

IN THE MATTER OF Resource Management Act 1991

AND

IN THE MATTER OF Proposed Timaru District Plan

Decision Report – Part 10

Future Development Areas, Requests for Rezoning for Growth

DRAFT FOR TECHNICAL REVIEW

3 February 2026

Part 10: Future Development Areas, Requests for Rezoning for Growth

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1 MATTERS CONSIDERED IN THIS PART

[1] This Part of the Decision Report addresses the submissions received on the Growth topic of the Proposed Plan and covers the Future Development Area (FDA) Chapter and associated Planning Maps, and rezoning requests (Rural to Rural Lifestyle, Residential or Industrial, and miscellaneous rezoning requests).

2 FUTURE DEVELOPMENT AREA CHAPTER – OBJECTIVES AND POLICIES

[2] The FDA Chapter applies to activities within the Future Development Area Overlay (FDA Overlay), which overlays the underlying zoning and indicates areas suited to future urban and rural lifestyle development. The chapter applies both to the areas identified as FDAs and to urban development not anticipated by the Plan and sets out how such proposals are to be addressed.

[3] The FDA provisions are intended to provide an approach where growth needs and infrastructure provision can be comprehensively planned for. The provisions seek to avoid disjointed development and facilitate the staged and sequenced rezoning of specific growth areas, to increase certainty to the community, developers, infrastructure providers and the Council. This is achieved through the use of the FDA Overlay and SCHED15, which sets out the sequencing of FDAs based on timeframes for preparing a Development Area Plan (DAP). The Proposed Plan establishes a process where a DAP is a prerequisite to a plan change for a particular area. The DAP is intended to ensure that the area can be developed sustainably, including integration with supporting infrastructure and the surrounding environment and that the effects of proposed development can be considered and appropriately managed through rezoning including the ability to service newly developed areas.¹

[4] The FDA objectives and policies were drafted to give effect to the NPS-UD and the CRPS and to achieve Proposed Plan SD-O1 and UFD-O1.

[5] When the Proposed Plan was notified, the NPS-HPL was not yet in play, but Mr Bonis' recommendations included an assessment of how the Plan gives effect to the NPS-HPL at the time of the hearings. At the time we held Hearing G, the Government had signalled changes to the NPS-HPL to remove LUC 3 land from the definition of Highly Productive Land. On 18th December 2025, the Government gazetted amendments to the NPS-HPL, that rather than removing LUC 3 land from the definition of HPL, it exempted LUC 3 land from the limitations that apply to urban rezoning in cl3.6 (4), as it applies to Timaru.

[6] In Part 1 of the Report, we have recorded the steps we undertook to seek the views of Council and submitters. We have applied our findings to this chapter.

¹ Counsel for TDC, Legal Submissions, Hearing G, 30 June 2025, paragraph 14.

Requirements of the NPS-UD for Tier 3 Councils

[7] In this section we have traversed the relevant provisions of the NPS-UD as they apply to TDC, which is a Tier 3 local authority for the purposes of this national instrument. We do this in some detail because it sets the scene as to how the Panel has approached consideration of submissions that sought to amend the approach to specific FDAs, including the timing of development and those that sought to bring forward development for immediate rezoning for urban development or rural lifestyle.

[8] In summary the Panel has determined that the constraints to further development in the smaller settlements of Temuka, Geraldine and Pleasant Point are more nuanced than the broad-brush approach undertaken by the Council. In most cases this has not altered the outcome recommended by Mr Bonis in his s42A Report due to a lack of evidential basis on the merits of each request, however, for the sake of completeness we consider it necessary to record our approach to the NPS-UD.

[9] NPS-UD Clause 1.3 sets out how the instrument is to be applied:

Application

(1) This National Policy Statement applies to:

- a. all local authorities that have all or part of an urban environment within their district or region (i.e., tier 1, 2 and 3 local authorities);
- b. and planning decisions by any local authority that affect an urban environment.

(2) However, some objectives, policies, and provisions in Parts 3 and 4 apply only to tier 1, 2, or 3 local authorities. (underlining is the Panel's emphasis).

[10] Ms Vella set out the requirements of the NPS-UD as they apply to TDC (a Tier 3 local authority) in her legal submissions for Hearing G.² She submitted:

26. The NPS-UD contains a range of objectives and policies designed to ensure that urban environments are "well-functioning", and there is sufficient development capacity over the short, medium and long-term.

27 In essence, those objectives and policies seek to:

- (a) improve housing affordability by supporting competitive development markets;
- (b) enable people and businesses to locate in urban environments where they can access employment and use public transport;

² Legal Submissions of Counsel on behalf of Timaru District Council Hearing G, 30 June 2025, paragraphs 26-37

- (c) ensure that development decisions are integrated with infrastructure planning/ funding decisions;
- (d) urban environments have a variety of homes that meet the needs of different households and enable a variety of sites suitable for different business sectors; and
- (e) at least sufficient development capacity is provided to meet expected demand for housing and business over the short, medium and long term.

28 As a Tier 3 local authority, TDC's specific obligations³ are to:

- (a) assess the demand for housing and business land in urban environments and the development capacity that is sufficient to meet that demand in the short, medium, and long term⁴ ; and
- (b) provide at least sufficient development capacity to meet expected housing demand in existing and new urban areas for standalone and attached dwellings, and land suitable for various businesses, over the short, medium, and long term that is plan-enabled and infrastructure ready,⁵ and
- (c) if RMA planning documents are causing an insufficiency in development capacity, change those rules to increase capacity for housing or business land as soon as possible and update other relevant plans or strategies.⁶

29 Development capacity is plan-enabled if:⁷

- (a) land is zoned in an operative district plan (short term);
- (b) land is zoned in a proposed district plan (medium term/ long term); and
- (c) land is identified for future urban use or intensification in a Future Development Strategy (FDS) or other relevant plan or strategy (long term).

30 Development capacity is infrastructure-ready if:⁸

- (a) there is adequate existing infrastructure to support development (short term/ medium term);
- (b) funding for the necessary infrastructure is identified in a long term plan (medium term/ long term); and

³ Clause 1.5, NPS-UD strongly encourages Tier 3 local authorities to take the actions that Tier 1 or 2 local authorities are obliged to take.

⁴ Clause 3.10, NPS-UD

⁵ Clauses 3.2 and 3.3, NPS-UD

⁶ Clause 3.7, NPS-UD

⁷ Clause 3.4, NPS-UD

⁸ Clause 3.4, NPS-UD

(c) infrastructure required to support development capacity is included in the local authority's infrastructure strategy, as part of its long term planning.

[11] We agree with this summary, however the key issues are how the Council applies the NPS-UD requirements in light of clause 1.5 which provides in full:

Implementation by tier 3 local authorities

Tier 3 local authorities are strongly encouraged to do the things that tier 1 or 2 local authorities are obliged to do under Parts 2 and 3 of this National Policy Statement, adopting whatever modifications to the National Policy Statement are necessary or helpful to enable them to do so.

[12] We asked Ms Vella and Mr Bonis what the second part of the obligation meant 'adopting whatever modifications to the NPS are necessary or helpful to enable them to do so.'

[13] Mr Bonis explained at the hearing that his assessment relies on the Property Economics Report.⁹

[14] In the context of urban development, the Property Economics analysis identified projected short, medium and long term requirements to meet forecasted demand (as based on a medium and high growth projection).¹⁰ Although not a requirement of Tier 3 authorities (but in applying clause 1.5) Property Economics calculated the total long term demand for dwellings (to 2053), including the NPS-UD competitiveness margins (in accordance with NPS-UD clause 3.22). This totals 1,005 dwellings under a medium growth scenario – noting that housing demand peaks in the 2026 – 2033 period and then decreases; and 4,984 dwellings under a high growth projection. Property Economics also identified demand and capacity reconciliation for each settlement based on the long term (2053) medium and high growth demands as inclusive of the cumulative 30% competitiveness margins, notwithstanding that Geraldine, Temuka and Pleasant Point are not of themselves an 'urban environment'.¹¹

[15] Mr Bonis had asked Mr Heath to undertake this further analysis so he could address the relationship between the NPS-UD sufficiency requirements, and the NPS-HPL tests for exceptions to enable urban development on HPL.¹² He said:

The analysis provided by Property Economics as relied on evidence is based on: application of both a medium and high growth forecast; inclusion of the competitiveness margins (or buffers) for determining sufficiency in terms of meeting expected demand despite only being applicable to Tier 1 and 2 local authorities, and has treated each urban area as a discrete spatial entity, and not aggregate to either a district wide assessment (NPS-HPL) or consideration only of Timaru settlement as constitutes an urban environment (NPS-UD). (footnotes excluded).

⁹ Preliminary s42A Report. Attachment A: Property Economics

¹⁰ Preliminary s42A Report. Attachment A: Property Economics [Table 11] see Figure 1

¹¹ Preliminary s42A Report. Attachment A: Property Economics [Table 12 and Table 13]

¹² Matt Bonis, s42A Report, paragraph 5.3.11

[16] Although not required by the NPS-UD Policy 2, Property Economics identified, in relation to the RLZ, a realisable capacity under the Proposed Plan's notified RLZ, and the potential capacity introduced through the notified FDAs, but did not rely on or incorporate the RLZ capacity when assessing how the projected household demand would be met in existing or new urban areas. So, while the RLZ capacity was calculated, it was not counted towards meeting NPS-UD Policy 2.¹³

[17] Mr Bonis went on to say that the NPS-UD was still 'indirectly relevant' to assessing RLZ or RLZ FDA amending proposals because they may impact on whether planning decisions for the District as a whole assist or detract from achieving a well-functioning urban environment. He noted that in the case of the RLZ adjoining the Timaru settlement area the RLZ would contribute to the 'urban environment' because it forms 'part of the housing and labour market of at least 10,000 people'.

[18] He concluded by saying that:¹⁴

The RLZ provides housing choice across the district to meet the needs of the population in terms of type, location and price. This links into the NPS-UD through Policy 1. Objective 6 is relevant in terms of the TPDP requirements as to ensuring local authority decisions ... are integrated with infrastructure planning and funding decisions, and strategic over the medium and long term.

[19] In our view, the methodology adopted by Property Economics is appropriate for considering 'sufficiency' of demand across the District, and consistent with the expectation set in NPS-UD cl1.5. We agree that it is helpful to break this analysis down into the four settlement areas of Timaru, Geraldine, Temuka and Pleasant Point given their geographic separation.

[20] Although the Council evidence tests the amending proposals in Temuka, Geraldine and Pleasant Point against the requirements of the objectives and policies in the NPS-UD that apply to an urban environment, we think this needs to be approached carefully and cannot become a de facto statutory bar to considering opportunities for additional rezoning in those smaller settlements. That is because the NPS-UD is a statutory document having legal effect and that creates legal obligations on Councils and proponents of urban development opportunities. We do not think that the flexibility envisaged by cl1.5 extends to creating a legal obligation to 'give effect' to objectives and policies that relate solely to the urban environment as that is defined in the NPS-UD, or to Tier 1 or 2 Councils. The words 'strongly encouraged' in cl1.5 do not in our view represent a compulsory directive.

[21] NPS-UD cl1.5 does not change the definition in cl1.4 for 'urban environment.' There is a problem in attempting to do so, which became clear when, in evidence, Mr Bonis accepted TDC's [42.7] request to include the NPS-UD 'urban environment' definition into the Proposed Plan. In the context of the objectives and policies of the Proposed Plan, this inadvertently created a policy gap for the smaller settlements that did not meet the definition of 'urban

¹³ Matt Bonis, s42A Report, paragraph 5.2.6 – 5.2.8

¹⁴ Ibid at 5.2.10

environment' in the NPS-UD. Mr Bonis subsequently clarified in his Reply that this was not the intention and proposed amending the definition to 'deem' the settlements of Temuka, Pleasant Point and Geraldine to be 'urban environments' for FDA-O3 and FDA-P5.¹⁵ We think that is an acceptable approach, but it does not deem the settlements 'urban environments' for the purposes of giving effect to the NPS-UD provisions that apply to 'urban environments', for the reasons we explain below.

[22] Tier 3 urban environments are not specifically listed in the Appendix to the NPS-UD and therefore the definition of 'urban environment' contained in cl1.4 applies:

urban environment means

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

[23] Mr Heath¹⁶ was of the opinion that only Timaru would meet the definition of an urban environment.

[24] Notably Part 3, cl3.1 provides:

This part sets out a non-exhaustive list of things that local authorities must do to give effect to the objectives and policies of this National Policy Statement, but nothing in this part limits the general obligation under the Act to give effect to those objectives and policies.¹⁷

[25] The only relevant objective and policy provisions that do not specify their application to 'urban environments' are Objective 2 and Policy 2.

Objective 2

Planning decisions improve housing affordability by supporting competitive land and development markets.

Policy 2:

Tier 1, 2, and 3 local authorities, at all times, provide at least sufficient development capacity to meet expected demand for housing and for business land over the short term, medium term, and long term.

¹⁵ Matt Bonis, Hearing G - Growth: Reply, 25 August 2025, paragraph 38-47.

¹⁶ s42A Report, Appendix 6 Economic Memorandum, Timothy Heath, 29 May 2025, page 2.

¹⁷ Underlining is Panel emphasis.

[26] Based on the evidence of Mr Heath, we find that Geraldine, Temuka and Pleasant Point are not ‘urban environments’ as defined in the NPS-UD, and the only requirements of the NPS-UD that we are required to give effect to for those smaller settlements are Objective 2 and Policy 2. In terms of the Timaru settlement, the Council must give effect to the full suite of objectives and policies that apply to Tier 3 local authority urban environments. We do not agree with Mr Bonis’ approach, which in effect ‘deems’ the three smaller settlements to be ‘urban environments’ and then tests proposals to rezone or extend FDAs in those settlements against NPS-UD objectives and policies that apply to urban environments. This sets the bar too high and is inconsistent with NPS-UD cl1.3 and cl3.1.

[27] The Council may still, as it has done, adapt the requirements of NPS-UD Part 3, to calculate development capacity to meet expected demand for housing and for business land over the short term, medium term, and long term. This is the approach they followed and is the subject of the expert evidence of Mr Heath.

[28] We note that Mr Heath’s calculation and methodology were challenged by Mr Shirtcliff¹⁸, a lay submitter with an undergraduate arts degree majoring in economics and an MBA. Mr Shirtcliff outlined his experience in economic development in the rural sector and for local and central government. He also expressed an interest in population statistics. Mr Shirtcliff also sought rezoning of his own property. Ms Dolan¹⁹, a planning expert with a background in central government strategic planning who represented a number of submitters²⁰, also challenged Mr Heath’s analysis.

[29] We questioned Ms Dolan about her experience with economic evaluation. In addition to her general planning qualifications, Ms Dolan had spent two years in a government department where she worked as part of a team looking at statistical and population metrics. However, that work involved contributing to team outputs rather than undertaking her own economic analysis or evaluation. We do not find that this qualified her to provide an independent economic evaluation. On that basis, we prefer Mr Heath’s evidence on the application of the requirements of the NPS-UD to the Timaru District.

[30] Although not a qualified expert, we have however, had regard to Mr Shirtcliff’s analysis on the demand in Geraldine, which we asked Mr Heath to respond to in his Reply. Mr Shirtcliff challenged the statistical base and associated Proposed Plan assumptions, because in his opinion Geraldine’s growth has been consistently ‘understated’ and consequently ‘significantly underestimated.’ Mr Shirtcliff warned that projections are notoriously inaccurate for small population centres and therefore we should be cautious. He set about demonstrating why

¹⁸ We address Mr Shirtcliff’s general submission regarding the statistical basis for growth estimates for Geraldine in this section and his specific request for zone changes at 584 Orari Station Road below when discussing Geraldine requests for rezoning.

¹⁹ Ms Dolan was critical of Mr Heath’s evidence which she had misconstrued as calculating capacity based on a 450m² average site size across the district. Mr Heath clarified that was not what the Modelling was based on, rather a 450m² minimum area was used as stated in the Property Economics Report. His response was further articulated in his Summary Statement of 25 July 2025.

²⁰ Westgarth/Gibson [227], Garry Aitken [237] RSM Trust [237] Blackler [231], Scott [128], North Meadows [190], Westgarth & Gibson [227]

Geraldine population had been underestimated and explained that Geraldine's population had not been accurately defined and counted. This was acknowledged by Statistics NZ, who have added new mesh blocks in two census cycles to improve accuracy.²¹

[31] Mr Shirtcliff argued that reliance on the historical town boundary as the basis for the statistical area unit has resulted in a significant undercount of urban growth in Geraldine, as the settlement has grown outwards and the peri-urban area has been more closely settled. He argued that the Property Economics Report²² records Timaru District medium growth at 2.7% between 2018-2023, whereas he claimed that during the same period Geraldine grew in excess of 11%, taking into account the peri-urban mesh blocks. He said that Geraldine had grown some 43% since the 2013 census, notwithstanding the lack of land availability and recessionary economic conditions. He illustrated a snapshot of Statistics NZ data to show errors in medium growth projections for Timaru. He then addressed the implications of those errors and submitted that in light of the consistent medium growth of Geraldine at 11% (above aggregated Timaru growth) 'despite constraints in available land', Geraldine has grown, and is likely to continue to grow, at a rate above the high growth projection rate for Timaru, subject to availability of GRZ and RLZ development. On that basis, he questioned the sufficiency of additional land released through the Proposed Plan s42A Report recommendations over the medium term²³

[32] Mr Shirtcliff submitted that:²⁴

- (a) It is clear that Geraldine is, and will likely continue to be, growing at a rate substantially in excess of that for the Timaru District as a whole and accounting for much of the District's population growth.
- (b) Supply and demand projections for Geraldine land will inevitably be flawed and likely insufficient.

[33] Mr Heath responded to Mr Shirtcliff's submission²⁵ noting initially that Mr Shirtcliff did not provide any robust alternative growth projections showing how growth is likely to be distributed over the short, medium and long term. Accordingly, Mr Heath said it was difficult to cross-reference or compare Mr Shirtcliff's position with his own projections. However, notwithstanding that limitation, Mr Heath offered further comment.

[34] Mr Heath pointed out that forecasts are best estimates based on the most current and best information available and not absolute growth rates. In the absence of reliable alternative projections, he said they remain the most validated and appropriate suite of projections to rely on for the purposes of the Proposed Plan decision making.²⁶ He noted that:

²¹ Slide 5, Presentation by Mr Shirtcliff, Insights Consultancy.

²² Property Economics 2024, pages 19-20

²³ Ibid slide 8

²⁴ Ibid slide 9

²⁵ Timothy Heath, Supplementary Memorandum appended to Mr Bonis' Reply, 25 August 2025

²⁶ We note that our decision making is set in a prescribed statutory framework, in terms of s32, ss74-76 of the Act, including giving effect to the NPS-UD and CRPS.

At this stage, the population trajectory for both Timaru and Geraldine falls squarely within the Medium-High range. Consequently, there is no compelling evidence by Mr Shirtcliff to suggest that these projections are inappropriate. In fact, Mr Shirtcliff's presentation appears to rely on very old and outdated data based on a time period circa a decade ago.

Although it is possible that the population growth may exceed the Stats NZ projections, it is also possible (and in fact more likely) that they fall short of high growth scenario in the long run. My analysis has assessed capacity against the High Growth demand, including a buffer and I do not believe that it is appropriate to plan for any speculative growth hypothesis beyond that.

If for any unforeseen reason growth in 5 years' time increased rapidly in Geraldine, then there is always the ability to initiate a plan change to accommodate such growth, but at this point in time there is no evidence to justify rezoning to accommodate a speculative scenario with any associated infrastructure provision at the expense of the public sector.

[35] Mr Heath illustrated, based on Statistic NZ data since 2018, that Geraldine's growth rate has been about 1%. He said this highlights the issue of simply taking the growth over a short period (a 'boom' period in this instance) and extrapolating that projection forward indefinitely. Population growth is driven by a multitude of factors (assumptions about future fertility, mortality, and migration patterns) incorporated into the Statistics NZ projections but is not reflected in Mr Shirtcliff's 'elementary linear extrapolation'. Mr Heath's view was that Mr Shirtcliff appears to rely on simply projecting a short 'boom' period. This, he said, is clearly an unsustainable projection without any validated justification. In his opinion, it is both inappropriate and unsubstantiated, with no evidence provided on the potentially significant economic implications of relying on such a scenario.

[36] In our view, at best Mr Shirtcliff's submission raises caution about the use of growth forecasts, but his presentation does not approach the issue in the context of the NPS-UD sufficiency analysis. Accordingly, we are not able to extrapolate his critique of Statistics NZ data sources into the same framework that Mr Heath's expert evidence and modelling addresses. Nor do we consider it necessary to do so. We agree with Mr Heath that this is not the only opportunity to consider growth in Geraldine, and the proposed objective and policy framework does not close the door on future rezonings. Even in this process, there is no limit in principle on providing for more than forecast growth. The NPS-UD requires that 'at least sufficient capacity' is provided for the short, medium and long term scenarios, including a margin. For the small settlement of Geraldine, which is not an urban environment, the requirements of the CRPS are more applicable.

[37] Mr Heath said in response to Mr Shirtcliff's submission that:

There is also no statutory requirement under the NPS-UD for the Timaru Council to provide sufficient capacity for Geraldine specifically, as it is too small to be considered a defined 'urban environment' in terms of the application of the NPS-UD. The application of additional capacity is therefore to be guided by the requirements of the CRPS and should be provided at Geraldine, where it is efficient to do so, to provide the market with choice and importantly achieves a

consolidated and integrated settlement pattern (CRPS Objective 5.2.1, 5.2.2). Our assessment considers the capacity in Geraldine specifically for this reason.

The capacity model anticipates potential realisable capacity within Geraldine to be just under 600 dwellings, plus an additional 428 dwellings in the FDAs. This means that the total capacity is more than double Stats NZ's high growth projection (including a buffer). Even if developers build larger site sizes than what the model allows for, there is still sufficient capacity to meet projected demand in the 95th percentile growth scenario. Rezoning additional land now, based on a less than 5% probability outcome and an unsubstantiated projection, would be both ineffective and inefficient in giving effect to the identified CRPS provisions summarised above, and referred to in more detail in the s42A Report of Mr Bonis.

[38] We accept Mr Heath's expert evidence and response to the issues raised by Mr Shirtcliff, further noting that Mr Heath's view and analysis is not determinative of the submissions that sought rezoning. We have considered those submissions on their merits and weighed the evidence received in relation to those specific requests, in the context of the matters we are required to address under the RMA, as set out below.

Requirements of the NPS-HPL

[39] Prior to the completion of the Council's Preliminary s42A Report, the Council made available a memorandum setting out its understanding of the requirements of the NPS-HPL with regard to requests for additional urban zoned land and rural lifestyle developments (as the NPS-HPL stood at that time).²⁷

[40] No submitter challenged the Council's interpretation. We have reviewed the Memorandum and accept that it accurately sets out the requirements of the NPS-HPL as it applied at the time of Hearing G.

[41] Since the close of hearing the Government amended the NPS-HPL to exempt urban development and urban rezoning on LUC 3 land from the restrictions of the NPS-HPL. What this means is LUC 3 land can be considered for urban rezoning without need to meet the tests in NPS-HPL cl3.6 (4). The amendment does not apply to requests for rezoning to RLZ.

[42] We have considered Mr Bonis' Memorandum in response to Minute 50²⁸ where it applies to our decisions on specific requests for rezoning below.

²⁷ Timaru District Council Memorandum of Counsel Application on NPS-HPL on rezoning requests – Hearing G (Growth), 22 January 2025 and Appendix A, Memorandum of Mr Bonis 21 January 2025. We note that Mr Bonis' memorandum is 'without prejudice' but Ms Vella confirmed that its contents are the Council's position at that time, see Hearing D Recording – Day 1.

²⁸ Memorandum of Mat Bonis in response to Minute 50, 2026 attached to Memorandum of Counsel for TDC, 20 January 2026. We note no submitter responded to Minute 50 and 51 with a contrary view.

Requirements of the CRPS

[43] Chapter 5 of the CRPS addresses growth in the wider Canterbury context. Although the CRPS predates the NPS-UD, there is considerable alignment with the objectives and policies for the Canterbury Region. It is clear that Chapter 5 applies to the whole District, and we must give effect to it in making our decisions.

[44] We agree with Mr Bonis that Chapter 5 is specifically relevant to the FDA Chapter. It provides direction in relation to the integration of land-use planning with infrastructure and governs the provision of the District's growth needs.

[45] CRPS Policy 5.3.1 provides:

To provide, as the primary focus for meeting the wider region's growth needs, sustainable development patterns that:

1. ensure that any
 - a. urban growth; and
 - b. limited rural residential development occur in a form that concentrates, or is attached to, existing urban areas and promotes a coordinated pattern of development;
2. encourage within urban areas, housing choice, recreation and community facilities, and business opportunities of a character and form that supports urban consolidation;
3. promote energy efficiency in urban forms, transport patterns, site location and subdivision layout;
4. maintain and enhance the sense of identity and character of the region's urban areas; and
5. encourage high quality urban design, including the maintenance and enhancement of amenity values.

[46] A summary of the relevant provisions associated with urban form and growth to be 'given effect' to, were provided by Mr Bonis as follows:

- (a) Development is compatible with, and will result in the continued safe, efficient and effective use of RSI (Objective 5.2.1(2)(f));
- (b) The benefits of RSI are to be recognised, and provide for such infrastructure to the extent that it promotes sustainable management in accordance with the RMA (Objective 5.2.2(1));
- (c) To achieve patterns and sequencing of land-use with RSI in the wider region so that:
 - (i) development does not result in adverse effects on the operation, use and development of RSI;

- (ii) adverse effects resulting from the development or operation of RSI are avoided, remedied or mitigated as fully as practicable;
- (iii) there is increased sustainability, efficiency and liveability. (Objective 5.2.2(2));
- (d) To provide, as the primary focus for meeting growth needs, sustainable development patterns that ensure that any urban growth and limited rural residential development occur in a form which concentrates or is attached to existing urban areas and promotes a coordinated pattern of development. (Policy 5.3.1(1));
- (e) Encourage within urban areas housing choice ... and business opportunities of a character and form that supports urban consolidation. (Policy 5.3.1(2));²⁹
- (f) To enable development, which integrates with the efficient and effective provision, maintenance or upgrade of infrastructure; (Policy 5.3.2(3));
- (g) Ensure development (including Rural Lifestyle zones) is appropriately and efficiently served for the collection, treatment, disposal or re-use of sewage and stormwater, including avoiding development which will not be served in a timely manner (Policy 5.3.5); and
- (h) 'Discourage sewerage, stormwater and potable water supply infrastructure which will promote development in locations which do not meet Policy 5.3.1'. (Policy 5.3.6(3)).

[47] Mr Bonis also summarised the relevant provisions applying to Rural Lifestyle Zoned opportunities:

- (a) Contributing to achieving sustainable development patterns, through promoting a coordinated pattern of development Objective 5.2.1(a), Policy 5.3.1(1)(b) and Policy 5.3.2;
- (b) Being limited in opportunity and of a form that concentrates or is attached to existing urban areas (Policy 5.3.1(1)(b));
- (c) Appropriately and efficiently serviced by sewage, stormwater and potable water supply (Policy 5.3.5); and
- (d) Do not foreclose the productivity of the region's soil resources, including through fragmentation (Policy 5.3.2(1)(c), Policy 5.3.12(1)) and maintain productive capacity (Objective 15.2.1).

[48] In addition, the following objectives and policies must be given effect to when considering residential and industrial rezoning proposals:

²⁹ Underlining is Panel emphasis.

- (a) Meeting urban growth needs through a primary focus on concentrating urban areas and opportunities for attached greenfield urban growth areas which promote a coordinated pattern of development Objective 5.2.1(a), Policy 5.3.1(1)(b) and Policy 5.3.2, and encourage housing choice and business opportunities that support urban consolidation (Policy 5.3.1(2));
- (b) Enable development which ensure adverse effects are appropriately managed, including where these would foreclose or compromise options for accommodating consolidated growth (Policy 5.3.2(1)(b)), the productivity of the regions soil resource, including through the further fragmentation of rural land (Policy 5.3.2(1)(c)), and avoiding or mitigating natural and other hazards and reverse sensitivity effects (Policy 5.3.2(2));
- (c) To enable development where it is integrated with the efficient and effective provision of infrastructure, including transport networks (Policy 5.3.2(3)); and
- (d) Development is to be appropriately and efficiently serviced for the collection, treatment, disposal or re-use of sewage and stormwater, and the provision of potable water, avoiding development that cannot be serviced in a timely manner (Policy 5.3.5), and discouraging such infrastructure which would promote development in locations that do not meet Policy 5.3.1 (Policy 5.3.6(3)).

[49] We now turn to the specific objectives and policies in the Proposed Plan relevant to development opportunities.

Proposed Plan Strategic Directions and Urban Form and Development

[50] The FDA must also achieve the SD and UFD objectives of the Proposed Plan in accordance with RMA s32 t. We have addressed this in Part 2 of our Report. We have considered the provisions in the FDA Chapter and whether they seek to achieve these provisions and find that they do so.

2.1 FUTURE DEVELOPMENT AREA – OBJECTIVE FDA-O1 - AVAILABILITY OF LAND FOR FUTURE DEVELOPMENT

2.1.1 Assessment

[51] Objective FDA-O1 provides for the overall purpose of FDAs. Submissions were generally supportive of the Objective, however, some changes were requested to better align the drafting with defined terms and the language in the CRPS Policy 5.3.1. Mr Bonis recommended changes are made to improve the clarity of drafting and recommended submissions be accepted.

2.1.2 Decision

[52] We adopt Mr Bonis' recommended drafting changes to FDA-O1. The amendments to the objective are set out in **Appendix 3**.

[53] We are satisfied that the original s32 evaluation continues to apply.

2.2 FUTURE DEVELOPMENT AREA – OBJECTIVE FDA-O2 - DEVELOPMENT WITHIN THE FUTURE DEVELOPMENT AREA OVERLAY

2.2.1 Assessment

[54] J R Livestock [241.7], Rosa Westgarth and Jan Gibson [227.5] and Warren and Elizabeth Scott [128.7] sought to amend FDA-O2 to better align with the definition in the Proposed Plan and the reference to 'anticipated zone' to better align with SCED15.

[55] White Water Properties Limited [248.7] sought to either delete FDA-O2 in its entirety or amend the objective to enable development prior to rezoning where it can be demonstrated that development does not compromise or constrain the development of the balance of the FDA.

[56] Mr Bonis recommended accepting the J R Livestock [241.7], Rosa Westgarth and Jan Gibson [227.5] and Warren and Elizabeth Scott [128.7] submissions in part to the extent that they improved the clarity of drafting. However, he rejected those aspects that referred to the approval of a DAP as part of the plan change process. Mr Bonis noted the DAP process sits outside the Plan and is a precursor to the plan change process rather than part of a plan change approval.³⁰

[57] For White Water Properties, Mr Bonis highlighted that the strategic intent of the FDA is to identify and safeguard areas on the urban fringe for future urbanisation and limited rural residential (lifestyle) development, to promote a coordinated pattern of development. The basis of the provisions is the requirement to give effect to CRPS Policy 5.3.1 and the NPS-UD Objective 6, which require, respectively, 'coordinated pattern(s) of development', and 'decisions on urban development that affect urban environments are [both] integrated with infrastructure planning and funding decisions, and strategic over the medium and long term'.

[58] He explained that FDA-O2 is drafted to avoid ('to not occur') urban or rural residential development. It is considered that the Objective gives effect to CRPS Policy 5.3.2.³¹ The purpose of the objective is to manage land use and subdivision until urbanisation occurs, as guided by the relevant DAP as embedded in the Plan and implemented through a plan change. In Mr Bonis' opinion, incremental urban development or rural lifestyle development has the potential to diminish the ability and application of a co-ordinated and comprehensive DAP to facilitate integrated and efficient urban or rural lifestyle to be enabled by the subsequent plan change.³² Mr Bonis considered the submission went against this objective by pre-emptively enabling development where it does not constrain or compromise the future urban or rural development of the area. Further, GRUZ-O3, GRUZ-P7 and GRUZ-P8 seek to preclude industrial and residential activities within the General Rural Zone (regardless of whether they are identified as FDA). Mr Bonis recommended the submission from White Water Properties be rejected for those reasons.

³⁰ Matthew Bois, s42A Report Growth, 6 June 2025, paragraph 7.2.14

³¹ Ibid, paragraph 7.2.6

³² Ibid, paragraph 7.2.7

[59] Mr Bonis recommended a number of minor corrections and other changes to improve the drafting of the objective in reliance on general submission points.

[60] We agree with Mr Bonis' evaluation of the submissions against the CRPS, but we differ on the application of NPS-UD, Policy 6 to the settlements of Geraldine, Temuka and Pleasant Point for the reasons discussed above. However, given our findings on the relevant provisions of the CRPS, we consider that FDA-O2 implements the key requirements of the CRPS, which require a co-ordinated and integrated pattern of development. We accept that the objective appropriately provides a pause on future rezoning until a DAP is prepared, as a mechanism to ensure that development, when it does occur, can be serviced by appropriate infrastructure.

2.2.2 Decision

[61] We adopt the analysis and recommendations of Mr Bonis on FDA-O2. The amendments to the objective are set out in **Appendix 3**.

[62] We are satisfied that the original s32 evaluation continues to apply.

2.3 FUTURE DEVELOPMENT AREA – OBJECTIVE FDA-O3 - UNANTICIPATED AND OUT OF SEQUENCE DEVELOPMENT

2.3.1 Assessment

[63] The objective essentially paraphrases Policy 8 of the NPS-UD and adapts its application to the Timaru District. The submissions and further submissions support the objective as notified Mr Bonis recommends they be accepted. We agree.

[64] In post hearing Minute 42, the Panel asked Mr Bonis to consider whether there is any merit in providing greater specificity in FDA-O3, and FDA-P5 to address circumstances where the functional or operational need of industrial development that may require out of sequence and unanticipated growth (as raised in the submissions of Rooney Group and White Water). We referred in particular to NPS-UD Policy 1(b) which refers to urban environments having or enabling a variety of sites that are suitable for different business sectors in terms of location and site size.

[65] Mr Bonis responded in his Reply and suggested a drafting change to FDA-P5, which we address below.³³

2.3.2 Decision

[66] We adopt the analysis and recommendations of Mr Bonis and retain FDA-O3 as notified.

³³ Matt Bonis, Hearing G – Reply: Growth, 25 August 2025, paragraphs 20-29.

