

OFFICER'S REPORT FOR:

Hearings Panel

SUBJECT:

Proposed Waimakariri District Plan: Hearing
Stream 12A Rezoning requests – Whaitua
motuhaka Special Purpose Zone – Pegasus
Resort (SPZ(PR))

PREPARED BY:

Jessica Manhire

REPORT DATED:

1 May 2024

DATE OF HEARING:

4-7 June 2024

Executive Summary

1. This report considers submissions received by the District Council in relation to the relevant objectives, policies, rules, definitions, appendices and maps of the Proposed Plan as they apply to the rezoning requests to be included in the Special Purpose Zone-Pegasus Resort (SPZ(PR)). The report outlines recommendations in response to the issues that have emerged from these submissions.
2. There are two rezoning requests to include land into the SPZ(PR) as follows:
 - DEXIN Investment Ltd (DEXIN) seeks rezoning of its site at 1250 Main North Road and amendments to provisions to provide for a range of agricultural tourism activities and medium density residential activities.
 - Howard Stone seeks rezoning of land at 1188 Main North Road (20 Te Haunui Lane) to be included in Activity Area 7 - Residential.
3. I recommend that the above rezoning requests be **rejected**.
4. I have recommended some changes to the Proposed Plan provisions to address matters raised in submissions. These key amendments are summarised below:
 - Amend SPZ(PR)-O2 and SPZ(PR)-P1 to provide for cultural values. These changes result from the cultural impact assessment provided by DEXIN. While my recommendation is ultimately to reject the rezoning aspect of the submission, the evidence provided as part of the submission did identify that SPZ(PR)-O2 and SPZ(PR)-P1 should include reference to cultural values. On this basis I consider that this aspect of the submission (the s32AA evaluation of the appropriateness of the objective) should be **accepted in part**.
5. With respect to the rezoning of land sought by DEXIN and Howard Stone, I consider the notified plan zonings best meet the objectives of the plan.
6. Having considered all the submissions and reviewed all relevant statutory and non-statutory documents, I recommend that the rezoning requests for the above sites be rejected and the Proposed Plan be amended as set out in **Appendix A** of this report.
7. For the reasons set out in the Section 32AA evaluation and included throughout this report, I consider that the proposed objectives and provisions, with the recommended amendments, will be the most appropriate means to:
 - achieve the purpose of the RMA where it is necessary to revert to Part 2 and otherwise give effect to higher order planning documents, in respect to the proposed objectives, and
 - achieve the relevant objectives of the Proposed Plan, in respect to the proposed provisions.

Contents

Executive Summary.....	i
Contents	ii
Interpretation	iv
1 Introduction	1
1.1 Purpose	1
1.2 Author	1
1.3 SPZ(PR) background	2
1.4 Key Issues in Contention	4
1.5 Procedural Matters	4
2 Statutory Considerations	5
2.1 Resource Management Act 1991.....	5
2.2 Section 32AA	5
2.3 Trade Competition	6
3 Consideration of Submissions and Further Submissions	7
3.1 Overview	7
3.2 1250 Main North Rd.....	16
3.3 1188 Main North Road/20 Te Haunui Lane	37
3.4 Minor Errors	52
4 Conclusions	53

Appendices

Appendix A. Recommended Amendments to the Pegasus Resort Chapter and associated provisions
Appendix B. Recommended Responses to Submissions and Further Submissions
Appendix C. Section 32AA Evaluation
Appendix D. Statement of evidence of Shane Binder (Transport), John Aramowics (Servicing, Hazards), Christopher Bacon (Servicing, Hazards) on behalf of Waimakariri District Council
Appendix E. Memorandum of Shane Binder on Transportation matters for 1250 Main North Road Rezoning Request
Appendix F. Cultural Advice Report: 20 Te Haunui Lane
Appendix G. Decision of Hearing Commissioners - RC055641 and RC055642
Appendix H. Report Author's Qualifications and Experience

List of Tables

Table 1: Abbreviations iv
Table 2: Abbreviations of Submitters’ Names iv

List of Tables in Appendices

Table B 1: Recommended responses to submissions and further submissions

Table C 1: Recommended Amendments to Objectives

Interpretation

8. This Officer's report utilises a number of abbreviations for brevity as set out in Table 1 and Table 2 below:

Table 1: Abbreviations

Abbreviation	Means
District Council	Waimakariri District Council
GIZ	General Industrial Zone
GCSP	Greater Christchurch Spatial Plan 2024
KAC	Key Activity Centre
LCZ	Local Centre Zone
MRZ	Medium Density Residential Zone
NES-CF	Resource Management (National Environmental Standards for Commercial Forestry) Amendment Regulations 2023
NES-PF	National Environmental Standards for Plantation Forestry 2017
NOSZ	Natural Open Space Zone
NPS-HPL	National Policy Statement for Highly Productive Land
NPS-UD	National Policy Statement on Urban Development 2020
ODP	Outline Development Plan
Operative District Plan	Operative Waimakariri District Plan
Proposed Plan	Proposed Waimakariri District Plan
RLZ	Rural Lifestyle Zone
RMA	Resource Management Act 1991
CRPS	Operative Canterbury Regional Policy Statement
SASM	Sites and Areas of Significance to Māori
SPZ(PR)	Special Purpose Zone – Pegasus Resort
TCZ	Town Centre Zone
WWTP	Waste Water Treatment Plant

Table 2: Abbreviations of Submitters' Names

Abbreviation	Means
DEXIN	DEXIN Investment Limited
S&E Corp	Sports and Education Corporation

1 Introduction

1.1 Purpose

9. The purpose of this report is to provide the Hearings Panel with a summary and analysis of the submissions received on the rezoning requests by DEXIN [377] and Howard Stone [191] to have their properties included in the SPZ(PR) and to recommend possible amendments to the Proposed Plan in response to those submissions.
10. This report is prepared under section 42A of the Resource Management Act 1991 (RMA).
11. This report discusses general issues or topics arising, the submissions and further submissions received following notification of the Proposed Plan, makes recommendations as to whether or not these should be accepted or rejected, and concludes with a recommendation for amendments to the Proposed Plan provisions based on the preceding discussion in the report.
12. The recommendations are informed by the advice provided by the District Council's Senior Transportation Engineer Shane Binder; servicing, and hazards advice provided by Consultant Civil Engineer John Aramowicz and the District Council's Network Planning Team Leader Chris Bacon; and the evaluation undertaken by the author. In preparing this report the author has had regard to recommendations made in other related s42A reports including the 'Whaitua motuhaka Special Purpose Zone – Pegasus Resort' (SPZ(PR)). I was the s42A report author for the SPZ(PR) Chapter which was heard on 19 February 2024 as part of Hearing Stream 10.
13. My recommendations on submission points for the SPZ(PR) Chapter, which were not related to the zoning outcomes, were addressed in the s42A report for the SPZ(PR) Chapter. This report considers the rezoning requests submissions and the related provisions.
14. This report is provided to assist the Hearings Panel in their role as Commissioners. The Hearings Panel may choose to accept or reject the conclusions and recommendations of this report and may come to different conclusions and make different recommendations, based on the information and evidence provided to them by submitters.

1.2 Author

15. My name is Jessica Anneka Manhire. My qualifications and experience are set out in **Appendix H** of this report.
16. My role in preparing this report is that of an expert planner.
17. I was involved in the preparation of the Proposed Plan and Section 32 Evaluation Reports. However, I was not the author of the SPZ(PR) Chapter or the Section 32 Evaluation Report. Subsequently, I have reviewed the chapter and Section 32 Evaluation Report in preparing my evidence. I prepared the s42A report for the SPZ(PR) Chapter.
18. Although this is a District Council Hearing, I have read the Code of Conduct for Expert Witnesses contained in the 2023 Practice Note issued by the Environment Court. I have complied with that Code when preparing my written statement of evidence and I agree to comply with it when I give any oral evidence.

19. The scope of my evidence relates to the rezoning requests for the SPZ(PR), and related provisions. I confirm that the issues addressed in this statement of evidence are within my area of expertise as an expert policy planner.
20. Any data, information, facts, and assumptions I have considered in forming my opinions are set out in the part of the evidence in which I express my opinions. Where I have set out opinions in my evidence, I have given reasons for those opinions.
21. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

1.3 SPZ(PR) background

22. The SPZ(PR) provides for a visitor resort centred around the existing 18-hole International Golf Course, and for hotel and visitor accommodation, existing large residential lots, a spa and hot pool complex, golf education and country club facilities and a limited mix of commercial and ancillary activities that support tourism activities associated with the Pegasus Resort. These activities are to be undertaken within seven distinct activity areas.
23. The key differences between these activity areas are the types of development enabled (as guided by the Outline Development Plan (ODP) (SPZ(PR)-APP1)) and the extent to which activities such as commercial golf resort activity and visitor accommodation can occur. This recognises that some activity areas predominantly perform functions relating to the existing golf course, or existing residential areas, while others will enable other major tourism related activities, and to allow each of these areas to develop a distinct character guided by the Pegasus Resort Urban Design Guidelines (design guidelines) (SPZ(PR)-APP2). Activity Area references correspond to SPZ(PR)-APP1-ODP and are referred to in the Activity Area Rules Tables. The Activity areas are as follows:
 - Activity Area 1: Spa;
 - Activity Area 2: Spa Village;
 - Activity Area 3: Golf Square;
 - Activity Area 4: Golf Village;
 - Activity Area 5: Village Fringe;
 - Activity Area 6: Golf Course;
 - Activity Area 7: Residential.

1.4 Key Issues in Contention

27. There were two rezoning requests for land to be included in the SPZ(PR). These were:

- DEXIN seeks rezoning of its site at 1250 Main North Road and amendments to provisions to provide for a range of agricultural tourism activities and medium density residential activities.
- Howard Stone seeks rezoning of land at 1188 Main North Road to be included in Activity Area 7.

28. I address each of these rezoning requests in this report and requested amendments to provisions to provide for this rezoning.

1.5 Procedural Matters

29. At the time of writing this report there have not been any pre-hearing conferences, clause 8AA meetings or expert witness conferencing specifically in relation to the SPZ(PR) rezoning request submissions. There have, however, been MS Teams meetings and email correspondence with submitters regarding completeness and adequacy of technical evidence for the two submissions.

30. Expert conferencing was undertaken on the topic of urban growth and development which relates to matters discussed in this report. Two Joint Witness Statements were prepared and these are available on the District Council website.¹ This conferencing focused on matters relevant to the rezoning submissions including the definition of the 'urban environment', and how urban development and growth is provided in regard to the rezoning request submissions.

31. I note that, with respect to the DEXIN submission, the submission seeks amendments to provisions to provide for the activities on the site. The further submission seeks "*Medium Density Residential Zone standards that arise from the Variation 1 process...be reflected in the Activity Area 7B provisions*"². If the panel are of the mind to accept the rezoning submission, the provisions will need to be revisited in consideration of the outcome of Variation 1, including any site specific qualifying matters that may apply. However, I note that DEXIN do not have a submission on Variation 1 but do have a further submission that seeks this outcome for the SPZ(PR) Activity Area 7B that they are seeking for the site.

¹ <https://www.waimakariri.govt.nz/council/district-development/proposed-district-plan-hearings/hearing-streams/hearing-stream-12>

² Further submission 101, page 17

2 Statutory Considerations

2.1 Resource Management Act 1991

32. The Proposed Plan has been prepared in accordance with the RMA and in particular, the requirements of:

- section 74 Matters to be considered by territorial authority, and
- section 75 Contents of district plans.

33. There are higher order planning documents and strategic plans that provide direction and guidance for the preparation and content of the Proposed Plan. These documents are discussed in detail within the Section 32 Evaluation Report: Pegasus Golf, dated 18 September 2021 (refer to Section 3.2). Since the completion of the Section 32 Evaluation Report there have been the following changes to national legislation of relevance to this s42A report:

- The National Policy Statement on Urban Development 2020 (NPS-UD) replaced the National Policy Statement on Urban Development Capacity 2016 and was updated in May 2022. The NPS-UD 2022 introduces a requirement for planning decisions to contribute to well-functioning urban environment and a requirement for local authorities to be responsive to unanticipated plan change requests where these would contribute to desirable outcomes; and
- The National Policy Statement for Highly Productive Land (NPS-HPL) came into force on 17 October 2022. The NPS-HPL protects highly productive land for use in land-based primary production.

2.2 Section 32AA

34. I have undertaken an evaluation of the recommended amendments to provisions since the initial section 32 evaluation was undertaken in accordance with s32AA. Section 32AA states:

32AA Requirements for undertaking and publishing further evaluations

(1) A further evaluation required under this Act—

(a) is required only for any changes that have been made to, or are proposed for, the proposal since the evaluation report for the proposal was completed (the changes); and

(b) must be undertaken in accordance with section 32(1) to (4); and

(c) must, despite paragraph (b) and section 32(1)(c), be undertaken at a level of detail that corresponds to the scale and significance of the changes; and

(d) must—

(i) be published in an evaluation report that is made available for public inspection at the same time as the approved proposal (in the case of a national policy statement or a New Zealand coastal policy statement or a national planning standard), or the decision on the proposal, is notified; or

(ii) be referred to in the decision-making record in sufficient detail to demonstrate that the further evaluation was undertaken in accordance with this section.

(2) To avoid doubt, an evaluation report does not have to be prepared if a further evaluation is undertaken in accordance with subsection (1)(d)(ii).

The required section 32AA evaluation for changes proposed as a result of consideration of the rezoning request submissions with respect to the Pegasus Resort Chapter is appended to this report as **Appendix C**, as required by s32AA(1)(d)(ii).

2.3 Trade Competition

35. There are no known trade competition issues raised within the submissions.

3 Consideration of Submissions and Further Submissions

3.1 Overview

Pegasus Resort Rezoning Requests

36. My recommendations on submission points for the SPZ(PR) Chapter that were not related to the zoning outcomes were addressed in the s42A report for the SPZ(PR) Chapter in Hearing Stream 10 on the 19th February 2024. This report considers the rezoning requests submissions and the related provisions.
37. The SPZ(PR) Chapter s42A report is of relevance as it assesses and provides recommendations for submission points on the SPZ(PR) provisions where these are not to provide for the rezoning requests. The SPZ(PR) Chapter s42A report considered the intended purpose of the SPZ(PR) and recommended provisions, which are used as a basis for assessing the rezoning requests in this Hearing Stream 12A report. Specifically that report recommended amending the objectives and policies as follows:

Table 3: SPZ(PR) Chapter s42A report recommended amendments to objectives and policies

Objective or Policy	Recommended amendments
SPZ(PR)-O1	<p>Tourist destination</p> <p>The establishment of regionally significant tourist destination based around an 18-hole international championship golf course, with existing large residential sites, incorporating hotel and visitor accommodation, spa/wellness and hot pool complex, golf education facility, golf country club³ and limited small-scale commercial activity and ancillary activity.</p>
SPZ(PR)-O2	<p>Design components</p> <p>The development of spa/wellness and hot pool complex-a tourism resort⁴ centred on a spa village within a framework of open space and recreation facilities, that reflect the local open space, recreational, landscape and visual amenity values and achieve urban design excellence consistent with the Pegasus design guidelines.</p>
SPZ(PR)-P1	<p>Outline development plan</p> <p>Use and development of land shall:</p> <ol style="list-style-type: none"> 1. be in accordance with the development requirements and fixed and flexible elements in SPZ(PR)-APP1, or otherwise achieve similar or better outcomes, except in relation to any interim use and development addressed by (3) below; 2. ensure that development: <ol style="list-style-type: none"> a. results in a vibrant, mixed-use area that achieves a complementary mix of hotel and visitor accommodation, spa/wellness and hot pool complex, golf education facility, golf

³ S&E Corp [416.2]

⁴ S&E Corp [416.3]

	country club , ⁵ small-scale commercial activities and ancillary activities; ...
SPZ(PR)-P3	Landscape and character Provide for the landscape character values of the golf course, country club facilities ⁶ and the background mountain range, particularly as viewed from public places, through master-planning, landscape design and massing of buildings.

38. There are two rezoning requests to include land into SPZ(PR). DEXIN [377] seeks rezoning of its site at 1250 Main North Road and amendments to provisions to provide for a range of agricultural tourism activities and medium density residential activities. Howard Stone [191] seeks rezoning of land at 1188 Main North Road to be included in Activity Area 7.
39. I note that there is a rezoning request for 70 and 74 Mapleham Drive [91.1], which borders the SPZ(PR), and is seeking residential zoning. These sites are located within the Mapleham Development Area which is zoned Rural Lifestyle Zone (RLZ). This submission has been allocated to the residential rezoning requests Hearing Stream 12E (22 July-2 August), as they are seeking a residential zoning and do not seek to be part of the SPZ(PR). It will not be assessed in this SPZ(PR) Hearing Stream 12A report.
40. Within the SPZ(PR) Chapter s42A report, I assessed the objective and policy framework of the Pegasus Resort Chapter in line with the hearing framework established by the Hearings Panel. I note however that there are submission points and information provided to support the rezoning requests that can only be considered at the time of assessment of rezoning outcomes. This report considers the submissions that are dependent on rezoning outcomes.
41. The assessment in this report has been prepared with reference to the recommendations that form part of the officer's right of reply at the completion of the SPZ(PR) Chapter hearing. I acknowledge that if the Panel reach a different view with respect to the objectives and policies of the SPZ(PR) Chapter that my recommendations may change.
42. Table 3 below provides a summary of provisions addressed in the SPZ(PR) report. Associated submissions to the rezoning requests that seek amendment to provisions are considered as part of this rezoning requests report. This report does not consider other requested amendments (not associated with the rezoning requests) to the provisions set out in the left hand column of the following table. Three of these provisions that were addressed in the SPZ(PR) report are also subject to separate requested amendments in this Hearing Stream 12 report as follows:

⁵ S&E Corp [416.4]

⁶ S&E Corp [416.5]

Table 4: SPZ(PR) provisions with submissions

Provisions in the SPZ(PR) report	Also subject to requested amendment because of a rezoning request in this report
SPZ(PR)-O1	Yes [377.5]
SPZ(PR)-P1	Yes [377.6]
SPZ(PR)-P2	No
SPZ(PR)-P3	No
SPZ(PR)-R10	No
SPZ(PR)-R11	No
SPZ(PR)-BFS12	No
SPZ(PR)-APP1	Yes [191.2] and [377.3]

43. DEXIN also seeks amendments to the following provisions associated with the rezoning request which will be considered as part of this rezoning request report:

- SPZ(PR)-O2 (further submission only)
- SPZ(PR)-P4 [377.7]
- SPZ(PR)-P5 [377.8]
- SPZ(PR)-P9 [377.9] (original submission only)
- SPZ(PR)-R2 [377.11]
- SPZ(PR)-R3 [377.11]
- SPZ(PR)-BFS3 [377.12]
- SPZ(PR)-BFS4 [377.12]
- SPZ(PR)-BFS6 [377.12]
- SPZ(PR)-BFS7 [377.12]
- SPZ(PR)-BFS9 [377.12]
- SPZ(PR)-BFS10 [377.12]
- SPZ(PR)-APP2 [377.15]
- DEXIN also seeks amendment to the introduction [377.4], a new definition [377.14], new activity rules [377.11], new built form standards [377.12] and an amendment to SUB-S1 [377.18].

3.1.1 Report Structure

44. I have undertaken the following evaluation of each of the rezoning requests individually by an issues-based approach.

45. The following evaluation should be read in conjunction with the summaries of submissions and the submissions themselves.
46. I have provided an updated marked-up version of the SPZ(PR) Chapter with recommended amendments in response to the submissions as **Appendix A**.
47. This report only addresses definitions that are specific to this topic. Definitions that are more relevant to other topics are addressed in the most relevant s42A report.

3.1.2 Format for Consideration of Submissions

48. For each identified topic, I have considered the submissions that are seeking changes to the Proposed Plan in the following format:
- Matters raised by submitters;
 - Assessment;
 - Summary of recommendations.
49. I have undertaken the s32AA evaluation in a consolidated manner following the assessment and recommendations on submissions, which is attached as **Appendix C**.

3.1.3 Planning and policy context

NPS-UD and Greater Christchurch Spatial Plan

50. Pegasus Town is identified as being within the urban environment of the Greater Christchurch area in both CRPS Map A and Map 2 of the Greater Christchurch Spatial Plan ('GCSP'), as shown in **Figures 2 and 3** respectively below.

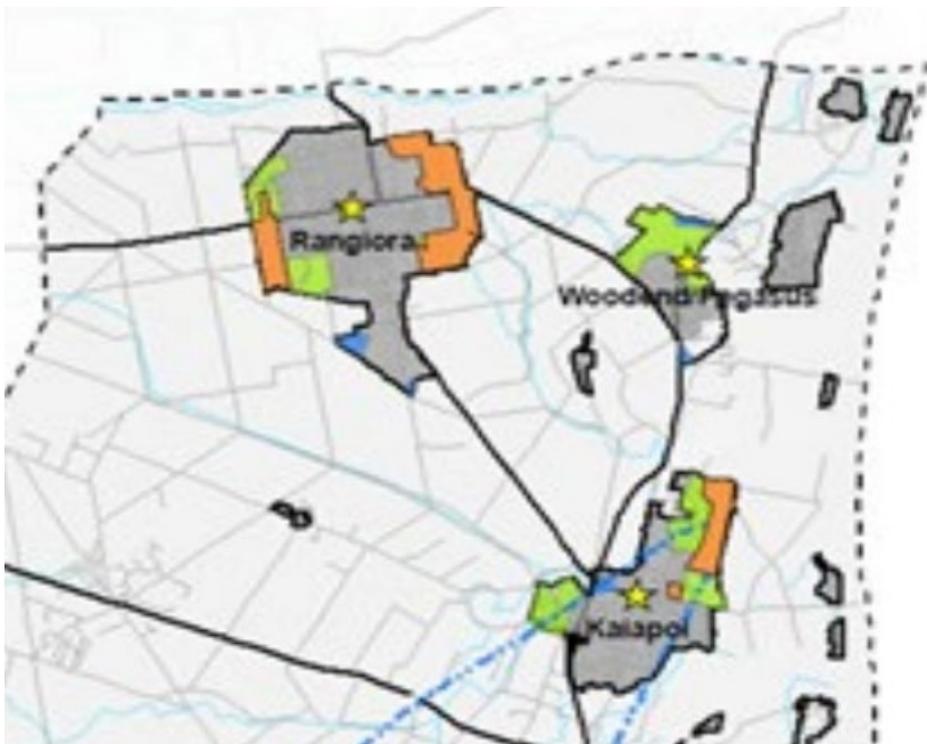


Figure 2: CRPS Map A (Waimakariri District).

Map 2: The Greater Christchurch spatial strategy (1 million people)



Figure 3: The Greater Christchurch spatial strategy.

51. Pegasus Town itself is shown on CRPS Map A as being (refer to **Figure 2**):

- “Existing Urban Area”; and
- Surrounded by ‘Projected Infrastructure Boundary’

52. On Map 2 of the GCSP, Pegasus Town is shown as an “Urban Area”.

53. The CRPS defines ‘urban’ as:

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

54. In my opinion, while not identified as being urban for the purposes of the CRPS and GCSP, the notified Pegasus Resort exhibits urban characteristics, particularly as it is adjoining and effectively viewed as the gateway to and part of the Pegasus Town. This view has been further supported by the urban development to the west at Ravenswood/Woodend. If the Pegasus Resort were located as a standalone development within a rural environment, in my opinion it would not meet the CRPS definition of ‘urban’.

55. However, on CRPS Map A, the area subject to the Pegasus Golf Resort zoning and related provisions, and the rezoning request areas are outside of the areas identified as “Existing Urban Areas”, Greenfield Priority Areas or Future Development Areas (FDAs). Development outside of

the areas identified in Map A is to be avoided under the CRPS⁷ (Objective 6.2.1(3)⁸, and Policy 6.3.7(1)⁹). Urban activities are to only occur within existing urban areas or identified greenfield priority areas as shown on Map A, unless they are otherwise expressly provided for in the CRPS (Policy 6.3.1(4))¹⁰.

56. The GCSP, which is to be had regard to, has not defined the Pegasus Resort area as an urban area. Ravenswood/Pegasus/Woodend is identified as a “Locally important urban centre and town”.

NPS-UD Policy 8: Responsiveness to plan changes

57. Policy 8 of the NPS-UD directs local authority decisions affecting urban environments to be responsive to plan changes that would add significantly to development capacity and contribute to well-functioning urban environments, even if the development is unanticipated by RMA planning documents; or out of sequence with planned land release [underlining emphasis added].
58. As the area subject to the rezoning requests is within the Greater Christchurch urban environment, Policy 8 is applicable and I consider its relevance in relation to the two rezoning requests later in this report.

NPS-UD Policy 1: Well-functioning urban environments

59. As noted previously, to give effect to the NPS-UD, the development must “*contribute to well-functioning urban environments*” as defined by NPS-UD Policy 1.

60. A well-functioning urban environment as a minimum:

(a) have or enable a variety of homes that:

(i) meet the needs, in terms of type, price, and location, of different households; and

(ii) enable Māori to express their cultural traditions and norms; and

(b) have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and

(c) have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and

(d) support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and

(e) support reductions in greenhouse gas emissions; and

(f) are resilient to the likely current and future effects of climate change.

⁷ Also refer to revised Statement of Evidence of Joanne Mitten on behalf of the Canterbury Regional Council, paragraph 100, 107

⁸ “avoids urban development outside of existing urban areas or greenfield priority areas for development, unless expressly provided for in the CRPS”

⁹ “...residential greenfield development shall occur in accordance with Map A.”

¹⁰ “ensure new urban activities only occur within existing urban areas or identified greenfield priority areas as shown on Map A, unless they are otherwise expressly provided for in the CRPS;”

61. Policy 1 is a minimum of what constitutes a well-functioning urban environment, so I have considered the above matters in addition to other factors including relevant CRPS objectives and policies in my assessments for each of the rezoning requests later in my report [emphasis added].
62. In my opinion, CRPS Objective 5.2.1(1) (Entire Region) that requires development to be located and designed so that it functions in a way that *“achieves consolidated, well designed and sustainable growth in and around existing urban areas as the primary focus for achieving the region’s growth”* is a relevant consideration to achieving a well-functioning urban environment in the Greater Christchurch context.
- 3.1.4 Residential capacity**
63. At least sufficient development capacity is to be provided to meet expected demand for housing and business land over the short term, medium term, and long term (NPS-UD Policy 2).
64. In July 2021, Change 1 to Chapter 6 of the CRPS was made operative, which amended Map A to identify FDAs to provide additional housing development capacity in Rolleston, Rangiora and Kaiapoi in order to support the outcomes of Our Space 2018-2048.
65. In May 2022, the NPS-UD added an implementation clause 3.8(3) requiring criteria for assessing significant development to be included in regional policy statements. The CRPS has not been updated to include relevant criteria. In the absence of CRPS criteria, I have considered the provisions of the NPS-UD and CRPS.
66. In addition, I note that the Waimakariri Residential Capacity and Demand Model September 2023 (WCGM23) allocates residential units spatially to urban areas in the District based on the observed patterns in building consents.¹¹ The report notes that the total plan enabled capacity in Woodend/Pegasus is now estimated to be around 15,660 new dwellings, or more than five times the existing number of dwellings in this area.¹² It concludes that there may not be sufficient residential supply in Woodend/Pegasus in the medium term, with a small shortfall.¹³

	2023-2033 Short- Medium	2023-2053 Long
Woodend-Pegasus Dwelling Situation		
Demand +Margin	2,480	5,840
Feasible Supply	2,200	2,790
Sufficiency	-280	-3,050

Figure 4: Woodend/Pegasus Residential Dwelling Demand (+Margin) and Feasible Supply. Source: WCGM23.

67. Regarding Woodend-Pegasus the WCGM23 concluded:

“...there may be insufficient residential supply, in Woodend-Pegasus. The Council should monitor that situations to ensure that a shortage does not arise. We consider that given the scale of development potential around the District and Urban

¹¹ Page 27

¹² Page 35

¹³ Page 36

Environment that these small (technical) shortages could be accommodated either within other towns or by slightly more intensive development than assumed in the model. Both of those outcomes could occur and the small undersupply may not eventuate.”

68. It is expected the medium term and long-term shortfall would most likely be able to be accommodated in other towns such as Rangiora and Kaiapoi. There is sufficient capacity in the urban environment to meet expected demand for both the medium and long term demand.¹⁴
69. Based on the analysis provided in the WCGM23 report, I consider that residential capacity is met. This matter is being revisited as part of the residential rezoning requests which will be heard in Hearing Stream 12E which includes rezoning requests for Rangiora, Kaiapoi, Woodend and Variation 1.
70. I have considered the contribution to meeting residential supply as part of the two rezoning requests later in this report.

