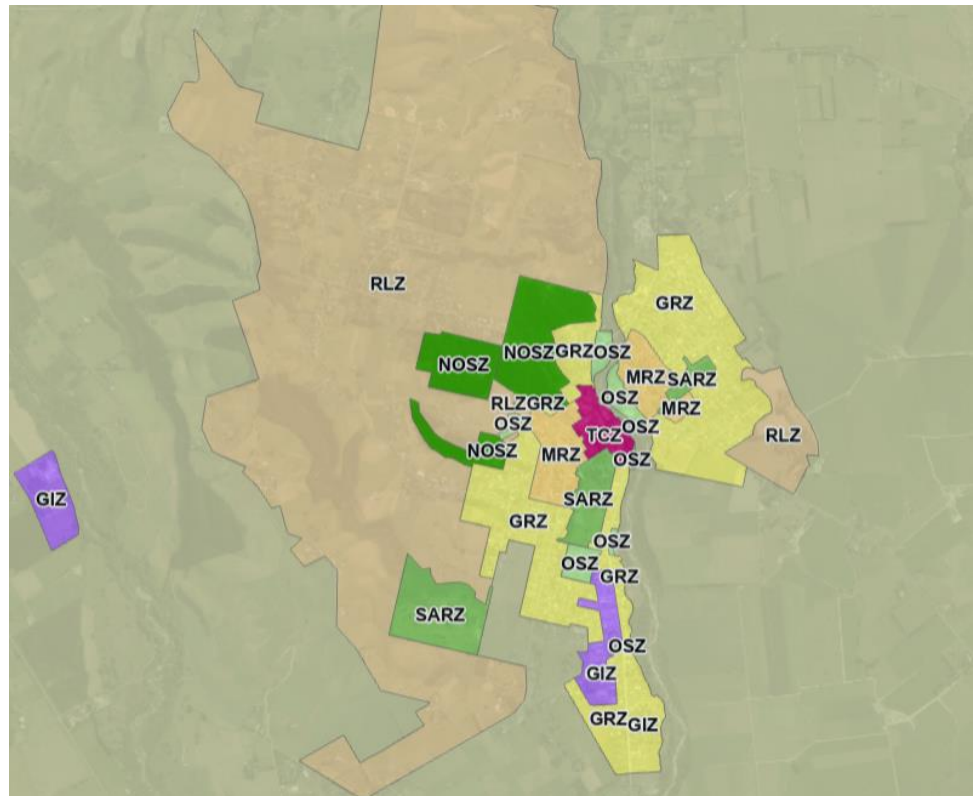
Timaru South:



Temuka:



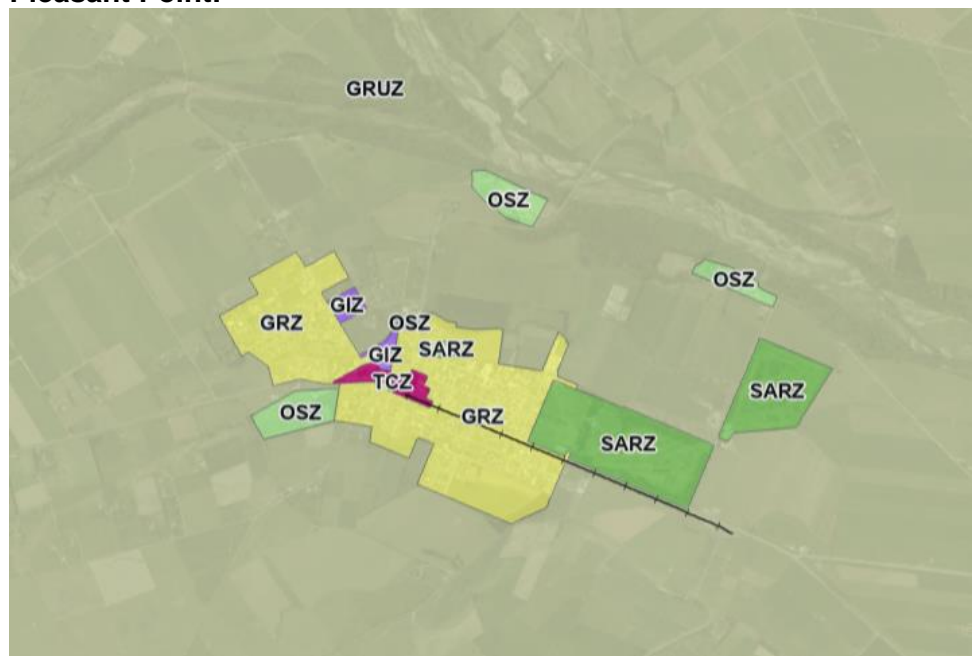
Geraldine:



Woodbury:



Pleasant Point:



- 19 In conclusion, given the above RLZ locations all adjoin existing urban areas, in my view they meet CRPS **Policy 5.3.1**; regardless of whether that policy direction strictly applies to all allotment sizes falling within the RLZ as described by the National Planning Standards (i.e., those larger than “rural residential” as described in the CRPS).

b) Is the recommended term ‘associational’ (in response to a submission from Te Rūnanga o Ngāi Tahu) a term that is commonly understood from a plan user perspective? Is it sufficiently clear and defined? Is there a clearer alternative word?

- 20 This matter was raised at paragraph 7.2.38 of my section 42A report, where I had a concern regarding whether the term “associational” *“is sufficiently certain”* to be used in the context of **SUB-O1** in particular.
- 21 Associational or associative values means those values associated with places. Such values are a key component of landscape assessment in New Zealand and are referred to frequently throughout the Aotearoa New Zealand Landscape Assessment Guidelines (NZILA, 2022). Landscape architects use the term ‘associative’ values to assist in the understanding of the meaning and significance of a landscape beyond its physical characteristics. Current professional landscape architecture practice conceptualises landscape as three overlapping dimensions, being physical, perceptual and associative.
- 22 This sense of place is also a key consideration for assessing cultural and historical values in terms of places of significance for Māori spiritual practices and social associations with places, including historical sites, buildings, and traditional practices.
- 23 In my view the use of the term associative values is becoming more widely accepted and a term now used more commonly seen in an RMA context and assessment. I consider that this term will only become more commonly understood, clear and defined from a plan user perspective. On that basis I would now recommend the use of the term associative as opposed to ‘associational’ as sought by the submitter and recommended in the section 42A report.
- 24 The updated wording is included in the recommended amendments to the provisions attached as **Appendix B**.

c) In consultation with Ms Vella, whether amendments can be made under RMA, Sch 1, cl10 (consequential amendment) to amend SUB-01(8) to align with changes made to SD Objectives and SUB-O3 and SUB-P5 to ensure that provisions consistently refer to all forms of primary productive, not only intensive.

- 25 The ability to use Clause 10 of the First Schedule RMA is specifically addressed in the legal submissions prepared by Ms Vella.

- 26 As discussed at the Hearing in response to questions, there is a tension in within **SUB-O1.8** by including both ‘regionally significant infrastructure’ and ‘intensive primary production’ within a single Clause using the term “*having minimal adverse effects*”. It is noted that the CRPS uses different terminology and sets slightly different effects thresholds for each.
- 27 On that basis, and relying on the legal submissions of Ms Vella, I have recommended amendments to **SUB-O1.8** to better “*give effect to*”⁵ the CRPS and remove any inconsistency with the other changes already recommended to **SUB-O3** and **SUB-P5** in response to submissions.
- 28 CRPS **Objective 5.2.1.g** states that Development is located and designed so that it functions in a way that:

avoids adverse effects on significant natural and physical resources including regionally significant infrastructure, and where avoidance is impracticable, remedies or mitigates those effects on those resources and infrastructure;

- 29 CRPS **Policy 5.3.2(2)** address a range of implications resulting from development that require careful management so as to avoid potential adverse effects. This includes the need to avoid reverse sensitivity effects and conflicts between incompatible activities on established rural activities. These rural activities are therefore broader in scope than only ‘intensive primary production’ as currently referred to in **SUB-O1.8**. Therefore, I recommend changes to **SUB-O1.8** to better give effect to the effects hierarchy described in **Objective 5.2.1** and to delete ‘intensive’, so reference to the consideration of reverse sensitivity effects applies to all rural activity/primary production.
- 30 The updated wording is included in the recommended amendments to the provisions attached as **Appendix B**.

d) Please address the following grammatical or spelling errors:

i. SUB-O1 – are there missing ‘and’ conjunctives between clauses?

- 31 As notified, some of the clauses within **SUB-O1** included ‘and’ conjunctives and some did not. I therefore recommend that ‘and’ be included after each clause to be consistent. I recommend that this change can be made pursuant to Clause 16(2) of Schedule 1 of the RMA.

⁵ Section 75(3)(c) of the RMA.

32 The updated wording is included in the recommended amendments to the provisions attached as **Appendix B**.

ii. SUB-O1(3) – is there a typo ‘enhances’ rather than ‘enhance’?

33 I consider this is a typo and recommend that the change be made as suggested pursuant to Clause 16(2) Schedule 1 of the RMA.

34 The updated wording is included in the recommended amendments to the provisions attached as **Appendix B**.

iii. SUB-O4 (1) – should there be a possessive apostrophe included for ‘area’s’?

35 I consider this is a typo and recommend that the change be made as suggested pursuant to Clause 16(2) of Schedule 1 of the RMA.

36 The updated wording is included in the recommended amendments to the provisions attached as **Appendix B**.

e) SUB-P13 – in response to submissions you state that whether a development complies is not normally included in policy, as compliance is a matter for rules. Is this consistent with the drafting of other provisions, for example SUB-P12 which has a focus on compliance? There may also be other instances where compliance is included at the policy level. Please ensure consistency across the Plan.

37 At paragraph 7.3.59 of the section 42A report I stated that whether a development ‘complies’ is not normally included in policy, as compliance is a matter for rules. This is particularly in the context of **SUB-P13** which was worded so as to “require” subdivision to comply with the relevant Development Area Plan. In my view this is a different context to that used in **SUB-P12** and **SUB-P14**, which is worded so as to “avoid” subdivision that does not comply with the minimum lot design and parameters unless certain matters listed therein can be met.

38 On that basis I am satisfied that the recommended changes to **SUB-P13** and P1 and P2 of the various Development Areas ensures consistency across the Proposed Plan.

f) Regarding DEV1-S1 and DEV1-S2 and the phrase ‘reviewed and signed off’, does this provide sufficient certainty? Does this imply a peer review process and/or an approval/certification process?

What is intended in this regard? Is there an alternative way to express this?

- 39 The changes recommended to the Notes accompanying S1 and S2 for the various Development Areas followed advice received from the Council's Land Transport Unit Manager. The changes sought to ensure that the engineering plans received were best placed to meet the Council's infrastructure standards; whilst also recognising that such plans might not always be prepared by a "*suitably qualified chartered professional engineer*", as stipulated in the notified version of the Proposed Plan and sought to be removed by submitters.
- 40 I note that regardless of who prepares, reviews or signs-off on these engineering plans on behalf of the consent holder, they require the approval of the Timaru District Council prior to works commencing. This requirement is in addition to any "peer review" and/or "sign-off" that takes place prior to the engineering plans and specifications being submitted to Council.
- 41 In my view the key consideration is that all such engineering plans are subject to Council approval prior to the commencement of works on the site. On that basis the wording relating to who prepares these plans is not required and the wording can be simplified to focus on the point that the engineering plans submitted are subject to Council approval prior to works commencing.
- 42 The updated wording is included in the recommended amendments to the provisions attached as **Appendix B**. Please note that the Hearing Panel will have to be satisfied that scope exists to make these changes either in terms of the submissions lodged (being MFL [60.49] and BGD [167.11]), or alternatively that such changes can be made under Clause 16(2), Schedule 1 of the RMA.

Interim reply to matters arising in Hearing E

- 43 My section 42A Summary Report contained an assessment of the matters raised in evidence and included a summary table attached at **Appendix A**. Having now had the chance to further discuss issues with submitters and hear evidence presented at the Hearing E, there is only one change to that.
- 44 The evidence of Ms Ainsley MacLeod on behalf of Transpower raised the matter of whether **DEV1-O1** and **DEV3-O1** give effect to Policy 10 of the NPSET and **Policy 16.3.4** of the CRPS and **Policy EI-P3(2)**. In the Summary Report I set out that I was agreeable to the use of the term "avoid" on the basis that additional qualifying text is added to **DEV1-O1.11** and **DEV3-O1.10**, as follows:

~~there are is minimal~~ avoid adverse effects, including reverse sensitivity effects, on the ~~national grid~~ National Grid that would otherwise limit the ability of the electricity transmission network to be operated, maintained, upgraded and developed.

- 45 At the hearing Ms MacLeod favoured an alternative approach that included a cross-reference so that any such effects are managed in accordance with Policy **EI-P3(2)**. I can confirm I am agreeable to such a change and this updated wording is included in the recommended amendments to the provisions attached as **Appendix B**. On that basis the status of this issue has been updated to resolved in the table attached as **Appendix A**.

Nick Boyes
17 April 2025

APPENDIX A

Status of issues raised in evidence –Subdivision and Development Area Chapters – *Hearing E*

Notes:

- 1 *Status: The status of the issue reflects my understanding of the status of resolution as between those submitters who pre-circulated evidence for Hearing E. It does not attempt to reflect whether the issue is agreed between submitters who did not pre-circulate evidence for Hearing E.*
- 2 *Status: An asterisk (*) against the status denotes where I have made an assumption based on the amendments I have recommended. However, I am not certain as to that status because the amendments I have recommended are different to that sought by the submitter.*
- 3 *Relevant submitters: Relevant submitters are those who pre-circulated evidence for Hearing E. Other submitters who did not pre-circulate evidence may be interested in the issue (as submitters in their own right, or as further submitters) but they have not been listed here.*
- 4 *Orange shading identifies matters still outstanding.*

Issue (raised in evidence)	Relevant provision(s)	Status	Relevant submitter(s) that pre-circulated evidence
Activity Status of Boundary Adjustments / removal of the 40HA GRUZ minimum allotment size	SUB-R1 & SUB-S1	Resolved	Milward Finlay Lobb [60.26] – Evidence of Melissa McMullan, para 7.3.
		Outstanding	Rooney Group [174, 191, 249, 250, 252] – Evidence of Nathan Hole, paras 25 to 29.
Permitted activity status for subdivision described in SUB-R2	SUB-R2	Resolved – submitter acknowledges and accepts the description of practical difficulties associated with subdivision as a permitted activity given in the Section 42A Report and on that basis agree with the Section 42A Report recommendation.	Transpower [159.83] – Evidence of Ainsley MacLeod, Appendix A.
Notes that accompanies the Development Area Rules (to include reference that the district wide chapters also apply).	DEV1 & DEV3, Rules - Note	Resolved – submitter supports a consistent approach across the Development Area	Transpower [159.104 & 106] – Evidence of Ainsley MacLeod, Appendix A.

