

26 November 2021

Proposed District Plan Submission Waimakariri District Council Private Bag 1005 RANGIORA 7440

Attention: Proposed Waimakariri District Plan Submission

Submission by email to: developmentplanning@wmk.govt.nz

RE: Submission on the Proposed Waimakariri District Plan by Templeton Group

Please find **attached** details of the submission by Templeton Group on the Proposed Waimakariri District Plan (the **PDP**).

Templeton Group owns land at Pegasus Township that was previously zoned for business activities in the operative Waimakariri District Plan. The PDP proposes that the land be zoned Medium Residential Zone. By rezoning the land Medium Residential Zone Templeton Group considers that the PDP does not sufficiently and appropriately provide for the town centre masterplan it has developed for the area. A Local Centre Zone along with some specific provisions for Pegasus is considered to be more appropriate. As such, Templeton Group is seeking changes to the PDP provisions, including the planning maps.

Templeton Group seeks to work collaboratively with the Waimakariri District Council and would be happy to discuss its submission on the PDP in order to address the matters raised in the submission.

Please do not hesitate to contact me should you require any further explanation of the above.

Sincerely

Paul Gunn

Development Director

Templeton Group



SUBMISSION ON THE PROPOSED WAIMAKARIRI DISTRICT PLAN 2021 BY TEMPLETON GROUP

TO: Proposed District Plan Submission

Waimakariri District Council Private Bag 1005

RANGIORA 7440

Submitter details

TEMPLETON GROUP at the address for service set out below makes the following submission on the Proposed Waimakariri District Plan 2021 (the **PDP**).

Templeton Group does not consider it can gain an advantage in trade competition through this submission. In any event, Templeton Group is directly affected by an effect of the subject matter of the submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

This submission letter provides an overview of the matters of interest to Templeton Group with **Attachment 1** providing the substantive detail of submission matters.

Background to Templeton Group and its Submission

- 1. Templeton Group was established almost 10 years ago and is a New Zealand owned property developer and investor focused on bespoke design-led projects. Developments range from luxury homes, heritage restorations, high quality apartment and terraced housing and mixed-use retail developments to large land developments, including student accommodation and hotels. More information can be found on Templeton Group at www.templetongroup.co.nz.
- 2. In 2019 Templeton Group acquired the majority of assets of Todd Property Limited and owns master planned developments that include Long Bay, Pegasus and Stonefields.
- 3. Master planning undertaken by Templeton Group for its land at Pegasus Township has conceived the following vision:
 - a) A boutique hotel, spa and associated amenities;
 - b) Additional community amenity including a new café/restaurant, general store and

improved landscaping;

- c) A proposed new community centre; and
- d) A process for ongoing response to the needs of the community through engagement following establishment of the operations detailed above.
- 4. Templeton Group's submission focuses on rezoning its land at Pegasus township from Medium Residential Zone (MRZ) as per the notified PDP to Local Centre Zone (LCZ).
- 5. The land primarily the focus of this submission is outlined in the table below (hereafter referred to as "the land"). Noting that Templeton Group also own other land at Pegasus.

Address	Legal Description	Area (ha)
64 Pegasus Main Street	Lot 10 DP 517496	0.10
66 Pegasus Main Street	Lot 102 DP 517496	1.25
70 Pegasus Main Street	Lot 101 DP 505068	0.6

- 6. The submission also seeks specific changes to the LCZ and other amendments to provisions in the PDP to ensure a more flexible approach to local centre development.
- 7. This submission is also informed by the National Policy Statement on Urban Development (NPS-UD). The NPS-UD seeks to ensure local authorities enable development capacity for housing and business through land-use planning.

Submission details

8. The submission relates to the PDP in part, to the extent that a number of provisions are sought to be amended to give full effect to this submission.