3.1.5 Background to existing residential supply in SPZ(PR)

71. Applications (RC055641 and RC055642) were granted in 2006 to subdivide and create 98 residential allotments, along with a golf course, driving range complex and ancillary activities, clubhouse, golf maintenance area and road to vest. This decision is attached as **Appendix G**. At the time of notification of the Proposed Plan this subdivision had been completed and there was exiting residential housing to the south and north of Pegasus Boulevard. The area subject to the Pegasus Resort (including residential development) is shown in grey shading in **Figure 5** below.
72. The commissioners in those applications considered that the proposal would “*maintain rural amenity, quality of the environment and character*”,¹⁵ and were satisfied that the granting of consent would not create any precedent effect particularly as the Mapleham Rural 4B and Pegasus Rural Zone (Special Purpose Area) do not appear elsewhere within the Operative Plan. They considered the fact that the proposal was an integrated approach to create a golf course with associated infrastructure and residential sites incorporated within that golf course to be a further unique feature of the proposal.
73. The notified SPZ(PR) includes residential activities with an average lot size of 2,000m² for this area. The zone includes a limited mix of commercial activities that support the tourism activities, such as ancillary office.

¹⁴ Page 35-36

¹⁵ Paragraph 302

3.1.6 Location of rezoning request sites

74. The location of the rezoning request sites and existing Pegasus Resort are shown in Figure 5 below.

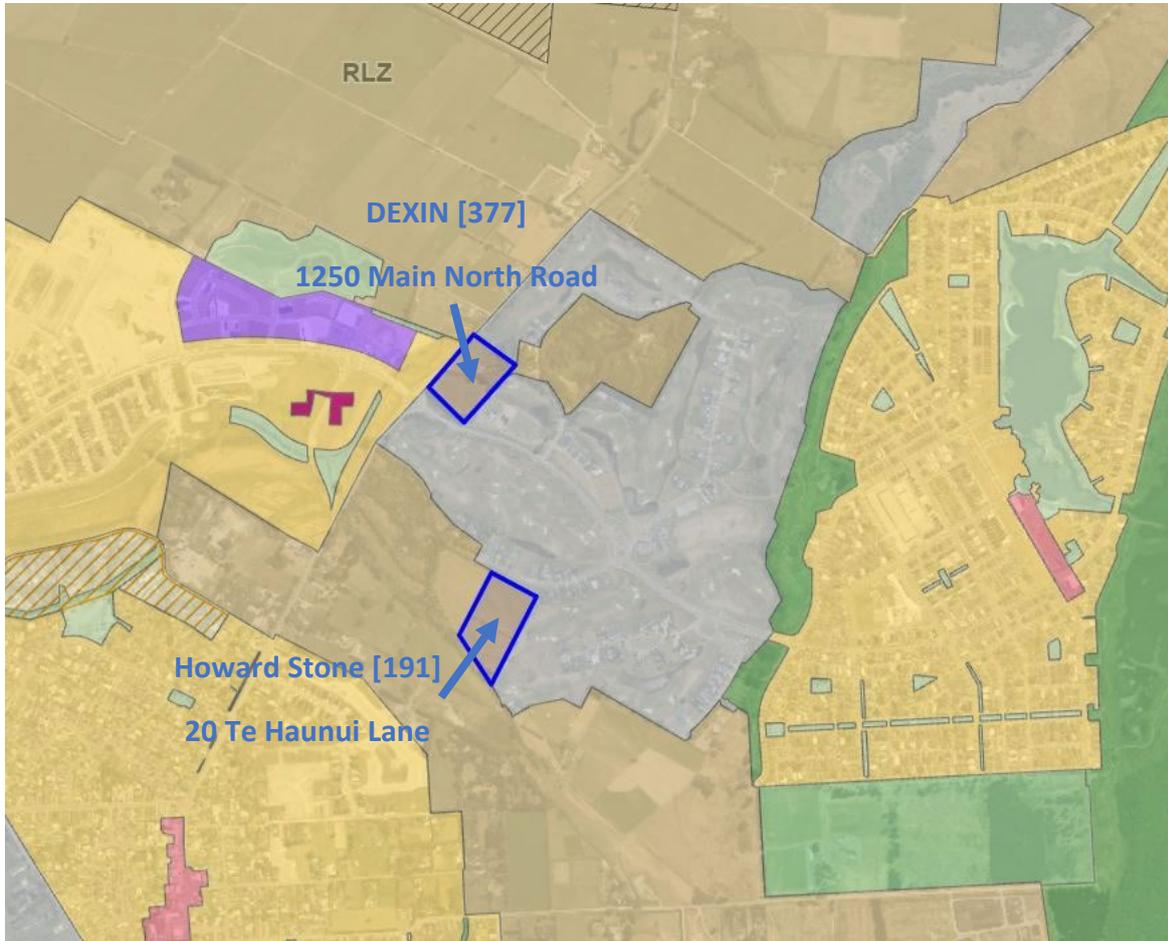


Figure 5: Location of the rezoning requests (blue outline) and existing Pegasus Resort (grey shading). Source: Proposed Plan.

3.2 1250 Main North Rd

3.2.1 Matters raised by submitters

75. DEXIN [submission 377] is seeking rezoning of 1250 Main North Rd from proposed RLZ to SPZ(PR). They seek for the site to be utilised for makete tourism activities and a limited amount of medium density residential activities within two new activity areas.

76. I note that submission [377] is not requesting to be rezoned to MRZ, but rather have an activity area with a set of residential standards that are similar to those that were notified as part of Variation 1. I address these submission points in this s42A report below.

77. DEXIN has provided reports along with its further submission [FS101] to support the rezoning of land. These include:

- an Indicative Māketē¹⁶ Masterplan,
- a s32AA evaluation,
- an economic assessment,
- an integrated transport assessment,
- an ecology assessment,
- a landscape effects assessment,
- an infrastructure servicing report,
- an urban design assessment,
- amended SPZ(PR) chapter provisions,
- consequential amendments to district-wide provisions,
- an amended ODP (to include the site), and
- amended Pegasus Design Guidelines.

78. DEXIN also provided technical information which has informed the preparation of this report. These documents are available on the District Council website¹⁷ and include:

- a memorandum responding to information gaps as per Minute 1¹⁸,
- a Desktop Natural Hazards Risk Assessment Report,
- a Cultural Impact Assessment,
- SPZ(PR) Updated Provisions, and

¹⁶ 'Māketē' is defined by the Te Aka Māori dictionary as market, auction

¹⁷ <https://www.waimakariri.govt.nz/council/district-development/proposed-district-plan-hearings/hearing-streams/hearing-stream-12a-commercialindustrial,-oxford-and-surrounds,-pegasus-resort>

¹⁸ Paragraph 74

- Updated Pegasus Design Guidelines.

79. In addition to the rezoning request, the amendments sought to provisions include the following:

- Amendments to the SPZ(PR) 'Introduction' to incorporate reference to the proposed additional activity areas on the site at 1250 Main North Road, and inclusion of new area descriptions:
 - Activity Area 7B: Residential (Medium Density); and
 - Activity Area 8: Agricultural Tourism.
- Existing Activity Area 7, is proposed to be renamed to Activity Area 7A: Low Density Residential;
- Amendments to objective SPZ(PR)-O1 (*Tourist destination*) to include reference to the establishment of medium density residential activity and Māketete tourism activities;
- The further submission seeks amendment to SPZ(PR)-O2 (*Design components*) to add "and tourism and residential activities centred on a Māketete Village" and the updated provisions provided with the technical information seek to provide for cultural values. These specific amendments to SPZ(PR)-O2 were not included in the original submission but I consider the original submission provided the scope for relief to provide an updated and amended version of the chapter provisions, as well as additional technical reports and assessment.
- Amendments to policy SPZ(PR)-P1 (*Outline development plan*) to include reference to medium density residential, and Māketete tourism. The technical information seeks to also provide for cultural values;
- Amendments to policy SPZ(PR)-P4 (*Provision of commercial activities*) to ensure agricultural tourism commercial activities are provided for;
- Amendments to policy SPZ(PR)-P5 (*Urban design elements*) to add scope for the consideration of agricultural architecture design within new Activity Area 8 (Agricultural Tourism);
- The submission sought amendments to policy SPZ(PR)-P9 (*Residential development*) and/or inclusion of a new policy to provide for medium density residential activity (new Activity Area 7B) within proposed Activity Area 7B (Medium Density Residential). I note that amendments to this policy are now not being sought; and
- Amendments to the existing activity rule framework, built form standards, and matters of control and discretion that relate specifically to the new Activity Area 7B and Māketete tourism area.

80. DEXIN [377.18] seeks relief to enable any amendments to proposed district-wide provisions which apply to the subject site, where they do not align with the development intention of its submission. These have been provided with DEXIN's further submission. These include a definition of 'Māketete tourism' and an amendment to SUB-S1 (*Allotment size and dimensions*) to include Activity Area 7B and 8 in the minimum allotment sizes at Table SUB-1 for SPZ(PR).

81. DEXIN considers “the proposed tourism activities and residential activities are consistent with the range of activities anticipated in the notified version of the SPZ(PR)” and the site “would become an agricultural tourist destination based around a local farmers market, in the style of Matakana Market (north of Auckland)...”
82. The submitter anticipates that the agricultural tourism activity area will cover the majority of the subject site (approximately 16,500m²).

“The foundation of the area will be a market area to provide for local producers to directly retail produce. The area will be supplemented by visitor attractions that will provide educational and entertainment experiences to visitors to highlight sustainable production of food and materials.”¹⁹

83. DEXIN’S submission points [377.1 to 377.18] are supported by S&E Corp [FS100].

3.2.1 Assessment

3.2.1.1 The site and proposal

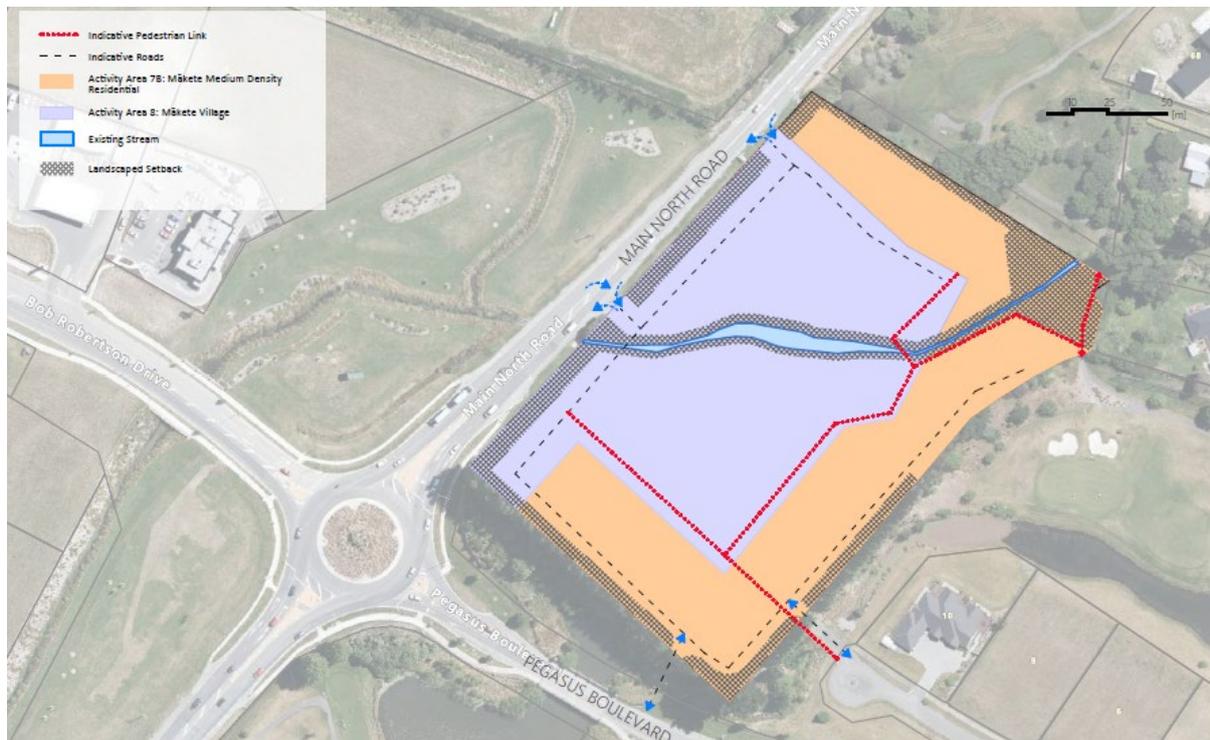


Figure 6: 1250 Main North Rd Rezoning Request: Showing requested addition to ODP.
Source: Further submission 101, Appendix 3: Amended Outline Development Plan.

84. The Pegasus Māketē site (the site) is located at 1250 Main North Road and is Rural Zone under the Operative District Plan and RLZ under the notified Proposed Plan and is approximately 3.05ha.
85. As noted in the further submission, DEXIN own the site, which is legally described as Part Rural Section 864 held in Record of Title 1078395. Record of Title 1078395 also contains *Lots 97 and 700*

¹⁹ FS101 Appendix 6: Section 32AA Report, page 3

Deposited Plan 417391 which are currently located within the SPZ(PR) and are not subject to the requested rezoning. In summary, the rezoning sought covers all of the areas where further SPZ(PR) activities may occur.

86. The site adjoins to the notified proposed SPZ(PR) to the south, southeast and north and is a continuation of the RLZ to the north east (the Maplehem ODP). Refer to Figure 7 below.

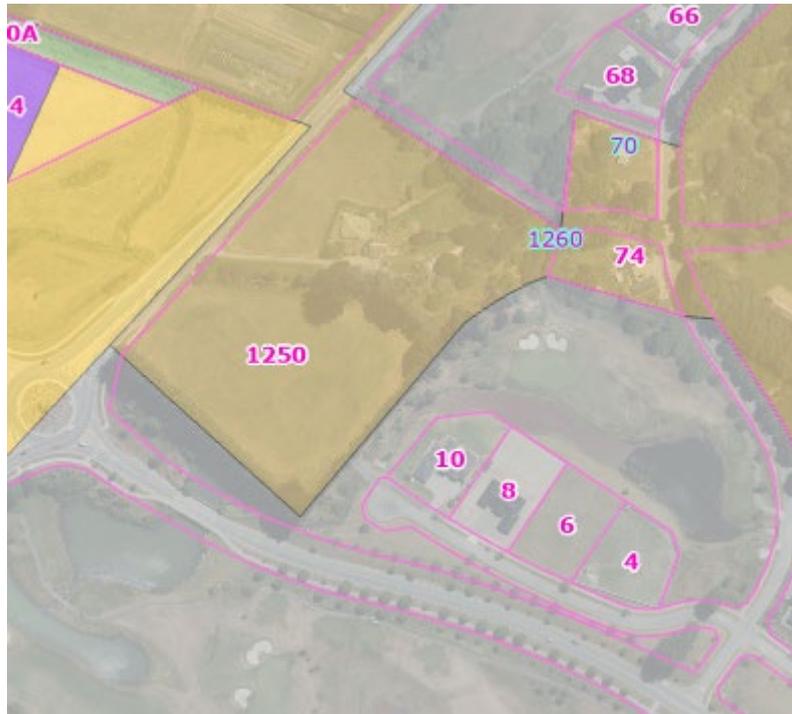


Figure 7: 1250 Main North Road and immediate surrounds. Source: Proposed Plan.

87. Appendix SPZ(PR) – APP1 – ODP shows the site being bordered by 'Activity Area 6 – Golf Course' along its southern and eastern boundaries and on the other side of the strip of land to the north (zoned SPZ(PR)).
88. I note that the reporting officer for the Commercial and Industrial Rezoning s42A report²⁰ (Andrew Willis) recommends transferring the Operative District Plan PC30 outcomes into the Proposed District Plan, which in part is to zone the land across the Main North Road as GIZ and TCZ (refer to Figure 8).

²⁰ Section 3.10

DEV-NWD-APP1 – North Woodend Outline Development Plan

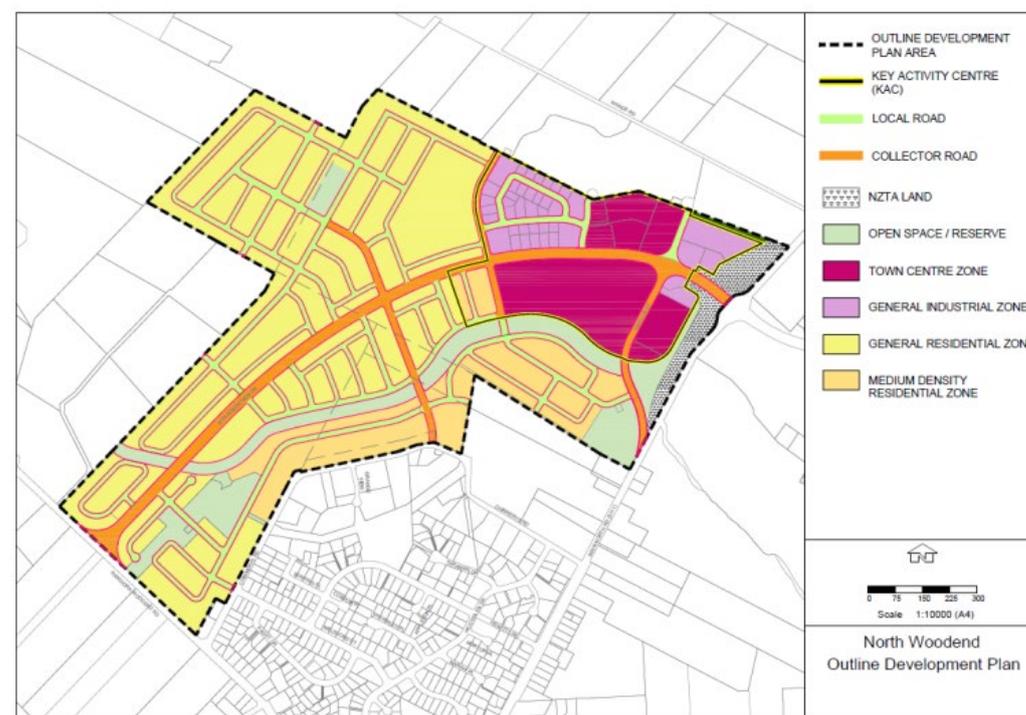


Figure 8: DEV-NWD-APP1 – North Woodend Outline Development Plan

89. The site is connected to Pegasus Town by Pegasus Boulevard but the site and Pegasus Resort are separated from Pegasus Town to the east by the Natural Open Space Zone (NOSZ). Pegasus Resort is physically separated from Ravenswood to the west by the Main North Road.

3.2.1.2 Location and function

90. CRPS Objective 5.2.1 Location, Design and Function of Development (Entire Region) clause 1 seeks that development is to be located and designed so that it functions in a way that achieves consolidated, well designed and sustainable growth in and around existing urban areas as the primary focus for accommodating the region's growth. As the development is outside the Existing Urban Areas", Greenfield Priority Areas or Future Development Areas (FDAs) of Map A, I have used this objective to assess the proposed rezoning later in my report. I note, as outlined in the CRPS, a consolidated pattern of urban development minimises energy use; promotes more sustainable forms of development; encourages greater modal choice, reduces trip distances, promotes healthier transport options; provides for the efficient use of existing infrastructure; and maintains regional identity and character.²¹

91. The Māketē Village (proposed as Activity Area 8) would adjoin the Main North Road and is proposed to be surrounded by residential that is medium density with lot sizes an average 200m² -300m² (Activity Area 7B). However, I note that DEXIN has requested a no minimum lot size in Table SUB-1.

²¹ CRPS, Objective 5.2.1 Principal reasons and explanation, page 47

92. DEXIN considers the proposal to be a natural extension to the SPZ(PR) as *“it is a corner site directly adjacent to the SPZ(PR), bordered on three sides by the Pegasus Golf Course”* and considers that there are *“wider benefits to be had from agglomerating a broader range of tourism based activities in the same location.”*²² The s32AA assessment provided with the further submission states that, although the site is beyond the existing urban boundary of Woodend, the Key Activity Centre (KAC) is easily accessible from the site.
93. The Urban Design Report, prepared by Common Ground Southern, provided with the further submission describes the development as a “gateway” to Pegasus Town and Ravenswood and provides a mix of visitor uses and housing opportunities that are unavailable in the SPZ(PR) or Ravenswood commercial development.

Activity Area 8 – Māketete Village

94. Well-functioning urban environments under the NPS-UD Policy 1 clause (b) are to have a variety of sites that are suitable for different business sectors in terms of location and site size. Furthermore, business activities are to be provided for in appropriate locations under the CRPS to ensure sustainable economic development (Objective 5.2.1(2)(c)).
95. New commercial activities are to be primarily directed to the KACs and neighbourhood centres but a range of other activities are to be provided in appropriate locations (CRPS Objective 6.2.6 *Business land development*). Commercial activities are not to not give rise to significant adverse distributional or urban form effects and the function and role of KACs and neighbourhood centres is to be recognised (CRPS Policy 6.3.6(4) *Business land*).
96. I note that the CRPS identifies the general area of Woodend/Pegasus for a KAC but the KAC definition in the Proposed Plan does not identify a KAC in this area. Whether Ravenswood would provide a KAC in the general area and be included in the KAC definition is to be considered as part of the Commercial/Industrial Rezoning Requests in Hearing Stream 12A.
97. The purpose of the Special Purpose Zone (Pegasus Resort), as outlined in the Introduction to the chapter, is to provide for a high-quality visitor resort centred around the existing 18-hole international championship golf course.²³
98. The s32 report noted that a resource consent had *“recently been approved signalling that some urban activities supporting the golf course are appropriate in this location, subject to considerations of scale, character and links to existing tourism activities”*.²⁴ The SPZ(PR) s32 identified the notified zone as being an appropriate location for a tourism resort centred on the existing golf course. The zone is intended to include a golf course, hotel, visitor accommodation, spa/wellness and hot pool complex, golf education and country club.
99. The SPZ(PR) is intended to have limited small-scale commercial activity. SPZ(PR) does not include the typical activities of a town or village such as food and beverage outlets, supermarkets and

²² Submission 377, page 2

²³ Pegasus Resort Chapter Introduction

²⁴ Section 32 Report: Whaitua motuhake/ Special Purpose (Pegasus Resort) Zone, page 22

service stations. These are intended in nearby areas and not in the SPZ(PR) itself such as the Local Centre Zone (LCZ) in Pegasus and the Town Centre Zone (TCZ) of Ravenswood.

100. The submitter has provided an economic assessment which concluded the requested rezoning will not adversely affect the function and viability of the KACs.²⁵
101. In my view, linking the development to the existing tourism activities would ensure the development is suitable for the SPZ(PR) and does not give rise to adverse distributional or urban form effects. I have provided some comments on the 'makete tourism activities' definition in section 3.2.1.15 of this report.
102. In regard to the linkages to the existing tourism activities, the site is separated from the existing and proposed tourism activity of Activity Areas 1-4 which, in my view, has the potential to result in a discontinuous built-form without a clear central point for tourism activity and would not be coherent and achieve consolidated growth in accordance with Objective 5.2.1(1) and is not well-integrated in accordance with Policy 6.3.2.

Activity Area 7B - Māketete Medium Density Residential

103. Activity Area 7B is proposed to be 10,220m². The submitter states that it is likely the subject site would accommodate approximately 40 houses in the form of terraced housing or semi-detached townhouses, with lot sizes an average 200m²-300m². However, I note that the submitter has requested a no minimum lot size in SUB-S1.
104. I have considered the proposal based on the existing form of the development in the surrounding environment and its relationship with the SPZ(PR) and the purpose of the zone. The site is located near existing urban areas and Greenfield priority areas of Map A, and near jobs and community services.
105. While I acknowledge the proposal provides housing opportunities, the requested residential does not achieve a consolidated form with the MRZ to the north west of the site across the Main North Road as this land which was notified as MRZ is not now being proposed to be used for medium density residential, as it contains a stormwater channel and the NZTA-3 designation. Further, as noted above, the reporting officer for the Commercial and Industrial Rezoning Mr Willis, recommends transferring the PC30 outcome into the Proposed District Plan to zone the land across the Main North Road that is not subject to designation NZTA-3, as GIZ and TCZ.
106. SPZ(PR) is also separated by the zoned MRZ urban area of Pegasus Township by the NOSZ - described in the Operative District Plan as the Western Ridge Conservation Area. The general area contains the Mapleham Development Area which has development limitations due to the flooding area surrounding Taranaki Stream. The area is also of significance to Ngāi Tūāhuriri. For these reasons, I consider it would not be suitable for a higher density of development.
107. In my view, development on the site could set a precedent for medium density enclave separated from and not well integrated with other residential areas in the area or the Pegasus Resort which is intended as a tourist destination, would provide for a greater intensification of

²⁵ Further submission 101 Appendix A

residential activity than currently provided in the zone, and would therefore not be in accordance with SPZ(PR)-O1, SPZ(PR)-O2, and SPZ(PR)-P9.

108. Therefore, in my view, it does not achieve consolidated growth in accordance with Objective 5.2.1(1) and is not well-integrated in accordance with Policy 6.3.2.



Figure 9: 1250 Main North Road looking north towards the Main North Road and GIZ.

3.2.1.3 Housing choice and development capacity

109. A well-functioning urban environment is to “*have or enable a variety of homes that:*”
(i) meet the needs, in terms of type, price, and location, of different households” (NPS-UD, Policy 1(a)(i)).
110. The CRPS Objective 5.2.1(2)(b) requires development to be located and designed so that it functions in a way that provides sufficient housing choice to meet the region’s needs.
111. The Waimakariri Residential Capacity and Demand Model concluded there could be a shortage of residential supply in Woodend-Pegasus. However, the model concluded that the need in this particular location can be provided in other areas as sufficient development capacity has been provided across the District.²⁶
112. I note there is no existing medium density residential in the SPZ(PR) but there is MRZ in nearby Pegasus, Ravenswood and Woodend. The residential provided for within the SPZ(PR) has an average lot size of 2000m² (Activity Area 7). For the proposed residential Activity Area 7B, 10,220m² would equate to adding an additional five residential units. The submitter seeks a no minimum lot size for the residential on the site.
113. The medium-term projected shortage of residential units in Woodend/Pegasus is 280 units and the long-term projected shortage is 3050 units in Woodend-Pegasus. However, this can be provided in other areas in the district²⁷, and is anticipated to be provided for through the residential rezoning requests. In my view, capacity is best located in the Residential Zones which are intended for residential activities.
114. I understand that the submitter intends to address whether the development would contribute significant development capacity through both economic and planning evidence at the

²⁶ Waimakariri Residential Capacity and Demand Model – IPI 2023: Economic Assessment

²⁷ Waimakariri Residential Capacity and Demand Model – IPI 2023: Economic Assessment

hearing. However, at this point in time, I am of the view that the proposal does not contribute significantly to development capacity.

3.2.1.4 Transportation and accessibility

Transport infrastructure

115. Development is to be compatible with and not adversely affect the operation, use, appropriate upgrade and future planning of regionally significant infrastructure or adversely affect the strategic land transport network (CRPS Objective 5.2.1(2), Objective 6.2.1(10), Policy 5.3.7)). The site is subject to NZTA designations 1 and 3 with both designations cutting across the front of the site (refer to Figure 10).