2.4 FUTURE DEVELOPMENT AREA – POLICY FDA-P1 - ACTIVITIES WITHIN THE FUTURE DEVELOPMENT AREA OVERLAY

2.4.1 Assessment

[67] J R Livestock [241.9], Rosa Westgarth and Jan Gibson [227.7] and Warren and Elizabeth Scott [128.9] sought to amend FDA-P1 to better align with the definition of 'urban development' in the Proposed Plan. Mr Bonis agreed and recommended those changes be made.

2.4.2 Decision

[68] We adopt the analysis and recommendations of Mr Bonis on FDA-P1. The amendments to the policy are set out in **Appendix 3**.

[69] We are satisfied that the original s32 evaluation continues to apply.

2.5 FUTURE DEVELOPMENT AREA – POLICY FDA-P2 - PROCESS TO ENABLE URBAN DEVELOPMENT AND RURAL LIFESTYLE DEVELOPMENT IN THE FDA OVERLAY

2.5.1 Assessment

[70] J R Livestock Limited [241.10], Rosa Westgarth [227.8], Warren and Elizabeth Scott [128.10] and Jan Gibson [227.8] support the direction of the policy and sought amendments, as they did for FDA-P1. Mr Bonis recommended these changes be accepted. A further change was sought to remove reference to submitting a plan change and replace it with a requirement that development occur in accordance with a DAP, prepared and implemented in accordance with FDA-P4.

[71] White Water Properties Limited [248.8] considered that the policy implies development of FDAs will only be provided when other existing zoned urban areas are fully developed, and that the policy will preclude the social and economic wellbeing of the district. The submitter stated that there were 'no sound resource management reasons for incorporating a sequencing requirement'. The submitter sought to either delete FDA-P2 in its entirety and remove any associated references to sequencing or prioritisation in the Proposed Plan, including within FDA-P5 and SCHED15, or any alternative relief to give effect to the intent of the submission point.

[72] Mr Bonis explained the purpose of the policy is to implement and achieve FDA-O2 and provide the linkage to SCHED15 as to both the sequencing of the preparation of DAPs associated with each FDA and the anticipated General Residential, General Industrial or Rural Lifestyle Zone. He explained the importance of the DAP process as informing future plan changes to rezone the FDA areas and was a key feature of ensuring integrated and co-ordinated development as required by the CRPS, Policy 5.3.1, 5.3.2(3), Policy 5.3.5 and Policy 5.3.6(3).

[73] He explained that FDA-P2 as a process policy establishes a mechanism to implement and achieve:

- (a) Clause (1) and (2): the delivery of comprehensive and efficient urban or rural lifestyle development by requiring such development to be sequenced and in accordance with the land use as set out in SCHED15, and
- (b) Clause (3): introduce a DAP (which considers the matters in FDA-P4) into the Plan by way of plan change.

[74] Mr Bonis' opinion was that the staging and sequencing of urban growth and rural lifestyle opportunities are an appropriate mechanism to give effect to Proposed Plan FDA-O1 and SD-O1.2 and to give effect to the relevant Chapter 5 Policies of the CRPS.

[75] Mr Bonis considered there was a need to exercise RMA, Schedule 1 cl16(2) powers to improve the clarity of drafting of the policy.

[76] We agree with Mr Bonis' recommendation and his evaluation of the requirements of the Proposed Plan SD-O1, FD-O1 and Chapter 5 of the CRPS, and we agree that subject to drafting improvements, FDA-P2 appropriately implements those provisions.

2.5.2 Decision

[77] We adopt the analysis and recommendations of Mr Bonis to amend FDA-P2. The amendments to the provisions are included in **Appendix 3**.

[78] We are satisfied that the original s32 evaluation continues to apply.

2.6 FUTURE DEVELOPMENT AREA – POLICY FDA-P3 - PRIORITISED FUTURE DEVELOPMENT AREAS

2.6.1 Assessment

[79] JR Livestock [24.11] Rosa Westgarth and Jan Gibson [227.9], and Warren and Elizabeth Scott [128.11] sought amendment to FDA-P3 to provide better direction and clarity as to which party will initiate the plan change required to incorporate the DAP and anticipated zone into the Proposed Plan.

[80] Mr Bonis identified concerns with the policy for efficiency and effectiveness reasons because the cost of preparing a DAP (estimated at \$400,000) will fall inequitably on the wider Timaru District, rather than those that would benefit from the DAP. He also noted the costs of the subsequent plan change process. His concern was that where TDC did not prepare a DAP as sequenced by SCHED15, this would prevent the ability to implement FDA-P2 and achieve FDA-O2.

[81] Despite those concerns, Mr Bonis considered himself to be constrained in recommending any relief to either delete the policy or enable a more measured approach that would allow either the Council or a private party to initiate the DAP process because there are no submissions opposed to the policy, or seeking that relief. He recommended rejecting the submissions that sought changes to identify the 'party' responsible.

[82] Mr Bonis noted that the RMA and associated First Schedule process enabled both Council-led and privately requested plan change processes. Furthermore, First Schedule cl(25) provided a discretion to a local authority to adopt, accept or reject a plan change request.

[83] For the reasons expressed above, he said that a policy provision stating that the Council would bear sole responsibility for facilitating a plan change would be inappropriate in achieving the objectives when considering: (a) the efficiency (costs would fall inequitably and primarily on the Timaru community, with benefits primarily accrued by the property owners of greenfield land to be rezoned) and (b) effectiveness (the outcome may not be achieved where reliance on the Council to facilitate a plan change is not funded in the LTP and / or prioritised). Furthermore, in terms of s74(2)(b), the Timaru Growth Management Strategy (to which regard is to be had) states: “A core approach in the provision of additional greenfield land will be acceptance of the principle that growth pays for growth.”

[84] As Mr Bonis noted, the preparation of a DAP was a process outside of the RMA; however, the policy framework anticipated implementation via a plan change, and it was unclear whether that would occur through a Council-initiated process or a privately requested plan change. We accept there is a practical issue in the sense that there is little point to pursuing a private plan change absent the DAP given the Proposed Plan SD and FDA objectives. We also accept that the policy framework creates the expectation that the Council will take the step of either adopting a private plan change or pursuing its own.

[85] There is a significant risk that if the Council does not prepare a DAP and initiate or adopt a private plan change within the timeframes specified in SCHED15, the objectives of the Proposed Plan, and the requirements to provide sufficient long term capacity will be frustrated. Councils are obliged under the RMA to adhere to the requirements of their District Plan.³⁴

[86] We address those concerns further in the context of submissions on SCHED15 and FDA-P5 and P6.

[87] We have also considered this issue further in the context of out of sequence development.

2.6.2 Decision

[88] We adopt the drafting amendments on FDA-P3 recommended by Mr Bonis. The amended provisions are included in **Appendix 3**.

[89] We are satisfied that the original s32 evaluation continues to apply.

³⁴ RMA, s84

2.7 FURTHER DEVELOPMENT AREA – POLICY FDA-P4 – DEVELOPMENT AREA PLANS

2.7.1 Assessment

[90] There were a number of submissions on this policy that requested engagement and for notification of DAP processes and obligations for the Council to pursue plan changes and seek the required resource consents for infrastructure to support development.³⁵

[91] Alpine Energy Limited [55.16] requested that DAPs consider infrastructure capacity issues. The submitter sought to include electricity distribution network capacity considerations within the policy wording. Horticulture New Zealand [245.82] sought to amend FDA-P4.7 to include a reference to managing reverse sensitivity.

[92] The Ministry of Education [106.14] sought to include specific provisions for educational facilities within the policy to give better effect to the NPS-UD, which requires councils to ensure there is sufficient infrastructure, including schools with respect to urban growth and development.

[93] Rosa Westgarth and Jan Gibson [227.10] and Warren and Elizabeth Scott [128.12] considered that Policy FDA-P4 should recognise natural hazard risk associated with flooding caused or exacerbated by inadequate infrastructure beyond the site.

[94] Mr Bonis acknowledged the range of relief for various matters but was of the view that Policy FDA-P4 is designed to clearly articulate the key matters that will need to form part of any DAP process. While these matters will form part of the s32 analysis for a future plan change, the policy does not have to contain a completely exhaustive list, as the First Schedule process (and in particular cl23, which makes provision for further information or reports to be requested) allows for further investigation of matters that may be pertinent to the merits of the proposed plan change.

[95] Mr Bonis provided detailed reasoning to support his view that the only amendments required were those sought by Hort NZ and MoE, and a correction sought by Waka Kotahi. Beyond that, he did not consider any further changes were necessary. He did, however, acknowledge submitter concerns about the extent to which they had a say in matters to be addressed in a DAP process. In response, he suggested we could add an additional matter as follows:

Any measures to address the matters identified in clause (1)-(13) having regard to consultation with the landowners of the Development Area Plan.

³⁵ For example; J R Rosa Westgarth and Jan Gibson [227.10] and Warren and Elizabeth Scott [128.12] Livestock Limited [241.12], Ford, Pyke, Andrews Talbot, Wilkins & Proudfoot, Craig, Mackenzie [33.4], Greenfield, McCutcheon, Tarrant, Sullivan and Ellery [34.3], Andrew Scott Rabbidge, Holly Renee Singline and RSM Trust Limited [27.6], and MFL [60.31]

[96] We accept Mr Bonis' recommended changes, and his suggestion to address landowner engagement for the reasons given. No planning evidence to the contrary was presented.

[97] We note that during Hearing H the Panel questioned whether FDA-P4.13 should refer to 'good' urban design or 'high quality' urban design as required by the CRPS. Mr Bonis agreed that it should be the latter and recommended the change.

2.7.2 Decision

[98] We adopt the analysis and recommendations of Mr Bonis on FDA-P4. In addition, we include an additional matter in FDA-P4.14. The amendments to the policy are set out in **Appendix 3**.

[99] In terms of s32AA of the Act we are satisfied the changes are required to better align the policy to the CRPS Policy 5.3.2, and Proposed Plan UFD-O1. We are satisfied that the amendments are the most appropriate option for achieving the purpose of the RMA, the relevant provisions of the Plan and for giving effect to other relevant statutory instruments.

2.8 FUTURE DEVELOPMENT AREA – POLICY FDA-P5 - UNANTICIPATED AND OUT OF SEQUENCE URBAN DEVELOPMENT

2.8.1 Assessment

[100] Alpine Energy Limited [55.17] sought to include a requirement in Policy FDA-P5 requiring developments to provide evidence that lifeline utilities and investments will not be undermined.

[101] Hort NZ [245.83] sought to amend policy FDA-P5 to include reference to reverse sensitivity and productive land.

[102] TDC [42.44] considered the policy as currently drafted did not fully reflect policy directives noted elsewhere in the Proposed Plan. In particular, subdivision, development and urban growth must be coordinated with the planning and delivery of infrastructure to ensure that future land use and infrastructure are aligned. TDC sought changes to the drafting to reference infrastructure development programs and/or policies of local authorities or central government (including Waka Kotahi NZ Transport Agency).

[103] Mr Bonis recommended changes to address the submission points along with minor corrections and consequential changes. We accept the changes recommended by Mr Bonis for the reasons given.

[104] We also raised in Minute 42 whether there was a need to provide an explicit pathway for out of sequence and unanticipated industrial development based on operational, functional and locational need.

[105] Mr Bonis responded in his Reply³⁶ and agreed that the policy would benefit from additional clarity as a consequence of the issues raised by submitters Rooney Group and White Water Limited on FDA provisions. He recommended that FDA-P5.2(b) be amended to include 'or otherwise provide for the operational and functional requirements of particular industries.' Mr Bonis provided a s32AA evaluation in his Reply.³⁷ We accept Mr Bonis' analysis and adopt it in support of an amendment to the policy as recommended in his Reply. We consider the change to appropriately support economic growth and employment opportunities, by providing an additional release valve for further development, yet it is still appropriately tempered with the other elements of the policy.

2.8.2 Decision

[106] We adopt the analysis and recommendations of Mr Bonis on FDA-P5. We have also made a change to FDA-P5.2(b) in response to matters raised by Rooney Group in section 8.6 below. The amendments to the policy are set out in **Appendix 3**.

[107] We adopt Mr Bonis' s32AA evaluation, including in his Reply, Appendix C, in support of the amendments.

2.9 FUTURE DEVELOPMENT AREA – POLICY FDA-P6 - UNANTICIPATED AND OUT OF SEQUENCE RURAL LIFESTYLE DEVELOPMENT

2.9.1 Assessment

[108] Hort NZ [245.84] sought to amend policy FDA-P6 to ensure that highly productive land is avoided with respect to out of sequence lifestyle developments.

[109] TDC [42.45] considered the policy as currently drafted does not fully reflect policy directives noted elsewhere in the Proposed Plan. In particular, subdivision, development and urban growth must be coordinated with the planning and delivery of infrastructure to ensure that future land use and infrastructure are aligned.

[110] Mr Bonis raised concerns that the purpose of the RMA would be better served with FDA-P6 deleted. Whilst Policy 8 of the NPS-UD provides for responsive plan changes associated with the provision of urban environments as has been given effect to by Policy FDA-P5 he was unable to identify the National or Regional Policy Statement provision that provides the foundation for this policy.

[111] In the absence of submissions opposing the clause, or seeking substantial amendments, Mr Bonis' recommendation focused on improving its clarity. He recommended deleting reference to 'out of sequence' in relation to areas outside of FDAs and only using it when referring to areas within FDAs as it is only the FDAs that are sequenced.

³⁶ Matt Bonis, Hearing G – Reply: Growth, 25 August 2025

³⁷ Ibid, Appendix C.

[112] The Panel also raised with Mr Bonis the relationship between FDA-P6 and HPL-P4 which expressly seeks the avoidance of the expansion of RLZ in areas of highly productive land. In Minute 48 the Panel requested assistance from Mr Bonis to add a drafting notation to direct Plan users to this policy directive. Mr Bonis responded with two drafting alternatives, one to add reference to the avoidance directive in the policy itself (which was his preference) or alternatively to add a note in the Introduction to the chapter.³⁸

[113] The Panel agrees that a cross reference to HPL-P4 in the policy itself is most appropriate in this context and ensures that the relevant parts of the Proposed Plan are integrated. Mr Bonis was comfortable that the change could be accommodated given it was simply duplicating an existing policy directive in another part of the Plan rather than stating a new requirement. We further note that Hort NZ sought that policy FDA-P6 be amended to ensure that highly productive land is avoided with respect to out of sequence lifestyle developments. In effect, Mr Bonis' recommended drafting improvement also addresses that submission point.

2.9.2 Decision

[114] We adopt Mr Bonis' analysis and recommended drafting changes on FDA-P6. The amendments to the policy are set out in **Appendix 3**.

[115] We are satisfied that the original s32 evaluation continues to apply.

3 SPECIFIC ACTIVITIES WITHIN THE FUTURE DEVELOPMENT AREAS

3.1 FUTURE DEVELOPMENT AREA – FDA-R7

3.1.1 Assessment

[116] Holly Renee Singline and RSM Trust Limited [27.7, 27.8], and MFL [60.32, 60.33] sought changes to remove a single residential unit as a non-complying activity, and to enable a minor residential unit of 80m² as a discretionary activity.

[117] Mr Bonis noted that the FDA Overlay is intended to safeguard future urbanisation and the rules effectively seek to retain the low density and rural land use in the interim. He noted the non-complying status is consistent with GRUZ-R4 and SUB-R3/SUB-S1.3 which provides a minimum lot size of 40ha within the GRUZ. Mr Bonis was of the view that the additional residential units and minor units would undermine the purpose of the FDA as expressed in FDA-O1 and FDA-O2. Mr Bonis provided an alternative discretionary rule for minor residential units should the Panel disagree.

³⁸ Matt Bonis – Hearing G – Response to Minute 48, 3 October 2025.

[118] The Panel agrees with Mr Bonis' recommendation to retain the rule as notified. We note we did not receive any planning evidence to the contrary.

3.1.2 Decision

[119] We adopt Mr Bonis' recommendations and retain the rule as notified.

3.2 FUTURE DEVELOPMENT AREA – RULE FDA-R10

3.2.1 Assessment

[120] FDA-R10 provides that subdivision below 40ha is a non-complying activity within an FDA. Submitters Bruce Speirs [66.30] and White-Water Properties Limited [248.9] considered the restriction unnecessary and unreasonable. The submissions sought a restricted discretionary activity status with the matters of discretion focused on effects of subdivision and how it reflects FDA-P13.

[121] Mr Bonis reiterated the intent to align the FDA with the underlying GRUZ density and land uses to preserve future urbanisation opportunities. He recommended rejection of the submission for those reasons. He also recommended a minor change to reference the particular provisions for which 'precedence' is to be given.

[122] In this case the amendment would refer to the GRUZ objectives, policies and rules, further in the event of conflict between the rules in the GRUZ and FDA, the FDA rules 'take precedence'. Mr Bonis' view was that those provisions therefore had more 'weight' in those circumstances.³⁹ We have addressed our concerns with the use of the terminology 'takes precedence' in Part 1 of our Decision. We accept Mr Bonis' recommendations, with regard to the relevant GRUZ objectives and policies, subject to our amended terminology, but differ in terms of how the rules function as outlined in Part 1.

3.2.2 Decision

[123] We adopt Mr Bonis' recommendations except that, in the Note on Rules, and in the introduction the reference to 'take precedence' is replaced by 'apply instead of'.

[124] The rule is retained as notified.

3.3 FUTURE DEVELOPMENT AREA – RULE FDA-R12

3.3.1 Assessment

[125] White Water Properties Limited [248.10] considered the non-complying activity status for industrial development is inconsistent with the purpose of the industrial FDAs. They sought

³⁹ Matt Bonis, s42A Report, Hearing G, paragraph 8.4.8. Mr Bonis interpreted the Council's Memorandum https://www.timaru.govt.nz/_data/assets/pdf_file/0015/1004703/Timaru-District-Council-Memorandum-of-Counsel-in-reply-Hearing-E-3442-0095-5190-v.1.pdf to say that 'take precedence' means more weight.

a restricted discretionary activity with matters of discretion focused on the effects of the subdivision and how it reflects and implements FDA-P13 or alternative similar relief.

[126] Mr Bonis was of the view that industrial activities within the GRUZ are non-complying activities, and 'rural industry' (as defined) are deemed restricted discretionary activities. He therefore considered it was not appropriate to provide for industrial activities at a lesser level in the FDA, given the objectives of the FDA and GRUZ-O1, GRUZ-O2 and GRUZ-P7. He considered the change would be in conflict with those objectives and recommended the submission be rejected.

[127] The submitter did not provide any additional evidence in support of the submission point.

3.3.2 Decision

[128] We adopt Mr Bonis' analysis and recommendation. The rule is retained as notified.

4 MISCELLANEOUS SUBMISSIONS (E.G. DEFINITIONS, DAP PROCESS AND PLAN CHANGE FUNDING, MISCELLANEOUS REZONING REQUESTS)

4.1 FUTURE DEVELOPMENT AREA – GENERAL

4.1.1 Assessment

[129] A number of submissions requested general changes or clarifications to the Council's approach to FDAs, these included:

- (a) Amend FDA Chapter to provide more detail in the scope and investigations required for the plan change to fulfil the Future Development Area;
- (b) Clarify the process, particularly in regard to costs;
- (c) Clarity of language relating to floor areas of buildings, heights;
- (d) Relocation of FDA objectives and policies to the Strategic Directions Chapter or Urban Form and Development Chapter;
- (e) A new definition of 'urban development' to align with CRPS definition of urban;
- (f) Clarification of the meaning of 'urban boundary' and 'urban areas';
- (g) Remove FDAs from LUC 1-3 soils;
- (h) Direct engagement with landowners in FDAs;
- (i) Exemptions for subdivision for existing owners within FDAs and requirements for Council to consider upgrading services;
- (j) Further clarity is provided on the timing of the preparation of the Development Area Plan, and the initiation of the associated plan change.

And further clarification as to which party will initiate the plan change process; and

(k) Express direction to TDC to prepare DAPs and clarification on the timeframe for the DAP under SCHED15.

[130] Timaru District Council [42.7] sought to include the definition of ‘well-functioning urban environment’ from the NPS-UD as it is a term that is referenced in the Future Development Area Chapter. We have addressed this submission above under the heading NPS-UD.

[131] Mr Bonis addressed the general submissions in his report.⁴⁰ We adopt his recommendations and reasons for them. We note that submitters sought clarity and specificity regarding the timing of DAP processes and timeframes. Mr Bonis reiterated that there is no onus on the Council within the Proposed Plan to notify a plan change associated with a DAP package. The plan change process, and timetable is subject to several variables outside the direct control of TDC. Formalising a notification timeframe in the Proposed Plan would be both inappropriate and ineffective in his view. Furthermore, his view was that stating a specific ‘starting point’ in SCHED15 for timeframes associated with the preparation of DAPs would be misleading, referencing his comments relating to submissions to FDA-P3, as the process overlaps with Council funding programmes and priorities as established under the LGA 2002 and associated LTP process.

4.1.2 Decision

[132] We adopt Mr Bonis’ analysis and recommendations and have included the amendments to the definitions of ‘urban development’, ‘well-functioning urban environment’ in **Appendix 3**.

[133] We adopt Mr Bonis’ s32AA evaluation.⁴¹

5 GENERAL ISSUES RAISED BY REQUESTS TO AMEND FDAS, NEW FDAS AND REZONING REQUESTS – DISTRICT WIDE

[134] Before we consider location-based requests to amend the sequence of FDA, create new FDAs or requests for rezoning for growth we address a number of submissions that sought changes to the Plan more broadly. We consider the following matters in this section:

- (a) Requests to create Future Urban Zones (FUZs) instead of FDAs by a number of submitters represented by Davis Ogilvie;⁴²
- (b) Submissions by Waka Kotahi to consider higher order planning directives;

⁴⁰ Matt Bonis, s42A Report, Hearing G – Growth, 4 June 2025, Section 9.1

⁴¹ Ibid at 9.2

⁴² Westgarth/Gibson [227], Garry Aitken [237] RSM Trust [237] Blackler [231], Scott [128], North Meadows [190], Westgarth & Gibson [227]

- (c) Submissions by Environment Canterbury to restrict FDAs to short and medium term growth only;
- (d) Changes to sequencing of development in SCHED15 due to infrastructure readiness raised by a number of submissions; and
- (e) Section 32AA evaluations for rezoning requests.

5.1 FUZ ALTERNATIVE

[135] Submitters represented by Davis Ogilvie, called expert planning evidence from Ms Dolan. Ms Dolan had not been part of the submitter advisory team before the hearing so had not had the opportunity to contribute to the preparation of submissions lodged by the parties for whom she gave evidence. Ms Dolan reviewed the submitters' primary requests for rezoning or requests to amend the sequence of development in SCHED15 and recommended that rather than the use of the FDA, a FUZ was more appropriate. Ms Dolan set out her reasons in various briefs of evidence. Ms Dolan's evidence did not include a s32AA evaluation or any detailed analysis of the higher order planning documents to support the requested changes. In Minute 42 the Panel invited Ms Dolan to undertake an evaluation under s32AA to support the submitters' primary and amended relief.⁴³ The Panel also signalled concern that the request to replace FDAs in some instances with an FUZ, may raise issues of scope and fairness and requested a response from Ms Vella as to the scope issue.⁴⁴

[136] In response to Minute 42, Ms Dolan subsequently advised that the submitters she represented were no longer pursuing the FUZ alternative.⁴⁵ For that reason, we have not considered the FUZ alternative sought by submitters further.

5.2 SUBMISSIONS BY WAKA KOTAHİ [143.191- 143.195]

[137] Waka Kotahi NZ Transport Agency [143] sought consideration of the appropriateness of a number of proposed FDAs. The submission recognised that the land identified for residential development (identified as FDA1, FDA2 and FDA4) are adjacent to existing urban areas and would be subject to addressing matters under FDA-P4. However, in their written submission Waka Kotahi explained that there are several considerations that need to be addressed to determine whether this land is appropriate to be rezoned to residential land, such as:

- (a) Development of this land will occur on the outskirts of the existing Timaru urban environment. It would create additional capacity which may hinder demand within the existing urban environment, such as infill within the Medium Density Zoning adjacent to the Timaru town centre. Intensification of existing areas would achieve better transport outcomes compared to greenfield development;

⁴³ Minute 42, paragraph [13]

⁴⁴ Minute 42, paragraph [15](a)

⁴⁵ Individual correspondence received from Davis Ogilvie on behalf of submitters Westgarth/Gibson [227], Garry Aitken [237] RSM Trust [237] Blackler [231], Scott [128], North Meadows [190], Westgarth & Gibson [227]

- (b) It is understood that the Housing Capacity Assessment identified that this land should be developed to achieve a minimum density of 12 households per hectare. This is inconsistent with the agreed approach from the Grierson Greenfield Density Analysis Technical Report, which is to achieve a minimum density of 15 households per hectare unless there are demonstrated constraints, then a minimum of 12 households per hectares applies;
- (c) The FDAs would need to be assessed against Government Policy, such as the NPS-UD and the NPS-HPL;
- (d) How will these FDAs consider Central Government direction on climate change implications, and will it achieve transport outcomes sought under the Emissions Reduction Plan (ERP) to reduce vehicle kilometres travelled (VKTs) and transport-related emissions; and
- (e) The growth direction demonstrated by these FDAs would make it difficult to provide high quality and frequent public transport to serve these new areas. A whole life transport costs assessment should be undertaken to determine whether it is feasible, and
- (f) The land is dispersed living away from amenities or public transport and multi-modal transport routes. It is likely that these will be reliant on private vehicle use as the only way to travel; and.

[138] Waka Kotahi did not attend the growth hearings to further elaborate on these matters and did not seek specific outcomes in their written submission. Rather, the request was that the Council (the Panel) consider these matters in our decision making.

[139] Mr Bonis considered these issues in his s42A Report, and the issues raised have been factored into his evaluation of the higher order planning documents and s32 and s32AA evaluations. We are satisfied that the submission points raised by Waka Kotahi are appropriately addressed in reaching our site and location specific decisions on FDAs below. We therefore do not specifically address the submission points of Waka Kotahi further.

5.3 ENVIRONMENT CANTERBURY REQUEST TO RESTRICT FDAS TO SHORT AND MEDIUM TERM GROWTH ONLY

[140] ECan [183.166] sought to consolidate FDAs and only include areas where required for short to medium term (as defined in the NPS-UD) and that land identified for long term development be included in a Future Development Strategy or similar.

[141] Ms Francis' opinion was that identifying land suitable for development, beyond the time frame of the existing plan, could create a risk that there will be pressure to develop prematurely, ahead of development readiness, and out of sequence with budgeted funding for infrastructure in the TDC Long Term Plan. In her view this could undermine objectives of achieving consolidated urban growth. She considered that while the risk of out of sequence

development applications remains, it needs to be balanced against the risk of land identified for long term future development being inappropriately developed.⁴⁶

[142] Ms Francis acknowledged the benefits of including long term FDAs in the Proposed Plan, and accepted Mr Bonis' summary of those benefits. In particular the rules 'may help avoid fragmentation, preserve future development options and ensure access to key facilities, particularly where the land is under single ownership.'⁴⁷ Her view was that the 'benefits and risks associated with including the long term FDAs within the Proposed Plan itself, largely hinges on the ability of the plan provisions to mitigate the risks'.

[143] Ms Francis considered the objectives and policies in the FDA Chapter and concluded that:⁴⁸

The policy framework is robust and addresses the issues posed by out of sequence applications and I am unable to suggest any further provisions that could strengthen the pTDP. The risk that out of sequence applications will be granted still remains because the foreshadowing of these long-term FDAs in the pTDP may still lead to pressure on the Council for earlier development. Removing the longterm FDAs from the pTDP overlay could decrease the risk of out of sequence development applications. However, it would also remove the restrictions placed on that land by FDA-P1 and subsequent rules. This could compromise the future ability to fulfil the FDA purposes. The Panel may wish to balance the benefits against the risks.

[144] The Panel has considered the submission, and we are satisfied that the TDC approach to FDAs implements the requirements of the NPS-UD, Objective 2 and Policy 2, and the requirements of CRPS, Chapter 5 as discussed above in Section 2. On this basis, we do not address this matter further.

5.4 CHANGES REQUESTED TO SEQUENCING OF DEVELOPMENT IN SCHEDULE 15

[145] The FDA Overlay identifies areas in the District which may be considered suitable for future urbanisation (or as a Rural Lifestyle Zone) subject to a scheduled (SCHED15) Development Area Plan (DAP) process as discussed above in relation to FDA-P2 and FDA-P4 and subsequent plan change to embed the relevant mechanisms (Structure Plan / ODP) into the Development Area Plan Chapter of the Proposed Plan.⁴⁹

[146] FDA Overlays are shown on the Planning Maps and are listed in SCHED15 of the Plan. SCHED15 identifies the anticipated zone (e.g. General Residential Zone), the timeframe for the preparation of the DAP (as necessary to support a rezoning), and any additional requirements.

⁴⁶ Diedre Francis, Statement of Evidence, 26 June 2025, paragraph 24.

⁴⁷ Ibid, paragraph 26.

⁴⁸ Ibid, paragraph 35.

⁴⁹ Part 2 – District Wide Matters / General District Wide Matters / FDA – Future Development Area / Introduction

[147] Submissions were received from landowners of areas identified in SCHED15, seeking to either rezone FDA areas now as part of the Proposed Plan process, or to bring forward development on the basis of readiness and locational or typology demand. We have considered specific requests for changes to the FDA sequencing and rezoning in further detail below, however, in this section we address the issues more generally, including the Council's evidential basis for the sequencing, in order to consider what if any changes the Panel can make as part of the hearing of submissions on the Proposed Plan. This is not a 'scope' issue, as clearly a number of submitters have sought changes to SCHED15 in their submission. The issue is one of merit and the costs and benefits, including the effectiveness and efficiency of changes to the Schedule to address the Proposed Plan strategic objectives and objectives of the FDA Chapter.

[148] Mr Bonis outlined in his section 42A Report that:

...the purpose of the FDA Overlay is to provide a sequenced urban growth or rural lifestyle rezoning resource to ensure sufficient development capacity for housing and business land for the Timaru district is undertaken in a way, and at a rate, that avoids adverse effects on urban consolidation⁵⁰, supports a coordinated settlement pattern⁵¹, and ensures the provision of new network infrastructure is integrated and co-ordinated with the nature, timing and sequencing of new development.⁵²

[149] The way that the FDA Chapter is intended to implement the Proposed Plan Strategic Objectives is explained in the Council's s32 Report:⁵³

SD-O1 signals the strategic need to have enough residentially zoned land within existing urban areas and limited rural residential development provided it is concentrated and associated with the existing towns. SD-O6 also seeks to ensure sufficient land to accommodate growth. SD-O8 highlights the need to ensure new development is serviced with infrastructure in an integrated way. SD-O9 relates to rural areas and strategically enables rural land to be used for productive purposes and if and Future Development Area overlay is in place, the land is used in such a way to ensure it could be used for urban or rural lifestyle opportunities in the future. UFD-1 outlines the desire for a 'consolidated and integrated' settlement pattern where future growth is accommodated; integrated infrastructure can be provided; environmental effects of development are reduced including the loss of versatile soils; potential impacts such as from natural hazards and reverse sensitivity are avoided.

[150] The Proposed Plan sets out that the obligation to prepare a DAP sits with the Council, FDA-O2 and FDA-P3. FDA-P4 sets out the matters that are required to be addressed in the DAP. The sequencing included in SCHED15 is based on the Council's Growth Management

⁵⁰ FDA-P3.1

⁵¹ FDA-P4.3 and 4.5, SD-O1.2

⁵² FDA-P4.5, SD-O8.2

⁵³ https://www.timaru.govt.nz/_data/assets/pdf_file/0008/669419/23-Section-32-Future-Development-Areas.pdf - section 1.3

Strategy 2018 (GMS 2018)⁵⁴ and the review of that Strategy in 2022 (GMS-2022)⁵⁵, as well as the Council's s32 Evaluation.⁵⁶

[151] The GMS 2018 was prepared under the Local Government Act 2002 and designed to give guidance to infrastructure providers through identifying the location and scale of future growth and inform Council's long term planning including guiding the development of the District Plan, Activity Management Plans and Long Term Plan. The GMS 2022 review was undertaken to ensure that the GMS remained fit for purpose following the initial engagement on the draft District Plan Review.⁵⁷

[152] The issue of timing of FDAs is largely tied to the achievement of the strategic objectives UFD-O1 which seeks 'a consolidated and integrated settlement pattern that (1) efficiently accommodates future growth... and (2) is integrated with the efficient use of infrastructure', and SD-O8.2 which seeks that 'the provision of new network infrastructure is integrated and co-ordinated with the nature, timing and sequencing of new development.

[153] The timing of infrastructure delivery is then tied to Council Long Term and Infrastructure planning decisions, outside of the Proposed Plan process. It was not entirely clear from the supporting materials that informed the development of the Proposed Plan what the basis for the prioritisation in SCHED15 was. This was evident in the evidence from Mr Selwyn Chang on behalf of a number of submitters represented by Davis Ogilvie.⁵⁸

[154] Mr Chang, a civil engineer, was previously employed by the Council as a Drainage and Water Engineer, and more recently employed by Davis Ogilvie. His evidence addressed the technical feasibility of water, wastewater and stormwater servicing for each site (which we address for individual sites below), but he also commented on the funding and integration.

[155] Mr Chang described what we term a 'chicken and egg' scenario where landowners would find it difficult to have discussions with Council to advance development if the areas were simply FDAs rather than being zoned. He also identified the risk that without zoning the infrastructure investment proposed by Council may be undersized or misallocate funding. We understood this was the rationale for advancing a FUZ, because it would have avoided being constrained by a timeframe. Mr Chang considered this approach would enable Council to have a more structured funding approach, including collection of financial contributions to support future growth.

⁵⁴ https://www.timaru.govt.nz/__data/assets/pdf_file/0003/204375/Growth-Management-Strategy-Adopted-Low-Resolution-08052018.pdf

⁵⁵ https://www.timaru.govt.nz/__data/assets/pdf_file/0011/669872/Planz-2022-GMS-Residential-Review-Report.pdf and https://www.timaru.govt.nz/__data/assets/pdf_file/0019/700912/16120_GMS-Business-Review-Report_Final-May-2022.pdf

⁵⁶ https://www.timaru.govt.nz/__data/assets/pdf_file/0008/669419/23-Section-32-Future-Development-Areas.pdf

⁵⁷ GMS-2022 Residential Introduction.