The Submission is:

- 9. Templeton Group opposes the PDP, for the reasons set out below and in the attachment.
- 10. Pegasus township is located in close proximity to Christchurch and has a significant number of strategic advantages, such as public transport connectivity, proximity to open space amenities, the lake setting, community facilities, and schools. Templeton Group consider the township has potential for niche tourism opportunities.
- 11. Templeton Group's interest relates to the PDP zoning at Pegasus township and provisions proposed to be introduced by the PDP, which zones the land referred to as MRZ. This land is currently zoned in the operative Waimakariri District Plan as:
 - Town Centre Business 1 General Business
 - Town Centre Business 1 Intensive Business
 - Town Square Intensive Business
- 12. Templeton Group seek that its land be rezoned from MRZ to LCZ and that specific provisions be included to provide additional flexibility to enable Templeton Group to give effect to its master plan.

13. Templeton Group considers that the notified PDP provisions for its land, adjacent to the existing proposed Pegasus Local Centre Zone, are not the most appropriate policies and methods to achieve a strong residential and business community in the long term, and will not enable Templeton Group's vision for the locality to be realised.

14. Templeton Group considers that objectives, policies and rules can be amended or inserted into the PDP to fully optimise the development opportunities, vision and outcomes it holds for the locality.

15. The amendments to the PDP sought by Templeton Group are set out in further detail in:

(a) **Attachment 1**: which Identifies the specific provisions and chapters of the PDP which Templeton Group either supports, seeks amendment to, or opposes.

16. Templeton Group seeks the following decision from Waimakariri District Council on the PDP:

(a) That the specified proposed provisions of the PDP be deleted or amended to address the matters raised in this submission and its attachment so as to provide for the sustainable management of the Waimakariri District, and in particular Pegasus township, thereby achieving the purpose of the Resource Management Act 1991 (the Act); and

(b) Such further or other relief, or other consequential or other amendments, as are considered appropriate and necessary to address the concerns set out herein.

17. Templeton Group does not consider it can gain an advantage in trade competition through this submission.

Submission at the hearing

18. Templeton Group wishes to be heard in support of this submission.

19. If others make a similar submission, Templeton Group would be willing to consider presenting a joint case with them at a hearing.

Dated this 26th day of November 2021

TEMPLETON GROUP by

Paul Gunn

Development Director

ADDRESS FOR SERVICE:

Attn: Paul Gunn Templeton Group PO Box 106-102 Auckland City AUCKLAND 1143

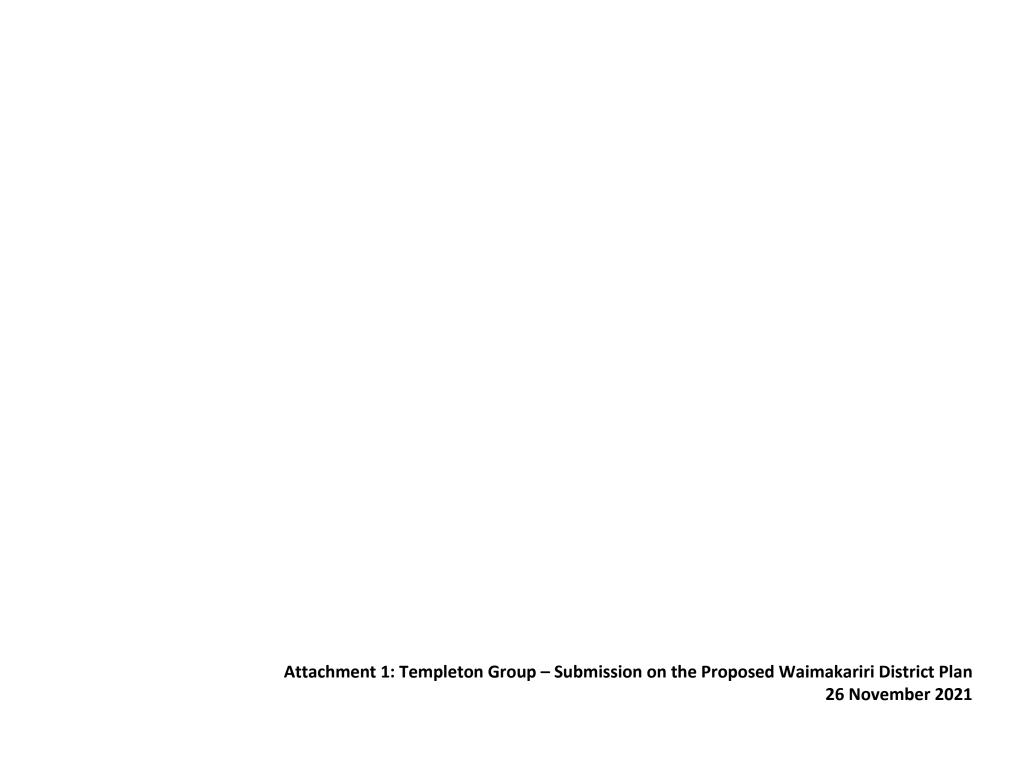
Email: paul.gunn@templetongroup.co.nz

Copy to: Barker & Associates

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St Asaph Street Christchurch Central CHRISTCHURCH, 8011 Attention: Janice Carter

Email: janicec@barker.co.nz



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Section/Sub- section/Provision	Support/Support in Part/Oppose	Submission	Relief sought
Part 1: Introduction	n and general provis	ions	
Part 1: Interpretati	on		
Part 1: Definitions			
Hotel, Visitor accommodation	Oppose in part	Templeton Group seeks clarification in respect to the definitions of hotel and visitor accommodation. It is assumed that visitor accommodation can be subject to an alcohol licence and hence a hotel is a subset of the wider visitor accommodation definition, however, that is not clear. It is further noted that the definition of hotel provides for guest accommodation, rather than visitor accommodation and is inconsistent with the term visitor accommodation.	Amend/clarify the definitions of hotel and visitor accommodation so that it is clear that a hotel is included within the wider definition of Visitor Accommodation. Replace the words 'guest' in the definition of Hotel with the word 'visitor'. Alternatively, specifically provide for hotels in the Town Centre Zone, Local Centre Zone and Mixed Use Zone.
Part 2: District-wid Part 2: Strategic Di			
	rections - Introduction	on	
Introduction	Support	Templeton Group supports the Strategic Directions introduction.	Retain strategic directions introduction as notified.
Part 2: Strategic Di	rection – Urban Forr	n and Development	,
SD-UFD-02 Feasible development capacity for commercial activities and industrial activities	Support	Templeton Group supports this objective.	Retain the objective as notified.

Support/Support in Part/Oppose	Submission	Relief sought
e Matters: Subdivisi	on	
trict-wide Matters: S	Subdivision – Policies	
Oppose in part	Templeton Group opposes in part this policy. DEV-PEG-APP1 Pegasus ODP (ODP) in the PDP has already been implemented and also lacks clarity in respect to existing and future commercial activities and visitor accommodation. Consequently, Templeton Group consider that the ODP should be deleted (see later submission point). However, this policy would appear to require an ODP for the site as per the following excerpt: "Ensure that new Residential Development Areas, new Large Lot Residential Zones, new Commercial and Mixed-Use Zones and new Industrial Zones shall not be subdivided until an ODP for that area has been included in the District Plan and each ODP shall:" This wording could be interpreted to mean that there must be an ODP included in the district plan for any new "Commercial and Mixed Use Zones" (and the other zones listed). It needs to be clarified that the zones the above excerpt is referring to relate to greenfield development only; and further clarifying that the undeveloped land at Pegasus is not greenfield but an existing urban	Amend the policy to clarify that SUB-P6 only applies to new greenfield areas that have been zoned and not areas previously zoned for urban development and sought to be rezoned (as per this submission). Pegasus township has undeveloped land and rezoning is sought through this submission from MRZ to LCZ. Amendment to the policy is sought to ensure that subdivision can occur at Pegasus township and within LCZ (including the rezoning to LCZ as sought through this submission) without an ODP. This submission is linked to Templeton Group's submission to delete the Pegasus ODP – see later submission point under Development Areas. Include a definition of greenfield if required to give effect to the relief sought.
	in Part/Oppose e Matters: Subdivisi crict-wide Matters: S	e Matters: Subdivision Templeton Group opposes in part this policy. DEV-PEG-APP1 Pegasus ODP (ODP) in the PDP has already been implemented and also lacks clarity in respect to existing and future commercial activities and visitor accommodation. Consequently, Templeton Group consider that the ODP should be deleted (see later submission point). However, this policy would appear to require an ODP for the site as per the following excerpt: "Ensure that new Residential Development Areas, new Large Lot Residential Zones, new Commercial and Mixed-Use Zones and new Industrial Zones shall not be subdivided until an ODP for that area has been included in the District Plan and each ODP shall:" This wording could be interpreted to mean that there must be an ODP included in the district plan for any new "Commercial and Mixed Use Zones" (and the other zones listed). It needs to be clarified that the zones the above excerpt is referring to relate to greenfield development only; and further clarifying that the undeveloped land at