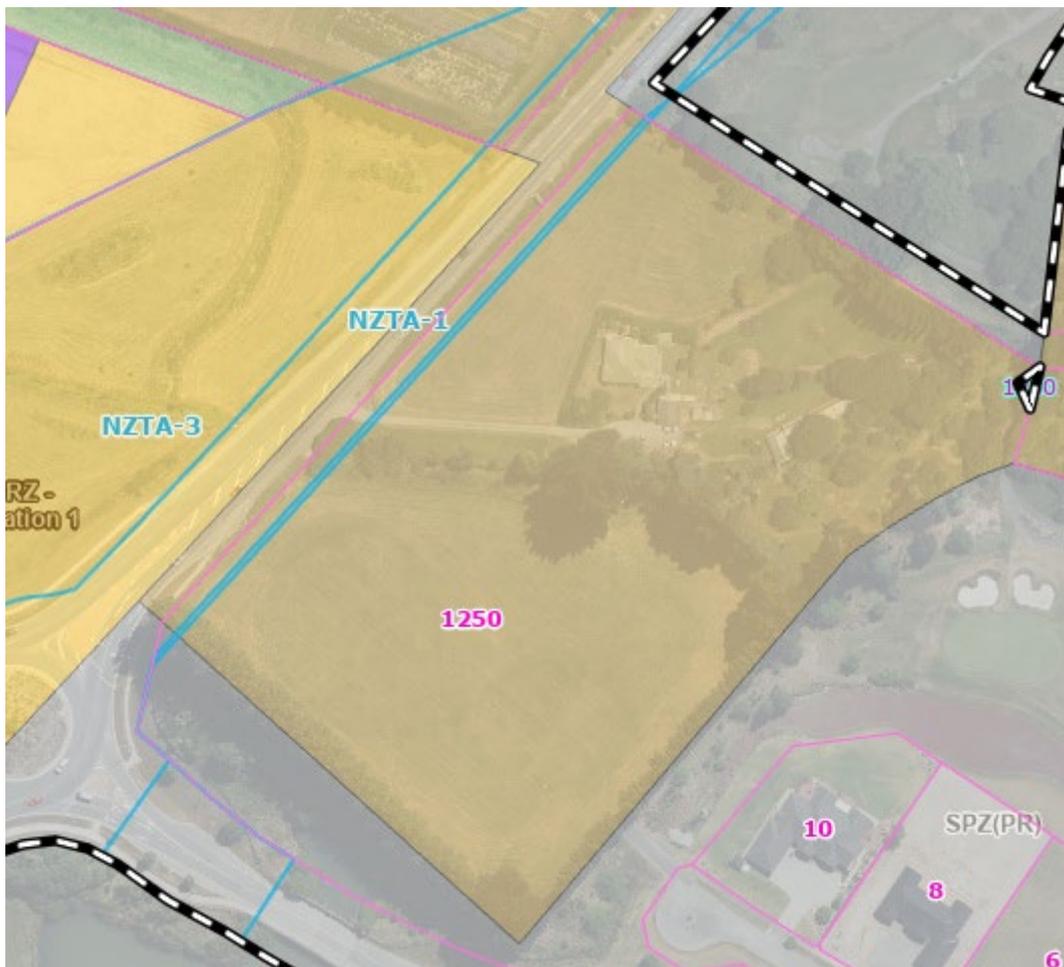


Figure 10: NZTA designations 1 and 3 with both designations cutting across the front of 1250 Main North Road.

116. The District Council's Senior Transportation Engineer Mr Binder considers there to be "insufficient information available at this time to conclude that there will be no substantive effects

on transport safety or operations.”²⁸ Mr Binder has listed the areas of concern or still lacking detail in a memorandum attached as **Appendix E** to this report.

117. Mr Binder is of the view that access to the site should be from Burntwood Lane. He considers access point(s) from SH1 north of the Pegasus Roundabout presents a substantive safety risk²⁹. I note that NZ Transport Agency Waka Kotahi was not a submitter on this matter.
118. Mr Binder also notes the separation between the proposed Pegasus Boulevard access point also does not meet the Waka Kotahi Planning Policy Manual (App 5B) and Austroads AGRD03 guidance/requirements on access spacing. However, the distance would appear to meet Proposed Plan separation distances in Table TRAN-17. He notes this may not be achieved after the Woodend Bypass upgrades have been undertaken and recommends consultation with Waka Kotahi on these matters.
119. I note that the proposed access points to Burntwood Lane and Pegasus Boulevard crosses land that is not within the submission and is part of Activity Area 6: Golf Course. The submitter also owns this land.

Accessibility

120. A well-functioning urban environment is to *“have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport”* (NPS-UD, Policy 1(c) and is to *“support reductions in greenhouse gas emissions”* and be *“resilient to the likely current and future effects of climate change”* NPS-UD, Policy 1 (e and f).
121. Development is to be located and designed so that it *“minimises energy use and/or improves energy efficiency”* (CRPS Objective 5.2.1(2)(d).
122. The closest centre zone is the TCZ of Ravenswood which is approximately 225m from the site and on the other side of the Main North Road. The site is more than 1.5km from the LCZ of Pegasus. The further submission states it is within a 10 minute walk of the nearest bus stops which are nearby on Pegasus Boulevard.³⁰ I consider that the bus stops are accessible on the Pegasus side of State Highway 1.
123. Principal Planner Melissa Pearson, on behalf of DEXIN, has addressed NPS-UD Policy 1(e) and Policy 1(f) provided in section 2.0 of the memorandum dated 5 March 2024. Ms Pearson states that a well-functioning urban environment can reduce greenhouse gas emissions *“by enabling people to live near where they work and putting employment and entertainment opportunities in locations that are easily accessible”*.³¹
124. I agree that it is in a location (especially if people living in Activity Area 7B were also working in either the Māketē tourist area or across the Main North Road at Ravenswood) that is near employment and entertainment opportunities, and public transport. In my view, to ensure good

²⁸ Appendix E

²⁹ Statement of evidence of Shane Binder (Transport), John Aramowics (Servicing, Hazards), Christopher Bacon (Servicing, Hazards) on behalf of Waimakariri District Council, Attachment A, row 1, column transport

³⁰ Refer to further submission 101, Appendix D, section 6

³¹ Page 4

accessibility and support reductions in greenhouse gas emissions, the proposal would benefit from a pedestrian link to Ravenswood. Mr Binder is also of the view that a more direct pedestrian link should be included to the Pegasus Roundabout, bus stops and potentially Ravenswood.

125. In my view, the transportation aspects of the proposal have not sufficiently been addressed. DEXIN is to address non-motorised access including pedestrian/cycle crossing to Pegasus centre and Ravenswood and intends to provide further traffic engineering evidence as part of Hearing Stream 12A.

3.2.1.5 Character and amenity

126. Development is to be located and designed so that it functions in a way that *“enables rural activities that support the rural environment including primary production”* (CRPS Objective 5.2.1(2)(e)) (Entire Region) and development is to be enabled through a land use and infrastructure framework that *“maintains the character and amenity of rural areas and settlements”* (CRPS Objective 6.2.1(7)).

127. I note that even though the site has a classification of LUC2, the productive use of the land is restricted as it is an undersized rural allotment isolated from adjoining rural land. The site is not currently in productive use.

128. The submitter considers the site *“does not form part of an area with strong rural character or productivity characteristics”*³². I agree with this statement. The GIZ and TCZ of Ravenswood are located across the Main North Road from the site and to the southeast, east and north east are large residential lots.

129. I note that the site connects to existing proposed SPZ(PR) to the south and east which includes Activity Area 6: Golf Course and Activity Area 7: Residential.



³² FS101 Appendix 6: Section 32AA Report, page 23

Figure 11: 1250 Main North Road and surrounds. Source: Proposed District Plan maps.

130. There is RLZ to the north east - the Mapleham Development Area. The Mapleham Development Area has a minimum density of 1ha and average of 1.5ha and has an identified flooding area surrounding Taranaki Stream. I note that there is a rezoning request in the Mapleham Development Area for 70 and 74 Mapleham Drive [91.1], which is seeking residential zoning. This submission has been allocated to the residential rezoning requests.
131. 1250 Main North Road would be separated from the notified MRZ to the North West of the site by the Main North Road. The land in the North West contains a stormwater channel and is part of the NZTA-3 designation.
132. The site provides rural outlook for residential units on Burntwood Lane and Mapleham Drive.
133. An Urban Design Assessment was prepared by James Lunday and provided with the further submission. It concluded the development to be complimentary to the Pegasus Golf Course.
134. I undertook a site visit on 20 March 2024 and, from a planning perspective, I consider the reduction of open space from the surrounding sites would be minimal due to the large setbacks and the outlook onto the golf course and Taranaki Stream, as shown in the image below.



Figure 12: Outlook of 10 Burntwood Lane towards 1250 Main North Road.

135. However, there would be some loss of character values, particularly on the subject site itself as a medium density built-form is anticipated rather than large residential lots in the SPZ(PR).

136. As noted in the Landscape Effects Assessment prepared by Mike Moore and provided with the further submission, there will be some adverse effects on 10 Burntwood Lane in terms of visual amenity from the residential buildings up to 12m high. Overall, Mr Moore considers the landscape effects as positive/moderate.

137. I consider the site itself would be a different character than the surrounding environment. As noted in the Landscape Effects Assessment, boundaries are to be provided with landscaping to screen and soften views of built form from beyond the site.³³ In my view, from a planning perspective, the open space and parkland character would mostly be retained from the surrounding sites and give effect to SPZ(PR)-P3 as landscape character values will continue to be provided for.

3.2.1.6 Cultural values

138. A well-functioning urban environment under the NPS-UD enables Māori to express their cultural traditions and norms (Policy 1(a)(ii)). Planning decisions relating to urban environments are to take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) (NPS-UD, Objective 5).

139. As noted in the s32AA assessment, provided by the submitter with the further submission, the site is located within Sites and Areas of Significance to Māori (SASM) overlays. Engagement with Mahaanui Kurataiao Limited on behalf of Ngāi Tahu (mana whenua of the Canterbury Region) and Te Ngai Tūāhuriri Rūnanga is ongoing to resolve concerns with the proposal (see page 21-22 of submitter's s32AA).

140. A Cultural Impacts Assessment (CIA) has been provided which recommends amendments to the Introduction, SPZ(PR)-O2, SPZ(PR)-P1, and the Pegasus Design Guidelines to better provide for consideration of cultural values, collaboration with mana whenua and development/enhancement of waahi taonga and mahinga kai. The report concludes that *"little or minimal impact on cultural values is foreseen and all reasonable and realistic mitigation measures have been identified..."*³⁴

141. I adopt the assessment provided and consider the amendments to provide for cultural values requested by the submitter are positive amendments to provide for cultural values. I note that some amendments are specific to the activity on the site and I recommend they are accepted if the rezoning request was to be accepted.

142. There are other amendments that apply to cultural values across the whole of the zone and, in my view, should be accepted regardless of the rezoning outcome. I have recommended a shortened version of SPZ(PR)-O2 than sought by DEXIN so that the policy is not a repetition of the objective and implements the objective. I have shown these as amendments in **Appendix A** and have provided a s32AA assessment as **Appendix C**.

³³ Further Submission 101: Landscape Effects Assessment, prepared by Mike Moore, page 5

³⁴ Page 34

3.2.1.7 Three waters infrastructure

143. Urban development that affects urban environments are to be integrated with infrastructure planning and funding decisions (NPS-UD, Policy 6).
144. I have viewed the reports provided with the further submission and have sought technical advice from the District Council's Project Delivery Unit. District Council Consultant Civil Engineer Mr Aramowicz is of the opinion that onsite stormwater treatment and disposal/attenuation is achievable at the site but notes the developer will need to avoid any increase in risk of flooding to adjacent/downstream properties³⁵.
145. The submitter has confirmed that treatment and attenuation will be provided prior to discharging to the stream running through the site.
146. Mr Aramowicz has advised that wastewater will need to be either pressure gravity or gravity sewer fed into a pumping station, then fed into the Ravenswood rising main. However, he notes, District Council asset managers may not support this option so the site may need to run its own rising main west under SH1 and connect to the Kesteven pump station in Ravenswood or run a new rising main east to the Main Street pump station in Pegasus or directly to the WWTP. He further notes that there is no capacity in the Mapleham STEP system for the development and the cost of sewer servicing is likely to be high.
147. Irrespective of the design solution, Mr Aramowicz is of the opinion that the proposal can be serviced by the existing District Council water supply³⁶.
148. Based on this information above, I consider three waters servicing for the site can be provided but note the developer would need to be aware of the potentially high cost of sewer servicing.

3.2.1.8 Terrestrial and aquatic impacts

149. The submitter has provided an ecological assessment as Appendix F to the further submission. The report concluded that the ecological values of Taranaki Stream are to be maintained within the ODP.
150. As Taranaki Stream crosses through the site, the esplanade reserves or strip standard SUB-S17(c) would apply to the site which requires an esplanade strip to be set aside. The NATC-SCHED2 setback of 10m also applies. A landscaped setback is shown in the amended ODP Plan (Appendix 3) in the further submission. DEXIN intends to provide a revised Outline Development Plan at the hearing. According to a memorandum from Ms Pearson (5 March 2024), the intent is for the revised ODP to have a 10m landscaped setback from the existing bank of the Taranaki Stream.³⁷

³⁵ Statement of evidence of Shane Binder (Transport), John Aramowics (Servicing, Hazards), Christopher Bacon (Servicing, Hazards) on behalf of Waimakariri District Council, Attachment A, row 1, column servicing

³⁶ Statement of evidence of Shane Binder (Transport), John Aramowics (Servicing, Hazards), Christopher Bacon (Servicing, Hazards) on behalf of Waimakariri District Council, Attachment A, row 1, column servicing

³⁷ Page 2

3.2.1.9 Natural hazards and geotechnical

151. I have considered whether the development would protect people from unacceptable risk from natural hazards and the effects of sea-level rise (CRPS Objective 6.2.1(8)), and if it is resilient to the likely current and future effects of climate change (NPS-UD, Policy1 (f)).
152. Parts of the site adjoining Taranaki Stream and the northeast corner are subject to the Urban Flood Hazard Assessment Overlay and will be subject to the Natural Hazards Chapter provisions that apply to this overlay. This includes NH-R1 that requires buildings for natural hazard sensitive activities is erected to the level specified in an existing consent notice.
153. The revised ODP presented in evidence is to confirm that the area of the site subject to the Urban Flood Assessment Overlay will be contained within the landscaped setback.

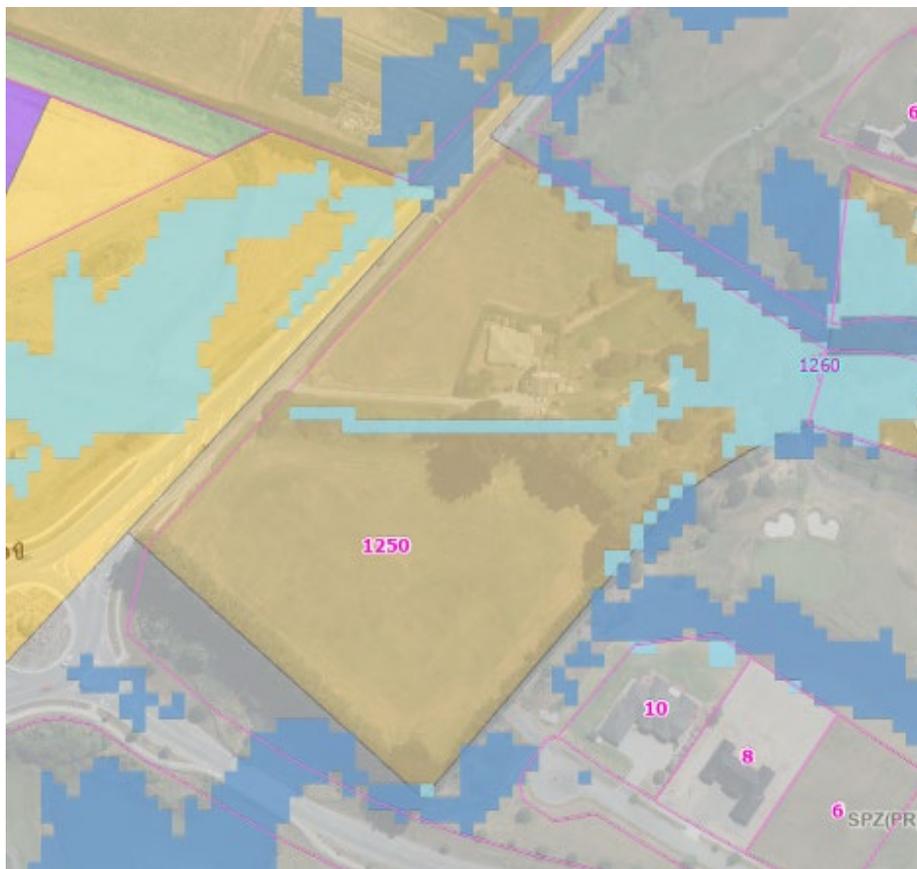


Figure 13: Urban Flood Assessment Overlay that applies to 1250 Main North Road shown in light blue. Source: Proposed District Plan.

154. The Desktop Natural Hazards Risk Assessment Report prepared for DEXIN concluded that if normal good practice investigation, design and development controls are implemented then there would be no significant risks from natural hazards.
155. The District Council's Senior Civil Engineer Mr Aramowicz has reviewed the information and advises there are no significant natural hazards that cannot be addressed at the time of detailed engineering design. He notes the presence of Taranaki Stream that will need protection and appropriate setbacks. He recommends the developer be required to achieve low-moderate risk

of liquefaction induced damage to land, services and other District Council infrastructure³⁸. I accept Mr Aramowicz advice.

3.2.1.10 ODP

156. CRPS Policy 6.3.3 sets out that subdivision of Greenfield priority areas, Future Development Areas and rural residential development must not proceed ahead of the incorporation of an ODP, and for the ODP to show relevant land uses. While the site is not a Greenfield Priority Area or Future Development Area, this provision is useful to demonstrate how the proposal would meet these. DEXIN has provided an updated ODP with the further submission as Appendix 3 to include the site.

157. I note that the landscaped setback for Activity Areas 1 and 4 and the road access points in Activity Area 3 for the notified zone have been missed off and the submitter has confirmed they will provide an updated ODP showing these as part of evidence.

158. I also note that 65A Mapleham Drive, which is narrow and half a hectare in size, is not shown on the notified ODP. It was zoned Mapleham Rural4B under the Operative District Plan, and part of the Mapleham ODP, and is zoned SPZ(PR) under the notified Proposed Plan. DEXIN has confirmed that its omission from the notified ODP was an oversight and intends to provide an updated ODP at Hearing Stream 12A showing it as part of Activity Area 7A, so it matches the activity area of the northern side of Mapleham Drive. I consider that, due to the narrowness of the site, it may be more logical extension of Activity Area 6: Golf Course.

159. DEXIN anticipates further ODP amendments as a result of further traffic engineering work.

3.2.1.11 Noise and Vibration



Figure 14: Looking from the site towards the Main North Road

160. Ms Pearson has addressed mitigation of the noise and vibration from the Main North Road and the mitigation of internal noise effects of tourism activities on residential development, in her memorandum dated 5 March 2024.

³⁸ Statement of evidence of Shane Binder (Transport), John Aramowics (Servicing, Hazards), Christopher Bacon (Servicing, Hazards) on behalf of Waimakariri District Council, Attachment A, row 1, column hazards

161. I adopt Ms Pearson's assessment of state highway noise provided in the memorandum. However, when I visited the site, I noted that in my non-expert opinion, there were adverse noise effects associated with trucks braking into and accelerating out of the roundabout. In my view, despite application of NOISE-R16, this may result in adverse noise effects for outdoor living areas. However, I agree with Ms Pearson that there are benefits to having people living close to main transport routes. Ms Pearson notes that the ODP proposes non-residential activities in the part of the site directly adjoining the state highway and a mounded landscape barrier within the landscape buffer, which may block some of the state highway noise but acoustic advice has not been sought to confirm this.

162. I note that the noise levels for the SPZ(PR) in the Table NOISE-2 Noise limits would apply to noise received on the site which are 5dB higher than in the residential zones. A medium density of development was not anticipated in the SPZ(PR). However, the potential impacts of noise from Māketete Tourism Activities on residential could be considered under the restricted discretionary activity rule requested through the DEXIN further submission.

3.2.1.12 Amendments to provisions

163. DEXIN's original submission indicated the intention to circulate amended provisions before the convening of the hearing on the SPZ(PR) Chapter. DEXIN has provided amended SPZ(PR) provisions attached as Appendix 1 to the further submission and provided updated provisions along with the further information provided on the 5th March 2024. Regardless of the outcome of the rezoning request, I have provided some comment on the requested provisions in the sections below.

3.2.1.13 Activity Area 7B and Variation 1

164. The submitter seeks for Activity Area 7B to be *"a residential area that is equivalent to the notified Medium Density Residential Zone to which the MDRS applies....The intention is that any amendments to the Medium Density Residential Zone standards that arise from the Variation 1 process would be reflected in the Activity Area 7B provisions as the PDP moves through the Schedule 1 process."*³⁹

165. I note that Variation 1 is subject to a different process which is detailed in Minute 1 from the Hearings Panel. The submissions on Variation 1 are being considered in the Hearing Stream 7 s42A report and, as this report has not yet been published, I am unable to consider the recommendations in this Hearing Stream 12A Pegasus Resort rezoning request s42A report. As they are subject to two separate processes, this could create issues and inconsistencies. For instance, if the maximum height of residential units changes as a result of Variation 1 then the built form could be inconsistent between Activity Area 7B and the medium density in the rest of the district. Furthermore, DEXIN has requested a no minimum lot size in SUB-S1 for both Activity Areas 7B and 8. This is consistent with the minimum allotment area for the MRZ but may result in inconsistencies in built form if there was a change to the Variation 1 provisions.

³⁹ Further submission 101, Appendix 6: Section 32AA Report, page 17

3.2.1.14 Height

166. DEXIN seeks a height of 12m at 3 storeys for Activity Area 7B and 9m at 2 storeys for Activity Area 8. The height limit for the nearby Activity Area 6: Golf Course is 6m at one storey and 10m at two storeys for the notified Activity Area 7: Residential. This could result in a 2m higher built form than the surrounding area. While I acknowledge there are higher limits in other activity areas in the zone, the site is separated from these areas and it could result in a discontinuous built form without a clear central point for tourism activity.
167. I note that the site is physically separated from the notified MRZ in Ravenswood by the Main North Road, which is subject to the NZTA-3 designation or is recommended by Mr Willis to be zoned GIZ/TCZ. The closest site adjacent to the road is not of a medium density built-form and contains a stormwater channel and is part of the NZTA-3 designation.
168. The Landscape Effects Assessment provided with the further submission considered the baseline provided for in the RLZ and notes a rural building of 12m high could be constructed 3m from the site boundary. This is correct. However, I note that residential units in RLZ are limited to a height of 10m and a setback of 20m from any internal boundary.

3.2.1.15 'Māketete tourism' activity

169. DEXIN seeks 'Māketete tourism activity' be RDIS where it occurs within Activity Area 8 and the design is in accordance with the Pegasus design guidelines. Specific Built Form Standards for Activity Area 8 include a building height limit of 9m at 2 storeys, a building coverage of 20 per cent, a building or structures setback of 30m from a State Highway, minimum landscaped area of 50 per cent. Matters of discretion include – design considerations, transportation, amenity values and flooding hazard.
170. 'Rural tourism'⁴⁰ can occur under the notified RLZ, subject to standards.
171. The submitter acknowledges the "RLZ provisions enable 'rural tourism' activities but not at the type of intensity as sought", and seeks the following definition of 'Māketete tourism' is sought as follows:

"Means activities that support the tourism activities in the zone, including:
a. wellness activities;

-
1. ⁴⁰ 'Rural tourism' is defined in the Proposed Plan and "means the use of land or buildings for agri-tourism, eco-tourism, nature tourism, wine tourism and adventure tourism activities, which may be provided at a tariff, with participants experience primary production or conservation activities or the rural or natural environment. It includes, but is not necessarily limited to:
- a. guiding, training, education and instructing;
 - b. ancillary services such as booking offices, shelters, toilets and transportation;
 - c. ancillary retail activity;
 - d. walking and cycling tracks; and
 - e. viewing facilities."

- b. food and beverage retail;*
- c. markets;*
- d. artisan workshops;*
- e. gift/souvenir shops;*
- f. manufacturing of food or beverage goods;*
- g. cultural facilities;*
- h. entertainment;*
- i. horticulture.”*

172. I consider the definition of ‘Māketete tourism’ is broad and could result in activities that are intended in the TCZ or LCZ establishing.
173. I consider, if the definition was to be accepted then, the term “including” should be replaced with “and is limited to”.
174. In my view, ‘wellness activities’ is broad and should be refined to the type of wellness activities that are anticipated to occur on the site such as massage therapy and yoga.
175. The Proposed District Plan does not define ‘*food and beverage retail*’ but does include a definition for ‘*food and beverage outlet*’⁴¹. I consider the use of either of these terms could result in activities that extend beyond the tourism purpose of the site.
176. In my view ‘Market’ is also an uncertain term. The Proposed District Plan utilises the terms ‘community market’, farmers’ market, and ‘supermarket’. As stated in the submission, the submitter intends for the site to include farmers’ markets so I would recommend the use of this term if the definition was to be accepted. I note that farmers’ markets are RDIS under the notified RLZ of the site.
177. I consider manufacturing of food or beverage goods could be of an industrial activity and consider small-scale manufacturing of food and drink could be undertaken as artisan workshops. I recommend the deletion of this term from the definition of ‘makete tourism’ if the defined term was to be included in the plan.
178. ‘Cultural facility’ is defined by the Proposed Plan as “*means land or an existing building used for cultural activity. It includes, but is not necessarily limited to, museums, cultural centres, galleries, and ancillary workshops, offices, storage, and retail activity.*” This activity is permitted in the LCZ and TCZ and as it is an RDIS activity this is more restrictive and enables assessment of effects such as consideration of the amenity values of the zone.
179. ‘Entertainment activity’ is defined in the Proposed Plan and “*means the use of land or buildings principally for leisure and amusement activities other than sports, regardless of whether a charge is made for admission or not. It includes public performances, exhibitions, movie and live theatres, and ancillary workshops, storage, offices and retail activity.*” Entertainment activities are discretionary in the MRZ, SETZ, NCZ, and LFRZ. It is permitted in the MUZ, and the TCZ. It is

⁴¹ ‘food and beverage outlet’ means the use of land, buildings, vessels or other structures primarily for the sale of food or beverages prepared for immediate consumption on or off the premises to the general public. It includes restaurants, bars, taverns, cafes and takeaway bars and drive through restaurants, but excludes supermarkets.

also permitted in the LCZ, SPZ(KR) and SPZ(PBKR) subject to standards. In other zones where the activity is not provided for it is discretionary. In my view, this activity is broad and could extend beyond the tourism purpose of the zone.

180. Horticulture could result in activity that extends beyond and is inconsistent with the tourism purpose of the zone. For example, it could involve processing, packaging and selling of product. I would also recommend deletion of 'horticulture' from the definition.

181. I consider, the list of activities in the definition should where possible make use of existing definitions used in the plan, and if the rezoning request is accepted, then the definition be amended as outlined above.

3.2.1.16 Assessment against Proposed Plan objectives

182. I have assessed the proposal against the SPZ(PR) Objectives.

Table 5: Assessment against Proposed Plan Objectives - 1250 Main North Road

Objective	Relevant SPZ(PR) policies to give effect to the objective	Assessment
<p>SPZ(PR)-O1</p> <p>Tourist destination The establishment of a⁴² regionally significant tourist destination based around an 18-hole international championship golf course, with existing large residential sites, incorporating hotel and visitor accommodation, spa/wellness and hot pool complex, golf education facility, golf country club⁴³ and limited small-scale commercial activity and ancillary activity.</p>	<p>SPZ(PR)-P1 SPZ(PR)-P2 SPZ(PR)-P3 SPZ(PR)-P4 SPZ(PR)-P5 SPZ(PR)-P6 SPZ(PR)-P7 SPZ(PR)-P8 SPZ(PR)-P9</p>	<p>The proposal does not give effect to SPZ(PR)-O1 as the zone is to be a tourist destination based around a golf course. The makete tourism aspect of the proposal meets the tourism purpose provided the activities on the site are tourism focused and do not extend beyond the tourism purpose of the zone. In my view, the medium density residential extends beyond the tourism purpose of the zone.</p>
<p>SPZ(PR)-O2</p> <p>Design components The development of spa/wellness and hot pool complex a tourism resort⁴⁴ centred on a spa village within a framework of open space and recreation facilities, that reflect the local open space,</p>	<p>SPZ(PR)-P1 SPZ(PR)-P2 SPZ(PR)-P3 SPZ(PR)-P4 SPZ(PR)-P5 SPZ(PR)-P6 SPZ(PR)-P7 SPZ(PR)-P8 SPZ(PR)-P9</p>	<p>The site is setback from the spa village (about 625m) so in my view the proposal is not centred on a spa village.</p> <p>There would be some loss of character values, particularly on the subject site itself as a medium density built-form is anticipated rather than large</p>

⁴² Minor amendment

⁴³ S&E Corp [416.2]

⁴⁴ S&E Corp [416.3]

recreational, landscape, cultural ⁴⁵ and visual amenity values and achieve urban design excellence consistent with the Pegasus design guidelines.		residential lots in the SPZ(PR). I consider the site itself would be a different character than the surrounding environment. In my view, from a planning perspective, the open space and parkland character would mostly be retained from the surrounding sites. The proposal is to reflect cultural values and implement measures to protect and enhance cultural values.
--	--	---

3.2.1.17 Rezoning request assessment summary

183. The site is separated from the existing and proposed golf and spa tourism activity of Activity Areas 1-4 which, in my view, has the potential to result in a discontinuous built-form without a clear central point for tourism activity. The requested residential would be physically separated from the nearby medium density residential. In my view, it does not achieve consolidated growth in accordance with Objective 5.2.1(1).
184. Further information is required on accessibility to and from the site and the submitter is to address access management, and the need for pedestrian/cycle connections with traffic engineering evidence as part of Hearing Stream 12A. Therefore, I am unable to form a view on the transportation matters of the proposal.
185. I agree with Ms Pearson that the site does not form part of an area with strong rural character or productivity characteristics. The open space and parkland character would mostly be retained. However, there would be some loss of these character values, particularly on the subject site as a medium density built-form is anticipated.
186. I adopt the cultural impact assessment provided. There are other amendments that apply to cultural values across the whole of the zone and, in my view, should be accepted regardless of the rezoning outcome.
187. Onsite stormwater treatment and disposal/attenuation is achievable at this site, but the developer will need to be aware of the need to avoid any increase in risk of flooding to adjacent/downstream properties. Regarding wastewater servicing, the site may need to run its own rising main, and the cost of wastewater servicing for the site is likely to be high. The development can be serviced by the existing water supply.
188. There are no significant natural hazards that cannot be addressed at the time of detailed engineering design. It is recommended the developer be required to achieve low-moderate risk of liquefaction induced damage to land, services and other Council infrastructure.

⁴⁵ Dexin [377.1, 377.2, 377.3, 377.15]

189. Adverse noise reverse sensitivity effects could arise. However, I agree with Ms Pearson that there are benefits to having people living close to main transport routes.
190. I have made some comments and recommendations on the provisions sought if the proposal was to be accepted.
191. Overall, based on the information provided, in my view, the proposed development does not contribute to the development of a well-functioning urban environment as the proposal needs to address access to and from the site, and pedestrian connections. In my view, it does not achieve consolidated growth, and integrate with the surrounding environment. Therefore, I consider it is not appropriate to include the site in the SPZ(PR). For these reasons, I am of the view that the proposal does not give effect to the NPS-UD, CRPS and the objectives of the SPZ(PR) Chapter.

3.2.2 Summary of recommendations

192. I recommend, for the reasons given in the assessment, that the Hearings Panel amend SPZ(PR)-O2, and SPZ(PR)-P1 and the Pegasus Design Guidelines to provide for cultural values as set out in **Appendix A**. A s32AA assessment has been undertaken and included as **Appendix C**.
193. I recommend that the submissions from DEXIN that seek amendments to provisions where these provide for cultural values [377.1], [377.2], [377.3], [377.15], be **accepted in part**.
194. I recommend that the submissions from DEXIN that seek rezoning of 1250 Main North Road [377.4], [377.5], [377.6], [377.7], [377.8], [377.9], [377.10], [377.11], [377.12], [377.13], [377.14], [377.16], [377.17], [377.18], be **rejected**.
195. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.3 1188 Main North Road/20 Te Haunui Lane

3.3.1 Matters raised by submitters

196. Howard Zone [191.1, 191.2] seeks rezoning of 3.81ha of 1188 Main North Road/20 Te Haunui Lane, Woodend (refer to map in Appendix 2 of submission) from RLZ to SPZ(PR), with the balance of the property remaining RLZ. The submitter also seeks for the ODP to be amended to include the area as *Activity Area 7: Residential* on Appendix **SPZ(PR) – APP1 - ODP**.
197. Ravenswood Developments Ltd [FS79] seeks the rezoning is approved as it agrees with the reasons set out in the submission and notes there is a high demand for residentially zoned land at Woodend.
198. S&E Corp [FS100] and DEXIN [FS101] state that they would not oppose the rezoning of additional land but note that if approved there would be consequential amendments to the notified provisions and the ODP. They seek scope to be included in any future discussions regarding changes to provisions or the ODP, to ensure there are no unintended consequences.

3.3.2 Assessment

3.3.2.1 The site and proposal

199. The submitter seeks to rezone 3.81ha of 16.061ha of land which adjoins SPZ(PR) to the southwest to provide for 12 residential lots a balance area and esplanade reserve. The indicative subdivision layout is shown in Figure 15 below.



Figure 15: Indicative Subdivision Layout at 20 Te Haunui Lane, Pegasus. Source: Woods, Memorandum in support of submission for rezoning (Submission #191), dated 7 March 2023.

200. The property to the south (138 Main North Road) is 10ha in area, is zoned RLZ and has a resource consent for and operates as a vet clinic and cattery that is located on the part of the site immediately adjoining the Main North Road. The land to the north and east of the site is zoned SPZ(PR) as Activity Area 6: Golf Course and Activity Area 7: Residential. I note that rezoning is only sought for part of the site with the remainder to remain as RLZ and is subject to the NZTA-3 designation.

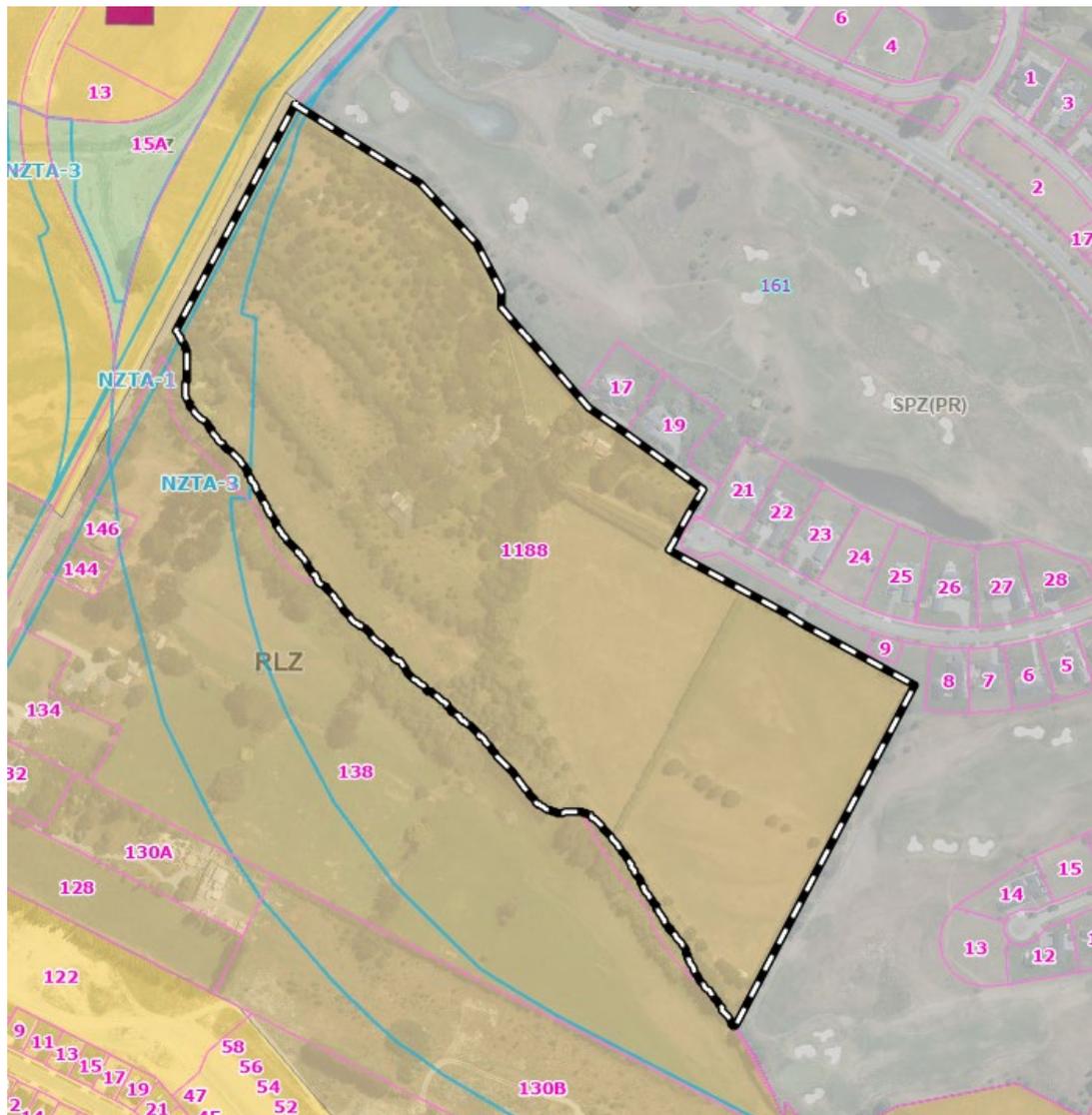


Figure 16: 1188 Main North Road and immediate surrounds.

201. The submitter has provided a memorandum, dated 7 March 2024, which was accepted as late evidence (Minute 21) and has informed this s42A report. It included the following matters:

- Infrastructure, servicing and flooding;
- Geotechnical;
- Land use capability;
- Rural character;
- Tangata Whenua values;
- Reverse sensitivity; and
- Planning and policy context.

202. A Servicing Report, Geotechnical Appraisal Report, and an Agricultural Land Use Assessment have also been provided.

203. The further information provided seeks consequential amendments to the provisions including:

- Amend Table SUB-1 to provide for a minimum allotment area of 1500m² on the part of LOT 2 DP 80926 identified as SPZ(PR) and *Activity Area 7*;
- Amend SPZ(PR)-BFS6 (Buildings and structure setbacks) to specify the following setbacks on the part of LOT 2 DP 80926 identified as SPZ(PR) and *Activity Area 7*:
 - i. Any building or structure shall be no less than 10m from any road boundary
 - ii. Any building or structure shall be no less than 4m from any internal boundary
- Consequential changes to the Part 3 SPZ(PR) policy framework to remove wording relating to “existing residential” to reflect that the submission will entail future proposed development, as follows: “~~existing residential~~”.

3.3.2.2 Type of development

204. Howard Stone seeks the site to be included as part of *Activity Area 7: Residential Lots* which has an average lot size of 2000m². However, Howard Stone seeks that a minimum lot size of 1500m² apply to the site.

205. The CRPS defines ‘Rural residential activities’ as:

“residential units outside the identified Greenfield Priority Areas and Future Development Areas at an average density of between 1 and 2 households per hectare”.

206. The CRPS defines ‘Rural residential’ as:

“zoned residential development outside or on the fringes of urban areas which for primarily low density residential activities, ancillary activities and associated infrastructure”.

207. However, the density of 1,500m² sought in the submission is higher than a rural residential lot size intended by the CRPS so, in my view, is not rural residential.

208. The CRPS definition of ‘Urban activities’ in Greater Christchurch includes: *“residential units (except rural residential activities) at “a density of more than one household unit per 4 ha of site area”.*⁴⁶ The CRPS definition of ‘Rural activities’ in Greater Christchurch includes *“Residential activities on lots of 4ha or more.”* In my opinion, these definitions confirm that a residential density of 4ha or more is ‘rural’, and residential density less than 4ha is ‘urban’. Accordingly, the density of 1,500m² sought in the submission is ‘urban’.

209. The NPS-HPL includes, at clause 1.3 *Interpretation*, the following zones within the definition of ‘urban’ that are relevant to this submission:

- (a) low density residential and large lot residential; and
- (e) any special purpose zone.

⁴⁶ CRPS, page 252

210. The Greater Christchurch Spatial Plan 2024 has included existing Large Lot Residential Zones (which in the Proposed Waimakariri District Plan has a minimum lot size of 2500m²) in Greater Christchurch as 'urban areas'. The density sought in the submission is greater than a Large Lot Residential Zone.

211. Based on the analysis of relevant definitions above, in my opinion the type of development sought by the submitter is urban and an urban activity. Urban activities are to only occur within existing urban areas or identified greenfield priority areas as shown on Map A of the CRPS, unless they are otherwise expressly provided for in the CRPS (Policy 6.3.1(4))⁴⁷. As noted in section 3.1.3 above, the NPS-UD Policy 8 provides a pathway to consider urban development unanticipated by RMA planning documents if it contributes to well-functioning urban environments and adds significantly to development capacity.

3.3.2.3 Housing choice and development capacity

212. A well-functioning urban environment is to "have or enable a variety of homes that:

(i) meet the needs, in terms of type, price, and location, of different households" (NPS-UD, Policy 1(a)(i)).

213. The CRPS Objective 5.2.1(2)(b) requires development to be located and designed so that it functions in a way that provides sufficient housing choice to meet the region's needs.

214. The submitter considers the proposal "provides housing choice to meet the region's housing needs"⁴⁸. The submitter states that by "enabling additional housing supply, the rezoning will contribute to improving housing affordability and a competitive residential market"⁴⁹ and "in a location accessible to existing amenities in Pegasus, Woodend and Ravenswood, including a supermarket and shopping centre, schools, community facilities and parks/open spaces"⁵⁰.

215. The Waimakariri Residential Capacity and Demand Model concluded there could be a shortage of residential supply in Woodend-Pegasus. However, the model concluded that this need can be provided in other areas as sufficient development capacity has been provided across the District⁵¹, and is anticipated to be provided for through the residential rezoning requests. In my view, capacity is best located in the Residential Zones which are intended for residential activities.

216. There is a long-term projected shortage of 3050 units in Woodend-Pegasus which is expected to be able to be catered for in other areas of the District.

⁴⁷ "ensure new urban activities only occur within existing urban areas or identified greenfield priority areas as shown on Map A, unless they are otherwise expressly provided for in the CRPS;"

⁴⁸ 20 Te Haunui Lane, Pegasus – Memorandum in support of submission for rezoning (Submission #191), page 9

⁴⁹ 20 Te Haunui Lane, Pegasus – Memorandum in support of submission for rezoning (Submission #191), Page 8

⁵⁰ 20 Te Haunui Lane, Pegasus – Memorandum in support of submission for rezoning (Submission #191), Page 7

⁵¹ Waimakariri Residential Capacity and Demand Model – IPI 2023: Economic Assessment

217. In my opinion, while the rezoning provides housing choice in terms of location and type of development, the addition of 12 residential sections will have little impact on providing for housing capacity.

3.3.2.4 Land use capability

218. Development is to be located and designed so that it functions in a way that “enables rural activities that support the rural environment including primary production” (CRPS Objective 5.2.1(e)).

219. I visited the site on the 19th March 2024 and note the majority of the site was being used for grazing sheep. There is landscaping along the edges of the site, and a waterway bisects the south of the site.

220. Under the NPS-HPL clause 3.5(7), highly productive land is land that is zoned general rural or rural production, and LUC 1, 2, or 3 land. Although the site is classified as LUC 2, I note RLZ is not listed as highly productive land. Accordingly, no further consideration of the NPS-HPL is required. For completeness, I note the RLZ is not listed as an urban zone under the definition of ‘urban’ in clause 1.3 of the NPS-HPL.

221. Howard Stone has provided an agricultural land use assessment prepared by Dunham Consulting. This report reviews and considers the potential agricultural uses of the site, based on the capability of the land and technical and economic feasibility of agricultural activities.

222. The report concludes that there is no long term economically viable primary productive land use for the site. In conclusion, the evidence presented by the submitter concludes there is no economically viable productive land.



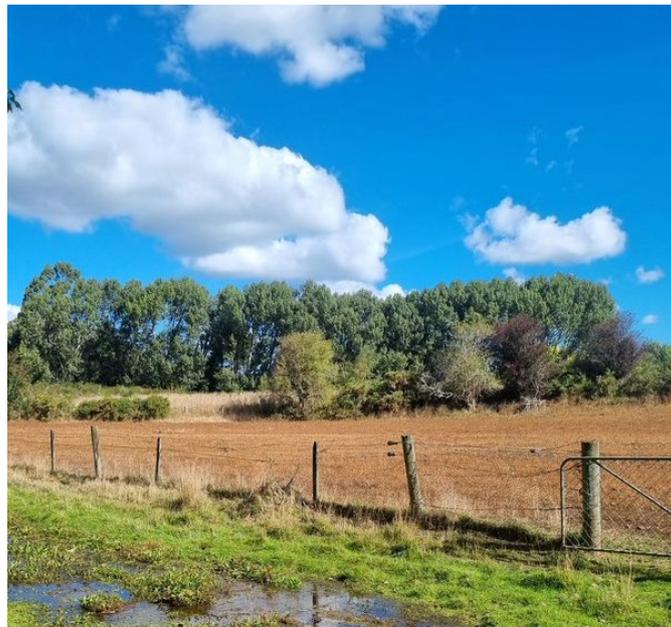
Figure 17: 20 Te Haunui Lane

3.3.2.5 Character and amenity

223. Development is to be enabled within Greater Christchurch through a land use and infrastructure framework that “maintains the character and amenity of rural areas and

settlements” (CRPS Objective 6.2.1(7)). SPZ(PR)-O1 supports the outcome of the establishment of a *“regionally significant tourist destination based around an 18-hole international championship golf course, with existing large residential sites”*. SD-O2 is relevant as urban development and infrastructure is to recognise existing character.

224. The 16.018ha land holding to the northwest of the Subject Site is owned by the submitter and zoned RLZ under the Proposed Plan. The memorandum provided by Woods, on behalf of the submitter, considers retaining the RLZ on the remainder of the land *“reflects the intention of the Pegasus Resort ODP and pattern of development and is in keeping with the peri-rural character and amenity of this area”*.⁵²
225. Howard Stone considers the change in character will not be significant. While the proposed residential sites are not *“existing large residential sites”*, I consider the development of the site would be a natural extension of the existing sites along the south side of Te Haunui Lane, as they are of a similar size.
226. In my opinion, from a planning perspective, the residential sites to the north of the site near Te Haunui Lane would retain the northern outlook to Activity Area 6 – Golf Course, and the open space parkland character. There would be a loss of rural character when looking towards the site from neighbouring sites but as large residential lots are established along most of Te Haunui Lane, I consider that this would be minimal particularly if the landscaping was to be retained along the northern boundary of the site. The site itself would change from a rural to residential character. The submitter has not provided landscaping evidence.
227. I note that the site to the south (138 Main North Road) has a resource consent for and operates as a vet clinic and cattery and the Woodend Bypass designation traverses the site. In my view, while the future Woodend Bypass may impact on character, I note there is a natural boundary provided by Wai Hora Stream and the 30m setback from the stream.



⁵² 20 Te Haunui Lane, Pegasus – Memorandum in support of submission for rezoning (Submission #191), page 6

Figure 18: Looking South from 20 Te Haunui Lane towards Wai Hora Stream and 138 Main North Road.

228. The memorandum provided on the 7 March 2024, prepared by Woods on behalf of the submitter in support of the submission for rezoning, states that the RLZ “enables *“rural-residential lots to establish resulting in a rural landscape characterised by a higher proportion of buildings, structures, paved areas and other built elements, in addition to noise, and glare from vehicle movements.”*⁵³

229. I note that the RLZ retains the minimum lot size of the Rural Zone in the Operative District Plan of 4ha. As stated in the Rural s32 report, rural production activities may still occur on 4ha sites but *“it forecloses the opportunities for a diverse range of rural production activities to establish”*⁵⁴. Furthermore, the RLZ is described in the National Planning Standards to be used predominantly for residential lifestyle, while still enabling of primary production to occur⁵⁵. I consider the site would change from a rural character to a residential. However, for the reasons stated above, I consider there to already be an urban character along Te Haunui Lane, and that the character and amenity of the area will largely be retained due to Activity Area 6 – Golf Course, provided the lots were consistent with the lot sizes of the existing large residential lots in the zone.

3.3.2.6 Cultural values

230. A well-functioning urban environment under to NPS-UD enables Māori to express their cultural traditions and norms. Planning decisions relating to urban environments are to take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

231. The site is subject to Ngā Tūranga Tūpūna (SASM013) and a Ngā Wai (SASM025). The rules in the Sites and Areas of Significance to Māori Chapter would apply to activities on the site. There are no silent file areas associated with the site under the Operative District Plan. I have contacted Mahaanui Kurataiao regarding the proposal and received a Cultural Advice Report which is attached as **Appendix F**.

232. Te Ngāi Tūāhuriri Rūnanga Kaitiaki are opposed to the rezoning due to:

- The anticipated increase in subdivision and development activities, impervious surfaces and cumulative environmental effects.
- The ongoing impact of subdivision and development in this area on waterways and groundwater.

233. Te Ngāi Tūāhuriri Rūnanga Kaitiaki deems there to be no conditions suitable to mitigate the effects on mana whenua values.

⁵³ 20 Te Haunui Lane, Pegasus – Memorandum in support of submission for rezoning (Submission #191), page 6

⁵⁴ Page 30

⁵⁵ National Planning Standards, Section 8, Table 13, Page 37

3.3.2.7 Infrastructure and servicing

234. Urban developments that affect urban environments are to be integrated with infrastructure planning and funding decisions. They are to be compatible with, and result in the continued safe, efficient and effective use of regionally significant infrastructure and avoid adverse effects on regionally significant infrastructure, and where avoidance is impracticable, are to remedy or mitigate those effects (CRPS Objective 5.2.1(2)). Land use and infrastructure is to be integrated and development is to not adversely affect the operation, use and development of regionally significant infrastructure (Objective 6.2.1(9), 6.2.1(10)).
235. The submitter considers the proposal *“is compatible with regionally significant infrastructure (including the Woodend SH1 bypass)”*.⁵⁶ However as the Woodend Bypass designation runs close to the site there is the potential for reverse sensitivity effects. The site is approximately 55m from the designation, at the closest point, and with a 30m setback from the Wai Hora Stream the development will be setback about 85m from the designation, and residential units set-back further than this taking into account boundary setbacks. There may be some reverse sensitivity effects to the south corner of the site. However, I note that the conditions attached to the designation address reverse sensitivity effects both during construction and operation of the road (such as Construction Noise and Vibration Management Plan: Conditions 11 – 14 and Operational Noise: Conditions 92 – 96) and consider they will also protect the amenity of the residential development of the site.
236. The submitter has stated that a *“number of stormwater management options are available to provide treatment and detention prior to discharge to existing water bodies or soakage/ground”*⁵⁷. As there is no capacity in any Council drainage network for the additional lots, on site drainage infrastructure to provide for both treatment and mitigation of downstream effects will need to be provided.⁵⁸ The submitter considers impervious areas on the subject site can be serviced by disposal of stormwater to ground. The Infrastructure Servicing Report states there is ample space within the proposed right of way to provide stormwater solutions. It is expected that it will include dry basins to attenuate stormwater flows to below predevelopment flows.
237. The District Council's Senior Civil Engineer Mr Aramowicz has reviewed the proposal and is of the opinion that onsite stormwater treatment and disposal/attenuation is achievable. He also advises the development can be accommodated by the existing sewer and serviced by existing water supply.⁵⁹ I adopt this advice and consider servicing can be provided.

3.3.2.8 Transportation and accessibility

Accessibility

⁵⁶ 20 Te Haunui Lane, Pegasus – Memorandum in support of submission for rezoning (Submission #191), page 9

⁵⁷ 20 Te Haunui Lane, Pegasus – Memorandum in support of submission for rezoning (Submission #191), page 3

⁵⁸ Statement of evidence of Shane Binder (Transport), John Aramowics (Servicing, Hazards), Christopher Bacon (Servicing, Hazards) on behalf of Waimakariri District Council, Attachment B

⁵⁹ Statement of evidence of Shane Binder (Transport), John Aramowics (Servicing, Hazards), Christopher Bacon (Servicing, Hazards) on behalf of Waimakariri District Council, Attachment A, row 2, column servicing

-
238. Under the NPS-UD district plans are to *“enable more people to live in, and more businesses and community services to be located in, areas of an urban environment”* if it is near a centre zone or other area with many employment opportunities, is well-serviced by public transport or there is a high demand for housing or business land in the area, relative to other areas within the urban environment (NPS-UD, Objective 3).
239. A well-functioning urban environment is to *“have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport”* (NPS-UD, Policy 1(c)).
240. CRPS Objective 5.2.1(1) requires development to be located and designed so that it functions in a way that *“achieves consolidated, well designed and sustainable growth in and around existing urban areas as the primary focus for achieving the region’s growth”*. CRPS Objective 5.2.1(2)(d) requires development is located and designed so that it *“minimises energy use and/or improves energy efficiency”*.
241. The SPZ(PR) s32 identified the notified zone as being an appropriate location for a tourism resort centred on the existing golf course. The zone is intended to include a golf course, hotel, visitor accommodation, spa/wellness and hot pool complex, golf education and country club.
242. The submitter considers the *“proposed rezoning enables development that supports consolidated, well designed and sustainable growth around the existing urban areas of Pegasus and Ravenswood, close to existing and planned amenities”*⁶⁰.
243. I agree that the site is near the residential area of Pegasus and note it is connected to Pegasus Town via Te Haunui Lane and Pegasus Boulevard. However, it is physically separated by the NOSZ. Pegasus Resort is physically separated from Ravenswood by the Main North Road. It is located close to existing lots with an average size of 2000m².
244. I note that the site is more than 500m from any Open Space and Recreation Zone. However, there is ample open space in the SPZ(PR) such as the golf course, the NOSZ to the east of the SPZ(PR), and in Ravenswood. However, this is dependent on accessibility which is considered below. While I note the existing development pattern, this was consented under a different planning framework and therefore I have not considered this further.
245. The submitter considers the rezoning request *“supports a safe, efficient and effective transport system”*, given its location adjacent to the Pegasus/Mapleham subdivisions, and to Ravenswood which is 1.5km away and accessible by walking and cycling⁶¹.

⁶⁰ 20 Te Haunui Lane, Pegasus – Memorandum in support of submission for rezoning (Submission #191), page 9

⁶¹ 20 Te Haunui Lane, Pegasus – Memorandum in support of submission for rezoning (Submission #191), page 9

246. I consider this to be accessible as it is close to Ravenswood. However, it is not physically accessible as this would require crossing the Main North Road. The site is a 15 minute walk from a bus stop at the corner of Pegasus Boulevard and SH1, which is served by the 95 bus route to Christchurch via Kaiapoi⁶², and another bus stop is located at Pegasus Boulevard near Whakatipu Street, as shown in Figure 19 below.

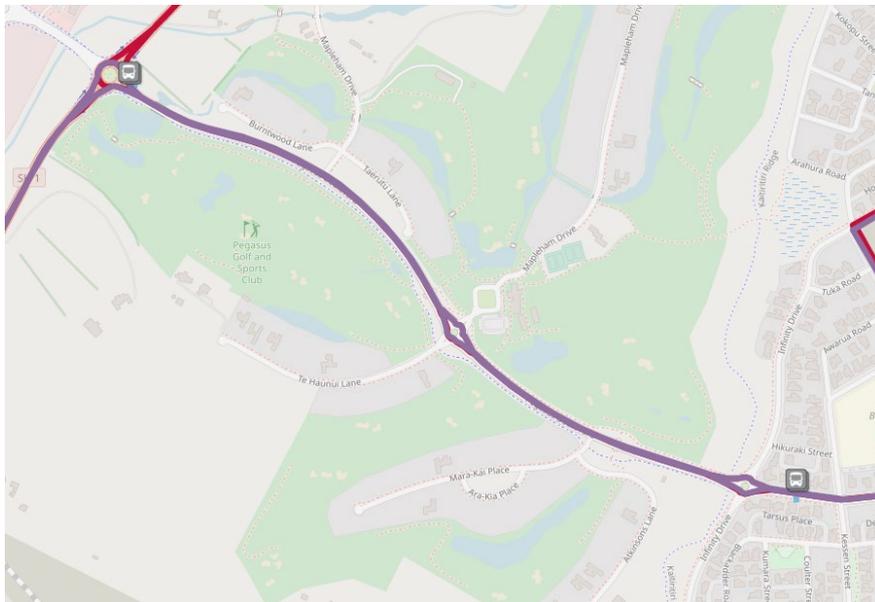


Figure 19: Location of bus stops. Source: Metro Go.

247. The memorandum prepared by Consultant Planner Sanjay Bangs and Senior Planner Joanne Sunde for Woods, on behalf of Howard Stone, notes a short vehicle trip will reduce fewer greenhouse gas emissions than trips originating from more remote locations.