Issue (raised in evidence)	Relevant provision(s)	Status	Relevant submitter(s) that pre-circulated evidence
		provisions in the Proposed District Plan.	
Whether DEV1-01 and DEV3-01 give effect to Policy 10 of the NPSET and Policy 16.3.4 of the CRPS and Policy EI-P3(2).	DEV1-O1.11 and DEV3-O1.10	Resolved – recommended changes to include cross - reference to EI-P3(2).	Transpower [159.104 & 106] – Evidence of Ainsley MacLeod, paras 81 to 92.
Minimum allotment size for the RLZ	SUB-S1.4(4)	Outstanding	D & S Payne [160.3] – Evidence of by Lynette Wharfe.
Greater recognition of reverse sensitivity effects, including on rural industry	SUB-O1, SUB-O3, SUB-P3, SUB-P5, SUB-P14 and SUB-P15	Resolved	Fonterra [165.82, 165.83, 165.84, 165.85, 165.86, 165.145 and further submissions 165.29FS, 165.46FS, 165.48FS, 165.49FS and 165.51FS] – Evidence of Suzannah Tait, paras 6.1 to 6.3.
	SUB-O1, SUB-O3, SUB-P3, SUB-P5, SUB-P9, SUB-P14, SUB-S1	Resolved	Silver Fern Farms Ltd [172] – Hearing Statement of Steve Tuck
	SUB-O1, SUB-O3, SUB-P3, SUB-P5, SUB-P9, SUB-P14, SUB-S1	Resolved	Alliance Group Ltd [173] – Hearing Statement of Doyle Richardson
	SUB-O1, SUB-P9	Outstanding	KiwiRail [187.61, 64] – Hearing Statement Michelle Grinlinton-Hancock
	SUB-R1, SUB-R3	Resolved	KiwiRail [187.65, 66] – Hearing Statement Michelle Grinlinton-Hancock
	SUB-O3	Resolved	NZ Pork Industry Board [247] – Hearing of Hannah Ritchie, paras 11 to 13.
	SUB-O2, SUB-OXX, SUB-P5, SUB-P6, SUB-R2	Resolved	Chorus NZ [176], Connexa [208], One NZ Group [209] and Spark [210] – Evidence of Tom Anderson, para 8.

Issue (raised in evidence)	Relevant provision(s)	Status	Relevant submitter(s) that pre-circulated evidence
Whether indigenous biodiversity values need to be specifically recognised within the within subdivision objectives.	SUB-O1, SUB-P5, SUB-P2, SUB-P7, SCHED 12	Resolved	Department of Conservation [166.80] – Evidence of Elizabeth Williams, Appendix 1.
Port of Timaru exclusion from esplanade reserve requirements be extended from Unwin Street to Talbot Street, effectively to encompass the full length of Lot 2 DP 326718.	SCHED 12	Resolved	Prime Port Ltd [175] – Evidence of Kim Seaton, para 75
Consistency with CRPS	SUB-O2, SUB-P2, SUB-P4, Sub-P5, SUB-P6, SUB-P15, SUB-R3	Resolved	Canterbury Regional Council [183.1, 183.4, 183.98, 183.99, 183.100, 183.101, 183.102, 183.103, 183.104
Reference to associational values and appropriateness of significant value threshold.	SUB-01	Resolved – as per recommended changes, but with the term ‘associative’ used as opposed to ‘associational’ as in the relief sought by the submitter.	TRONT [185.58] – Evidence of Rachael Pull, paras 71 to 77.
Assessment matters including Kāti Huirapa values onsite or downstream of the site.	SUB-P2, SUB-P4, SUB-P6, SUB-R1, SUB-R2, SUB-R3, SUB-S2, SUB-S4, SUB-S8	Resolved	TRONT [185.59 to 64 – Evidence of Rachael Pull, paras 78 to 81
Subdivision and the resultant fragmentation of rural land affects the productive potential of that land, particularly on highly productive land at the rural-urban fringe, where horticultural operations are often located due to proximity of labour supply and markets.	SUB-O1, SUB-O3 & SUB-P5	Resolved by more explicitly recognising reverse sensitivity in SUB-O1; and deletion of ‘intensive’ from SUB-O3 and SUB-P5 so that effects on horticultural production activities are captured in the consideration of reverse sensitivity effects.	Horticulture NZ [245.64 & 65] – Statement of Evidence (Charlotte Wright), paras 4 & 5.

Issue (raised in evidence)	Relevant provision(s)	Status	Relevant submitter(s) that pre-circulated evidence
Esplanade Waivers	SUB-P7.3, SUB-S8	Outstanding	Rooney Group [174, 191, 249, 250, 252] – Evidence of Nathan Hole, paras 21 to 24; and 30 to 33.
DEV3 Road 5	DEV3-R1, DEV3-S1 to S3, DEV3 DAP,	Outstanding	Rooney Group [174, 191, 249, 250, 252] – Evidence of Nathan Hole, paras 34 to 44.
Connection to electricity supply and telecommunication for new allotments in the GRUZ.	SUB-S5	Resolved	Chorus NZ [176], Connexa [208], One NZ Group [209] and Spark [210] – Evidence of Tom Anderson.

This section has rules that have legal effect. Please check the ePlan to see what the legal effect is or subject to appeal.

SUBDIVISION

Introduction

Subdivision is the process of dividing a site or building into one or more additional legal allotments or changing the location of the existing legal boundaries. Subdivision design influences future patterns of land use and can have a significant impact on the character of the environment and associated amenity values. It enables the intensification of land uses that in turn increases the level of activity, density of built form, traffic generation and demand on infrastructure services. It is important that the design of a subdivision:

- provides allotments that are an appropriate size and shape to accommodate the anticipated land uses;
- appropriately responds to any important natural, physical, cultural, historical or ecological features, values or constraints within or adjoining the site;
- appropriately responds to any potential impacts on infrastructure and risks from natural hazards;
- provides appropriate legal and physical access;
- provides appropriate connections to transport infrastructure and network utility services;
- integrates with surrounding neighbourhoods.

The subdivision process also provides for the creation of esplanade reserves or strips adjacent to the coast and rivers to enable public access, recreation or the management of conservation values.

This chapter contains objectives, policies and rules for subdivision. The following chapters also contain rules that relate to subdivision:

- ~~Coastal Environment~~
- ~~Drinking Water Protection~~
- ~~Ecosystems and indigenous biodiversity~~
- ~~Energy and Infrastructures¹~~
- Financial contributions
- ~~Historic Heritage~~
- ~~Natural Hazards²~~
- Noise
- Public Access
- ~~Sites and Areas Significant to Māori~~
- ~~Versatile Soils³~~
- Future Development Area; and
- Development Area

Other district-wide chapters may also contain provisions that are relevant to subdivision, for example, the Earthworks Chapter contains rules that will require consent for earthworks associated with subdivision.

¹ Clause 10(2)(b), Schedule 1 of the RMA relying on Speirs, B [66.45 to 66.54].

² Clause 10(2)(b), Schedule 1 of the RMA relying on Speirs, B [66.45 to 66.54].

³ Clause 10(2)(b), Schedule 1 of the RMA relying on Speirs, B [66.45 to 66.54].

The Future Development Areas chapter and its associated overlay indicates the locations for future growth and when that growth can occur. The Development Area chapter states requirements for new subdivision and development to ensure the area is ~~development~~ developed⁴ appropriately.

Objectives	
SUB-01	General subdivision design
<p>New subdivisions will:</p> <ol style="list-style-type: none"> 1. accord with the purpose, character and qualities of the zone; and 2. respond positively to the physical <u>and associative</u>⁵ characteristics of the site and its context; and 3. maintain and enhances⁶ amenity values and the quality of the environment; <u>and</u>⁷ 4. be accessible, connected and integrated with surrounding neighbourhoods; and 5. protect <u>significant-identified</u>⁸ natural and cultural values; and 6. respond appropriately to hazards, risks and site constraints; and 7. have infrastructure and facilities appropriate for the intended use; and 8. <u>avoid where possible, and otherwise remedy or mitigate have-minimal</u>⁹ adverse effects on regionally¹⁰ significant infrastructure or <u>intensive</u>¹¹ primary production; and 9. provide for the health, wellbeing and safety of people; <u>and</u>¹² 10. not intentionally prevent, hinder or limit the <u>use or</u>¹³ development of adjoining or adjacent land, <u>including by way of reverse sensitivity effects</u>¹⁴. 	
SUB-02	Infrastructure
<p>Infrastructure required to serve subdivision is provided in an integrated, efficient and co-ordinated manner.</p>	
SUB-03	Rural subdivision
<p>Subdivision in the rural zones will:</p> <ol style="list-style-type: none"> 1. minimise-avoid¹⁵ the fragmentation of productive land in the General Rural Zone; and 2. maintain the low-density open character of the General Rural Zone; and 3. maintain a contrast between the rural environment and adjoining urban, Rural Lifestyle and Settlement zones; and 4. <u>avoid where possible, and otherwise</u>¹⁶ minimise reverse sensitivity effects on intensive¹⁷ primary production. 	
SUB-04	Residential subdivision
<p>Subdivision in residential zones will:</p>	

⁴ Clause 16(2), Schedule 1 of the RMA.

⁵ TRoNT [185.58].

⁶ Clause 16(2), Schedule 1 of the RMA.

⁷ Clause 16(2), Schedule 1 of the RMA.

⁸ TRoNT [185.58].

⁹ Clause 10(2)(b), Schedule 1 of the RMA relying on Fonterra [165.83], Hort NZ [245.65], NZPIB [247.15].

¹⁰ Clause 16(2), Schedule 1 of the RMA.

¹¹ Clause 10(2)(b), Schedule 1 of the RMA relying on Fonterra [165.83], Road Metals [169.30], FH [170.30], Hort NZ [245.65].

¹² Clause 16(2), Schedule 1 of the RMA.

¹³ Fonterra [165.82].

¹⁴ Fonterra [165.82].

¹⁵ NZPIB [247.15].

¹⁶ Fonterra [165.83], Hort NZ [245.65], NZPIB [247.15].

¹⁷ Fonterra [165.83], Road Metals [169.30], FH [170.30], Hort NZ [245.65].

1. respond positively to the site's and area's¹⁸ natural and physical features that provide amenity and contribute to local character and sense of place; and
2. ensure safe, connected, and accessible neighbourhoods; and
3. provide for consolidation of residential zones outside of the Gleniti Low Density Residential Specific Control Areas and PREC1 - Old North General Residential Precinct; and
4. provide appropriate levels of accessible, well-designed¹⁹ open space.

SUB-O5 Public access and esplanade reserves and Esplanade strips

Public access and esplanade reserves and strips created through subdivision will:

1. contribute to the protection of conservation values; and
2. provide for public access to and along identified rivers and the sea, except where in accordance with PA-P4²⁰; and
3. provide public recreational uses along the waterways and coast where the use is compatible with conservation values.

Policies

All Subdivisions

SUB-P1 Subdivision

Require subdivision design to accord with the purpose, character and qualities of the applicable zone.

SUB-P2 Subdivision of land within sensitive environments

Only allow subdivision containing identified sensitive environments that will:

1. not compromise the identified natural and cultural values; and
2. protect people and property from the identified hazards and risks; and
3. achieve objectives and policies of the relevant chapter(s) in Part 2 - District Wide Matters.

SUB-P3 Disruptive Subdivision

Avoid subdivisions that ~~are intended to~~²¹ prevent, hinder or limit the development of adjoining or adjacent land, unless it is done to comply with a Council approved Development Area Plan.

SUB-P4 Quality of the environment and amenity

Require subdivision to maintain and enhance amenity values and the quality of the environment by ensuring subdivision design:

1. responds positively to ~~the associational~~²² natural and physical features and their associative values²³ 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.

¹⁸ Clause 16(2), Schedule 1 of the RMA.

¹⁹ Clause 16(2), Schedule 1 of the RMA.

²⁰ TDC [42.37].

²¹ Fonterra [165.84].

²² TRoNT [185.60].

²³ TRoNT [185.60].

SUB-P5	Reverse Sensitivity
Only allow subdivision that does not result in reverse sensitivity effects that would compromise the <u>safe and efficient</u> ²⁴ operation of regionally significant infrastructure/facilities and <u>lifeline utilities</u> ²⁵ , <u>legally</u> ²⁶ <u>lawfully</u> ²⁷ established <u>intensive</u> ²⁸ primary production, <u>or industrial activities</u> ²⁹ .	
SUB-P6	Infrastructure
<p>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; <u>and</u>³⁰ 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; <u>and</u>³¹ 8. sufficient legal and physical access to each allotment; and 9. <u>requiring</u>³² allotments to have access to a water supply suitable for firefighting; <u>and</u> 10. <u>infrastructure to maintain or enhance Kāti Huirapa values onsite and downstream</u>³³. 	
SUB-P7	Esplanade reserves and strips
<ol style="list-style-type: none"> 1. Identify margins of the coast or rivers in SCHED12 - Schedule of Esplanade Provisions where the provision of an esplanade reserve or strip would contribute to enabling public access, recreational use, and/or contribute to the protection of conservation values by; <ol style="list-style-type: none"> a. maintaining or enhancing the natural functioning of the adjacent sea, river, or lake; or b. maintaining or enhancing water quality; or c. maintaining or enhancing aquatic habitats; or d. protecting the natural values associated with the esplanade reserve or esplanade strip; or e. mitigate natural hazards; and 2. Require esplanade reserves or esplanade strips to be created when land is subdivided on the margins of the coast and rivers listed in SCHED12 -Schedule of Esplanade Provisions); and 3. Only allow the minimum width of a required esplanade reserve or strip to be reduced, or the requirement for an esplanade reserve or strip to be waived where: <ol style="list-style-type: none"> a. it is impractical to provide all or part of the required esplanade reserve or esplanade strip due to the physical characteristics and/or constraints of the site; or b. providing the esplanade reserve or esplanade strip at the required minimum width would create a risk to public health or safety; or c. the purpose of the required esplanade reserve or esplanade strip can be appropriately provided for by alternative means, including within the allotments created by subdivision; or 	

²⁴ KiwiRail [187.162].

²⁵ RNZ [152.48].

²⁶ Fonterra [165.85], Road Metals [169.31], FH [170.31].

²⁷ Road Metals [169.31], FH [170.31].

²⁸ Fonterra [165.185], Road Metals [169.31], FH [170.31], Hort NZ [245.68].

²⁹ SFF [172.74], Alliance [173.74].

³⁰ Clause 16(2), Schedule 1 of the RMA.

³¹ Clause 16(2), Schedule 1 of the RMA.