Section/Sub- section/Provision	Support/Support in Part/Oppose	Submission	Relief sought
		as areas identified as Greenfield Priority Areas, but there is no similar definition in the PDP).	
Part 3: Area Specif	ic Matters		
Part 3: Area Specif	ic Matters: CMUZ Co	mmercial and Mixed Use Zones	
Part 3: Area Specif	ic Matters: CMUZ Ge	eneral Objectives and Policies for all Commercial	and Mixed Use Zones - Introduction
Introduction	Support	Templeton Group supports the introduction as proposed.	Retain the introduction text as notified.
Part 3: Area Specif	ic Matters: General (Commercial and Mixed Use Zones - Objectives	
CMUZ-01	Support	Templeton Group supports the objective as proposed.	Retain the objective as notified.
CMUZ -02	Support	Templeton Group supports the objective as proposed.	Retain the objective as notified.
Part 3: Area Specif	ic Matters: Commerc	cial and Mixed Use Zones - Policies	
CMUZ -P1 Centre function, role and hierarchy	Support	Templeton Group supports the policy as proposed.	Retain the policy as notified.
CMUZ -P2 Other commercial zones function and role	Support	Templeton Group generally supports the policy as proposed.	Retain the policy as notified.
CMUZ -P3 New Local and Neighbourhood Centres	Oppose in part	Templeton Group generally supports the policy as proposed, but considers the wording could be interpreted to mean that an ODP for the extended LCZ, as requested in this submission, is required under this policy. An ODP for the extension to the LCZ as requested by Pegasus should not be required.	Clarify the policy so that it does not apply to the proposed extended Local Centre Zone (new LCZ zoning) at Pegasus sought in this submission.

Section/Sub- section/Provision	Support/Support in Part/Oppose	Submission	Relief sought
CMUZ -P4 Centre expansion	Support	Templeton Group supports the policy as proposed.	Retain the policy as notified.
CMUZ -P5 Scale and form of development in all Commercial and Mixed Use Zones	Support	Templeton Group generally supports the policy as proposed.	Retain the policy as notified.
CMUZ-P7 Residential activities	Oppose in part	Templeton Group is seeking amendment this policy consistent with its submission to enable residential units to be a permitted activity at ground level at Pegasus LCZ. This is consistent with providing greater flexibility and mixeduse activity, and encouraging more people to live in and around local centres. Templeton Group consider that a better design led outcome can be achieved for residential activity than would be achievable by requiring residential activity to be above ground floor level.	Amend the policy as follows and renumber: Residential activities are: 1. Encouraged to locate above ground floor in all centres; 2. Avoided on ground floors fronting or adjoining the street in Town Centres to maintain commercial activity at ground level; and 3. Well-designed, sustainable and functional, and manage reverse sensitivity effects, including from higher levels of ambient noise and reduced privacy by ensuring: a. the provision of sufficient and readily accessible outdoor living and service spaces, and internal storage; b. the provision of acoustic attenuation; and c. minimum unit sizes.
'		cial and Mixed Use Zones: LCZ – Local Centre Zon	
LCZ – 01	Oppose in part	cial and Mixed Use Zones: LCZ – Local Centre Zon Templeton Group for the most part supports this objective but considers that it should	Amend the objective as follows:

Section/Sub- section/Provision	Support/Support in Part/Oppose	Submission	Relief sought
		include recognition of the tourism potential of the Pegasus LCZ (as sought in this submission).	Local Centres: 1. are the focal point for a range of commercial, community, tourism/visitor accommodation and service activities at a smaller scale than Town Centres to provide for visitors and the daily/weekly shopping needs of the local residential or nearby rural area, including enabling a range of convenience activities; 2. activities do not adversely affect the role and function of Town Centres; and 3. amenity values are managed within the zone and at the interface with adjacent residential zones.
LCZ – P1	Oppose in part	Templeton Group for the most part supports this policy but considers that it should include recognition of the tourism potential of the Pegasus LCZ (as sought in this submission), and provide for greater flexibility in total floor space and retail tenancy.	Amend the policy as follows: Design and integration Within Local Centres: 1. enable commercial, community, convenience, tourism and service activities that provide for visitors and the daily/weekly shopping needs of the local residential or nearby rural catchment and do not adversely affect the role and function of Town Centres, nor undermine investment in their public amenities and facilities; 2. enable a range of Local Centres which, excluding the Woodend and Pegasus Local Centres, generally comprise 1,000m² to 4,000m² total floor space and up to 15 shops with a maximum retail tenancy of 350m² GFA;

Section/Sub- section/Provision	Support/Support in Part/Oppose	Submission	Relief sought
			 ensure Local Centres are integrated into the transport system to promote efficient safe and accessible modal choice, and manage adverse effects on the operation of the transport system; and adverse amenity effects are managed within the zone and at the interface with neighbouring more sensitive zones.
Part 3: Area Specifi	ic Matters: Commerc	cial and Mixed Use Zones: LCZ – Local Centre Zor	ne: Rules
LCZ-R4 Retail activity	Oppose in part	Templeton Group seek a minor change to this rule to include flexible provision for the	Amend the rule as follows:
		Pegasus LCZ to have no GFA limits as per Woodend.	LCZ-R4 Retail activity
			Activity status: PER
			Where:
			 the floor area of the activity shall be within the following maximum GFA limits: a. within Woodend and Pegasus there is no limit; b. for Mandeville, the maximum gross retail area for all retail activities in the zone shall be 2700m²; c. for all other sites the activity shall be a maximum of 300m2 GFA.
LCZ-R9 Residential Unit	Oppose in part	Templeton Group is seeking amendments to enable residential units to be a permitted activity at ground level at Pegasus LCZ. This is consistent with providing greater flexibility	Amend the rule as follows: LCZ-R9 Residential unit Activity status: PER

Section/Sub- section/Provision	Support/Support in Part/Oppose	Submission	Relief sought
		and mixed use activity, and encouraging more people to live in and around local centres. Templeton Group consider that building on the unique attributes of the Pegasus township and facilities, better design can be delivered given the scale of the landholding and ability to masterplan a large area. Overall, a better design led outcome can be achieved by providing flexibility in the location of residential activity and will enable greater integration with the lakefront.	 any residential activity shall be above the ground floor. At Pegasus, the activity shall comprise a maximum of 75% of the GFA of all buildings on the site; for all other sites, any residential activity shall be above the ground floor. Add matters of discretion to CMUZ-MD11 as follows: In relation to Pegasus Local Centre Zone, the extent to which: a. the ground floor includes some commercial activities that support vibrancy and visual interest;
LCZ-R10 Residential activity	Oppose in part	Templeton Group is seeking amendments to enable residential units to be a permitted activity at ground level at Pegasus LCZ. This is consistent with providing greater flexibility and mixed-use activity, and encouraging more people to live in and around local centres.	Amend the rule as follows: LCZ-R10 Residential activity Activity status: PER Where: 1. any residential activity shall be above the ground floor. At Pegasus, the activity shall comprise a maximum of 75% of the GFA of all buildings on the site; 2. for all other sites, any residential activity shall be above the ground floor.