⁵⁸ Westgarth/Gibson [227], Garry Aitken [237] RSM Trust [237] Blackler [231], Scott [128], North Meadows [190], Westgarth & Gibson [227]

[156] Mr Kemp, the Stormwater Team Leader with experience in Infrastructure Planning for TDC, prepared a report as part of the s42A Report for Growth hearings.⁵⁹ Mr Kemp explained that for the Council to consider requests by submitters to bring forward development timing, the Council needed to receive technical information from submitters. This had been requested as part of the Preliminary s42A Report. He explained that the information requests were premised on submitters providing technical analysis as to the provision of network infrastructure support and integration, where Council Officers have advised that there are no planned or funded extensions for services into these areas. Implications for servicing were to include appropriateness for the rezoning sought, and density and yield. As a general comment, he considered that the submission packages did not provide sufficient analysis as to the provision of infrastructure servicing and / or implications where infrastructure funding is not provided in the Long Term Plan.

[157] He explained that when Long Term Plan capital funds have not been allocated toward extension of networks to facilitate the rezoning requests in the submissions, Council runs a risk of being obligated to transfer funds from other priority capital works (renewal and upgrade of existing assets) to accommodate these developments at a limited benefit to the ratepayer. The provision of infrastructure to service rezoning requests also risks the extension of network infrastructure where there is not a corresponding increase in household growth, essentially dispersing the network servicing infrastructure over a wider geographical area to inefficiently service a similar ratepayer base.

[158] We accept that one of the difficulties with the timeframes specified in SCHED15 was that the outcomes were contingent on Council funding through the LTP process, and until such time as land was zoned for urban development, then there is a significant bottleneck in the system. Mr McLauchlan also explained this in his presentation on behalf of North Meadows.

[159] We have considered the issue of timing and note that there is a policy pathway to advance DAP planning in FDA-P4, which can lead into a plan change. We have also considered the NPS-UD and CRPS policy frameworks which clearly signal the interrelationship between infrastructure readiness and development opportunities. We find ourselves unable to make a decision to amend the timetable set out in SCHED15 as requested by submitters as part of the Proposed Plan process, rather the Council will need to be responsive to landowner requests for the development of a DAP, and subsequent plan changes within the policy framework set out in the FDA Chapter.

[160] We share Mr Bonis' concern that the Council is taking on considerable risk if it does not proactively advance DAP processes going forward as it may be in breach of its own District Plan.

⁵⁹ Kevin Kemp, Statement of Evidence, Appendix 7

5.5 SECTION 32AA EVALUATIONS FOR REZONING REQUESTS

[161] In order for the Panel to consider the alternative or ‘amending proposals’ by submitters to change the zoning or sequencing of future development, we needed to receive sufficient evidence to support a planning s32AA evaluation to inform our decision making. Mr Bonis did not recommend many changes to the FDA Chapter as a consequence of submitter evidence. That was because he did not consider that he had a sufficient evidential basis to do so, notwithstanding the responses to the Preliminary s42A Report.

[162] We have also found similar challenges. A group of submitters⁶⁰ called planning evidence from Ms Dolan, who undertook a critique of the Council s42A Reports and economic evidence. Ms Dolan has not undertaken a s32AA evaluation of the requested changes by the submitters she represented, and there was not sufficient evidence to enable us to undertake the evaluation either. In Minute 42 we requested Ms Dolan to provide a s32AA evaluation to support the alternate proposal of FUZ introduced in her evidence and for the primary relief each submitter was seeking.⁶¹ As discussed above, the FUZ alternative was withdrawn. However, we did not receive a s32AA evaluation for the primary relief sought either.

[163] We have considered each submitter’s primary relief on its merits in detail below, but given the limited evidence we received, we found it difficult to conclude that the relief was more appropriate than that provided in the notified Plan.

6 AMEND FDAS, NEW FDAS, REZONING REQUESTS – TEMUKA AND PLEASANT POINT

6.1 REZONE FOR GROWTH – FDA6 FACTORY ROAD FUTURE DEVELOPMENT AREA

6.1.1 Assessment

[164] Aitken, Johnston, and RSM Trust [237.1] supported the intent of the FDA Overlay (FDA6) across 26 and 52 Factory Road. However, the submitter [237.2] opposed the ‘beyond ten year’ time frame for the DAP given that all councils are currently required to review District Plans every ten years. The submitter considered it does not make sense to provide the land supply and defer it until the next District Plan review. The submitter sought SCHED15 be amended to remove any timeframe associated with the development of the FDA or alternatively to amend the schedule to decrease the time frame to 5 years.

[165] Related submissions from Ryan De Joux [157.2] also sought changes to SCHED15 to refer to 5-10 years instead of beyond 10 years.

⁶⁰ Westgarth/Gibson [227], Garry Aitken [237] RSM Trust [237] Blackler [231], Scott [128], North Meadows [190], Westgarth & Gibson [227]

⁶¹ Minute 42, paragraph [13]

[166] FDA6 overlays a 17.93ha block, which has an estimated residential yield of between 180 and 215 household allotments (10 – 12HH/ha).⁶² The land is held in three titles in single ownership and adjoins the existing residential area in Temuka.

[167] In response to the Preliminary s42A Report request for further information submitters Aitken, Johnston, and RSM Trust provided a package of information.⁶³ Of the issues identified we address only those where there was uncertainty regarding information or a dispute between the submitters' advisors and the Council's s42A Report authors.

Hazards

[168] The land is subject to the Flood Assessment Area Overlay, and the submitters' advisors Davis Ogilvie provided details from a Canterbury Regional Council Flood Hazard Assessment which states that the property would likely be affected by flooding in a 100-year ARI event and that overall flooding was considered low risk. There is a degree of uncertainty because the nature of development could have an impact. We received no evidence to suggest this could not be overcome with appropriate design and mitigation measures.

[169] We are satisfied that hazard risks can be appropriately managed if the land were to be rezoned for residential activity.

Cultural and Heritage

[170] The site is located within the SASM-4 Wāhi Tūpuna Overlay that applies to Waitarakao to Ōrāri, inland to Seadown Road and including Arowhenua and Temuka. There is no SASM overlay specifically associated with Taumatakahu Stream. The area is of significance to Kāti Huirapa given associations with Waiateruati Pā, despite the land being subsequently drained and converted for agricultural use. Kāti Huirapa would not wish to see the mauri of any adjoining waterways diminished and seek the preservation of māhika kai and taonga species through ensuring future dwellings are connected to reticulated services.⁶⁴

[171] Mr Aitkin spoke of his longstanding working relationship with Arowhenua and his commitment to working together as a community for the benefit of Temuka.

[172] We are satisfied that any actual and potential effects on cultural values associated with the site can be appropriately addressed at the time the site is rezoned and in any subsequent subdivision of the site.

Landscape and Natural Character

[173] The submitter did not call any expert landscape evidence. Ms Pflüger was of the view that the openness, rural character, and absence of rural lifestyle development made this site

⁶² S42A Preliminary Report. Attachment A. Property Economics. Table 10 – 238 households

⁶³ https://www.timaru.govt.nz/_data/assets/pdf_file/0011/987446/Submitter-237-Aitken,Johnston-and-RSM-Trust-supporting-information-for-re-zone-request-With-appendices-Hearing-G.pdf

⁶⁴ Matt Bonis, s42A Report, Appendix 3, Mana whenua Assessment. Hall

less suitable for residential development from a landscape perspective as anticipated under the Proposed Plan in relation to FDA6. The urban growth boundary would be less clearly detectable, leading to an appearance of urban sprawl into the rural environment to the north of Temuka.

[174] Ms Dolan, referred to an Outline Development Plan (ODP), appended to her evidence⁶⁵ which in her view showed: a clear and logical road hierarchy and movement network, pedestrian and cycle connectivity, a large stormwater area co-located with riparian corridors and open space providing both infrastructure and visual containment at the site's north-eastern edge. Ms Dolan's view was that this responds directly to Council concerns regarding interface management and urban containment, demonstrating that sprawl will be avoided and a master planned approach will be applied. As Ms Pflüger pointed out in her summary statement there was no ODP/ DAP identifying matters of landscape and amenity importance in terms of the immediate rezoning request. There is no boundary treatment identified for the site. Although Ms Pflüger noted favourably that consolidation of the existing urban area and a master planned approach would be appropriate.⁶⁶

[175] We visited the site and observed the open and obvious rural character of the area. The site does adjoin the existing residential boundary and is close to Opihi College. The site is also across the road from FDA7. In the future if land is required for growth in Temuka, there will be a change to the urban/rural interface by outward expansion. We have considered this in the context of the CRPS below.

[176] We are satisfied that landscape values can be appropriately addressed at the time of rezoning and with the use of an ODP as part of subsequent subdivision.

Infrastructure and Servicing

[177] Mr Kemp advised that the capacity of water infrastructure requires modelling and confirmation of capacity. The submitter package considered that the reticulated wastewater network is proximate to the site, however a low-pressure network system or communal pump station would be needed to overcome constraints to meet Council Infrastructure Standards and the Building Code. Mr Kemp considered that the impact of the proposal on downstream sewer constraints has not been assessed or provided. In terms of stormwater, stormwater basins and management could be undertaken on site subject to obtaining the necessary Regional Council consents, with Mr Kemp identifying that the site is outside the Temuka Stormwater Management Area. The submitter had provided an ODP which was indicative of where stormwater attenuation could occur, however no modelling had been undertaken.⁶⁷ Mr Chang confirmed that design would meet the requirements of the Canterbury Land and Water Regional Plan and the TDC Stormwater Management Plan.

⁶⁵ 'Indicative Outline Development Plan' prepared by Davis Ogilvie, attached to correspondence from Davis Ogilvie, 24 June 2025 (Geotechnical Report).

⁶⁶ Memorandum of Yvonne Pflüger, Response to Evidence received by TDC on Growth Chapter as it relates to landscape matters, 22 July 2025

⁶⁷ Mr Chang, answer to questions from Panel

[178] At the hearing Mr McLauchlan acknowledged that there were still infrastructure and related sequencing issues to resolve, however he sought that the Proposed Plan be more enabling. He said the submitter was not looking for zoning right away, however they wanted to find some middle ground.

[179] Mr Aiken, in answer to questions from the Panel, said he anticipated that if development were to proceed that it would likely be staged, rather than being available all at once.

[180] Mr Chang provided evidence regarding the steps required to provide infrastructure servicing and funding arrangements.

[181] We are satisfied that the site can be appropriately integrated with servicing infrastructure, however, the issue is one of timing. At this time there is no certainty as to when infrastructure servicing can be provided. We do not have sufficient information to confirm integration with infrastructure planning.

NPS-HPL

[182] The site is predominantly classed as LUC-2 with a small area of unclassified land mapped by the New Zealand Land Resource Inventory.

[183] NPS-HPL cl3.6(4) requires territorial authorities to only allow urban rezoning where the conjunctive tests in that clause are considered and met; in relation to cl3.6(4)(a) the evidence of Mr Heath is that there is sufficient feasible capacity in Temuka to satisfy long term (2053) demand under a medium growth forecast, and both the short (three year) and medium (ten year) term under a high growth forecast. Mr Bonis said that there is no assessment provided by the submitter in terms of the costs and benefits of rezoning to consider cl3.6(4)(c). Mr Bonis concluded the request to rezone now would not give effect to the Objective, or Policies 4 and 5 of the NPS-HPL.

[184] We note that the submitter did provide an assessment undertaken by the AgriBusiness Group of benefits of rezoning the land compared with the cost of the loss of HPL as part of their response to the s42A Preliminary Report. The author of the report concluded:

It is my opinion that the environmental, social, cultural and economic benefits of rezoning of the 28 ha at 26 and 52 Factory Road, Temuka, outweigh the long-term environmental, social, cultural and economic costs associated with the loss of highly productive land for land-based primary production. This therefore leads to the conclusion that the site meets the requirements of Clause 3.6 (1) (c) of the NPS-HPL.

[185] The author did not attend the hearing. However, even accepting that analysis, we note the tests in cl3.6 are conjunctive so we agree with Mr Bonis' assessment that rezoning the land to GRZ now would not give effect to the NPS-HPL.

NPS-UD

[186] At the hearing we understood the submitter was not requesting rezoning now⁶⁸, but supported the FDA approach, although at the time of the hearing that submission was qualified by Ms Dolan's recommendation to replace FDAs with a FUZ. The submitter subsequently advised in response to Minute 42 that they did not wish to pursue the FUZ option.⁶⁹

[187] In her evidence Ms Dolan was critical of the Property Economics evaluation of capacity and demand. Ms Dolan challenged Mr Heath's conclusions on capacity under the longer term demand and noted that for Temuka, achieving the high growth scenario was dependent on including the FDAs. Mr Heath's report had acknowledged that in order to meet the high growth scenario, for the longer term, that TDC would be reliant on the FDAs to meet that gap. We did not understand him to mean that all of the identified FDAs would be required. We note that in terms of the Council's scheduling in SCHED15, FDA7 (2 year time frame) was ranked ahead of FDA6 (a 10 year time frame). Mr Heath's view was that given the site contains predominantly LUC soils, that he did not consider the site is required to provide sufficiency for the purpose of cl3.6(4)(a) and (b) of the NPS-HPL. It is likely in his view that the area still provides productive potential. Mr Heath also considered that given the infrastructure constraints that existed that there is not an economic rationale in support of those outcomes. More responsive urbanisation would result in infrastructure inefficiencies and not assist in the consolidation of the existing urban area as sought by the objectives of the Proposed Plan.

[188] For the reasons discussed in Section 2 above we prefer the evidence of Mr Heath.

CRPS

[189] Mr Bonis agreed with the submitter's position that the subject site has considerable attributes associated with the long(er) term urban growth of Temuka including: a cohesive development area held in single ownership; the ability to manage the effects of urbanisation such that there would not be detrimental adverse effects on sensitive natural and cultural values; and proximity and accessibility to the existing urban area, including jobs and community services.⁷⁰

[190] The current impediment for the submitter's request to advance the scheduled sequencing from 10 to 5 years, or to remove a timeline altogether, is that the Council has not scheduled funding for a DAP (FDA6) as associated with the DAP process in its LTP. Mr Bonis' view was that in terms of CRPS Policy 5.3.1 and Proposed Plan SD-O1 and UFD-O1 the addition of capacity (and infrastructure servicing demands) as associated with a further 200 household allotments, in excess of the existing realisable capacity which is forecast to meet

⁶⁸ That is consistent with the written submission 237. We note Ms Dolan's evidence suggested the alternative GRZ was being requested. That is not what was requested by the submitter.

⁶⁹ Correspondence from Davis Ogilvie (Aoraki) Ltd on behalf of submitter 237 in response to Minute 42, 4 August 2025.

⁷⁰ Matt Bonis, s42A Report, paragraph 10.6.18

demand well beyond the life of the Proposed Plan will not consolidate the Temuka settlement pattern, nor support the efficient integration of infrastructure.

[191] We are satisfied that aside from the issue of DAP timing and therefore integration with infrastructure planning, the rezoning of the site will give effect to the urban growth requirements of the CRPS, notwithstanding that it would provide capacity in addition to the high growth scenario for the town.

s32AA evaluation

[192] The Panel's overall finding is that FDA6 is appropriate for future development for the reasons outlined by the submitter's information package and as is acknowledged by the Council by including FDA6 in the Proposed Plan. However, the rezoning is premature, and not yet able to give effect to all of the parts of CRPS Policy 5.3.1 with regard to infrastructure availability. We also find that provision of reticulated servicing in this location is necessary in the context of the cultural values of the site as reported by Ms Hall.

[193] We do not have a sufficient evidential basis to support a s32AA evaluation for zoning now (even if that was to be sought), nor do we consider we have sufficient evidence to support a change in Council sequencing.

[194] The evidence of Mr Chang highlights the difficulties with the Council's selected method of providing for FDAs with prescribed timeframes may not be an efficient or effective mechanism for the District to respond to changing needs. However, that FDA-P5 provides a pathway for unanticipated and out of sequence development in certain circumstances.

[195] We note that ECan sought the deletion of FDA6, given the projected capacity for Temuka. However, the submitter did not provide any evidence or pursue this matter at the hearing. Given the land was identified for future development in the Council's 2022 Growth Management Strategy we find no basis to consider the submission further.

6.1.2 Decision

[196] We adopt Mr Bonis' recommendation and retain FDA6 as notified.

6.2 REZONE FOR GROWTH – FDA7 THOMPSON FUTURE DEVELOPMENT AREA

6.2.1 Assessment

[197] Greenfield, McCutcheon, Tarrant, Sullivan and Ellery [34.4] supported FDA7 and the associated 2-year priority. The submitter sought for FDA7 to be retained as notified.

[198] A submitter package was provided in response to the Preliminary s42A Report.⁷¹ Mr Bonis, on reviewing the material provided, noted the submission was in support of the notified

⁷¹ https://www.timaru.govt.nz/__data/assets/pdf_file/0008/987434/Submitter-34-268-McCutcheon,Tarrant,Sullivan,Ellery-supporting-information-for-re-zone-request-Hearing-G-.pdf

provision and therefore should be accepted. Mr Bonis noted that the density limits predicated on wastewater reticulation in SUB-P15.3 and SUB-S1.4 would preclude further subdivision of the block in the absence of wastewater reticulation. This would preclude (with the exception of LOTS 16-19 35-37 DP 6860 BLK II AROWHENUA SD (12.78ha)) additional allotments, and thereby largely maintain the current density as advised by Aoraki Environmental Consultancy Ltd. The DAP and plan change process (FDA-P2 and FDA-P4) would provide an opportunity to confirm reticulation for the block prior to rezoning.

[199] Darren Wayne Rae [95.1] considered additional rural lifestyle properties should be provided to enable growth in Temuka. The submitter sought for FDA7 to be extended north to include his property at 148 McNair Road. The submission detail was specific to the property at 148 McNair Road which is 2.43ha in size. The amending proposal would be demarcated by the boundaries of Factory Road, Springfield Road and McNair Road, would be located some 800m from the nearest urban (GRZ) boundary, and would adjoin notified FDA7 to the south.

[200] The submitter did not provide the additional material requested in the Preliminary s42A Report. The site is zoned GRUZ, is within the Flood Assessment Area and SASM-4. The site is not identified for Urban or Rural Lifestyle growth within the Growth Management Strategy 2018 and Review (2022) for the purposes of s74(2)(b)(i). Under the transitional NPS-HPL provisions, the site is classified as HPL (LUC 2).

[201] Mr Bonis recommended the submission from Mr Rae be rejected as it does not give effect to the NPS-HPL, and no information had been provided to enable a s32AA evaluation. We concur with that view.

6.2.2 Decision

[202] We adopt Mr Bonis' recommendation. We retain FDA7 as notified.

6.3 REZONE FOR GROWTH – FDA8 MANSE ROAD FUTURE DEVELOPMENT AREA

6.3.1 Assessment

[203] Waka Kotahi NZ Transport Agency [143.194] recognised that land identified as rural lifestyle development, as set out in FDA8, 9, 10 and 11 was adjacent to existing urban areas. However, the submitter sought further regard be had that the land is further away from amenities, public transport, and multimodal transport routes thereby placing reliance on travel by private vehicle. Additionally, the submitter queried how FDAs will achieve transport outcomes in relation to Central Government direction on climate change. The requested relief is to consider the matters described to determine whether FDA8 is appropriate to be rezoned as rural lifestyle.

[204] FDA8 relates to a 46ha block located on the southern extent of Pleasant Point. Direct frontage is provided by Smart Munro Road and Longview Road, as well as Shere Street. Extensions from Kyber Street, Khan Street and Kandahar Street would also provide direct access into the land area. Property Economics have identified a potential yield of 79 rural

lifestyle allotments.⁷² The site is slightly elevated above the existing Pleasant Point settlement and contains a mix of allotment sizes from 2ha to 20ha.

[205] Mr Bonis explained that FDA8 was attached to an existing urban area, and subject to the requirements of FDA-P4, would promote (in terms of the transport network) a co-ordinated pattern of development. He also noted provision of a zoned rural lifestyle opportunity in Pleasant Point would promote further housing choice, consistent with CRPS Policy 5.3.1.

[206] Mr Bonis acknowledged that given the scale and role of employment activities and amenities in Pleasant Point, that the FDA (and associated rezoning) would be heavily reliant on travelling by private vehicle for access to goods, services and employment. He considered that FDA8 would be less appropriate in promoting energy efficiency in urban forms and transport patterns and would not support reductions in greenhouse gas emissions. He accepted that this is a function of the character of RLZ opportunities, regardless of where they are located, but is exacerbated for FDA8 given the limited functional and social amenity (employment, community facilities and range of retail and service activities) available in Pleasant Point to facilitate shorter vehicle kilometres travelled (VKT) by residents in any subsequent RLZ. He considered the merit of FDA8 in transportation terms to be finely balanced.

[207] In terms of the wider statutory context Mr Bonis noted that the site contained HPL and although the FDA was not rezoning, the consequence of the DAP preparation pursuant to FDA-P4 and subsequent plan change to introduce zoning into the Proposed Plan would, as considered against the directive provisions of the NPS-HPL, be destined to fail. He noted the land was not, according to Mr Heath required to meet sufficient development capacity. There are also likely to be infrastructure constraints (and complexities) due to its elevation.

[208] Mr Bonis had regard to the Growth Management Strategy 2018 which identified the western extent of FDA8 as Manse Road Rural Residential, however this predates the NPS-HPL. Factoring that in and primarily the implications of the NPS-HPL, he considered that retention of FDA8 is both less efficient (in terms of costs to establish a DAP, and likely statutory and directive hurdles in the NPS-HPL which seek to prevent rezoning of HPL), and less effective (modest benefits in terms of housing choice and connection to an established urban area, but would not achieve provisions in terms of the efficient integration with infrastructure, capability to efficiently connect to servicing, and the promotion of energy efficient urban forms and settlement patterns) in achieving or giving effect to the relevant statutory framework when considered as a whole.⁷³

[209] Mr Bonis recommended that FDA8 be deleted and that the submission from Waka Kotahi be accepted.

[210] Waka Kotahi did not appear in support of its submission.

⁷² Preliminary s42A Report. Attachment A. Property Economics [Table 10]

⁷³ Matt Bonis, s42A Report, paragraphs 10.8.3 to 10.8.16

[211] The Panel does not agree with the deletion of FDA8 because Mr Bonis' recommendation is based on matters not raised in the Waka Kotahi written submission, and the submitter may not have been aware of the basis for the recommendation to remove the FDA.

6.3.2 Decision

[212] The Panel does not adopt the analysis and recommendations of Mr Bonis on FDA8. The Panel confirms FDA8 is retained as notified.

6.4 REZONE FOR GROWTH - TRISTRAM JOHNSON [145.1] – 340 KING STREET, TEMUKA

6.4.1 Assessment

[213] Tristram Johnson [145.1] sought to rezone the property at 340 King Street Temuka. The submitter considered the property is not rural in nature and seeks to rezone the property from GRUZ to GRZ.

[214] The property is 0.96ha located at the northern end of Temuka township, on the eastern side of King Street / State Highway 1. The subject site is split zoned, with a pocket of GRZ on the southwestern extent, with the balance of the property being zoned GRUZ.

[215] The submitter provided information in response to the Preliminary s42A Report and provided a statement of evidence from Ms McMullan.⁷⁴

[216] Although it was Mr Heath's view that there was sufficient development capacity in Temuka, Mr Bonis was of the view this was simply infill development and is able to be adequately serviced.

[217] We viewed the site and agree it is located in an urban setting and at least from the State Highway is indistinguishable from its residential neighbours.

[218] We accept Mr Bonis' recommendation to rezone the property and adopt his reasons and s32AA analysis.

6.4.2 Decision

[219] We adopt Mr Bonis' recommendation to rezone the property as requested by the submitter. The amendments to the Planning Maps are included in **Appendix 2**.

[220] We adopt Mr Bonis' s32AA evaluation in support of the rezoning.

⁷⁴ Submitter response to Preliminary s42A Report, MFL, February 2025 and Melissa McMullan Statement of Evidence, 27 June 2025.

6.5 REZONE FOR GROWTH - TG BLACKLER [231.1] – BURKE STREET, PLEASANT POINT

6.5.1 Assessment

[221] Timothy Graeme Blackler [231.1] sought a rezoning of 10 Burke Street, Pleasant Point to enable development of a retirement village and residential care facility on the site. The submitter noted the two adjoining properties are residential in nature. The submitter considered that the proposed development would achieve several objectives of the Proposed Plan, such as promoting positive social wellbeing outcomes for the community and providing riparian access and benefits for biodiversity. The submitter sought to rezone the property at 10 Burke Street, Pleasant Point to a mix of GRUZ, OSZ and GRZ.

[222] The 10.6ha site has access via 10 Burke Street. The site is located some 370m from Main Road Pleasant Point via Horton and Russell Street.

[223] The submitter provided a response to the Preliminary s42A Report⁷⁵ and appeared at the hearing. The submitter called expert planning evidence from Ms Dolan, infrastructure evidence from Mr Chang, and Ms Roycroft from Davis Ogilvie provided project management evidence. Transport evidence was provided in writing from Mr Carr. Mr Blackler spoke directly of his association with the land, the need for retirement village/care home in Pleasant Point. Mr Blackler's family has experience running such facilities in a rural community. He noted the potential for links to the Pleasant Point community and facilities including the school, golf course and local businesses.

[224] The submission was predicated on a specific 'Concept Plan' as associated with the provision of retirement units and aged care, with residential buildings south of Pleasant Point Stream. The submission package states that the 'client would be open to the consideration of a partial 'site specific zoning format', an outline plan approach or other appropriate approach, should greater control be required'. No specific mechanism has been provided, including limits on the type of residential accommodation. The scope of the submission remained broadly set as a combination of GRZ and a balance of GRUZ or OSZ.

[225] Mr Bonis provided responses in relation to the effects on the environment and higher order statutory context.⁷⁶

[226] We note here that the submitter did not provide a comprehensive evaluation of the relevant planning documents to support the primary relief. In the submitter's response to the preliminary s42A Report, Davis Ogilvie appended a high level (and incomplete) commentary on the requirements of the NPS-UD prepared by Novo Group.⁷⁷ Ms Dolan did not undertake a s32AA evaluation of the submitter's primary relief, despite being invited to do so in Minute

⁷⁵https://www.timaru.govt.nz/_data/assets/pdf_file/0010/987445/Submitter-231-Timothy-Graeme-Blackler-supporting-information-for-re-zone-request-With-appendices-Hearing-G.pdf

⁷⁶ Matt Bonis, s42A Report, 4 June 2025, section 12.7.

⁷⁷ Davis Ogilvie, submitter response to preliminary s42A Report, 20 February 2025, Appendix 5.

42.⁷⁸ We have therefore relied on Mr Bonis' review of the relevant planning documents albeit we have reached a different view on the application of NPS-UD, Objective 1, Policy 1 and Policy 6 for the small settlements of the District, and rely primarily on giving effect to the CRPS, and implementing the strategic objectives of the Proposed Plan.

Landscape

[227] We accept Ms Pflüger's opinion that the site could be developed appropriately having regard to the geographical features.

Biodiversity

[228] Pleasant Point Stream is notated for esplanade reserve and public access provisions (Natural Values). Mr Bonis considered that subdivision enabled by a GRZ would facilitate the provision of an esplanade reserve. He noted that this is not identified in the submitter package, nor does the accompanying 'Concept Plan' identify the minimum width required. Mr Blackler referred to engagement with community groups for the enhancement of the stream and development would enable ongoing enhancement.

[229] We find that the site could be developed appropriately having regard to the natural values of the site.

Cultural Values

[230] SASM-16 (Wai Taoka Lines – Ōpihi River and Tributaries) applies to the site. Ms Hall has identified that the mauri of the Ōpihi River and its tributaries (including the Pleasant Point Stream which runs through the site) is a priority for Kāti Huirapa. Ms Hall advises that Kāti Huirapa is not opposed to development on the site, provided that the stream is protected from further degradation. There is also concern that the Concept Plan would alter the flow patterns of the waterway to create a man-made pond for amenity purposes, although the submitter confirmed this was not intended, with Arowhenua opposing any reconfiguration of Pleasant Point Stream.

[231] We are satisfied that provided the development of the site did not alter the flow patterns of the waterway then the site can be appropriately developed to avoid adverse effects on cultural values identified for the site.

Traffic

[232] The submitter provided a statement of evidence from Traffic Engineer Mr Andy Carr who concluded that:⁷⁹

Taking into account the scope of Rule TRAN-R10 and the effects that it has on limiting the scale of development without further assessment of the

⁷⁸ Minute 42, paragraph 13.

⁷⁹ Andrew Carr, Statement of Evidence, 25 June 2025 (Tabled)

transportation effects, and the small difference between the lower threshold of the Rule and my assessment (the equivalent of just 6 vehicle movements in the busiest hour), I am able to support Mr Blackler's submission for a GRZ zoning on the site.

[233] Mr Mat Collins, a Transportation Engineer provided a technical review for the Council. The main difference between his opinion and Mr Carr's was that the submitter sought a GRZ which Mr Collins assessed, whereas Mr Carr was focussed on the submitter's retirement village concept. Although there remained disagreement on the appropriate consenting pathway for either residential or a retirement village, Mr Collins confirmed in his summary statement he did not consider there are any fundamental transport constraints that would preclude future urbanisation of the site, whether as a retirement village or residential development (subject to further assessment). He confirmed that from a transport perspective, the site could be identified as a Future Development Area if Council considers it a priority area for urban growth.⁸⁰

[234] We accept the transport evidence of Mr Carr that the transport related effects for the submitter's proposed retirement village concept could be appropriately addressed.

Water Supply, Wastewater and Stormwater

[235] Mr Kemp's evidence was that the site is outside the Pleasant Point Stormwater Management Area, although bordered on three sides by the stormwater management area. The site would require consent from the Regional Council for stormwater discharge and development within waterways. In terms of waste water and water these would require modelling to determine capacity, and he noted no funding had been provided in the LTP to service this site.⁸¹

[236] Mr Chang explained the site was close to the existing infrastructure services and he considered that connection to infrastructure would be able to be addressed through design and engineering solutions, and the funding would need to be apportioned appropriately depending on whether improvements serviced this site only (and would be developer funded) or wider community benefits (requiring Council contribution). Mr Chang had engaged with Mr Kemp to understand the undercapacity of the network. He was aware from his previous roles that Pleasant Point has a new reservoir and water treatment plant and he considered there were engineering solutions to address the level of service. Mr Chang confirmed that the submitter had engaged with Council to provide an appropriate mechanism to fund any infrastructure improvements for the development and infill in Pleasant Point.

[237] We find that the evidence does not currently support the integration of the development proposal with the existing infrastructure network and additional modelling would be required to support the submitter's primary relief to rezone the site.

⁸⁰ Review of additional submitter evidence – Transport, 24 July 2025, paragraph 6.

⁸¹ S42A Report, Appendix 7

Hazards

[238] The amending proposal is located within the Flood Assessment Area. The Flood Hazard Assessment provided in the submitter package identifies that 'where areas shown to have deep flooding, development in those areas should be avoided.'

[239] ECan's flood model identifies areas associated with a 500 ARI (0.2% AEP) for the Te Ana a Wai River to result in water depths of 1.0m to 1.5m on specific parts of the property, interspersed with water depths of between 0.2m to 0.5m on the balance of the property in such an event. For 200 ARI (0.5% AEP) water depths are between 0.9m and 1.4m, and interspersed with water depths of between 0.20m and 0.23m. The site is partly within a High Hazard Area.

[240] Ms Dolan's evidence appended correspondence with Environment Canterbury regarding an earlier iteration of a Concept Plan. It appears that with design of buildings and the site generally (including floor levels and fill) and layout modification it may be possible to design around the High Hazard areas immediately adjacent to the Pleasant Point Stream and north of Pleasant Point Stream.⁸²

[241] Mr Bonis acknowledged that part of the site could be developed, but further information was required to consider if this was appropriate. He still considered there to be an impediment to development because of the changes Mr Willis recommended to NH-O1 that required avoidance of risk to human life and significant risk to property from high hazard areas outside urban zoned areas and avoidance or mitigation in high hazard areas within urban areas. We note that if the site were to be rezoned as GRZ, then this would enable a mitigation response. Even if rural, it may be possible to design in a way as to avoid high hazard areas.

[242] We find that there are natural hazard risks associated with the site, that may, with appropriate design of the site and construction of building floor heights, however, in the context of this plan review process we do not have sufficient engineering evidence to support the rezoning requested in the submitter's primary relief.

NPS-HPL

[243] The site contains LUC 2 and 3 soils. Of the 11 hectares only 2 hectares is LUC 2. The LUC 2 land is immediately adjacent to the GRZ in the south east corner of the site. As we have explained in Part 1 of the Report the amendment to the NPS-HPL exempts LUC 3 soils from the requirements of NPS-HPL cl3.6(4). Mr Bonis confirmed in his Memorandum in response to Minute 50 that notwithstanding the amendment to the NPS-HPL his overall recommendations recorded below remained unchanged. We have considered the submitters requests in light of the amendment to the NPS-HPL.

[244] Although the submitter advanced its amending proposal on the basis of an assessment under NPS-HPL cl3.6(4)(c) as to the long term environmental, social, cultural and economic

⁸² Sonia Dolan, Statement of Evidence, 27 June 2025, Appendix 7 and paragraphs 49-55

costs and benefits associated with the amending proposal, Mr Bonis relied on Mr Heath's evidence that the development was not required to provide sufficient development capacity and would therefore not give effect to Objective 1 and Policies 4 and 5 of the NPS-HPL.

[245] In terms of the requirements of NPS-HPL, cl3.6(4)(a) and (b) in the submitter's information package that responded to Mr Bonis' Preliminary s42A Report, Davis Ogilvie argued that Mr Heath's empirical sufficiency analysis did not take into account the needs of the community in providing for a range of typology for aged care. On that basis they argued that 'sufficiency' should be more broadly framed and as such it could be demonstrated that there was not sufficient development capacity in Pleasant Point for housing choice and needs in the retirement sector.

[246] Ms Dolan emphasised that in terms of the requirements of the NPS-HPL the development could qualify under cl3.6(1)(b) on the basis that there are no other reasonably practicable options. Ms Dolan referred to the topography which is flat (and as Mr Blackler explained) much of the residential land in Pleasant Point is on a hill side and steep and therefore unsuited to retirement villages. In addition, other residential land in the township is more susceptible to flooding.

[247] Mr Heath's response was that the existing GRZ provided for retirement opportunities, and that the legislation required considerations of factual and empirical evidence as there are associated costs and benefits relating to taking an integrated, informed, and prudent approach to strategic planning. Mr Heath's view was that land is not required to provide sufficiency nor housing choice and would simply result in inefficient infrastructure provision without assisting in achieving a consolidated and integrated settlement pattern.⁸³

[248] In terms of NPS-HPL cl3.6(4)(c) the submitter provided a report from the AgriBusiness Group⁸⁴ that identified that the LUC 2 and 3 soils are all theoretically suitable for horticulture, vegetable, arable and a wide range of pastoral land uses, however the site has a number of constraints for such land uses.

[249] The scale of the site is a significant constraint because the site could not achieve economies of scale. This is necessary to achieve commercial viability for any but the most intensive land uses. The potential for intensive horticultural use was discounted due to the high-cost relative to size, limitation on crop range due to climatic conditions, remoteness to supporting horticultural infrastructure and potential reverse sensitivity effects on the adjoining residential neighbours (on three sides). Arable uses were also discounted due to the scale of the property as a standalone operation and also scale was likely to be unattractive to larger scale operations. Pastoral land uses (grazing for dairy support and sheep and beef) were considered a theoretical possibility but constrained by costs relative to scale. Albeit the highest and best land use was irrigated dairy support.

⁸³ S42A Report, Appendix 6 Economic Memorandum, Timothy Heath, 29 May 2025, pages 6-8.

⁸⁴ Davis Ogilvie, submitter response to preliminary s42A Report, 20 February 2025. Appendix 3 – AgriBusiness Report prepared by Stuart Ford (Agricultural and Resource Economist).

[250] AgriBusiness undertook a cost benefit analysis of rezoning and loss of HPL and concluded that that the environmental, social, cultural and economic benefits of rezoning the site at 10 Burke Street Pleasant Point, outweigh the long term environmental, social, cultural and economic costs associated with the loss of highly productive land for land-based primary production and meets the requirements of cl3.6(4)(c) of the NPS-HPL.

[251] We accept that the AgriBusiness assessment establishes that the rezoning of the site meets the requirements of Clause 3.6(4)(c). Although as we discuss below the Collier's report appended to the submitter's information package demonstrates some subtleties in the sufficiency of capacity for particular housing need for the older population, we are not satisfied that for the purposes of cl3.6(4)(a) that the land is required to provide sufficient development capacity to meet expected demand for housing in the District.

[252] We accept that in general terms the Collier's Report highlights potential demand in Pleasant Point to meet the needs of an increasing demographic. We discuss this further below.

[253] We accept the submitter's evidence that due to the geographical lay out of Pleasant Point there may be limited opportunity for retirement village developments in Pleasant Point, however not all residential land in Pleasant Point is elevated, and we did not receive any detailed site comparison from a suitably qualified expert. Mr Heath noted that the existing residential zone enables retirement housing.

[254] We are not satisfied that the site meets the exemptions for development on HPL as it was defined at the time of the hearing. In terms of the recent amendment to the NPS-HPL, while the majority of the site is LUC 3 and exempt from the NPS-HPL restrictions, the LUC 2 land, immediately adjacent to existing GRZ, is still subject to those restrictions.

NPS-UD

[255] Mr Bonis considered the proposal against the NPS-UD and was of the view it did not meet the requirements of Objective 1, Policy 1 and Objective 6. We have already addressed our view that the NPS-UD Objective 1, Policy 1 and Objective 6 do not apply to the smaller settlements of the District.

[256] Notwithstanding that we note that Policy 1 of the NPS-UD has been adapted by the Council for the purposes of FDA-P5.2), requires a range of housing for all people, and as such we consider provision for retirement living should be part of that. The risk of relying simply on 'overall' sufficiency is that it does not necessarily respond to typology requirements, or constraints due to topography, in the case of aged care or retirement housing. We are of the view that there is room to respond to the specific needs of communities when addressing the requirements of the NPS-UD and CRPS, and in the Proposed Plan under FDA-P5, even if the economic analysis demonstrates at least sufficient development capacity under all scenarios. However, there remains a need to ensure a co-ordinated and integrated pattern of development in the context of infrastructure constraints, which is also a requirement of the CRPS, and FDA-P5.

[257] We record here that Ms Dolan challenged Mr Heath's sufficiency analysis for Pleasant Point.⁸⁵

Table 13 demonstrates that within the High growth scenario ... Pleasant Point without the FDA allocation may not have sufficient land supply.

[258] Mr Heath responded at the hearing that this is an incorrect interpretation of the report. Table 13 shows the complete opposite, that is under the high growth scenario there is sufficient urban capacity to meet forecast demand in Pleasant Point with a surplus of +47. He explained that:⁸⁶

...it should also be noted that this is the long-term projection to 2053, and with the Tier 1 and 2 competitiveness margins (NPS-UD, cl 3.22) added. Under the more likely medium growth forecast (and again including the competitiveness margins), the urban capacity surplus in Pleasant Point based on zoned capacity in the pTDP (beyond forecast demand) at 2053 is +237.

[259] We prefer Mr Heath's evidence on this issue, noting Ms Dolan has not qualified herself as an economic expert.

[260] The submitter relied on the Collier's Report⁸⁷ to address community needs for retirement housing in Pleasant Point, which we discuss further below.

CRPS

[261] Mr Bonis was of the view that the proposal did not promote a coordinated pattern of development for the purpose of giving effect to Policy 5.3.1 of the CRPS given the extent of sufficient development capacity and associated absence of analysis as to infrastructure integration, despite occurring in a form attached to an existing urban area.

[262] We accept Mr Bonis' evaluation of the CRPS policy in light of the limited evidence on infrastructure integration (water, wastewater and stormwater). Although there is overall 'sufficient development capacity', we accept there is evidence to support additional retirement housing in Pleasant Point.

Proposed Plan

[263] Mr Bonis considered that the proposal did not meet objective UFD-O1, in terms of facilitating a consolidated and integrated settlement pattern (clause 2), and (clause 9) avoiding 'locating new growth in areas where the impacts from natural hazards are unacceptable or which would require additional hazard mitigation', as well as Objective NH-O1 and Policy NH-P4.

⁸⁵ Sonia Dolan, Statement of Evidence, Blackler [231], 27 June 2025, paragraph 30.

⁸⁶ Timothy Heath, Economic Memorandum (Speaking Notes), 25 July 2025, page 4-5.

⁸⁷ Davis Ogilvie, submitter response to preliminary s42A Report, 20 February 2025, Appendix D

[264] We accept Mr Bonis' opinion, noting the absence of an evaluation from the submitter. FDA-P5.2 also calls for 'robust' evidence. We did not find the submitter's evidence to have met that threshold.

Submitters evidence of demand

[265] The submitter's evidence focused on the need and demand for retirement village and care facilities in Pleasant Point. In part the submitter relied on a report by Colliers, which was appended to Ms Dolan's evidence.⁸⁸

[266] Although the author of the report was not available at the hearing we accept that in general terms it highlights potential demand in Pleasant Point to meet the needs of an increasing demographic. We note that the Council did not challenge the report's findings, rather their point was the additional dwellings were not required to meet sufficiency tests applied by Mr Heath and Property Economics.

Alternative Pathways

[267] We understood that the submitter was at the time of Hearing G preparing a resource consent application for the retirement village proposal. That may well prove to be the most efficient and effective mechanism for achieving the particular development proposal in light of the constraints of the site as it would enable a more bespoke response to the complexity of the site. We also invited the submitter and Council advisors to consider whether the Proposed Plan could accommodate a precinct within the GRUZ, or a bespoke rule framework that could support the development the submitter desired.

[268] Mr Bonis, Mr MacLennan⁸⁹ and Ms Dolan attended conferencing on the issue of whether there was an alternative to provide a precinct or site-specific rule within the existing GRUZ to accommodate the submitter's proposal for a retirement village and care facility. They prepared a JWS, which considered the alternative.⁹⁰ While they agreed it was possible to achieve this from a plan architecture perspective Mr Bonis and Mr MacLennan, and Ms Dolan had different opinions on the appropriateness of the GRUZ precinct.

[269] In terms of the NPS-HPL, the planners had different views on the extent that the proposal achieves the objectives and policies. Mr Bonis and Mr MacLennan agreed that the proposal does not protect HPL from inappropriate use and development and would permanently remove land from land based primary production, contrary to Objective 2.1, Policy 4 and 8. They did not consider that it achieved the exemption in cl3.10. Whereas Ms Dolan argued that by retaining part of the site for rural amenity and riparian planting, then the whole of the site would not be contrary to Objective 2.1 and Policy 4. She accepted that the alternative was contrary to Policy 8 but sought to argue cl10.1 could be relied on for Concept Plan areas 2 and 3.⁹¹

⁸⁸ Sonia Dolan, Appendix D 'Pleasant Point Demographics Commentary' Warren Glassey, Colliers.

⁸⁹ Andrew MacLennan is the s42A author for the Rural Zone.

⁹⁰ Joint Witness Statement, Planning, 22 August 2025

⁹¹ Ms Dolan's analysis of Clause cl3.10 relied on separating out the three areas within the proposed precinct.

[270] NPS-HPL cl3.10 provides for a limited exemption for highly productive land subject to permanent or long term constraints. Mr Bonis and Mr Maclennan, whilst acknowledging that there are constraints on the productive use of the land (noting the AgriBusiness evaluation undertaken in relation to cl3.6(c)), consider the proposal does not meet the exemption criteria under cl3.10 of the NPS-HPL. Mr Bonis and Mr Maclennan did not consider the submitter has demonstrated a permanent or long term constraint, nor provided an adequate evaluation of reasonably practicable options to retain the land's productive use.

[271] Ms Dolan's analysis of cl3.10 relied on separating out the three areas within the proposed precinct and arguing that areas 2 and 3 comply with Policy 8 therefore clause 10.1 doesn't apply. Her analysis appears to be contingent on the removal of Class 3 soils from the NPS-HPL.

[272] Although we found it difficult to follow Ms Dolan's argument in the JWS, the consequence of the amendment to the NPS-HPL appears to strengthen her conclusion that cl3.10 provides a pathway, especially since only 2ha of land is LUC 2.

[273] Overall, our view is that the NPS-HPL does not provide an impediment to the development and use of the site for urban development or an urban rezoning request.

[274] In terms of the application of the NPS-UD, both Mr Maclennan and Ms Dolan did not consider that it applied to Pleasant Point. Mr Bonis' view differs. We agree with Mr Maclennan and Ms Dolan regarding the application of the NPS-UD, notwithstanding that cl1.5(1) strongly encourages Tier 3 councils to undertake Tier 1 and 2 Council obligations. Our views on the application of the NPS-UD are set out above. We do not find that the NPS-UD is an impediment to future urban development or use of the site for a retirement village, provided infrastructure servicing can be appropriately planned for.

[275] In terms of the CRPS, the planners had different views on the relevant sections. We find that due to the lack of evidence as to infrastructure integration and natural hazard management, the amending proposal does not currently give effect to the CRPS.

[276] In terms of the Proposed Plan, SD-O4 and the NH objectives and policies, Mr Maclennan and Mr Bonis were conservative in their assessment due to the absence of any site-specific modelling. Ms Dolan's view was that the issues could be appropriately addressed at resource consent stage. The planners were agreed that aspects of SD-O9 Rural Areas were achieved with the matters of difference relating to their different views on highly productive land.

[277] The most significant issue appeared to be that the precinct would, in the absence of a number of exemptions, sit uncomfortably within the GRUZ objectives and policies. In short, the alternative would not achieve or implement the suite of provisions. The planners considered that notes would be needed to exempt the proposal from GRUZ-O1 and O2 and GRUZ -P2 and P7.

[278] Having carefully considered all views, we have concluded that the addition of a retirement village on the submitter's land would provide additional housing choice for the settlement, however, the constraints regarding natural hazards, and the lack of planned

infrastructure weigh against providing for the submitter's proposal through the Proposed Plan statutory process. The issue for the Panel is whether the current GRUZ is the appropriate vehicle to provide for such a development, either through the existing resource consent pathway (with no changes to the Proposed Plan provisions), or a precinct as described in the planners JWS, or whether the site should be rezoned as a mix of GRZ, OSZ and GRUZ as requested in the submitter's primary submission.

[279] Overall, we consider that the status quo is the most appropriate zoning outcome. A retirement village can be considered as a discretionary activity in the GRUZ as part of a future resource consent process should the submitter choose to pursue this option, which would enable all aspects of the development to be considered in a more bespoke manner.

6.5.2 Decision

[280] We adopt the recommendation of Mr Bonis and retain the notified zoning as GRUZ, but substitute our own analysis and reasons as set out above.

6.6 REZONE FOR GROWTH - R&R HAY [28.1] – TE NGAWAI ROAD, PLEASANT POINT

6.6.1 Assessment

[281] Robyn & Richard Hay [28.1] considered that 101 Te Ngawai Road, Pleasant Point should be rezoned RLZ as the submitter considered the site is not of a sufficient size to be used for farming purposes, and there is no provision for immediate RLZ to become available for properties in Pleasant Point. The submitter sought to rezone 101 Te Ngawai Road, Pleasant Point from GRUZ to RLZ. The property is located 0.8km from the intersection with Main Road, Pleasant Point.

[282] No submitter package was received. There is no analysis of servicing, density, natural values, highly productive land, cultural matters or transport to assist with a s32AA evaluation.

[283] Mr Bonis did not consider there to be sufficient information to consider the proposal further despite it being of a modest amount. He recommended that the submission be rejected for those reasons. We agree.

6.6.2 Decision

[284] We adopt with the recommendation of Mr Bonis. The zoning of 101 Te Ngawai Road, Pleasant Point is retained as notified.

7 AMEND FDAS, NEW FDAS, REZONING REQUESTS – GERALDINE

7.1 REZONE FOR GROWTH – FDA3 SCOTTS FARM FUTURE DEVELOPMENT AREA

7.1.1 Assessment

Warren and Elizabeth Scott [128.2]

[285] Warren and Elizabeth Scott sought to rezone part of their site currently zoned GRUZ at 22 Templer Street, Geraldine from GRUZ to GRZ, with consequential relief to remove the FDA3 overlay. In the alternative, they request that the timeframe for the Development Area Plan (DAP) for FDA3 be reduced from five years to two years. As detailed in Section 5 (General Issues), given the submitter is no longer pursuing the FUZ alternative, we have not considered the alternate relief sought further.

Ms Lee-Anne Burdon [72.1]

[286] Ms Burdon sought to extend FDA3 southwards to include her property at 73 Connolly Street, not for immediate rezoning but to identify the land for long term future development and integrated planning should Geraldine require additional growth.

[287] Scotts Farm (FDA3) comprises approximately 27ha, located north-east of the Geraldine township, adjoining the existing GRZ to the west. The land is gently sloping, contains no mapped SASM overlays, and is partly within flood assessment layers. The land is currently operated as part of the Scotts' wider farm holding.

[288] The Burdon land is approximately 2.4ha, located immediately south of the southern boundary of FDA3, and adjoins existing residential development on Connolly Street. The site contains mapped overland flow paths and is classified LUC 2 (HPL).

[289] In his s42A Report⁹², and subsequent Reply⁹³, Mr Bonis recommended that:

- (a) FDA3 be retained as a Future Development Area as notified, with a five-year DAP timeframe;
- (b) the Scotts' request to rezone part of their FDA3 land from GRUZ to GRZ (with consequential removal of the FDA3 overlay), or to reduce the DAP timeframe, be rejected; and
- (c) the request by Ms Burdon to extend FDA3 to include 73 Connolly Street be rejected.

[290] In summary, his reasons were that⁹⁴:

- (a) existing zoned land in Geraldine already provides sufficient feasible and realisable capacity to meet NPS-UD Policy 2, and additional rezoning is not required;
- (b) there is no committed three-waters or transport funding for bringing FDA3 forward, nor any plan-level Integrated Transport Assessment to demonstrate network integration;

⁹² Matt Bonis, s42A Report: Hearing G – Growth, 4 June 2025, paras 10.3.12–10.3.13 and 10.3.36

⁹³ Matt Bonis, Hearing G – Reply: Growth, 25 August 2025

⁹⁴ Matt Bonis, s42A Report: Hearing G – Growth, 4 June 2025, paras 10.3.9–10.3.12 and 10.3.31–10.3.36

- (c) natural hazards can be managed for FDA3 through the DAP process, but the evidence does not demonstrate that an FDA extension over the Burdon land is appropriate given the flood hazard context; and
- (d) the NPS-HPL and the CRPS sequencing and integration policies weigh against extending the FDA onto LUC 2 land not identified in the GMS 2018 or GMS Review (2022).

[291] Having considered the submissions, the s42A Reports, the further information and Reply material, and all the expert and lay evidence presented at the hearing, we broadly agree with Mr Bonis' evaluation.

[292] At the hearing submitters contested the following matters for FDA3:

- (a) whether additional residential development capacity is required in Geraldine under NPS-UD Policy 2 such that FDA3 should be rezoned now or its DAP timing reduced;
- (b) whether early release of FDA3, or extension to 73 Connolly Street is appropriate given the absence of funded/plan-led three-waters and transport integration;
- (c) whether natural hazards provide an evidential constraint to rezoning now or extending the FDA, noting the differing level of hazard assessment available for FDA3 and the Burdon land;
- (d) whether extending FDA3 over the Burdon land is appropriate under the NPS-HPL given the presence of HPL;
- (e) whether landscape, amenity or cultural values considerations either support or weigh against advancing FDA3 or extending its boundary; and
- (f) whether rezoning or advancing FDA3 now, or extending it to the Burdon land, would give effect to the NPS-UD, CRPS and the relevant objectives and policies of the Proposed Plan.

Capacity and Growth

[293] The material provided by Ms Burdon included a short critique prepared by Insights Consultancy⁹⁵, primarily challenging the accuracy of statistical boundaries and population estimates for Geraldine. We acknowledge that this criticism aligns with observations also raised by Mr Shirtcliff at the hearing⁹⁶, who questioned whether household projections underestimate growth due to demographic and migration changes. Several submitters, including Mr Shirtcliff and Ms Burdon, also expressed concern that the statistical boundary for Geraldine excludes residential clusters north of the river and therefore may underestimate household

⁹⁵ Insights Consultancy, "Geraldine Growth & Statistics," evidence attached to Statement of Evidence of Lee Anne Burdon, 27 June 2025, pp. 18–20

⁹⁶ Hearing G Transcript – Day 1 (8 July 2025), timestamp 5:33

numbers. We have addressed Mr Shirtcliff's submissions on this issue above in our initial discussion on the requirements of the NPS-UD. At the hearing, Mr McLaughlan⁹⁷ also emphasised that "zoned land is not available land" and that "zoning does not equal delivery".

[294] We also heard from Ms Dolan⁹⁸ (Planner for the Scotts), who questioned aspects of Mr Heath's feasibility modelling, the key modelling inputs and yield assumptions applied to Geraldine, including the assumed average lot size (450m²) and the density/yield assumptions used to estimate capacity. She noted the Property Economics modelling has not been peer reviewed⁹⁹ and submitted that applying higher-density assumptions to Geraldine risks overstating capacity (and "delivery potential") if it does not reflect local development patterns such as larger section sizes and lower densities.

[295] Ms Dolan¹⁰⁰ also stated that the strategic planning context supports enabling additional capacity where land is well located relative to the existing urban area. She considered FDA3 to be such a location, and that earlier zoning, or at least retaining flexibility for future development, could assist in responding to localised demand pressures that may not be captured in district-wide modelling. However, no independent expert economic evidence or alternative feasibility modelling was provided to rebut Mr Heath's feasibility or sufficiency conclusions.

[296] At the hearing, Ms Burdon¹⁰¹ told us that her own experience of demand for sections supports the view that Geraldine is experiencing stronger market pressure than statistical projections suggest, which includes strong immigration into the area. She expressed concern that planning processes may underestimate this trend and indicated that the purpose of seeking FDA identification was to "keep the land in the picture" for future growth should evidence later justify it. This was consistent with the concerns raised by Mr Shirtcliff and with elements of Ms Dolan's critique of modelling assumptions.

[297] We rely on the economic capacity modelling of Mr Heath¹⁰² (economic expert), which assesses both plan-enabled capacity and commercially feasible capacity under the Proposed Plan. His analysis shows that across Timaru District there is significant theoretical and feasible capacity, and that Geraldine specifically has:

- (a) 1,120 feasible dwellings under the Proposed Plan (across standalone and terraced typologies); and
- (b) 593 realisable dwellings in the existing urban area, even under conservative assumptions (one dwelling per GRZ site).

⁹⁷ Hearing G Transcript – Day 2 (9 July 2025), timestamp 5:12; Scotts' land development consultant (who expressly stated he was not presenting expert evidence)

⁹⁸ Sonia Dolan, Statement of Evidence for Scott [128], 27 June 2025, paras 14–25

⁹⁹ Hearing Transcript – Day 2 (9 July 2025), timestamp 38:39

¹⁰⁰ Sonia Dolan, Statement of Evidence for Scott [128], 27 June 2025, paras 26-27

¹⁰¹ Hearing G Transcript – Day 1 (8 July 2025), timestamp 6:06

¹⁰² Tim Heath, Residential Capacity Economic Assessment (Appendix 6 to the s42A Report: Growth), 4 June 2025, p. 14

[298] Mr Heath's evidence¹⁰³ demonstrates that under the medium projection Geraldine requires only 115 additional dwellings over the long term, which is significantly less than the 593 realisable dwellings available within the existing urban area. On that basis, there is no requirement for additional capacity outside existing zoned land once NPS-UD competitiveness margins are applied. Under the high growth projection, Geraldine would require 511 dwellings, which is still less than the 593 realisable dwellings identified; the staged FDAs in Geraldine (FDA3 and FDA11, with an indicative capacity of 428 dwellings) further increase that surplus but are not required to maintain sufficiency.

[299] Mr Heath's assessment is based on updated 2023 census data, updated construction, and feasibility modelling, and incorporates the full suite of constraints, yields, and development typologies in Geraldine.¹⁰⁴ His report also confirms that even under high growth, additional land is not required for more than two decades (district-wide), and the Geraldine FDAs already provide for the full potential shortfall.¹⁰⁵

[300] We have treated the statements of local demand from Ms Burdon and others as valuable local context. However:

- (a) They were not supported by expert modelling;
- (b) They do not evaluate the district-wide capacity modelling undertaken by Mr Heath;
- (c) They do not address feasible or realisable capacity;
- (d) They do not demonstrate that FDA3 (or an extension to it) is required to meet NPS-UD Policy 2; and
- (e) They also do not demonstrate that the assumptions used in the Property Economics model materially overstate feasible or realisable capacity for Geraldine.

[301] For those reasons, we prefer the evidence of Mr Heath. His evidence demonstrates that additional rezoning in Geraldine is not required, and advancing FDA3 is not justified on capacity-based grounds, or by reference to SD-O1, or localised demand evidence. We also note that while several submitters raised questions about the modelling assumptions, no expert evidence was provided to show that the feasible or realisable capacity for Geraldine has been materially overstated.

¹⁰³ Tim Heath, Residential Capacity Economic Assessment (Appendix 6 to the s42A Report: Growth), 4 June 2025, pp. 16–17

¹⁰⁴ Tim Heath, Residential Capacity Economic Assessment (Appendix 6 to the s42A Report: Growth), 4 June 2025, pp. 5–9 (modelling methodology and inputs)

¹⁰⁵ Tim Heath, Residential Capacity Economic Assessment (Appendix 6 to the s42A Report: Growth), 4 June 2025, pp. 17–19 (district-wide High Growth demand vs. capacity)

Transport, Water, Wastewater and Stormwater

[302] At the hearing, Mr McLauchlan¹⁰⁶ submitted that servicing constraints should not preclude rezoning, noting that the Scotts were not asking Council to fund infrastructure now and cautioning against delaying zoning based on rigid funding horizons. He also submitted that developer-funded solutions could enable FDA3 to proceed ahead of current LTP timing, and that the absence of committed Council funding should not be treated as a barrier where viable private-sector solutions exist.

[303] Ms Dolan's¹⁰⁷ overall planning evidence was that constraints identified for FDA3 (including servicing and natural hazards) should not, in themselves, preclude rezoning at this stage. She considered the Proposed Plan sequencing framework is intended to guide (but not rigidly control) release, and that integration and hazard management can be addressed through the DAP and subsequent subdivision processes, including design responses that avoid high-hazard areas and maintain overland flow paths. Ms Dolan also noted that developer funding / cost-sharing may be available for servicing, and that Council funding can be considered iteratively through the LTP once structure planning is sufficiently advanced.

[304] Mr Chang provided an engineering servicing report for the Scotts.¹⁰⁸ He accepted that the site is technically serviceable, but only with significant developer-funded works, including:

- (a) extension of potable water mains (120–170 m) and the likely need for a booster pump station to meet firefighting pressure requirements;
- (b) construction of a communal wastewater pump station or low-pressure system, because the existing public mains at Templer and Connolly Streets are too shallow to allow gravity connection;
- (c) creation of onsite stormwater reserves and a full stormwater discharge consent, as there is no reticulated stormwater network; and
- (d) management of overland flow paths and Raukapuka Stream crossings, including adherence to the ECan Flood and Drainage Bylaw.

[305] At the hearing, Mr Chang explained in response to Panel questions that his assessment focused on providing technically feasible onsite solutions, including options such as a combined wastewater pump station that would largely be funded by the developer.¹⁰⁹ He did not provide costed network-wide upgrades or an assessment of how early development of FDA3 would interact with Council's long term infrastructure planning or sequencing.

¹⁰⁶ Hearing G Transcript – Day 2 (9 July 2025), timestamp 7:53

¹⁰⁷ Sonia Dolan, Statement of Evidence for Scott [128], 27 June 2025, para 29

¹⁰⁸ Engineering Service Assessment – 22 Templer Street, 18 February 2025 (Appendix 3 Davis Ogilvie Memorandum, 20 February 2025, pp. 17-22)

¹⁰⁹ Hearing G Transcript – Day 2 (9 July 2025), timestamp 10:06

[306] Mr Facey¹¹⁰, a transportation engineer considered that site access could be engineered but confirmed that an ITA would be required at subdivision stage and that no evidence was available demonstrating that early development of FDA3 is integrated with the Geraldine transport network, nor that cumulative effects have been evaluated.

[307] Ms Dolan¹¹¹ considered that transport matters could appropriately be resolved at subdivision stage and that the absence of a plan-level ITA should not prevent rezoning, provided that subsequent consenting processes ensure safe and efficient access. She supported Mr Facey's evidence that engineering solutions were feasible and that transport issues should not be determinative at the rezoning stage.

[308] Mr Kemp advised in his evidence¹¹² that there is no committed LTP funding for network extensions to service FDA3, nor any programme within the current 10-year planning horizon to bring forward water, wastewater, or stormwater capacity for this location. He emphasised that FDA3 sits outside the funded growth sequence and that advancing development would require private funding and off-network upgrades not presently identified in Council's capital works programme.¹¹³ In response to questions from the Panel, Mr Kemp confirmed that FDA3 is not included in any funded LTP programme and that neither wastewater nor stormwater upgrades for northern Geraldine are planned within the current 10-year infrastructure horizon.¹¹⁴ He further explained that developer-funded solutions, such as private pump stations, would not resolve the lack of integrated network planning.

[309] Mr Collins advised¹¹⁵ that no ITA has been completed for Geraldine, and that the roading network around Templer Street and Connolly Street has not been assessed at a plan-wide level for safety, multimodal function, or cumulative effects of growth. In response to Panel questions, Mr Collins advised that without a plan-level ITA, Council cannot determine whether the Templer Street corridor, its intersections, or the wider multimodal network can safely or efficiently accommodate additional dwellings from early release of FDA3.¹¹⁶

[310] Accordingly, on the Council evidence:

- (a) there is no committed LTP funding to service FDA3 or to bring development forward in this location;
- (b) no Integrated Transport Assessment has been undertaken; and
- (c) early development would therefore risk being inconsistent with the infrastructure sequencing underpinning the Proposed Plan.

¹¹⁰ Transport Memo – 22 Templer Street, 27 June 2025 (Appendix D to the evidence of Sonia Dolan) 27 June 2025, pp. 20-25)

¹¹¹ Sonia Dolan, Statement of Evidence for Scott [128], 27 June 2025, paras 41-42

¹¹² Grant Kemp, Three Waters Infrastructure Assessment (Appendix 7 to the s42A Report: Growth), 4 June 2025, pp. 8–10

¹¹³ Grant Kemp, Three Waters Infrastructure Assessment (Appendix 7 to the s42A Report: Growth), 4 June 2025, pp. 9–11

¹¹⁴ Hearing G Transcript – Day 1 (8 July 2025), timestamp 5:12

¹¹⁵ Mat Collins, Transport Assessment (Appendix 8 to the s42A Report: Growth), 27 May 2025, pp. 5–7

¹¹⁶ Hearing G Transcript – Day 1 (8 July 2025), timestamp 4:58

[311] No contemporary servicing or transport evidence was provided for the Burdon land. The 2009 Opus concept plan¹¹⁷ referenced by Ms Burdon addressed an earlier integrated development proposal across multiple landholdings but:

- (a) relies on now-superseded assumptions about wastewater, stormwater and roading capacity;
- (b) does not align with current LTP funding or the Proposed Plan sequencing framework; and
- (c) does not constitute an engineering assessment of her land in isolation.

[312] At the hearing, Ms Burdon acknowledged that she could not assist with current servicing constraints and reiterated that her intent was to signal the possibility of coordinated development rather than demonstrate FDA readiness.¹¹⁸

[313] The assessments from the Scotts' experts remain site-specific and do not address network-wide integration, cumulative effects, or alignment with funded sequencing.

[314] Having considered all the evidence, we find the assessments of Mr Kemp and Mr Collins. While the Scotts' experts demonstrated that the site could be technically serviced with substantial developer-funded upgrades, no evidence was provided showing that early development of FDA3 integrates with funded network capacity, the Geraldine transport system, or the sequencing framework of the Proposed Plan. We therefore do not accept Ms Dolan's planning opinion that sequencing and network integration can appropriately be left to the DAP and subdivision stages, or that developer-funded, site-specific solutions are sufficient to justify an out-of-sequence rezoning in the absence of funded, plan-level infrastructure planning. For the Burdon land, no contemporary servicing evidence was produced.

[315] We therefore find that neither rezoning FDA3 nor extending its boundary is supported on infrastructure or transport grounds.

[316] We acknowledge that the Scotts' land has attributes that would, in principle, support future urban development when considered in isolation, including its location adjacent to existing residential zoning, its physical suitability, and the Concept Plan provided. However, the operative question is not whether the site could accommodate development at some point, but whether the evidential thresholds for advancing it ahead of the notified sequencing have been met. On the evidence before us, those thresholds have not been demonstrated, particularly integrated funding, network capacity, and a plan-level transport assessment.

¹¹⁷ Opus International Consultants Ltd, "Geraldine North – Proposal for Residential Expansion: Draft Report," 28 August 2009, as included in Statement of Evidence of Lee-Anne Burdon (27 June 2025), pp. 5–18

¹¹⁸ Hearing G Transcript – Day 1 (8 July 2025), timestamp 6:09

Hazards and Constraints

[317] For the Scotts, the submitters provided an ECan Flood Hazard Assessment and a geotechnical report.¹¹⁹ The Flood Hazard Assessment concludes that overall flooding at the property is low risk and that development is appropriate under the Proposed Plan natural hazard provisions, provided overland flow paths are maintained, and floor levels respond to modelled flood depths.¹²⁰ The geotechnical report concludes that the site is geotechnically suitable for residential development, subject to site-specific testing at subdivision and building consent stages, and that the site lies within an area of very low liquefaction potential.¹²¹

[318] At the hearing, Ms Dolan¹²² drew our attention to Objective NH-O1 and expressed concern that parts of the site are identified as “high hazard” under the Proposed Plan definitions. In response, Mr Chang¹²³ clarified that, as a matter of proposal design, those high-hazard areas are intended to be kept free of built form and used for stormwater management and open space.

[319] For the Burdon land, natural hazard information is less developed. The property contains mapped overland flow paths and pockets of 1:500-year flood hazard. No updated flood hazard or geotechnical assessment was provided for her site, and the older Opus material relates to a broader Concept Plan across multiple properties rather than a current site-specific hazard assessment. At the hearing¹²⁴, Ms Burdon provided local observations of flooding behaviour in Geraldine, including repeated overtopping of Serpentine Creek, the role of upstream dams, and variation in effects depending on which watercourse overtops. This evidence is useful local context, but it does not replace a contemporary, site-specific and catchment-wide assessment of flood hazard for her property.

[320] Accordingly, we accept that, for FDA3 (the Scotts’ land), any residual flood and geotechnical risk can be appropriately managed through the DAP and subsequent consenting processes, provided high-hazard areas are kept free of built form, overland flow paths are maintained, and floor levels respond to modelled flood depths.

[321] For the Burdon land, by contrast, the absence of updated flood and geotechnical assessment means we do not have an adequate evidential basis to conclude that an FDA extension is appropriate in natural hazard terms.

¹¹⁹ Flood Hazard Assessment – 22 Templer Street, 24 February 2025 (Appendix 5 Davis Ogilvie Memorandum, 20 February 2025, pp. 27-35)

¹²⁰ Flood Hazard Assessment – 22 Templer Street, 24 February 2025 (Appendix 5 Davis Ogilvie Memorandum, 20 February 2025, pp. 27-35)

¹²¹ Geotechnical Assessment – 22 Templer Street, 25 February 2025 (Appendix 6 Davis Ogilvie Memorandum, 20 February 2025, pp. 37-41)

¹²² Hearing G Transcript – Day 2 (9 July 2025), timestamp 09:38

¹²³ Hearing G Transcript – Day 2 (9 July 2025), timestamp 10:04

¹²⁴ Hearing G Transcript – Day 1 (8 July 2025), timestamp 6:13

Landscape and Amenity

[322] Ms Pflüger advised¹²⁵ that FDA3 can accommodate future urban development, particularly given its containment by existing residential development to the south and the Raukapuka Stream corridor to the north-east. However, in her written and oral evidence she considered that immediate rezoning and development at this time would create an abrupt transition from rural to urban at a prominent entrance to Geraldine along Templer Street, and that the notified FDA timing provides a more appropriate sequencing of landscape change.

[323] In response to questions from the Panel, Ms Pflüger accepted that measures such as landscape buffers, setbacks, and native planting could assist in softening visual effects, but emphasised that these would need to be considered within an overall concept for FDA3 and did not alter her conclusion that early rezoning is not supported on landscape grounds.¹²⁶

[324] No specific landscape evidence was provided for the Burdon land. Ms Burdon said that her property “reads as part of the town” and “already feels like the edge of Geraldine”¹²⁷.

[325] Overall, we accept Ms Pflüger’s evidence. Landscape considerations do not present a barrier to the eventual urbanisation of FDA3 in accordance with the notified sequencing and DAP process; equally, they do not provide a positive justification for immediate rezoning or for extending the FDA to include the Burdon land. Landscape and amenity effects are therefore neutral in our overall evaluation. This is consistent with the direction in CRPS Policy 5.3.1 to promote a consolidated and coordinated pattern of development, and Policy 10.3.2 to preserve the natural character of rivers and their margins. In reaching this view, we have had regard to CRPS Policy 7.3.1 and to Proposed Plan’s Natural Character objectives and policies NATC-O1 and NATC-P4, which require the natural character of rivers, wetlands and their margins to be preserved and protected from inappropriate subdivision, use and development.