³² Clause 16(2), Schedule 1 of the RMA.

³³ TRoNT [185.61].

- d. the reduced width is sufficient to protect the identified public access, recreation, or conservation values, or to provide for natural hazard mitigation; or
- e. the costs of acquiring and/or maintaining the required esplanade reserve or esplanade strip would outweigh the potential public benefit; and

- 4. encourage access strips to be provided to connect esplanade reserves and strips with public open spaces, roads, pedestrian paths or cycleways.

Note: The policies in the Public Access chapter are also relevant to any resource consent application to waive or reduce the width of a required esplanade reserve or esplanade strip.

Residential Subdivision

SUB-P8	Public open space
	<p>Consider requiring the creation of public open spaces at the time of subdivision in residential zones. The following matters are relevant to that consideration:</p> <ol style="list-style-type: none"> 1. the size of the open space needed for the catchment it serves; and 2. proximity of the land and opportunities to integrate the open space with existing or planned open space networks, parks, esplanade strips, residential area and transport networks, including walkways and cycleways; and 3. Council's capacity to pay for maintenance and improvements; and 4. suitability of the land to be developed for the required purpose, including any potential for enhancement and considering the soils, gradient, and topography; and 5. landscape features and quality of the land, including surface water bodies, and the potential for views into or from the site; and 6. ecosystems and biodiversity associated with the land and surrounding area, including any significant indigenous biodiversity, mature vegetation, or existing shelter belts; and 7. historic and cultural significance of the land; and 8. safety of users, including the absence of hazards and any vulnerability to natural hazards.
SUB-P9	Residential subdivision
	<p>Require residential subdivision to accord with the purpose, character and qualities of the zone, and maintain and enhance amenity values, by ensuring:</p> <ol style="list-style-type: none"> 1. the subdivision design contributes to local character and sense of place; and 2. natural features and waterbodies are incorporated into the design; and 3. earthworks and land disturbance is minimised by designing building platforms that integrate into the natural landform; and 4. open space and street planting are incorporated into the design of larger scale subdivisions; and 5. streets are aligned with, and open spaces are designed to focus on, significant views or landmarks; and 6. the subdivision design maximises sunlight access, outlook and amenity including opportunities for future buildings to maximise solar gain, reduce energy and water consumption, and use renewable energy; and 7. conflict between residential activities and adjoining land uses are minimised.
SUB-P10	Safe, connected and accessible neighbourhoods
	<p>Require residential subdivision to ensure safe, connected and accessible neighbourhoods by:</p> <ol style="list-style-type: none"> 1. minimising the proliferation of vehicle crossings that could affect the safety of the transport network; and 2. limiting cul-de-sacs unless there are legal, physical or topographical constraints that inhibit connections to other roads; and

3. providing a road and access design that creates a safe and accessible environment for pedestrians, cyclists, children, elderly and the disabled; and
4. providing spaces that encourage social interaction and neighbourhood cohesion; and
5. providing a variety of travel modes and connections to roads, public transport, nearby shops, schools, employment open spaces and other activities; and
6. providing ~~the~~³⁴ passive surveillance of street, parks, walkways and public areas and by ensuring the principles of Crime Prevention Through Environmental Design are incorporated into the design.

SUB-P11 Residential Intensification

Provide for consolidation of residential zones outside of the Gleniti Low Density Residential Specific Control Areas and PREC1 - Old North General Residential Precinct by:

1. enabling a variety of residential units within the constraints of the allotment size anticipated by the zone; ~~and~~³⁵
2. not specifying a minimum allotment size in the Medium Density Zone for joint subdivision and land use applications to ensure flexibility and comprehensive consideration of applications; and
3. providing for two household units per site in the General residential zone and three per site in the Medium Density Zone; and
4. allowing non-compliance with minimum lot design standards for allotments created around existing residential units; and
5. avoiding the creation of more than one large allotment in the Medium density residential zone unless intensification is prevented by natural or physical site constraints.

SUB-P12 Non-compliant lot size

Avoid subdivision in the General Residential Zones that does not comply with the minimum lot design and parameters unless:

1. the subdivision design maintains residential character and amenity of the area; and
2. it can be demonstrated that it is consistent with the character and qualities of development envisaged by General Residential Zone; and
3. it does not individually or cumulatively affect the ability of the properties in the zone, specific control area or precinct to be developed or serviced now or in the future to the density anticipated in the zone, specific control area or precinct.

Subdivision in Development Areas

SUB-P13 Development Area Plans

Require subdivisions to ~~be in general accordance with~~³⁶ the relevant Development Area Plan, unless it can be demonstrated that an alternative proposal can ~~better~~³⁷ achieve the objectives of the Development Area ~~Plan~~³⁸.

Rural Subdivisions

SUB-P14 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:

³⁴ Clause 16(2), Schedule 1 of the RMA.

³⁵ Clause 16(2), Schedule 1 of the RMA.

³⁶ BGD [167.13].

³⁷ BGD [167.13].

³⁸ Clause 16(2), Schedule 1 of the RMA.

1. the subdivided allotments are solely for the purpose of network utilities, esplanade reserves or strips, roads, walkways, cycleways or access; or
2. the non-compliance is minor and the subdivision maintains the dwelling density anticipated for the zone; ~~and~~ ³⁹or
3. the subdivision is necessary for natural hazard mitigation; or
4. the subdivision is necessary to protect the values of sensitive environments.

SUB-P15 Rural Lifestyle Zone

Require subdivision in the Rural Lifestyle Zone to:

1. maintain the character and qualities of the Rural Lifestyle Zone; and
2. connect to the reticulated drinking water network; and
3. require connection to the reticulated wastewater networks where available, or if not available, provide a suitable site area for onsite disposal; and
4. maintain larger allotment sizes in the Geraldine Downs to protect its landscape character and amenity values.

Rules

Note: All subdivision activity requires consent. For certain activities, consent may be required by rules in more than one chapter in the Plan. Unless expressly stated otherwise by a rule, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1, HPW — How the Plan Works - General Approach.

SUB-R1	Boundary adjustment	
All zones	Activity status: Controlled Where: CON-1 SUB-S1 is complied with; and CON-2 SUB-S2 to SUB-S7 are complied with. Matters of control are restricted to: <ol style="list-style-type: none"> 1. The location, size and design of allotments, building platforms, roads, accessways, right of ways, vehicle crossings, open space, reserves, landscaping and connections to the surrounding area; and 2. the ability to accommodate permitted and/or intended land uses; and 3. the compatibility with the purpose, character and qualities of the zone; and 4. the response to the site's and surrounding areas natural and 	Activity status when compliance not achieved CON-2: Restricted Discretionary Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. the matters of control listed in CON-1 and CON-2; and 2. the matters of discretion of any infringed standard.
		Activity status when compliance not achieved with CON-1: Non-Complying Discretionary⁴⁰

³⁹ Clause 16(2), Schedule 1 of the RMA.

⁴⁰ Speirs, B [66.56], MFL [60.26].

	<p>physical features, character, amenity, constraints and vegetation; and</p> <ol style="list-style-type: none"> 5. the provision, location, design, specification, construction, connection and timing of infrastructure, transport links, water sensitive design measures and firefighting water supply; and 6. the extent to which infrastructure has capacity to service the subdivision; and 7. legal and physical access arrangements; and 8. the requirement for any consent notices, covenants, easements, esplanades or public access; and 9. measures to avoid, remedy or mitigate adverse effects: <ol style="list-style-type: none"> a. of any natural hazards or other risks; and b. on any sensitive environments, waterbodies, ecosystems or notable trees; and c. on infrastructure; and d. on existing or permitted adjoining or adjacent land uses; and 10. the ability of any existing activity on the site to comply with the District Plan and/or existing resource consent; and 11. the suitability of any future development that would be enabled as a result of the subdivision; and 12. whether it is appropriate that the subdivision prevents, hinders or limits the development of adjoining or adjacent land, 13. measures to manage adverse effects. 	
SUB-R2	Subdivision that creates new allotments solely for the purpose of network utilities, the national grid or roads	
All zones	<p>Activity status: Controlled</p> <p>Where:</p> <p>CON-1 SUB-S2, SUB-S7 and SUB-S8 are complied with.</p> <p>Matters of control are restricted to:</p> <ol style="list-style-type: none"> 1. The location, size and design of allotments, building platforms, roads, accessways, right of ways, vehicle crossings, open space, reserves, 	<p>Activity status when compliance not achieved: Restricted Discretionary</p> <p>Where:</p> <p>RDIS -1 Compliance is not achieved with CON-1.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the matters of control relevant to CON-1; and 2. the matters of discretion of any infringed standard.

	<p>landscaping and connections to the surrounding area; and</p> <ol style="list-style-type: none"> 2. the ability to accommodate permitted and/or intended land uses; and 3. the compatibility with the purpose, character and qualities of the zone; and 4. the response to the site's and surrounding areas natural and physical features, character, amenity, constraints and vegetation; and 5. the provision, location, design, specification, construction, connection and timing of infrastructure, transport links, water sensitive design measures and firefighting water supply; and 6. the extent to which infrastructure has capacity to service the subdivision; and 7. legal and physical access arrangements; and 8. the requirement for any consent notices, covenants, easements, esplanades or public access; and 9. measures to avoid, remedy or mitigate adverse effects: <ol style="list-style-type: none"> a. of any natural hazards or other risks; and b. on any sensitive environments, waterbodies, ecosystems or notable trees; and c. on infrastructure; and d. on existing or permitted adjoining or adjacent land uses; and 10. the ability of any existing activity on the site to comply with the District Plan and/or existing resource consent; and 11. the suitability of any future development that would be enabled as a result of the subdivision; and 12. whether it is appropriate that the subdivision prevents, hinders or limits the development of adjoining or adjacent land; <u>and</u>⁴¹ 13. measures to manage adverse effects. 	
SUB-R3	Subdivision not listed in SUB-R1 and SUB-R2	
All zones	Activity status: Restricted Discretionary Where:	Activity status when compliance not achieved with RDIS-1: Restricted Discretionary

⁴¹ Clause 16(2), Schedule 1 of the RMA.

	<p>RDIS-1 SUB-S2 — SUB-S7 are complied with; and</p> <p>RDIS-2 SUB-S1 is complied with.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The location, size and design of allotments, building platforms, roads, accessways, right of ways, vehicle crossings, open space, reserves, landscaping and connections to the surrounding area; and 2. the ability to accommodate permitted and/or intended land uses; and 3. the compatibility with the purpose, character and qualities of the zone; and 4. the response to the site's and surrounding areas natural and physical features, character, amenity, constraints and vegetation; and 5. the provision, location, design, specification, construction, connection and timing of infrastructure, transport links, water sensitive design measures and firefighting water supply; and 6. the extent to which infrastructure has capacity to service the subdivision; and 7. legal and physical access arrangements; and 8. the requirement for any consent notices, covenants, easements, esplanades or public access; and 9. measures to avoid, remedy or mitigate adverse effects: <ol style="list-style-type: none"> a. of any natural hazards or other risks; and b. on any sensitive environments, waterbodies, ecosystems or notable trees; and c. on infrastructure; and d. on existing or permitted adjoining or adjacent land uses; and 10. the ability of any existing activity on the site to comply with the District Plan and/or existing resource consent; and 11. the suitability of any future development that would be enabled as a result of the subdivision; and 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the matters of discretion listed in RDIS-1; and 2. the matters of discretion of any infringed standard. <p>Activity status when compliance not achieved with RDIS-2: Non-complying</p>
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	<p>12. whether it is appropriate that the subdivision prevents, hinders or limits the development of adjoining or adjacent land; <u>and</u>⁴²</p> <p>13. measures to manage adverse effects; <u>and</u></p> <p>14. <u>the impact of the subdivision on the on-going delivery of existing public flood or erosion protection or drainage works.</u>⁴³</p>	
SUB-R4	Subdivision <u>within and</u> the National Grid Subdivision Corridor⁴⁴	
<u>All Zones</u>	<p><u>Activity status: Restricted Discretionary</u></p> <p><u>Where:</u></p> <p><u>RDIS-1</u> <u>All resulting allotments can accommodate a building platform for the likely principal building(s) and any building(s) for sensitive activities outside the National Grid Yard (other than where the allotments are for roads, access ways and network utilities).</u></p> <p><u>RDIS-2</u> <u>Existing vehicle access way to National Grid assets is maintained.</u></p> <p><u>Matters over which discretion is restricted:</u></p> <ol style="list-style-type: none"> <u>the extent to which the subdivision allows for the ongoing efficient operation, maintenance and upgrading of the National Grid, including the ability for continued reasonable access for inspections, maintenance and upgrading; and</u> <u>the location of any future building platform as it relates to the National Grid Yard; and</u> <u>the extent to which the subdivision design allows for any future sensitive activity to be setback from the National Grid; and</u> <u>the nature and location of any vegetation to be planted in the vicinity of the National Grid; and</u> <u>the ability of future development to comply with NZECP 34:2001 New</u> 	<p><u>Activity status when compliance not achieved: Non-complying</u></p>

⁴² Clause 16(2), Schedule 1 of the RMA.

⁴³ ECan [183.104].

⁴⁴ Clause 10(2)(b), Schedule 1 of the RMA relying on Speirs, B [66.45 to 66.54].

	<p><u>Zealand Electricity Code of Practice for Electricity Safe Distances; and</u></p> <p>6. <u>the risk of electrical hazards affecting public or individual safety, and the risk of property damage; and</u></p> <p>7. <u>the outcome of any consultation with the owner and operator of the National Grid.</u></p>	
SUB-R5	Subdivision and Natural Hazards⁴⁵	
<u>1</u> <u>Flood</u> <u>Assessment</u> <u>Area Overlay</u>	<p><u>Activity status: Restricted Discretionary</u></p> <p><u>Where:</u></p> <p><u>RDIS-1</u> <u>A Flood Risk Certificate for the subdivision is issued in accordance with NH-S1; and</u></p> <p><u>RDIS-2</u> <u>The site is not subject to high hazard flooding as stated in a Flood Risk Certificate issued under RDIS-1.</u></p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> <u>1. the design and layout of the subdivision, including effects on public spaces and development sites, and on overland flow path(s); and</u> <u>2. the provision for any overland flow paths to remain or the provision of secondary flow paths; and</u> <u>3. any potential effects of diverting or blocking overland flow path(s) on future development within the subdivision; and</u> <u>4. any increased flood risk for people, property, or public spaces; and</u> <u>5. the effectiveness and potential adverse effects of any proposed mitigation measures; and</u> <u>6. the extent to which it will require new or upgraded public natural hazard mitigation works; and</u> <u>7. any increase in reliance on emergency services.</u> 	<p><u>Activity status where compliance not achieved: Non-complying</u></p>
<u>2</u> <u>Liquefaction</u> <u>Awareness</u>	<p><u>Activity status: Restricted Discretionary</u></p> <p><u>Matters of discretion are restricted to:</u></p>	<p><u>Activity status where compliance not achieved: Not applicable</u></p>

⁴⁵ Speirs, B [66.45].