Section/Sub- section/Provision	Support/Support in Part/Oppose	Submission	Relief sought
			Add matters of discretion to CMUZ-MD11 as follows:
			In relation to Pegasus Local Centre Zone, the extent to which: a. the majority of the ground floor includes commercial activities that support vibrancy and visual interest;
LCZ-R16 Food and beverage outlet	Oppose in part	Templeton Group seek a minor change to this rule to include flexible provision for the Pegasus LCZ as per Woodend.	Amend the rule as follows: LCZ-R16 Food and beverage outlet
			Activity status: PER
			 Where: the floor area of the activity shall be within the following maximum GFA limits: within Woodend and Pegasus there is no limit; for all other sites the activity shall be a maximum of 300m2 GFA. Amend the matters of discretion so that CMUZ-MD11 does not apply to Pegasus.
LCZ-R17 Entertainment activity	Oppose in part	Templeton Group seek a minor change to this rule to include flexible provision for the Pegasus LCZ as per Woodend.	Amend the rule as follows: LCZ-R17 Entertainment activity
			Activity status: PER Where: 1. the floor area of the activity shall be within the following maximum GFA limits: a. within Woodend and Pegasus there is no limit;

Section/Sub- section/Provision	Support/Support in Part/Oppose	Submission	Relief sought
			 b. for all other sites the activity shall be a maximum of 300m2 GFA. Amend the matters of discretion so that CMUZ-MD11 does not apply to Pegasus.
Part 3: Area Specif	ic Matters: Commerc	cial and Mixed Use Zones: LCZ – Local Centre Zon	e: Built Form Standards
LCZ-BFS1 Height	Oppose in part	Templeton Group is seeking amendments to increase maximum height in Local Centre Zones. Encouraging a slightly higher height than surrounding residential areas will contribute to making local centres vibrant focal points for communities. A 12m height limit will also be a more flexible provision for the Pegasus LCZ. It is also considered more appropriate that the activity status for a breach of the height standard in this rule be restricted discretionary activity, rather a than discretionary activity.	Amend the rule as follows: LCZ-BFS1 Height 1. The maximum height of any building, calculated as per the height calculation, shall be 10m 12m above ground level. Amend the activity status from DIS to RD with matters of discretion included as appropriate such as: • effects on the amenity of adjacent residential properties including • overshadowing • loss of privacy • ability to mitigate increased height through other methods
LCZ-BFS6 - Road boundary setback glazing and verandah	Oppose in part	Templeton Group have sought an amended provision for residential activity and residential units in the LCZ. Consequently, amendment is required to this rule as glazing and verandah's required by this rule will not be appropriate for ground floor residential activity/units.	Amend the rule as follows: LCZ-BFS6 Road boundary setback, glazing and verandah 1. All buildings shall: a. be built to the road boundary; b. provide pedestrian access directly from the road boundary; c. have visually transparent glazing for a minimum of 60% of the ground floor elevation facing the road;