Cultural values

[326] The Raukapuka Stream, which traverses FDA3 and receives stormwater and overland flow from the surrounding catchment, holds significant māhinga kai and whakapapa values for mana whenua. Ms Hall (Council’s cultural values expert) explained¹²⁸ that protecting the mauri of the stream and downstream rivers requires avoiding direct discharges of contaminants, managing sediment and overland flow, and ensuring that any future development is connected to reticulated wastewater and, where practicable, reticulated stormwater systems. She emphasised that ad hoc or piecemeal servicing solutions are inconsistent with a ki uta ki tai / whole-of-catchment approach.

¹²⁵ Yvonne Pflüger, Landscape Assessment for FDA3 (Appendix 4 to the s42 s42A Report: Growth), 29 May 2025, section 4.2, section 5 and Conclusion

¹²⁶ Hearing G Transcript – Day 1 (8 July 2025), timestamp 3:21

¹²⁷ Hearing G Transcript – Day 1 (8 July 2025), timestamp 6:02

¹²⁸ Kylie Hall, Cultural Values Statement for FDA Areas, Appendix 3 to the s42A Report: Growth – Geraldine (2025), pp. 4, 12–13

[327] Neither the Scotts nor Ms Burdon commissioned a Cultural Values Assessment or undertook specific engagement with mana whenua in relation to their proposals. The Scotts' Concept Plan anticipates an esplanade reserve and acknowledges that future engagement with mana whenua will be required, but the cultural effects of earlier rezoning or of extending the FDA have not been tested against mana whenua expectations or cultural frameworks.

[328] We accept Ms Hall's evidence. It reinforces the importance of structure planning and integrated servicing for FDA3, including reticulated wastewater and stormwater, and supports the use of the DAP process to ensure that development around Raukapuka Stream occurs in a way that upholds its mauri and māhinga kai values. Declining the requests to rezone FDA3 now or to extend the FDA to include the Burdon land does not itself create adverse cultural effects; rather, it preserves the opportunity for mana whenua to be appropriately engaged through future structure planning and consenting processes. This outcome is also consistent with CRPS Policy 10.3.2, which seeks to preserve and enhance the natural character of rivers and their margins, and with Policy 5.3.1, which promotes a consolidated and well-integrated pattern of development.

Highly Productive Land (HPL)

[329] The Scotts' land within FDA3 contains versatile LUC 2 which would ordinarily fall within the definition of HPL under the NPS-HPL. However, we accept the analysis in the s42A Reports¹²⁹ that the relevant land is identified in the GMS Review (2022) for "live zoning" for urban development within the next 10 years, at a scale and level of specificity sufficient to meet the requirements of cl3.5(7)(b) of the NPS-HPL. To the extent that land is rezoned through this plan review process, it would therefore not be treated as HPL for the purposes of clauses 3.6 and 3.7. In any event, because our decision retains FDA3 as a Future Development Area and does not rezone it at this time, clauses 3.6–3.7 are not technically triggered. We note, however, that the objectives and policies of the NPS-HPL remain relevant in recognising the value of the underlying soils and supporting efficient and well-integrated development.

[330] The Burdon land is classified LUC 2 and has not been identified in the GMS 2018 or the GMS Review (2022) for "live zoning" or for commencing urban development within the next 10 years.¹³⁰ Unlike FDA3, it does not benefit from identification in a strategic planning document for near-term urban development. It would therefore be treated as HPL under the transitional definition in cl3.5(7) of the NPS-HPL, subject to any applicable exclusions. The relief sought is an extension of the FDA Overlay, not an immediate urban rezoning. Accordingly, the urban rezoning tests in cl3.6(4) of the NPS-HPL are not technically triggered

¹²⁹ Matt Bonis, s42A Preliminary Report: Hearing G – Rezoning for Growth, 29 October 2024, paras 7.2.12–7.2.18 and Attachment D (Mapped LUC 1, 2 and 3 soils)

¹³⁰ Matt Bonis, s42A Preliminary Report: Hearing G – Rezoning for Growth, 29 October 2024, paras 7.2.13–7.2.18 and Attachment D (Mapped LUC 1, 2 and 3 soils); Timaru District Council, Growth Management Strategy 2018 and Growth Management Strategy Review 2022 (as summarised and applied in the s42A Preliminary Report); Matt Bonis, s42A Report: Hearing G – Growth, 4 June 2025 (assessment of FDA extensions and application of NPS-HPL clause 3.6 where exemptions are not available)

at this stage. However, they are a relevant merits consideration in assessing whether there is a credible and policy-consistent pathway to any future urban rezoning of this LUC 2 land. No evaluation equivalent to cl3.6(4) was provided, and no expert evidence was called to demonstrate:

- (a) that the land is required to provide sufficient development capacity;
- (b) that there are practicable alternative locations on less productive land; and
- (c) that the costs and benefits of rezoning HPL, including irreversible loss of versatility, favour urbanisation.

[331] We therefore accept Mr Bonis' evaluation that the NPS-HPL does not preclude retaining FDA3 as notified, having regard to its identification in the GMS 2018 and the GMS Review (2022), but that the NPS-HPL weighs strongly against extending the FDA to include the Burdon land. In combination with our findings on capacity, infrastructure, and hazards, we find that the request to extend FDA3 over LUC 2 land at 73 Connolly Street is not supported on HPL grounds.

Statutory Framework

[332] As we have found above Geraldine is not an “urban environment” for the purposes of the NPS-UD definition, and the more intensive obligations in Policies 3 and 4 therefore do not apply. Consistent with that Tier 3 framework, Mr Heath’s evidence¹³¹ addresses district-wide sufficiency under Policy 2, which is the relevant requirement here.

[333] In his Reply¹³², Mr Bonis also emphasised that, in settlements such as Geraldine, the application of additional capacity is guided primarily by the CRPS, particularly Objectives 5.2.1 and 5.2.2 and Policies 5.3.1–5.3.3, which seek a consolidated and well-integrated settlement pattern, efficient use of infrastructure, and growth sequenced to align with infrastructure funding and provision. He concluded that rezoning additional land in Geraldine now, based solely on the high growth scenario and without further evidential support, would be ineffective and inefficient in giving effect to those provisions, given the already substantial surplus capacity and lack of integrated infrastructure planning for further expansion.

[334] We agree. We have already found that existing zoned land in Geraldine provides more than sufficient feasible and realisable capacity to meet projected housing demand under both medium and high growth scenarios to 2053, and that the staged FDAs (FDA3 and FDA11) further increase that surplus but are not required to achieve sufficiency. Rezoning FDA3 now, or extending it to include the Burdon land, is therefore not required to give effect to NPS-UD Policy 2.

¹³¹ Tim Heath, Economic Evidence: Housing Capacity under the TPDP, Appendix 6 to the s42A Growth Report (2025), Sections 2.1, 4 and 5

¹³² Matt Bonis, Hearing G – Reply: Growth, 25 August 2025, pp. 48–49

[335] Advancing FDA3 ahead of the notified DAP timing, or extending its boundary to include the Burdon land, would represent an out-of-sequence expansion of the Geraldine urban edge into an area with no committed three-waters or transport funding, no plan-level transport assessment, and unresolved servicing arrangements. Such an outcome would risk undermining the coordinated sequencing framework of the Proposed Plan and LTP and would not promote the consolidated and efficient settlement pattern sought by CRPS Objectives 5.2.1 and 5.2.2 and would be inconsistent with Policies 5.3.1–5.3.3 which seek to avoid uncoordinated or fragmented growth.

[336] We find that the requests are also inconsistent with Proposed Plan SD-O8, UFD-O1 and EI-O1.4, which collectively promote a consolidated pattern of growth aligned with infrastructure funding and sequencing. We are satisfied that SD-O1's requirement to provide sufficient residential development capacity, including higher residential densities in Timaru and Geraldine, can be achieved within existing zoned land and the notified FDA framework, without advancing FDA3 at this time. Those objectives are implemented, in part, through the FDA framework, including FDA-O3 and FDA-P5, which translate the “well-functioning urban environment” matters into a district-wide test for FDAs. Retaining FDA3 as a staged Future Development Area with a five-year DAP horizon, and declining requests to rezone it now or extend it to the Burdon land, better gives effect to the NPS-UD (Policy 2), the CRPS sequencing and integration policies, and the relevant strategic and urban form objectives of the Proposed Plan.

Panel assessment

[337] Overall, we find that Geraldine has substantial feasible and realisable capacity and no robust evidential basis has been provided to justify further rezoning or FDA expansion outside the notified sequencing.

[338] Considering the above, we are not satisfied that:

- (a) capacity-based grounds exist to justify rezoning FDA3 now or extending its boundary;
- (b) early development of FDA3 has been shown to integrate with funded three-waters and transport infrastructure or with the sequencing framework of the Proposed Plan and the CRPS;
- (c) natural hazards have been sufficiently assessed for the Burdon land; or
- (d) the conjunctive tests in clause 3.6(4) of the NPS-HPL have been demonstrated for extending FDA3 over LUC 2 land at 73 Connolly Street.

[339] Subject to the more detailed reasons set out above, we accept and adopt the recommendations of Mr Bonis in relation to FDA3 and the associated submissions. We also find that landscape/amenity/natural character and cultural values considerations do not provide a positive justification to advance FDA3 now and reinforce the appropriateness of retaining the notified FDA sequencing and DAP process.

7.1.2 Decision

[340] We adopt the recommendation of Mr Bonis subject to our own analysis and reasons set out above. FDA3 is retained as notified in the Proposed Plan.

7.2 REZONE FOR GROWTH – FDA5 YOUNG FARM FUTURE DEVELOPMENT AREA

7.2.1 Assessment

[341] Ryan De Joux [157.2] sought that all FDAs located on rural-zoned land mapped as “beyond 10 years” be reclassified as “5–10 years”. For FDA5, this would bring it forward from long term to medium term sequencing in SCHED15.

[342] ECan [183.166] sought that FDAs be confined to the short and medium term growth horizons in the NPS-UD, and therefore requested that long term FDAs, including FDA5, be removed and addressed instead through a future development strategy or similar instrument.

[343] FDA5 comprises approximately 13.5ha of GRUZ land on the western side of Geraldine. It adjoins the Waihi River (SASM-20) and is separated from Ōrari Station Road by a strip of undeveloped GRZ introduced through the Proposed Plan. The land forms part of a larger farming block mapped as LUC 2 (HPL) under the NPS-HPL and lies within the Flood Assessment Area overlay.

[344] No submitter package or technical evidence was provided in support of advancing FDA5 or removing the overlay. Mr De Joux did not appear at the hearing. ECan appeared in relation to other matters in the Growth Chapter but did not present evidence or submissions specific to FDA5, and the relief sought in submission [183.166] was not pursued at the hearing.

We accept and adopt the assessments of Mr Bonis, Mr Heath, Mr Kemp and Mr Collins. In the absence of submitter evidence to the contrary, we are satisfied that FDA5 is appropriately identified as a long term FDA and that there is no evidential basis to support either bringing it forward to the 5–10-year timeframe or removing the overlay altogether.

7.2.2 Decision

[345] We adopt the analysis and recommendations of Mr Bonis. No amendment is required to the Plan, and we retain FDA5 as notified.

7.3 REZONE FOR GROWTH – FDA11 TEMPLER STREET FUTURE DEVELOPMENT AREA

7.3.1 Assessment

[346] David and Susanne Payne [160.2], George Harper et al [108.2] and G. Kellahan [26.1] opposed retaining FDA11 and sought immediate rezoning from GRUZ to RLZ, with

consequential mapping changes (including removal of the Versatile Soils Overlay¹³³). Ms Wharfe, the planning witness for the Paynes supported rezoning and consequential mapping changes but sought a 1.5ha minimum where access is not onto State Highway 79 (SH79).

[347] FDA11 comprises approximately 56.1ha bounded by Templer Street, Bennett Road and Main North Road / State Highway 79 (SH79). It comprises 38 titles, with an average lot size of about 1.5ha and few titles exceeding 2ha. The existing subdivision pattern and established activities present a semi-rural/rural-lifestyle character contiguous with the Geraldine urban edge.

[348] The Raukapuka Stream runs through and along the block and is a spring-fed tributary of the Waihi River (SASM-20). The block is subject to localised flood risk and servicing constraints typical of the township fringe, and several sites within the block are identified on the LLUR database.¹³⁴

[349] Mr Bonis accepted that the block already exhibits an established rural-lifestyle pattern and recommended that it be rezoned to RLZ, that a Specific Control Area (SCA) be applied over the whole block with a 2.0ha minimum allotment size, that the FDA Overlay (and related references) be removed, and that the VS Overlay¹³³ be removed within the block.¹³⁵

[350] Following conferencing, the planning witnesses agreed the rezoning framework of RLZ with a SCA over the whole block, removal of FDA11, and removal of the VS Overlay.¹³⁶ The only remaining point of difference between the planning witnesses was the minimum allotment size within the SCA: 2.0ha versus 1.5ha, subject to an explicit restriction that the 1.5ha option would apply only where access is not onto SH79. Wastewater servicing (no reticulated sewer) remained a material infrastructure constraint discussed in the evidence and addressed through the subdivision framework and regional consenting pathway, but it was not a separate unresolved issue in the JWS.

Minimum lot size and SH79 access (2.0ha vs 1.5ha)

[351] Ms Wharfe's evidence sought a 1.5ha minimum as a better reflection of the existing subdivision pattern (average title size about 1.5ha) and as enabling only a small number of additional lots. She supported a 1.5ha option only where access is not onto SH79, to avoid additional state highway access effects and to avoid the creation of new direct access onto Main North Road.¹³⁷

[352] Mr Bonis recommended a 2.0ha minimum as a more conservative response to servicing uncertainty (particularly on-site wastewater), and to reduce potential effects. Council planning

¹³³ Now deleted from the Planning Maps – refer Panel Decision Report Part 7, Section 9.2

¹³⁴ The Listed Land Use Register (LLUR) is a publicly available database of sites where hazardous activities and industries have been located throughout Canterbury.

¹³⁵ Matt Bonis, s42A Report: Hearing G – Growth, 4 June 2025, paras 10.11.29–10.11.37

¹³⁶ Joint Witness Statement: Planning, 22 August 2025

¹³⁷ Lynette Wharfe, Evidence in Chief, 30 June 2025, para 13.2; Lynette Wharfe, Summary Statement, 9 July 2025, para 2.4; Joint Witness Statement of Planning Experts – Payne submissions (FDA11), 25 August 2025

evidence also recorded that, if a 1.5ha option is adopted, a Plan standard should make the “no SH79 access” restriction explicit.¹³⁸

[353] We accept that shifting from 2.0ha to 1.5ha will enable some additional yield. We also accept that subdivision feasibility and effects cannot be assumed at zoning stage, because on-site wastewater and stormwater will remain subject to the subdivision framework and the regional consenting “gate”.

[354] We prefer the 1.5ha minimum, implemented only where access is not onto SH79, for the following reasons:

- (a) it most closely aligns with the existing cadastral pattern and the established rural-lifestyle character of the block;
- (b) the additional yield enabled remains modest and does not alter district capacity settings or undermine consolidation/sequencing outcomes;
- (c) the explicit “no SH79 access” gate appropriately manages the key transport interface constraint; and
- (d) the resulting effects can be appropriately managed through the subdivision framework and regional consenting where required.

[355] The 1.5ha minimum is implemented through the subdivision framework, with effect given via the RLZ standards and the Specific Control Area applying to FDA11. This is supported by SUB-P15.5 (as amended), which expressly provides opportunities for smaller allotment sizes within the Raukapuka North SCA to reflect the existing character and amenity, and is given regulatory effect through SUB-S1.5 (as amended), which inserts a 1.5ha minimum within the Raukapuka North SCA where access is not onto SH79. This approach is consistent with the areas of agreement recorded in the JWS on the subdivision framework and access controls, with minimum allotment size being the sole remaining point of difference addressed in this decision.

Capacity and growth

[356] Ms Wharfe emphasised that rezoning FDA11 to RLZ is sought to align zoning with the existing rural-lifestyle character and subdivision pattern at the township edge, rather than as an “urban” capacity response under the NPS-UD.¹³⁹

[357] Mr Bonis similarly treated FDA11 as a rural-lifestyle rezoning and boundary/character question, rather than an urban-capacity response.¹⁴⁰ In his s32AA evaluation, he concluded the rezoning (at a 2ha minimum) would not have a material effect on achieving well-functioning urban environments under the NPS-UD and would not have a material effect on CRPS

¹³⁸ Matt Bonis, s42A Report: Hearing G – Growth, 4 June 2025, paras 10.11.29–10.11.31; Matt Bonis, Hearing G – Reply: Growth, 25 August 2025, pp. 48–49

¹³⁹ Lynette Wharfe, Evidence in Chief, 30 June 2025, paras 11.4–11.6

¹⁴⁰ Matt Bonis, s42A Report: Hearing G – Growth, 4 June 2025, paras 10.11.29–10.11.31 and 10.11.36

consolidation outcomes, while providing limited rural residential opportunities contained to an existing urban edge.

[358] We accept Mr Heath's evidence and find that Geraldine has sufficient realisable housing capacity across the relevant horizons within existing zoned capacity, and that only Timaru settlement meets the NPS-UD definition of 'urban environment'.¹⁴¹ While rural lifestyle yield can be quantified, the capacity evidence before us is directed primarily to urban zoned capacity and sufficiency. The additional yield enabled by FDA11 (at either 1.5ha or 2.0ha) is modest in the context of district-wide capacity. Rezoning FDA11 to RLZ at a 1.5ha minimum will enable only a small number of additional lifestyle lots and will primarily regularise the established rural-living pattern at the township edge. We find the outcome neutral for District urban capacity settings and the GMS 2018. Our decision turns on appropriate edge character and interface management rather than any need to create urban capacity. Evidence addressing land-use viability and HPL is considered separately and does not alter these capacity findings. We are satisfied that rezoning at this scale does not undermine consolidation or sequencing in the CRPS or the NPS-UD outcomes relied upon in the s42A analysis.

[359] We also considered qualitative material filed by the submitters, including letters of support from Geraldine businesses, schools and service providers, and supporting statements from local real-estate professionals.¹⁴² This material describes perceived shortages of housing and sections in Geraldine and the practical effects this has on staff recruitment, retention and market demand. We accept that this evidence reflects genuine local experience and community concern. However, it is qualitative in nature and does not assess realisable housing capacity, apply the NPS-UD sufficiency methodology, or distinguish between urban and rural-lifestyle supply. We therefore place limited weight on this material for NPS-UD capacity purposes, preferring the district-wide economic evidence of Mr Heath.

[360] We also heard evidence from the submitter relying on a community-based "Housing Availability and Land Supply" assessment prepared for Geraldine.nz and appended to Ms Wharfe's evidence.¹⁴³ That assessment draws on a community survey and qualitative statements to describe perceived housing and land constraints. While we accept that it reflects local concern, we place limited weight on it for NPS-UD capacity assessment. The survey is perception-based, does not apply the statutory capacity methodology, and does not assess housing availability in the context of capacity already enabled or proposed through zoning and rezoning under the Proposed Plan.

¹⁴¹ Tim Heath, Residential Capacity Economic Assessment (Appendix 6 to the s42A Report: Growth), 4 June 2025, pp. 2 and 14

¹⁴² Geraldine Businesses – Letters of Support, submission material filed for Payne submissions (FDA11), February–March 2025; Real Estate Evidence (letters and statements from Geraldine real estate professionals filed in support of Submitter 160 – Payne), 30 June – 1 July 2025

¹⁴³ Availability and Land supply- An evidence-based assessment of Geraldine, South Canterbury, The AgriBusiness Group and Net Zero Nexus, May 2025 (Attachment 2 of Lynette Wharfe, Evidence in Chief, 30 June 2025pp. 30-80)

[361] In any event capacity considerations are not determinative of our decision on FDA11, which turns on appropriate edge character, servicing, and interface management rather than a need to deliver additional urban housing capacity.

Infrastructure and Transport

[362] The submitters accepted that reticulated wastewater and stormwater are not available and are not planned or funded for FDA11 and contended that on-site solutions are typical of rural-lifestyle development and are appropriately assessed through subdivision and the regional consenting pathway.¹⁴⁴

[363] In relation to water supply, the submitters relied on the Te Moana–Geraldine Flat Water Supply Scheme.¹⁴⁵ Ms Wharfe’s planning evidence noted that the scheme already supplies a mix of rural lifestyle and smaller residential lots in the locality, including lots along Main North Road and Bennett Road and more intensive development at the southern end of Templer Street. The submitters also relied on existing allocation held within the scheme (described as 8 units, equivalent to 8,000 litres/day) and stated it is understood those units may be able to be reallocated across titles at subdivision stage, subject to Council processes.¹⁴⁶

[364] On stormwater, the submitter evidence recorded that FDA11 is outside the Geraldine Stormwater Management Area and therefore stormwater would need to be managed on-site, consistent with SUB-S2.4 which requires stormwater disposed within the net site area where no reticulated network is available. Ms Wharfe also referred to the LWRP stormwater rules, noting that a permitted pathway may apply if conditions are met, otherwise consent may be required.¹⁴⁷

[365] On wastewater, the submitter evidence similarly accepted there is no reticulated wastewater servicing and no Council funding for it. The submitters proposed on-site wastewater management supported by regional consenting, referring to an ECan consent pathway for discharge to land, and noted that SUB-S4.2 requires a subdivision application to demonstrate compliance with the Regional Plan or that a discharge consent has been obtained.¹⁴⁸

[366] The submitter planning evidence expressly acknowledged that any wastewater discharge consent would be assessed by ECan and would need to address adverse effects, including on Ngāi Tahu values, as part of the regional consenting framework. The submitters also accepted that rezoning and subdivision do not pre-determine whether regional consents will be granted, and that further site-specific investigation would be required at application stage.¹⁴⁹

¹⁴⁴ Lynette Wharfe, Evidence in Chief, 30 June 2025, paras 9.24–9.27 and 9.29–9.34

¹⁴⁵ Lynette Wharfe, Evidence in Chief, 30 June 2025, paras 9.18–9.21

¹⁴⁶ Lynette Wharfe, Evidence in Chief, 30 June 2025, paras 9.22–9.23; Grant Kemp, Three Waters Infrastructure Assessment (Appendix 7 to the s42A Report: Growth), 4 June 2025, pp. 9–10

¹⁴⁷ Lynette Wharfe, Evidence in Chief, 30 June 2025, paras 9.30 – 9.34

¹⁴⁸ Lynette Wharfe, Evidence in Chief, 30 June 2025, paras 9.24–9.29

¹⁴⁹ Lynette Wharfe, Evidence in Chief, 30 June 2025, paras 9.28–9.29 and 9.35–9.36

[367] The submitters also relied on the practical constraint that FDA11 is already highly fragmented (approximately 38 existing titles) and referred to Council engineering input that a cohesive landowner-funded wastewater network would be challenging and would deliver limited benefit given the number of existing on-site systems and the likely small number of additional lots.¹⁵⁰

[368] In relation to transport, the submitters relied on Mr Collins' transport review, which classified the FDA11 rezoning request as having "localised effects" and likely to generate less than 10 vehicles per hour, with effects able to be managed through the subdivision consent process. That assessment assumed no new access would be sought from Main North Road / SH79, and the submitters noted that the site has three existing accessways onto Bennett Road.¹⁵¹

[369] Mr Kemp confirmed that no reticulated wastewater or stormwater services are planned or funded for FDA11 in the current LTP, and that development would therefore rely on on-site servicing and any required regional consents. He also advised that, at a minimum allotment size of approximately 2ha, the Te Moana–Geraldine Flat water supply scheme could accommodate a limited increase in demand (approximately six additional allotments), whereas more intensive subdivision (for example at 5,000m² density) would require further modelling to confirm capacity. Any upgrades would be addressed through Council processes and funding mechanisms at subdivision stage.¹⁵²

[370] Mr Collins similarly identified FDA11 as a "localised effects" proposal, capable of being managed through the resource consent process, provided new direct access to SH79 is avoided.¹⁵³

[371] ECan witnesses raised uncertainty and implementation risk associated with on-site wastewater systems in FDA11. Ms Francis¹⁵⁴ and Mr Trewartha¹⁵⁵ identified concerns including groundwater vulnerability, proximity to springs and other sensitive receptors, and the presence of Listed Land Use Register (LLUR) sites and emphasised that rezoning can create an expectation that subdivision will readily follow when the regional consenting framework may impose significant constraints and/or conditions. Dr Massey's¹⁵⁶ evidence addressed the hydrogeological context and groundwater sensitivity relevant to those consent considerations. Ms Wharfe raised procedural concerns about ECan's evidence, noting that the topic was not raised in ECan's submission and that the evidence was sought at Mr Bonis' request. We are not persuaded that these matters diminish the relevance of the evidence. However, we

¹⁵⁰ Lynette Wharfe, Evidence in Chief, 30 June 2025, paras 9.37–9.38; Grant Kemp, Three Waters Infrastructure Assessment (Appendix 7 to the s42A Report: Growth), 4 June 2025, pp. 10–11

¹⁵¹ Mat Collins, Transport Assessment (Appendix 8 to the s42A Report: Growth), 27 May 2025, pp. 6–7; Lynette Wharfe, Evidence in Chief, 30 June 2025, paras 9.39–9.40

¹⁵² Grant Kemp, Three Waters Infrastructure Assessment (Appendix 7 to the s42A Report: Growth), 4 June 2025, pp. 8–11

¹⁵³ Mat Collins, Transport Assessment (Appendix 8 to the s42A Report: Growth), 27 May 2025, pp. 5–7

¹⁵⁴ Deidre Francis, Statement of Evidence for Environment Canterbury, 27 June 2025, paras 6.3–6.9 and 7.1–7.6

¹⁵⁵ Mark Trewartha, Statement of Evidence for Environment Canterbury, 27 June 2025, paras 4.5–4.10

¹⁵⁶ Michael Massey, Statement of Evidence for Environment Canterbury, 27 June 2025, paras 5.2–5.6

consider they are more appropriately tested at the resource consent stage, when the specific system is identified.

[372] Mr Bonis proceeded on the basis that community wastewater reticulation is neither funded nor planned (including within the LTP) and that any additional subdivision would therefore need to rely on on-site wastewater treatment, subject to obtaining the necessary regional council consents. He considered that the area can generally be serviced by infrastructure, except for network wastewater, which creates residual tension in relation to regional consenting requirements and values.¹⁵⁷ He also considered transport consequences, including Waka Kotahi's submission and concluded that rezoning to RLZ with a Specific Control Area requiring a 2ha minimum allotment size is the more appropriate method to manage effects and feasibility at this location.¹⁵⁸

[373] We accept the evidence that reticulated wastewater and stormwater are not planned or funded for FDA11, and that any further subdivision enabled by RLZ would rely on on-site wastewater and stormwater systems and, where required, regional consents.

[374] We place weight on the submitters' acknowledgement, and the Regional Council evidence, that rezoning does not pre-determine subdivision outcomes and that on-site servicing may not be straightforward in all cases. We recognise the implementation-risk concern raised by ECan witnesses that rezoning can create expectations of subdivision where the regional consenting framework may impose significant constraints. Where on-site wastewater solutions are not feasible or are subject to substantial conditions, there may be residual implications for wastewater management (for example, reliance on holding tanks and off-site disposal), reinforcing the importance of conservative density controls and robust consenting scrutiny. However, we are satisfied that the subdivision consent framework and the regional consenting regime are the appropriate mechanisms to test feasibility and manage effects for on-site wastewater and stormwater in this rural-lifestyle context, including cumulative effects and cultural values.

[375] For water supply, we accept the submitters' evidence that Te Moana–Geraldine Flat is the relevant supply scheme for this locality and that existing scheme allocations are relied on as part of the development proposition. However, we consider it necessary that any additional demand created by new allotments is confirmed as available and deliverable at subdivision stage, and that any upgrades required are addressed through Council processes and developer funding mechanisms.

[376] For transport, we accept the evidence that the additional traffic effects from RLZ-scale subdivision within FDA11 are likely to be localised. That conclusion is premised on development utilising existing internal road access and avoiding new direct access to Main North Road / SH79. We therefore consider SH79 access management to be critical. Accordingly, if the 1.5ha minimum allotment size option is adopted for FDA11, we require it to

¹⁵⁷ Matt Bonis, s42A Report: Hearing G – Growth, 4 June 2025, paras 10.3.20–10.3.22

¹⁵⁸ Matt Bonis, s42A Report: Hearing G – Growth, 4 June 2025, paras 10.3.24–10.3.27 and 10.3.36

be coupled with an express “no new access to SH79 / Main North Road” standard, consistent with the assumptions underpinning the transport evidence and to respond to Waka Kotahi’s access management concerns.

[377] Overall, we do not consider the identified infrastructure and servicing constraints necessitate retention of the FDA Overlay, given the established rural-lifestyle pattern within the block and the role of subdivision and regional consenting processes in controlling effects and feasibility. We consider minimum allotment size to be a key method for moderating servicing demand and effects, and our adoption of a 1.5ha minimum is supported by explicit access controls and continuing consenting ‘gateways’.

[378] Finally, we emphasise that effective implementation will depend on coordinated consideration of subdivision design, stormwater disposal, wastewater disposal, groundwater effects, contaminated land matters, and cultural values across district and regional consenting pathways, particularly given the fragmented landholding pattern and the sensitivity of receiving environments in the wider locality. In that context, we acknowledge the ECan evidence on groundwater vulnerability, on-site wastewater uncertainty, and LLUR sites.

Hazards and Constraints

[379] The submitters relied on subdivision/building controls as the appropriate method to address hazards, including flood risk.¹⁵⁹ Photographs from the May 2021 and July 2023 events were provided showing Raukapuka in flood without inundation of the Payne property.¹⁶⁰ The submitters also contended that contaminated land issues are appropriately managed through the NES-CS at subdivision stage.¹⁶¹

[380] Mr Bonis¹⁶² identified that FDA11 is subject to the Flood Hazard Assessment overlay and considered that residual flood risk can be addressed at subdivision and building stage through flood floor levels and subdivision design/natural hazards provisions.

[381] ECan witnesses identified several LLUR sites in the block, with potential for unrecorded HAIL activities, and recommended Preliminary Site Investigations (including walkovers) and, where indicated, Detailed Site Investigations by a SQEP in accordance with the NES-CS.¹⁶³ Those investigations must also consider environmental/ecological receptors, including Raukapuka Stream and groundwater, not solely human health. Where a Detailed Site Investigation is indicated, it would typically be completed prior to subdivision (and certainly prior to development works). ECan also linked groundwater vulnerability and on-site wastewater consentability to the broader feasibility context for enabling additional subdivision,

¹⁵⁹ Lynette Wharfe, Evidence in Chief for D & S Payne (30 June 2025), para 8.10

¹⁶⁰ David & Susanne Payne, Further Info (28 Feb 2025) — Appendix 5A and 5B

¹⁶¹ Lynette Wharfe, Summary Statement for D & S Payne (9 July 2025), paras 3.6-3.12

¹⁶² Matt Bonis, s42A Report: Hearing G – Growth (4 June 2025), paras 10.11.16 and 10.11.17

¹⁶³ Deidre Francis, Statement of Evidence for Environment Canterbury, 27 June 2025, paras 6.3–6.9; Mark Trewartha, Statement of Evidence for Environment Canterbury, 27 June 2025, paras 4.5–4.10

noting the shallow, unconfined groundwater setting and proximity to sensitive receptors (including wells, springs/spring-fed waterways, and a Rūnanga sensitive area).

[382] We are satisfied that flood risk is capable of being addressed at subdivision and building stage through the relevant natural hazards and floor-level controls, including the Proposed Plan Flood Assessment Area process (site selection and finished floor levels). Stormwater design (including attenuation, treatment, and construction-phase erosion and sediment control) will also require site-specific assessment and, where applicable, regional consenting to ensure adverse effects on Raukapuka Stream, groundwater, and downstream receptors are avoided or appropriately managed. The photographs provided are informative as to observed flooding, but site-specific evidence will be required at consent stage. We also accept that contaminated land issues are a relevant constraint and require proper investigation and management under the NES-CS (including appropriate investigation, any necessary remediation/management, and a contamination discovery protocol where previously unknown contamination is encountered) and any relevant regional considerations where discharges and receiving environments are affected. These constraints do not preclude rezoning, but they reinforce that any further subdivision must pass through robust, site-specific consenting 'gateways'

Landscape and Amenity

[383] Ms Wharfe¹⁶⁴ considered that, from a landscape effects perspective, it is acceptable for additional internal allotments to be developed at around 1.5–2.0ha, consistent with the existing rural-lifestyle character, with effects largely internalised.¹⁶⁵ She also identified the Raukapuka Stream corridor as an opportunity for further enhancement through subdivision (including additional protection of margins). Mrs Payne¹⁶⁶ described the submitters' long term stewardship of the land and the significant work undertaken along the stream margins, including riparian planting, and expressed a preference that any future development be sympathetic to the site's contours, natural features and established trees. She also provided a Concept Plan and photo diary showing stream-corridor works (including ongoing willow removal and native riparian planting) and illustrating the amenity and naturalisation outcomes they seek to continue.¹⁶⁷

[384] Mr Bonis¹⁶⁸, drawing on Ms Pflüger's landscape evidence¹⁶⁹, accepted that RLZ outcomes better reflect the existing environment than GRUZ, and that there are no landscape or natural character notations that would make RLZ inappropriate in this location. He also identified that Raukapuka Stream is shown as an esplanade reserve in parts, and that

¹⁶⁴ Lynette Wharfe, Evidence in Chief, 30 June 2025, paras 8.6–8.9

¹⁶⁵ Lynette Wharfe, Statement of Evidence for D & S Payne [160], 30 June 2025, pp. 5–6 and 16–17

¹⁶⁶ Susanne Elizabeth Payne, Personal Statement for D & S Payne [160], 9 July 2025

¹⁶⁷ Submitter 160 - D&S Payne- Hearing G - Additional Photo evidence, 10 July 2025

¹⁶⁸ Matt Bonis, s42A Report: Hearing G – Growth, 4 June 2025, paras 10.3.22–10.3.24

¹⁶⁹ Yvonne Pflüger, Landscape Assessment for Geraldine, Appendix 4 to the s42A Report: Hearing G – Growth (2025), Sections 4–5

subdivision would provide opportunities to secure and extend riparian margin protection and associated natural character values.

[385] We accept that RLZ is a better fit than GRUZ to reflect the existing character and amenity of this block at the township edge. We also accept that lot sizes around 1.5–2.0ha are consistent with that character, with effects largely internalised, subject to appropriate subdivision design and riparian management. We place some weight on the submitters' evidence of existing stream-corridor enhancement and their expressed preference for sympathetic development that responds to the site's natural features and established vegetation. We consider the RLZ framework, together with subdivision controls and esplanade mechanisms where triggered, provides a clearer and more appropriate pathway than retaining an FDA Overlay for maintaining/enhancing riparian margins and achieving appropriate public access outcomes where required.

Cultural values

[386] The submitters accepted the proximity and connection of Raukapuka Stream to the Waihi River (SASM-20), and that subdivision and land use must avoid adverse effects on water quality.¹⁷⁰ Ms Wharfe also noted that Raukapuka Stream itself is not mapped as a SASM (while the Waihi River is) and emphasised that the regional consenting pathway (including for on-site wastewater and stormwater) and the Proposed Plan subdivision provisions are the mechanisms to manage effects on water quality and cultural values.¹⁷¹ This approach is consistent with the JWS, in which the planners agreed that cultural values associated with the mauri of Raukapuka Stream are appropriately addressed through subdivision matters of discretion for stormwater and wastewater (including assessment of effects on Kāti Huirapa values), and that no additional standards or restrictions were necessary.¹⁷²

[387] Ms Hall identified that the Waihi River (SASM-20) and its spring-fed tributaries (including Raukapuka Stream) hold wai taoka and māhinga kai values for Kāti Huirapa, and that the mauri of these waterways is culturally significant.¹⁷³ Ms Hall recorded a preference that, if density is increased, Council reticulated infrastructure be extended so that stormwater and wastewater do not further degrade the Waihi River and Raukapuka Stream. We note that reticulated servicing is not planned or funded for this block.¹⁷⁴ Mr Bonis similarly recognised the cultural values associated with the Waihi River (SASM-20) and did not identify cultural matters as a basis to retain the FDA Overlay, relying instead on subdivision controls and the regional consenting framework to manage effects.¹⁷⁵

[388] We are satisfied that cultural effects can and must be managed through:

¹⁷⁰ Lynette Wharfe, Statement of Evidence for D & S Payne [160], 30 June 2025, pp. 16–17

¹⁷¹ Lynette Wharfe, Statement of Evidence for D & S Payne [160], 30 June 2025, pp 11-12

¹⁷² Joint Witness Statement of Planning Experts – Payne submissions (FDA11), 25 August 2025, clause 2.2

¹⁷³ Kylie Hall, Cultural Values Statement for FDA Areas, Appendix 3 to the s42A Report: Growth – Geraldine (2025), pp. 12–13

¹⁷⁴ Matt Bonis, s42A Report: Hearing G – Growth, 4 June 2025, paras 10.3.20–10.3.22; Grant Kemp, Three Waters Infrastructure Assessment (Appendix 7 to the s42A Report: Growth), 4 June 2025, pp. 14–15

¹⁷⁵ Matt Bonis, s42A Report: Hearing G – Growth, 4 June 2025, paras 10.3.24–10.3.27 and 10.3.36

- (a) maintaining low rural-lifestyle densities (including through the SCA);
- (b) requiring that any stormwater and wastewater servicing for new lots demonstrates compliance with the LWRP consenting framework (including assessment of effects on Ngāi Tahu/Kāti Huirapa values); and
- (c) riparian protection and enhancement (including setbacks/esplanade mechanisms) delivered through subdivision.

Highly Productive Land (HPL)

[389] The submitters relied on a combination of planning and agricultural evidence to support reliance on the cl3.10 rural lifestyle pathway. Their planning evidence emphasised the existing fragmentation and established rural-lifestyle pattern within FDA11, the limited additional yield enabled by rezoning at a 1.5ha minimum, and the practical constraints on ongoing productive use arising from surrounding residential and lifestyle development. They contended that, in this context, cl3.10 provides an appropriate pathway for rural residential development without resulting in the inappropriate loss of HPL.¹⁷⁶

[390] The submitters also relied on agricultural evidence prepared by Agri Group¹⁷⁷, which assessed the productive capability and practical viability of ongoing primary production across the block. That evidence identified, and Mr Bonis agreed that, while parts of the land are mapped as LUC 1–3, productive use is already significantly constrained by lot size, fragmentation, access arrangements, proximity to existing dwellings, and long-standing reverse sensitivity effects.¹⁷⁸ The Agri Group evidence concluded that the land does not function as a coherent productive unit and that further subdivision at rural-lifestyle scale would not materially reduce productive capacity beyond that already compromised by the existing pattern of development.

[391] The Paynes also gave evidence, both in writing¹⁷⁹ and at the hearing¹⁸⁰, describing the reverse sensitivity impacts experienced at Peelview Orchard as surrounding residential and rural-lifestyle development has intensified. They described how proximity to neighbouring dwellings has constrained orchard operations, reduced productive area, and limited the ability to farm at a viable scale.¹⁸¹ Their daughter also spoke at the hearing, describing the day-to-day operational constraints and stress experienced by the family because of complaints, neighbour proximity, and uncertainty about future orchard activities.¹⁸² We accept this evidence as relevant in illustrating the practical effects of reverse sensitivity on productive use at a site-specific level. While personal in nature, it is consistent with, and supports, the conclusions reached in the Agri Group assessment.

¹⁷⁶ Lynette Wharfe, Statement of Evidence, 30 June 2025, paras 9.18–9.21 and 9.24–9.34

¹⁷⁷ Agri Group, Agricultural Assessment for FDA11, 17 February 2025

¹⁷⁸ Matt Bonis, s42A Preliminary Report: Hearing G – Rezoning to Accommodate Growth, 29 October 2024, paras 7.2.12–7.2.20; Attachment D

¹⁷⁹ Susanne Elizabeth Payne, Statement of Evidence, 9 July 2025

¹⁸⁰ Hearing G Transcript – Day 2 (9 July 2025), timestamps 09:38

¹⁸¹ Dr Benji Payne, Statement of Evidence, 9 July 2025

¹⁸² Hearing G Transcript – Day 2 (9 July 2025), timestamp 9:45

[392] We note that similar evidence was also presented by the Paynes at Hearing A on Strategic Directions¹⁸³, where they described the long term reverse sensitivity pressures arising from historical rural-lifestyle development around their property. We refer to that evidence only as contextual background to the issues now before us, and not as determinative evidence for the purposes of this hearing.

[393] Mr Bonis accepted that the NPS-HPL cl3.10 pathway is available in this case, having regard to the scale of the area, the degree of existing fragmentation, the established rural-lifestyle pattern, and the presence of reverse sensitivity constraints. He considered that rezoning FDA11 to RLZ would not result in the inappropriate loss of HPL, particularly given the limited additional yield enabled and the absence of any realistic prospect of re-establishing efficient productive use across the block. We accept the reasoning of Mr Bonis and the submitters' evidence and adopt that approach. The evidence before us demonstrates that FDA11 is already characterised by significant fragmentation, established rural-lifestyle use, and reverse sensitivity constraints that materially limit ongoing productive use, notwithstanding the presence of LUC-mapped soils.

[394] For completeness, we are satisfied that rezoning FDA11 to the Rural Lifestyle Zone is consistent with the cl3.10 rural lifestyle rezoning pathway in the NPS-HPL. On the evidence before us, the land is subject to long term constraints on economically viable primary production that are reasonably expected to endure for at least 30 years, including fragmentation, lot size, access arrangements, and reverse sensitivity effects. We are also satisfied that rezoning at the minimum allotment size within the Specific Control Area will not result in a significant loss of productive capacity at the district scale, and avoids further fragmentation of large, cohesive areas of HPL.

[395] We place weight on the Agri Group evidence insofar as it explains the practical limitations on productive use at a site-specific level, supported by the lived experience described by the Paynes. When combined with the limited additional yield enabled at a 1.5ha minimum allotment size, we are satisfied that rezoning will not result in a significant or inappropriate loss of productive capacity.

[396] We find that rezoning within the clearly defined physical edges of Templer Street, Bennett Road and SH79 provides a coherent and defensible settlement pattern at the township edge. In our view, RLZ better reflects the existing environment and avoids perpetuating a future-urban planning signal that is inconsistent with the established pattern of development and the servicing realities of this location.

Statutory Framework

[397] Ms Wharfe relied on Strategic Direction SD-O1 in support of rezoning FDA11, submitting that the objective enables limited rural-lifestyle development attached to existing urban areas,

¹⁸³ Dr Benji Payne, Statement of Evidence – Hearing A (Strategic Directions), 9 May 2024

including Geraldine.¹⁸⁴ She considered that FDA11 aligns with that direction by virtue of its contiguity with the township, clear and defensible physical boundaries, and connection to reticulated water supply. She acknowledged that the reticulated wastewater limb of SD-O1 is contested in this location, and submitted that reliance on on-site wastewater, subject to subdivision controls and regional consenting, is consistent with the CRPS and the wider Proposed Plan framework.¹⁸⁵ She further noted that any tension with SD-O1 would arise whether the land is retained as an FDA or rezoned to RLZ.

[398] As with FDA3, we do not treat SD-O1 as determinative in this case. The rezoning of FDA11 to RLZ is not driven by a need to provide additional urban growth capacity, but to align zoning with the established rural-lifestyle character and subdivision pattern at the Geraldine edge. Unlike FDA3, this rezoning does not bring forward undeveloped greenfield land but regularises an already established edge condition. In that context and acknowledging that some tension with SD-O1 exists regardless of zoning outcome, we are satisfied that rezoning FDA11 to RLZ does not undermine the strategic intent of SD-O1 or the consolidation and sequencing outcomes of the CRPS. Any residual tension is appropriately managed through the limited scale of development enabled and the subdivision and regional consenting framework.

Panel assessment

[399] Drawing the above matters together, we find that rezoning FDA11 from GRUZ to RLZ, with removal of the FDA Overlay and application of a Specific Control Area, appropriately reflects the established rural-lifestyle character of the block and provides a coherent and defensible township-edge outcome. We are satisfied that the limited additional subdivision enabled by a 1.5ha minimum allotment size (restricted to allotments not accessing SH79) will not undermine district-wide capacity outcomes under the NPS-UD, will not result in inappropriate loss of highly productive land, and can be appropriately managed through the subdivision and regional consenting framework in relation to infrastructure, hazards, and cultural values. In reaching this conclusion, we place particular weight on edge character, servicing feasibility at rural-lifestyle densities, and the role of consenting-stage gateways and we find that these considerations support rezoning now rather than retaining FDA11 as a future-urban signal.

7.3.2 Decision

[400] We adopt the analysis and recommendations of Mr Bonis, as modified in the Planning JWS and we determine that the minimum allotment size is 1.5ha, but only where access is not onto State Highway 79 / Main North Road. We therefore decide to:

- (a) rezone FDA11 (Templer Street) from General Rural Zone (GRUZ) to Rural Lifestyle Zone (RLZ);

¹⁸⁴ Lynette Wharfe, Evidence in Chief, 30 June 2025, paras 7.6–7.14.

¹⁸⁵ Lynette Wharfe, Evidence in Chief, 30 June 2025, paras 9.18–9.34

- (b) apply a Specific Control Area (Raukapuka North SCA) over the whole block;
- (c) remove the FDA11 Overlay from the Planning Maps and update SCHED15 to remove FDA11;
- (d) amend SUB-P15 by adding new Clause 5; and
- (e) amend SUB-S1 by adding new Clause 5.

[401] We note that the VS Overlay has been removed in accordance with our Decision in Part 7.

[402] The amended Planning Maps are included in **Appendix 2** and the amendments to provisions are included in **Appendix 3**.

[403] We adopt the s32AA evaluation in the JWS in support of the planning framework. To the extent the Panel accepted a minimum allotment size of 1.5ha, we are satisfied the amendment is the most appropriate option for achieving the purpose of the RMA, the relevant provisions of the Proposed Plan and for giving effect to other relevant statutory instruments.

7.4 J R LIVESTOCK LIMITED [241.2, 241.3] – TIPLADY, GERALDINE

7.4.1 Assessment

[404] J R Livestock Limited [241.2] sought to extend the industrial area at Geraldine by applying a FDA Overlay over approximately 12.8ha at 841 Tiplady Road, west of the notified GIZ. The submitter also requested that SCHED15 be amended to include a new “FDA15 Tiplady Road Future Development Area” with an anticipated GIZ and a 10-year sequencing timeframe.

[405] The submitter did not attend the hearing. A memorandum from its surveyor was tabled, referencing two historic Council-commissioned reports from 2013 and 2020 that examined industrial location options for Geraldine.¹⁸⁶ No updated technical assessments, planning analysis, or evidence addressing the notified Proposed Plan framework, NPS-UD, NPS-HPL, or current infrastructure sequencing accompanied the tabled material.

¹⁸⁶ Lauren Roycroft, “Memorandum on Behalf of J R Livestock Ltd,” 12 February 2025, attaching: (a) Opus International Consultants Ltd, Geraldine: Growth of Industrial Activities – Consultation & Site Analysis Report (2013); and (b) Davie Lovell-Smith Ltd, Geraldine Industrial Land Options – Infrastructure Assessment (2020)

[406] We rely on the s42A Report¹⁸⁷ and Reply¹⁸⁸, together with the district-wide evidence on industrial capacity¹⁸⁹, infrastructure servicing constraints¹⁹⁰, landscape¹⁹¹, and HPL

[407] The historic 2013 and 2020 reports pre-date the strategic direction now embedded in the GMS, CRPS, and Proposed Plan, and therefore do not alter the conclusions in the s42A Report.

[408] We accept and adopt the assessments of Mr Bonis, Mr Heath, Mr Kemp, and Ms Pflüger. In the absence of submitter evidence to the contrary, including no updated assessment demonstrating need, integration, servicing feasibility or NPS-HPL compliance, we find that extending industrial zoning west to Tiplady Road would not give effect to the NPS-UD or CRPS and would not achieve or implement the relevant Proposed Plan objectives and policies promoting consolidated, efficient, and well-sequenced development.

7.4.2 Decision

[409] We adopt the analysis and recommendations of Mr Bonis. We retain the zoning of 841 Tiplady Road as notified.

7.5 JL SHIRTCLIFF [81.1] – ORARI STATION ROAD GERALDINE

7.5.1 Assessment

[410] Mr and Mrs Shirtcliff [81.1] support the RLZ applied to their property at 584 Orari Station Road. They sought reconsideration of approximately 4ha south of the Raukapuka Stream to enable or facilitate Residential zoning or more intensive subdivision. Their submission also requested review of RLZ subdivision and servicing provisions.

[411] The submitters provided additional presentation material (Insights Consultancy¹⁹²) critiquing the district's growth modelling and asserting that Geraldine requires more residential land. However, in terms of the specific rezoning request the submitter did not provide any robust evidence to support the change in zoning.

[412] The site lies immediately southeast of Geraldine and is zoned RLZ. The Raukapuka Stream bisects the property in an L-shaped alignment and forms a natural settlement edge. Pastoral activity occurs on both sides of the stream, with an existing dwelling and mature

¹⁸⁷ Matt Bonis, s42A Report: Hearing G – Growth, 4 June 2025, Section 11.3

¹⁸⁸ Matt Bonis, Hearing G – Reply: Growth, 25 August 2025, pp. 48–49.

¹⁸⁹ Property Economics, Timaru District Industrial Land Assessment (Appendix 5 to the s42A Report: Growth), 2025, Sections 6–7; Tim Heath, Economic Assessment (Appendix 6 to the s42A Report: Growth), 4 June 2025, pp. 13–19.

¹⁹⁰ Grant Kemp, Three Waters Infrastructure Assessment (Appendix 7 to the s42A Report: Hearing G – Growth), 4 June 2025, pp. 8–12; Mat Collins, Transport Assessment (Appendix 8 to the s42A Report: Growth), 27 May 2025, pp. 5–7

¹⁹¹ Yvonne Pflüger, Landscape Assessment for Geraldine, Appendix 4 to the s42A Report: Hearing G – Growth (2025), Sections 4–5

¹⁹² Insights Consultancy, "Submission: J.L. & R.J. Shirtcliff" (presentation material filed for Submitter 81 – Shirtcliff), undated, pp. 1–14

gardens near the centre. The southern land sought for rezoning fronts Orari Station Road and is approximately 6.2ha.

[413] The submitters also hold an existing resource consent authorising six residential allotments on the northern RLZ portion of the site. These lots have not yet been developed. Mr Shirtcliff indicated, in response to questions from the Panel at the hearing that this development had not been pursued due to cost.

[414] The ss42A Report¹⁹³ and Reply¹⁹⁴ recommended rejecting the request due to:

- (a) no demonstrated need for additional Residential zoning in Geraldine;
- (b) lack of programmed or funded servicing;
- (c) the Raukapuka Stream forming a defensible urban edge;
- (d) cultural values associated with a spring-fed tributary to Waihi River (SASM-20); and
- (e) the absence of technical assessments supporting an ad hoc rezoning unsupported by technical assessment.

[415] The submitters challenged Statistics NZ small-area projections and argued Geraldine's growth is underestimated.¹⁹⁵ We have responded to the evidence in Section 2 above, in relation to the requirements of the NPS-UD. No supporting expert evidence was provided, and the rezoning was not supported by concept planning, servicing feasibility, transport analysis, cultural assessment, or landscape evidence.

Infrastructure and Transport

[416] The submitters considered the land "readily serviceable" due to proximity to existing reticulation, but provided no servicing assessment, concept plan, stormwater strategy, or LTP alignment.

[417] Mr Kemp¹⁹⁶ and Mr Collins¹⁹⁷ advised that:

- (a) no wastewater or stormwater reticulation extension to this area is programmed or funded;
- (b) there is no integrated servicing assessment for the submitter's site;
- (c) stormwater management would require regional consenting and is not designed for residential intensity; and

¹⁹³ Matt Bonis, s42A Report: Hearing G – Growth (4 June 2025), Key Issue 6 – Urban Rezoning Requests, paras 12.6.1-12.6.13

¹⁹⁴ Matt Bonis, Hearing G – Reply: Growth, 25 August 2025,

¹⁹⁵ Insights Consultancy, "Submission: J.L. & R.J. Shirtcliff" (presentation material filed for Submitter 81 – Shirtcliff), undated, pp. 1–16

¹⁹⁶ Grant Kemp, Three Waters Infrastructure Assessment (Appendix 7 to the s42A Report: Hearing G – Growth), 4 June 2025, pp. 3–4 and 16

¹⁹⁷ Mat Collins, Transport Assessment (Appendix 8 to the s42A Report: Hearing G – Growth), 27 May 2025, p. 7

(d) no transport evidence demonstrates safe and efficient network integration.

[418] We accept the Council evidence. Without programmed reticulation, capacity modelling, or structure planning, residential rezoning would be unintegrated and out-of-sequence, contrary to UFD-O1, SD-O8, and CRPS 5.3.1–5.3.5. Assertions that servicing “may be extended in future” are speculative and do not meet the integrated management requirements of the Proposed Plan. No Development Area Plan or Structure Plan supports rezoning in this location.

Landscape and Amenity

[419] The Raukapuka Stream (identified as an esplanade reserve) runs in an L-shaped alignment through the midpoint of the property from the existing Geraldine urban edge before turning to adjoin Orari Station Road. It creates a clear physical and perceptual break between the land north and south of the stream.

[420] Mr Bonis noted that the Raukapuka Stream could provide a defensible urban edge for more intensive residential development immediately adjoining the Geraldine township, but that there was insufficient evidence to evaluate the amending proposal¹⁹⁸.

[421] We heard general landscape evidence from Ms Pflüger about township-edge containment and the importance of coordinated growth but no landscape assessment for this site¹⁹⁹. The submitter did not provide any technical landscape evidence or concept planning material to demonstrate that residential zoning south of the Raukapuka Stream could be integrated with the existing township edge while maintaining landscape and amenity outcomes, or to identify how any adverse effects would be avoided or managed.

Cultural values

[422] The Raukapuka Stream is a spring-fed tributary of the Waihi River (SASM-20 – Wai Taoka), which holds significant wai taoka and māhinga kai values for Kāti Huirapa. In her evidence²⁰⁰, Ms Hall emphasised that intensification adjacent to these waterways should occur only where reticulated wastewater and stormwater systems are available to protect the mauri of the waterbody and avoid cumulative effects on wai taoka and cultural values.

[423] Reticulated servicing is not available or programmed for this location. In the absence of these protections, Residential zoning south of the Raukapuka Stream would not align with the cultural outcomes identified by Ms Hall. We find that the RLZ provisions, together with regional consenting pathways, provide the appropriate framework to manage subdivision and servicing effects.

¹⁹⁸ Matt Bonis, s42A Preliminary Report: Hearing G – Rezoning for Growth, 29 October 2024, para 12.6.10

¹⁹⁹ Yvonne Pflüger, Landscape Assessment for FDA3 (Appendix 4 to the s42 s42A Report: Growth), 29 May 2025

²⁰⁰ Kylie Hall, Cultural Values Statement for Geraldine FDA Areas (Appendix 3 to the s42A Report: Hearing G – Growth), 2025, p. 12

7.5.2 Decision

[424] We adopt the analysis and recommendations of Mr Bonis. The zoning of 584 Orari Station Road is retained as notified.

7.6 WAITUI DEER FARM [19.1]

7.6.1 Assessment

[425] Waitui Deer Farm Ltd [19.1] sought an amendment to the Proposed Plan mapping and subdivision provisions applying to land at 199 Waitui Drive, Geraldine. The submitter sought to extend the 2ha Specific Control Area (SCA) across the entire 115.5ha site, replacing the existing 10ha SCA. The submitter's supporting material illustrated an indicative development concept comprising approximately 30 allotments across the site. No change to the underlying RLZ was sought.

[426] The site is located on the Geraldine Downs, north-west of the Geraldine township and west of the Waihi River. The landform comprises steep slopes, gullies and lower terraces. Several areas of the site are mapped as SNAs, including degraded tōtara and remnant indigenous vegetation. The land is currently used for pastoral and deer farming. The submitter also provided a conceptual layout and landscape strategy illustrating potential future subdivision and restoration outcomes for the site.²⁰¹

[427] Mr Bonis²⁰² recommended that the submission be rejected. He considered the proposal to be conceptual and unsupported by the technical assessments necessary to evaluate infrastructure servicing, transport effects, hazards, landscape effects, and ecological outcomes.

[428] The key matters in contention were whether extending 2ha subdivision density across the site was appropriate having regard to:

- (a) infrastructure and servicing constraints;
- (b) landscape and amenity effects on the Geraldine Downs, including scale, intensity and visual prominence, and associated natural values such as mapped Significant Natural Areas; and
- (c) cultural values associated with the Waihi River (SASM-20 – Wai Taoka).

²⁰¹ Waitui Deer Farm Limited, Proposed Conceptual Layout for 199 Waitui Drive, 27 June 2025; Wildlab Ltd, Landscape Assessment and Strategy for 199 Waitui Drive, Geraldine, June 2025

²⁰² Matt Bonis, s42A Preliminary Report: Hearing G – Rezoning to Accommodate Growth, 29 October 2024, paras 7.2.12–7.2.20; Matt Bonis, s42A Report: Hearing G – Growth, 4 June 2025, paras 10.3.13–10.3.36; Matt Bonis, Hearing G – Reply: Growth, 25 August 2025, pp. 48–49

Infrastructure and Transport

[429] Ms McMullan, (Planner for Waitui), contended that infrastructure and servicing matters could be addressed at the time of subdivision.²⁰³ Water supply was proposed to be provided via connection to the Te Moana water scheme, which the submitter considered had been upgraded and capable of accommodating additional connections.²⁰⁴ Ms McMullan also relied on the Proposed Plan's requirement to connect to a reticulated water network (SUB-S3.2) and considered any need for extension or upgrade of the network could be addressed at subdivision stage.²⁰⁵ Wastewater disposal was proposed to be managed on site, either through individual wastewater systems subject to regional consenting requirements, or through alternative potentially permitted pathways such as composting toilets or holding tanks under the CLWP (including reliance on specific permitted pathways for composting/incinerating toilets and greywater disposal).²⁰⁶ Stormwater was proposed to be managed on site, with on-site management and water-sensitive design measures proposed given the presence of watercourses.²⁰⁷

[430] In relation to transport, Ms McMullan acknowledged that an ITA would be required at subdivision stage and reiterated in oral submissions that servicing and transport matters could be managed through future subdivision-stage investigations and controls.²⁰⁸ She also noted that an ITA would be required to develop further 2ha allotments via Waitui Drive even under the already-notified 2ha SCA, and suggested a plan mechanism (for example, an embedded standard within SUB-S6) because the general ITA trigger (TRAN-S20) would not be met at the anticipated yield. She noted that access would be via Waitui Drive and contended that transport effects could be appropriately assessed and mitigated through subdivision controls or site-specific standards. The submitter's supporting material also contemplated roading works associated with extending/forming Waitui Drive and noted constraints on alternative connections (including topographical constraints affecting any extension toward Kalaugher Road).²⁰⁹ Alternative relief was advanced in the form of a deferred zoning or specific control area, with further infrastructure modelling and an ITA to be completed prior to development.²¹⁰

[431] Mr Kemp noted that the submitter had not quantified the likely impact on Council's networks and that, in the absence of information to assess the proposal, he recommended the

²⁰³ Melissa McMullan, Statement of Evidence for Waitui Deer Farm Ltd [19], 27 June 2025, paras 4.6–4.7

²⁰⁴ Waitui Deer Farm Limited, Supporting Information for 199 Waitui Drive, Geraldine (File No. 286015/06), February 2025, pp. 4–5

²⁰⁵ Melissa McMullan, Statement of Evidence for Waitui Deer Farm Ltd [19], 27 June 2025, paras 4.6–4.7; SUB–Subdivision_220_21-Sep-2022, SUB-S3.2

²⁰⁶ Waitui Deer Farm Limited, Supporting Information for 199 Waitui Drive, Geraldine (File No. 286015/06), February 2025, p. 5; Melissa McMullan, Statement of Evidence for Waitui Deer Farm Ltd [19], 27 June 2025, paras 4.6–4.7

²⁰⁷ Waitui Deer Farm Limited, Supporting Information for 199 Waitui Drive, Geraldine (File No. 286015/06), February 2025, pp. 2 and 6

²⁰⁸ Melissa McMullan, Statement of Evidence for Waitui Deer Farm Ltd [19], 27 June 2025, para 4.7; Hearing G Transcript – Day 1 (8 July 2025), timestamp 4:52

²⁰⁹ Waitui Deer Farm Limited, Supporting Information for 199 Waitui Drive, Geraldine (File No. 286015/06), February 2025, p. 4 (Transport)

²¹⁰ Melissa McMullan, Statement of Evidence for Waitui Deer Farm Ltd [19], 27 June 2025, para 5.1; Hearing G Transcript – Day 1 (8 July 2025), timestamp 4:52

submission be rejected.²¹¹ In relation to wastewater, Mr Kemp advised that the impact of on-site blackwater tanks should be further investigated because, if an on-site solution via ECan consents is not achievable, the waste would inevitably end up at a Council facility. He noted that Geraldine infrastructure is unable to accommodate blackwater disposal, meaning waste would need to be transported to Timaru for disposal. In relation to water supply, Mr Kemp advised there was no information about on-site constraints relevant to a connection to Council's network, and that site sizes (if on-site wastewater is proposed) may limit the ability to install a bore for drinking water purposes. He noted that Te Moana Water Scheme policy would apply for any new connections. Stormwater was identified as being managed on-site, and the site is outside the Geraldine Stormwater Management Plan area.

[432] Mr Collins advised that the submission packages did not provide transport analysis, and in his written Transport Assessment he identified the Waitui proposal as "moderate/large-scale", with "likely trip generation 10 to 50 veh/hr", requiring "suitable transport analysis".²¹² In oral evidence²¹³, he explained that Subdivision Standard 6 (SUB-S6) does not provide scope to assess transport effects beyond the immediate site for a development of this scale, and that the usual mechanism for assessing wider network effects is the High Trip Generator rule (TRAN-R10). However, he noted that, based on the indicative yield, the proposal was unlikely to trigger TRAN-R10, having regard to the thresholds in TRAN-S20 for a Residential Activity (40 units for a Basic ITA and 90 units for a Full ITA). In the absence of transport analysis, Mr Collins considered that potential effects on access, safety, efficiency, and cumulative traffic effects could not be verified.

[433] We accept that the servicing pathways identified by the submitter exist in principle. Consistent with our approach in FDA11 (Templer/Payne), we accept that the detailed feasibility and consentability of water and wastewater servicing for any future subdivision is appropriately tested at subdivision stage, including through Council / scheme processes for water supply and any required regional consenting "gateways" for on-site wastewater systems. We note the Plan framework anticipates connection to reticulated drinking water supply where available (including SUB-S3.2 and RLZ-P1), and any additional demand, allocation and upgrade requirements for Te Moana are matters to be confirmed through the relevant processes at subdivision stage.

[434] We note the submitter's evidence that composting/incinerating toilet systems and associated permitted pathways under the CLWRP may provide an alternative pathway if a discharge consent is not granted. However, any reliance on those pathways (and the management of greywater and cumulative effects) is properly tested and controlled through the subdivision and regional consenting processes when the actual servicing solution is proposed.

²¹¹ Grant Kemp, Three Waters Infrastructure Assessment (Appendix 7 to the s42A Report: Hearing G – Growth), 4 June 2025, p. 10

²¹² Mat Collins, Transport Assessment (Appendix 8 to the s42A Report: Hearing G – Growth), 27 May 2025, p. 4

²¹³ Hearing G Transcript – Day 1 (8 July 2025), timestamp 4:07

[435] In this case, the evidence does not provide plan-level confirmation of water-supply capacity and wastewater feasibility at the scale implied by the submitter's indicative concept. We accept Mr Kemp's evidence as identifying a material implementation risk (including the risk of holding tanks and off-site disposal if an on-site consenting pathway is not achievable). However, consistent with FDA11, we treat those matters as requiring resolution through subdivision-stage design and the relevant consenting gateways, rather than as determinative at plan-making stage.

[436] In the absence of an ITA or equivalent network analysis, we are unable to verify the wider network transport effects associated with the proposed increase in density. We prefer and rely on Mr Collins' evidence and find that transport effects remain uncertain and unresolved at this stage.

Landscape and Amenity

[437] The submitter's landscape evidence²¹⁴, including the Wildlab landscape assessment and conceptual layout, advanced a concept for low-density rural-lifestyle development with extensive native restoration proposed, riparian planting, and ecological enhancement proposed as mitigation for the visual and landscape effects associated with increased subdivision density.

[438] Ms Pflüger²¹⁵ identified the area commonly referred to as the Geraldine Downs as a visually sensitive rural landscape that forms an important open backdrop to the Geraldine township, particularly when viewed from the north and north-east. She considered that the existing pattern of large rural and rural-lifestyle allotments contributes to the openness and legibility of the Downs, and that extending 2ha subdivision density onto the outer slopes would erode that character. In her assessment, the proposed increase in density would result in adverse landscape and visual effects beyond the site, including increased building presence, accessways, earthworks and associated infrastructure on prominent landforms.

[439] Ms Pflüger also noted that the submitter's landscape material and Concept Plan were illustrative and lacked sufficient certainty at a plan-making level, including in relation to the location of building platforms, access alignments, earthworks, and the extent and timing of mitigation planting necessary to maintain landscape character and amenity. In the absence of binding mechanisms, she considered that the claimed mitigation outcomes could not be relied upon to offset the effects of enabling increased subdivision density across the site. In particular, she considered that extending 2ha density onto the outer slopes could create adverse visual and landscape character effects extending beyond the site, and that there was insufficient certainty to ensure those effects are avoided, remedied or mitigated.

²¹⁴ Wildlab, Landscape Assessment and Strategy for 199 Waitui Drive, Geraldine, June 2025, Sections 3–5 and Conceptual Layout Plan; Waitui Deer Farm Ltd, Supporting Information for 199 Waitui Drive, Geraldine (File No. 286015/06), February 2025, pp. 3–7; Melissa McMullan, Statement of Evidence for Waitui Deer Farm Ltd [19], 27 June 2025, paras 4.6–4.12

²¹⁵ Yvonne Pflüger, Landscape Assessment for Geraldine (Appendix 4 to the s42A Report: Hearing G – Growth), 29 May 2025, Sections 4.2 and 5, and Conclusion; Hearing G Transcript – Day 1 (8 July 2025), timestamp 3:21

[440] Ms Pflüger²¹⁶ acknowledged that elements of the Wildlab strategy, including innovative planting and restoration approaches, could potentially be supportable in this landscape, but only with a higher level of specificity and a directive planning or consent framework to provide confidence that those outcomes would be delivered.

[441] We have considered Ms Pflüger's evidence in light of the submitter's reliance on the site-specific subdivision and restoration provisions applying to the Waitui Deer Farm Specific Control Area.²¹⁷ While those provisions provide a framework for considering restoration and access matters at subdivision stage, they do not prescribe the location of building platforms, access alignments, earthworks, or the extent and timing of mitigation planting required to maintain the openness and legibility of the Geraldine Downs at a plan-making level. In our view, they do not provide sufficient certainty to offset the landscape and amenity effects of enabling increased subdivision density across the site.

[442] The site contains several mapped SNAs and adjoins tributaries of the Waihi River. The Wildlab Concept Plan proposes extensive revegetation and riparian restoration within and around these areas, which we recognise as a positive intent. However, the SNAs are already subject to protection under the Proposed Plan, and no enforceable mechanisms were proposed to secure the additional restoration outcomes relied on by the submitter. We agree with the s42A assessment²¹⁸ that the restoration benefits described can be achieved within the existing RLZ framework, without the need to enable further subdivision density.

[443] Taking the evidence as a whole, we accept Ms Pflüger's assessment and the conclusions Mr Bonis. This conclusion is reinforced by the RLZ framework, including SUB-P15.4, which anticipates development on prominent rural landscapes such as the Geraldine Downs occurring at a density and form that maintains openness, rural character and integration with the natural environment, and avoids subdivision patterns that would erode those qualities. We find that extending the 2ha Specific Control Area across the site would not maintain the landscape and amenity values of the Geraldine Downs, would diminish the open rural character of the Downs as a backdrop to the township, and would be inconsistent with the relevant objectives and policies of the CRPS and the Proposed Plan. These landscape and amenity effects are determinative and are not overcome by the mitigation or restoration measures proposed. While the submitter's restoration aspirations are acknowledged, they do not justify enabling increased subdivision density at the Plan level.