<u>Areas Overlay</u>	<ol style="list-style-type: none"> 1. <u>the appropriateness of the site for development; and</u> 2. <u>the liquefaction category that applies to the site and the level of risk to property and Regionally Significant Infrastructure; and</u> 3. <u>whether the appropriate geotechnical data has been uploaded to the New Zealand Geotechnical Database; and</u> 4. <u>the appropriateness of the techniques proposed for remediation and mitigation of the effects of any liquefaction hazard identified i.e. ground strengthening and if these are supported by a suitably qualified and experienced professional; and</u> 5. <u>the extent to which the siting and layout of the proposal is appropriate.</u> 	
<u>3 Earthquake Fault (subdivision) Awareness Areas Overlay</u>	<p><u>Activity status: Restricted Discretionary</u></p> <p><u>Where</u></p> <p><u>RDIS-1</u> <u>The subdivision design ensures that any future building or structure will be located at least 20 metres away from any detailed area of fault or fold deformation.</u></p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> 1. <u>whether the surface fault rupture hazard has been adequately assessed by a suitably qualified and experienced professional;</u> 2. <u>the adequacy of any engineered solution proposed to mitigate the surface fault rupture hazard.</u> <p><u>Note: The investigation report is also to be supplied to Canterbury Regional Council.</u></p>	<u>Activity status where compliance not achieved: Discretionary</u>
<u>High Hazard Area Overlay</u>	<u>Activity status: Non-complying</u>	<u>Activity status where compliance not achieved: Not applicable</u>
<u>SUB-R6</u>	<u>Subdivision of land containing a Historic Heritage Item⁴⁶</u>	
<u>All Zones</u>	<u>Activity status: Discretionary</u>	<u>Activity status where compliance not achieved: Not applicable</u>

⁴⁶ Speirs, B [66.46].

SUB-R7		
<u>Subdivision of land within a Historic Heritage Area⁴⁷</u>		
<u>Historic Heritage Areas</u>	<u>Activity status: Discretionary</u>	<u>Activity status where compliance not achieved: Not applicable</u>
SUB-R8		
<u>Subdivision and Sites <u>and Areas</u> of Significance to Māori⁴⁸</u>		
<u>Wāhi taoka, wāhi tapu, wai taoka, and wai tapu overlays</u>	<u>Activity status: Discretionary</u>	<u>Activity status where compliance not achieved: not applicable</u>
SUB-R9		
<u>Subdivision and Significant Natural Areas⁴⁹</u>		
<u>Sites containing a Significant Natural Area</u>	<u>Activity Status: Discretionary</u>	<u>Activity status where compliance not achieved: Not Applicable</u>
SUB-R10		
<u>Subdivision <u>within a and</u> Riparian Margins⁵⁰</u>		
<u>All zones except General Rural Zone and Rural Lifestyle Zones</u>	<u>Activity status: Discretionary</u>	<u>Activity status where compliance not achieved: Not applicable</u>
SUB-R11		
<u>Subdivision and Natural Features and Landscapes⁵¹</u>		
<u>ONF overlay</u>	<u>Activity status: Discretionary</u>	<u>Activity status when compliance not achieved: Not applicable</u>
<u>ONL overlay</u>		
<u>VAL overlay</u>		
SUB-R12		
<u>Subdivision and the Coastal Environment⁵²</u>		
<u>1 Coastal Environment Area Overlay</u>	<u>Activity status: Restricted Discretionary</u> <u>Matters of discretion are restricted to:</u> <div><div>1.</div><div>any adverse impacts on the identified matters contained in CE-P4, CE-P5, CE-P6, CE-P7, CE-P8, CE-P10 and CE-P11; and</div></div> <div><div>2.</div><div>the extent to which the subdivision and future building and structure</div></div>	<u>Activity status when compliance not achieved: Not applicable</u>

⁴⁷ Speirs, B [66.47].

⁴⁸ Speirs, B [66.48].

⁴⁹ Speirs, B [66.49].

⁵⁰ Speirs, B [66.50].

⁵¹ Speirs, B [66.51].

⁵² Speirs, B [66.53].

	<u>will result in adverse cumulative adverse effects.</u>	
<u>Sea Water Inundation Overlay</u>	<u>Activity status: Restricted Discretionary</u> <u>Matters of discretion are restricted to:</u> <ol style="list-style-type: none"> <u>the extent to which the proposal results in an increased risk of economic, social or environmental harm;</u> <u>whether the proposal includes hazard mitigation;</u> <u>the extent to which future building or structure has a functional need or operational need for its location; and</u> <u>the extent of any positive benefits that will result from the proposal; and</u> <u>the extent to which the proposal creates natural hazard risks on adjacent properties; and</u> <u>the location of any proposed building that will accommodate a natural hazard sensitive activity.</u> 	<u>Activity status when compliance not achieved: Not applicable</u>
<u>3 Coastal High Natural Character Area Overlay</u>	<u>Activity status: Discretionary</u> <i><u>Note: Future building platform must be indicated in the application and will be registered on the Certificate of Titles of resulting new allotments.</u></i>	<u>Activity status when compliance not achieved: Not applicable</u>
<u>4 Coastal Erosion Overlay</u>	<u>Activity status: Non-complying</u>	<u>Activity status when compliance not achieved: Not applicable</u>
<u>SUB-R13</u>	<u>Subdivision of and Versatile Soil⁵³</u>	
<u>All zones</u>	<u>Activity status: Restricted Discretionary</u> <u>Matters of discretion are restricted to:</u> <ol style="list-style-type: none"> <u>the extent to which the proposed subdivision and the layout of allotments will result in fragmentation of versatile soils; and</u> <u>the extent to which the size and shape of any proposed allotments will allow for any versatile soils to continue to be used for non-intensive primary production.</u> 	<u>Activity status where compliance not achieved: Not applicable</u>

⁵³ Clause 10(2)(b) Schedule 1 of the RMA relying on Speirs, B [66.45 to 66.54].

SUB-R14	Subdivision and Drinking Water Protection ⁵⁴	
<p><u>DWPA - for Community Drinking Water Supply</u></p> <p><u>DWPA - within 50m from a private drinking water supply</u></p>	<p><u>Activity status: Restricted Discretionary</u></p> <p><u>Where:</u></p> <p><u>RDIS-1</u> <u>The subdivision is connected to a community wastewater treatment system.</u></p> <p><u>Matters of control are restricted to:</u></p> <ol style="list-style-type: none"> <u>1. any impact on the safety of drinking water supplies for human consumption, and measures to avoid or mitigate these effects; and</u> <u>2. the proximity of the land use activity to the drinking water supply, and measures taken to protect the supply point from the effects of the activity; and</u> <u>3. Risks that the proposed activity may pose to the source of a drinking water supply that are identified in a source water risk management plan prepared in accordance with the requirements of the Water Services Act 2021.</u> 	<p><u>Activity status where compliance not achieved: Not Applicable</u></p>

Standards	
SUB-S1	Allotment sizes and dimensions
<p>¹</p> <p>General Residential Zone</p>	<ol style="list-style-type: none"> Allotments must have a minimum net site area of 450m² in area; and allotments must have a minimum dimension that can accommodate a circle with a 15m diameter, clear of any vehicle access, surface water body or boundary setback; and within the Gleniti Low Density Residential Specific Control Area, allotments must have a minimum net site area of 700m² in area; and within PREC1 - Old North General Residential Precinct, allotments must have a minimum net site area of 1,500m² in area. <p>Except that:</p> <ol style="list-style-type: none"> clauses 1 and 2 above do not apply to allotments created around an existing residential unit, in which case there is no minimum net site area or dimensions requirement.
<p>²</p> <p>Medium Density Residential Zone</p>	<ol style="list-style-type: none"> Allotments must have a minimum net site area of 300m² in area; and no more than one allotment that is more than 500 m² in net site area; and

⁵⁴ Speirs, B [66.54].

	<p>3. allotments must have a⁵⁵ dimensions that can accommodate a circle with a minimum 13m diameter, clear of any vehicle access, surface water body or boundary setback.</p> <p>Except that</p> <p>4. no minimum net site area or dimension applies to allotments created:</p> <ol style="list-style-type: none"> around existing residential unit; or a proposed residential unit is part of a combined land use and subdivision consent application, <u>or does not require a land use consent</u>⁵⁶. 	
³ General Rural Zone	1. Allotments must have a minimum net site area of 40ha in area.	
⁴ Rural Lifestyle Zone	<p>If no development area plan is required, allotments must have a net site area no less than:</p> <ol style="list-style-type: none"> 5000sqm for Lots 1 and 2 DP 444786 2ha in the 2ha lot size specific control area; 10ha in the 10ha lot size specific control area; and in any other areas, 5000m² if there is a sewer connection to each residential lot, otherwise 2ha. 	
⁵ Development Areas	1. As specified in the relevant Development area chapter.	
⁶ General Industrial Zone	1. Allotments must have <u>legal access to</u> ⁵⁷ a minimum road frontage width of 7m.	
SUB-S2	Stormwater treatment, catchment and disposal	
All zones	<ol style="list-style-type: none"> Stormwater management must be provided in accordance with the Stormwater Standards in the Stormwater management chapter. Allotments must be connected to a reticulated stormwater network where: <ol style="list-style-type: none"> a conveyance structure that forms part of a reticulated stormwater network passes within 50m of the allotment boundary; and stormwater is able to be conveyed into the reticulated network under gravity; and the distance between the conveyance structure and the 	<p>Matters of discretion restricted to:</p> <ol style="list-style-type: none"> any relevant matters of discretion for non-compliance with the Stormwater Standard in the Stormwater management chapter; and the extent to which stormwater runoff from the allotment may adversely affect adjoining properties; and any adverse effect on the need for a reticulated stormwater network; <u>and</u>⁵⁸ the need for the stormwater network to be upgraded or extended in order for the allotments to be served; <u>and</u> <u>the effects of the discharge on the values of Kāti Huirapa</u>.⁵⁹

⁵⁵ Clause 16(2), Schedule 1 of the RMA.

⁵⁶ BGD [167.17].

⁵⁷ RHL [174.54], Rooney, GJH [191.54], RGL [249.54], RFL [250.54], REL [251.54] and TDL [252.54].

⁵⁸ Clause 16(2), Schedule 1 of the RMA.

⁵⁹ TRoNT [185.63].

	<p>source of the stormwater is less than 100m; and</p> <p>d. the network utility operator has confirmed in writing that it will accept the stormwater from the allotment.</p> <p>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.</p> <p>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>	
SUB-S3	Water supply	
1 General Rural Zone	<p>1. All allotments within a rural water supply scheme must have either:</p> <ol style="list-style-type: none"> approval for the allotment to connect to a rural water supply scheme provided in writing from the relevant network utility operator; or evidence of an alternative water supply capable of providing a minimum of 56 65⁶⁰ litres per hectare per day; or evidence the future use of the allotment does not require water supply, and a consent notice mechanism⁶¹ is proposed alerting future purchasers. <p>Notes:</p> <ul style="list-style-type: none"> <i>The documentation required to satisfy 1a or 1b or 1c must be provided to the Council.</i> <i>This standard does not apply to allotments outside a rural water supply scheme.</i> 	<p>Matters of discretion restricted to:</p> <ol style="list-style-type: none"> the need for a consent notice mechanism⁶² stating that the provision of water to the site is the owner's responsibility on a continuing basis.
2 Rural Lifestyle Zone	<p>Each allotment must:</p> <ol style="list-style-type: none"> be within a reticulated drinking water supply network; and be provided with confirmation in writing from the relevant network utility 	<p>Matters of discretion restricted to:</p> <ol style="list-style-type: none"> the suitability of the water supply for the intended activities on the site; and the suitability of the water supply for firefighting purposes; and

⁶⁰ TDC [42.38].

⁶¹ RHL [174.55], Rooney, GJH [191.55], RGL [249.55], RFL [250.55], REL [251.55] and TDL [252.55].

⁶² Clause 10(2)(b), Schedule 1 of the RMA relying on RHL [174.55], Rooney, GJH [191.55], RGL [249.55], RFL [250.55], REL [251.55] and TDL [252.55].

	<p>operator that it has capacity for an additional connection; and</p> <p>3. be provided be provided with a connection laid at least 600mm into the allotment.</p> <p>Note: <i>This standard does not apply to allotments for a utility, road, reserve or for access purposes.</i></p>	<p>3. any adverse effect on the water supply network; <u>and</u>⁶³</p> <p>4. the need for the reticulated water supply network to be extended or upgraded in order for the allotments to be served.</p>
<p>3.</p> <p>All other zones</p>	<p>1. In areas where a reticulated drinking water supply network is available and the network utility operator has confirmed in writing that it has capacity for an additional connection, all allotments must be provided with a connection laid at least 600mm into the net site area of the allotment.</p> <p>2. Where a reticulated drinking water supply network is not available water supply must be available to each allotment by way of either:</p> <ol style="list-style-type: none"> access to a private water bore with a minimum flow rate of 700ml/minute; or on-site storage of at least 45,000 litres of drinking water; <p>Note: <i>This standard does not apply to allotments for a utility, road, reserve or for access purposes.</i></p>	<p>Matters of discretion restricted to:</p> <ol style="list-style-type: none"> the suitability of the water supply for the intended activities on the site; and the suitability of the water supply for firefighting purposes; and any adverse effect on the water supply network; the need for the reticulated water supply network to be extended or upgraded in order for the allotments to be served.
SUB-S4	Wastewater disposal	
<p>1.</p> <p>Residential zones</p> <p>Commercial and mixed use zones</p> <p>General Industrial Zone</p> <p>Sport and Active Recreation zone</p> <p>Port Zone</p>	<p>1. All allotments must be connected to a reticulated wastewater network, except for allotments for a utility, road, reserve or for access purposes.</p>	<p>Matters of discretion restricted to:</p> <ol style="list-style-type: none"> the need for a wastewater disposal system; and the suitability of an alternative wastewater disposal system; <u>and</u> <u>the effects of the discharge on the values of Kāti Huirapa.</u>⁶⁴

⁶³ Clause 16(2), Schedule 1 of the RMA.

⁶⁴ TRoNT [185.63].