Section/Sub- section/Provision	Support/Support in Part/Oppose	Submission	Relief sought
		In addition, for all other local centre activities the lake front location lends itself to a bespoke solution and Templeton Group seek a more flexible permitted activity rule than provided by LCZ-BFS6 in respect to setback from the road boundary, glazing and provision of verandah's.	 d. have a verandah that extends along the full length of the building elevation facing the road; e. verandahs are to extend a minimum of 3m from the building façade; and f. verandahs are to be set back a minimum of 0.5m from the kerb line of a public road. This rule does not apply to pedestrian laneways. The minimum depth of 3m required under (e) may be reduced where necessary to comply with this rule. 2. The requirements for all buildings in (1) shall not apply to the LCZ at Pegasus.
Part 3: Area Specif	ic Matters: Wāhanga	waihanga - Development Areas: Existing Develo	opment Areas
PEG- Pegasus	Oppose	Templeton Group is concerned that DEV-PEG-	Delete PEG-Pegasus Township Development Area Chapter in
Township		APP1 Pegasus ODP (ODP) does not include any	its entirety including the Introduction, DEV-PEG - R1 to DEV-
Development		commercial areas and the residential area	PEG – R7, DEV-PEG-BFS1, DEV-PEG-APP1 Pegasus ODP, and
Area		outline is difficult to read.	any consequential amendments to give effect to this relief
		In addition, Templeton Group understands	sought.
		that the matters contained in the ODP for the	Make consequential changes to objectives, policies and rules
		Pegasus Township Development area have	as required to ensure the absence of an ODP does not
		already been given effect to and a ODP is no	prejudice development of the Local Centre Zone sought in this
		longer required. Templeton Group consider if	submission.
		the ODP has already been implemented then it should be deleted from the PDP. However,	In addition:
		many provisions in the PDP are tied to the ODP framework and some ambiguity exists if there is no ODP for new development.	 Retain DEV-PEG-BFS1, rename and relocate it to Part 3 Area specific matters (MRZ) as appropriate

Section/Sub- section/Provision	Support/Support in Part/Oppose	Submission	Relief sought
		Removal of the ODP needs to occur in conjunction with addressing these other issues. Further, it is understood from council officers that some of the rules currently attached to the Pegasus Development Area Outline Development Plan are still required. Templeton Group consider that any specific rules remaining in PEG-Pegasus Township Development Area Chapter should be relocated to respective Part 2 District -wide matters and Part 3 Area specific matters as appropriate. This will need to include a diagram of where each rule applies at Pegasus.	 If required, relocate and rename DEV-PEG-R4, DEV-PEG-R5 DEV-PEG-R6 to respective Part 2 District -wide matters and Part 3 Area specific matters as appropriate include an associated diagram for each the respective rules showing where the above rules apply at Pegasus. If this relief is not accepted then clarify the location of the commercial areas within the ODP and clarify the location of the residential area outline.
Advisory note- numerous locations in PDP including the LCZ and DEV- PEG-R7	Oppose	Templeton Group consider that the wording of the advisory note below in a number of locations in the PDP, including in the Pegasus ODP (requested to be deleted) and the LCZ, is unclear and confusing. The wording is as follows: "Advisory Note • For the avoidance of doubt, where an Activity or Built Form Standard is in conflict with this ODP, the ODP shall substitute the provision."	Amend the wording to make it clearer which provisions (state those provisions) are being replaced by another provision(s) (state that provision).

Section/Sub- section/Provision	Support/Support in Part/Oppose	Submission	Relief sought
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		Templeton Group request amendment to the	
		wording to clarify which provisions are	
		intended to be replaced.	
Planning Maps			
Pegasus	Oppose	Land currently zoned in the Operative	Rezone the following land from MRZ to LCZ:
Township –		Waimakariri District Plan as Town Centre –	
Pegasus Main		Business 1 General Business, Town Centre –	64 Pegasus Main Street – Lot 10 DP 517496
Street - Medium		Business 1 Intensive Business and Town	66 Pegasus Main Street – Lot 102 DP 517496
Residential Zone		Square - Intensive Business at Pegasus is	70 Pegasus Main Street – Lot 101 DP 505068
		proposed in the PDP as MRZ. Templeton	
		Group have a master plan vision for the area	As shown in the plan below.
		to develop as a commercial centre and seek to	
		have commercial zoning reinstated.	

Proposed zoning amendment sought at Pegasus:

