

## FUTURE DEVELOPMENT AREA

### Introduction

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

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

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

### Relationships with other Chapters

The General Rural Zone underlies the Future Development Area Overlay. Accordingly, the General Rural Zone ~~provisions objectives, policies and rules~~ apply to activities within the Future Development Area Overlay but are modified by the ~~provisions objectives, policies and rules~~ of this chapter. In the instance of any conflict between the two chapters, the ~~provisions objectives, and policies, and rules of the FDA this chapter have more weight, and the rules<sup>1</sup> of this chapter takes precedence. apply instead<sup>2</sup>~~. When assessing any activity located in the Future Development Area Overlay that is not subject to a rule in this chapter and is classified as discretionary or non-complying activity in the General Rural Zone, the objectives and policies of the Future Development Area eChapter also apply.

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

Objectives	
<b>FDA-O1</b>	<b>Availability of land for future development</b>
Land in the Future Development Area Overlay remains available for <del>future</del> urban <u>development</u> <sup>3</sup> or rural lifestyle development.	
<b>FDA-O2</b>	<b>Development within the Future Development Area <u>Overlay</u></b>

<sup>1</sup> CI16(2) Amendments

<sup>2</sup> Panel Decision Report, Part 1, Section 4.3

<sup>3</sup> J R Livestock [241.6], Rosa Westgarth and Jan Gibson [227.4] and Warren and Elizabeth Scott [128.6]

Urban development<sup>4</sup> ~~growth~~ or rural lifestyle development does not occur within the Future Development Area Overlay until the land<sup>5</sup> ~~it~~ is rezoned for the anticipated General Residential Zone, General Industrial Zone, or Rural Lifestyle Zone<sup>6</sup> set out in SCHED15 - Schedule of Future Development Areas identified future land use and a comprehensive<sup>7</sup> ~~Development Area Plan DAP~~ is incorporated into the District Plan as appropriate<sup>8</sup> ~~approved~~ as part of the plan change<sup>9</sup> ~~that~~ process.

<b>FDA-O3</b>	<b>Unanticipated and out of sequence development</b>
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Unanticipated urban development outside of the Future Development Area Overlay or out of sequence development is only considered when significant development capacity is provided and it contributes to a well-functioning urban environment.

## Policies

<b>FDA-P1</b>	<b>Activities within the Future Development Area Overlay</b>
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In the Future Development Area Overlay:

1. ~~Enable~~ primary production activities that:
  - a. will not compromise the ability to develop the area for urban development<sup>10</sup> ~~growth~~ or rural lifestyle purposes; and
  - b. will be compatible with those activities once that development occurs; and
2. ~~Only~~ allow other activities that are unlikely to compromise the ability to develop the area for urban development<sup>11</sup> or rural lifestyle purposes; and
3. ~~Avoid~~ activities that will likely compromise the ability to develop the area for urban development<sup>12</sup> or rural lifestyle purposes unless:
  - a. the activities will not constrain, limit or compromise the ability to comprehensively develop the area; and
  - b. the activities are compatible once that development occurs; or
  - c. the activities are cost effective and practical to remove or relocate.

<b>FDA-P2</b>	<b>Process to enable urban development and rural lifestyle development in the Future Development Areas Overlay</b>
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<sup>4</sup> J R Livestock [241.7], Rosa Westgarth and Jan Gibson [227.5] and Warren and Elizabeth Scott [128.7]

<sup>5</sup> J R Livestock [241.7], Rosa Westgarth and Jan Gibson [227.5] and Warren and Elizabeth Scott [128.7]

<sup>6</sup> J R Livestock [241.7], Rosa Westgarth and Jan Gibson [227.5] and Warren and Elizabeth Scott [128.7]

<sup>7</sup> J R Livestock [241.7], Rosa Westgarth and Jan Gibson [227.5] and Warren and Elizabeth Scott [128.7]

<sup>8</sup> Clause 16(2) Recommended amendments

<sup>9</sup> J R Livestock [241.7], Rosa Westgarth and Jan Gibson [227.5] and Warren and Elizabeth Scott [128.7]

<sup>10</sup> J R Livestock [241.9], Rosa Westgarth and Jan Gibson [227.7] and Warren and Elizabeth Scott [128.9]

<sup>11</sup> J R Livestock [241.9], Rosa Westgarth and Jan Gibson [227.7] and Warren and Elizabeth Scott [128.9]

<sup>12</sup> J R Livestock [241.9], Rosa Westgarth and Jan Gibson [227.7] and Warren and Elizabeth Scott [128.9]

Urban development<sup>13</sup> and rural lifestyle development within the Future Development Area eOverlay is required to:

1. be undertaken in accordance with the<sup>14</sup> sequence set out in SCHED15 - Schedule of Future Development Areas in order to avoid adverse effects on urban consolidation; and
2. be developed in accordance with the anticipated General Residential Zone, General Industrial Zone, or Rural Lifestyle<sup>15</sup> zZone<sup>16</sup> land-use set out in SCHED15 - Schedule of Future Development Areas; and
3. be undertaken in accordance<sup>17</sup> with submit a plan change that includes a Development Area Plan DAP prepared and implemented<sup>18</sup> in accordance with FDA-P4 as incorporated into the District Plan as part of the plan change process<sup>19</sup>.

#### **FDA-P3 Prioritised Future Development Areas**

The Timaru District Council will prepare the<sup>20</sup> DAPs Development Area Plans for the future development areas listed indicated<sup>21</sup> as priority areas in SCHED15 - Future Development Area and as identified on the planning maps<sup>22</sup>.

#### **FDA-P4 Development Area Plans**

Require Development Area Plans DAPs to provide for a comprehensive, coordinated and efficient development that addresses the following matters:

1. the ability to manage any potential conflict between existing activities and future activities; and
2. the type, location and density of development on the land to ensure it is suitable for the area; and
3. the benefits of urban consolidation/intensification to support a quality compact urban form; and
4. the topography and natural and physical constraints of the site, including natural hazards and areas of contamination; and
5. the future servicing needs of the area and the provision of adequate, coordinated and integrated infrastructure to serve those needs, including using water sensitive design to manage stormwater; and
6. whether staging is appropriate to ensure development occurs logically; and
7. the integration of the area with surrounding areas and the way any conflict between areas and reverse sensitivity<sup>23</sup> effects is are<sup>24</sup> to be managed; and
8. the provision of multi-modal<sup>25</sup> transport links (including active transport links) and connected transport networks that allow ease of movement to, from and within the area; and
9. the provision and integration of accessible open space networks, parks and esplanade strips; and
10. the potential impact of development on any cultural, spiritual and/or historic heritage values and interests or associations of importance to mana whenua, and the outcomes of any consultation with and/or cultural advice provided by mana whenua, including with respect to:

<sup>13</sup> Rosa Westgarth [227.8], J R Livestock Limited [241.10], Warren and Elizabeth Scott [128.10]

<sup>14</sup> Rosa Westgarth [227.8], J R Livestock Limited [241.10], Warren and Elizabeth Scott [128.10]

<sup>15</sup> Clause 16(2) Recommended amendments

<sup>16</sup> Rosa Westgarth [227.8], J R Livestock Limited [241.10], Warren and Elizabeth Scott [128.10]

<sup>17</sup> Rosa Westgarth [227.8], J R Livestock Limited [241.10], Warren and Elizabeth Scott [128.10]

<sup>18</sup> Rosa Westgarth [227.8], J R Livestock Limited [241.10], Warren and Elizabeth Scott [128.10]

<sup>19</sup> Clause 16(2) Recommended amendments

<sup>20</sup> JR Livestock [241.11] Rosa Westgarth and Jan Gibson [227.9], and Warren and Elizabeth Scott [128.11]

<sup>21</sup> JR Livestock [241.11] Rosa Westgarth and Jan Gibson [227.9], and Warren and Elizabeth Scott [128.11]

<sup>22</sup> JR Livestock [241.11] Rosa Westgarth and Jan Gibson [227.9], and Warren and Elizabeth Scott [128.11]

<sup>23</sup> Horticulture New Zealand [245.82]

<sup>24</sup> Clause 16(2) Recommended amendments

<sup>25</sup> NZTA [143.108]

- a. opportunities to incorporate matauranga Māori principles into the design and/or development of the structure plan area; and
- b. opportunities for mana whenua's relationship with ancestral lands, water, sites, wāhi tapu and other taoka to be maintained or strengthened; and
- c. options to avoid, remedy or mitigate adverse effects; and
- 11. the maintenance or enhancement of identified natural features, waterbodies and/or indigenous vegetation or habitats of indigenous fauna; and
- 12. opportunities for the provision of business and retail activities, and educational facilities<sup>26</sup> that are compatible and complimentary to the planned growth and will serve the needs of the new community; and
- 13. how good **high quality**<sup>27</sup> urban design principles have informed the design; and
- 14. Any measures to address the matters identified in clause (1) to (13) having regard to consultation with the landowners of the Development Area Plan.<sup>28</sup>

**FDA-P5****Unanticipated and out of sequence urban development**

Avoid unanticipated urban development outside the Future Development Area Overlay and out of sequence development within the Future<sup>29</sup> Development Area Overlay unless:

- 1. significant development capacity is provided having regard to:
  - a. the zoning, objectives, policies, rules and overlays that apply in the relevant proposed or operative RMA planning documents; and
  - b. provision of adequate development infrastructure to support the development of the land for housing or business use; and
- 2. there is robust evidence that demonstrates that the development contributes to a well-functioning urban environment in that:
  - a. for residential development, it enables a variety of residential units ~~homes~~ that: meets the needs in terms of type, price and location of different households and enables Māori to express their cultural traditions and norms; and
  - b. for business development, it has or will enable a variety of sites that are suitable for different business sectors in terms of location, and site size, and or otherwise provides for<sup>30</sup> the operational and functional requirements of particular industries; and
  - c. supports, and limits as much as possible adverse impacts on, the competitive operation of land and development markets; and
  - d. has good accessibility for people to employment, education, commercial, community, open space and transport services including by way of public or active transport;
  - e. is consistent with the urban form strategic objectives and UFD-~~Q~~1; and
  - f. supports reductions in greenhouse gas emissions and is resilient to the current and future effects of climate change; and
  - g. it will not affect the feasibility, affordability and deliverability of planned growth within existing zoned areas, development area plans or the ~~F~~Future ~~d~~Development ~~a~~Area ~~o~~Overlay; and
  - h. it can be demonstrated that there is commitment to and capacity available for delivering the development within a reasonable timeframe; and
  - i. in cases where the development is proposing to replace a planned land use with an unanticipated land use, whether it can be demonstrated that the proposal will not result in a short, medium or long-term shortfall in residential or business land; and
  - j. the development protects and provides for human health; and
  - k. for residential development, the development would contribute to the affordable housing stock within the ~~d~~District; and
  - l. the development does not compromise the efficiency, affordability or benefits of existing and/or proposed infrastructure in the ~~d~~District; and

<sup>26</sup> MoE [106.14]

<sup>27</sup> Clause 10(2)(b) amendment. Submitter [183].

<sup>28</sup> **Panel Decision Report Part 10, Section 2.7**

<sup>29</sup> C116(2) Amendment

<sup>30</sup> **Panel Decision Report, Part 10, Section 8.6**

- m. the development can be serviced without undermining infrastructure development programmes<sup>31</sup> (as identified in the Long Term Plan, or the local authority's Infrastructure Strategy)<sup>32</sup> and/or policies of, or committed infrastructure investments made by local authorities, lifeline utility providers<sup>33</sup>, or central government (including NZTA Waka Kotahi NZ Transport Agency); and
- n. the development demonstrates efficient use of local authority and central government financial resources, including prudent local authority debt management, demonstrating the extent to which cost neutrality for public finances can be achieved; and
- o. there is compatibility of any proposed land use with adjacent land uses including planned land uses, with reverse sensitivity<sup>34</sup> effects at the urban / rural interface appropriately managed<sup>35</sup>; and
- p. the development avoids areas identified as having significant natural or cultural values, or that is subject to significant natural hazards; and
- q. the plan change includes a comprehensive DAP Development Area Plan prepared in accordance with FDA-P4; and
- 3. it is well connected along transport corridors; and
- 4. it meets any criteria for unanticipated out of sequence development in the CRPS Regional Policy Statement.

#### **FDA-P6                      Unanticipated and out of sequence rural lifestyle development**

Avoid unanticipated ~~and out of sequence~~ rural lifestyle development outside the Future Development Area Overlay and out of sequence rural lifestyle development within the Future Development Area Overlay<sup>36</sup> unless:

- 1. a ~~Plan Change~~ application to rezone the land is made and is lodged after July 2027; and
- 2. rural lifestyle development is undertaken in accordance with ~~the plan change includes a comprehensive DAP Development Area Plan prepared and implemented in accordance with FDA-P4 as incorporated into the District Plan as part of the plan change~~<sup>37</sup>; and
- 3. at least 60% of ~~the existing Rural Lifestyle zoned~~ land has been efficiently and intensively<sup>38</sup> developed within the applicable settlement; and
- 4. ~~the development will comply with the Objectives set out in the Strategic Direction Chapter; and~~<sup>39</sup>
- 5. ~~the development will comply with the Canterbury Regional Policy Statement; and~~<sup>40</sup>
- 6. it can be demonstrated that the development can be serviced without undermining infrastructure development programmes<sup>41</sup> (as identified in the Long Term Plan, or the local authority's Infrastructure Strategy)<sup>42</sup> and/or policies of, or<sup>43</sup> committed infrastructure investments made by local authorities or central government (including NZTA Waka Kotahi NZ Transport Agency); and
- 7. it can be demonstrated that the compatibility of any proposed land use with adjacent land uses including planned land uses and the land is not located within 500m of an intensive primary production activity or an established quarry; and
- 8. it will avoid areas of high natural or cultural values and significance, and / or the expansion of the Rural Lifestyle Zone into areas of highly productive land as required by HPL-P4.<sup>44</sup>

<sup>31</sup> TDC [42.44]

<sup>32</sup> Consequential amendment - TDC [42.44]

<sup>33</sup> Alpine Energy Ltd [55.17]

<sup>34</sup> Horticulture NZ [245.83]

<sup>35</sup> Consequential amendment - Horticulture NZ [245.83]

<sup>36</sup> CI16(2) Amendment

<sup>37</sup> CI16(2) Amendment

<sup>38</sup> CI16(2) Amendment

<sup>39</sup> CI16(2) Amendment

<sup>40</sup> CI16(2) Amendment

<sup>41</sup> TDC [42.45]

<sup>42</sup> Consequential amendment - TDC [42.45]

<sup>43</sup> TDC [42.45]

<sup>44</sup> Panel Decision Report, Part 10, Section 2.9.2

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## Rules

**Note:** The General Rural Zone rules apply to activities within the Future Development Area Overlay but are modified by the rules of this chapter. In the instance of any conflict between the two chapters, the provisions rules<sup>45</sup> of this chapter takes precedence apply instead of those in the GRUZ.<sup>46</sup>

Activities not listed in the rules of this chapter are classified as a permitted under this chapter. For certain activities, consent may be required by rules in more than one chapter in the District Plan. Unless expressly stated otherwise by a rule, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1, HPW — How the Plan Works - General Approach.

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<sup>45</sup> CI16(2) Amendments

<sup>46</sup> Panel Decision Report, Part 1, Section 4.3

FDA-R1	Primary production not otherwise <u>listed in this chapter addressed in the Rules section</u>	
Future Development Area <u>Overlay</u>	<p><b>Activity status: Permitted</b></p> <p><b>Where:</b></p> <p><b>PER-1</b> GRUZ-S5 is complied with; and</p> <p><b>PER-2</b> GRUZ-S1, GRUZ-S2, GRUZ-S3, and GRUZ-S6 are complied with.</p> <p><i>Note: Any associated building and structure must be constructed in accordance with FDA-R2.</i></p>	<p><b>Activity status when compliance not achieved with PER-2: Restricted Discretionary</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>1. the matters of discretion of any infringed standard.</li> </ol>
		<p><b>Activity status when compliance not achieved PER-1: Non-Complying</b></p>
FDA-R2	Buildings accessory to primary production	
Future Development Area <u>Overlay</u>	<p><b>Activity status: Permitted PER<sup>47</sup></b></p> <p><b>Where:</b></p> <p><b>PER-1</b> The building is accessory to a primary production activity permitted under FDA-R1; and</p> <p><b>PER-2</b> Any building has a <u>building</u> footprint of 100m<sup>2</sup> or less in area and is relocatable; and</p> <p><b>PER-3</b> GRUZ-S1, GRUZ-S2, GRUZ-S3, and GRUZ-6 are complied with; and</p> <p><b>PER-4</b> GRUZ-S4 and GRUZ-S5 are complied with if relevant.</p>	<p><b>Activity status when compliance not achieved with PER-3: Restricted Discretionary</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>1. the matters of discretion of any infringed standard.</li> </ol> <p><b>Activity status when compliance not achieved PER-1, PER-2 and PER-4: Non-Complying</b></p>

<sup>47</sup> Schedule 1 cl16(2)

<b>FDA-R3</b>	<b>Seasonal workers accommodation</b>	
Future Development Area <u>Overlay</u>	<b>Activity status: Discretionary</b>  <b>Where:</b>  <b>DIS-1</b> Any building has a <u>building</u> footprint of 100m <sup>2</sup> or less in area and is relocatable.	<b>Activity status when compliance not achieved: Non-complying</b>
<b>FDA-R4</b>	<b>Use of <u>Air</u>strips and helicopter landing sites</b>	
Future Development Area <u>Overlay</u>	<b>Activity status: Non-complying</b>	<b>Activity status when compliance not achieved: Not applicable</b>
<b>FDA- R5</b>	<b>Educational <u>facilities</u> not permitted by GRUZ-R7</b>	
Future Development Area <u>Overlay</u>	<b>Activity status: Non-complying</b>	<b>Activity status when compliance not achieved: Not applicable</b>
<b>FDC-R6</b>	<b>Health care <u>facilities</u> or community facilities</b>	
Future Development Area <u>Overlay</u>	<b>Activity status: Non-complying</b>	<b>Activity status when compliance not achieved: Not applicable</b>
<b>FDA-R7</b>	<b>More than one residential unit per site, retirement villages or permanent workers accommodation</b>	
Future Development Area <u>Overlay</u>	<b>Activity status: Non-complying</b>	<b>Activity status when compliance not achieved: Not applicable</b>
<b>FDA-R8</b>	<b>Visitor accommodation not permitted by GRUZ-R9</b>	
Future Development Area <u>Overlay</u>	<b>Activity status: Non-complying</b>	<b>Activity status when compliance not achieved: Not applicable</b>
<b>FDA-R9</b>	<b>Commercial composting</b>	
Future Development Area <u>Overlay</u>	<b>Activity status: Non-complying</b>	<b>Activity status when compliance not achieved: Not applicable</b>
<b>FDA-R10</b>	<b>Subdivision resulting in an allotment less than 40ha</b>	
Future Development Area <u>Overlay</u>	<b>Activity status: Non-complying</b>	<b>Activity status when compliance not achieved: Not applicable</b>
<b>FDA-R11</b>	<b>Emergency services facilities</b>	
Future Development Area <u>Overlay</u>	<b>Activity status: Non-complying</b>	<b>Activity status when compliance not achieved: Not applicable</b>
<b>FDA-R12</b>	<b>Industrial <u>Activities</u> and rural industry (including associated buildings and structures)</b>	



Future Development Area <u>Overlay</u>	Activity status: Non-complying	Activity status when compliance not achieved: Not applicable
FDA-R13	Any activities that is listed in the Ministry for the Environment's Hazardous Activities and Industries List (HAIL) in Appendix 2	
Future Development Area <u>Overlay</u>	Activity status: Non-complying	Activity status when compliance not achieved: Not applicable
FDA-R14	Mining, quarrying or mineral exploration activities (including associated building and structures)	
Future Development Area <u>Overlay</u>	Activity status: Non-complying	Activity status when compliance not achieved: Not applicable
FDA-R15	Intensive primary production (including associated buildings and structures)	
Future Development Area <u>Overlay</u>	Activity status: Non-complying	Activity status when compliance not achieved: Not applicable