Cultural values

[444] The submitter emphasised that the proposal would retire pastoral land and deliver significant ecological restoration outcomes, including riparian planting, indigenous revegetation, and improved habitat connectivity. The submitter contended that these

²¹⁶ Hearing G Transcript – Day 1 (8 July 2025), timestamp 3:21

²¹⁷ Melissa McMullan, Statement of Evidence for Waitui Deer Farm Ltd, 27 June 2025; McMullan, TPDP Provisions Extract for Waitui Deer Farm SCA

²¹⁸ Matt Bonis, s42A Report: Hearing G – Growth, 4 June 2025, Section 11.3; Yvonne Pflüger, Landscape Assessment for Geraldine (Appendix 4 to the s42A Report: Hearing G – Growth), 29 May 2025, Conclusion

restoration outcomes would have positive cultural effects, particularly in relation to the Waihi River catchment.²¹⁹ We note that the submitter also referred to correspondence with Ms Hall²²⁰ indicating that large-scale land retirement and indigenous planting could be a positive outcome for the Geraldine area. However, that correspondence did not assess, and does not address, the cultural risks associated with enabling increased subdivision density within the Waihi catchment where servicing would rely on unreticulated wastewater and stormwater systems.

[445] Ms Hall advised²²¹ that the Waihi River and its tributaries are identified as SASM-20 (Wai Taoka) and hold high cultural, spiritual and ecological significance for Kāti Huirapa. She explained that the river system and its spring-fed tributaries support taonga species and are integral to the exercise of kaitiakitanga, the protection of māhinga kai, and the maintenance of mauri. The evidence emphasised that intact headwater streams and undisturbed land within the upper catchment play an important role in sustaining ecological connectivity and cultural health across the wider Waihi system.

[446] Ms Hall identified particular concern with proposals that would increase residential density within the Waihi catchment while relying on unreticulated wastewater and stormwater systems. She advised that cumulative effects from multiple on-site wastewater discharges, stormwater runoff, and land disturbance pose risks to water quality, mauri, and taonga species, even where individual systems may be consented at a regional level. She emphasised that for Kāti Huirapa, the discharge of wastewater to land with the potential to reach waterways is culturally inappropriate where it degrades wai taoka values.

[447] We acknowledge that the submitter's restoration aspirations align in principle with mana whenua objectives to improve indigenous biodiversity, riparian margins, and ecological function within the Waihi catchment. However, we accept Ms Hall's evidence that these outcomes do not offset the cultural risks associated with enabling increased subdivision density where servicing would rely on unreticulated wastewater systems and where cumulative effects cannot be confidently managed.

[448] We find that the cultural and ecological outcomes sought by mana whenua are better achieved through restoration and land management within the existing RLZ framework, rather than by enabling additional subdivision density reliant on unreticulated servicing. In this context, extending the 2ha Specific Control Area across the site would increase pressure on wai taoka values and would not give effect to the cultural objectives and policies of the Proposed Plan or the CRPS. This conclusion is consistent with the s42A officer's reliance on

²¹⁹ Melissa McMullan, Statement of Evidence for Waitui Deer Farm Ltd [19], 27 June 2025, paras 4.3–4.9; Wildlab, Landscape Assessment and Concept Plan for 199 Waitui Drive, June 2025; Waitui Deer Farm Ltd, Supporting Information for 199 Waitui Drive, Geraldine (File No. 286015/06), February 2025, pp. 3–6

²²⁰ Kylie Hall, email to Melissa McMullan (and others), "RE: Manawhenua report for MFL – Hearing G", 2 April 2025 received 31 July 2025

²²¹ Kylie Hall, Cultural Values Statement for Geraldine FDA Areas (Appendix 3 to the s42A Report: Hearing G – Growth), 2025, pp. 4, 10–13

mana whenua evidence in assessing the cultural effects of increased subdivision within the Waihi catchment.²²²

[449] In our post hearing Minute the Panel requested Ms McMullan to undertake a s32AA evaluation in support of her request, she did so²²³ we have reviewed her assessment, however in light of the evidence of Ms Pflüger, which we have accepted above we find that the amending proposal is not the most appropriate method to achieve Proposed Plan SD-O2, ECO-O1, ECO-O2, NFL-O2 and RLZ-O2.

Panel assessment

[450] Overall, we find that extending the 2ha Specific Control Area across the entire Waitui property would not maintain the landscape and amenity values of the Geraldine Downs and is therefore not appropriate.

7.6.2 Decision

[451] We adopt the analysis and recommendations of Mr Bonis. The zoning of 199 Waitui Drive, Geraldine is retained as notified.

7.7 BRUCE SELBIE [32.1] – 77 MAIN NORTH ROAD, GERALDINE

7.7.1 Assessment

[452] Bruce Selbie [32.1] sought to rezone approximately 5.45ha at 77 Main North Road, Geraldine (Lot 2 DP 473022 and Lot 3 DP 22926) GRUZ to RLZ.

[453] The site is an L-shaped property with frontage to State Highway 79 and Woodbury Road. The western boundary adjoins the Waihi River, identified as SASM-20 (Wai Taoka). An existing dwelling is located on the higher terrace, with the balance of the land comprising open pastoral land extending toward the river corridor. The site is subject to the Flood Assessment Area and Liquefaction Awareness overlays and lies within a drinking water protection area.

[454] Mr Bonis recommended that the rezoning request be rejected. Mr Selbie did not attend the hearing. However, supporting material was provided prior to the hearing and was considered through the s42A process. No additional evidence was presented to the Panel.

Infrastructure

[455] There is no programmed or funded extension of reticulated wastewater or water supply to the site in the LTP. Servicing a small number of rural lifestyle allotments through private extensions would be inefficient and inconsistent with integrated growth planning. While the submitter placed weight on the anticipated extension of infrastructure associated with FDA11, there is no committed or funded programme to extend services to the subject site, and

²²² Matt Bonis, s42A Report: Hearing G – Growth, 4 June 2025, Section 11.3.6-11.3.9

²²³ Melissa McMullan, Section 32AA evaluation report on Waitui Deer Farm Limited, 30 July 2025

potential future infrastructure provision for a separate development area does not justify rezoning in advance of confirmed sequencing and funding.

Waihi River and cultural values

[456] Ms Hall's cultural values evidence, prepared on behalf of Council for Hearing G, emphasised that increased residential density adjacent to waterways should be reticulated to protect mauri and water quality. Reliance on on-site wastewater systems would not achieve that outcome.

Hazards

[457] The site is subject to flood hazard and drinking water protection overlays and forms part of the open pastoral edge to the Waihi River corridor. While the submitter indicated these matters could be addressed at subdivision or building stage, no evidence was provided to demonstrate that they could be appropriately managed in a manner consistent with the objectives and policies of the Proposed Plan.

HPL:

[458] The land is identified as highly productive land under the NPS-HPL which a substantial area of the site is classed as LUC2 and the remainder is unclassified²²⁴.

[459] For these reasons, and for the reasons set out in the s42A Report, we find that the proposed rezoning would not give effect to the NPS-UD, NPS-HPL or the CRPS and would not achieve the relevant objectives and policies of the Proposed Plan relating to coordinated and efficient growth.

7.7.2 Decision

[460] We adopt the analysis and recommendations of Mr Bonis. The zoning of 77 Main North Road, Geraldine (Lot 2 DP 473022 and Lot 3 DP 22926) is retained as notified.

7.8 PAYNE [160.1], HARPER ET AL [108.1], MORTEN [88.1], SULLIVAN [138.1], BADCOCK [85.1] – MAIN NORTH ROAD, GERALDINE

7.8.1 Assessment

[461] Payne [160.1], Harper et al [108.1], Morten [88.1], Sullivan [138.1] and Badcock [85.1] sought to rezone land north of Geraldine on both sides of Main North Road from GRUZ to either RLZ or GRZ. The submissions collectively relate to land extending from Templer Street on the eastern side of Main North Road through to the Waihi River corridor on the western side.

²²⁴ The actual measurements were not disclosed in the submission or submitters supporting information dated February 2025.

[462] The area comprises a mix of larger rural titles and smaller peri-urban holdings located along Main North Road at the northern edge of Geraldine. The land west of Main North Road adjoins the Waihi River (SASM-20 – Wai Taoka) and includes land mapped as LUC 2 HPL and subject to the Flood Assessment Area overlay.

[463] Mr Bonis assessed the submissions in two distinct parts:

- (a) land between Main North Road and Templer Street, corresponding to FDA11 (Templer Street);
- (b) land between Main North Road and the Waihi River.

[464] For the land between Main North Road and Templer Street, the officer recommended acceptance in part as set out in the discussion on FDA11 (Templer Street). That portion of the submissions is addressed in full in Section 7.3 of this Decision Report (including our Decision at Section 7.3.2) and is not repeated here.

[465] For the land between Main North Road and the Waihi River, no submitter package was provided. Mr Bonis recommended that this part of the rezoning request be rejected. He identified that the land is mapped as LUC 2 and constitutes HPL under the NPS-HPL, with no assessment demonstrating compliance with the General Residential Zone pathway (clause 3.6) or the Rural Lifestyle Zone pathways (clauses 3.7 or 3.10). Council infrastructure and transport evidence identified there is no programmed or funded extension of reticulated services to this area, nor any assessment demonstrating safe, efficient and effective access, including confirmation from Waka Kotahi regarding access to Main North Road / SH79. Mana whenua advice identified that increased density without reticulated servicing would risk adverse effects on the Waihi River (SASM-20 – Wai Taoka). The area is also subject to the Flood Assessment Area overlay.²²⁵

[466] No submitter evidence or technical assessment was provided in support of rezoning the land between Main North Road and the Waihi River. Accordingly, our assessment relies on Mr Bonis' s42A Report and expert evidence presented for Hearing G.

7.8.2 Decision

[467] We adopt the analysis and recommendations of Mr Bonis. No further change is required to the Plan (beyond our previous decision on FDA11 in Section 7.3 of this Decision Report).

²²⁵ Matt Bonis, s42A Report: Hearing G – Growth, 4 June 2025, paras 13.5.5–13.5.6; Michael Garbett & Jen Vella (Anderson Lloyd), Memorandum of Counsel on behalf of Timaru District Council – Application of NPS-HPL on re-zoning requests – Hearing G (Growth), 22 January 2025, para 5

8 AMEND FDAS, NEW FDAS, REZONING REQUESTS – TIMARU

8.1 REZONE FOR GROWTH – FDA1 ELLOUGHTON SOUTH FUTURE DEVELOPMENT AREA

8.1.1 Assessment

[468] Rosa Westgarth & Jan Gibson [227.1] supported the enabling of the southern part of 82 Kellands Hill Road for urban development but expressed concern that the proposed Urban Development Area (FDA1) does not accurately reflect the site's contours and physical features. The submitter sought the rezoning of the land to General Residential (GRZ), as opposed to General Rural (GRUZ) and considered this would align better with the recommendations in the GMS (2022) study.

[469] Specifically, the submitter sought the following:

- (a) Rezone areas identified as FDA1 as identified in the location map in the original submission from GRUZ to GRZ and remove the FDA1 Overlay;
- (b) Bring FDA4 forward from '> 10 years' to '<10' years;
- (c) Undertake any consequential amendment to give effect to the rezoning and pathway for DAP preparation; and
- (d) If the rezone is not accepted, then amend the FDA boundary lines between FDA1 and FDA4 as shown in the plan provided in the submission.

[470] In terms of the submitter relief sought in points (a)-(c) above, as detailed previously we heard from Ms Dolan, who provided planning evidence and Glen McLauchlan, a surveyor but in this context was acting in an advisory capacity.) They addressed the submitters FUZ alternative relief. Given the submitter is no longer pursuing the FUZ alternative, we have not considered the alternate relief sought further.²²⁶

[471] Returning to the primary relief sought listed in (a)-(c) above, the submitter provided a package of information in response to the Preliminary s42A Report.²²⁷ Of the issues identified we address below only those where there was uncertainty regarding information or a dispute between the submitter's advisors and the Council's s42A Report authors.

Culture and Heritage

[472] Te Ahi Tarakihi / Taitarakihi is identified as SASM-13 (Wai Taoka) with the downstream reaches on the subject site also identified as SASM 3 (Wāhi Tūpuna). The mana whenua assessment identified that the values of Tarakihi / Taitarakihi will be better recognised and provided for where development occurs in a comprehensive rather than incremental manner,

²²⁶ Sonia Dolan, Statement of Evidence, Westgarth and Gibson, 27 June 2025, para 30.

²²⁷ Submitter 227 – Westgarth and Gibson - Response to Hearing G Preliminary s42A Report, 10 March 2025.

and where the values of Te Ahi Tarakihi are upheld²²⁸, a position maintained by AEC following the hearing.²²⁹ We agree with and rely on the evidence of Mr Bonis that the immediate rezoning sought in the amending proposal would be absent a Structure Plan / ODP that would ensure the strategic and integrated approach to development and recognition and management of the cultural values identified.

Hazards

[473] The Proposed Plan's notified Flood Assessment Area Overlay applies to those reaches of the Taitarakihi Creek within the subject site that are primarily located within FDA1 as notified and become largely internalised in FDA1 under the amending proposal. The submitter package acknowledged²³⁰ a need for upstream stormwater detention facilities to be cohesively provided within FDA1 to support residential rezoning, and that these will be needed as part of the DAP as embedded in the Proposed Plan. We agree with and rely on the evidence of Mr Bonis that the internalisation of Taitarakihi Creek within FDA1 as sought through amending the boundaries of FDA1 and FDA4 would provide benefits in terms of facilitating a cohesive response to managing flood risk. We also agree that it is important to have a cohesive Structure Plan / ODP embedded into the Proposed Plan (as would be facilitated by the DAP process) to comprehensively manage stormwater and flood management across the subject site.

Infrastructure

[474] Mr Kemp did not consider that the submission package sufficiently addressed how immediate re-zoning could occur in an integrated and cohesive manner as appropriately supported by network infrastructure.²³¹ He considered that ad-hoc re-zoning of these areas without understanding the impact on the wider FDAs would potentially result in additional costs and compromise the DAP process moving forward. He raised concerns that the information relied on by the submitter does not clearly demonstrate the proposed mechanisms to be used to ensure the cost of servicing the area is apportioned to the developer; and that there is no clarity on how infrastructure integration would occur and how funding issues would be resolved. Relying on this evidence, Mr Bonis concluded that he did not have confidence that the immediate rezoning of FDA1 and associated funding for infrastructure provision would be able to be undertaken in an equitable manner. He considered that given the scale of FDA1 and FDA4 the sequenced approach in SCHED15 is more appropriate.

[475] We accept the evidence of Mr Kemp and Mr Bonis on this matter and find that there is insufficient evidence available to us from an infrastructure servicing or funding perspective to accept the immediate rezoning of FDA1 and a more responsive DAP process for FDA4 as sought in the amending proposal.

²²⁸ s42A Report, Appendix 3. Mana whenua Assessment. AECL. Hall.

²²⁹ AECL, Kylie Hall, Response to evidence received by TDC on Growth Chapter, 28 July 2025.

²³⁰ Submitter package. Sub 227. Appendix 1 – Draft Infrastructure Report.

²³¹ s42A Report, Appendix 7, 3Waters Infrastructure.

[476] In respect to transport, we note Mr Collins confirmed that the draft Integrated Transport Assessment (prepared by Abley on behalf of Council) for the FDA1, FDA2, FDA4 Structure Plan was not intended to support rezonings of the site. Given this assessment was prepared to support the DAP package, it does not provide a detailed analysis of effects on the existing and future transport networks or staging with necessary infrastructure upgrades.²³² We therefore find that the submitter's reliance on this assessment in support of their amending proposal is misplaced. We do not consider this matter further.

NPS-UD

[477] Mr Heath's evidence was that, under both high and medium growth scenarios, there is sufficient realisable residential development capacity to meet short (3 year) and medium (10 year) demand. He stated that the amending proposal is not required for sufficiency or choice, and if released early would provide unnecessary supply to the market at significant cost to ratepayers / community due to infrastructure requirements (and transfer of infrastructure funding from existing allocated projects).²³³ As previously addressed, Ms Dolan was critical of the Property Economics economic forecasting and evaluation of capacity and demand. Having heard Ms Dolan's evidence, Mr Heath responded to each of Ms Dolan's criticisms and remained of the view that on economic grounds the immediate rezoning for FDA1 and a more responsive DAP process for FDA4 be rejected. We prefer the expert evidence of Mr Heath on this matter, and on this basis, we accept Mr Bonis' opinion that:

- (a) the amending proposal to rezone FDA1 immediately would not give effect to Objective 6 in terms of integrated infrastructure planning and funding decisions, and being strategic over the long term, or Objective 1 and Policy 1 in terms of development contributing to 'well-functioning urban environments';
- (b) given the statements from the Council engineers that funding is not provided in the LTP to provide for servicing requirements for FDA4, any anticipation that FDA4 would be plan-enabled and infrastructure ready in the medium term (10 years) would be misleading; and
- (c) that part of the amending proposal seeking that SCHED15 DAP timing be amended for FDA4 to be less than 10 years would not give effect to the NPS-UD.

CRPS

[478] We accept Mr Bonis' assessment and agree that whilst the amending proposal to rezone FDA1 immediately is 'attached to existing urban areas' the absence of an appropriate suite of Plan mechanisms (and associated funding mechanisms) would not: 'promote a coordinated pattern of development'; ensure the appropriate 'integration with the efficient and

²³³ s42A Report, Appendix 6, Economics

effective provision, maintenance and upgrade of infrastructure', nor ensure the appropriate and efficient servicing by wastewater and stormwater. For these reasons we find the amending proposal does not give effect to CRPS Policies 5.3.1, 3.3.2(3) or 5.3.5.

Proposed Plan

[479] We accept Mr Bonis' assessment and agree that the immediate rezoning of FDA1 and change in sequencing for FDA4 is less appropriate in terms of achieving and implementing SD-O8.2 which seeks to ensure new network infrastructure is integrated and co-ordinated with the nature, timing and sequencing of new development; and UFD-O1.1 and UFD-O1.2 that seeks an integrated and consolidated settlement pattern that efficiently accommodates future growth and capacity, and is integrated (and coordinated with) with (and ensures) the efficient use of infrastructure.

[480] We further note that FDA1 was identified for 'rural residential development' in the GMS 2018 and amended to 'live zoning' for Residential development in the GMS 2022 Review. We agree with Mr Bonis' evidence on this matter where he stated:

I do not consider that reference to 'live zoning' in the GMS2022 review implies that development could proceed in the absence of a DAP being embedded in the district plan. That area associated with FDA4 was identified in the GMS2022 Review as 'Future Urban Zone' but without a timeframe.²³⁴

[481] In respect to the submitter relief sought in (d) above, based on the submitter package received²³⁵, Mr Bonis recommended (relying on the landscape evidence of Ms Pflüger) that it is appropriate to amend the FDA1/FDA4 boundary interface as sought, subject to the provision by the submitter of a plan showing the requested amended spatial extent of FDA4 along with detailed contour information. Based on the plan subsequently provided by the submitter²³⁶, Ms Pflüger confirmed she was satisfied that the boundary amendment is appropriate from a landscape perspective.²³⁷ We agree that this minor amendment is appropriate to ensure that the boundary interface of the FDAs align with the site's landforms and contours. We also find that further internalising Taitarakihi Creek in FDA1 provides for a more cohesive approach to stormwater and flood management.

[482] Overall, having considered the submission, legal submissions, and evidence, we agree with Mr Bonis' recommendation to reject those aspects of the submission seeking a zoning change and advancement of timing. We do not have a sufficient evidential basis to support an immediate change in zoning, or a change in Council sequencing. We find that the FDA framework established in the notified Proposed Plan remains appropriate.

²³⁴ Matt Bonis,s42A Report: Hearing G – Growth. Report on submissions and further submissions 4 June 2025, para 10.1.13.

²³⁵ Davis Ogilvie (Aoraki) Ltd Memorandum, Westgarth and Gibson, Response to Hearing G Preliminary s42A Report, 10 March 2025, submitted in response to Panel Minute 13.

²³⁶ attached to Ms Dolan's evidence,

²³⁷ Yvonne Pflüger, Memorandum, Response to Evidence, 22 July 2025.

8.1.2 Decision

[483] We adopt Mr Bonis' analysis and recommendations. The amendment to the interface boundary between FDA1 and FDA4 is set out on the amended Planning Maps in **Appendix 2**.

[484] In terms of s32AA, we are satisfied that the amendment to the Planning Maps is the most appropriate option for achieving the purpose of the RMA, the relevant provisions of the Plan and for giving effect to other relevant statutory instruments.

8.2 REZONE FOR GROWTH – FDA2 KELLANDS HEIGHTS EAST FUTURE DEVELOPMENT AREA

8.2.1 Assessment

[485] Pages Trust & Russell Trust [203.2], Simstra Family Trust [216.3] and Rolling Ridges Trust [211.2] sought that the DAP timeframe associated with FDA2 be reduced to two years and not be linked to the preparation of the DAP for Kellands Heights West, and that 251, 273, 279 and 295 Pages Road be rezoned to General Residential Zone immediately. Having considered the submission, submission package²³⁸ and evidence, we accept Mr Bonis' assessment and recommendations as set out in the s42A Report²³⁹ to reject the submitters' request noting that the submitters did not pursue this matter further at the hearing.

[486] The further submission of John and Glenys Travers [FS 272] supported these primary submissions and sought an extension to the spatial extent of FDA2 to include additional land parcels to the north of the FDA2 as notified. Mr Bonis advised us that the further submission introduced a jurisdictional scope matter and explained that the outcomes sought in the submission and the evidence provided by Jessica Bould (planner for the further submitter) fell outside the scope of the original submission.²⁴⁰ We heard from Ms Bould, at the hearing who disagreed with Mr Bonis' view and stated that in her view the outcomes sought were in scope. In response to Panel questions, Ms Bould confirmed that her argument was not supported by any legal advice or analysis. She further confirmed in response to questions on the merits of the outcomes sought were preliminary and conceptual in nature. In the absence of any contrary legal analysis, we find that given the original submissions do not seek to spatially extend FDA2 as sought in the evidence of Ms Bould, the outcome sought in the further submission essentially seeks to expand the scope (spatial extent) beyond that raised by the original submission. On this basis we do not accept Ms Bould's evidence and we do not accept Ms Bould's opinion that the relief sought is a 'minor' extension to the FDA2 overlay.²⁴¹ We do not consider an extension of FDA2 to include a further 26.6ha to be a minor extension.

²³⁸ Pages Trust and Russell Trust, Further information package (Gresson Dorman & Co. 20 February 2025) submitted in response to Panel Minute 13.

²³⁹ Matt Bonis, s42A Report: Hearing G – Growth. Report on submissions and further submissions 4 June 2025. Section 10.2.

²⁴⁰ Matt Bonis, s42A Summary Report, 4 July 2025, p4.

²⁴¹ Statement of Evidence, Jessica Bould, 27 June 2025, para 24.

[487] Rolling Ridges Trust [211.3] considered the additional requirement of SCHED15 FDA2 should be deleted. We accept Mr Bonis' recommendation that this request be accepted in part by removing the linking references in SCHED15 as related to FDA2 and consequently FDA10.

8.2.2 Decision

[488] We adopt Mr Bonis' analysis and recommendations. The amendments to SCHED15 are set out in **Appendix 3**.

[489] In terms of s32AA, we are satisfied that the amendment to SCHED15 is the most appropriate option for achieving the purpose of the RMA, the relevant provisions of the Plan and for giving effect to other relevant statutory instruments.

8.3 REZONE FOR GROWTH – FDA4 ELLUGHTON NORTH FUTURE DEVELOPMENT

8.3.1 Assessment

[490] We have earlier addressed the submissions from Rosa Westgarth and Ian Gibson (227.1) where we accepted Mr Bonis' recommendation to amend the interface between FDA1 and FDA4.

[491] The submission from Ryan De Joux [157.2] sought that the Council amend all FDAs on rural zoned land shown as 'beyond 10 years' to '5 to 10 years'. We have considered the submission, submitter package²⁴², and relevant evidence and find that the relief sought is not appropriate given the evidence provided by Mr Heath is clear that sufficient development capacity for housing exists to cater for demand over the next two decades and the evidence of the Council engineers is that funding is not provided in the LTP for servicing requirements for FDA4. On this basis we agree with Mr Bonis that any anticipation that FDA4 would be plan-enabled and infrastructure ready in the medium term (10 years) would be misleading.²⁴³ In reaching this view we note Mr De Joux did not pursue this matter further and we received no further evidence in support of his submission.

8.3.2 Decision

[492] We adopt Mr Bonis' analysis and recommendations. The amendment to the interface boundary between FDA1 and FDA4 is set out on the amended Planning Maps in **Appendix 2**.

[493] In terms of s32AA, we are satisfied that the amendment to the Planning Maps is the most appropriate option for achieving the purpose of the RMA, the relevant provisions of the Plan and for giving effect to other relevant statutory instruments.

²⁴² De Joux Submission - Further information submitted in response to Panel Minute 13.

²⁴³ Matt Bonis, s42A Report: Hearing G – Growth. Report on submissions and further submissions 4 June 2025. Section 10.4.

8.4 REZONE FOR GROWTH – FDA9 GLENITI NORTH FUTURE DEVELOPMENT AREA

8.4.1 Assessment

[494] Holly Renee Singline and RSM Trust Limited [27.11] sought that the DAP timeframe be shortened from 5 years to 2 years given that council commenced the District Plan review over 7 years ago. Having considered the submission, submission package²⁴⁴ and evidence, we accept Mr Bonis' assessment and recommendations as set out in the s42A Report²⁴⁵ to reject the submitter's request, noting that this matter was not pursued further at the hearing and we received no evidence to the contrary.

[495] Anne-Marie Ford and Mostafa Mohamed Ammar [217.1] considered the property at 318 Gleniti Road should be included with FDA9 given the area already has rural residential development present, and there is existing demand for residential properties on the northern edge of Timaru's urban area. Having considered the submission, and in the absence of any evidence being provided by the submitter in support of the amending proposal²⁴⁶, we accept Mr Bonis' assessment and recommendations as set out in the s42A Report²⁴⁷ to reject the submitter's request and note that the submitters did not pursue the amending proposal at the hearing.

8.4.2 Decision

[496] We adopt Mr Bonis' analysis and recommendations on FDA9. No amendments are required.

8.5 REZONE FOR GROWTH – FDA10 KELLANDS HEIGHTS WEST FUTURE DEVELOPMENT AREA

8.5.1 Assessment

[497] The group submission from Ford, Pyke, Andrews Talbot, Wilkins & Proudfoot, Craig, Mackenzie [33.1, 33.5] considered that proposed FDA10 as notified (which includes the southern part of 333, 335, 365, 398, 397 and 403 Pages Road) would not be able to provide sufficient space for the required infrastructure and create a functional rural lifestyle area as only part of their land is within FDA10. The submitter sought to extend the boundaries of FDA10 to include the land at 333, 335, 365, 385, 397 and 403 Pages Road. Having considered the submission, submission package²⁴⁸ and evidence, we accept Mr Bonis' assessment and

²⁴⁴ HR Singline and RSM Trust Ltd, Further information package (MLF February 2025) submitted in response to Panel Minute 13.

²⁴⁵ Matt Bonis, s42A Report: Hearing G – Growth. Report on submissions and further submissions 4 June 2025. Section 10.2.

²⁴⁶ Panel Minute 13 directed that submitters provide supporting information in response to the matters set out in Mr Bonis' preliminary s42A Report by 20 February 2025.

²⁴⁷ Matt Bonis, s42A Report: Hearing G – Growth. Report on submissions and further submissions 4 June 2025. Section 10.2.

²⁴⁸ Pyke, Ford, Andrews, Talbot, Wilkins, Craigs, Mackenzie, Further information package (MFL, February 2025) submitted in response to Panel Minute Provided in response to Panel Minute 13²⁴⁸.

recommendations as set out in the s42A Report²⁴⁹ to reject the submitter's request, noting that the submitters did not pursue this matter further at the hearing.

[498] Gerald Auston Morton and Susan Anne Morton and Woollcombe Trustees 2 Limited [11.1] sought to amend FDA10 by extending it to include 509 and 427 Pages Road. Having considered the submission, submission package²⁵⁰ and evidence, we accept Mr Bonis' assessment and recommendations as set out in the s42A Report²⁵¹ to reject the submitter's request noting that the submitters did not pursue this matter further at the hearing.

[499] We further accept Mr Bonis' recommendation to reject the submission of Lucinda Robertson [65.1] for the reasons set out in the s42A Report.

8.5.2 Decision

[500] We adopt Mr Bonis' analysis and recommendations on FDA10. No amendments to the provisions are required.

8.6 REZONE FOR GROWTH – FDA13²⁵² SEADOWN ROAD FUTURE DEVELOPMENT AREA

8.6.1 Assessment

[501] The submission from Ryan De Joux [157.2] sought that the FDA13 timeframe identified in SCH15 be amended from 10 years to 5 – 10 years. White Water Properties LTD [248.1] sought that all land within FDA13 should be rezoned to GIZ on the basis that the land is ideally situated for industrial development. The submitter also considered that rezoning the land to GIZ would better align with relevant planning documents. As noted by Mr Bonis²⁵³, submission packages were received from White Water Properties Ltd²⁵⁴ and De Joux²⁵⁵, however, the information received did not provide information or analysis in relation to the provision of integrated infrastructure, or an assessment as to sufficient development capacity for industrial land.

[502] The Rooney Group made a further submission in support of both the White Water Properties Limited²⁵⁶ and Mr De Joux' submissions. We heard from Mr Hole at the hearing who explained that the focus of his evidence for these submitters was on explaining the

²⁴⁹ Matt Bonis, s42A Report: Hearing G – Growth. Report on submissions and further submissions. June 2025. Section 10.

²⁵⁰ Gerald Morton, Further information package (MFL, February 2025) submitted in response to Panel Minute Provided in response to Panel Minute 13.

²⁵¹ Matt Bonis, s42A Report: Hearing G – Growth. Report on submissions and further submissions. June 2025. Section 10.

²⁵² Now renumbered FDA12 in the Decision Version of the provisions

²⁵³ Matt Bonis, s42A Report: Hearing G – Growth. Report on submissions and further submissions. June 2025. Section 10.13.

²⁵⁴ White Water Properties Ltd submission – further information submitted in response to Panel Minute 13.

²⁵⁵ De Joux Submission - Further information submitted in response to Panel Minute 13.

²⁵⁶ Hr Hole explained in his Statement of Evidence for the Rooney Group that Rooney Holdings Limited is now the owner of the land within FDA13 previously owned by WPL.

background to acquiring the land within FDAs 13 and 14, and the need to provide for additional development capacity within both FDAs (industrial expansion within FDA13 and residential expansion for FDA14).²⁵⁷ Of the issues identified in the s42A Report, we address below only those where there was uncertainty regarding information or a dispute between the submitter's representative and the Council's s42A Report authors.

Infrastructure

[503] Mr Hole did not provide any technical evidence in support of the Rooney Group's²⁵⁸ further submission; however, he did set out his understanding of available infrastructure servicing capacity relevant to the existing industrial zoned land in the area, including the presence of existing reticulated sewer, wastewater main, water main, internal water reticulation, and matters relating to the discharge of stormwater. He acknowledged that no discussions had occurred between Rooney Group Limited (RGL) and Council about further servicing of the existing industrial zoned land owned by Rooney Holdings Limited (RHL) or the potential extension of reticulated services into FDA13.

[504] Mr Kemp commented that the Growth Capacity modelling previously completed by Council identifies that FDA13 (and FDA14) could be serviced through existing water and sewer networks (in terms of capacity), while the Washdyke industrial expansion zone growth would trigger sewer network upgrades.²⁵⁹ However, he further noted that the serviceability of the sites is based on several assumptions and that considerable detailed modelling would be required to address many of these assumptions to identify how the areas would be serviced and the extent of downstream sewer network upgrades that would be triggered.

[505] We accept Mr Kemp's advice and agree that the lack of a structure plan/DAP for the sites creates uncertainty in how they will be serviced.

NPS-HPL

[506] As set out in Mr Bonis' s42A Report, the amending proposal seeking immediate rezoning (through the submission of Whitewater [248.1]) does not meet the conjunctive criteria contained in cl3.6(4), with the associated directive on the Council to not allow the urban rezoning. We agree with Mr Bonis' assessment and conclusion that the rezoning would not give effect to the Objective and Policies 4 and 5 of the NPS-HPL. The submission from De Joux [157.2] sought a change in the sequencing for DAP preparation and not an immediate rezoning and would not engage with Policy 5.

²⁵⁷ Nathan Hole, Statement of Evidence, 27 June 2025.

²⁵⁸ Rooney Holdings [174], Rooney, GJH [191], Rooney Group [249], Rooney Farms [250], Rooney Earthmoving [251], TDL [252].

²⁵⁹ Kevin Kemp, Memo in response to Minute 42, 22 July 2025.

NPS-UD

[507] The evidence of Mr Heath was that there is sufficient capacity and variability present within the Timaru business market to provide for industrial demand to beyond the medium (10 year) term; and that the Council engineers have identified that infrastructure necessary to service the area is not funded in the LTP (nor advanced in either analysis or funding in the submitter package) and would impact on the overall management of Council's network now and into the future. Relying on Mr Heath's evidence, Mr Bonis concluded that the amending proposal does not give effect to Objective 6 in relation to integrated infrastructure and funding decisions and is not strategic in terms of medium and long term local authority decisions. We agree.

CRPS

[508] For the reasons set out in Mr Bonis' s42A Report, we accept his evidence where he concludes that the amending proposals do not give effect to the CRPS. In summary, we agree the proposals:

- (a) Would not result in efficient and effective provision, maintenance or upgrade of infrastructure (Policy 5.3.2(3)(a);
- (b) Would not provide for sustainable and efficient transport movement (Policy 5.3.2(3)(b);
- (c) In the absence of appropriate network infrastructure and identified funding, would not give effect to the requirements of Policy 5.3.5.

Proposed Plan

[509] On the evidence, we find the amending proposals would be less appropriate in terms of achieving and implementing UFD-O1 and SD-O8.2 and EL-O1.4.

FDA-P5

[510] At the hearing, Mr Hole presented compelling evidence that suggested the projected capacity of industrial zoned or identified FDAs may not be located or sequenced appropriately to meet the operational and locational needs of particular industries in the District. He stated that it is important for maintaining development opportunities for the District, and for business continuity that RHL is able to extend into FDA13 as the market allows.²⁶⁰ In his view:

The ability to be nimble is incredibly important to making business decisions, and of importance to clients to be able to deliver a product quickly once a decision to proceed has been made. It is simply not reasonable or feasible for RHL to source additional industrial land at alternative locations, when the company already owns suitable land. The location of this land and the benefits

²⁶⁰ Mr Hole explained in his Statement of Evidence for the Rooney Group that Rooney Holdings Limited is now the owner of the land within FDA13 previously owned by WPL.

that flow from that location are part of reason tenants seek out Rooney Group for their development needs.²⁶¹

[511] Following the hearing, we asked Mr Bonis to advise us on whether there is an additional, or more specific policy setting, that could provide for the zoning of additional industrial land where it is demonstrated to be necessary in order to meet the operational and locational needs of particular types or scale of industrial activities but that is otherwise out of sequence with anticipated and future capacity. In his response²⁶², Mr Bonis agreed there would be benefit from explicit recognition of 'operational and functional needs' in the policy framework. However he recommended a cautious approach when considering this matter given Mr Heath's evidence²⁶³ that the operational and locational constraints identified by Mr Hole are not 'so significant that they could not be accommodated on other available vacant sites' and also considering the relief sought by Mr Hole who sought a general zone without a specific or defined development plan, tenant or operation.

[512] Mr Bonis noted that the reference to 'well-functioning urban environments' (as recommended to be defined in the Plan to reference the NPS-UD in FDA-O3 and FDA-P5.2) provides linkage to consideration of Policy 1(b) in the NPS-UD, as well as explicit reference to 'location and site size' in FDA-P5.2(b), and in addition 'limiting adverse effects on the competitive operation of land and development markets' in FDA-P5.2(c). In his view, these provisions generally include the considerations raised in the evidence of Mr Hole, specifically in relation to meeting market demand for larger industrial lot sizes and locational choice. He explained that where there is demonstrable evidence that a rezoning proposal provides (a) significant development capacity; and (b) contributes to a variety of sites for different business users including location and site size (in the District) and supports competitive markets, the matters expressed in Policy FDA-P5.2(b) and (c) provide a 'release valve' for out-of-sequence or outside of FDA Overlay areas to be rezoned to accommodate further business development.

[513] Notwithstanding this, Mr Bonis considered that additional specificity could be beneficial in a consideration of 'operational and functional need' in providing an appropriate policy lever within the proposed FDA objective and policy settings for consideration of out of sequence or non-FDA urban development. He concluded that there is merit in providing such a specific policy lever to provide greater certainty in support of rezoning for unique industrial opportunities in the district that might have otherwise lacked policy support. On this basis he recommended that the terms 'operational and functional need' to be included in FDA-P5 as providing more certainty around the merit-based circumstances of unique industrial development as advanced by Mr Hole and provided a drafting option and an associated s32AA for our consideration.

²⁶¹ Nathan Hole, Statement of Evidence, 27 June 2025, para 18.

²⁶² Matt Bonis, Hearing G - Reply: Growth, 25 August 2025.

²⁶³ Memo, Tim Heath, Response to Minute 42, 25 July 2025

[514] We have carefully considered the evidence and find that the intent of the amendment is appropriate and would provide more certainty to the submitter by providing a clearer policy pathway that would support merit based circumstances for future rezoning proposals. We have adjusted the recommended amendment slightly to assist clarity.

s32AA

[515] As addressed previously, we have accepted Mr Bonis' analysis and adopt it in support of an amendment to the policy as recommended in his Reply. We consider the intent of the change to appropriately support economic growth and employment opportunities, by providing an additional release valve for further development, yet it is still appropriately tempered with the other elements of the policy.

8.6.2 Decision

[516] We adopt Mr Bonis' analysis and recommendations and the amendment to FDA-P5 is set out in **Appendix 3**. FDA13²⁶⁴ is retained as notified.

[517] In terms of s32AA, we are satisfied that the amendment to FDA-P5 is the most appropriate option for achieving the purpose of the RMA, the relevant provisions of the Plan and for giving effect to other relevant statutory instruments.

8.7 REZONE FOR GROWTH – FDA14 KENNELS ROAD FUTURE DEVELOPMENT AREA

8.7.1 Assessment

[518] Ryan De Joux [157.2] sought that the FDA14 timeframe identified in SCHED15 be amended from 10 years to 5 – 10 years.

[519] Phar Lap Raceway Trustees [279.2FS] opposed the submission on the basis that the legal status of the racecourse as a reserve vested in the Trustees can only be changed via the provisions of the Reserves Act or by special legislation. We heard from Mary Gazzard, a representative for the Phar Lap Raceway Trustees. She made a presentation on the Reserves Act and its status in respect to the Racecourse, and shared extracts from various communications/reports with the Department of Conservation and TDC staff relating to the site and the legalities of changing the reserve status. In response to our questions, Mr Bonis agreed with Ms Gazzard's understanding of the reserve status and confirmed that the land is owned by DOC, with the process to transfer this land subject to Crown Land sale/offer process.

[520] Waka Kotahi [143.198] opposed FDA14 for the reason that it does not integrate with the existing urban area and therefore is not likely to achieve a reduction in VKTs. Additionally, the submitter noted the area is adjacent high-speed environments and was concerned that objectives of the NPS-UD and provisions of the CPRS are unlikely to be achieved. The

²⁶⁴ Now renumbered FDA12 in the Decision Version of the provisions.

submitter sought the deletion of FDA14 in its entirety. Phar Lap Raceway Trustees [279.1FS] supported this submission.

[521] The Rooney Group made a further submission in support of the De Joux primary submission on the basis that there is a need to provide for additional development capacity within FDA14 for residential expansion. As noted by Mr Bonis²⁶⁵, a submission package was received from De Joux²⁶⁶, however, the information received did not provide information or analysis in relation to the provision of integrated infrastructure, or an assessment as to sufficient development capacity for industrial land. Of the issues identified in the s42A Report, we address below only those where there was uncertainty regarding information or a dispute between the submitter's representative and the Council's s42A Report authors.

Landscape

[522] Ms Pflüger's evidence was that given proposed FDA14 would be disconnected from the existing township, including public facilities/services, transport and amenities, it does not appear to be particularly suitable for residential development. We agree, noting we received no contrary landscape evidence.

Infrastructure

[523] Mr Kemp identified that the subject site is not connected or able to be efficiently connected to existing network services given the separation from the existing Timaru township. Further, his evidence was that there is no funding in the LTP for service provision and, compared to other existing FDAs which are more proximate to urban areas, providing a more reactive DAP process for this site in the absence of demand would not achieve the urban growth objectives of the Proposed Plan.

[524] Mr Hole, in support of the further submission of Rooney Group, challenged the accuracy of the cost estimate figures relied on by Mr Kemp and explained that the estimates originate from a high-level desktop analysis and represent a combined estimate for the servicing of FDA13 and FDA14. He commented that TDL has always been open to working with Council as to how the servicing would be funded and that the financial impediment reported by Mr Kemp is overstated. He considered there is clear opportunity for funding to be included in the next Long Term Plan review.²⁶⁷

[525] Mr Kemp acknowledged that the high-level cost estimate of \$13-14M is a combined estimate for the servicing of FDA13 and 14. However, he emphasised that the serviceability of the sites is based on several assumptions. Considerable detailed modelling would be required to address many of these assumptions to identify how the areas would be serviced and the extent of downstream sewer network upgrades that would be triggered. He stated

²⁶⁵ Matt Bonis, s42A Report: Hearing G – Growth. Report on submissions and further submissions. June 2025. Section 10.14.

²⁶⁶ De Joux Submission - Further information submitted in response to Panel Minute 13.

²⁶⁷ Nathan Hole, Statement of Evidence, 27 June 2025, paras 25-38.

that the lack of structure plan/DAP for the sites creates uncertainty in how they will be serviced and that it is difficult to provide any more accurate costing than previously mentioned. He maintained the position that the amending proposal be rejected.

[526] In the absence of any contrary technical evidence, we accept Mr Kemp's advice and agree that the lack of a structure plan/DAP for the site creates uncertainty in how they will be serviced.

Transport

[527] As summarised in Mr Bonis' s42A Report, the proposal is not supported by any transport assessment within the submission package. Mr Collins' evidence is that an appropriate assessment in support of the amending proposal would need to include:

- (a) an Integrated Transport Assessment;
- (b) consideration of the ability of the surrounding transport network (including SH1 and SH8) to effectively, efficiently and safely convey associated transport movements; and
- (c) an assessment against the relevant transport provisions in the Proposed Plan.

[528] We received no technical evidence in support of the relief sought.

Cultural Values

[529] The mana whenua assessment²⁶⁸ identified that the Washdyke area is culturally significant to Kāti Huirapa due to the proximity to Waitarakao / Washdyke Lagoon. Mana whenua considered that any development of FDA14 should be designed and serviced so as not to degrade or contribute to the decline of the Waitarakao / Washdyke Lagoon. In the absence of any relevant technical evidence, it is unclear to us how the cultural values identified would be recognised and managed appropriately.

NPS-UD

[530] Mr Heath's evidence was that given the subject area is neither adjoining nor immediately proximate to the Timaru urban area the proposal will likely result in disproportionate infrastructure costs to provide for network services to facilitate residential development and overall yield. He considered that whilst the submission sought a more responsive DAP process, it is likely that any resulting rezoning would not represent an efficiently integrated urban rezoning, nor result in coordinated development patterns. The site is inefficiently located relative to other capacity and growth area opportunities.

²⁶⁸ s42A Report, Appendix 3. Mana whenua Assessment. AECL. Hall.

[531] Given the evidence of Mr Heath and Mr Kemp as to the inability to efficiently integrate a more responsive timeframe with FDA14, we agree with Mr Bonis' assessment and find that the amending proposal would not give effect to Objective 1, Policy 1, Policy 2, Objective 6, Objective 8 or Policy 1(e) of the NPS-UD.

CRPS

[532] Mr Bonis' evidence was that the subject site is separated from the existing urban area and would not 'promote a coordinated pattern of development'.²⁶⁹ The subject site is not considered to be 'attached to the urban area' and would not 'concentrate' development patterns. He considered that a more responsive development of FDA14 does not provide a necessary contribution to encouraging 'housing choice' for the purpose of Policy 5.3.1(2) given the evidence of Mr Heath as to existing capacity and the extent of FDAs that are sequenced in advance to FDA14. The amending proposal would not result in integration with the efficient and effective provision, maintenance or upgrade of infrastructure (as required by Policy 5.3.2(3)(a)) or provide for sustainable and efficient transport movements (Policy 5.3.2(3)(b)). We accept this evidence, and we were not persuaded otherwise at the hearing.

Proposed Plan

[533] We accept Mr Bonis' evidence where he stated that the amending proposal would be less appropriate in terms of achieving and implementing UFD-O1 which seeks 'a consolidated and integrated settlement pattern that (1) efficiently accommodates future growth... and (2) is integrated with the efficient use of infrastructure', and SD-O8.2 which seeks that 'the provision of new network infrastructure is integrated and co-ordinated with the nature, timing and sequencing of new development'.²⁷⁰

s32AA

[534] For the reasons set out in Mr Bonis' s42A Report, we agree that the submission from Ryan De Joux be rejected and the submissions seeking removal of FDA14 be accepted. Having carefully considered the available evidence, we find that FDA14 in its entirety, does not give effect to the NPS-UD, nor the NPS-HPL. In addition, FDA14 is not considered to give effect to the CRPS or be the more appropriate option in terms of achieving and implementing the policies and objectives of the Proposed Plan. We accept Mr Bonis' analysis under s32 that there is little risk should FDA14 be removed from the Planning Maps and SCHED15.

8.7.2 Decision

[535] We adopt Mr Bonis' analysis and recommendations to delete FDA14. The amendments to SCHED15 and the Planning Maps are set out in **Appendices 2 and 3**.

[536] In terms of s32AA, we adopt Mr Bonis' evaluation in support of the changes made.

²⁶⁹ Matt Bonis, s42A Report, 4 June 2025, para 10.14.18

²⁷⁰ Matt Bonis, s42A Report, 4 June 2025, para 10.14.18

8.8 REZONE FOR GROWTH – FDA12²⁷¹ SIR BASIL ARTHUR PARK FUTURE DEVELOPMENT AREA

8.8.1 Assessment

[537] We accept Mr Bonis' recommendation²⁷² to accept the submission of Alpine Energy Limited [55.20] which supported clear direction for future industrial development in the Washdyke area and noting no submissions in opposition were received.

8.8.2 Decision

[538] We adopt Mr Bonis' analysis and recommendations. No amendments to the provisions are required.

8.9 GJH ROONEY [191.66, 191.67], ET AL – SALTWATER CREEK, KING STREET

8.9.1 Assessment

[539] The Rooney Group of submitters²⁷³ originally sought that Lot 4 DP 301476 and Pt Lot 2 DP 17808 be identified as an additional FDA as either a partial extension of the General Industrial Zone and/or General Residential Zone. A submitter package²⁷⁴ was not received, and Mr Bonis stated in his s42A Report that Council officers had been advised by the submitter group it no longer pursued the requested rezoning.

[540] Having considered the submission and evidence we accept Mr Bonis' assessment and recommendations as set out in the s42A Report²⁷⁵ to reject the submitters' request noting that the submitters did not pursue this matter further.

8.9.2 Decision

[541] We adopt Mr Bonis' analysis and recommendations. No amendments are required.

8.10 SIMMONS TRUSTEE COMPANY LTD [207.1 AND 207.2] – GLENITI ROAD, TIMARU

8.10.1 Assessment

[542] Simmons Trustee Company Limited [207.2] considered that properties located at the northern urban boundary of Timaru's urban area, particularly around Gleniti Road and Hadlow

²⁷¹ Now renumbered FDA11 in the Decision Version of the provisions.

²⁷² Matt Bonis, s42A Report: Hearing G – Growth. Report on submissions and further submissions. June 2025. Section 10.12

²⁷³ GJH Rooney [191.66, 191.67], Rooney Earthmoving Limited [251.66, 251.67], Rooney Farms Limited [250.66, 250.67], Rooney Group Limited [249.66, 249.67], Rooney Holdings Limited [174.66, 174.67], and TDL [252.66, 252.67]

²⁷⁴ Panel Minute 13 directed that submitters provide supporting information in response to the matters set out in Mr Bonis' preliminary s42A Report by 20 February 2025.

²⁷⁵ Matt Bonis, s42A Report: Hearing G – Growth. Report on submissions and further submissions. June 2025. Section 11.2

in Timaru are rural residential in nature, which makes them suitable for residential development. The submitter noted these properties are consistent in character with properties along Pages Road, which are included in the Future Development Areas FDA2, FDA9, and FDA10. A submitter package²⁷⁶ was not received, and Mr Bonis' recommendation based on the available evidence that the submission be rejected. We agree that this is appropriate for the reasons set out in the s42A Report.²⁷⁷

8.10.2 Decision

[543] We adopt Mr Bonis' analysis and recommendations. No amendments are required.

8.11 RYAN DE JOUX [157.1] – SH8, PAPAKHA STREAM, WASHDYKE

8.11.1 Assessment

[544] Ryan De Joux [157.1] submitted that there is an inadequate amount of additional readily available residential zoned land near Washdyke and sought that the land on the true right of Papakha Stream (within records of title CB22F/884 and CB22F/885 owned by the Timaru District Council) be rezoned from Sports and Active Recreation Zone to General Residential Zone. If this was not supported, then he promoted a fallback position that this area of land becomes an FDA for residential development as a priority area for a Development Area Plan within two years.

[545] Having considered the submission, and in the absence of any evidence being provided by the submitter in support of the amending proposal²⁷⁸, we accept Mr Bonis' assessment and recommendations as set out in the s42A Report²⁷⁹ to reject the submitter's request and note that the submitter did not pursue the amending proposal at the hearing.

8.11.2 Decision

[546] We adopt Mr Bonis' analysis and recommendations. No amendments are required.

8.12 TERENCE JOHN O'NEILL, AILEEN KATHRYN O'NEILL, C AND F TRUSTEES 2006 LTD [20.1] – COONOOR ROAD, TIMARU

8.12.1 Assessment

[547] Terrence John O'Neill, Aileen Kathryn O'Neill, C and F Trustees 2006 Ltd [20.1] sought to rezone Lots 1 - 3 DP 579256 at Coonoor Road from General Rural Zone to General

²⁷⁶ Panel Minute 13 directed that submitters provide supporting information in response to the matters set out in Mr Bonis' preliminary s42A Report by 20 February 2025.

²⁷⁷ Matt Bonis, s42A Report: Hearing G – Growth. Report on submissions and further submissions. June 2025. Section 12.2

²⁷⁸ Panel Minute 13 directed that submitters provide supporting information in response to the matters set out in Mr Bonis' preliminary s42A Report by 20 February 2025.

²⁷⁹ Matt Bonis, s42A Report: Hearing G – Growth. Report on submissions and further submissions 4 June 2025. Section 12.4

Residential Zone. Having considered the submission, submission package²⁸⁰ and evidence, we accept Mr Bonis' assessment and recommendations as set out in the s42A Report²⁸¹ to reject the submitters' request noting that the submitters did not pursue this matter further at the hearing.

8.12.2 Decision

[548] We adopt Mr Bonis' analysis and recommendations. No amendments are required.

8.13 NORTH MEADOWS [190.1, 190.2, 190.3] – MEADOWS ROAD, WASHDYKE

8.13.1 Assessment

[549] North Meadows 2021 Limited and Thompson Engineering (2002) Limited [190.1] did not support the site at 236 Meadows Road being zoned as General Rural and considered that General Industrial would better reflect the existing land use consents and wastewater treatment ponds on other adjoining sites. The submitter sought to:

- (a) rezone 236 Meadows Road as General Industrial;
- (b) extend the Height Specific Control Area from Aorangi Road to the northern boundary of 236 Meadows Road including the neighbouring land to the south [190.3] to enable built form on the site to a permitted height of 35m, rather than the standard 15m height imposed on the remainder of the GIZ; and
- (c) extend the Timaru Urban Area from Aorangi Road to the northern boundary of 236 Meadows Road, including the neighbouring land to the south [190.2].

[550] Having considered the submitter package received²⁸², Mr Bonis recommended accepting in part the submission as it relates to the 14ha either developed or consented for industrial activities and recommended that the 'Urban Area' be extended to encompass the amended GIZ zoned area. We are satisfied that the recommended change to the mapping in response to this matter is appropriate.

[551] However, he recommended rejecting the balance of the amending proposal on the basis that it would not give effect to the NPS-HPL and would result in an oversupply of GIZ land that would not support a co-ordinated settlement pattern or be efficiently integrated with supporting infrastructure.²⁸³ He also recommended rejecting the relief sought to apply the Height Specific Control Area to the extended GIZ.

²⁸⁰ DJ O'Neill and O'Neill Trustees 2023 Ltd, Further information package (MFL, June 2025) submitted in response to Panel Minute Provided in response to Panel Minute 13.

²⁸¹ Matt Bonis, s42A Report: Hearing G – Growth. Report on submissions and further submissions. June 2025. Section 10.

²⁸² Davis Ogilve (Aoraki) Ltd Memorandum Thompson (North Meadows 2021 Ltd), 20 February 2025/

²⁸³ Matt Bonis, s42A Report: Hearing G – Growth. Report on submissions and further submissions. June 2025. Section 12.8.

[552] We heard from Sonia Dolan (planner), Glen McLauchlan (surveyor) and Jayson Bray (submitter) at the hearing who presented alternative relief for a FUZ. As detailed previously, given the submitter no longer pursues the FUZ alternative, we have not considered the alternative relief sought further.

[553] Returning to the primary relief sought, the submitter provided a package of information in response to the Preliminary s42A Report²⁸⁴. Of the issues identified we address below only those where there was uncertainty regarding information or a dispute between the submitter's advisors and the Council's s42A Report authors.

Infrastructure

[554] In terms of the balance of the amended proposal, Mr Kemp's evidence was that there is no evidence in the submitter package to demonstrate how the additional area (19.7ha) would be serviced, and able to be facilitated by the existing network. He concluded overall that no evidence had been supplied to confirm how the additional 19ha (excluding the WWTP designation land) will be serviced and whether the consented network extension will be able to facilitate wastewater disposal and water supply for the additional area. We were not persuaded otherwise.

Transport

[555] Mr Collins concluded that the amending proposal would result in 'Large Scale Effects' and considered there was an absence of sufficient analysis to assess and consider alignment with Proposed Plan objectives and policies, the effect on the safe and efficient operation of the transport network; and the provision of appropriate transport infrastructure to support the proposal. We received no evidence to the contrary.

NPS-UD

[556] Mr Heath's evidence was that the balance area of the relief sought is not required for sufficiency or choice and if released early would inject unnecessary supply to the market with associated community infrastructure costs.²⁸⁵

[557] We heard from Mr McLauchlan who pointed out that Mr Heath's vacant land assessment included sites such as the land surrounding the McCain's factory, which he considered unavailable to the market as it is currently held for future expansion. Mr Heath in response stated that the inclusion of land held for future business growth is appropriate when projecting industrial land demand, as the continued operation and expansion of existing businesses form a key component of future needs. He continued by stating:

Moreover, the current market status of a site does not warrant its exclusion from the land supply. Landowner intentions are not static, as what may be withheld

²⁸⁴ Submitter 227 – Westgarth and Gibson - Response to Hearing G Preliminary s42A Report, 10 March 2025.

²⁸⁵ Tim Heath, s42A: Appendix 6 Economics 29 May 2025.

from the market today could become available tomorrow. This is especially relevant when planning over a 10 to 30-year horizon, during which time ownership, strategic priorities, or market conditions can change significantly. Excluding such sites based on current owner preferences underestimates the true capacity of the land supply and compromise the robustness of long-term planning.²⁸⁶

[558] Relying on Mr Heath's evidence, Mr Bonis concluded that the balance area (19.7ha):

- (a) does not give effect to Objective 6 in relation to integrated infrastructure and funding decisions and is not strategic in terms of medium and long term local authority decisions; and
- (b) is not required to provide a meaningful contribution in terms of achieving a 'well-functioning urban environment' for the purpose of Objective 1 and Policy 1.

[559] For completeness, we have previously addressed Ms Dolan's criticism of Mr Heath's evidence, and we record here that we also prefer the expert evidence of Mr Heath in this case on those matters for similar reasons.

NPS-HPL

[560] Based on the evidence of Mr Heath, Mr Bonis concluded that cl3.6(4)(a) and (b) are not achieved, and that urban rezoning of this area would not achieve cl3.6, and would not give effect to Objective 1, Policy 4 and Policy 5.

[561] As set out in Section 2 of this Decision, in December 2025 the Government released ten new or amended pieces of national direction, including the NPS-HLP Amendment 2025. In his response to Minute 50, Mr Bonis confirmed for us that his s42 recommendations remain unchanged. He stated that the requested rezoning would not engage with the NPS-HPL as amended. We were not persuaded otherwise.

CRPS

[562] We agree with Mr Bonis' conclusions that in the absence of supporting technical information assessing infrastructure servicing, and on reliance of the evidence of Mr Heath, there is a tension with those provisions of the CRPS that seek a 'coordinated pattern of development' (Policy 5.3.1(1)) and 'development that integrates with the efficient and effective provision, maintenance or upgrade of infrastructure and transport networks' (Policy 5.3.2(3), Policy 5.3.5).

²⁸⁶ Tim Heath, Memorandum in response to evidence, 25 July 2025.

Proposed Plan

[563] Given our findings above, we find there is insufficient evidence to consider whether the balance area would be appropriately and efficiently integrated with supporting infrastructure, and in accepting the evidence of Mr Heath, we find that the resultant oversupply of zoned business land would not foster co-ordinated and integrated settlement patterns (as considered district wide). We accept Mr Bonis' conclusion that the balance area of the amending proposal would not be the more appropriate option in achieving the objectives and policies of the Proposed Plan.²⁸⁷

FDA-P5

[564] Mr McLauchlan and Mr Bray presented evidence that suggested the projected capacity of industrial zoned or identified FDAs may not be located or sequenced appropriately to meet the operational and locational needs of particular industries in the District. Given our previous findings relating to FDA13 Seadown Road, we consider there is merit in providing a specific policy lever to provide greater certainty in support of rezoning for unique industrial opportunities in the District that might have otherwise lacked policy support. We have previously accepted Mr Bonis' recommended amendment to FDA-P5 subject to a minor amendment.

8.13.2 Decision

[565] We adopt Mr Bonis' analysis and recommendations to rezone the 14ha portion of Meadows Road either developed or consented for industrial activities from GRUZ to GIZ, and extend the 'Urban Area' Overlay to encompass the amended GIZ zoned area. The amendment to FDA-P5 is set out in **Appendix 3** and the mapping change is set out in **Appendix 2**.

[566] In terms of s32AA, we adopt Mr Bonis' evaluation in support of the changes made.

8.14 C & S MCKNIGHT [30.1] – LANDSBOROUGH ROAD, TIMARU

8.14.1 Assessment

[567] Chris and Sharon McKnight [30] sought the rezoning of their land at 60 Landsborough Road, Timaru, to enable Rural Lifestyle development on the site in accordance with the RLZ in the Proposed Plan. The amending proposal originally sought to extend the notified Specific Control Area Overlay (Brookfield Road), and RLZ over the additional areas legally described as Lots 5 and 6 DP502319 (representing a combined land area of 26.7ha) with parts of the site adjoining Ōtipua Creek being rezoned as OSZ.

²⁸⁷ Matt Bonis, s42A Report, June 2025, para 12.8.28

[568] Although Mr Bonis' initial assessment and recommendation²⁸⁸ was to reject the amending proposal, he stated that in his view the relief sought was finely balanced subject to further evidence from the submitter. Pre-circulated submitter evidence confirmed the following:

- (a) a narrowing of the relief sought to an extension of 2.6ha of GRUZ land to RLZ and extension of the Brookfield Road SCA over the rezoned land;²⁸⁹
- (b) the balance area (7.56ha) to be retained as GRUZ rather than rezoned OSZ;²⁹⁰
- (c) confirmation that servicing, including reticulated water supply and wastewater disposal, could be efficiently integrated into the rezoned RLZ, enabling a maximum of five (5) additional allotments to the existing 30 allotments within the Brookfield Road SCA RLZ;²⁹¹
- (d) that mitigation through clustered tree plantings would appropriately soften and integrate the structures into the landscape to an acceptable level;²⁹²
- (e) that under clauses 3.7 and 3.10 of the NPS-HPL there is a pathway through which the rezoning can be approved by the Panel;²⁹³ and
- (f) that the narrowing of the scope of the rezoning, coupled with the provision of appropriate water and wastewater reticulation, as well as controls provided by Erosion and Sediment Control Plans (ESCP) and accidental discovery protocols, stormwater attenuation tank requirements, and construction phase and operational stormwater management, appropriately manages cultural values within the context of the proposed rezoning.²⁹⁴

[569] Given the evidence received, Mr Bonis recommended that the amending proposal be accepted subject to "further consideration as to plan mechanism(s) to provide certainty to secure the mitigation recommended by Mr Greenshields and agreed by Ms Pfluger relating to visual effects on the skyline from public viewpoints".²⁹⁵ Ms O'Brien, legal counsel for the submitter, in response to Mr Bonis' recommendation, informed us at the hearing that Mr Ross and Mr Greenshields had developed an additional SCA standard to secure the mitigation recommended by Mr Greenshields in consultation with Mr Bonis and Ms Pflüger.

[570] Following the hearing we directed²⁹⁶ expert witness conferencing between Mr Ross and Mr Greenshields (for the submitter) and Mr Bonis and Ms Pflüger (for the Council) on the

²⁸⁸ Matt Bonis, s42A Report: Hearing G – Growth. Report on submissions and further submissions. June 2025. Section 13.3

²⁸⁹ Andrew Ross, Statement of Evidence, 27 June 2025, paras 4.2-4.4.

²⁹⁰ Andrew Ross, Statement of Evidence, 27 June 2025, paras 4.4.

²⁹¹ Andrew Rabbidge, Statement of Evidence, 27 June 2025, paras 6.1-6.2.

²⁹² Chris Greenshields, Statement of Evidence, 27 June 2025, paras 7.8-7.10.

²⁹³ Ian Millner, Statement of Evidence, 27 June 2025, paras 6.4, 8.1.

²⁹⁴ Andrew Rabbidge, Statement of Evidence, 27 June 2025, paras 9.7-9.11.

²⁹⁵ Matt Bonis, s42A Summary Statement: Hearing G – Growth. 4 July 2025.

²⁹⁶ Panel Minute 42, 18 July 2025.

additional SCA standard promoted by Ms O'Brien. We also requested that Ms Hall provide a response to the matters raised by the submitter and the evidence provided at the hearing in terms of her cultural assessment.²⁹⁷

[571] We received a JWS²⁹⁸ which set out the matters agreed, as summarised below:

- (a) there are several existing Proposed Plan provisions which manage landscape and visual amenity effects arising from the amending proposal;
- (b) the proposed landscape mitigation recommends the planting of clusters of trees within 10m of the eastern boundary that can meet a set of planting requirements;
- (c) the introduction of a bespoke rule SUB-S9 will manage any landscape effects as a restricted activity pursuant to SUB-R3;
- (d) non-compliance with SUB-S9 will trigger a restricted discretionary activity status. A limited number of matters of discretion enable consideration of landscape and planting mitigation of (District Plan anticipated) built form as viewed from public places;
- (e) the bespoke rule SUB-S9 provides certainty at the time of subdivision; and
- (f) cultural matters have been appropriately managed or reduced through the narrowed extent of the amending proposal, and the extent of separation and controls associated with the Ōtipua Stream corridor.²⁹⁹

[572] In his Reply³⁰⁰, Mr Bonis confirmed that all matters are now resolved.

[573] For completeness, as set out in Section 2 of this Decision, in December 2025 the Government released ten new or amended pieces of national direction, including the NPS-HLP Amendment 2025. In his response to Minute 50, Mr Bonis confirmed for us that his s42A recommendations remain unchanged. The amended NPS-HPL cl3.6(6) is not applicable, as the RLZ sought is not an 'urban zoning'. The requirements of cl3.10 remain unaltered.

[574] Having considered the matters agreed to as set out in the JWS, along with the s32AA evaluation provided, we are satisfied that the proposed bespoke rule SUB-S9 is both efficient and effective and represents a robust solution for securing an appropriate level of landscape mitigation. We note and accept the consequential changes to SUB-R3 as being appropriate.

8.14.2 Decision

[575] We adopt Mr Bonis' analysis and recommendations on 60 Landsborough Road. We rezone 2.6ha of GRUZ land to RLZ and extend the Brookfield Road SCA over the rezoned

²⁹⁷ Kylie Hall, Memorandum - Aoraki Environmental Consultancy, 31 March 2025.

²⁹⁸ Joint Witness Statement, Planning and Landscape, 23 July 2025.

²⁹⁹ Kylie Hall, Aoraki Environmental Consultancy, Mana Whenua and Kāti Huirapa Addendum to JWS, 24 July 2025.

³⁰⁰ Matt Bonis, Hearing G – Reply: Growth, 25 August 2025

land. We also amend SUB-S9 and SUB-R3. The amendments to the Planning Maps are set out in **Appendix 2** and amendments to provisions are set out in **Appendix 3**.

[576] In terms of s32AA, we are satisfied that the amendment is the most appropriate option for achieving the purpose of the RMA, the relevant provisions of the Plan and for giving effect to other relevant statutory instruments.

8.15 SIMMONS TRUSTEE COMPANY LIMITED [207.1] – GLENITI ROAD, TIMARU

[577] The Trust sought that the properties at the northern urban boundary at and around Gleniti Road - Ladlow, Timaru, are appropriate for rural residential development as they are of a rural residential nature [207.1]. A submitter package³⁰¹ was not received, and Mr Bonis' recommendation based on the available evidence was that the submission be rejected. We agree that this is appropriate for the reasons set out in the s42A Report.³⁰²

8.15.1 Decision

[578] We adopt Mr Bonis' analysis and recommendations. No amendments are required.

8.16 PARRIS [98.1] – PARADE, REDRUTH

8.16.1 Assessment

[579] David John Parris [98.1] sought for Parade Road to be zoned Rural Lifestyle Zone (RLZ) from General Rural Zone (GRUZ) given that sites along Parade Road are generally under 2ha which is more consistent with the expected size of a rural lifestyle lot.

[580] Having considered the submission, and in the absence of any evidence being provided by the submitter in support of the amending proposal³⁰³, we accept Mr Bonis' assessment and recommendations as set out in the s42A Report³⁰⁴ to reject the submitter's request and note that the submitter did not pursue the amending proposal at the hearing.

8.16.2 Decision

[581] We adopt Mr Bonis' analysis and recommendations. No amendments are required.

³⁰¹ Panel Minute 13 directed that submitters provide supporting information in response to the matters set out in Mr Bonis' preliminary s42A Report by 20 February 2025.

³⁰² Matt Bonis, s42A Report: Hearing G – Growth. Report on submissions and further submissions. June 2025. Section 13.6.

³⁰³ Panel Minute 13 directed that submitters provide supporting information in response to the matters set out in Mr Bonis' preliminary s42A Report by 20 February 2025.

³⁰⁴ Matt Bonis, s42A Report: Hearing G – Growth. Report on submissions and further submissions 4 June 2025. Section 13.7

8.17 PRIME PORT LIMITED [175.7]

8.17.1 Assessment

[582] Prime Port Limited [175.7] noted in its submission that there is a small portion in the northeastern section of the Port Zone that is still zoned as 'Port Zone' but which falls outside the boundary of the 'Urban Area' Overlay in the Planning Maps. The submitter sought an amendment to the Planning Maps to ensure the Urban Area boundary fully encompassed the Port Zone. Ms Seaton in her evidence, agreed with Mr Bonis' recommendation that the Planning Maps should be amended so that the Urban Area encompasses all of the Port Zone, and that the newly titled land adjoining the logging yard should also be included in the Port Zone and Urban Area Overlay. We accept the consistent planning evidence on this matter.

8.17.2 Decision

[583] We adopt Mr Bonis' analysis and recommendations. The amendment to the Urban Area Overlay on the Planning Maps is shown in **Appendix 2**.

[584] We are further satisfied that the amendment to the Planning Maps is minor and ensures consistency and clarity for Plan users. On this basis, no s32AA is required for this matter.

8.18 VAN BUUREN [16.2]

8.18.1 Assessment

[585] Brenda Van Buuren [16.1, 16.2] considered there is a need for mid/high-end and larger sections in the area around Pages Road. The submitter considered sites of 0.4ha are appropriate and sought the Plan be amended to allow for subdivision less than 3ha on rural land around Pages Road.

[586] We have considered the relief sought by the submitter along with Mr Bonis' assessment and recommendation.³⁰⁵ We agree that to the extent that RLZ opportunities are provided by the Plan, the submission can be accepted in part. We are satisfied that the submitter's concerns have been appropriately addressed.

8.18.2 Decision

[587] We adopt Mr Bonis' analysis and recommendations. No changes to provisions are required.

³⁰⁵ Matt Bonis, s42A Report: Hearing G – Growth. Report on submissions and further submissions 4 June 2025. Section 14.3.