2. Rural zones Natural Open Space Zone Open Space Zone Māori Purpose Zone	<ol style="list-style-type: none"> 1. All allotments must be connected to a reticulated wastewater network where: <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. 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 regional plan, or has discharge consent. 	<ol style="list-style-type: none"> 1. the need for a waste water disposal system; and 2. the suitability of an alternative wastewater disposal system; and 3. the size of the allotment to accommodate a discharge to ground; <u>and</u> 4. <u>the effects of the discharge on the values of Kāti Huirapa.</u>⁶⁵
SUB-S5	Electricity supply and telecommunications	
1⁶⁶ All zones except General Rural Zone	<p>All allotments, other than allotments for access, roads, utilities or reserves, must be provided with connections at the boundary of the net area of the allotment to an electricity supply and telecommunication system networks <u>service through an open access fibre network</u>⁶⁷, unless evidence is provided that a suitable alternative supply can be provided, and a consent notice mechanism⁶⁸ is proposed alerting future purchasers.</p> <p>This standard does not apply to allotments for a utility, road, reserve or for access purposes.</p>	<p>Matters of discretion restricted to:</p> <ol style="list-style-type: none"> 1. whether an electricity <u>supply</u>⁶⁹ and telecommunication <u>service</u>⁷⁰ <u>supply are</u>⁷¹ needed for the intended use; and 2. the suitability of the alternative provision of telecommunication <u>service</u>⁷² and electrical supply; and 3. whether a consent notice mechanism⁷³ is required to alert any potential purchasers; <u>and</u> 4. <u>whether sufficient land for telecommunications, and any associated ancillary services has been set aside; and</u> 5. <u>for a subdivision that creates more than 15 allotments, whether consultation with a</u>

⁶⁵ TRoNT [185.63].

⁶⁶ Connexa [176.82], Spark [208.82], Chorus [209.82] and Vodafone [210.82].

⁶⁷ Connexa [176.82], Spark [208.82], Chorus [209.82] and Vodafone [210.82].

⁶⁸ Clause 10(2)(b), Schedule 1 of the RMA relying on RHL [174.55], Rooney, GJH [191.55], RGL [249.55], RFL [250.55], REL [251.55] and TDL [252.55].

⁶⁹ Clause 16(2), Schedule 1 of the RMA.

⁷⁰ Clause 10(2)(b), Schedule 1 of the RMA relying on Connexa [176.82], Spark [208.82], Chorus [209.82] and Vodafone [210.82].

⁷¹ Clause 16(2), Schedule 1 of the RMA.

⁷² Clause 10(2)(b), Schedule 1 of the RMA relying on Connexa [176.82], Spark [208.82], Chorus [209.82] and Vodafone [210.82].

⁷³ Clause 10(2)(b), Schedule 1 of the RMA relying on RHL [174.55], Rooney, GJH [191.55], RGL [249.55], RFL [250.55], REL [251.55] and TDL [252.55].

		<p><u>telecommunications network utility operator is required.</u></p> <p>6. <u>whether any easements are necessary for the protection of electricity supply and telecommunications network utility services.</u>⁷⁴</p>
<p>2 <u>General Rural Zone</u></p>	<p><u>All allotments, other than allotments for access, roads, 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 connection (fibre, mobile or wireless including satellite), unless evidence is provided that a suitable alternative supply can be provided, and a mechanism is proposed alerting future purchasers.</u></p> <p><u>This standard does not apply to allotments for a utility, road, reserve or for access purposes.</u></p>	<p><u>Matters of discretion restricted to:</u></p> <ol style="list-style-type: none"> <u>whether an electricity supply and telecommunication service are needed for the intended use; and</u> <u>the suitability of the alternative provision of telecommunication service and electrical supply; and</u> <u>whether a mechanism is required to alert any potential purchasers; and</u> <u>whether any easements are necessary for the protection of electricity supply and telecommunications network utility services.</u>⁷⁵
SUB-S6	Vehicular Access	
All zones	<ol style="list-style-type: none"> All allotments must be provided with legal and physical access to a road. <u>Any new vehicular</u> Vehicular⁷⁶ access must not be to a state highway, or across a railway line. The vehicular access shall be designed and constructed in accordance with the requirements in the Transport chapter. For developments where a fire appliance is not able to reach either: <ol style="list-style-type: none"> the residential unit; or a firefighting water supply source from the public road, 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><u>Matters of discretion restricted to:</u></p> <ol style="list-style-type: none"> The need for legal and physical access to the site; and the effects of any alternative access proposed; the safety and efficiency of the road; the outcome of any consultation with NZTA; the matters of discretion relevant to any TRAN chapter standard breached.
SUB-S7	Roads, cycleways and pedestrian access	
1. All zones	All roads, cycleways and pedestrian accesses must be designed, constructed	<u>Matters of discretion restricted to:</u>

⁷⁴ Connexa [176.82], Spark [208.82], Chorus [209.82] and Vodafone [210.82].

⁷⁵ Connexa [176.82], Spark [208.82], Chorus [209.82] and Vodafone [210.82].

⁷⁶ RHL [174.57], Rooney, GJH [191.57], RGL [249.57], RFL [250.57], REL [251.57] and TDL [252.57].

	and vested in accordance with the Transport Standards in the Transport chapter except where alternative standards are set out in a Development plan area chapter.	1. the TRAN chapter matters of discretion relevant to the standard breached.
2. Geraldine Downs - Walking and Cycling tracks specific control areas	A 5m wide access lot is vested to Timaru District Council in accordance with the Geraldine Downs walking and cycling tracks specific control areas as showing <u>shown</u> ⁷⁷ on the Planning map.	Matters of discretion restricted to: 1. the extent to which the proposal would affect the ability for the Geraldine Downs Walking and Cycling tracks to be established.
SUB-S8	Esplanade reserves and strips	
All zones (except the Port Zone)	<ol style="list-style-type: none"> 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: <ol style="list-style-type: none"> 5m where an allotment(s) of 4ha or more is created; 10m where an allotment(s) of less than 4ha is created; 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. 	Matters of discretion restricted to: <ol style="list-style-type: none"> the extent to which the purpose of the required esplanade reserve or esplanade strip can be achieved through alternative means; and the extent to which a reduced width will impact on the ability to achieve the intended purpose of the esplanade reserve or strip; <u>and</u>⁷⁸ the extent to which the ability to provide the required esplanade reserve or strip is constrained by the site's physical characteristics or constraints; and the extent to which provision of the required esplanade reserve or strip may adversely affect public health and safety; and the costs of acquiring and maintaining the required esplanade reserve or strip, in comparison to the public benefit; <u>and</u> <u>the impact of taking the esplanade provision on Kāti Huirapa values.</u>⁷⁹

⁷⁷ Clause 16(2), Schedule 1 of the RMA.

⁷⁸ Clause 16(2), Schedule 1 of the RMA.

⁷⁹ TRoNT [185.64].

DEV1 - BROUGHES GULLY RESIDENTIAL DEVELOPMENT AREA

Development Area Plans (DAPs) guide the general pattern of development in new growth areas to ensure it occurs in a comprehensive manner. DAPs also provide certainty for the community, developers, network utility providers and territorial authorities that all constraints associated with a development area is being investigated and addressed in the layout and design of the development area.

The Broughs Gully Residential⁸⁰ Development Area comprises 27ha of land situated in north Timaru bordered by Jellicoe Street, Old North Road and Mahoneys Hill Road. The land within the Development Area is zoned General Residential Zone. The Broughs Gully Residential⁸¹ Development Area Plan guides the general pattern of urban⁸² development ~~for new growth in the area~~⁸³. It provides for the integration of future ~~suburban~~⁸⁴ development with roads, sewer and water infrastructure, stormwater basins and linkages to the surrounding area. It also restricts vehicle⁸⁵ access ~~area~~⁸⁶ onto ~~to~~⁸⁷ Old North Road.

It is anticipated that urban⁸⁸ development will be in general accordance with the Broughs Gully Residential⁸⁹ Development Area Plan. However, it is also recognised that through the detailed preparation of a subdivision consent application(s) or infrastructure⁹⁰ asset design, there is the potential for alternative solutions to be developed that also better⁹¹ achieve the specific outcomes sought ~~in DEV1-O1 than the land use pattern shown on the Broughs Gully Development Area Plan~~⁹².

When assessing applications for development that is not in accordance with the Broughs Gully Development Area Plan, it is anticipated that such applications will only be granted where they are able to demonstrate that the proposed development better⁹³ achieves the objectives identified in this chapter and specific outcomes sought in the Broughs Gully Development Area Plan. This will be easier to demonstrate if the proposed development encompasses the entire development area so that the implications of the changes can be fully understood. Conversely, where the proposed urban⁹⁴ development is only for a portion of the ~~Broughs Gully Residential Development Area~~⁹⁵, the ~~applicant application~~⁹⁶ will need to demonstrate that the outcomes sought for the entire development area will not be compromised or constrained. Any ~~new~~ alternate⁹⁷ design shall also ~~will need to~~⁹⁸ align

⁸⁰ BGD [167.6].

⁸¹ BGD [167.6].

⁸² BGD [167.6].

⁸³ BGD [167.6].

⁸⁴ BGD [167.6].

⁸⁵ BGD [167.6].

⁸⁶ Clause 16(2), Schedule 1 of the RMA.

⁸⁷ BGD [167.6].

⁸⁸ BGD [167.6].

⁸⁹ BGD [167.6].

⁹⁰ BGD [167.6].

⁹¹ BGD [167.6].

⁹² BGD [167.6].

⁹³ BGD [167.6].

⁹⁴ BGD [167.6].

⁹⁵ BGD [167.6].

⁹⁶ BGD [167.6].

⁹⁷ BGD [167.6].

⁹⁸ BGD [167.6].

with urban⁹⁹ design principles qualities described in¹⁰⁰ the New Zealand Urban Design Protocol or any successor¹⁰¹.

Objectives

DEV1-O1 Key Outcomes for the Development Area

Urban development¹⁰² occurs in the Broughs Gully Residential¹⁰³ Development Area in a comprehensive manner that ensures:

1. efficient provision of suburban¹⁰⁴ residential development that provides a range of allotment sizes; and
2. residential urban¹⁰⁵ development is integrated and coordinated with infrastructure; and
3. infrastructure is provided in an effective and efficient manner; and
4. road and pedestrian network is efficient, connected and safe; and
5. the character and qualities of the General Residential Zone are met; and
6. the design integrates with the areas topography and natural drainage channels; and
7. adverse effects of natural hazards are avoided or mitigated; and
8. the ability to develop any remaining area is not compromised or constrained by new development; and
9. new urban¹⁰⁶ development integrates well with adjoining urban land uses; and
10. stormwater has a minimal effect on Waitarakao (Washdyke lagoon); and
11. there are is¹⁰⁷ minimal adverse effects, including reverse sensitivity effects,¹⁰⁸ on the national grid National Grid are managed in accordance with Policy EI-P3¹⁰⁹.

Policies

DEV1-P1 Anticipated Activities

Enable land use, subdivision and¹¹⁰ development that complies in general accordance¹¹¹ with the Broughs Gully Residential¹¹² Development Area Plan and any associated other applicable District Plan¹¹³ requirements.

DEV1-P2 Unanticipated Activities

Only allow land use, subdivision and¹¹⁴ development that is not in general accordance activities that do not comply¹¹⁵ with the¹¹⁶ Broughs Gully Residential¹¹⁷ Development Area Plan and associated

⁹⁹ BGDL [167.6].

¹⁰⁰ BGDL [167.6].

¹⁰¹ BGDL [167.6].

¹⁰² BGDL [167.7].

¹⁰³ BGDL [167.6].

¹⁰⁴ BGDL [167.7].

¹⁰⁵ BGDL [167.7].

¹⁰⁶ BGDL [167.7].

¹⁰⁷ Clause 10(2)(b) of the RMA relying on Transpower [159.103].

¹⁰⁸ Transpower [159.103].

¹⁰⁹ Transpower [159.103].

¹¹⁰ Clause 10(2)(b) relying on SPL [140.28], HHPL [168.30], and NMTE [190.27] to retain consistency.

¹¹¹ BGDL [167.8].

¹¹² BGDL [167.6].

¹¹³ BGDL [167.8].

¹¹⁴ Clause 10(2)(b) relying on SPL [140.28], HHPL [168.30], and NMTE [190.27] to retain consistency.

¹¹⁵ BGDL [167.8].

¹¹⁶ Clause 10(2)(b) of the RMA relying on BGDL [167.8].

¹¹⁷ BGDL [167.6].

requirements if an alternative design provides a better solution to meeting achieves the outcomes set out in¹¹⁸ DEV1-O1.

Rules

Note: The rules of this chapter apply in addition ~~of~~ to¹¹⁹ the underlying zone provisions and district wide chapters. For certain activities, consent may be required by rules in other chapters in the Plan. Unless expressly stated otherwise by a rule, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1, HPW — How the Plan Works - General Approach.

DEV1-R1	Land use, subdivision and development	
DEV-1 - Broughs Gully Residential¹²⁰ Development Area	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 It complies with Broughs Gully Residential¹²¹ Development Area Plan; and</p> <p>PER-2 The runoff from the first 15mm of rainfall in any storm event (regardless of duration) from any impervious or hardstand surfaces (excluding roofs) shall be treated before discharging to a reticulated network. The treatment shall be by infiltration systems, which may include but not <u>be</u>¹²² limited to:</p> <ol style="list-style-type: none"> 1. infiltration basins; 2. rain gardens; 3. permeable pavement; 4. constructed wetlands; 5. catchpit filter inserts; and <p>PER-3 All the Standards of this chapter are complied with except the standards do not apply if the development is for:</p> <ol style="list-style-type: none"> 1. an alteration, addition to an existing residential unit or visitors accommodation; or 2. <u>a new residential unit on an existing site that does not already contain a residential unit; or</u>¹²³ 	Activity status where compliance not achieved: Discretionary

¹¹⁸ Clause 10(2)(b) of the RMA relying on BGD [167.8].

¹¹⁹ Clause 16(2), Schedule 1 of the RMA.

¹²⁰ BGD [167.6].

¹²¹ BGD [167.6].

¹²² Clause 16(2), Schedule 1 of the RMA.

¹²³ Clause 10(2)(b) relying on RHL [174.91], Rooney, GJH [191.91], RGL [249.91], RFL [250.91], REL [251.91], TDL [252.91] to retain consistency.

	3. a new accessory building to a residential activity.	
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Standards

DEV1-S1	Roading	
DEV1 - Broughs Gully Residential¹²⁴ Development Area	<p>At the time of land use, subdivision or development and prior to any new buildings being occupied, new roads shall be constructed in general accordance with the layout shown on the Development Area Plan. It is the developer's responsibility to:</p> <ol style="list-style-type: none"> 1. construct the portion of road contained within their land to be developed. This shall include kerb and channel, street lighting, footpaths, load drainage systems, berms and landscaping required; and 2. design and construct these roads in general accordance with the Transport Chapter (TRAN)¹²⁵; and 3. ensure nothing hinders or restricts the ability for adjoining land to link to the new road as provided for in Broughs Gully Residential¹²⁶ Development Area Plan. <p>Note:</p> <ol style="list-style-type: none"> 1. <i>The Council will require specific designs for roads in accordance with Council's infrastructure Standards. This is to be completed reviewed and signed off¹²⁷ by a suitably qualified chartered¹²⁸ professional engineer and these engineering plans and specifications will require Timaru District Council approval prior to the commencement of any work.</i> 2. <i>Quality control during construction shall also be documented to check compliance with the relevant engineering design.</i> 	Matters of discretion restricted to: Not applicable
DEV1-S2	Stormwater, water and sewerage infrastructure	
DEV1 - Broughs Gully	At the time of land use, subdivision or development and prior to any new	Matters of discretion restricted to: Not applicable

¹²⁴ BGDL [167.6].

¹²⁵ Clause 16(2), Schedule 1 of the RMA.

¹²⁶ BGDL [167.6].

¹²⁷ MFL [60.49].

¹²⁸ BGDL [167.11].

Residential ¹²⁹ Development Area	<p>buildings being occupied, any¹³⁰ <i>stormwater, water and sewerage infrastructure required to service the land use, subdivision or development</i>¹³¹ shall be designed and constructed by the developer <u>as reticulated system that are located</u>¹³² <u>within their site land owned by the developer.</u> Include any stormwater, water and sewerage systems required to service the lands through reticulated systems.¹³³</p> <p>Note:</p> <ol style="list-style-type: none"> 1. <i>The Council will require specific designs for stormwater, water and sewerage infrastructure in accordance with Council's infrastructure Standards. This is to be completed reviewed and signed off¹³⁴ by a suitably qualified chartered¹³⁵ professional engineer and these engineering plans and specifications will require Timaru District Council approval prior to the commencement of any work.</i> 2. <i>Quality control during construction shall also be documented to check compliance with the relevant engineering design.</i> 	
DEV1-S3	Walkway/cycleways	
DEV1 - Brouchs Gully Residential ¹³⁶ Development Area	<p>At the time of land use, subdivision or development and prior to any new buildings being occupied, the developer shall design and construct all¹³⁷ <u>walkway/cycleways within the land area subject to the consent application as</u>¹³⁸ indicated on the Brouchs Gully <u>Residential</u>¹³⁹ Development Area Plan to include:</p> <ol style="list-style-type: none"> 1. a minimum reserve width of 6 metres; 	Matters of discretion restricted to: Not applicable

¹²⁹ BGDL [167.6].¹³⁰ TDC [42.60].¹³¹ TDC [42.60].¹³² TDC [42.60].¹³³ TDC [42.60].¹³⁴ MFL [60.50].¹³⁵ BGDL [167.12].¹³⁶ BGDL [167.6].¹³⁷ Clause 10(2)(b) of the RMA relying on BGDL [167.13].¹³⁸ BGDL [167.13].¹³⁹ BGDL [167.6].

	<ol style="list-style-type: none"> 2. a minimum formed width of 2.5 metres; 3. planting and mulching of the remaining 3.5 metres; 4. for the formed width, 200mm (depth) of compacted AP65 must be provided, after vegetation and topsoil is removed. A 100mm layer of compacted AP20 is then to be applied and topped with 25mm of crusher dust. 5. for the unformed width, a planting plan incorporating appropriate native plants and 100mm depth of bark mulch is to be submitted to Council for approval prior to planting. 	
DEV1-S4	Parks	
DEV1 - Broughs Gully Residential¹⁴⁰ Development Area	At the time of land use, subdivision or development and prior to any new buildings being occupied, any parks indicated on the Broughs Gully Residential ¹⁴¹ Development Area Plan shall be vested to Council.	Matters of discretion restricted to: Not applicable
DEV1-S5	Vesting of infrastructure and assets	
DEV1 - Broughs Gully Residential¹⁴² Development Area	<p>At the time of land use, subdivision or development and prior to any new buildings being occupied, all required roads, public <u>network</u>¹⁴³ utility services¹⁴⁴, parks, walkway/cycleways and stormwater swales indicated on the Broughs Gully Residential¹⁴⁵ Development Area Plan and within the site shall be vested into Timaru District Council's ownership.</p> <p>Note:</p> <ol style="list-style-type: none"> 1. <i>The actual cost of road, <u>network</u>¹⁴⁶ utility services¹⁴⁷ and walkway/cycleway construction will be apportioned between the developer and Council, with that apportionment to be determined on the basis of the percentage of public versus private benefit.</i> 	Matters of discretion restricted to: Not applicable

¹⁴⁰ BGDL [167.6].¹⁴¹ BGDL [167.6].¹⁴² BGDL [167.6].¹⁴³ BGDL [167.15].¹⁴⁴ BGDL [167.15].¹⁴⁵ BGDL [167.6].¹⁴⁶ BGDL [167.15].¹⁴⁷ BGDL [167.15].

Plans

Figure 21 — Broughs Gully Residential¹⁴⁸ Development Area Plan

DEV1 - BROUGHS GULLY DEVELOPMENT AREA PLAN



[Please note – plan to be updated to remove Stormwater Management Area located west of Road 1].

¹⁴⁸ BGDL [167.6].

DEV2 — GLENITI RESIDENTIAL DEVELOPMENT AREA

Development Area Plans (DAPs) guide the general pattern of development in new growth areas to ensure it occurs in a comprehensive manner. DAPs also provide certainty for the community, developers, network utility providers and territorial authorities that all constraints associated with a development area is being investigated and addressed in the layout and design of the development area.

The Gleniti Residential Development Area comprises approximately 98 ha of General Residential Zone land located in the western part of Timaru. It includes areas of existing suburban development and areas for new low density urban ~~suburban~~¹⁴⁹ development, stormwater swales and dams, roads, neighbourhood parks, waterways, walking/cycling routes and a neighbourhood centre.

It is anticipated that urban¹⁵⁰ development will be in general accordance with the Gleniti Residential Development Area Plan. However, it is also recognised that through the detailed preparation of a subdivision consent application(s) or infrastructure¹⁵¹ asset design, there is the potential for alternative solutions to be developed that ~~also better~~¹⁵² achieve the specific outcomes sought in DEV2-O1 and objectives than the land use pattern shown on the Gleniti Residential Development Area Plan¹⁵³.

When assessing applications for development that is not in accordance with the ~~the~~¹⁵⁴ Gleniti Residential Development Area Plan, it is anticipated that such applications will only be granted where they are able to demonstrate that the proposed development ~~better~~¹⁵⁵ achieves the objectives identified in this chapter and specific outcomes sought in the Gleniti Residential Development Area Plan. This will be easier to demonstrate if the proposed development encompasses the entire development area so that the implications of the changes can be fully understood. Conversely, where the proposed urban development is only for a portion of the Gleniti Residential Development Area, the application applicant¹⁵⁶ will need to demonstrate that the outcomes sought for the entire development area will not be compromised or constrained. Any ~~new~~ alternate design shall also will need to align with urban design principles qualities described in of the New Zealand Urban Design Protocol or any successor¹⁵⁷.

Objectives

DEV2-O1 Key Outcomes for the Development Area

Urban dDevelopment¹⁵⁸ occurs in the Gleniti Residential Development Area in a comprehensive manner that ensures:

1. efficient provision of ~~suburban~~¹⁵⁹ residential development that provides a range of allotment sizes; and
2. a centrally located, well connected neighbourhood centre; and
3. land use is integrated and coordinated with infrastructure; and
4. infrastructure is provided in an effective and efficient manner; and
5. the road and pedestrian network is efficient, connected and safe; and
6. the character and qualities of the proposed zones are met; and
7. the design integrates with the areas topography and natural drainage channels; and

¹⁴⁹ Clause 10(2)(b) relying on BGDL [167.6] to retain consistency.

¹⁵⁰ Clause 10(2)(b) relying on BGDL [167.6] to retain consistency.

¹⁵¹ Clause 10(2)(b) relying on BGDL [167.6] to retain consistency.

¹⁵² Clause 10(2)(b) relying on BGDL [167.6] to retain consistency.

¹⁵³ Clause 10(2)(b) relying on BGDL [167.6] to retain consistency.

¹⁵⁴ Clause 16(2), Schedule 1 of the RMA.

¹⁵⁵ Clause 10(2)(b) relying on BGDL [167.6] to retain consistency.

¹⁵⁶ Clause 10(2)(b) relying on BGDL [167.6] to retain consistency.

¹⁵⁷ Clause 10(2)(b) relying on BGDL [167.6] to retain consistency.

¹⁵⁸ Clause 10(2)(b) relying on BGDL [167.7] to retain consistency.

¹⁵⁹ Clause 10(2)(b) relying on BGDL [167.7] to retain consistency.

8. the adverse effects of natural hazards are avoided or mitigated; and
9. the ability to develop any remaining area is not compromised or constrained; and
10. new urban development integrates well with the adjoining urban land uses.

Policies

DEV2-P1 Anticipated Activities

Enable land use, subdivision and¹⁶⁰ development that complies in general accordance with the Gleniti Residential Development Area Plan and any associated other applicable District Plan requirements¹⁶¹.

DEV2-P2 Unanticipated Activities

Only allow land use, subdivision and¹⁶² development that is not in general accordance ~~activities that do not comply~~ with the Gleniti Residential Development Area Plan ~~and associated requirements~~ if an alternative design ~~provides a better solution to meeting~~ achieves the outcomes set out in¹⁶³ DEV2-O1.

Rules

Note: The rules of this chapter apply in addition ~~of~~ to¹⁶⁴ the underlying zone provisions and district wide chapters¹⁶⁵. For certain activities, consent may be required by rules in other chapters in the Plan. Unless expressly stated otherwise by a rule, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1, HPW — How the Plan Works - General Approach.

DEV2-R1	Land use, subdivision and development	
DEV2 - Gleniti Residential Development Area	Activity status: Permitted	Activity status where compliance not achieved: Discretionary
	<p>Where:</p> <p>PER-1 It complies with the Gleniti Residential Development Area Plan; and</p> <p>PER-2 All the Standards of this chapter are complied with except the standards do not apply if the development is for:</p> <ol style="list-style-type: none"> 1. an alteration, addition to an existing residential unit or visitors accommodation; or 2. <u>a new residential unit on an existing site that does not already contain a residential unit; or</u>¹⁶⁶ 3. a new accessory building to a residential activity. 	

¹⁶⁰ Clause 10(2)(b) relying on SPL [140.28], HHPL [168.30], and NMTE [190.27] to retain consistency.

¹⁶¹ Clause 10(2)(b) relying on BGDL [167.8] to retain consistency.

¹⁶² Clause 10(2)(b) relying on SPL [140.28], HHPL [168.30], and NMTE [190.27] to retain consistency.

¹⁶³ Clause 10(2)(b) relying on BGDL [167.8] to retain consistency.

¹⁶⁴ Clause 16(2), Schedule 1 of the RMA.

¹⁶⁵ Clause 10(2)(b) relying on Transpower [159.104] to retain consistency.

¹⁶⁶ RHL [174.91], Rooney, GJH [191.91], RGL [249.91], RFL [250.91], REL [251.91], TDL [252.91].

Standards

DEV2-S1	Roading	
DEV2 - Gleniti Residential Development Area	<p>At the time of land use, subdivision or development and prior to any new buildings being occupied, new roads shall be constructed in general accordance with the layout shown on the Gleniti Residential Development Area Plan. It is the developer's responsibility to:</p> <ol style="list-style-type: none"> 1. construct the portion of road contained within their land to be developed. This shall include kerb and channel, street lighting, footpaths, load drainage systems, berms and landscaping required; and 2. design and construct these roads in general accordance with the Transport Chapter (TRAN)}¹⁶⁷; and 3. ensure nothing hinders or restricts the ability for adjoining land to link to the new road as provided for in Gleniti Residential Development Area Plan. <p>Note:</p> <ol style="list-style-type: none"> 1. <i>The Council will require specific designs for roads in accordance with Council's infrastructure Standards. This is to be completed reviewed and signed off¹⁶⁸ by a suitably qualified chartered¹⁶⁹ professional engineer and these engineering plans and specifications will require Timaru District Council approval prior to the commencement of any work.</i> 2. <i>Quality control during construction shall also be documented to check compliance with the relevant engineering design.</i> 	Matters of discretion restricted to: Not applicable
DEV2-S2	Stormwater, water and sewerage infrastructure	
DEV2 - Gleniti Residential Development Area	<p>At the time of land use, subdivision or development and prior to any new buildings being occupied, any¹⁷⁰ <i>stormwater, water and sewerage infrastructure</i> required <u>to service the land use, subdivision or development</u>¹⁷¹ shall be designed and constructed by the developer <u>as reticulated</u></p>	Matters of discretion restricted to: Not applicable

¹⁶⁷ Clause 16(2), Schedule 1 of the RMA.

¹⁶⁸ Clause 10(2)(b) relying on BGDL [167.11], MFL [60.49] to retain consistency.

¹⁶⁹ Clause 10(2)(b) of the RMA relying on BGDL [167.11, 167.12].

¹⁷⁰ TDC [42.61].

¹⁷¹ TDC [42.61].

	<p><u>system that are located</u>¹⁷² within their site land owned by the developer. Include any stormwater, water and sewerage systems required to service the lands through reticulated systems.¹⁷³</p> <p>Note:</p> <ol style="list-style-type: none"> 1. The Council will require specific designs for stormwater, water and sewerage infrastructure in accordance with Council's infrastructure Standards. This is to be completed reviewed and signed off¹⁷⁴ by a suitably qualified chartered¹⁷⁵ professional engineer and these engineering plans and specifications will require Timaru District Council approval prior to the commencement of any work. 2. Quality control during construction shall also be documented to check compliance with the relevant engineering design. 	
DEV2-S3	Walkway/cycleways	
DEV2 - Gleniti Residential Development Area	<p>At the time of land use, subdivision or development and prior to any new buildings being occupied, the developer shall design and construct all¹⁷⁶ walkway/cycleways <u>within the land area subject to the consent application as</u>¹⁷⁷ indicated on the Gleniti Residential Development Area Plan to include:</p> <ol style="list-style-type: none"> 1. a minimum reserve width of 6 metres; 2. a minimum formed width of 2.5 metres; 3. planting and mulching of the remaining 3.5 metres; 4. for the formed width, 200mm (depth) of compacted AP65 must be provided, after vegetation and topsoil is removed. A 100mm layer of compacted AP20 is then to be applied and topped with 25mm of crusher dust. 5. for the unformed width, a planting plan incorporating appropriate native plants and 100mm depth of bark mulch is to be submitted to Council for approval prior to planting. 	Matters of discretion restricted to: Not applicable

¹⁷² TDC [42.61].

¹⁷³ TDC [42.61].

¹⁷⁴ Clause 10(2)(b) relying on BGDL [167.11], MFL [60.49] to retain consistency.

¹⁷⁵ Clause 10(2)(b) of the RMA relying on BGDL [167.11, 167.12].

¹⁷⁶ RHL [174.92], Rooney, GJH [191.92], RGL [249.92], RFL [250.92], REL [251.92], TDL [252.92].

¹⁷⁷ RHL [174.92], Rooney, GJH [191.92], RGL [249.92], RFL [250.92], REL [251.92], TDL [252.92].

DEV2-S4	Parks	
DEV2 - Gleniti Residential Development Area	At the time of land use, subdivision or development and prior to any new buildings being occupied, any parks indicated on the Gleniti Residential Development Area Plan shall be vested to Council.	Matters of discretion restricted to: Not applicable
DEV2-S5	Vesting of roads services and infrastructure	
DEV2 - Gleniti Residential Development Area	<p>At the time of land use, subdivision or development and prior to any new buildings being occupied, all required roads, public <u>network</u> utility services¹⁷⁸, parks, walkway/cycleways and stormwater swales indicated on the Gleniti Residential Development Area Plan and within the site shall be vested into Timaru District Council's ownership.</p> <p>Note:</p> <ol style="list-style-type: none"> 1. <i>The actual cost of road, <u>network</u> utility services¹⁷⁹ and walkway/cycleway construction will be apportioned between the developer and Council, with that apportionment to be determined on the basis of the percentage of public versus private benefit.</i> 	Matters of discretion restricted to: Not applicable

¹⁷⁸ Clause 10(2)(b) relying on BGDL [167.15] to retain consistency.

¹⁷⁹ Clause 10(2)(b) relying on BGDL [167.15] to retain consistency.

Plans

Figure 22 — Gleniti Residential Development Area Plan

DEV2 - GLENITI RESIDENTIAL DEVELOPMENT AREA PLAN



DEV3 — WASHDYKE INDUSTRIAL¹⁸⁰ DEVELOPMENT AREA

Development Area Plans (DAPs) guide the general pattern of development in new growth areas to ensure it occurs in a comprehensive manner. DAPs also provide certainty for the community, developers, network utility providers and territorial authorities that all constraints associated with the development of an area are investigated and addressed in the layout and design of the new area.

The Washdyke Industrial Development Area comprises 130 ha of General Industrial Zone land some of which has been developed in an industrial capacity and other parts that remain vacant. The Washdyke Industrial Development Area Plan guides the general pattern of development for new growth in the area. It provides for the integration of future industrial development with existing and new roads, indicative cycle/pedestrian paths (including connection to Washdyke/Waitarakao lagoon) and stormwater management areas.

It is anticipated that development will be in general accordance with the Washdyke Industrial Development Area Plan. However, it is also recognised that through the detailed preparation of a subdivision consent application(s) or infrastructure asset design, there is the potential for alternative solutions to be developed that also better achieve the specific outcomes sought in DEV3-O1 ~~than the land use pattern shown on the Washdyke Industrial Development Area Plan~~¹⁸¹.

When assessing applications for development that is not in accordance with the Washdyke Industrial Development Area Plan, it is anticipated that such applications will only be granted where they are able to demonstrate that the proposed development better¹⁸² achieves the objectives identified in this chapter and specific outcomes sought in the Washdyke Industrial Development Area. This will be easier to demonstrate if the proposed development encompasses the entire development area so that the implications of the changes can be fully understood. Conversely, where the proposed development is only for a portion of the Washdyke Industrial Development Area, the applicant application¹⁸³ will need to demonstrate that the outcomes sought for the entire development area will not be compromised or constrained. Any new alternate design shall also ~~will need to align with design principles qualities described in~~ of the New Zealand Urban Design Protocol or any successor¹⁸⁴.

Objectives

DEV3-O1	Key Outcomes for the Development Area
<p>Development occurs in the Washdyke Industrial Development Area in a comprehensive manner that ensures:</p> <ol style="list-style-type: none"> 1. efficient provision of industrial development; and 2. land use is integrated and coordinated with infrastructure; and 3. infrastructure is provided in an effective and efficient manner; and 4. the road and pedestrian network is efficient, connected and safe; and 5. the character and qualities of the General Industrial zone are met; and 6. the design integrates with the areas topography and drainage channels; and 7. the adverse effects of natural hazards are avoided or mitigated; and 8. the ability to develop any remaining area is not compromised or constrained; and 9. new development integrates well with adjoining urban land uses; and 	

¹⁸⁰ HHPL [168.27], NMTE [190.26].

¹⁸¹ Clause 10(2)(b) relying on BGDL [167.6] to retain consistency.

¹⁸² Clause 10(2)(b) relying on BGDL [167.6] to retain consistency.

¹⁸³ Clause 10(2)(b) relying on BGDL [167.6] to retain consistency.

¹⁸⁴ Clause 10(2)(b) relying on BGDL [167.6] to retain consistency.

10. ~~there are is¹⁸⁵ minimal~~ adverse effects, including reverse sensitivity effects,¹⁸⁶ on the national grid National Grid ~~are managed in accordance with Policy EI-P3¹⁸⁷~~.

Policies

DEV3-P1	Anticipated Activities
	Enable <u>land use, subdivision and</u> ¹⁸⁸ development that complies with the Washdyke Industrial Development Area <u>Plan</u> ¹⁸⁹ and any-associated <u>other applicable District Plan</u> ¹⁹⁰ requirements.
DEV3-P2	Unanticipated Activities
	Only allow <u>land use, subdivision and</u> ¹⁹¹ <u>development that is not in general accordance</u> activities that do not comply ¹⁹² with the Washdyke Industrial Development Area <u>Plan</u> ¹⁹³ and associated requirements if an alternative design provides a better solution to meeting <u>achieves the outcomes set out in</u> DEV3-O1 ¹⁹⁴ .

Rules

Note: The rules of this chapter apply in addition ~~of~~ to¹⁹⁵ the underlying zone provisions and district wide chapters¹⁹⁶. For certain activities, consent may be required by rules in other chapters in the Plan. Unless expressly stated otherwise by a rule, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1, HPW — How the Plan Works - General Approach.

DEV3-R1	Land use, subdivision and development	
DEV3 — Washdyke Industrial Development Area	Activity status: Permitted	Activity status where compliance not achieved: Discretionary
	<p>Where:</p> <p>PER-1 It complies with Washdyke Industrial Development Area; and</p> <p>PER-2 There must be no heavy vehicle access to or from any site onto Flemington Street, Washdyke, this includes the installation of any heavy vehicle crossing to access Flemington Street. For the purpose of this standard, 'heavy vehicle' means any</p>	

¹⁸⁵ Clause 10(2)(b) relying on Transpower [159.105].

¹⁸⁶ Transpower [159.105].

¹⁸⁷ Transpower [159.105].

¹⁸⁸ SPL [140.28], HHPL [168.30], and NMTE [190.27].

¹⁸⁹ [Clause 10\(2\)\(b\) relying on BGD \[167.8\] to retain consistency.](#)

¹⁹⁰ SPL [140.28], HHPL [168.30], and NMTE [190.27].

¹⁹¹ Clause 10(2)(b) relying on SPL [140.28], HHPL [168.30], and NMTE [190.27] to retain consistency.

¹⁹² Clause 10(2)(b) relying on BGD [167.8] to retain consistency.

¹⁹³ [Clause 10\(2\)\(b\) relying on BGD \[167.8\] to retain consistency.](#)

¹⁹⁴ Clause 10(2)(b) relying on BGD [167.8] to retain consistency.

¹⁹⁵ Clause 16(2), Schedule 1 of the RMA.

¹⁹⁶ Transpower [159.104].

	<p>vehicle that requires a Heavy Vehicle Driver's licence to operate; and</p> <p>PER-3</p> <p>All the Standards of this chapter are complied with except the standards do not apply if the development is for:</p> <ol style="list-style-type: none"> 1. an alteration, addition to an existing residential unit or visitors accommodation; or 2. <u>a new residential unit on an existing site that does not already contain a residential unit; or</u>¹⁹⁷ 3. a new accessory building to a residential activity. 	
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Standards

DEV3-S1	Roading	
<p>DEV3 — Washdyke Industrial Development Area</p>	<p>At the time of land use, subdivision or development and prior to any new buildings being occupied, new roads shall be constructed in general accordance with the layout shown on the Washdyke Industrial Development Area. It is the developer's responsibility to:</p> <ol style="list-style-type: none"> 1. construct the portion of road contained within their land to be developed. This shall include kerb and channel, street lighting, footpaths, load drainage systems, berms and landscaping required; and 2. design and construct these roads in general accordance with the Transport Chapter (TRAN)}¹⁹⁸; and 3. ensure nothing hinders or restricts the ability for adjoining land to link to the new road as provided for in the Washdyke Industrial Development Area. <p>Note:</p> <ol style="list-style-type: none"> 1. <i>The Council will require specific designs for roads in accordance with Council's infrastructure Standards.</i> <p>This is to be completed reviewed and signed off¹⁹⁹ by a suitably qualified chartered²⁰⁰ professional engineer</p>	<p>Matters of discretion restricted to: Not applicable</p>

¹⁹⁷ RHL [174.93], Rooney, GJH [191.93], RGL [249.93], RFL [250.93], REL [251.93], TDL [252.93].

¹⁹⁸ Clause 16(2), Schedule 1 of the RMA.

¹⁹⁹ MFL [60.53].

²⁰⁰ Clause 10(2)(b) of the RMA relying on BGD [167.11, 167.12].

	<p><i>and these engineering plans and specifications will require Timaru District Council approval prior to the commencement of any work.</i></p> <p>2. <i>Quality control during construction shall also be documented to check compliance with the relevant engineering design.</i></p>	
DEV3-S2	Stormwater, water and sewerage infrastructure	
DEV3 — Washdyke Industrial Development Area	<p>At the time of land use, subdivision or development and prior to any new buildings being occupied, any²⁰¹ <i>stormwater, water and sewerage infrastructure required to service the land use, subdivision or development</i>²⁰² shall be designed and constructed by the developer within their site <i>land owned by the developer</i>. Include any stormwater, water and sewerage systems required to service the lands through reticulated systems.²⁰³</p> <p>Note:</p> <p>1. <i>The Council will require specific designs for stormwater, water and sewerage infrastructure in accordance with Council's infrastructure Standards. This is to be completed reviewed and signed off²⁰⁴ by a suitably qualified chartered²⁰⁵ professional engineer and these engineering plans and specifications will require Timaru District Council approval prior to the commencement of any work.</i></p> <p>2. <i>Quality control during construction shall also be documented to check compliance with the relevant engineering design.</i></p>	Matters of discretion restricted to: Not applicable
DEV3-S3	Walkway/cycleways	
DEV3 — Washdyke Industrial Development Area	<p>At the time of land use, subdivision or development and prior to any new buildings being occupied, the developer shall design and construct all²⁰⁶ <i>walkway/cycleways within the land area</i></p>	Matters of discretion restricted to: Not applicable

²⁰¹ TDC [42.62].

²⁰² TDC [42.62].

²⁰³ TDC [42.62].

²⁰⁴ MFL [60.54].

²⁰⁵ Clause 10(2)(b) of the RMA relying on BGDL [167.11, 167.12].

²⁰⁶ RHL [174.97], Rooney, GJH [191.97], RGL [249.97], RFL [250.97], REL [251.97], TDL [252.97], and HHPL [168.34].

	<p>subject to the consent application as²⁰⁷ indicated on the Washdyke Industrial Development Area Plan²⁰⁸ to include:</p> <ol style="list-style-type: none"> 1. a minimum reserve width of 6 metres; 2. a minimum formed width of 2.5 metres; 3. planting and mulching of the remaining 3.5 metres; 4. for the formed width, 200mm (depth) of compacted AP65 must be provided, after vegetation and topsoil is removed. A 100mm layer of compacted AP20 is then to be applied and topped with 25mm of crusher dust. 5. for the unformed width, a planting plan incorporating appropriate native plants and 100mm depth of bark mulch is to be submitted to Council for approval prior to planting. 	
DEV3-S4	Parks	
DEV3 — Washdyke Industrial Development Area	At the time of land use, subdivision or development and prior to any new buildings being occupied, any parks indicated on the Washdyke Industrial Development Area shall be vested to Council.	Matters of discretion restricted to: Not applicable
DEV3-S5	Vesting of roads services and infrastructure	
DEV3 — Washdyke Industrial Development Area	<p>At the time of land use, subdivision or development and prior to any new buildings being occupied, all required roads, <u>public network</u> utility services²⁰⁹, parks, walkway/cycleways and stormwater swales indicated on the Washdyke Industrial Development Area and within the site shall be vested into Timaru District Council's ownership.</p> <p>Note:</p> <ol style="list-style-type: none"> 1. <i>The actual cost of road, <u>network</u> utility services²¹⁰ and walkway/cycleway construction will be apportioned between the developer and Council, with that apportionment to be determined on</i> 	Matters of discretion restricted to: Not applicable

²⁰⁷ RHL [174.97], Rooney, GJH [191.97], RGL [249.97], RFL [250.97], REL [251.97], TDL [252.97], and HHPL [168.34].

²⁰⁸ Clause 16(2), Schedule 1 of the RMA.

²⁰⁹ Clause 10(2)(b) relying on BGDL [167.15] to retain consistency.

²¹⁰ Clause 10(2)(b) relying on BGDL [167.15] to retain consistency.

*the basis of the percentage of
public versus private benefit.*

Plans

Figure 23 — Washdyke Industrial Development Area Plan

DEV3 - WASHDYKE INDUSTRIAL DEVELOPMENT AREA PLAN



LEGEND:
DEVELOPMENT AREA
INDICATIVE ROAD
STORMWATER MANAGEMENT AREAS
WALKWAY/CYCLEWAY

DEV4 — TEMUKA NORTH-WEST RESIDENTIAL DEVELOPMENT AREA

Development Area Plans (DAPs) guide the general pattern of development in new growth areas to ensure it occurs in a comprehensive manner. DAPs also provide certainty for the community, developers, network utility providers and territorial authorities that all constraints associated with the development of an area are investigated and addressed in the layout and design of the new area.

The Temuka North-West Residential Development Area comprises General Residential Zone land located to the north-west of Temuka. The Temuka North-West Residential Development Area Plan guides the general pattern of urban development for new growth in the area²¹¹. It provides for the integration of future suburban²¹² development with infrastructure, open space, connection to the Temuka River, high hazard setback areas and stop bank maintenance areas.

It is anticipated that urban²¹³ development will be in general accordance with the Temuka North-West Residential Development Area Plan. However, it is also recognised that through the detailed preparation of a subdivision consent application(s) or infrastructure asset design, there is the potential for alternative solutions to be developed that also better achieve the outcomes sought in DEV3-O1 ~~than the land use pattern shown on the Temuka North-West Residential Development Area Plan~~²¹⁴.

When assessing applications for development that is not in accordance with the Temuka North-West Residential Development Area Plan, it is anticipated that such applications will only be granted where they are able to demonstrate that the proposed development better²¹⁵ achieves the key objectives identified in this chapter and specific outcomes sought in the Temuka North-West Residential Development Area Plan. This will be easier to demonstrate if the proposed development encompasses the entire development area so that the implications of the changes can be fully understood. Conversely, where the proposed urban development is only for a portion of the Temuka North-West Residential Development Area, the applicant application²¹⁶ will need to demonstrate that the outcomes sought for the entire development area will not be compromised or constrained. Any new alternate design shall also will need to align with urban design principles qualities described in of the New Zealand Urban Design Protocol or any successor²¹⁷.

Note: A stormwater management plan will be added to the Temuka North-West Residential Development Area via a variation to the Proposed District Plan.

Objectives

DEV4-O1	Key Outcomes for the Development Area
<p>Urban dDevelopment²¹⁸ occurs in the Temuka North-West Residential Development Area in a comprehensive manner that ensures:</p> <ol style="list-style-type: none"> 1. efficient provision of <u>suburban</u>²¹⁹ residential development that provides a range of allotments sizes; and 2. residential <u>urban</u>²²⁰ development is integrated and coordinated with infrastructure; and 	

²¹¹ Clause 10(2)(b) relying on BGDL [167.6] to retain consistency.

²¹² Clause 10(2)(b) relying on BGDL [167.6] to retain consistency.

²¹³ Clause 10(2)(b) relying on BGDL [167.6] to retain consistency.

²¹⁴ Clause 10(2)(b) relying on BGDL [167.6] to retain consistency.

²¹⁵ Clause 10(2)(b) relying on BGDL [167.6] to retain consistency.

²¹⁶ Clause 10(2)(b) relying on BGDL [167.6] to retain consistency.

²¹⁷ Clause 10(2)(b) relying on BGDL [167.6] to retain consistency.

²¹⁸ Clause 10(2)(b) relying on BGDL [167.7] to retain consistency.

²¹⁹ Clause 10(2)(b) relying on BGDL [167.7] to retain consistency.

²²⁰ Clause 10(2)(b) relying on BGDL [167.7] to retain consistency.

3. infrastructure is provided in an effective and efficient manner; and
4. the road and pedestrian network is efficient, connected and safe; and
5. the character and qualities of the General Residential Zone are met; and
6. the design integrates with the areas topography and natural drainage channels; and
7. adverse effects of natural hazards, and on the stopbank, are avoided or mitigated; and
8. the ability to develop any remaining area is not compromised or constrained; and
9. new urban²²¹ development integrates well with adjoining urban land uses.

Policies

DEV4-P1 Anticipated Activities

Enable land use, subdivision and²²² development ~~that complies in general accordance~~²²³ with the Temuka North-West Residential Development Area Plan and ~~associated~~ any other applicable District Plan requirements²²⁴.

DEV4-P2 Unanticipated Activities

Only allow land use, subdivision and²²⁵ urban development that is not in general accordance activities ~~that do not comply~~²²⁶ with the Temuka North-West Residential Development Area Plan and ~~associated requirements~~ if an alternative design provides a better solution to meeting achieves the outcomes set out in DEV4-O1²²⁷.

DEV4-P3

Only allow suburban²²⁸ development to occur in stages 2 and 3 if a sewer outfall is available to serve those respective stages.

Rules

Note: The rules of this chapter apply in addition ~~of~~ to²²⁹ the underlying zone provisions and district wide chapters²³⁰. For certain activities, consent may be required by rules in other chapters in the Plan. Unless expressly stated otherwise by a rule, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1, HPW — How the Plan Works - General Approach.

DEV4-R1	Land use, subdivision and development	
DEV4 - Temuka North-West Development Area	Activity status: Permitted	Activity status where compliance not achieved: Discretionary
	Where: PER-1 It complies with Temuka North-West Residential Development Area Plan; and	

²²¹ Clause 10(2)(b) relying on BGDL [167.7] to retain consistency.

²²² Clause 10(2)(b) relying on SPL [140.28], HHPL [168.30], and NMTE [190.27] to retain consistency.

²²³ Clause 10(2)(b) relying on BGDL [167.8] to retain consistency.

²²⁴ Clause 10(2)(b) relying on BGDL [167.8] to retain consistency.

²²⁵ Clause 10(2)(b) relying on SPL [140.28], HHPL [168.30], and NMTE [190.27] to retain consistency.

²²⁶ Clause 10(2)(b) relying on BGDL [167.8] to retain consistency.

²²⁷ Clause 10(2)(b) relying on BGDL [167.8] to retain consistency.

²²⁸ Clause 10(2)(b) relying on BGDL [167.8] to retain consistency.

²²⁹ Clause 16(2), Schedule 1 of the RMA.

²³⁰ Clause 10(2)(b) relying on Transpower [159.104] to retain consistency.

	<p>PER-2 All the Standards of this chapter are complied with except the standards do not apply if the development is for:</p> <ol style="list-style-type: none"> 1. an alteration, addition to an existing residential unit or visitors accommodation; or 2. <u>a new residential unit on an existing site that does not already contain a residential unit; or</u>²³¹ 3. a new accessory building to a residential activity; and <p>PER-3 No more than one house per allotment occurs in stages 2 or 3 before a public sewer outfall is available to those respective stages.</p>	
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Standards

DEV4-S1	Roading	
<p>DEV4 - Temuka North-West Residential Development Area</p>	<p>At the time of land use, subdivision or development and prior to any new buildings being occupied, new roads shall be constructed in general accordance with the layout shown on the Temuka North-West Residential Development Area Plan. It is the developer's responsibility to:</p> <ol style="list-style-type: none"> 1. construct the portion of road contained within their land to be developed. This shall include kerb and channel, street lighting, footpaths, load drainage systems, berms and landscaping required; and 2. design and construct these roads in general accordance with the Transport Chapter; and 3. ensure nothing hinders or restricts the ability for adjoining land to link to the new road as provided for in the Temuka North-West Residential Development Area Plan. <p>Note:</p> <ol style="list-style-type: none"> 1. <i>The Council will require specific designs for roads in accordance with Council's infrastructure Standards.</i> <i>This is to be completed reviewed and</i> 	<p>Matters of discretion restricted to: Not applicable</p>

²³¹ Clause 10(2)(b) relying on RHL [174.91], Rooney, GJH [191.91], RGL [249.91], RFL [250.91], REL [251.91], TDL [252.91] to retain consistency.

	<p>signed-off²³² by a suitably qualified chartered²³³ professional engineer and these engineering plans and specifications will require Timaru District Council approval prior to the commencement of any work.</p> <p>2. Quality control during construction shall also be documented to check compliance with the relevant engineering design.</p>	
DEV4-S2	Stormwater, water and sewerage infrastructure	
DEV4 - Temuka North-West Residential Development Area	<p>At the time of land use, subdivision or development and prior to any new buildings being occupied, any²³⁴ stormwater, water and sewerage infrastructure required to <u>service the land use, subdivision or development²³⁵</u> shall be designed and constructed by the developer <u>as reticulated systems that are located²³⁶ within their site land owned by the developer.</u> Include any stormwater, water and sewerage systems required to service the lands through reticulated systems.²³⁷</p> <p>Note:</p> <p>1. The Council will require specific designs for stormwater, water and sewerage infrastructure in accordance with Council's infrastructure Standards. This is to be completed reviewed and signed-off²³⁸ by a suitably qualified chartered²³⁹ professional engineer and these engineering plans and specifications will require Timaru District Council approval prior to the commencement of any work.</p> <p>2. Quality control during construction shall also be documented to check compliance with the relevant engineering design.</p>	Matters of discretion restricted to: Not applicable

²³² MFL [60.55].

²³³ Clause10(2)(b) of the RMA relying on BGD L [167.11, 167.12].

²³⁴ TDC [42.63].

²³⁵ TDC [42.63].

²³⁶ TDC [42.63].

²³⁷ TDC [42.63].

²³⁸ MFL [60.56].

²³⁹ Clause10(2)(b) of the RMA relying on BGD L [167.11, 167.12].

DEV4-S3	Walkway/cycleways	
DEV4 - Temuka North-West Residential Development Area	<p>At the time of land use, subdivision or development and prior to any new buildings being occupied, the developer shall design and construct all²⁴⁰ walkway/cycleways within the land area subject to the consent application as²⁴¹ indicated on the Temuka North-West Residential Development Area Plan to include:</p> <ol style="list-style-type: none"> 1. a minimum reserve width of 6 metres; 2. a minimum formed width of 2.5 metres; 3. planting and mulching of the remaining 3.5 metres; 4. for the formed width, 200mm (depth) of compacted AP65 must be provided, after vegetation and topsoil is removed. A 100mm layer of compacted AP20 is then to be applied and topped with 25mm of crusher dust. 5. for the unformed width, a planting plan incorporating appropriate native plants and 100mm depth of bark mulch is to be submitted to Council for approval prior to planting. 	Matters of discretion restricted to: Not applicable
DEV4-S4	Parks	
DEV4 - Temuka North-West Development Area	<p>At the time of land use, subdivision or development and prior to any new buildings being occupied, any parks indicated on the Temuka North-West Residential Development Area Plan shall be vested to Council.</p>	Matters of discretion restricted to: Not applicable
DEV4-S5	Vesting of roads services and infrastructure	
DEV4 - Temuka North-West Residential Development Area	<p>At the time of land use, subdivision or development and prior to any new buildings being occupied, all required roads, public <u>network</u> utility services²⁴², parks, walkway/cycleways and stormwater swales indicated on the Temuka North-West Residential Development Area Plan and within the site shall be vested into Timaru District Council's ownership.</p> <p>Note:</p>	Matters of discretion restricted to: Not applicable

²⁴⁰ Clause 10(2)(b) relying on BGDL [167.13] to retain consistency.

²⁴¹ Clause 10(2)(b) relying on BGDL [167.13] to retain consistency.

²⁴² Clause 10(2)(b) relying on BGDL [167.15] to retain consistency.

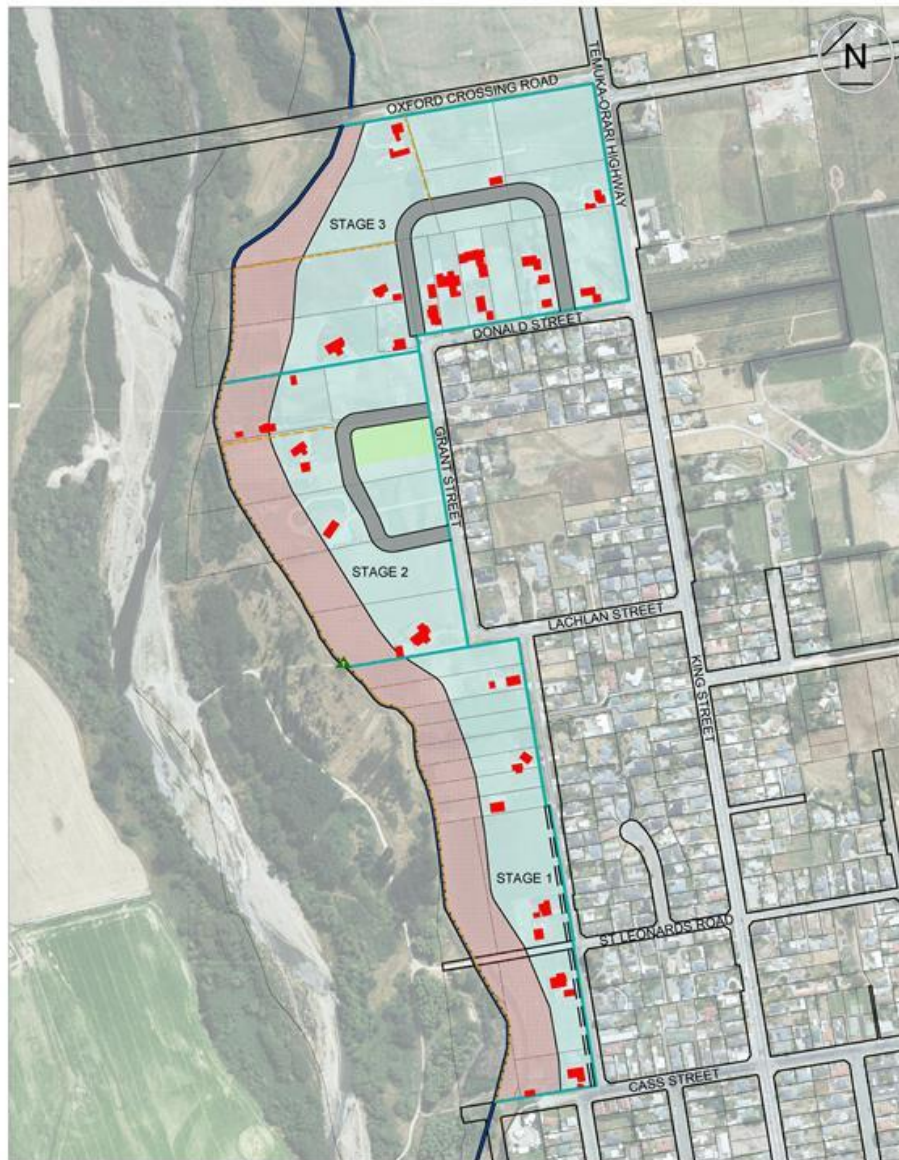
	1. <i>The actual cost of road, <u>network utility services</u>²⁴³ and walkway/cycleway construction will be apportioned between the developer and Council, with that apportionment to be determined on the basis of the percentage of public versus private benefit.</i>	
DEV4-S6	Setback	
DEV4 - Temuka North-West Residential Development Area	All buildings and structures shall be setback 10m from the landward side of the stopbank.	Matters of discretion restricted to: Not applicable

²⁴³ Clause 10(2)(b) relying on BGD L [167.15] to retain consistency.

Plans

Figure 24 — Temuka North-West Residential Development Area Plan

DEV4 - TEMUKA NORTH-WEST RESIDENTIAL DEVELOPMENT AREA PLAN



LEGEND:

- | | |
|-----------------------------|---|
| INDICATIVE DEVELOPMENT AREA | SIGNIFICANT TREES |
| INDICATIVE ROAD | FUTURE ROAD WIDENING
(4.5m strip to be set aside at the time of subdivision) |
| HIGH HAZARD AREA OVERLAY | |
| INDICATIVE PARKS | |
| EXISTING BUILDINGS | |
| WALKWAY/CYCLEWAY | |
| STOPBANKS | |