248. Mr Binder has reviewed the proposal and would not consider the site to have appropriate public transport or non-motorised access to the Key Activity Centre. Mr Binder notes the nearest bus stops are 1km away and walking/cycling access to Woodend is problematic, and to the future Ravenswood KAC requires crossing what he considers the “challenging” Pegasus roundabout.

249. Based on the expert opinion of Mr Binder, the proposal does not provide for good accessibility to jobs and services by way of public or active transport, nor is it large enough to support a range of transportation modes in the future or support the reduction in greenhouse gas emissions. Therefore regarding this aspect, it would not contribute to a well-functioning urban environment.

Right of way

250. There is an existing right of way with a width of 5m, which comes off Te Haunui Lane to the north of the site. The vehicle accessway does not comply with the proposed minimum width of 7m associated with Table TRAN-7 in the Proposed Plan. The infrastructure and servicing report

⁶² 20 Te Haunui Lane, Pegasus – Memorandum in support of submission for rezoning (Submission #191), page 10

states that the legal width of the Right of Way is sufficient to allow construction of a formed right of way or road to accommodate rubbish trucks and other service vehicles.⁶³

251. Mr Binder recommends the sealed access be widened to 6 metres or greater to accommodate 2-way traffic and is comfortable with the access remaining privately owned if most or all of the functions of a road are met.⁶⁴

3.3.2.9 Natural hazards, geotechnical and climate change

252. Policy 1 sets out that well-functioning urban environments “support reductions in greenhouse gas emissions” and “are resilient to the likely current and future effects of climate change”.

253. CRPS Objective 6.2.1(8) sets out that land use is to protect people from unacceptable risk from natural hazards and the effects of sea-level rise.

254. The submitter considers the “proposed residential activity is resilient to the effects of climate change, particularly as it is not proximate to the coast, and is not subject to any significant flooding risks”.⁶⁵

255. The site contains a small amount of Non-urban Flood Assessment Overlay and the Natural Hazards Chapter rules will apply to that area of the site.

256. The submitter has provided the following information about flooding:

“...The flooding constraint on the site is considered to be small in extent, and can be addressed through the design of earthworks, dwellings and access to avoid, remedy and mitigate the risks of flood hazards to future occupants and the surrounding land...”⁶⁶

257. LiDAR and stormwater modelling show that there are a couple of overland flow paths crossing the northern half of the site. Liquefaction damage is possible.

258. The submitter states “softer clay soils are observed on the site, correlating to the overland flow area. However, the presence of potentially compressible soil does not preclude the use of the site as residential land from an engineering perspective, and further investigations at the resource consent stage are recommended.”⁶⁷

259. The technical information was reviewed by Mr Aramowics who considers there are no significant natural hazards that cannot be addressed at the time of detailed engineering design. He notes the presence of two overland flow channels that will need protection, and recommends

⁶³ Page 1

⁶⁴ Statement of evidence of Shane Binder (Transport), John Aramowics (Servicing, Hazards), Christopher Bacon (Servicing, Hazards) on behalf of Waimakariri District Council, Attachment A, row 2, column transport

⁶⁵ 20 Te Haunui Lane, Pegasus – Memorandum in support of submission for rezoning (Submission #191), page 8

⁶⁶ 20 Te Haunui Lane, Pegasus – Memorandum in support of submission for rezoning (Submission #191), page 3

⁶⁷ 20 Te Haunui Lane, Pegasus – Memorandum in support of submission for rezoning (Submission #191), page 4

the developer be required to achieve low-moderate risk of liquefaction induced damage.⁶⁸ I accept this advice.

3.3.2.10 ODP

260. The CRPS Policy 6.3.3 requires development within Greenfield priority areas, Future Development Areas and rural residential development to be in accordance with an ODP and sets out the requirements for ODPs. While the site is not a Greenfield Priority Area or Future Development Area, this provision is useful to demonstrate how the proposal would meet these.

261. The submitter has not provided an ODP but seeks the ODP be amended to include the area indicated to become “Activity Area 7: Residential”.

262. As they have sought to be included in the ODP, detail is required for how the ODP would be drafted to address relevant matters. I note however there is an Indicative Scheme Plan Layout on per page 2 of the memorandum dated 7 March 2024.

263. For example, with regard to integration with the land to the west, I note that while there is no submission to rezone this land; if the Howard Stone site was rezoned there has been no consideration of future options and integration.

264. The Wai Hora Stream is located to the south of the site. Howard Stone proposes a 30m setback from Wai Hora Stream.⁶⁹ I recommend this buffer is shown on the ODP if the rezoning were to be accepted.



Figure 20: Wai Hora Stream

⁶⁸ Statement of evidence of Shane Binder (Transport), John Aramowics (Servicing, Hazards), Christopher Bacon (Servicing, Hazards) on behalf of Waimakariri District Council, Attachment A, row 2, column hazards

⁶⁹ 20 Te Haunui Lane, Pegasus – Memorandum in support of submission for rezoning (Submission #191), page 5-6

3.3.2.11 Amendments to provisions

265. In the evidence, Howard Stone seeks a minimum lot size of 1500m². This would align with the size of some of the lots to the north east of the site. However, the indicative subdivision layout shows 2000m², and the average of the existing sites in the zone is 2000m².

266. I agree that a consequential amendment would need to be made, if the rezoning request was approved, to allow for the subdivision to occur as the “*All other areas*” minimum lot size of 4ha would otherwise apply. While the submission did not seek an amendment to SUB-S1, I consider this amendment would be consequential to the relief sought.

267. Howard Stone seeks the following setbacks:

- Any building or structure shall be no less than 10m from any road boundary
- Any building or structure shall be no less than 4m from any internal boundary

268. The setback of 10m from the road boundary is consistent with the setbacks for Activity Area 7. In my view, to be consistent and integrate with the existing residential in the zone and to maintain the character and amenity, I recommend the internal boundary setback also be 10m (rather than the 4m sought) if the rezoning was to be accepted.

269. I consider a 10m setback would better give effect to the objectives and policies of the SPZ(PR). In particular, SPZ(PR)-O2, to reflect open space, recreational, landscape and visual amenity values; SPZ(PR)-P3 to provide for landscape character values; SPZ(PR)-P5 - urban design elements; SPZ(PR)-P6 - Open areas; and SPZ(PR)-P9 ensuring amenity values with no intensification beyond what is provided in for the Built Form Standards.

270. I consider the consequential amendment to remove wording relating to “existing residential” may create a precedent and would not retain the tourism purpose of the zone.

3.3.2.12 Assessment against Proposed Plan objectives

271. I have assessed the proposal against the SPZ(PR) Objectives in Table 5 below.

Table 6: Assessment against Proposed Plan Objectives – 20 Te Haunui Lane

Objective	Relevant SPZ(PR) policies to give effect to the objective	Assessment
SPZ(PR)-O1 Tourist destination The establishment of a ⁷⁰ regionally significant tourist destination based around an 18-hole international championship golf course, with existing large residential sites, incorporating	SPZ(PR)-P1 SPZ(PR)-P2 SPZ(PR)-P3 SPZ(PR)-P4 SPZ(PR)-P5 SPZ(PR)-P6 SPZ(PR)-P7 SPZ(PR)-P8 SPZ(PR)-P9	I acknowledge that the golf course is supported by a range of activities, and the proposal maintains views over the golf course, and follows the existing pattern of residential development.

⁷⁰ Minor amendment

<p>hotel and visitor accommodation, spa/wellness and hot pool complex, golf education facility, golf country club⁷¹ and limited small-scale commercial activity and ancillary activity.</p>		
<p>SPZ(PR)-O2</p> <p>Design components The development of spa/wellness and hot pool complex a tourism resort⁷² centred on a spa village within a framework of open space and recreation facilities, that reflect the local open space, recreational, landscape, cultural⁷³ and visual amenity values and achieve urban design excellence consistent with the Pegasus design guidelines.</p>	<p>SPZ(PR)-P1 SPZ(PR)-P2 SPZ(PR)-P3 SPZ(PR)-P4 SPZ(PR)-P5 SPZ(PR)-P6 SPZ(PR)-P7 SPZ(PR)-P8 SPZ(PR)-P9</p>	<p>I consider there to already be an urban character along Te Haunui Lane, and that the character and amenity of the area will largely be retained due to the village fringe, provided the lots were consistent with the lot sizes of the existing large residential lots in the zone.</p> <p>Te Ngāi Tūāhuriri Rūnanga Kaitiaki are opposed to the rezoning due to the anticipated increase in subdivision and development activities, impervious surfaces and cumulative environmental effects, and the ongoing impact of subdivision and development in this area on waterways and groundwater.</p>

3.3.2.13 Rezoning request assessment summary

272. In my view, development of the site would be a natural extension of the existing sites if they are of a similar size.
273. Te Ngāi Tūāhuriri Rūnanga Kaitiaki are opposed to the rezoning due to the anticipated increase in subdivision and development activities, impervious surfaces and cumulative environmental effects, and the ongoing impact of subdivision and development in this area on waterways and groundwater.
274. Stormwater treatment and disposal/attenuation is achievable at the site, and rezoning can be accommodated by the existing sewer system and can be serviced by the existing water supply.
275. The site does not have appropriate public transport or non-motorised access to Ravenswood. Therefore, in my view, the proposal does not provide for good accessibility to jobs and services by way of public or active transport, and it does not support reductions in greenhouse gas emissions.

⁷¹ S&E Corp [416.2]

⁷² S&E Corp [416.3]

⁷³ Dexin [377.1, 377.2, 377.3, 377.15]

276. It is recommended that the sealed access be widened to accommodate 2-way traffic 6m or more, and there could be a benefit to a walking link to the Wai Ora Stream.
277. There are no significant natural hazards that cannot be addressed at the time of detailed engineering design. There are two overland flow paths that will need protection and it is recommended that the developer be required to achieve a low-moderate risk of liquefaction induced damage.
278. Detail is required for how these residential lots will be shown on the ODP and if the site is to be shown as per the layout provided in the Indicative Scheme Plan Layout as per page 2 of the memorandum dated 7 March. I recommend the 30m setback from Wai Hora Stream is shown on the ODP, and any landscaping, to maintain the character and amenity of the zone.
279. In my view, to be consistent and integrate with the existing residential in the zone and to maintain the character and amenity, if accepted, I recommend the internal boundary setback also be 10m.
280. Overall, based on the information provided, in my view, the proposal does not achieve a well-functioning urban environment as it does not provide for good accessibility to jobs and services by way of public or active transport, and therefore does not support reductions in greenhouse gas emissions, and potentially impacts on cultural values. Therefore, it is not appropriate to extend the SPZ(PR) zone to include the site. For these reasons, I am of the view that the proposal does not give effect to the NPS-UD, CRPS and the objectives of the SPZ(PR) Chapter.

3.3.2.14 Summary of recommendations

281. I recommend for the reasons given in the assessment, that the submissions from Howard Stone [191.1, 191.2], be **rejected**.
282. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.4 Minor Errors

283. I recommend “a” be inserted before “regionally significant tourist destination” in SPZ(PR)-O1.
284. I also recommend that Table SUB-1: Minimum allotment sizes and dimensions be formatted with spacing at the top of column 2-4 (row Special Purpose Zone (Pegasus Resort) to provide clarity for the lot sizes that apply to the activity areas as follows:

Special Purpose Zone (Pegasus Resort)			
• Areas 1, 2 and 4	No minimum	n/a	n/a
• All other areas	4ha	n/a	n/a

285. I have shown these as corrections in **Appendix A**.

4 Conclusions

286. Submissions have been received in support of and seeking amendments to the Proposed Plan.

287. Having considered all the submissions and reviewed all relevant statutory and non-statutory documents, I recommend that the Pegasus Resort Chapter of the Proposed Plan be amended as set out in **Appendix A** of this report.

288. For the reasons set out throughout this report, I consider that the proposed objectives and provisions, with the recommended amendments, will be the most appropriate means to:

- achieve the purpose of the RMA where it is necessary to revert to Part 2 and otherwise give effect to higher order planning documents, in respect to the proposed objectives, and
- achieve the relevant objectives of the Proposed Plan, in respect to the proposed provisions.

Recommendations:

I recommend that:

289. The Hearing Commissioners accept, accept in part, or reject submissions (and associated further submissions) as outlined in **Appendix B** of this report; and

290. The Proposed Plan is amended in accordance with the changes recommended in **Appendix A** of this report.

Signed:

Name and Title		Signature
Report Author	Jessica Manhire Policy Planner, Waimakariri District Council	

Appendix A. Recommended Amendments to the Pegasus Resort Chapter and associated provisions

Where I recommend changes in response to submissions, these are shown as follows:

- Pegasus Resort Chapter S42A recommendations are shown in **red text** (with **underline** and **strike-out** as appropriate); and
- Recommendations from the Pegasus Resort Chapter reply report in response to evidence are shown in **blue text** (with **underline** and **strike-out** as appropriate); and
- Recommendation from this Rezoning Requests s42A report are shown in **pink text** (with **underline** and **strike-out** as appropriate);

Special Purpose Zone - Pegasus Resort

Introduction

The purpose of the Special Purpose Zone (Pegasus Resort) is to provide for a high-quality visitor resort centred around the existing 18-hole international championship golf course. The zone provides for hotel and visitor accommodation, existing large residential lots, a spa and hot pool complex, golf education and **golf**⁷⁴ country club facilities and a limited mix of commercial and associated ancillary activities, that support tourism activities associated with the Pegasus Resort.

The zone is divided into seven distinct activity areas (references correspond to SPZ(PR)-APP1 and are referred to in the Activity Area Rules Tables as follows):

- Activity Area 1: Spa.
- Activity Area 2: Spa Village.
- Activity Area 3: Golf Square.
- Activity Area 4: Golf Village.
- Activity Area 5: Village Fringe.
- Activity Area 6: Golf Course.
- Activity Area 7: Residential.

The key differences between these activity areas are the types of development enabled (as guided by SPZ(PR)-APP1) and the extent to which activities such as commercial golf resort activity and visitor accommodation can occur. This recognises that some activity areas predominantly perform functions relating to the existing golf course, or

⁷⁴ Consequential amendment

existing residential areas, while others will enable other major tourism related activities, and to allow each of these areas to develop a distinct character guided by the Pegasus Resort Urban Design Guidelines (design guidelines) (Appendix 2).

Activity Area 1 — Spa provides for tourism activities, centred around the development of a Spa/Wellness and Hot Pool Complex, aimed at being a regionally significant tourism destination. This complex necessitates and provides for other activities that support the visitor experience, for example, a landmark hotel defining the main entrance to the golf course on the corner of Pegasus Boulevard and Mapleham Drive and an at-grade car park that services the Spa/Wellness and Hot Pool Complex and Hotel.

Activity Area 2 — Spa Village provides for a range of supporting commercial and visitor accommodation activities that will allow for visitors to cater for their stay. It will provide for visitor accommodation opportunities as an alternative to a hotel experience as well as commercial golf resort activities set out in accordance with the ODP to create a 'village' look and feel. Activity Area 2 will not provide for residential activities or other commercial activities typically associated with a neighbourhood or local centre — any commercial golf resort activity will need to demonstrate a link to supporting the key tourism activities provided for in the remainder of the zone.

Activity Area 3 — Golf Square contains the existing golf club facilities. The architectural design of these buildings is intended to set the tone for the built form of the rest of the zone, as set out in the Pegasus Design Guidelines. Development in this activity area is expected to be limited to a future country club and associated activities directly related to the operation of the golf course, as opposed to visitor accommodation or commercial golf resort activities found elsewhere in the zone.

Activity Area 4 — Golf Village is a development area for activities that support the primary golf course activity. Activities enabled by the ODP include an already consented Hotel and a Golf Education Facility, both of which are likely to be used by tourists visiting the zone for either golf instruction or playing the course for leisure or competition.

Activity Area 5 — Village Fringe is an active part of the existing golf course, however it has been identified as a separate activity area as it needs to provide for the relocation of two golf holes in order to enable the development of Activity Areas 1 and 2. It also serves as a buffer area between visitor accommodation and commercial golf resort activities found in the Spa Village and the residential sites located to the north.

Activity Area 6 — Golf Course contains the balance of the existing golf course not covered by the Village Fringe Activity Area and enables the ongoing operation and development of this course as a major sports facility.

Activity Area 7 – Residential contains eight enclaves of residential sites with an average lot size of approximately 2000m². These residential sites were created at the same time as the golf course development and have been designed to have aspects overlooking the golf course open space

areas. The intention is for these lots to maintain their semi-rural appearance and outlook over the golf course with no further intensification anticipated. Activity Area 7 also include two additional residential sites that were created as balance lots and are now being developed for residential activity.

The provisions in this chapter are consistent with the matters in Part 2 - District Wide Matters - Strategic Directions and give effect to matters in Part 2 - District Wide Matters - Urban Form and Development.

As well as the provisions in this chapter, district wide chapter provisions will also apply where relevant.

Objectives	
SPZ(PR)-O1	Tourist destination The establishment of a ⁷⁵ regionally significant tourist destination based around an 18-hole international championship golf course, with existing large residential sites, incorporating hotel and visitor accommodation, spa/wellness and hot pool complex, golf education facility, golf country club ⁷⁶ and limited small-scale commercial activity and ancillary activity.
SPZ(PR)-O2	Design components The development of spa/wellness and hot pool complex a tourism resort ⁷⁷ centred on a spa village within a framework of open space and recreation facilities, that reflect the local open space, recreational, landscape, cultural ⁷⁸ and visual amenity values and achieve urban design excellence consistent with the Pegasus design guidelines.
Policies	
SPZ(PR)-P1	Outline development plan Use and development of land shall: <ol style="list-style-type: none"> 3. be in accordance with the development requirements and fixed and flexible elements in SPZ(PR)-APP1, or otherwise achieve similar or better outcomes, except in relation to any interim use and development addressed by (3) below; 4. ensure that development: <ol style="list-style-type: none"> a. results in a vibrant, mixed-use area that achieves a complementary mix of hotel and visitor accommodation, spa/wellness and hot pool complex, golf education facility, golf country club,⁷⁹ small-scale commercial activities and ancillary activities;

⁷⁵ Minor amendment

⁷⁶ S&E Corp [416.2]

⁷⁷ S&E Corp [416.3]

⁷⁸ Dexin [377.1, 377.2, 377.3, 377.15]

⁷⁹ S&E Corp [416.4]

	<p>b. contributes to a strong sense of place, and a coherent, functional and safe neighbourhood;</p> <p>c. retains and supports the relationship to, and where possible enhances recreational features;</p> <p>d. is in accordance with the Pegasus design guidelines;</p> <p>e. achieves a high level of landscape, visual and amenity values; and</p> <p>f. encourages mixed use developments that are in accordance with SPZ(PR)-APP1 as a means of achieving coordinated, sustainable and efficient development outcomes; and</p> <p>g. <u>provides an authentic reflection of the cultural values of the area in collaboration with mana whenua; and⁸⁰</u></p> <p>5. where the land is in interim use, the interim use shall not compromise the timely implementation of, or outcomes sought by, SPZ(PR)-APP1.</p>
SPZ(PR)-P2	<p>Infrastructure services</p> <p>Ensure the efficient and effective provision of infrastructure that avoid, remedy or mitigate any adverse effects on water quality and landscape, visual and amenity values and are consistent with the design approach taken for Pegasus township.</p>
SPZ(PR)-P3	<p>Landscape and character</p> <p>Provide for the landscape character values of the golf course, country club facilities⁸¹ and the background mountain range, particularly as viewed from public places, through master-planning, landscape design and massing of buildings.</p>
SPZ(PR)-P4	<p>Provision of commercial activities</p> <p>Ensure that the amenity values for visitors to the resort and the residents living in Activity Area 7 is maintained or enhanced through:</p> <ol style="list-style-type: none"> 1. only providing for commercial activities that meet the definition of commercial golf resort activity; 2. having individual and maximum caps on the floor area of commercial golf resort activity; and 3. managing the compatibility of activities within and between developments, especially for activities adjacent residential areas, through: <ol style="list-style-type: none"> a. controlling site layout, landscaping and design measures, including outside areas and storage; and b. controls on emissions including noise, light and glare.
SPZ(PR)-P5	<p>Urban design elements</p> <p>Encourage high quality urban design by:</p> <ol style="list-style-type: none"> 1. requiring all development to be in accordance with SPZ(PR)-APP1, which establishes an integrated and coordinated layout of open space; buffers and building

⁸⁰ Dexin [377.1, 377.2, 377.3, 377.15]

⁸¹ S&E Corp [416.5]

	<p>setbacks; building height modulation and limits; roading purpose; built form; and streetscape design;</p> <ol style="list-style-type: none"> 2. requiring all subdivision and development to be in accordance with the Pegasus design guidelines; 3. encouraging design responses that respond to the cultural values and visual character of the area; 4. encouraging development to be consistent with the existing distinctive architectural style of the golf resort buildings to ensure the character is retained; 5. efficient design of vehicle access ways and car parking, which is adequately screened from Pegasus Boulevard with appropriately designed landscaping; and 6. provision of secure, visible and convenient cycle parking.
SPZ(PR)-P6	<p>Open areas Recognise the important contribution that the open areas provided by the Village Fringe Activity Area and the Golf Course Activity Area that adjoin the visitor accommodation and village areas make to the identity, character, amenity values, and outlook of the zone for residents and visitors.</p>
SPZ(PR)-P7	<p>Golf activity Enable golf course activities and ancillary facilities that:</p> <ol style="list-style-type: none"> 1. support the golf course within the Golf course activity area; and 2. provide for development of the resort while ensuring that Pegasus Golf Course remains an 18 hole championship golf course.
SPZ(PR)-P8	<p>Village fringe Provide for the relocation of two golf holes within the village fringe.</p>
SPZ(PR)-P9	<p>Residential development Provide for residential development located within Residential activity area, while ensuring amenity values resulting from views over the golf course are maintained with no intensification of residential activity beyond what is provided for in the Activity Rules and Built Form Standards.</p>

Activity Rules

SPZ(PR)-R1 Construction or alteration of or addition to any building or other structure	
<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> 1. the activity complies with all built form standards (as applicable). 	<p>Activity status when compliance not achieved: as set out in the relevant built form standards</p>
SPZ(PR)-R2 Residential activity	
<p>Activity status: PER Where:</p>	<p>Activity status when compliance is not achieved: DIS</p>

1. the activity occurs within Activity Area 7 excluding Lot 212 DP 403716 and Lot 230 DP 417391).	
<p>Activity Status: CON Where:</p> <p>2. the activity occurs within Lot 212 DP 403716 and Lot 230 DP 417391; and</p> <p>3. only one residential unit per site.</p> <p>Matters of control are restricted to:</p> <p>SPZ-PR-MCD2 - Residential design controls</p> <p>SPZ-PR-MCD8 - Flooding hazard</p>	Activity status when compliance is not achieved: DIS
<p>Activity status: NC Where:</p> <p>4. the activity occurs within Activity Areas 1 to 6.</p>	Activity status when compliance is not achieved: N/A
SPZ(PR)-R3 Residential unit	
<p>Activity status: PER Where:</p> <p>1. the activity occurs within Activity Area 7 including Lot 212 DP 403716 and Lot 230 DP 417391).</p>	Activity status when compliance is not achieved: NC
SPZ(PR)-R4 Minor residential unit	
<p>Activity status: PER Where:</p> <p>1. the activity occurs within Activity Area 7 including Lot 212 DP 403716 and Lot 230 DP 417391);</p> <p>2. the maximum GFA of the minor residential unit shall be 80m² (excluding any area required for a single car vehicle garage or carport);</p> <p>3. there shall be only one minor residential unit per site; and</p> <p>4. parking and access shall be from the same vehicle crossing as the principal residential unit on the site.</p>	Activity status when compliance is not achieved: NC
SPZ(PR)-R5 Accessory building or structure	
Activity status: PER	Activity status when compliance is not achieved: N/A

SPZ(PR)-R6 Major sports facility	
Activity status: PER Where: <ol style="list-style-type: none"> 1. the activity occurs within Activity Areas 3, 5 and 6; 2. the outdoor lighting of the major sports facility must not operate within the hours of 10:00pm to 7:00am; 3. any tennis court surfaces are either dark green or grey in colour; 4. any tennis court fencing is chain mesh or similar, and grey or black in colour; 5. the GFA of any single building is less than 2,000m²; and 6. landscape components are designed in accordance with Pegasus design guidelines SPZ(PR)-APP2. 	Activity status when compliance is not achieved: NC
SPZ(PR)-R7 Recreation activities	
Activity status: PER Where: <ol style="list-style-type: none"> 1. the activity occurs within Activity Areas 3, 5 and 6. 	Activity status when compliance is not achieved: NC
SPZ(PR)-R8 Helipad	
Activity status: PER Where: <ol style="list-style-type: none"> 1. the helipad is relocated within 10m of the location shown on SPZ(PR)-APP1; and 2. the helipad is not constructed over existing underground infrastructure. 	Activity status when compliance is not achieved: NC
Advisory Note <ul style="list-style-type: none"> • The location and design of any helipad must comply with Civil Aviation Rules, the Civil Aviation Act 1990 and other relevant legislation. 	
SPZ(PR)-R9 New stormwater or recreation water bodies	
Activity status: CON Where: <ol style="list-style-type: none"> 1. the activity occurs within Activity Areas 5 and 6; 2. resizing, resitting and the provision of additional proposed stormwater ponds are consistent with SPZ(PR)- 	Activity status when compliance is not achieved: NC

<p>APP1 and engineering requirements; and</p> <p>3. the stormwater pond is lined with a liner of sufficient impermeability so that seepage from the pond does not increase the likelihood of liquefaction.</p> <p>Matters of control and discretion are restricted to: SPZ-PR-MCD1 - Stormwater or recreational water bodies</p> <p>Notification An application for a controlled activity under this rule is precluded from being publicly or limited notified.</p>	
<p>SPZ(PR)-R10 Visitor accommodation <i>This rule does not apply to any hotel provided for under SPZ(PR)-R11.</i></p>	
<p>Activity status: RDIS Where:</p> <ol style="list-style-type: none"> the activity occurs within Activity Area 2; the maximum number of visitor accommodation units within Activity Areas 2 shall be 320; and design of development shall be in accordance with the Pegasus design guidelines SPZ(PR)-APP2. <p>Matters of control and discretion are restricted to: SPZ-PR-MCD2 - Design considerations SPZ-PR-MCD3 - Transportation SPZ-PR-MCD4 - Amenity values SPZ-PR-MCD7 - Visitor accommodation SPZ-PR-MCD8 - Flooding hazard</p> <p>Notification An application for a restricted discretionary activity under this rule is precluded from being publicly or limited notified.</p>	<p>Activity status when compliance is not achieved: NC</p>
<p>SPZ(PR)-R11 Hotel</p>	
<p>Activity status: RDIS Where:</p>	<p>Activity status when compliance is not achieved: NC</p>

<p>1. the activity occurs within Activity Areas 1 and 4; 2. the maximum number of hotel accommodation units within Activity Areas 1 and 4 shall be 180; and 3. design of development shall be in accordance with the Pegasus design guidelines SPZ(PR)-APP2.</p> <p>Matters of control and discretion are restricted to: SPZ-PR-MCD2 - Design considerations SPZ-PR-MCD3 - Transportation SPZ-PR-MCD4 - Amenity values SPZ-PR-MCD8 - Flooding hazard</p> <p>Notification An application for a restricted discretionary activity under this rule is precluded from being publicly or limited notified.</p>	
<p>SPZ(PR)-R12 Spa/wellness and hot pool complex</p>	
<p>Activity status: RDIS Where: 1. the activity occurs within Activity Area 1; and 2. design of development shall be in accordance with the Pegasus design guidelines SPZ(PR)-APP2.</p> <p>Matters of control and discretion are restricted to: SPZ-PR-MCD2 - Design considerations SPZ-PR-MCD3 - Transportation SPZ-PR-MCD4 - Amenity values SPZ-PR-MCD8 - Flooding hazard</p> <p>Notification An application for a restricted discretionary activity under this rule is precluded from being publicly or limited notified.</p>	<p>Activity status when compliance is not achieved: NC</p>
<p>SPZ(PR)-R13 Commercial golf resort activity</p>	
<p>Activity status: RDIS Where:</p>	<p>Activity status when compliance is not achieved: NC</p>

<p>1. the activity occurs within Activity Areas 1 to 4;</p> <p>2. there is a maximum of 2,500m² GFA within Activity Areas 1, 2, 3 and 4 combined, as shown on SPZ(PR)-APP1;</p> <p>3. commercial golf resort activity in Activity Areas 1 to 4 shall be a maximum of 200m² GFA per tenancy: and</p> <p>4. design of development shall be in accordance with the Pegasus design guidelines SPZ(PR)-APP2.</p> <p>Matters of control and discretion are restricted to:</p> <p>SPZ-PR-MCD2 - Design considerations</p> <p>SPZ-PR-MCD3 - Transportation</p> <p>SPZ-PR-MCD4 - Amenity values</p> <p>SPZ-PR-MCD8 - Flooding hazard</p>	
<p>SPZ(PR)-R14 Golf country club</p>	
<p>Activity status: RDIS</p> <p>Where:</p> <p>1. the activity occurs within Activity Area 3; and</p> <p>2. design of development shall be in accordance with the Pegasus design guidelines SPZ(PR)-APP2.</p> <p>Matters of control and discretion are restricted to:</p> <p>SPZ-PR-MCD5 - Golf facility considerations</p> <p>Notification</p> <p>An application for a restricted discretionary activity under this rule is precluded from being publicly or limited notified.</p>	<p>Activity status when compliance is not achieved: NC</p>
<p>SPZ(PR)-R15 Golf education facility</p>	
<p>Activity status: RDIS</p> <p>Where:</p> <p>1. the activity occurs within Activity Area 4; and</p> <p>2. design of development shall be in accordance with the Pegasus design guidelines SPZ(PR)-APP2.</p>	<p>Activity status when compliance is not achieved: NC</p>

Matters of control and discretion are restricted to: SPZ-PR-MCD5 - Golf facility considerations Notification An application for a restricted discretionary activity under this rule is precluded from being publicly or limited notified.	
SPZ(PR)-R16 Primary production	
<i>This rule does not apply to plantation forestry and woodlots provided for under SPZ(PR)-R20; or mining and quarrying activities provided for under SPZ(PR)-R23.</i>	
Activity status: DIS	Activity status when compliance is not achieved: N/A
SPZ(PR)-R17 Any other activity not provided for in this zone as a permitted, controlled, restricted discretionary, discretionary, non-complying, or prohibited activity, except where expressly specified by a district wide provision	
Activity status: DIS	Activity status when compliance is not achieved: N/A
SPZ(PR)-R18 Large format retail	
Activity status: NC	Activity status when compliance is not achieved: N/A
SPZ(PR)-R19 Supermarket	
Activity status: NC	Activity status when compliance is not achieved: N/A
SPZ(PR)-R20 Plantation forestry and woodlots	
Activity status: NC	Activity status when compliance is not achieved: N/A
SPZ(PR)-R21 Intensive indoor primary production	
Activity status: NC	Activity status when compliance is not achieved: N/A
SPZ(PR)-R22 Commercial services	
<i>This rule does not apply to any hairdressing, beauty salons, barbers, and massage therapists except where provided for under SPZ(PR)-R11 to SPZ(PR)-R14.</i>	
Activity status: NC	Activity status when compliance is not achieved: N/A
SPZ(PR)-R23 Mining and quarrying activities	
Activity status: NC	Activity status when compliance is not achieved: N/A

SPZ(PR)-R24 Office	
Activity status: NC	Activity status when compliance is not achieved: N/A
SPZ(PR)-R25 Funeral related services and facility	
Activity status: NC	Activity status when compliance is not achieved: N/A
SPZ(PR)-R26 Waste management facility	
Activity status: NC	Activity status when compliance is not achieved: N/A
SPZ(PR)-R27 Trade supplier	
Activity status: NC	Activity status when compliance is not achieved: N/A
SPZ(PR)-R28 Service station	
Activity status: NC	Activity status when compliance is not achieved: N/A
SPZ(PR)-R29 Motorised sports facility	
Activity status: NC	Activity status when compliance is not achieved: N/A
SPZ(PR)-R30 Industrial activity	
Activity status: NC	Activity status when compliance is not achieved: N/A
SPZ(PR)-R31 Boarding kennels	
Activity status: NC	Activity status when compliance is not achieved: N/A
SPZ(PR)-R32 Cattery	
Activity status: NC	Activity status when compliance is not achieved: N/A
SPZ(PR)-R33 Composting facility	
Activity status: NC	Activity status when compliance is not achieved: N/A

Built Form Standards

SPZ(PR)-BFS1 Visitor accommodation unit standards	
1. The minimum NFA (excluding garages, balconies, and any communal lobbies stairwells and plant rooms) per visitor accommodation unit shall be: <ul style="list-style-type: none"> a. Studio 25m²; 	Activity status when compliance is not achieved: RDIS Matters of control and discretion are restricted to:

<p>b. One bedroom 35m²; c. Two bedroom 50m²; and d. Three or more bedrooms 80m²;</p> <p>2. Each visitor accommodation unit shall be provided with a private outdoor living space with a minimum area of 6m² and a minimum dimension of 1.5m;</p> <p>3. Where a garage is not provided with the unit, each visitor accommodation unit shall have an internal storage space that is a minimum of 4m³ and a minimum dimension of 1m; and</p> <p>4. External lighting shall be limited to down lighting only, at a maximum of 1.5m above the finished floor level of the building, with the light source shielded from horizontal view.</p>	<p>SPZ-PR-MCD7 - Visitor accommodation units</p> <p>Notification An application for a restricted discretionary activity under this rule is precluded from being publicly or limited notified.</p>
<p>SPZ(PR)-BFS2 Visitor accommodation waste management</p>	
<p>1. All visitor accommodation shall provide:</p> <p>a. a waste management area for the storage of rubbish and recycling of 5m² with a minimum dimension of 1.5m; and</p> <p>b. waste management areas shall be screened or located behind buildings when viewed from any road or public open space.</p>	<p>Activity status when compliance is not achieved: RDIS Matters of control and discretion are restricted to: SPZ-PR-MCD7 - Visitor accommodation units</p> <p>Notification An application for a restricted discretionary activity under this rule is precluded from being publicly or limited notified.</p>
<p>SPZ(PR)-BFS3 Building height</p>	
<p>1. The maximum height of buildings above ground level shall be:</p> <p>a. Activity Area 1 - 16m at 3 storeys;</p> <p>b. Activity Area 2 - 12m at 3 storeys;</p> <p>c. Activity Area 3 - 9m at 2 storeys;</p> <p>d. Activity Area 4 - 14m at 3 storeys;</p>	<p>Activity status when compliance is not achieved: NC</p>

<p>e. Activity Area 5 - 8m at 2 storeys; f. Activity Area 6 - 6m at 1 story; and g. Activity Area 7 - 10m at 2 storeys (with the exception of Lot 212 DP 403716 and Lot 230 DP417391, which shall comprise a single storey residential unit no higher than 7m).</p> <p>2. The minimum height of buildings shall be: a. Activity Area 2 - 6m at 1 storey.</p>	
<p>Calculation method for SPZ(PR)-BFS5</p> <p>1. For the purpose of calculating the height, the following shall be excluded: a. items listed in the definition of height calculation; and b. in Activity Areas 1 and 4 only, a pavilion building to a maximum of 30% of the building footprint to enable the activation of a living roof, provided that the maximum height as measured from the finished floor level of the living roof is not exceeded by more than 4m.</p>	
<p>SPZ(PR)-BFS4 Building coverage</p>	
<p>1. The building coverage shall not exceed the maximum percentage of net site area: a. Activity Area 1 - 35%; b. Activity Area 2 - 35%; c. Activity Area 3 - 20%; d. Activity Area 4 - 35%; e. Activity Area 5 - 3%; f. Activity Area 6 - 3%; and g. Activity Area 7 - 20%</p>	<p>Activity status when compliance is not achieved: RDIS Matters of control and discretion are restricted to: SPZ-PR-MCD2 - Design considerations SPZ-PR-MCD4 - Amenity values</p>
<p>SPZ(PR)-BFS5 Living roof</p>	
<p>1. In Activity Areas 1 and 4, buildings with a footprint over 2,000m² shall include a living roof.</p>	<p>Activity status when compliance is not achieved: RDIS Matters of control and discretion are restricted to: SPZ-PR-MCD2 - Design considerations SPZ-PR-MCD4 - Amenity values</p>
<p>SPZ(PR)-BFS6 Building and structure setbacks</p>	
<p>1. Setbacks to be provided as per SPZ(PR)-APP1 as follows:</p>	<p>Activity status when compliance is not achieved: RDIS Matters of control and discretion are restricted to:</p>

<p>a. Pegasus Boulevard (Activity Areas 1 and 4) - 20m;</p> <p>b. Pegasus Boulevard (Activity Area 3) - 5m;</p> <p>2. Setbacks to be provided in Activity Area 7 (excluding Lot 212 DP 403716 and Lot 230 DP 417391) as follows:</p> <p>a. Any building or structure shall be no less than 10m from any internal boundary or road boundary; and</p> <p>3. Setbacks to be provided in Activity Area 7 on Lot 230 DP 417391 as follows:</p> <p>a. Any building or structure shall be no less than 3m from the road boundary with Taerutu Lane; and</p> <p>b. Any building or structure shall be no less than 10m from any internal boundary or other road boundary;</p> <p>4. Setbacks to be provided on Lot 212 DP 403716 as follows:</p> <p>a. Any building or structure shall be no less than 3m from the road boundary with Atkinsons Lane; and</p> <p>b. Any building or structure shall be no less than 10m from any internal boundary or other road boundary.</p>	<p>SPZ-PR-MCD2 - Design considerations</p> <p>SPZ-PR-MCD4 - Amenity values</p> <p>SPZ-PR-MCD6 - Boundary setback</p> <p>Notification An application for a restricted discretionary activity under this rule is precluded from being publicly or limited notified.</p>
<p>Exemption</p> <ul style="list-style-type: none"> The setback provisions do not apply to the temporary storage of non-motorised caravans. 	
<p>SPZ(PR)-BFS7 Landscaping</p>	
<p>1. The minimum amount of landscaped area in each activity area shall be:</p> <p>a. Activity Area 1 - 40%;</p> <p>b. Activity Area 2 - 30%;</p> <p>c. Activity Area 3 - 30%;</p> <p>d. Activity Area 4 - 40%;</p> <p>e. Activity Area 5 - 90%; and</p> <p>f. Activity Area 6 - 90%.</p>	<p>Activity status when compliance is not achieved: NC</p>
<p>SPZ(PR)-BFS8 Outdoor storage</p>	

<p>1. All goods, materials or equipment shall be stored inside a building, except for vehicles associated with the activity parked on the site overnight.</p>	<p>Activity status when compliance is not achieved: NC</p>
<p>SPZ(PR)-BFS9 Commercial waste management</p>	
<p>1. All commercial activities shall provide:</p> <ul style="list-style-type: none"> a. a waste management area for the storage of rubbish and recycling of no less than 5m² with a minimum dimension of 1.5m; and b. waste management areas shall be screened or located behind buildings when viewed from any road or public space. 	<p>Activity status when compliance is not achieved: DIS</p>
<p>SPZ(PR)-BFS10 Building and structures colours and reflectivity</p>	
<p>1. Any buildings and structures within the Activity Areas 1 to 6 shall meet the following requirements:</p> <ul style="list-style-type: none"> a. exterior wall cladding including gable ends, dormers and trim of all structures shall be finished in their natural colours or coloured earthy mid tones and achieve reflectivity between 5% and 22%; and b. roofs of all structures including trim shall be finished in their natural colours or coloured dark tones and achieve reflectivity between 5% and 12%. 	<p>Activity status when compliance is not achieved: DIS</p>
<p>SPZ(PR)-BFS11 Residential buildings on Lot 212 DP 403716 and Lot 230 DP 417391</p>	
<p>1. All buildings must be constructed on-site from new or high quality recycled materials;</p> <p>2. Exterior cladding for all buildings (except for the</p>	<p>Activity status when compliance is not achieved: DIS</p>

<p>cladding of soffits or gable ends) shall be of the following materials:</p> <ol style="list-style-type: none">a. brick; orb. natural stone; orc. river rock; ord. texture plaster over brick, or polystyrene or other suitable sub base for plaster; ore. stained or painted timber weather-board, wooden shingles, timber board batten; orf. surface coated concrete block; org. solid plaster or glazing. <p>3. All roofing material on any building shall be either:</p> <ol style="list-style-type: none">a. tiles (including clay, ceramic, concrete, decramastic, pre-coated or pressed steel); orb. steel (comprising pre-painted, long run pressed or rolled steel); orc. shingles; ord. slate; ore. membrane roofing. <p>4. No reflective or visually obtrusive roof, wall or joinery materials, colours or mirror glass may be used for any building;</p> <p>5. No exterior cladding, no roofing material, no guttering or down pipe material comprising unpainted and/or exposed zinc coated products may be used on any building;</p> <p>6. No buildings shall be erected using concrete or treated wooden piles without providing a solid and durable skirting board or other enclosure around the exterior of the building(s) from ground height to the underside of the wall cladding;</p> <p>7. No accessory building shall be erected except in conjunction with or following construction of the residential unit and all such buildings shall be</p>	
--	--

<p>constructed with permanent materials comprising timber, stone or other permanent materials in character with the residential unit;</p> <p>8. Air conditioning units must not be set into or protrude from the building(s). Any external air conditioning units must be properly screened;</p> <p>9. No building shall be erected, altered, placed or permitted to remain other than buildings designed for residential activity and any accessory building;</p> <p>10. Clotheslines and letterboxes must be unobtrusive and of good quality in terms of design and location. The positioning of any letterbox shall be adjacent to but not on the road reserve; and</p> <p>11. Only post and rail fences may be erected on side boundaries. No fencing is permitted on road frontage or any internal boundary.</p>	
<p>SPZ(PR)-BFS12 Site layout Pegasus Resort ODP</p>	
<p>1. Development shall be in accordance with SPZ(PR)-APP1.</p> <p>2. For the purpose of this built form standard the following amendments do not constitute a breach of SPZ(PR)-APP1:</p> <p style="margin-left: 20px;">a. development shall facilitate a road connection at fixed road access point shown on SPZ(PR)-APP1 to enable vehicular access to roads which connect with Pegasus Boulevard and Mapleham Drive, provided that a variance of up to 20m from the location of the connection shown on SPZ(PR)-APP1 shall be acceptable;</p> <p style="margin-left: 20px;">b. the provisions for breaks in the landscape buffer identified along the Pegasus Boulevard to</p>	<p>Activity status when compliance not achieved: DIS</p>

<p>accommodate entry and egress into and out of the site or where landscaping is required to be reduced in order to achieve the safe and efficient operation of existing road networks; and</p> <p>c. resizing, resitting and the provision of additional proposed stormwater ponds.</p>	
--	--

Matters of Control or Discretion

SPZ-PR-MCD1	<p>Stormwater or recreational water bodies</p> <ol style="list-style-type: none"> 1. Landscaping, planting and screening; 2. Accessibility for maintenance purposes; 3. Design capacity; and 4. Integration into the stormwater network.
SPZ-PR-MCD2	<p>Design considerations</p> <ol style="list-style-type: none"> 1. The layout of non-fixed elements of the development in accordance with SPZ(PR)-APP1. 2. Design of development in accordance with the Pegasus design guidelines including: <ol style="list-style-type: none"> a. the bulk, scale, location and external appearance of buildings; b. the creation of active frontages adjacent to roads and public spaces; c. setbacks from roads; d. landscaping; e. streetscaping design; f. application of CPTED principles; g. focus on sustainable design to reduce carbon footprint; h. provision for internal walkways, paths, and cycleways; and i. appropriate legal mechanism to ensure implementation of design responses as relevant; 3. Lighting design that meets the character and amenity values for the activity area. 4. Adequate provision of storage and loading/servicing areas and access to all service areas that require ongoing maintenance. 5. Enhancement of ecological and natural values.
SPZ-PR-MCD3	<p>Transportation</p> <ol style="list-style-type: none"> 1. Safe, resilient, efficient functioning and sustainable for all transport modes. 2. Adverse effects on the character and amenity values of the surrounding area in terms of noise, vibration, dust, nuisance, glare or fumes.

	<ol style="list-style-type: none"> 3. Provision of safe vehicle access and adequate on-site car parking and circulation and on-site manoeuvring. 4. Road and intersection design in accordance with SPZ(PR)-APP1. 5. Compliance with the relevant standards contained within the Transport Chapter.
SPZ-PR-MCD4	<p>Amenity values</p> <ol style="list-style-type: none"> 1. Effects of the development on: <ol style="list-style-type: none"> a. character and quality of the environment, including natural character, water bodies, ecological habitat and indigenous biodiversity, and sites of significance to Māori; b. existing landscape character values and amenity values of the zone in which it occurs, and the zone of the receiving environment; and c. the surrounding environment such as visual effects, loss of daylight, noise, dust, odour, signs, light spill and glare, including cumulative effects. 2. Effects of hours of operation on the amenity values of any surrounding residential properties, including noise, glare, nuisance, disturbance, loss of security and privacy. 3. Incorporation of effective mitigation such as landscaping or screening.
SPZ-PR-MCD5	<p>Golf facility considerations</p> <ol style="list-style-type: none"> 1. Maintaining the spatial extent of the 18 hole champion golf course. 2. Interface with public roads and open spaces. 3. Traffic generation, access and parking. 4. Noise duration, timing, noise level and characteristics, and potential adverse effects in the receiving environment.
SPZ-PR-MCD6	<p>Boundary setback</p> <ol style="list-style-type: none"> 1. The extent to which any reduced road boundary setback will detract from the pleasantness, coherence, openness and attractiveness of the site as viewed from the street and adjoining sites, including consideration of: <ol style="list-style-type: none"> a. compatibility with the appearance, layout and scale of other buildings and sites in the surrounding area; and b. the classification and formation of the road, and the volume of traffic using it within the vicinity of the site. 2. The extent to which the scale and height of the building is compatible with the layout, scale and appearance of other buildings on the site or on adjoining sites. 3. The extent to which the reduced setback will result in a more efficient, practical and better use of the balance of the site. 4. The extent to which any reduced setback from a transport corridor will enable buildings, balconies or decks to be constructed or maintained without requiring access above, on, or over the transport corridor.

<p>SPZ- PR- MCD7</p>	<p>Visitor accommodation units</p> <ol style="list-style-type: none"> 1. In relation to minimum unit size, where: <ol style="list-style-type: none"> a. the floor space available and the internal layout represents a viable visitor accommodation unit that would support the amenity values of current and future guests and the surrounding activity area; b. other onsite factors compensate for a reduction in unit sizes e.g. communal facilities; and c. the balance of unit mix and unit sizes within the overall development is such that a minor reduction in the area of a small percentage of the overall units may be warranted. 2. In relation to storage space, where: <ol style="list-style-type: none"> a. the extent to which the reduction in storage space will adversely affect the functional use of the visitor accommodation unit and the amenity values of neighbouring sites, including public spaces; and b. the extent to which adequate space is provided on the site for the storage of bicycles, waste and recycling facilities and clothes drying facilities. 3. In relation to outdoor living space, where: <ol style="list-style-type: none"> a. the extent to which the reduction in outdoor living space will adversely affect the ability of the site to provide for amenity values and meet outdoor living needs of likely future guests.
<p>SPZ- PR- MCD8</p>	<p>Flooding hazard</p> <ol style="list-style-type: none"> 1. The extent to which natural hazards have been addressed, including any actual or potential impacts on the use of the site for its intended purpose, including: <ol style="list-style-type: none"> a. the location and type of infrastructure; and b. any restriction on floor levels as a result of flood hazard risk. 2. The extent to which overland flow paths are maintained. 3. Any effects from fill on stormwater management on the site and adjoining properties and the appropriateness of the fill material. 4. Increased ponding or loss of overland flow paths.

Appendices

SPZ(PR)-APP1 - ODP



SPZ(PR)-APP2 - Pegasus Design Guidelines

Amend the Pegasus Design Guidelines:

...2.1 Design Considerations

...

adjoining the golf course and public realm (such as Pegasus Boulevard); ~~and~~

- Defines each of the activity areas and their associated uses; ~~and~~
and
- References the local historical and cultural context, including working alongside mana whenua to provide authentic reflections of cultural values.⁸²

⁸² Dexin [377.1, 377.2, 377.3, 377.15]

Definitions

Amend the definition of 'commercial golf resort activity':

"...

(e) gift/souvenir shop and any ancillary artisan workshops".⁸³

Table SUB-S1

Format Table SUB-S1, row Special Purpose Zone (Pegasus Resort) as follows:

...

Special Purpose Zone (Pegasus Resort)			
<ul style="list-style-type: none"> • Areas 1, 2 and 4 • All other areas 	No minimum	n/a	n/a
	4ha	n/a	n/a ⁸⁴

⁸³ S&E Corp [416.15]

⁸⁴ DEXIN [377.18]

Appendix B. Recommended Responses to Submissions and Further Submissions

The recommended responses to the submissions made on this topic are presented in Table B 1 below.

Table B 1: Recommended responses to submissions and further submissions

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
General provisions							
155.15	Woodend-Sefton Community Board	General	Planning for active transport modes as part of any development.	N/A	Accept in part	The submitter is seeking Council advocate to Waka Kotahi for an underpass to be installed at the Pegasus/Ravenswood roundabout, which is not a District Plan Review matter. However, provision for active transport has been considered for the rezoning requests of 1250 Main North Road and 20 Te Haunui Lane.	N/A
377.18	DEXIN	General	Seek relief to enable any amendments to proposed district-wide plan provisions which apply to the subject site, where they do not align with the development intention of this submission. Any proposed changes to the district wide provisions would be identified and circulated to submitters prior to the hearing.	3.2	Reject	The consequential amendments to district-wide provisions have been provided with FS101 and updated in technical evidence. These include a definition of 'Māketē tourism' and an amendment to SUB-S1 to include Activity Areas 7B and 8 in the minimum allotment sizes for SPZ(PR). See the relevant section of the s42A report on rezoning request – 1250 Main North Road.	No
FS100	S&E Corp		<i>Support - S&E Corp agrees with the submitter that adding the 1250 Main North Road site to the SPZ(PR) is a natural extension of the zone. The site's location and development will enhance and complement the development of the Pegasus Resort. As noted by the submitter, the site is considered to be the gateway to Pegasus Village and has the potential to become a flagship site drawing tourists off the main highway towards the SPZ(PR) and Pegasus township. S&E Corp seeks that Council approve the submission of DEXIN Investment Limited in full, to enable the development of the 1250 Main North Road site to proceed as an integral part of the SPZ(PR).</i>	3.2	Reject	<i>See the relevant section of the s42A report.</i>	No
FS101	DEXIN		<i>Support - As part of DEXIN's original submission, DEXIN sought scope to make consequential amendments to district wide provisions of the PDP, including Table SUB-1. DEXIN seeks that these amendments are accepted, noting that the current formatting of this table for the SPZ-PR row could be improved to assist with clearly identifying the minimum allotment areas that apply to each Activity Area.</i>	3.2	Reject	<i>See the relevant section of the s42A report. However, I agree that the formatting of Table SUB-1 could be improved and recommend this as a minor amendment.</i>	No
Planning maps							
191.1	Howard Stone	Planning maps	Rezone 3.81ha of 1188 Main North Road / 20 Te Haunui Lane, Woodend (refer to map in Appendix 2 of submission) from	3.3	Reject	See the relevant section of the s42A report.	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			Rural Lifestyle Zone (RLZ) to Special Purpose Zone Pegasus Resort, with the balance of the property remaining RLZ. Infrastructure is available to service development without upgrading which Council may not have been aware of, development of the site has been anticipated and will not affect wider RLZ. Site is adjacent to Pegasus and Te Haunui Lane provided for 12 lots with services. Development would not create adverse effects on infrastructure or rural amenity and would allow more dwellings. Current access provision indicates future development. Supports zones such as the RLZ ensuring rural areas retain amenity. Amend the Special Purpose Zone (Pegasus Resort) - Appendix 1 – Outline Development Plan to include identified area as "Activity Area 7: Residential". Rezone part of 1188 Main North Road / 20 Te Haunui Lane, Woodend from Rural Lifestyle Zone to Special Purpose Zone (Pegasus Resort) as shown on map in Appendix 2 of submission.				
FS79	Ravenswood Developments Ltd		<i>Support - RDL agrees with the reasons set out in the submission, noting that there is a high demand for residentially zoned land at Woodend. Approve the rezoning sought.</i>	3.3	Reject	See the relevant section of the s42A report.	No
FS100	S&E Corp		<i>Neutral - S&E Corp would not oppose the rezoning of an additional area of vacant land as SPZ(PR) - Activity Area 7. S&E Corp notes that including any additional sites into the SPZ(PR) would require consequential amendments to the notified provisions and the Outline Development Plan. While S&E Corp are not opposed to the submitter's property being included within the SPZ(PR) as part of Activity Area 7, S&E Corp seeks scope to be included in any future discussions regarding changes to the provisions or the Outline Development Plan, to ensure there are no unintended consequences for the main SPZ(PR) zone.</i>	3.3	N/A	See the relevant section of the s42A report.	No
FS101	DEXIN		<i>Neutral - DEXIN would not oppose the re-zoning of an additional area of vacant land as SPZPR - Activity Area 7, noting that DEXIN is proposing to rename this activity area to 'Activity Area 7A' but with no changes to the anticipated activities or intensity of development as notified. DEXIN notes that including any additional sites into the SPZ-PR would require consequential amendments to the notified provisions and the Outline Development Plan. While DEXIN are not opposed to the submitter's property being included within the SPZ-PR as part of Activity Area 7, DEXIN seeks scope to be included in any future discussions regarding changes to the provisions or the Outline Development Plan, to ensure there are no unintended consequences for the main SPZ-PR zone.</i>	3.3	N/A	See the relevant section of the s42A report.	No
377.16	DEXIN	Planning maps	Oppose the proposed Rural Lifestyle zoning of 1250 Main North Road. Seek to expand the proposed SPZ(PR) zone	3.2	Reject	See the relevant section of the s42A report.	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			boundary to include land at 1250 Main North Road. Limited additional strips of land adjacent to the 1250 Main North Road site will also be included. Adding the 1250 Main North Road site to the SPZ(PR) is a natural extension of the zone. The site is in an extremely prominent location, ideally suited to the development of a tourist destination. The site is considered to be the gateway to Pegasus Village and has the potential to become a flagship site drawing tourists off the main highway towards the SPZ(PR) and Pegasus township. Rezone Part Rural Section 864 (contained in record of title CB21A/964) from Rural Lifestyle Zone to Special Purpose Zone - Pegasus Resort.				
FS100	S&E Corp		<i>Support - S&E Corp agrees with the submitter that adding the 1250 Main North Road site to the SPZ(PR) is a natural extension of the zone. The site's location and development will enhance and complement the development of the Pegasus Resort. As noted by the submitter, the site is considered to be the gateway to Pegasus Village and has the potential to become a flagship site drawing tourists off the main highway towards the SPZ(PR) and Pegasus township. S&E Corp seeks that Council approve the submission of DEXIN Investment Limited in full, to enable the development of the 1250 Main North Road site to proceed as an integral part of the SPZ(PR).</i>	3.2	Reject	See the relevant section of the s42A report.	No
377.17	DEXIN	Planning maps	Supports in part the extent of the proposed SPZ(PR), as notified. Seek to expand the proposed SPZ(PR) zone boundary to include land at 1250 Main North Road. Limited additional strips of land adjacent to the 1250 Main North Road site will also be included. Adding the 1250 Main North Road site to the SPZ(PR) is a natural extension of the zone. The site is in an extremely prominent location, ideally suited to the development of a tourist destination. The site is considered to be the gateway to Pegasus Village and has the potential to become a flagship site drawing tourists off the main highway towards the SPZ(PR) and Pegasus township. Seek that the following land parcels contained within the proposed SPZ(PR) Activity Area 6 (Golf Course) remain within the SPZ(PR), but may necessitate a change to their Activity Area overlay within the SPZ(PR) ODP: - Part of Lots 97, 208 and 700 DP 417391 (contained in record of title 884357) and - Strip of land to the north of the site which is currently a conservation purposes Drain Reserve Red Map 58 (No certificate of title).	3.2	Reject	See the relevant section of the s42A report.	No
FS100	S&E Corp		S&E Corp agrees with the submitter that adding the 1250 Main North Road site to the SPZ(PR) is a natural extension of the zone. The site's location and development will enhance and complement the development of the Pegasus Resort. As noted by the submitter, the site is considered to be the	3.2	Reject	See the relevant section of the s42A report.	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			gateway to Pegasus Village and has the potential to become a flagship site drawing tourists off the main highway towards the SPZ(PR) and Pegasus township. S&E Corp seeks that Council approve the submission of DEXIN Investment Limited in full, to enable the development of the 1250 Main North Road site to proceed as an integral part of the SPZ(PR).				
Pegasus Resort - General							
155.13	Woodend-Sefton Community Board	General	Protect existing residential lots and housing in the Special Purpose Zone-Pegasus Resort.	N/A	N/A	The submitter has not stated how they wish the existing lots to be protected. However, effects on the surrounding environment including on character and amenity have been considered when assessing the rezoning request submissions.	No
FS100	S&E Corp		<i>Support - The SPZ(PR) will not impact upon the existing residential lots and housing in the SPZ(PR). S&E Corp seeks that the SPZ(PR) provisions which relate to Activity Area 7 are retained as notified.</i>	N/A	N/A	<i>See the relevant section of the s42A report.</i>	No
FS101	DEXIN		<i>Support - DEXIN seeks that the SPZ-PR provisions which relate to Activity Area 7 are retained as notified, with the exception of the minor change to the name of the Activity Area to 'Activity Area 7A – Low Density Residential'. The proposed SPZ-PR and expansion of the zone to cover the 1250 Main North Road site will not impact upon the existing residential lots and housing in the SPZ-PR.</i>	3.2	N/A	<i>See the relevant section of the s42A report.</i>	No
377.1	DEXIN	General	The SPZ(PR) and its associated Pegasus Resort ODP and Pegasus Design Guidelines be adopted along with amendments requested in the submission.	3.2	Accept in part	Accept the amendments to provide for cultural values that apply to the whole of the SPZ(PR) and are unspecific to the subject site.	Yes
FS100	S&E Corp		<i>Support - S&E Corp agrees with the submitter that adding the 1250 Main North Road site to the SPZ(PR) is a natural extension of the zone. The site's location and development will enhance and complement the development of the Pegasus Resort. As noted by the submitter, the site is considered to be the gateway to Pegasus Village and has the potential to become a flagship site drawing tourists off the main highway towards the SPZ(PR) and Pegasus township. S&E Corp seeks that Council approve the submission of DEXIN Investment Limited in full, to enable the development of the 1250 Main North Road site to proceed as an integral part of the SPZ(PR).</i>	3.2	Reject	<i>See the relevant section of the s42A report.</i>	No
377.2	DEXIN	General	The Special Purpose Zone - Pegasus Resort and its associated Pegasus Resort Outline Development Plan and Pegasus Design Guidelines be adopted along with amendments requested in the submission.	3.2	Accept in part	Accept the amendments to provide for cultural values that apply to the whole of the SPZ(PR) and are unspecific to the subject site.	Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
FS100	S&E Corp		<i>Support - S&E Corp agrees with the submitter that adding the 1250 Main North Road site to the SPZ(PR) is a natural extension of the zone. The site's location and development will enhance and complement the development of the Pegasus Resort. As noted by the submitter, the site is considered to be the gateway to Pegasus Village and has the potential to become a flagship site drawing tourists off the main highway towards the SPZ(PR) and Pegasus township. S&E Corp seeks that Council approve the submission of DEXIN Investment Limited in full, to enable the development of the 1250 Main North Road site to proceed as an integral part of the SPZ(PR).</i>	3.2	Reject	See the relevant section of the s42A report.	No
Definitions							
377.14	DEXIN	Definitions - General	Include a new definition of 'agricultural tourism activities'.	3.2	Reject	See the relevant section of the s42A report.	No
FS100	S&E Corp		<i>Support - S&E Corp agrees with the submitter that adding the 1250 Main North Road site to the SPZ(PR) is a natural extension of the zone. The site's location and development will enhance and complement the development of the Pegasus Resort. As noted by the submitter, the site is considered to be the gateway to Pegasus Village and has the potential to become a flagship site drawing tourists off the main highway towards the SPZ(PR) and Pegasus township. S&E Corp seeks that Council approve the submission of DEXIN Investment Limited in full, to enable the development of the 1250 Main North Road site to proceed as an integral part of the SPZ(PR).</i>	3.2	Reject	See the relevant section of the s42A report.	No
Pegasus Resort - Introduction							
377.4	DEXIN	Introduction	Amend Special Purpose Zone - Pegasus Resort introduction to incorporate the new activity areas Activity Area 7B - Medium Density Residential, and Activity Area 8 - Agricultural Tourism, at 1250 Main North Road.	3.2	Reject	See the relevant section of the s42A report.	No
FS100	S&E Corp		<i>Support - S&E Corp agrees with the submitter that adding the 1250 Main North Road site to the SPZ(PR) is a natural extension of the zone. The site's location and development will enhance and complement the development of the Pegasus Resort. As noted by the submitter, the site is considered to be the gateway to Pegasus Village and has the potential to become a flagship site drawing tourists off the main highway towards the SPZ(PR) and Pegasus township. S&E Corp seeks that Council approve the submission of DEXIN Investment Limited in full, to enable the development of the 1250 Main North Road site to proceed as an integral part of the SPZ(PR).</i>	3.2	Reject	See the relevant section of the s42A report.	No
Pegasus Resort - Objectives							
377.5	DEXIN	SPZ(PR)-01	Amend SPZ(PR)-01 to include reference to the establishment of medium density residential activity and agricultural tourism activities, and/or add a new objective if necessary.	3.2	Reject	See the relevant section of the s42A report.	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
FS100	S&E Corp		<i>Support - S&E Corp agrees with the submitter that adding the 1250 Main North Road site to the SPZ(PR) is a natural extension of the zone. The site's location and development will enhance and complement the development of the Pegasus Resort. As noted by the submitter, the site is considered to be the gateway to Pegasus Village and has the potential to become a flagship site drawing tourists off the main highway towards the SPZ(PR) and Pegasus township. S&E Corp seeks that Council approve the submission of DEXIN Investment Limited in full, to enable the development of the 1250 Main North Road site to proceed as an integral part of the SPZ(PR).</i>	3.2	Reject	See the relevant section of the s42A report.	No
Pegasus Resort - Policies							
377.10	DEXIN	Policies – General	Amend to include a new policy or policies which specifically relate to proposed Activity Areas 7B (Medium Density Residential) and 8 (Agricultural Tourism) and which enables the establishment of the proposed activities.	3.2	Reject	See the relevant section of the s42A report.	No
FS100	S&E Corp		<i>Support - S&E Corp agrees with the submitter that adding the 1250 Main North Road site to the SPZ(PR) is a natural extension of the zone. The site's location and development will enhance and complement the development of the Pegasus Resort. As noted by the submitter, the site is considered to be the gateway to Pegasus Village and has the potential to become a flagship site drawing tourists off the main highway towards the SPZ(PR) and Pegasus township. S&E Corp seeks that Council approve the submission of DEXIN Investment Limited in full, to enable the development of the 1250 Main North Road site to proceed as an integral part of the SPZ(PR).</i>	3.2	Reject	See the relevant section of the s42A report.	No
377.6	DEXIN	SPZ(PR)-P1	Amend SPZ(PR)-P1 to include reference to medium density residential and agricultural tourism.	3.2	Reject	See the relevant section of the s42A report.	No
FS100	S&E Corp		<i>Support - S&E Corp agrees with the submitter that adding the 1250 Main North Road site to the SPZ(PR) is a natural extension of the zone. The site's location and development will enhance and complement the development of the Pegasus Resort. As noted by the submitter, the site is considered to be the gateway to Pegasus Village and has the potential to become a flagship site drawing tourists off the main highway towards the SPZ(PR) and Pegasus township. S&E Corp seeks that Council approve the submission of DEXIN Investment Limited in full, to enable the development of the 1250 Main North Road site to proceed as an integral part of the SPZ(PR).</i>	3.2	Reject	See the relevant section of the s42A report.	No
377.7	DEXIN	SPZ(PR)-P4	Amend SPZ(PR)-P4 (provision of commercial activities) to ensure agricultural tourism commercial activities are provided for.	3.2	Reject	See the relevant section of the s42A report.	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
FS100	S&E Corp		<i>Support - S&E Corp agrees with the submitter that adding the 1250 Main North Road site to the SPZ(PR) is a natural extension of the zone. The site's location and development will enhance and complement the development of the Pegasus Resort. As noted by the submitter, the site is considered to be the gateway to Pegasus Village and has the potential to become a flagship site drawing tourists off the main highway towards the SPZ(PR) and Pegasus township. S&E Corp seeks that Council approve the submission of DEXIN Investment Limited in full, to enable the development of the 1250 Main North Road site to proceed as an integral part of the SPZ(PR).</i>	3.2	Reject	See the relevant section of the s42A report.	No
377.8	DEXIN	SPZ(PR)-P5	Amend SPZ(PR)-P5 (urban design elements) to add scope for the consideration of agricultural architecture design within Activity Area 8 (Agricultural Tourism).	3.2	Reject	See the relevant section of the s42A report.	No
FS100	S&E Corp		<i>Support - S&E Corp agrees with the submitter that adding the 1250 Main North Road site to the SPZ(PR) is a natural extension of the zone. The site's location and development will enhance and complement the development of the Pegasus Resort. As noted by the submitter, the site is considered to be the gateway to Pegasus Village and has the potential to become a flagship site drawing tourists off the main highway towards the SPZ(PR) and Pegasus township. S&E Corp seeks that Council approve the submission of DEXIN Investment Limited in full, to enable the development of the 1250 Main North Road site to proceed as an integral part of the SPZ(PR).</i>	3.2	Reject	See the relevant section of the s42A report.	No
377.9	DEXIN	SPZ(PR)-P9	Amend SPZ(PR)-P9 (residential development), and/or add a new policy, to provide for medium density residential activity within proposed Activity Area 7B (Medium Density Residential).	3.2	Reject	See the relevant section of the s42A report.	No
FS100	S&E Corp		<i>Support - S&E Corp agrees with the submitter that adding the 1250 Main North Road site to the SPZ(PR) is a natural extension of the zone. The site's location and development will enhance and complement the development of the Pegasus Resort. As noted by the submitter, the site is considered to be the gateway to Pegasus Village and has the potential to become a flagship site drawing tourists off the main highway towards the SPZ(PR) and Pegasus township. S&E Corp seeks that Council approve the submission of DEXIN Investment Limited in full, to enable the development of the 1250 Main North Road site to proceed as an integral part of the SPZ(PR).</i>	3.2	Reject	See the relevant section of the s42A report.	No
Pegasus Resort – Activity Rules							
377.11	DEXIN	Activity Rules - General	Amend the Special Purpose Zone - Pegasus Resort activity rule framework to incorporate the new activity areas (Activity Area 7B - Medium Density Residential and Activity Area 8 - Agricultural Tourism) on the site at 1250 Main North Road.	3.2	Reject	See the relevant section of the s42A report.	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
FS100	S&E Corp		<i>Support - S&E Corp agrees with the submitter that adding the 1250 Main North Road site to the SPZ(PR) is a natural extension of the zone. The site's location and development will enhance and complement the development of the Pegasus Resort. As noted by the submitter, the site is considered to be the gateway to Pegasus Village and has the potential to become a flagship site drawing tourists off the main highway towards the SPZ(PR) and Pegasus township. S&E Corp seeks that Council approve the submission of DEXIN Investment Limited in full, to enable the development of the 1250 Main North Road site to proceed as an integral part of the SPZ(PR).</i>	3.2	Reject	See the relevant section of the s42A report.	No
Pegasus Resort – Built Form Standards							
377.12	DEXIN	Built Form Standards – General	Amend the Special Purpose Zone - Pegasus Resort built form standards to incorporate the new activity areas (Activity Area 7B - Medium Density Residential and Activity Area 8 - Agricultural Tourism) at 1250 Main North Road.	3.2	Reject	See the relevant section of the s42A report.	No
FS100	S&E Corp		<i>Support - S&E Corp agrees with the submitter that adding the 1250 Main North Road site to the SPZ(PR) is a natural extension of the zone. The site's location and development will enhance and complement the development of the Pegasus Resort. As noted by the submitter, the site is considered to be the gateway to Pegasus Village and has the potential to become a flagship site drawing tourists off the main highway towards the SPZ(PR) and Pegasus township. S&E Corp seeks that Council approve the submission of DEXIN Investment Limited in full, to enable the development of the 1250 Main North Road site to proceed as an integral part of the SPZ(PR).</i>	3.2	Reject	See the relevant section of the s42A report.	No
Pegasus Resort – Matters of Control or Discretion							
377.13	DEXIN	Matters of Control or Discretion - General	Amend the Special Purpose Zone - Pegasus Resort matters of control and discretion to incorporate the new activity areas (Activity Area 7B - Medium Density Residential and Activity Area 8 - Agricultural Tourism) on the site at 1250 Main North Road.	3.2	Reject	See the relevant section of the s42A report.	No
FS100	S&E Corp		<i>Support - S&E Corp agrees with the submitter that adding the 1250 Main North Road site to the SPZ(PR) is a natural extension of the zone. The site's location and development will enhance and complement the development of the Pegasus Resort. As noted by the submitter, the site is considered to be the gateway to Pegasus Village and has the potential to become a flagship site drawing tourists off the main highway towards the SPZ(PR) and Pegasus township. S&E Corp seeks that Council approve the submission of DEXIN Investment Limited in full, to enable the development of the 1250 Main North Road site to proceed as an integral part of the SPZ(PR).</i>	3.2	Reject	See the relevant section of the s42A report.	No
Pegasus Resort - Appendices							

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
191.2	Howard Stone	SPZ(PR)-APP1	Amend the Special Purpose Zone (Pegasus Resort)-Appendix 1 - Outline Development Plan to rezone 3.81ha of 1188 Main North Road / 20 Te Haunui Lane, Woodend from Rural Lifestyle Zone (RLZ) to Activity Area 7: Residential Special Purpose Zone Pegasus Resort with remaining site area remaining RLZ.	3.3	Reject	See the relevant section of the s42A report.	No
FS100	S&E Corp		<i>Neutral - While S&E Corp are not opposed to the submitter's property being included within the SPZ(PR) as part of Activity Area 7, S&E Corp seeks scope to be included in any future discussions regarding changes to the provisions or the Outline Development Plan, to ensure there are no unintended consequences for the main SPZ(PR) zone.</i>	3.3	N/A	<i>See the relevant section of the s42A report.</i>	No
FS101	DEXIN		<i>Neutral - While DEXIN are not opposed to the submitter's property being included within the SPZ-PR as part of Activity Area 7, DEXIN seeks scope to be included in any future discussions regarding changes to the provisions or the Outline Development Plan, to ensure there are no unintended consequences for the main SPZ-PR zone.</i>	3.3	N/A	<i>See the relevant section of the s42A report.</i>	No
377.3	DEXIN	SPZ(PR)-APP1	The Special Purpose Zone - Pegasus Resort and its associated Pegasus Resort Outline Development Plan and Pegasus Design Guidelines be adopted along with amendments requested by the submitter.	3.2	Accept in part	Accept the amendments to provide for cultural values that apply to the whole of the SPZ(PR) and are unspecific to the subject site.	Yes
FS100	S&E Corp		<i>Support - S&E Corp agrees with the submitter that adding the 1250 Main North Road site to the SPZ(PR) is a natural extension of the zone. The site's location and development will enhance and complement the development of the Pegasus Resort. As noted by the submitter, the site is considered to be the gateway to Pegasus Village and has the potential to become a flagship site drawing tourists off the main highway towards the SPZ(PR) and Pegasus township. S&E Corp seeks that Council approve the submission of DEXIN Investment Limited in full, to enable the development of the 1250 Main North Road site to proceed as an integral part of the SPZ(PR).</i>	3.2	Reject	<i>See the relevant section of the s42A report.</i>	No
377.15	DEXIN	SPZ(PR)-APP2	Incorporate proposed design guidelines for proposed Activity Areas 7B and 8 at 1250 Main North Road into the SPZ(PR)-APP2 - Pegasus Design Guidelines. Amend the general sections (Section 1 Introduction, Section 2 Built Form, Section 2.7 Access, Section 2.8 Safety, Section 3 Landscape, Appendix 1) of the SPZ(PR)-APP2 - Pegasus Design Guidelines as required.	3.2	Accept in part	Accept the amendments to provide for cultural values that apply to the whole of the SPZ(PR) and are unspecific to the subject site.	No
FS100	S&E Corp		<i>Support - S&E Corp agrees with the submitter that adding the 1250 Main North Road site to the SPZ(PR) is a natural extension of the zone. The site's location and development will enhance and complement the development of the Pegasus Resort. As noted by the submitter, the site is considered to be the gateway to Pegasus Village and has the</i>	3.2	Reject	<i>See the relevant section of the s42A report.</i>	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			<i>potential to become a flagship site drawing tourists off the main highway towards the SPZ(PR) and Pegasus township. S&E Corp seeks that Council approve the submission of DEXIN Investment Limited in full, to enable the development of the 1250 Main North Road site to proceed as an integral part of the SPZ(PR).</i>				
FS101	DEXIN		<i>Support - As part of DEXIN's original submission, DEXIN sought scope to amend the Pegasus Design Guidelines. DEXIN seeks that the amendments to the text of these guidelines that have been provided as Appendix 4 to this submission are accepted, noting that DEXIN intends to provide renders for both Activity Areas 7B and 8 at the time that a collated final version of those guidelines is prepared for inclusion within the PDP.</i>	3.2	Accept in part	<i>Accept the amendments to provide for cultural values that apply to the whole of the SPZ(PR) and are unspecific to the subject site.</i>	Yes

Appendix C. Section 32AA Evaluation

C1. Overview and purpose

This evaluation is undertaken in accordance with section 32AA of the RMA. It examines the appropriateness of the recommended amendments to SPZ(PR)-O2 and SPZ(PR)-P1 to provide for cultural values. The Pegasus Resort Chapter provisions are contained in chapters Special Purpose Zone – Pegasus Resort.

This further evaluation should be read in conjunction with the Section 32 Report: Waitua motuhake/ Special Purpose (Pegasus Resort) Zone prepared for the development of the Proposed Plan.

C2. Recommended amendments

I recommend the following amendments shown in pink text below to provide for cultural values as outlined in the Cultural Impact Assessment developed for DEXIN.

SPZ(PR)-O2	<p>Design components</p> <p>The development of spa/wellness and hot pool complex <u>a tourism resort</u> centred on a spa village within a framework of open space and recreation facilities, that reflect the local open space, recreational, landscape, <u>cultural</u> and visual amenity values and achieve urban design excellence consistent with the Pegasus design guidelines.</p>
-------------------	--

SPZ(PR)-P1	<p>Outline development plan</p> <p>Use and development of land shall:</p> <ol style="list-style-type: none"> 1. ... 2. ensure that development: <ul style="list-style-type: none"> ...<u>g. provides an authentic reflection of the cultural values of the area in collaboration with mana whenua; and...</u>
-------------------	--

C3. Statutory Tests

The District Council must ensure that prior to adopting an objective, policy, rule or other method in a district plan, that the proposed provisions meet the requirements of the RMA through an evaluation of matters outlined in Section 32.

In achieving the purpose of the RMA, the District Council must carry out a further evaluation under section 32AA if changes are made to a proposal as a result of the submissions and hearings process. This evaluation must cover all the matters in sections 32(1)-(4).

Objectives

The objectives are to be examined in relation to the extent to which they are the most appropriate way to achieve the purpose of the RMA.⁸⁵ For the purposes of evaluation under section 32AA the following criteria form the basis for assessing the appropriateness of the proposed objectives:

- Relevance;
- Usefulness;
- Reasonableness; and
- Achievability.

Provisions

Each provision is to be examined as to whether it is the most appropriate method for achieving the objectives. For a proposed plan, the provisions are defined as the policies, rules, or other methods that implement, or give effect to, the objectives of the proposed plan.⁸⁶

The examination must include assessing the efficiency and effectiveness (including costs and benefits of the environmental, economic, social, and cultural effects, quantified if practicable, and the risk of acting or not acting) and a summary of the reasons for deciding the provisions.

C4. Evaluation of Recommended Amendment to Objective

Objective SPZ(PR)-O2 is recommended to be amended as set out in Appendix A: The following tables provide an evaluation of the recommended amendment to the objective.

Table C 1: Recommended Amendment to Objective

Relevance	Addresses a relevant resource management issue
	Provides for cultural values, as described in the Cultural Impact Assessment.
	Assists the District Council to undertake its functions under s31
	Yes as it assists achieving integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district.
	Gives effect to higher level documents
	Gives effect to the RMA and the CRPS to provide for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.
Usefulness	Guides decision-making

⁸⁵ RMA s32(1)(a)

⁸⁶ RMS s32(6)(a)

	<p>The proposed amendment provides direction/clarity that cultural values are to be reflected when development occurs within the zone.</p> <p>Meets best practice for objectives</p> <p>The proposed amendment provides direction that development is to reflect cultural values and therefore better meets best practice requirements.</p>
Reasonableness	<p>Will not impose unjustifiably high costs on the community / parts of the community</p> <p>Cultural values are already a relevant consideration as there are SASM that apply to the SPZ(PR) zone. There is a Ngā tūranga tūpuna that applies to the whole zone (SASM013). The area comprises significant clusters of recorded archaeology of Māori origin and silent files so I do not consider it would impose unjustifiably high costs on the community.</p> <p>Acceptable level of uncertainty and risk</p> <p>There is no change in the uncertainty and risk with the proposed amendment.</p>
Achievability	<p>Consistent with the Waimakariri District Council Long Term Plan 2021-2031 identified tangata whenua and community outcomes</p> <p>The objective will be more consistent with tangata whenua and community outcomes including that the Council in partnership with Te Ngāi Tūāhuriri Rūnanga, continue to build the relationship through mutual understanding and shared responsibilities; and Māori cultural identity, values and aspirations are reflected in built and natural environments.</p> <p>Realistically able to be achieved within the District Council's powers, skills and resources</p> <p>There is no change for this criterion between the notified and proposed amended objective as council already has processes for collaboration with mana whenua.</p>
Conclusion	<p>The recommended amended objectives are the most appropriate way to achieve the purpose of the RMA by providing a coherent package of desired outcomes consistent with sustainable management.</p>

Overall, the recommended amendment proposed to the objective provide for cultural values. For the purposes of sections 32 and 32AA, I consider that the revised objectives are the most appropriate way of achieving the purpose of the RMA.

C5. Evaluation of Policy

I have assessed how the recommended change to SPZ(PR)-P1 is the most appropriate to implement the objectives below. In undertaking this assessment, I have evaluated the recommended amendment against the provisions as notified.

Efficiency and Effectiveness of the Provisions

I have assessed the efficiency and effectiveness of the recommended amended provision in achieving the objectives, including identification and assessment of the costs and benefits anticipated from the implementation of the provisions in Table C 2 below.

Table C 2: Assessment of efficiency and effectiveness – SPZ(PR)-P1

Recommended Amendments to Provisions:	
Amendment to SPZ(PR)-P1 to provide for cultural values.	
Costs	Benefits
Potential economic cost and time involved in collaborating with mana whenua and in reflecting cultural values. However, this is already encouraged under SASM-P8. However, as “ensure” is more directive than “encourage”, there may be a greater cost.	Collaboration with mana whenua and reflection of cultural values.
Efficiency	The provision is more efficient as it ensures cultural values are provided for.
Effectiveness	The amended provision better aligns with higher order documents and tangata whenua outcomes.
Summary	
The proposed amendment better gives effect to the RMA and the CRPS to provide for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga, and is therefore more efficient and effective.	

Overall, taking into account the assessment above, I consider the recommended amendment to the policy to be more efficient and effective in achieving the objectives than the notified provisions.

Adequacy of Information and Risk of Acting or Not Acting

Section 32(2)(c) of the RMA requires an assessment of the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.

The submission, further submission and evidence from DEXIN has raised the need to provide for Cultural Values to the SPZ(PR) provisions of the Proposed Plan.

If no action is taken and the Proposed Plan is retained as notified, the chapter may not provide for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.

The recommended amendment better achieves the purpose of the RMA and addresses this matter to assist in making the provisions efficient and effective in achieving the objectives. The risk in not acting is that the provisions do not effectively or efficiently achieve the objectives.

I consider there is sufficient information on which to base the recommended revised objective and policy.

C6. Conclusion

I have evaluated the recommended amendment to the objective to determine the extent to which the objective is the most appropriate way of achieving the purpose of the RMA where there is

necessary, and otherwise to give effect to higher order planning documents. I have also evaluated the recommended amendment to the policy, including its efficiency and effectiveness in achieving the proposed objective(s). I consider the proposed objective as recommended to be amended is an appropriate way of achieving the purpose of the RMA and the recommended change to the policy is the most appropriate means of achieving the objectives.

**Appendix D. Statement of evidence of Shane Binder (Transport),
John Aramowics (Servicing, Hazards), Christopher Bacon
(Servicing, Hazards) on behalf of Waimakariri District Council**

**Before the Hearings Panel
At Waimakariri District Council**

Under Schedule 1 of the Resource Management Act 1991

In the matter of the Proposed Waimakariri District Plan

Between **Various**

Submitters

And **Waimakariri District Council**

Respondent

**Statement of evidence of Shane Binder (Transport), John Aramowicz
(Servicing, Hazards), Christopher Bacon (Servicing, Hazards) on behalf of
Waimakariri District Council.**

Date: 8 April 2024

INTRODUCTION:

Mr Shane Isaac Binder (Transport)

1 My full name is Shane Isaac Binder. I am employed as the Senior Transportation Engineer for Waimakariri District Council.

2 I have prepared this statement of evidence on behalf of the Waimakariri District Council (**District Council**) in respect of technical related matters arising from the submissions and further submissions on the Proposed Waimakariri District Plan (**PDP**).

3 Specifically, this statement of evidence relates to transportation technical advice, identifying any significant constraints.

4 I am authorised to provide this evidence on behalf of the District Council.

Mr John Thomas Aramowicz (Servicing, Hazards)

5 My full name is John Thomas Aramowicz. I am acting as a consultant engaged to provide technical advice on behalf of the Waimakariri District Council.

6 I have prepared this statement of evidence on behalf of the Waimakariri District Council (**District Council**) in respect of technical related matters arising from the submissions and further submissions on the Proposed Waimakariri District Plan (**PDP**).

7 Specifically, this statement of evidence relates to civil and geotechnical engineering advice, identifying any significant constraints in relation to the various submissions that seek an alternative zoning to that originally put forward by WDC's Proposed District Plan.

8 I am authorised to provide this evidence on behalf of the District Council.

Mr Christopher Paul Bacon (Servicing, Hazards)

9 My full name is Christopher Paul Bacon. I am employed as a Network Planning Team Leader at Waimakariri District Council. In this position I am involved with planning for infrastructure growth and flood modelling.

10 I have prepared this statement of evidence on behalf of the Waimakariri District Council (**District Council**) in respect of technical related matters arising from the submissions and further submissions on the Proposed Waimakariri District Plan (**PDP**).

11 Specifically, this statement of evidence relates to servicing and hazards technical advice, identifying any significant constraints.

12 I am authorised to provide this evidence on behalf of the District Council.

QUALIFICATIONS AND EXPERIENCE

Mr Shane Isaac Binder (Transport)

13 I hold the qualifications of Bachelor of Science degree in Civil Engineering from Pennsylvania State University (USA), and a Master of Science degree in Civil Engineering from the University of Colorado (USA), both with specialisations in transport.

14 I have more than 22 years' experience as a professional traffic engineer and road safety specialist, both in New Zealand and abroad. I have had the position of Waimakariri District Council Senior Transportation Engineer for more than three years. In this role I manage the District's transport planning, strategy, and engineering functions, including road safety, traffic modelling, parking, and public transport elements.

15 I am a Chartered Professional Engineer (CPEng), a Professional Engineer (Colorado and Washington State, USA), and a Road Safety Professional

(Level 1) certified by the Institute of Transportation Engineers. I am a Chartered Member of Engineering New Zealand. I am also a member of the Transportation Group of Engineering New Zealand and am on the steering committee of the Safety Practitioners Sub-group.

16 I have been involved in the PDP since March 2021, providing advice when requested on general transport rules and activity standards.

Mr John Thomas Aramowicz (Servicing, hazards)

17 I am a Chartered Professional Engineer in the practice areas of civil and geotechnical engineering. I gained a Bachelor of Engineering in Mining Engineering from Curtin University in 1994.

18 I have over 20 years of experience as a civil and geotechnical engineer in Canterbury where I have consulted on numerous land development projects, insurance claims, and build projects. My main area of technical expertise is the assessment and management of risk from natural hazards, such as flooding, liquefaction, rock fall, land slippage, and subsidence. I also have experience with the design and construction of stormwater, water and wastewater systems in both rural and urban environments.

19 I am contracted by the Waimakariri District Council to provide civil and geotechnical engineering advice in relation to the various submissions that seek an alternative zoning to that originally put forward by WDC's Proposed District Plan.

20 My brief summary statements are based on information presented in the Applicants Evidence, from mapping information shown on the Waimakariri District Council's 'Waimaps' geographical information system (GIS), and from my discussion with WDC engineers.

21 Except where I state I rely on the evidence of another person, I confirm that the issues I have reviewed and any statements that I have made in

my summary are within my area of expertise, and I have not omitted to consider material facts known to me that might alter or detract from my expressed opinions.

22 I have been involved in the PDP since March 2024.

Mr Christopher Paul Bacon (Servicing, Hazards)

23 I am a Chartered Professional Engineer and hold a Bachelor Degree in Civil Engineering. I have over 20 years of experience in civil engineering.

24 My summary statement has predominantly been based on modelling data shown on the Waimakariri District Council's 'Waimaps' geographical information system (GIS), much of which I was responsible for coordinating and managing, and from my discussion with other WDC engineers.

25 Except where I state I rely on the evidence of another person, I confirm that the issues I have reviewed and any brief summary statements that I have made are within my area of expertise, and I have not omitted to consider material facts known to me that might alter or detract from my expressed opinions.

26 I have been involved in the PDP since 2021.

Code of conduct

27 I have read the Code of Conduct for Expert Witnesses set out in the Environment Court's Practice Note 2023. I have complied with the Code of Conduct in preparing my evidence and will continue to comply with it while giving oral evidence before the Environment Court. My qualifications as an expert are set out above. Except where I state I rely on the evidence of another person, I confirm that the issues addressed in this statement of evidence are within my area of expertise, and I have

not omitted to consider material facts known to me that might alter or detract from my expressed opinions.

SUMMARY

28 The brief summary statements made by Mr Aramowicz and Mr Bacon typically relate to an intention that Council avoid rezoning in areas where;

- The future activity (ie densification or change in land use) is likely to result in a significant increase in the risk of damage from a natural disaster, and/or
- There is insufficient water/wastewater/stormwater capacity and where Council has not planned to provide sufficient services for the proposed land use in its growth planning.

SCOPE OF EVIDENCE

29 This statement of evidence addresses matters raised by submitters in relation to transport, civil and geotechnical engineering.

30 Attachment A includes a table of expert engineering evidence.

31 Attachment B is a memo referenced within Attachment A, concerning servicing of rezoning submissions 191 and 377.

Date: 8 April 2024

Ref.	Sub No.	Identifier	Transport	Servicing	Geotech	Hazards	Greenspace
1	s 377	Dexin - 1250 Main Nth Rd	<p>Submission 377- 1250 Main North Road</p> <p>oAccess from the state highway – access point(s) from SH1 north of the Pegasus Roundabout presents a substantive risk based on the following:</p> <p>-Waka Kotahi generally requires access from a local road, not a limited-access State Highway. Waka Kotahi also generally has to approve the change in use of an existing crossing place. PDP requires access from the lowest ranking road the lot has frontage to - TRAN R-8 - access should be from Burntwood/Mapleham. Access from Pegasus Boulevard is not supported; a commercial access will not fit between the bridge and the edge of the site either.</p> <p>-It is noted that the existing access is approximately 105m north of the Pegasus roundabout and the proposed additional access off SH1 is 205m from the roundabout. The proposed access to Pegasus Blvd is approximately 130m from the roundabout. The distance of the existing access point likely does not meet Waka Kotahi Planning Policy Manual (App 5B) and Austroads AGRD03 guidance/requirements on access spacing, and may not be approved by Waka Kotahi. It is also in close proximity to a bridge, and introducing an access on a busy road near a busy roundabout is not supported.</p> <p>-The separation to the proposed Pegasus Blvd access point also does not meet the aforementioned guidance/requirements; however the distance would appear to meet PDP separation distances in Table TRAN-17. Note this may not be achieved after the bypass upgrades have been undertaken.</p> <p>-Note I understand Waka Kotahi may be considering a double laned, fully grade separated interchange at Pegasus Blvd / Bob Robertson Dr, which if implemented could very well require more land off the 1250 Main North Road frontage. It also would create complications with any access along the length of the frontage. Consultation with Waka Kotahi, as previously advised by Council, is strongly recommended</p> <p>oI concur with Mark Gregory's comments on trip generation, with some additional specifics. I do note that these changes are not likely to cause traffic operations issues if the Woodend Bypass is constructed as presently proposed</p> <p>-There is a lack of justification from the submitter for trip chaining discounts, reduced residential trip generation (compared to the industry standard NZTA Research Report 453), market trip generation (which doesn't align with Market land use in NZTA RR 453), or trip generation calculations for Outdoor Experience (noting without these, total is 1,250vpd)</p> <p>oThe secondary submission from the applicant suggests that additional traffic engineering assessment will be presented as part of the Hearing Stream so I cannot comment on the matters raised at this point.</p> <p>oODP comment – a more direct pedestrian link should be included to the Pegasus Roundabout, bus stops, and potentially Ravenswood KAC.</p> <p>-This also should be taken into consideration when evaluating statements from the applicant around VKT reduction (e.g., by shifting tourism activities closer than Hanmer Springs). Independent of the validity of that line of thought, the convenient ability to visit this tourist destination by mode other than personal vehicle is critical to any claim of reducing emissions or VKT.</p> <p>Shane Binder - 22 March 2024</p>	<p>Stormwater: It is my opinion that onsite SW treatment and disposal/attenuation is achievable at this site and should not prevent the proposed rezoning, but the developer will need to be aware of the need to avoid any increase in risk of flooding to adjacent/downstream properties.</p> <p>Wastewater: Chris Bacon's Dec 2023 memo (TRIM231214201349) notes: wastewater will need to be either pressure sewer or gravity sewer fed into a pumping station, then wastewater could feed into the Ravenswood rising main. However, Council asset managers may not support this option (i.e. connecting into the rising main) so the site may need to run its own rising main west under SH1 and connect to the Kesteven pump station in Ravenswood, or run a new rising main east to the Main Street Pumpstation in Pegasus or directly to the WWTP. There is no capacity in the Mapleham STEP system for a development of this nature. The cost of sewer servicing for this site is likely to be high.</p> <p>Water: Chris Bacon's Dec 2023 memo confirms 'Water servicing is expected to be possible for both sites, and in addition to our planned growth and upgrades in the Council's 50 Year Growth Plan'. Council asset managers may not support a connection into the 355mm dia main on Pegasus Boulevard, so the submitter would need to look at options on Burntwood and Mapleham Drive. Two connects are required for resilience. Firefighting flows should be achievable. It is my opinion that the proposed subdivision can be serviced by the existing WDC water supply.</p> <p>John Aramowicz - 21 March 2024. Reviewed with Chris Bacon 22/3/24.</p>	<p>There are no significant natural hazards that can't be addressed at time of detailed engineering design. Note the presence of Taranaki Stream that will need protection and appropriate setbacks. I recommend the developer be required to achieve low-moderate risk of liquefaction induced damage(ie TC1 or TC2 - equivalence) to land, services and other Council infrastructure.</p> <p>John Aramowicz - 21 March 2024</p>	<p>There are no significant natural hazards that cant be addressed at time of detailed engineering design. Note the presence of Taranaki Stream that will need protection and appropriate setbacks. I recommend the developer be required to achieve low-moderate risk of liquefaction induced damage(ie TC1 or TC2 - equivalence) to land, services and other Council infrastructure.</p> <p>John Aramowicz - 21 March 2024. Reviewed with Chris Bacon 22/3/24.</p>	Not requested

Ref.	Sub No.	Identifier	Transport	Servicing	Geotech	Hazards	Greenspace
2	s 191	Howard Stone - 1188 Main Nth Rd	<p>•Submission 191- Te Haunui Lane</p> <p>oThe proposed area should not have issues with vehicular access if the Woodend Bypass is constructed as presently proposed.</p> <p>oI would not consider this site to have appropriate public transport or non-motorised access to the KAC. The nearest bus stops are 1 km away and walking/cycling access to Woodend is problematic / to the future Ravenswood KAC requires crossing the challenging Pegasus roundabout</p> <p>oI strongly support the NPS-UD “urban environment” questions previous raised by Jessica Manhire in her 12 February 2024 email.</p> <p>oAn existing access has been formed off Te Haunui Lane along with a deposited land parcel. The land is 15m wide while the sealed entry is about 5.5m wide. Neither meet Council standards for local roads. Both operative and proposed DPs would require a development of this size to be served by a publicly vested road.</p> <p>-A ROW by definition rarely provides the functions of a road – on-street parking, street trees (with stormwater attenuation, pedestrian shading, heat island dissipation, and speed slowing effects), separated footpaths, street lighting, and sufficient sightlines – so properties that are accessed by ROWs get a lower level of service. In this instance I am comfortable with the width of the proposed land to access (not meeting the DP road reserve requirement) if it is to remain a private access, but I would strongly urge the sealed access be widened to accommodate 2-way traffic 6m or more)</p> <p>-I would also somewhat question whether there is any value to the general public to having this access vested and maintained by ratepayers. So long as most or all of the functions of a road are met in the private access, I am comfortable with this remaining privately owned. This can also be worked out to some degree in the RC so long as the ODP does not provide too much detail at this stage.</p> <p>oComments on the ODP – depending on the public/private status of the site access and potential provision of future non-motorised pathway along the Woodend Bypass, there could be a benefit to a walking link to the Wai Ora Stream -</p> <p>Shane Binder 22 March 2024</p>	<p>Stormwater: It is my opinion that onsite SW treatment and disposal/attenuation is achievable at this site and should not prevent the proposed rezoning to residential activity area as part of the SPZ Pegasus.</p> <p>Wastewater: Rezoning of the site to LLRZ can be accommodated by the existing sewer system. The onsite W/W system will require approval from WDC but is likely to be a STEP system. Original modelling supporting the Pegasus/Mapleham subdivision was designed to accommodate flows from 12 lots.</p> <p>Water: Based on the Woods memo, and the Dec 2023 summary by Chris Bacon (TRIM231214201349), it is my opinion that the proposed subdivision can be serviced by the existing WDC water supply.</p> <p>John Aramowicz - 21 March 2024. Reviewed with Chris Bacon 22/3/24.</p>	<p>There are no significant natural hazards that cant be addressed at time of detailed engineering design. Note the presence of the two overland flow channels that will need protection. I recommend the developer be required to achieve low-moderate risk of liquefaction induced damage(ie TC1 or TC2 - equivalence) to land, services and other Council infrastructure.</p> <p>John Aramowicz - 21 March 2024</p>	<p>There are no significant natural hazards that cant be addressed at time of detailed engineering design. Note the presence of the two overland flow channels that will need protection. I recommend the developer be required to achieve low-moderate risk of liquefaction induced damage(ie TC1 or TC2 - equivalence) to land, services and other Council infrastructure.</p> <p>John Aramowicz - 21 March 2024. Reviewed with Chris Bacon 22/3/24.</p>	Not requested

WAIMAKARIRI DISTRICT COUNCIL

MEMO

FILE NO AND TRIM NO: DDS-06-10-02-04-04-01 / 231214201349
DATE: 14 December 2023
MEMO TO: Jessica Manhire, Policy Planner
FROM: Network Planning, Waimakariri District Council
SUBJECT: Pegasus Resort Rezoning Requests – Servicing

Relating to;

- 1250 Main North Road – Submission # 377
- 1188 Main North Road – Submission # 191

In response to Pegasus Resort Rezoning Request Submissions #191 and # 377, the Waimakariri District Council's Network Planning Team has considered the ability to service 1250 Main North Road and 1188 Main North Road at a high-level. Servicing these properties has not been considered in the Council's 50 Year growth planning.

The Council's short term and long term models for both water and sewer were considered.

Sewer – 1250 Main North Road

Either pressure sewer or gravity sewer fed into a pumping station would be required, then wastewater could feed into the Ravenswood rising main.

For long term sewer servicing it is assumed that the entirety of the current Ravenswood subdivision would be fully developed discharging into the current rising main, but that any further possible growth to the North would create a new rising main (which the Council's long term growth modelling has generally shown will be necessary). With this in mind, there would be capacity in the current rising main for development on these Lots.

Sewer – 1188 Main North Road

For 1188 the 12 lots proposed were allowed for as part of the original scheme design for the wastewater system. So there are no capacity constraints here.

Water

Water servicing is expected to be possible for both sites, and in addition to our planned growth and upgrades in the Council's 50 Year Growth Plan.

Drainage

On site drainage infrastructure to provide for both treatment and mitigation of downstream effects will need to be provided by both developments. There is no capacity in any Council drainage network for the additional lots.

**Appendix E. Memorandum of Shane Binder on Transportation
matters for 1250 Main North Road Rezoning Request**

WAIMAKARIRI DISTRICT COUNCIL

MEMO

FILE NO AND TRIM NO: DDS-14-08 / 240502069428
DATE: 1 May 2024
MEMO TO: Jessica Manhire, Policy Planner
FROM: Shane Binder, Senior Transportation Engineer (WDC)
SUBJECT: 1250 Main North Road – Pegasus Resort rezoning submission

Based on technical evidence reviewed to date on submission 377 (1250 Main North Road) and a subsequent meeting with the applicant's transport engineer (on 15th April), there is insufficient information available at this time to conclude that there will be no substantive effects on transport safety or operations. Areas of concern or still lacking detail include:

- Viability of any direct access to/from SH1
- Design and effects of accesses onto Pegasus Blvd and Burntwood Lane
- Non-motorised connections to Ravenswood Key Activity Centre, existing PT stops, and future major cycleway network (e.g., Woodend to Pegasus Cycleway)
- Final composition of development and resulting trip generation and distribution
- Capacity limitations and safety impacts of additional traffic on Main North Road in the unlikely event that the Woodend Bypass (Christchurch Northern Link) is not constructed

Date: 01/05/2024


.....

Appendix F. Cultural Advice Report: 20 Te Haunui Lane

CULTURAL ADVICE REPORT

J6336 - 20 Te Haunui Lane

To: Waimakariri District Council

Contact: Jessica Manhire

1.0 Mana Whenua Statement

Ngāi Tahu are tangata whenua of the Canterbury region and hold ancestral and contemporary relationships with Canterbury. The contemporary structure of Ngāi Tahu is set down through the Te Rūnanga o Ngāi Tahu Act 1996 (TRoNT Act). The TRoNT Act and Ngāi Tahu Claims Settlement Act (NTCSA) 1998 sets the requirements for recognition of tangata whenua in Canterbury.

The Te Rūnanga o Ngāi Tahu Act 1996 and the NTCSA 1998 gives recognition to the status of Papatipu Rūnanga as kaitiaki and mana whenua of the natural resources within their takiwā boundaries. Each Papatipu Rūnanga has their own respective takiwā, and each is responsible for protecting the tribal interests in their respective takiwā, not only on their own behalf of their own hapū, but again on behalf of the entire tribe.

The following Rūnanga hold mana whenua over the project's location, as it is within their takiwā:

- Ngāi Tūāhuriri Rūnanga

2.0 Summary of Proposal

Howard Stone has made a submission to Waimakariri District Council to amend the Proposed Waimakariri District Plan 2021 (PWDP).

The submission seeks to rezone part of this site from Rural Lifestyle Zone (RLZ) to Special Purpose Zone Pegasus Resort (SPZ PR) and amend the SPZ(PR) – Outline Development Plan to include the re-zoned area to become “Activity Area 7: Residential”.

The site is located within the Ashley Estuary (Te Aka Aka) and Coastal Protection Zone.

The submission notes that the subject site has been anticipated to be developed in the future.

3.0 Consultation Methodology

Mahaanui Kurataiao Limited review the application documents and undertake an assessment of the application against the Mahaanui Iwi Management Plan.

A briefing report is prepared for Kaitiaki representatives who have been mandated by the Papatipu Rūnanga they represent to speak on behalf of hapū on environmental issues.

A Mahaanui Kurataiao Limited staff member meets with Kaitiaki representatives to discuss the application and Kaitiaki provide feedback based on Mātauranga Māori.

The Cultural Advice Report is provided to outline the relevant policies in the Mahaanui Iwi Management Plan and the feedback provided by Kaitiaki representatives.

The relevant policies and Kaitiaki feedback for this application are provided in the following sections of this report.

4.0 Mahaanui Iwi Management Plan 2013

The Mahaanui Iwi Management Plan (IMP) is a written expression of kaitiakitanga, setting out how to achieve the protection of natural and physical resources according to Ngāi Tahu values, knowledge, and practices. The plan has the mandate of the six Papatipu Rūnanga, and is endorsed by Te Rūnanga o Ngāi Tahu, as the iwi authority.

Natural resources – water (waterways, waipuna (springs), groundwater, wetlands); mahinga kai; indigenous flora and fauna; cultural landscapes and land - are taonga to mana whenua and they have concerns for activities potentially adversely affecting these taonga. These taonga are integral to the cultural identity of ngā rūnanga mana whenua and they have a kaitiaki responsibility to protect them. The policies for protection of taonga that are of high cultural significance to ngā rūnanga mana whenua are articulated in the IMP.

The policies in this plan reflect what Papatipu Rūnanga support, require, encourage, or actions to be taken with regard to resolving issues of significance in a manner consistent with the protection and enhancement of Ngāi Tahu values, and achieving the objectives set out in the plan.

The relevant Policies of the IMP to this proposal have been identified as:

5.1 KAITIAKITANGA

TE TIRITI O WAITANGI

K2.3 In giving effect to Te Tiriti, government agencies and local authorities must recognise and provide for kaitiakitanga and rangatiratanga. As the tāngata whenua who hold manawhenua, Ngāi Tahu interests in resource management extend beyond stakeholder or community interests.

Comment: *Kaitiakitanga is fundamental to the relationship between Ngāi Tahu and the environment. Te Tiriti o Waitangi guarantees tāngata whenua the right to fulfill their kaitiaki obligations to protect and care for taonga in the environment, including land, waterways, natural features, wāhi tapu and flora and fauna with tribal areas.*

5.3 WAI MĀORI

TĀNGATA WHENUA RIGHTS AND INTERESTS IN FRESHWATER

WM1.1 Ngāi Tahu, as tāngata whenua, have specific rights and interests in how freshwater resources should be managed and utilised in the takiwā.

CHANGING THE WAY WATER IS VALUED

WM2.3 To require that decision making is based on intergenerational interests and outcomes, mā tātou, ā, mā kā uri ā muri ake nei.

WATER QUALITY

WM6.1 To require that the improvement of water quality in the takiwā is recognised as a matter of regional and immediate importance.

Controls on land use activities to protect water quality

WM6.17 To require the development of stringent and enforceable controls on the following activities given the risk to water quality:

- (a) Intensive rural land use (see Issue WM.7);
- (b) Subdivision and development adjacent to waterways;
- (c) Discharge to land activities associated with industry;

Costs and benefits

WM6.22 To require that local authorities afford appropriate weight to tāngata whenua values when assessing the costs and benefits of activities that may have adverse effects on water quality.

WM6.23 To ensure that economic costs do not take precedence over the cultural, environmental and intergenerational costs of poor water quality.

Cumulative effects

WM7.14 To require that the effects of land use activities on water quality and quantity are assessed with due regard to the cumulative effects of all land use in the catchment and as well as of individual consents.

ACTIVITIES IN THE BEDS AND MARGINS OF RIVERS AND LAKES

Riparian areas

WM12.2 To require the protection and restoration of native riparian vegetation along waterways and lakes in the takiwā as a matter of priority, and to ensure that this can occur as a permitted activity.

Use and enhancement of river margins in the built/ urban environment

WM12.4 All waterways in the urban and built environment must have indigenous vegetated healthy, functioning riparian margins.

WM12.5 To require that all waterways in the urban and built environment have buffers or set back areas from residential, commercial or other urban activity that are:

- (a) At least 10 metres, and up to 30 metres; and
- (b) Up to 50 metres where there is the space, such as towards river mouths and in greenfield areas.

WM12.7 To require all esplanade reserves and esplanade strips established on subdivisions to incorporate native riparian planting.

Comment: *Water is a significant cultural resource, connecting Ngāi Tahu to the landscape, culture and traditions of the tūpuna. Wai is a taonga, and a life giver of all things. The protection and*

enhancement of wai is, therefore, of utmost importance to tāngata whenua. The RMA recognises the relationship of Māori to freshwater as a matter of national importance.

5.4 Papatūānuku

URBAN AND TOWNSHIP PLANNING

P3.2 To ensure early, appropriate and effective involvement of Papatipu Rūnanga in the development and implementation of urban and township development plans and strategies, including but not limited to:

- (a) Urban development strategies;
- (b) Plan changes and Outline Development Plans;
- (c) Area plans;
- (d) Urban planning guides, including landscape plans, design guides and sustainable building guides;
- (e) Integrated catchment management plans (ICMP) for stormwater management;
- (f) Infrastructure and community facilities plans, including cemetery reserves; and
- (g) Open space and reserves planning.

P3.3 To require that the urban development plans and strategies as per Policy P3.2 give effect to the Mahaanui IMP and recognise and provide for the relationship of Ngāi Tahu and their culture and traditions with ancestral land, water and sites by:

- (a) Recognising Te Tiriti o Waitangi as the basis for the relationship between Ngāi Tahu and local government;
- (b) Recognising and providing for sites and places of importance to tāngata whenua;
- (c) Recognising and providing for specific values associated with places, and threats to those values;
- (d) Ensuring outcomes reflect Ngāi Tahu values and desired outcomes; and
- (e) Supporting and providing for traditional marae based communities to maintain their relationship with ancestral land

SUBDIVISION AND DEVELOPMENT

Processes

P4.1 To work with local authorities to ensure a consistent approach to the identification and consideration of Ngāi Tahu interests in subdivision and development activities, including:

- (a) Encouraging developers to engage with Papatipu Rūnanga in the early stages of development planning to identify potential cultural issues; including the preparation of Cultural Impact Assessment reports;
- (b) Ensuring engagement with Papatipu Rūnanga at the Plan Change stage, where plan changes are required to enable subdivision;
- (c) Requiring that resource consent applications assess actual and potential effects on tāngata whenua values and associations;
- (d) Ensuring that effects on tāngata whenua values are avoided, remedied or mitigated using culturally appropriate methods;
- (e) Ensuring that subdivision consents are applied for and evaluated alongside associated land use and discharge consents; and
- (f) Requiring that 'add ons' to existing subdivisions are assessed against the policies in this section.

Basic principles and design guidelines

P4.3 To base tāngata whenua assessments and advice for subdivision and residential land development proposals on a series of principles and guidelines associated with key issues of importance concerning such activities, as per Ngāi Tahu subdivision and development guidelines.

***Comment:** Papatūānuku is the birthplace of all things of the world and the place to which they return. Subdivision and development activities can compromise the mauri of the land and the life it supports if not managed appropriately. Subdivision and development activities must implement low impact, innovative, and sustainable solutions to water, stormwater, and energy issues.*

5.8 NGĀ TŪTOHU WHENUA

WĀHI TAPU ME WĀHI TAONGA

CL3.8 To require, where a proposal is assessed by tāngata whenua as having the potential to affect wāhi tapu or wāhi taonga, one or more of the following:

- (a) Low risk to sites:
 - (i) Accidental discovery protocol (ADP)

***Comment:** For Ngāi Tahu cultural heritage isn't something that happened in the past; but rather a reflection of an ongoing and enduring relationship with the land. As a planning tool, cultural landscapes are a culturally meaningful and effective framework for the identification, protection and management of sites and places of significance, the multiple values associated with those sites and places, and the relationship of tāngata whenua to them.*

4.1 Guidance to Moderate Impacts on Cultural Values

The above policies from the Mahaanui IMP provide a framework for assessing the potential negative impacts of the proposed activity on cultural values and provide guidance on how these effects can be moderated.

Urban development strategies, outline development plans, area plans, and other similar planning documents are developed to manage the effects of land use change and development on the environment. It is critical that such initiatives include provisions for the relationship of tāngata whenua with the environment, and that Ngāi Tahu are involved with the preparation and implementation of such plans, as tāngata whenua and as a Treaty partner.

Particular issues of concern for tāngata whenua regarding general land use and development across the tākiwa include intensification of land use and developments and potential effects on environment and mahinga kai, including increased run off of sediment and contaminants, land development and potential effects on natural character and cultural landscape values, granting of subdivision consents which require appropriate infrastructure to be in place to support the increased population, the protection of known and unknown sites of significance and the settings (cultural landscapes) in which they occur, the potential effects of land use and development on indigenous vegetation. A cultural landscape approach is used by Papatipu Rūnanga to identify and protect tāngata whenua values and interests from the effects of subdivision, land use change and development. A cultural landscape approach enables a holistic identification and assessment of sites of significance, and other values of importance such as waterways, wetlands and waipuna.

Ngāi Tahu, as tāngata whenua, have customary rights and responsibilities associated with freshwater resources in the region, as expressed through the exercise of manawhenua, rangatiratanga, kaitiakitanga and manaakitanga, and as guaranteed by Te Tiriti o Waitangi. Ensuring that freshwater

management recognises and provides for these rights and interests is critical to enabling tāngata whenua to protect water as a taonga for future generations. Water and land should be managed as interrelated resources embracing the practice of Ki Uta Ki Tai, which recognises the connection between land, groundwater, surface water and coastal waters.

Cultural health assessments undertaken by Ngāi Tahu in the last ten years indicate that many waterways are in a poor state of cultural health and do not meet basic standards for cultural use. For Ngāi Tahu, water quality is a measure of how well we are doing with regard to land and water management. Ngāi Tahu require that the incremental and cumulative effects of the increase of impervious surfaces and general stormwater discharge are recognised and provided for in local authority planning and assessments.

The rezoning of rural land to enable subdivision and residential, rural residential or business development is an important issue in the Waimakariri catchment as existing settlements and business zones seek to expand and new rural land is targeted for residential development. Increasing the density of residential, business and industrial uses of land can put further strain on the quality and quantity of freshwater resources and increase the risk to wāhi tapu and wāhi taonga. The cultural and environmental costs and benefits to current and future generations must be considered equally alongside economic costs when assessing plan changes. It is the intergenerational responsibility and right of tāngata whenua to take care of the environment and resources upon which we depend.

This Proposed Waimakariri District Plan 2021 amendment submission seeks to rezone the proposed site from Rural Lifestyle Zone to a Special Purpose Zone Pegasus Resort and amend the Special Purpose Zone Pegasus Resort Outline Development Plan to include the re-zoned area to become “Activity Area 7: Residential”. This amendment would allow for the residential development of the previously rural site in the future, increasing the environmental and cultural demands on wai māori, papatūānuku, and ngā tūtohu whenua. Te Ngāi Tūāhuriri Rūnanga Kaitiaki are therefore opposed to this application.

5.0 Rūnanga – Affected Party or Not

Te Ngāi Tūāhuriri Rūnanga Kaitiaki are opposed to this submission to amend the Proposed Waimakariri District Plan 2021 due to:

- The anticipated increase in subdivision and development activities, impervious surfaces and cumulative environmental effects resulting from the plan change.
- The ongoing impact of subdivision and development in this area on waterways and groundwater.

Therefore, Te Ngāi Tūāhuriri Rūnanga Kaitiaki consider themselves an affected party.

6.0 Consent Conditions

No comments are provided as there are no recommendations that are deemed suitable to mitigate the effects of the proposed plan change on mana whenua values.



On behalf of Mahaanui Kurataiao Ltd, this report has been prepared by Angela Burton | Mahaanui Kurataiao Ltd Environmental Advisor, and peer reviewed by Henrietta Carrol | Mahaanui Kurataiao Ltd Kaihautū.

Date: 5th April 2024

**Appendix G. Decision of Hearing Commissioners - RC055641 and
RC055642**

Appendix H. Report Author's Qualifications and Experience

I hold a Master of Planning (First Class Honours) from Lincoln University, and a Bachelor of Arts from University of Canterbury. I am an Intermediate Member of the New Zealand Planning Institute.

I have more than six years' planning experience and have been employed as a Policy Planner at Waimakariri District Council within the Development Planning Unit since 2016. During this time, I have been involved in all stages of the District Plan Review (District Plan effectiveness analysis, issues and options analysis, chapter drafting, preparation of section 32 evaluation reports, public consultation and engagement, and summarising submissions). I was specifically involved in the development of the Light, Noise, Hazardous Substances, Contaminated Land, Earthworks, and Temporary Activities chapters.

I also processed resource consents while working at the Christchurch City Council on a casual contractual basis for 18 months.