

**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 (PDP)

Between **Various**

Submitters

And **Waimakariri District Council**

Respondent

**Council Reply Report on Hearing
Stream 12A Rezoning Requests – Whitua
motuhaka Special Purpose Zone – Pegasus
Resort (SPZ(PR)) on behalf of Waimakariri District Council**

Date: 5 September 2024

INTRODUCTION

- 1 My full name is Jessica Anneka Manhire. I am employed as a Policy Planner for the Waimakariri District Council. I am the Reporting Officer for Hearing Stream 12A Rezoning Requests – Whitua motuhaka Special Purpose Zone – Pegasus Resort (SPZ(PR)) topic and prepared the Section 42A Report (SPZ(PR) s42A Report).
- 2 I have read the evidence and tabled statements provided by submitters relevant to the SPZ(PR) s42A Report.
- 3 I have prepared this Council Reply Report on behalf of the Waimakariri District Council (**Council**) in respect of matters raised through Hearing Stream 12A in relation to SPZ(PR).
- 4 I provided a preliminary set of responses¹ to written questions from the Hearings Panel (Panel) at the hearing.
- 5 I am authorised to provide this evidence on behalf of the Council.

QUALIFICATIONS, EXPERIENCE AND CODE OF CONDUCT

- 6 **Appendix H** of my section 42A report sets out my qualifications and experience.
- 7 I confirm that I am continuing to abide by the Code of Conduct for Expert Witnesses set out in the Environment Court's Practice Note 2023.

SCOPE OF REPLY

- 8 This reply follows Hearing Stream 12A, which was held on 4 June 2024. Minute 30² granted an extension to allow this report to be submitted by 4pm Thursday 5 September 2024.

¹ https://www.waimakariri.govt.nz/__data/assets/pdf_file/0016/163303/STREAM-12A-PEGASUS-RESORT-PRELIMINARY-RESPONSE-TO-WRITTEN-QUESTIONS-JESSICA-MANHIRE.pdf

² https://www.waimakariri.govt.nz/__data/assets/pdf_file/0026/164960/Minute-30-HS12A-Dexin-and-HS8-missed-points.pdf

9 I have considered the following Joint Witness Statements (JWS) when preparing this Reply Report:

- Hearing Stream 12 - Urban Environment JWS Day 1, dated 26 March 2024³;
- Hearing Stream 12 - Urban Growth & Development JWS Day 2, dated 26 March 2024⁴;
- Hearing Stream 12A - DEXIN rezoning request (Planning), dated 2 August 2024. Herein referred to as 'Planning JWS'⁵;
- Hearing Stream 12A - DEXIN rezoning request (Urban Design), dated 6 August 2024. Herein referred to as 'Urban Design JWS'⁶.

10 The main topics addressed in this Reply Report are:

- Answers to questions posed by the Panel in Minute 28 (Questions 10-16);
- Minute 28 asked s42A Reporting Officers to respond to all evidence presented at and tabled for the hearing, that is not otherwise set out in the questions. My response to evidence has not been on all evidence but only in regard to the matters that were remaining in contention; and
- Changes to recommendations in the s42A report.

11 **Appendix 1** has a list of materials provided by submitters including expert evidence, legal submissions, submitter statements. This information is all available on the Council webpage for Hearing Stream 12A.

³ https://www.waimakariri.govt.nz/_data/assets/pdf_file/0029/161669/STREAM-12-URBAN-ENVIRONMENT-DAY-1-JWS.pdf

⁴ https://www.waimakariri.govt.nz/_data/assets/pdf_file/0021/161670/STREAM-12-URBAN-GROWTH-and-DEVELOPMENT-JWS-DAY-2-.pdf

⁵ https://www.waimakariri.govt.nz/_data/assets/pdf_file/0023/166127/STREAM-12A-PEGASUS-RESORT-JOINT-WITNESS-STATEMENT-PLANNING-.PDF

⁶ https://www.waimakariri.govt.nz/_data/assets/pdf_file/0024/166128/STREAM-12A-PEGASUS-RESORT-JOINT-WITNESS-STATEMENT-URBAN-DESIGN-.pdf

- 12 **Appendix 2** has recommended amendments to PDP provisions, with updated recommendations differentiated from those made in Appendix A of the s42A report.
- 13 **Appendix 3** has the proposed amendments to the SPZ(PR) Outline Development Plan (ODP) with the DEXIN site included.
- 14 **Appendix 4** has the proposed amendments to the SPZ(PR) ODP with the Howard Stone site included.
- 15 **Appendix 5** has a marked-up version of the Pegasus Resort Urban Design Guidelines showing the areas of the document where there have been content changes since the version submitted with submitter evidence. This is shown with red squiggly lines.
- 16 **Appendix 6** has an unmarked-up version of the Pegasus Resort Urban Design Guidelines.
- 17 **Appendix 7** has an updated table of recommended responses to submissions and further submissions, with updated recommendations differentiated from those made in Appendix B of the s42A report.
- 18 **Appendix 8** has a memorandum prepared by expert economist Rodney Yeoman that informed this Reply Report.
- 19 **Appendix 9** has legal advice on the definition of urban environment.
- 20 **Appendix 10** has legal advice on Cultural Impact Assessment weighting and NPS-UD housing provision.
- 21 **Appendix 11** has a memorandum from Council Senior Transportation Engineer Shane Binder on transportation matters.
- 22 **Appendix 12** has a response from NZTA Principal Transport Planner Michael Blyleven on scoping for non-motorised transport through the new Pegasus Boulevard/Bob Robertson Drive interchange.

POLICY FRAMEWORK – URBAN ENVIRONMENTS

23 The rezoning request sites (DEXIN and Howard Stone) are located outside of the Existing Urban Areas, Greenfield Priority Areas, Future Development Areas and other areas contained within the Projected Infrastructure Boundary identified by Map A of the CRPS. Therefore my s42A Report applied the ‘responsive provision’ of Policy 8 of the NPS-UD to assess the rezoning requests.

24 My s42A assessment considered the rezonings based on the residential and business nature of the activities and viewed these as “typical” ‘urban activities’. However, I am now of the view that the CRPS definition of ‘urban activities’ does not apply as the activities are not of a “size, function, intensity or character typical of those in urban areas” because of the tourism special purpose of the zone. Therefore, I consider that the CRPS Policy 6.3.1(4), which states that new 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, does not apply. However, I remain of the view that, despite being its own unique type of development, the definitions imply that the activities proposed on the sites are more akin to urban activities than rural activities.

25 CRPS Objective 6.2.1 (Recovery framework) states:

“Recovery, rebuilding and development are enabled within Greater Christchurch through a land use and infrastructure framework that:

...

3. avoids urban development outside of existing urban areas or greenfield priority areas for development, unless expressly provided for in the CRPS;

.....”

26 CRPS Policy 6.3.7 (Residential location, yield and intensification) states:

“In relation to residential development opportunities in Greater Christchurch:

1. Subject to Policy 5.3.4, Policy 6.3.5, and Policy 6.3.12, residential greenfield development shall occur in accordance with Map A.

2.”

27 Melissa Pearson, who provided planning evidence on behalf of DEXIN, agreed with my s42A report that this objective and policy above applies.⁷ The definition of ‘residential’ is “involving residence”, “providing accommodation” and “occupied by private houses”.⁸ Regardless of whether the rezoning requests constitute “urban development”, as they both are seeking residential developments to be located in a residential activity area of a special purpose zone and not in a Greenfield Priority Area in accordance with Map A, in my view, Policy 6.3.7 applies.

28 Joanne Sunde, who provided planning evidence on behalf of Howard Stone, considers that it is now *“a period of housing growth that is not earthquake related so the intention of some of the Chapter 6 policies is not as relevant”*.⁹ While I agree that this may be the case, I consider the CRPS is clear on a timeframe for which the chapter is to apply (as set out below) so I consider this policy, at this point of time, even if less relevant, still applies:

*“Chapter 6 provides a resource management framework for the recovery of Greater Christchurch, to enable and support earthquake recovery and rebuilding, including restoration and enhancement, for the area **through to 2028**”*¹⁰ [emphasis added]

29 I note that CRPS Objective 6.2.2(5) regarding encouraging sustainable and self-sufficient growth of Woodend (which was referred to in the

⁷ Statement of Evidence of Melissa Pearson, paras 19 and 23

⁸ Oxford Paperback Dictionary & Thesaurus (2009)

⁹ Statement of Evidence of Joanne Sunde, Para 67(a)

¹⁰ CRPS, Chapter 6 Introduction, page 68

Memorandum of Counsel for Howard Stone, 13 June 2024, as enabling “flexibility”) is in the context of avoiding *“unplanned expansion of urban areas”*.

30 I remain of the view that CRPS Objective 5.2.1(1) (Entire Region) that the 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 achieving the region’s growth”* is a relevant consideration.

Is the Pegasus Resort and the subject sites within the “urban environment” as defined by the NPS-UD?

31 In my s42A report (para 54) I concluded the following:

“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.”

32 Regarding whether the SPZ(PR) is an urban environment under the NPS-UD, firstly I consider that not all areas of Greater Christchurch are intended to be urban. There are two applicable definitions. There is the ‘Tier-1 urban environment’ definition which means an urban environment listed in column 1 of Table 1 in the NPS-UD Appendix. Christchurch is listed in column 1 of Table 1. Therefore, I consider it defines the urban environment for Christchurch. However, in my view, there is ambiguity and differing views (as expressed in the Urban Environment JWS) on what constitutes the “Christchurch” Tier 1 urban environment.

33 Legal advice sought on the definition of urban environment, attached as **Appendix 9** considers that references to *“Greater Christchurch urban environment”* and *“Greater Christchurch Tier 1 urban environment”* in the CRPS do not define the “urban environment” for the NPS-UD.¹¹ It further goes on to state that “ascertaining what constitutes the

¹¹Para 4(c)

"Christchurch" tier 1 urban environment for the purposes of the NPS-UD invokes a need to consider and apply the NPS-UD definition of "urban environment"¹² and for the purposes of Policy 8 of the NPS-UD, any person can "*have the requisite intention*"¹³ for an area of land to be predominantly urban in character or part of a housing and labour market of at least 10,000 people. It is then up to the submitter "*to demonstrate via evidence presented in support of that plan change proposal or submission, their intent that the plan change land area*" will meet the definition¹⁴.

34 I have provided a summary of the submissions and evidence regarding the two limbs of the NPS-UD 'urban environment' definition below. I acknowledge others may reach different conclusions based on the same evidence.

Clause (a) - Is the site and wider area predominantly urban in character or intended to be?

DEXIN - The site

35 The DEXIN submission [377] refers to 1250 Main North Road as having a "*rural and golf club context*".¹⁵ The submission envisaged that Activity Area 8 would retain a high proportion of open space "*to ensure the site retains a rural landscape character*".¹⁶ The design objective was "*to represent a group of rural buildings in a rural landscape*".¹⁷

36 The further submission [FS 101] describes the rezoning of the site as "*ensuring that an island of Rural Lifestyle zoned land can be incorporated into the developing urban fringe of Ravenswood and Pegasus Resort*".¹⁸ It describes the site as being an undersized rural lifestyle allotment isolated from adjoining rural land, as being absent of rural activities, and not forming "*part of an area with strong rural*

¹² Para 33(c)

¹³ Para 20

¹⁴ Para 22

¹⁵ Para 2.3.4

¹⁶ Para 2.3.11

¹⁷ Para 2.5.1

¹⁸ Page 5

character or productivity characteristics”,¹⁹ and “*will result in the transition of the site from a rural residential environment to urban*”²⁰. The Landscape Effects Assessment provided with the further submission considers the rural character will be replaced with a “resort character”.

- 37 The urban design statement of evidence of James Lunday describes the proposal as a “*resort style living environment*”²¹, and the proposal as “*retaining the open space and park-like character*”²².

DEXIN - The general area

- 38 The further submission further describes the area as having a rural/urban interface character and notes the rural character is “*being modified by encroaching urban land use activities through the development occurring in Ravenswood and Pegasus Resort*”²³. While not providing an assessment of the NPS-UD definition, it considers the NPS-UD to be relevant and describes SPZ(PR) as an urban zone. It describes the surrounding environment as:

*“transitioning to a more urban like environment with a greater density of residential dwellings and commercial services provided in Ravenswood on the western side of SH1 and tourism activities anticipated at the Pegasus Resort to the east. This transition on the urban fringe has also had a subsequent effect on the level of urban infrastructure (footpaths, lighting etc), the type and level of noise, air quality and signage present in the surrounding environment”*²⁴

¹⁹ Page 23

²⁰ Page 16

²¹ Page 7

²² Page 13

²³ Page 7

²⁴ Page 27

39 Both the further submission, and the evidence of Ms Pearson, consider the proposal under the NPS-UD and conclude the proposal provides a well-functioning urban environment. Ms Pearson agrees with my view expressed in my s42A that the zone has urban characteristics.²⁵

Howard Stone - The site

40 The memorandum on behalf of Howard Stone, dated 7 March 2024, in support of submission for rezoning, describes the proposed development as “large lot residential”.

41 The planning evidence of Ms Sunde considers the site will “*seamlessly integrate with the Pegasus Resort area*” and “*enable an efficient urban form*”²⁶. Ms Sunde acknowledges the higher order planning strategy is unclear and has adopted the urban residential policy framework for the site.

Howard Stone - The surrounding area

42 The memorandum describes the area as having a peri-urban character and considers the development “*supports a consolidated and sustainable urban form*”²⁷.

43 The statement of evidence of Ms Sunde has considered the proposal under the NPS-UD and considers it “*generally meets criteria relating to well-functioning urban environments*”²⁸. Ms Sunde describes existing rural context of the surrounding environment as “*rural-residential living and paddocks used for grazing*”.²⁹ Ms Sunde notes that no horticulture, intensive farming or quarrying/mining operations are located nearby.³⁰ She consider the site is “*hemmed in by urban activity associated with the three nearby town centres to the east, south and west, and the*

²⁵ Para 19(a)

²⁶ Para 22(b)

²⁷ Page 9

²⁸ Para 89

²⁹ Para 71

³⁰ Para 71

*surrounding Pegasus Golf Resort which presents a manicured and modified urban landscape character”.*³¹

Assessment –clause (a) – ‘predominantly urban in character’

- 44 Legal advice sought by the Council in relation to the definition of urban environment, attached as **Appendix 9**, is for an area “to be *“predominantly urban in character”, the relevant areas of land must have as its main, strongest, or prevailing element the characteristics of a city or town”.*³²
- 45 In my view, there is ambiguity whether clause (a) of the NPS-UD ‘urban environment’ definition is satisfied in the context of the SPZ(PR). Particularly as the area has various character elements, particularly an open space and parklike character. It has kerb and channelling and street lighting in parts, but not all, of the zone. The zone is also located between urban areas of Pegasus and Ravenswood/Woodend that have centres with employment opportunities, and has large residential lots of about 2000m², which is denser than rural residential. I note Main North Road provides motorway (SH1) connections between the SPZ(PR) and Woodend/Ravenswood and south through Kaiapoi to Christchurch. The proposed Woodend Bypass will further improve connectivity to these areas. There are bus connections between Pegasus and Rangiora/Christchurch.
- 46 The Boffa Miskell Rural Character Assessment (2018)³³ describes the Pegasus golf course as providing *“open space between the town and the Ravenswood development”.*
- 47 The notified SPZ(PR) Chapter describes Activity Area 7 – Residential as having a *“semi-rural appearance and outlook over the golf course”.*

³¹ Para 112

³² Para 37

³³ Boffa Miskell Ltd (6 June 2018), *Waimakariri District – Rural Character Assessment*, section 2.2, page 13, retrieved from https://www.waimakariri.govt.nz/__data/assets/pdf_file/0021/136137/18.-FINAL-RURAL-CHARACTER-ASSESSMENT-BOFFA-MISKELL-6-JUNE-2018.PDF

48 In summary, I consider the Pegasus Resort has various character elements, and there are grounds to consider it to have either urban or rural character. I will now consider clause (b).

Clause (b) Is the site and wider area part of a housing and labour market of 10,000 people or intended to be?

DEXIN

49 The transportation review provided with the submission anticipated the majority of the trips to be visitors from Christchurch, and some from the north e.g., Amberley, Kaiapoi, Rangiora, Ravenswood and Pegasus Town. The Integrated Transport Assessment provided with the further submission estimated two-thirds of visitors making an exclusive trip to the destination.

50 The economic evidence of Tim Heath considers the proposal will generate employment opportunities.

Howard Stone

51 The evidence considers the proposal to be well connected to nearby centres and close to employment areas such as Rangiora.

Assessment – second clause

52 I participated in the conferencing on the urban environment for Hearing Stream 12. All experts agreed that all Greater Christchurch is part of the Christchurch labour and housing market.³⁴ More than half of the proportion of workers in Woodend/Pegasus work in Christchurch.³⁵ I consider both the sites are within a housing and labour market of at least 10,000 people due to their proximity to Woodend, Rangiora, Kaiapoi and Christchurch.

³⁴ Joint Witness Statement – Urban Environment (Planning) Day 1 (26 March 2024), para 26

³⁵ Livingston and Associates Ltd/ Community Housing Solutions Ltd (February 2020), *Housing Demand and Need in Waimakariri District*, page 147. Retrieved from https://www.waimakariri.govt.nz/__data/assets/pdf_file/0020/136136/17.-Research-report-Housing-Demand-and-Need-in-Waimakariri-District.-Authors-Ian-Mitchell-and-Chris-Glaudel.PDF

- 53 Economic expert Rodney Yeoman (Formative Director) has provided comment on whether he considers the SPZ(PR) to be an urban environment from an economic perspective. Mr Yeoman considers SPZ(PR) *“is predominantly used for recreational tourism activity (golf course and open space) with low levels of ancillary accommodation and resort facilities. However the Pegasus Resort is adjacent to Woodend and Pegasus, which are both urban.”* Regarding clause (b), Mr Yeoman acknowledges *“the Pegasus Resort may be within a housing and labour market of at least 10,000 people because of its proximity to Woodend and Christchurch”*. Mr Yeoman expects most of the staff at the resort would come from the Christchurch Urban Environment.
- 54 His view is that it may not pass both of the conjunctive requirements of the urban environment definition and, in his opinion, it is predominantly used for a tourism activity within a rural setting. Mr Yeoman’s full comments can be found in **Appendix 8**.

Concluding comments on policy frameworks – urban environments

- 55 Mr Peter Wilson (s42A Reporting Officer for Hearing Stream 12E) is of the view, as outlined in his Hearing Stream 12E Residential Rezoning s42A Report, that non-urban developments are not within scope of the NPS-UD but understands *“that making this distinction is highly contextual and merits-based, and whatever pathway is applied, it may not be determinative on any final recommendation on a proposal”*³⁶.
- 56 I agree with Mr Wilson on this matter as, regardless of whether the NPS-UD should be applied to the SPZ(PR) rezoning request (i.e., whether the SPZ(PR) is considered to meet the NPS-UD definition of ‘urban environment’), I consider both the NPS-UD and CRPS cover similar concepts and seek well-functioning urban environments.
- 57 I consider Mr Wilson’s preferred approach (interpretation approach 2, which is that beginning with the CPRS in order to assess the degree to which the CRPS has given effect to the NPS-UD, then to assess against

³⁶ Para 70

the NPS-UD, and then assess against the CRPS) for Hearing Stream 12E aligns with how I have applied the NPS-UD and CRPS in my s42A report³⁷. As stated in my s42A report, the NPS-UD Policy 1 is “at a minimum” of what constitutes a well-functioning urban environment and, in my view, even if the responsive provisions of the NPS-UD are applied, the objectives and policies of the CRPS are to be considered regarding providing a well-functioning urban environment.

58 I have adopted the approach set out in paragraphs 4.4 and 4.5 the Speaking Notes for particular legal issues arising in Hearing Stream 12E. This is that Policy 8 provides a way around those CRPS provisions that seek to avoid any urban development beyond identified urban limits. However, Section 75(3) of the RMA still requires all other CRPS provisions to be given effect to.³⁸

59 I consider that the sites meet clause (b) of the NPS-UD urban environment definition, however, as the Pegasus Resort has various character elements, I am unsure about clause (a). However, the submitters have applied Policy 8 to the proposal and, as set-out in legal advice of the definition of urban environment, therefore if considered under the NPS-UD, it would have to add significantly to development and contribute to well-functioning urban environments. It is not clear if it adds significantly to development capacity as lack of clear definition in the CRPS, in accordance with 3.8(3) of the NPS-UD, of what constitutes significant development capacity. On this basis, my approach has been to apply Policy 8 in assessing the merits of the proposal. I consider both the NPS-UD and CRPS in my assessment.

Question 10: How do you compare your position that the rezonings at Pegasus are inconsistent with Objective 1 of the NPS-UD with Mr Buckley’s position that the rezoning at Waikuku which is further away, is consistent with that same Objective?

³⁷ Peter Wilson (22 July 2024), *Residential Rezonings s42A report*, Page 25-27

³⁸ https://www.waimakariri.govt.nz/__data/assets/pdf_file/0027/166437/STREAM-12E-LEGAL-SPEAKING-NOTES-S42A-CEDRIC-CARRANCEJA.pdf

- 60 I have discussed these rezoning requests with Mr Buckley. Mr Buckley no longer considers the NPS-UD is relevant to the Large Lot Residential Zone (LLRZ) rezonings because he does not consider LLRZ is predominantly urban in character.
- 61 I note, however, that an ODP was supplied for the Brian and Anne Stokes submission [211] and [214] for the rezoning of 33 Gressons Rd, Waikuku. This ODP showed a proposed pedestrian and cycleway connection onto Gressons Rd, and as such, transportation and accessibility was not considered to be an issue in the Hearing Stream 12C Rezonings Large Lot Residential Zones s42A report.
- 62 Whereas the issue raised by Mr Binder for the SPZ(PR) rezoning requests related to the connections to Pegasus and Ravenswood. Access to the emerging Ravenswood Key Activity Centre requires crossing the Pegasus roundabout and Main North Road, and as such, Mr Binder considers, there are serious and long-standing safety concerns around this pedestrian and cycle connection to Ravenswood.

CULTURAL VALUES

Question 11: Please respond to the Mahaanui Kurataiao Ltd response to DEXIN's request seeking to rezone 1250 Main Road that was provided after the hearing, and the line of questioning from the Panel in respect to the CIA provided as part of the submission. What weight should the Panel be giving to the CIA provided by the submitter, given it has been confirmed that it is not mandated by Mahaanui Kurataiao Ltd?

- 63 The DEXIN submission [377] stated that DEXIN:

"intends to undertake consultation and engagement with local iwi during the preparation of the ODP, prior to the plan review hearing".³⁹ It was intended the outcome of this consultation would be circulated prior to the hearing.

³⁹ Para 2.3.5

64 The further submission [FS 101] stated *the “engagement is ongoing to resolve the identified concerns with the proposal”*⁴⁰ and offered mitigation measures.

65 A Cultural Impact Assessment (CIA) was received for consideration in the s42A report. This was prepared by Nigel Harris who I understand has affiliations with Ngāi Tūāhuriri. It concluded there to be little or minimal impact on cultural values, subject to a range of mitigation measures identified in the CIA being implemented as part of the development.

66 The engagement DEXIN undertook with Mahaanui Kurataiao Ltd (Mahaanui), dated 23 June 2022, was requested by the Panel at the 12A hearing, and provided to the Panel after that hearing on 7 June 2024. As it was received after the hearing, it did not inform my s42A report. In summary, the Rūnanga consider the location is not culturally appropriate for this type of development.

67 As set out in the legal advice (sought by the Council) attached as **Appendix 10**, the CIA not being mandated by mana whenua would be a reason to give it less weight.

*“If the submitter's CIA has not been mandated by manawhenua, and manawhenua hold a different view about cultural impacts than the author of the CIA, then that would be a reason to give the CIA much less weight than it could have, had it been mandated and supported by manawhenua.”*⁴¹

68 However, there are many aspects to consider in regard to the weight to be given to the CIA, including *“to what extent the CIA is relevant, reliable, focused, probative, and provides substantial assistance to the decision-maker.”*⁴²

⁴⁰ Section 2.6

⁴¹ Para 2(a)

⁴² Para 7

69 As set out in the Officer’s Report: Ngā whenua tapu o ngā iwi - Sites and Areas of Significance to Māori (SASM) (Hearing Stream 2), the SASMs on the DEXIN site have been carefully defined and mapped through engagement with Mahaanui, with an exercise in ‘ground truthing’ to finalise the exact boundaries of each feature.⁴³ I note the SASMs and associated provisions have not been challenged through submissions so can be given significant weight.

70 I consider the CIA is relevant, focused and probative as it provides substantial information to assess the costs and benefits of the proposal under s32AA and provides recommended mitigation and provisions to provide for cultural values on the site. **Table 1** below outlines the concerns raised in the Mahaanui feedback and what I consider to be the key relevant mitigations provided in the CIA.

Table 1: Rūnanga concerns and potential mitigations provided in the CIA

Rūnanga concern	CIA mitigation
Potential disturbance the development could have on Kaiapoi Pā	Adhere to Accidental Discovery Protocol (ADP) in the event of encountering any human remains or any waahi taonga. Undertake environmental and cultural considerations for restoration, enhancement and works, including opportunities for mana whenua to be on site and monitor development works.
Protection and restoration of mahinga kai sites	Adhere to ADP in the event of encountering any human remains

⁴³ Para 123

	<p>or any waahi taonga.</p> <p>Undertake environmental and cultural considerations for restoration, enhancement and works, including opportunities for mana whenua to be on site and monitor development works.</p>
<p>The rural theme of the development is not considered appropriate for the sensitivity of this location.</p> <p>The agrarian and rural theme of the proposal presents a potential conflict with mana whenua identity and the site as a cultural landscape.</p>	<p>Develop design that has regard to Ngāi Tūāhuriri development values and cultural narrative.</p> <p>Involve mana whenua to ensure that the design of buildings provides an authentic reflection of the cultural values of the area, where appropriate.</p>
<p>Whilst there are appropriate stormwater management controls in place, further development could increase pressures on the system and the waterway flowing through the site.</p>	<p>Development and implementation of an Erosion and Sediment Control Plan can be expected to be required as part of Waimakariri District Council and Environment Canterbury requirements, to ensure the protection of receiving environments.</p> <p>Ecological and sustainable design input will be required at the detailed design and resource consent stages to ensure that the development design maintains riparian margins and protects or</p>

	<p>improves instream habitat values for aquatic biota.</p> <p>Encourage landscaping that reflects the surrounding natural landscape and is appropriate for the area, enhancing the amenity and biodiversity of the area, and protecting the ecology and amenity of the existing creek.</p>
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71 The matter before the Panel is to evaluate the Rūnanga position that no further development is appropriate versus the CIA position that there is little or minimal impact on cultural values with the mitigations proposed. In my view, the proposal has taken into account the values and aspirations of Rūnanga for urban development via the various mitigations proposed, and in my opinion the cultural effects are not of a significance to reject the proposal.

72 Furthermore, I consider the proposed amendments to SPZ(PR)-O2 and SPZ(PR)-P1 provide for cultural values of the area in collaboration with mana whenua and are appropriate to address the cultural effects that arise at the time of development if the site.

Question 12: How should we reconcile the positive cultural support for the Dexin rezoning but the negative cultural comments in respect to the Stone rezoning, particularly when the Stone ODP recommends a wider setback from the stream than the Dexin one?

73 Both Howard Stone and DEXIN have negative cultural comments provided by Mahaanui.

DEXIN [377]

74 As I did not have a copy of the Mahaanui feedback on the DEXIN proposal, my assessment in my s42A report was based on the information provided in the CIA that concluded there to be little or minimal impact on cultural values, and the proposed amendments to provisions to consider cultural values. The feedback from Mahaanui considered the location to not be culturally appropriate due to it being of high cultural significance to Te Ngāi Tūāhuriri Rūnanga and Ngāi Tahu whānui given the koiwi tangata (skeletal remains) of many Ngāi Tahu rangatira were interred after the fall of Kaiapoi Pā.

75 The 10m setback for the DEXIN site, as outlined by Ms Pearson, was consistent with the 10m setback required for the Special Purpose Zones in the Natural Character of Freshwater Bodies Chapter for the Taranaki Stream under NATC-SCHED2. However, I note that under the notified zoning of the Rural Lifestyle Zone, the setback in Table NATC-1 is 20m either side of Taranaki Stream. This recommended setback was not based on any cultural assessment. Further, in my opinion, the relevant setback required for cultural purposes may not be the same as required for NATC purposes.

Howard Stone [191]

76 Te Ngāi Tūāhuriri Rūnanga Kaitiaki are opposed to the rezoning, and considered there to be no recommendations that are suitable to mitigate the effects on mana whenua values. The cultural concerns were in summary:

- 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.

77 The Howard Stone proposal is similar in size and nature to the existing residential sites in the SPZ(PR). The Howard Stone proposal takes into account the values and aspirations of hapū and iwi for urban

development and proposes a 30m setback from Wai Ora Stream as shown on the proposed amended ODP, consistent with the Iwi Management Plan.

Comparison between DEXIN and Howard Stone sites

- 78 There is a Ngā Tūranga Tūpuna⁴⁴ overlay (SASM013) that applies to the whole of the SPZ(PR) and both sites. The DEXIN site is also within a Wāhi Tapu overlay (SASM006), which is a silent file.
- 79 I note that there are other areas that are already zoned and developed for urban activities that are also within sites and areas of significance to Māori. For example, Pegasus town and Ravenswood/Woodend are also subject to Ngā Tūranga Tūpuna (SASM013). However, I note that the feedback from Mahaanui on the DEXIN proposal considers the existing footprint of Pegasus town to be *“the limits of what should be established in order to protect the values of the area”*.
- 80 I consider as the IMP is a document to be had regard to (as per s74 of the RMA) that a 30m setback is preferable. I note that a 30m setback is easier to achieve on the Howard Stone site compared to the DEXIN site due to the Howard Stone development only being to the north of Wai Ora Stream. DEXIN proposes development on both sides of Taranaki Stream. Public access along, and in the vicinity of, the Taranaki Stream is a consideration under the PDP’s Subdivision Chapter via esplanade provisions.
- 81 The Wai Ora Stream and Taranaki Stream are both Ngā Wai (SASM025) under the Sites and Areas of Significance to Māori Chapter which includes standards for earthworks and land disturbance. There are policies (SASM-P5 Ngā Wai) and matters of discretion (SASM-MD3 Ngā Wai) that consider the potential adverse effects, including on sensitive tangible and/or intangible Ngāi Tūāhuriri values as determined by Te Ngāi Tūāhuriri Rūnanga through consultation, and how the

⁴⁴ Ngā Tūranga Tūpuna - larger extents of land within which there is a concentration of wāhi tapu or taonga values

development or activity responds to, or incorporates the outcome of that consultation.

- 82 For both proposals, there is the ability to consider through the Subdivision Chapter the extent that the site has cultural or spiritual significance to mana whenua and the outcome of any consultation undertaken with Te Ngāi Tūāhuriri Rūnanga, the extent to which protection of sites and areas of significance to Ngāi Tūāhuriri is provided, and the mitigation of the effects of subdivision on wāhi taonga.⁴⁵
- 83 I note the 10m setback for the DEXIN site has been supported by ecological, landscape, and urban design evidence but there is no cultural information about what setback is appropriate, except for the 30m setback in the IMP. In the absence of anything in the SPZ(PR) Chapter to say which setback is appropriate for cultural reasons, the setback would be determined through the subdivision process.
- 84 The 30m setback for the Howard Stone site came from informal initial guidance the submitter received from Mahaanui and aligns with the IMP. I note that stormwater treatment, attenuation, and disposal are achievable at both sites.

DEVELOPMENT CAPACITY

Question 13: Please advise whether you agree with Mr Yeoman’s evidence that because Pegasus Resort is a SPZ, it is not part of the NPS-UD consideration for capacity or demand, which focuses on residential and business zones. You may wish to obtain legal advice on this, taking into account the legal submissions presented at the hearing. Does the NPS-UD require that consideration is given to providing and ensuring that there is a range of housing options, and the provision of housing in particular locations?

⁴⁵ Refer SUB-R2, SUB-R5, SUB-MCD7, SUB-MCD13

- 85 I have liaised with economic expert and Formative Director Rodney Yeoman on the matter of development capacity and have asked him to confirm whether the NPS-UD does not require assessment for unique activities and that the residential component of the SPZ(PR) rezoning requests are not a significant contribution to the District’s development capacity. I have attached Mr Yeoman’s response as **Appendix 8**. Mr Yeoman concludes that the sufficiency assessment in the NPS-UD does not require councils to consider residential demand for individual zones, or even individual locations in the urban area (Policy 2, subpart 3.2, or subpart 3.27).
- 86 Legal advice received on this matter attached as **Appendix 10** states that the mere fact that the Pegasus Resort is a Special Purpose Zone *“does not mean that it must be excluded from consideration of housing capacity or demand under the NPS-UD. Rather, the NPS-UD anticipates that housing capacity or demand in a SPZ can be considered, at least where the zone is within an urban environment and has provisions that provide for housing use”*.⁴⁶
- 87 I note that the NPS-UD subpart 3.24 allows local authorities to *“identify locations in any way they choose”*. Subpart 3.25(2)(a) requires the development capacity to be *“quantified as numbers of dwellings... in different locations, including in existing and new urban areas”*.
- 88 This is also set out in the legal response to Minute 33 on HS12C and HS12D, that the NPS-UD assessment of housing demand and capacity *“only mandates that the different locations include existing and urban areas”*.⁴⁷
- 89 The SPZ(PR) is not an urban area under the CRPS but is bordering urban areas.

⁴⁶ Legal advice on Stream 12A Pegasus Resort – Cultural Impact Assessment weighting and NPS-UD housing provision

⁴⁷ https://www.waimakariri.govt.nz/_data/assets/pdf_file/0025/166651/Letter-to-Mark-Buckley-Legal-Response-to-Minute-33-Hearing-Stream-12C-and-12D.pdf, Para 99

90 Mr Yeoman notes, the area has never been included within the Greater Christchurch Partnership Housing and Business Assessment which is required to assess urban demand and capacity. However, if the capacity in SPZ(PR) is considered to be urban, then Mr Yeoman is of the view that it would not be significant in the context of the NPS-UD as it would be less than 0.6% increase in capacity for *“the three main towns”*, and if included would not materially alter the demand or supply outcomes.

91 If it is in a rural setting then, he considers, *“supply could be important”*. In his opinion, it is correct that the Waimakariri Capacity for Growth Model 2023 (WCGM23) did not assess the demand or supply for tourism resorts.

Housing types

92 The assessments are required to consider demand and supply in terms of broad housing types, but not specific types such as villas on a golf course. As set-out in the legal advice, the NPS-UD mandates an assessment of dwelling types that distinguishes between standalone dwellings and attached dwellings as a minimum. The NPS-UD does not require a particular type of housing at a particular location to be provided, but it also does not *“prevent the panel from considering whether it is most appropriate to do so (in section 32 terms) having evaluated the evidence before it.”*

93 Mr Yeoman considers that any residential capacity created in the zone *“will be a type of ‘bonus’ capacity that provides for a unique and specific type of dwelling”*.

94 I agree with Mr Yeoman that it does not have to be included in the housing and capacity assessments. However, it does not mean it must be excluded, as set-out in the legal advice attached as **Appendix 10** on this matter, which concludes:

“While housing type and location are relevant to consider in terms of housing demand, provision and capacity, the NPS-UD (with two exceptions)

neither mandates nor prohibits consideration being given to the provision of a particular type of housing at a particular location, such as providing resort housing at a particular tourism resort. A consideration of whether or not housing of a particular type should be provided in a particular location is ultimately a matter for merits assessment of what is most appropriate, having evaluated all evidence before the Panel.”⁴⁸

95 Mr Yeoman considers the submissions presented in this hearing should be considered on their merits regardless of the outcome of the sufficiency test. As set-out in the legal advice, the “NPS-UD leaves it open for a Panel to evaluate:

- (a) *Whether there is sufficient evidence of demand for housing in a particular location that is unique/exclusive to that location (rather than evidence that people demanding housing at that particular location would also demand housing in alternative locations)?*
- (b) *Whether there is sufficient evidence of demand for housing that is unique/exclusive to a particular type (rather than evidence that people demanding housing of that particular type would also demand other housing typologies)?*
- (c) *Whether there is sufficient evidence that the only way identified demand for housing can be met is to provide housing of a particular type at a particular location (rather than evidence that the identified demand could also be met by other types or locations of housing supply)?*

⁴⁸ Para 2(b)

- (d) *Whether there is sufficient evidence that providing housing supply of a particular type of housing at a particular location better satisfies all of the NPS-UD requirements (including WFUE objective 1 and policy 1) than alternative types/locations of housing supply?*
- (e) *Whether there is sufficient evidence that providing housing supply of a particular type of housing at a particular location is most appropriate (in section 32 terms)?”⁴⁹*

Question 14: In particular, and in liaison with Mr Yeoman as may be appropriate, do you agree that if location specific demand is demonstrated for this specific type of residential development (which the Panel was told is unique in the Waimakariri District), that failing to provide sufficient capacity to meet that location specific demand for this type of development may conflict with the following objectives and policies in the NPS-UD:

- (a) Objective 2 (improve affordability and supporting competitive land and development markets);**
- (b) Objective 3 (enabling more people to live in areas where there is high demand relative to other areas);**
- (c) Policy 1 (meet needs in terms of location); and**
- (d) Policy 2 (provide at least sufficient capacity to meet expected demand).**

Policy 1

96 Under Policy 1 of the NPS-UD, one aspect of planning decisions contributing to well-functioning urban environments is that planning decisions are to meet the needs, in terms of type, price, and location of different households. This can be considered as part of a merits assessment, as set-out in paragraph 95 above.

⁴⁹ Para 29

Objective 2 and Policy 2

97 In my view, failing to provide sufficient capacity to meet location specific demand for this type of development will not conflict with Objective 2 and Policy 2. Sufficient development capacity is being provided in the District to support competitive land and development markets and provide at least sufficient development capacity to meet demand to achieve Objective 2 and Policy 2 of the NPS-UD.

98 As set-out in the legal advice, housing in this location *“could be considered when assessing whether there is at least sufficient development capacity to meet expected demand”*⁵⁰.

99 The legal response to Minute 33, states that the *“policy 2 requirement to provide at least “sufficient” development capacity (which incorporates the competitiveness margin) will implement objective 2 for planning decisions to support competitive land and development markets.”*⁵¹

100 *“Policy 2 contains no express requirement to provide at least sufficient development capacity to meet expected demand for housing at each and every location within the district where demand might exist”*⁵²...*the provision of at least sufficient development capacity is intended to be at a broad level of locational granularity, which is to meet expected demand in existing and new urban areas in the district”*⁵³.

101 Therefore, failing to provide sufficient capacity to meet this location specific demand for this type of development will not conflict with Objective 2 and Policy 2.

Objective 3

102 Regarding Objective 3 (enabling more people to live in areas where there is a high demand relative to other areas), I acknowledge the

⁵⁰ Legal advice (appendix 10), Para 24

⁵¹ Para 26

⁵² Para 103

⁵³ Para 105

demand for housing in the Woodend/Pegasus area. However, the WCGM23 concluded these were small (technical) shortages, smaller than the competitiveness margin, and the undersupply may not eventuate.

103 Mr Yeoman is of the view that *“demand at a location level can only be indicative of a potential outcome and does not definitively show that there is going to be a need in a location”*.

104 I note that Mr Wilson in the Hearing Stream 12E Residential Rezoning s42A Report recommends accepting other rezoning requests in and around Woodend. This includes Mark and Debbie Ogle [143.1] at 50 Chinnerys Road from LLRZ to General Residential Zone (GRZ) resulting in a plan-enabled capacity of 90 (800m²) residential lots. Mr Wilson also recommends accepting the Woodwater Limited [215.1] request to rezone land on Judsons Road, Woodend Beach Road, Copper Beech Road and Petries Road (refer to full submission for list of properties) from Rural Lifestyle Zone (RLZ) to residential zones resulting in a plan-enabled capacity of 373 (600m²) GRZ lots, or 1120 lots at a full Medium Density Residential Standards (500m²) lot scenario, or 747 lots as an average scenario. Therefore, I consider Objective 3 will be given effect to regardless of the outcome of these rezoning requests.

Significant development capacity

105 In my s42A report, I acknowledge the potential shortfall of capacity in the Woodend/Pegasus area, acknowledging this shortfall could be provided elsewhere and concluded the proposals would not contribute significantly to development capacity.

106 DEXIN addressed significant development capacity in its economic and planning evidence. DEXIN’s economic evidence provided by Mr Heath concludes that the Māketē development overall would *“support the diversification the District’s tourist destination strategy and growth*

Waimakariri's tourism economy...and would generate significant net economic benefits".⁵⁴

107 Mr Heath does not consider the residential capacity assessment to be a relevant tool and states the *"market for niche developments is larger than for general residential in Waimakariri"*⁵⁵ however I note that it is unclear to me what this statement is based on. Mr Heath considers *"resort style dwellings is not a type of residential product that is commonly available or developed within wider Waimakariri District"*⁵⁶, and that the *"proposal is likely to add to the district's demand profile rather than redistribute demand"*⁵⁷.

108 DEXIN's planning evidence provided by Ms Pearson does not consider the medium density residential development can be compared like-for-like with areas zoned Medium Density Residential Zone in the PDP. Ms Pearson considers the development will add significantly to development capacity given that there is no other equivalent resort or tourism zone, *"there is very little resort style"* living provided for in the District, and that the supply in the SPZ(PR) *"consists of the existing eight enclaves of 2,000m² lots surrounding the Pegasus Golf Course"*⁵⁸.

109 Howard Stone addressed development capacity in planning evidence. Ms Sunde is of the view that the proposal follows a logical pattern of development and offers a unique housing choice that could not be achieved elsewhere in the District.⁵⁹ The legal submissions reiterates this point that the rezoning can be supported in this location due to its context within a unique special purpose zone.⁶⁰ Ms Sunde, states the *"owner of the Site can develop land now or at a later stage in the future*

⁵⁴ Para 72(d) and (e)

⁵⁵ Para 41(b)

⁵⁶ Para 51

⁵⁷ Para 60

⁵⁸ Statement of Evidence of Melissa Pearson, para 62

⁵⁹ Statement of Evidence of Joanne Sunde, page 19

⁶⁰ Para 48

to meet market demand”,⁶¹ and “is laid with infrastructure and is ready to go”⁶².

110 The legal response to Minute 33 advises:

*“the actual more particular locations for providing that capacity remains subject to a merits assessment in terms of whether they contributing to a well-functioning urban environment and being most appropriate in terms of section 32.”*⁶³ And submitters *“seeking rezoning in reliance on policy 8 remain free to call evidence on matters of housing demand and capacity, including any that seeks to provide more granularity in terms of location specific demand and capacity”*⁶⁴.

111 In regard to (a) to (d) at paragraph 95 above, Counsel for Howard Stone Margot Perpik, stated in oral evidence at Hearing Stream 12A, did not consider this specific demand could be substituted for a residential section elsewhere, such as in an urban area of Rangiora:

“If you take that approach to its logical conclusion, you’d be saying to people “well why don’t you go live in Christchurch or Ashburton or the North Island.” If there’s a capacity to provide this option here at Pegasus Bay Resort as has always been envisaged because the infrastructure is there, it’s been there for 30 years since the resort was first developed, why wouldn’t you?”

112 Ms Dewar’s oral legal evidence stated that resort style living at the density proposed by the DEXIN submission is significant because it is an *“uncommon typology”*, and *“isn’t replicated anywhere else in the District”*.

113 While there may be a shortage of housing in the Woodend/Pegasus area, I note the evidence provided by DEXIN does not provide evidence that any demand can be met by the supply of housing or tourism

⁶¹ Para 33(g)

⁶² Para 34

⁶³ Para 106

⁶⁴ Para 101

accommodation in other locations in the District, such as visitor accommodation in other zones.

114 There is no evidence to consider there to be demand for this type of housing except for Mr Heath's evidence that residential as part of tourism developments have been successfully implemented across the country. Mr Heath has provided evidence on the tourism economy, including that total tourism spend has increased steadily, the Waimakariri tourism economy is highly reliant on domestic visitors, and Waimakariri is missing out on market opportunities and international tourist expenditure.⁶⁵ It is Mr Heath's view that the site is "*well-positioned*" to meet local market demand⁶⁶ and "*is likely to add to the district's demand profile rather than redistribute demand*"⁶⁷.

115 Objective 6 of the NPS-UD states that "*Local authority decisions on urban development that affect urban environments are...responsive, particularly in relation to proposals that would supply significant development capacity*". In interpreting Policy 8 in the context of Objective 6, I consider that local authority decisions do not have to be responsive *only* in relation to proposals that would supply significant development capacity, rather "particularly" responsive. However, Policy 8 only applies where a plan change would add significantly to "development capacity"⁶⁸, and contribute to a well-functioning urban environment.

116 As set-out in paragraph 59 above, It is not clear if it adds significantly to development capacity, as there is a lack of clear definition in the CRPS, in accordance with 3.8(3) of the NPS-UD, of criteria for determining what will be treated, for the purpose of implementing Policy 8, as adding significantly to development capacity. On this basis, my approach has been to apply Policy 8 in assessing the merits of the

⁶⁵ Statement of Evidence of Timothy Heath, para 47

⁶⁶ Para 72(b)

⁶⁷ Para 60

⁶⁸ Legal response to Minute 33, retrieved from https://www.waimakariri.govt.nz/_data/assets/pdf_file/0025/166651/Letter-to-Mark-Buckley-Legal-Response-to-Minute-33-Hearing-Stream-12C-and-12D.pdf, para 58

proposal but my focus has been on whether the proposal contributes to a well-functioning urban environment. Every local authority must have particular regard to the development capacity provided if, along with other matters, that development capacity would contribute to a well-functioning urban environment, under clause 3.8 of the NPS-UD.

TRANSPORTATION AND ACCESSIBILITY

DEXIN - 1250 Main North Road

- 117 Mr Binder has responded to the Panel’s Question 15, and his response is attached as **Appendix 11**. In summary, Mr Binder does not consider it appropriate to situate medium density residential and hospitality activities in the area if safe pedestrian/cycling access cannot be provided to Ravenswood and Pegasus. Mr Binder has concerns about the implications for the development of the site if NZTA does not fund pedestrian and cycle infrastructure as part of the Woodend Bypass, and if there are no improvements to non-motorised access to and from Ravenswood. He also has concerns about the safety of vehicle access in and out of the site.
- 118 I have confirmed with Mr Binder that the concerns outlined in his memorandum remain despite the amendments to the ODP as shown in the urban design JWS; the 27 residential unit cap; and the amendments to the ‘Māketete tourism activity’ (as per the planning JWS). From his perspective, given the very close proximity to Ravenswood, the hospitality and food and beverage activities are likely to generate or pull regular everyday traffic to/from the emerging Ravenswood Key Activity Centre and residential areas and these should be well-connected for safe walking and cycling.
- 119 I note the Woodend-Sefton Community Board’s submission [155.15] sought planning for active transport modes as part of any development.
- 120 I acknowledge there are potential transportation issues with the location of the development if suitable non-motorised access is not

provided by NZTA. However, I note the amended ODP, as per the urban design JWS, does show indicative internal pedestrian connections that link up to existing footpaths external to the site. NZTA, as confirmed via email correspondence on the 12th August, is investigating a grade separated interchange that would have State Highway 1 (SH1) traffic going over Bob Robertson/Pegasus Boulevard meaning pedestrians and cyclists would not have to cross the major SH1 traffic flow if provided.

- 121 I note there is the ability to consider transportation effects at subdivision and resource consent stage. The provision and location of walkways and cycleways, and the extent to which they are separated from roads and connected to the transport network is a consideration at subdivision stage (SUB-MCD2(5)). The Transport Chapter includes objectives and policies for an integrated transport system, objectives and policies to reduce dependency on private motor vehicles, as well as footpath requirements for where a new road is created (TRAN-R14). The objectives and policies of the SPZ(PR) Chapter provide links to the Pegasus Resort Urban Design Guidelines. To be consistent with the Pegasus Resort Urban Design Guidelines, other parts of the Pegasus Resort are to be well and safely connected to the development.
- 122 There is the ability to consider the safety and suitability of the site access through the resource consent process, and I agree with the amendment to SPZ-PR-MCD3 for the preparation of an Integrated Transportation Assessment.
- 123 Senior Urban Designer Edward Jolly, who was engaged by Council to provide advice on urban design matters and review the ODP provided with evidence, considered the proposed ODP successfully connects with existing pedestrian and cycle routes within the wider context of the Pegasus Resort. However, he raised concerns about the detail in the ODP provided with Mr Lunday's evidence in regard to internal circulation. Mr Jolly and Mr Lunday agreed on a revised ODP which addresses this area of concern, and I accept the amended ODP,

appended to the urban design JWS, provides “greater certainty and direction for future consenting”⁶⁹.

Howard Stone - 20 Te Haunui Lane

124 The statement of evidence of Ms Sunde considers the site to have:

*“relatively good accessibility...given its location in the middle of three centres and access to walking and shared path networks in the directly accessible development of Pegasus Resort and beyond. Modal choice is available nearby, including a bus stop within a 13 minute walk and private vehicle trips to everyday destinations such as school and shops would be short (within 1.5 – 2.5km) in range, with walking and cycling feasible options”.*⁷⁰

125 However, it is Mr Binder’s view that the site does not have “good transport accessibility”, “given the distance to walk to public transport (1.2-1.4km), the frequency of this public transport, and distance to “everyday” activities”. Mr Binder considers “that these barriers will lead to most trips from the site being chiefly undertaken in private motor vehicles, and thus not supporting a reduction in greenhouse gas emissions from transport”.⁷¹

126 While the site does not have “good transport accessibility”, Mr Binder considers the existing roading network has “excess capacity to accommodate the vehicles that could be generated” by the proposal, and while he does “not consider the existing non-motorised connections to be competitive for “everyday” activities”, he considers “they do provide a relatively safe and complete connection to the broader network”. Mr Binder has concerns around non-motorised connectivity

⁶⁹ DEXIN rezoning request (urban design) JWS, para 7 and 8

⁷⁰ Para 59

⁷¹ Page 2

to Woodend/Ravenswood, and vehicular capacity on SH1 to Christchurch unless the Woodend Bypass is constructed.⁷²

127 Acknowledging the unique nature of the zone, I have considered its accessibility and connectivity in the context of the proposal under CRPS Policy 6.3.2:

“Business development, residential development (including rural residential development) and the establishment of public space is to give effect to the principles of good urban design below, and those of the NZ Urban Design Protocol 2005, to the extent appropriate to the context:

....

3. Connectivity – the provision of efficient and safe high quality, barrier free, multimodal connections within a development, to surrounding areas, and to local facilities and services, with emphasis at a local level placed on walking, cycling and public transport as more sustainable forms of

....”(emphasis added)

128 I note the proposal is for 12 lots with a minimum lot size of 2000m² and is consistent with the existing development pattern of the zone. On balance, I consider the development to be consistent with the existing development in the zone, and, despite Mr Binder’s concerns about non-motorised connections, I acknowledge his advice that the site has relatively safe and complete connection to the broader network. Considering the small size of the development, after further consideration, I consider the rezoning would not create significant effects on transportation and accessibility.

⁷² Page 2

1250 MAIN NORTH ROAD ODP AND PROVISIONS

Question 16: Please provide any updated recommendations in respect to the DEXIN updated ODP and provisions, including the density limitation of 27 dwellings in Activity Area 7B.

129 Reasoning for recommended amendments to provisions to address the DEXIN rezoning request are also set out in the Planning JWS. I will not repeat all the reasons for the amendments in this Reply Report. There were no matters of disagreement. My updated recommendations can be found in **Appendix 2** of this Reply Report.

Pegasus Resort Urban Design Guidelines

130 The controlled activity status for residential activity in Activity Area 7B provides a link to the design guidelines to integrate the site with the remainder of the zone. The Pegasus Resort Urban Design Guidelines have also been updated to address issues raised by Mr Jolly in his urban design assessment. Mr Jolly and Mr Lunday agreed on updates to the Pegasus Resort Urban Design Guidelines, as set-out in paragraph 9 of the Urban Design JWS.

131 As the landscaping detail was not available until after the completion of the JWS this was not appended to the JWS but has now been provided to me. Mr Jolly has confirmed he agrees with the amendments to the design guidelines, and that they cover the key recommendations in his urban design assessment and the conferencing he held with Mr Lunday. These updated Pegasus Resort Urban Design Guidelines have been included in **Appendix 6** of this Reply Report (amended from that provided in the s42A Appendix A).

SPZ(PR)-P3

132 I note that I update my *Hearing Stream 10: Whaitua motuhaka Special Purpose Zone – Pegasus Resort* recommendation on Sports and Education Corporation submission [416.5] regarding the cross-reference in SPZ(PR) to the Pegasus Resort Urban Design Guidelines. I

now consider this amendment is appropriate as per the reasoning set-out in paragraph 12 of the Planning JWS. I have included this amendment in **Appendix 2** of this Reply Report. As there have been amendments to the wording sought by the submission, my recommendation remains as 'Accept in part' as per the Hearing Stream 10 SPZ(PR) Reply Report.

65A Mapleham Drive

133 In my s42A report, I noted that 65A Mapleham Drive is zoned SPZ(PR) but is not included in the ODP. DEXIN provided amended provisions and an updated ODP to address this if there was scope to do so. However, 65A Mapleham Drive was not specifically mentioned by either the Sports and Education Corporation [415] or DEXIN submissions. Therefore I do not consider the amendments were foreseeable by a reader of the submissions.

134 As such, Ms Pearson and I agree there is no submission scope for these proposed amendments (paragraph 15 of the Planning JWS). However, we have provided amendments if the Panel did consider there was scope. I have not repeated these amendments in this Reply Report. However, if the site was to be included in the ODP and provisions, this would not change my recommendations.

Māketē tourism activities definition

135 Ms Pearson proposed an amended 'Māketē tourism activities' in her statement of evidence.⁷³

136 The statement of evidence of Tim Heath⁷⁴, who provided economic evidence for DEXIN, considers the activities listed in this definition will have a positive impact on Waimakariri tourism spending and strengthen the overall economic performance and economy of the

⁷³ https://www.waimakariri.govt.nz/_data/assets/pdf_file/0029/162983/HS12A-E4-SUB-377-DEXIN-M-PEARSON-PRINCIPAL-PLANNER-SLR.pdf, para 140

⁷⁴ https://www.waimakariri.govt.nz/_data/assets/pdf_file/0030/162984/HS12A-E4-SUB-377-DEXIN-T-HEATH-ECONOMICS-URGAN-DEMOGRAPHER-PROPERTY-ECONOMICS.pdf

District, and the tourism focus is not well represented in the Key Activity Centres at present. Mr Heath states:

“In my view, while some of the proposed activities, such as cafés, restaurants, and entertainment facilities, are also permitted within commercial centre zones, their scale and target markets differ significantly from those proposed within the site. The Māketete Village, attracting tourists / visitors, will expand the market size in Waimakariri by attracting people who may not have otherwise visited.”⁷⁵

137 I agree with Ms Pearson that the activities listed in the definition are to be read in the context of the definition’s chapeau. However, in my view, an activity may have a tenuous link to supporting *“the tourism activities in the zone”* and consider more specificity would provide clarity and certainty.

138 I consider the amendments to delete the term ‘food and beverage retail’ and bring across the terms ‘cafes’, ‘restaurants’ and ‘wine bars’ provides more specificity about what is intended and provides consistency with the ‘Commercial Golf Activities definition’ in the balance of the SPZ(PR). I note drive-through restaurants are a separate food and beverage category to restaurants and cafes in the PDP under the Definitions Nesting Tables, and therefore would not be able to establish on the site under the amended definition. However, I consider, a takeaway bar could establish if it was also a restaurant. In my view, this activity would not be appropriate for the site as it could generate or pull regular visitors who do not intend to stay on the site to enjoy the tourism purpose of the zone. The dictionary meaning of this is as follows:

Restaurant: a place where people pay to sit and eat meals that are cooked on the premises.⁷⁶

⁷⁵ Para 68

⁷⁶ Oxford Paperback Dictionary & Thesaurus (2009)

139 In my view, excluding takeaway bars from the ‘restaurants’ component of the definition would provide clarity on the activities to occur on the site and ensure business activities are located in appropriate locations to give effect to CRPS Objective 5.2.1(1) (Location, Design and Function of Development (Entire Region)), and Objective 6.2.6 (Business land development).

140 Ms Pearson and I have agreed to exclude takeaway bars from the ‘restaurants’ component of the definition, as set-out in the Planning JWS.

Multiple focal points

141 In my s42A report, I considered the separation of the development from Activity Areas 1-4 has the potential to result in a discontinuous built form without a clear central point for tourism activity.

142 Ms Pearson considers *“that the physical separation of Activity Area 8 on the Māketete site from Activity Areas 1-4 is not a barrier to the SPZ(PR) being developed in a coherent, well-integrated manner or achieving consolidated growth”* and *“the commercial tourism activities proposed across the SPZ(PR) are consolidated around the golf course”⁷⁷*.

143 Mr Jolly has considered whether the activities complement the existing activities in the zone and concludes that the two nodes *“will complement each other”*. Upon further consideration, I now agree with the submitter’s evidence and the urban design advice of Mr Jolly that an additional node of tourism activity in a resort is complimentary and appropriate, and I no longer consider this to be a potential issue. On this basis, I consider the amendment to SPZ(PR)-O2 to provide for the secondary node that the tourism resort is centred on, as recommended by Ms Pearson, is appropriate.

ODP

⁷⁷ Statement of Evidence of Melissa Pearson, para 34

144 DEXIN provided an amended ODP in evidence to remove the vehicle access to the Pegasus Māketē from State Highway 1, except for emergency access which, as Mr Lunday states, *“in association with other design matters, has led to a reconfiguration of the Pegasus Māketē to provide more separation of activities within the site, while still ensuring a well-connected, coherent and cohesive development outcome.”*

145 Mr Lunday has provided a summary of the changes to the ODP in pages 13 and 14 of his evidence. Mr Lunday and Mr Jolly have undertaken expert conferencing and have agreed on an amended ODP provided in Appendix A of the Urban Design JWS and has been attached as Appendix 3 to this Reply Report.

Amenity effects

146 In evidence, DEXIN proposed to relocate the majority of the residential areas into the northern corner of the site, and Ms Pearson considers the non-habitable garages and landscape buffer (refer to **Figure 1** below) would provide mitigation. I note that the revised ODP, attached as Appendix 3, now shows a landscaped car access and parking along the boundary to Main North Road, which provides certainty that this would be provided.

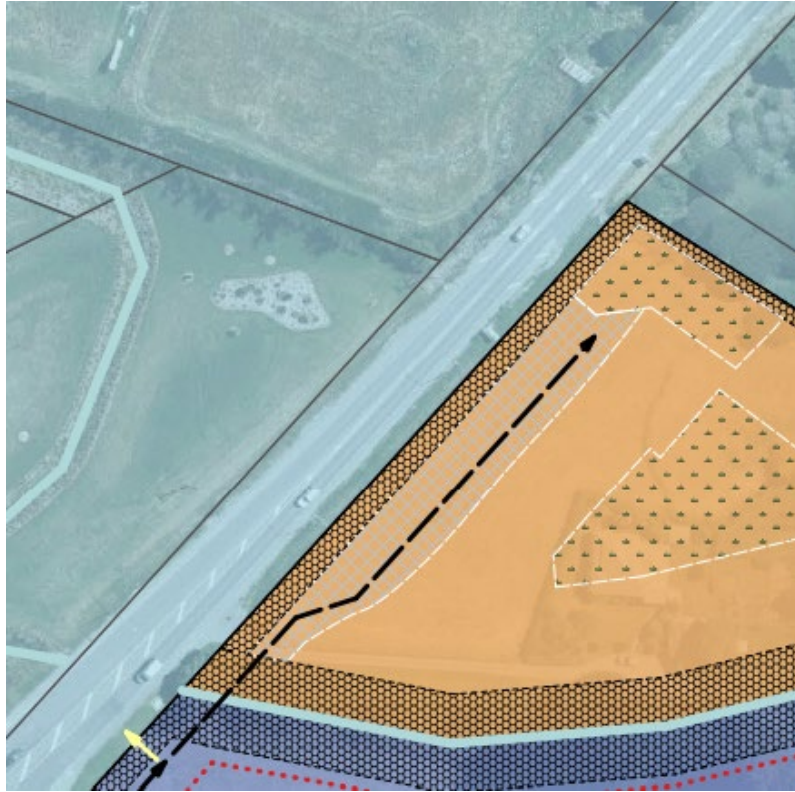


Figure 1: Landscaping shown along the boundary with the Main North Road

147 In my view, the Residential activity rule (SPZ(PR)-R2) should enable consideration of amenity effects from Main North Road and the proposed Woodend Bypass on residential activities. I consider this can easily be provided with a link to matter of control SPZ-PR-MCD4 which relates to amenity values. Including SPZ(PR)-MCD4 as a matter of control in SPZ(PR)-R2 has been agreed in the Planning JWS.

148 I note that other s42A Reporting Officers have recommended rejecting rezoning requests [77.1] and [299.1] based on being located adjacent to the proposed Woodend Bypass. For the DEXIN site, amenity effects have been considered in regard to the ODP, and the provisions provide a pathway for further consideration of amenity effects, particularly the controlled activity status for residential activities on the site and

associated SPZ-PR-MCD4. Therefore, I consider traffic noise and amenity effects are not a significant issue for this proposal.⁷⁸

Consolidation and integration

149 DEXIN has also provided in evidence amendments to provisions to respond to the issues raised regarding consolidation and integration of Activity Area 7B with other residential areas in the area or the SPZ(PR). These include:

- SPZ(PR)-BFS3 - A maximum height of 10m (rather than the 12m originally proposed);
- SPZ(PR)-BFSX - A maximum number of residential units that can establish in Activity Area 7B of 27; and
- SPZ(PR)-R2 - Making Residential Activity in Activity Area 7B a controlled activity.

150 I sought an urban design review from Mr Jolly on the updated ODP and provisions that were provided in evidence. Mr Jolly considered the potential built environment, carparking and road infrastructure *“within the site will create a distinctly different character when compared to the existing setting of the golf course and low density residential in its immediate surrounds”* and recommended the ODP be reconsidered in relation to the medium density residential housing, its location and contextual fit. If medium density is still considered appropriate then he recommended more detail is provided in the ODP.

151 As noted above, an amended ODP has been prepared to address the concerns of Mr Jolly and both urban designers are now in agreement.

152 The Urban Design JWS states that the *“urban design outcome will be positive”*⁷⁹. I rely on this view of these experts. An additional rule has been included in the Planning JWS and **Appendix 2** of this Reply Report to minimise long building facades or continuous terraces as

⁷⁸ For an assessment of Noise and Vibration refer section 3.2.1.11 of the s42A report

⁷⁹ Joint Witness Statement – DEXIN Rezoning Request (Urban Design), para 8

recommended by Mr Lunday and Mr Jolly. In my view, the amended maximum height from 12m to 10m will be consistent with the surrounding environment and, I rely on the advice of Mr Jolly that the *“scale, height and setback location of buildings will minimise the disconnect from a built form perspective”*⁸⁰. In my view, the level of intensity provided through the limit on the number of residential units ensures a bespoke type of development appropriate for a Special Purpose Zone.

153 For the reasons set out above (and in the Planning JWS) , I consider the amended proposal now achieves the relevant objectives and policies of the CRPS in regard to these matters. In particular, that it functions in a way that achieves consolidated and well-designed growth (Objective 5.2.1(1)) and gives effect to the principles of good urban design (Policy 6.3.2).

HOWARD STONE – ODP AND PROVISIONS

ODP

154 An amended ODP has been prepared in response to my s42A report to show the extension of Activity Area 7, a 30m wide native landscaped setback to the riparian margin with Wai Hora Stream, and a proposed private road layout. In my view, the addition to the ODP is well-integrated with the existing zone. I accept the amended ODP and recommend SPZ(PR)-APP1 be amended to include the site as Activity Area 7A: Low Density Residential.

SUB-S1

155 Howard Stone seeks a minimum allotment size of 2000m². I note if the rezoning request was to be accepted then I recommend the minimum lot size only apply to the Howard Stone site to ensure the amendment is in scope of the submission. The planner for Howard Stone, Joanne Sunde, has confirmed via email that she agrees on my proposed drafting as follows:

⁸⁰ Urban Design Assessment appended to the JWS (urban design), section 7(5)

SUB-S1 Allotment size and dimensions			
1. All allotments created shall comply with Table SUB-1.	Activity status when compliance not achieved: In the Medium Density Residential Zone, any Industrial Zone and Special Purpose Zone (Kaiapoi Regeneration): DIS In any other zone: NC		
Table SUB-1: Minimum allotment sizes and dimensions			
Zone	Minimum allotment area	Internal square	Frontage (excluding rear lots)
..... Special Purpose Zone (Pegasus Resort)			
• <u>LOT 2 DP 80926</u>	<u>2000m²</u>	<u>n/a</u>	<u>n/a</u>

Summary

DEXIN

156 In my view, the key remaining matters of contention for the rezoning of 1250 Main North Road to SPZ(PR), as set-out in my s42A report, were the matters of significant development capacity, transportation, and consolidation and integration with the surrounding environment.

157 In my view, the site is not suitable for a standard medium density residential development as it is outside of the shaded areas of Map A of the CRPS and is proposed to be located within a special purpose zone. I consider it appropriate to decouple the provisions from the MDRS as it is not subject to the separate MDRS process. If the site was rezoned to SPZ(PR) it would not be a 'relevant residential zone'⁸¹ as it is not a

⁸¹ Relevant residential zones is defined by the RMA and applies to residential zones

residential zone, therefore the MDRS do not apply. I consider it's more appropriate to have bespoke provisions specific to the zone. In my view, the amendments to the ODP, provisions, and Pegasus Resort Urban Design Guidelines, as outlined in the JWSs, will result in a lower density than originally proposed to integrate with the balance of the SPZ(PR), and ensure a good urban design outcome.

158 Overall, I agree with the submitter that the SPZ(PR) is the best use for the site, as it utilises an undersized rural lot, that is isolated from other rural areas, as the "gateway" to the resort. I acknowledge that there remains potential issues with the future of the Woodend Bypass including transportation issues if suitable non-motorised connections are not provided. There is the ability to consider the effects at (subdivision and land use) resource consent stage, and do not consider this issue is significant enough on its own to recommend the rezoning be rejected.

159 In my view, the proposal has had regard to cultural values with the mitigations proposed.

160 I recommend the rezoning be accepted and associated amendments to provisions, definitions, maps and appendices be accepted, accepted in part or rejected as set out in **Appendixes 2-6**.

Howard Stone

161 I have reviewed the submitter's evidence, and the amended proposal including the detail to be included in the ODP and revised minimum lot size. On balance, I consider the rezoning is a logical extension of the zone. I agree the matters of contention were those set out in the verbal statement of Ms Sunde.⁸²

162 My s42A report considered there to be a lack of public transportation or non-motorised access to Ravenswood, and in turn accessibility to services, amenities and employment by these modes. However, for the

⁸² https://www.waimakariri.govt.nz/_data/assets/pdf_file/0019/163441/STREAM-12A-EVIDENCE-5-SUBMITTER-191-HOWARD-STONE-SUPPLEMENTARY-EVIDENCE-OF-JOANNE-SUNDE.pdf, page 2

reasons set out above, I consider the proposal would not create significant effects on transportation and accessibility.

163 I have given further consideration in relation to cultural values and I am now of the view that the issues raised are not of a significance to prevent the rezoning.

164 I consider the addition to the ODP is well-integrated with the rest of the zone. I now recommend the rezoning, and associated amendment to the ODP and SUB-S1 is accepted.

Date: 5/9/2024

A handwritten signature in blue ink, appearing to read "J. Manhix", is written in a cursive style. The signature is positioned above a horizontal dotted line.

Appendix 1 – List of materials provided by submitters

- Dexin Investments Limited in relation to 120 Main North Road, Pegasus
- Updated Pegasus Design Guidelines
- Desktop Natural Hazards Risk Assessment report
- CIA Final
- SPZ(PR) Information Gap Response – Planning
- SPZ-PR Pegasus Design Guidelines Updated Provisions
- Statement of Evidence of David John Robert Smith for DEXIN
- Statement of Evidence of Xiang Ming (Sam) Huo for DEXIN
- Statement of Evidence of Andrei Cotiga for DEXIN
- Statement of Evidence of Jenny Bull for DEXIN
- Statement of Evidence of James Dickson Lunday for DEXIN
- Statement of Evidence of Keren Bennett for DEXIN
- Statement of Evidence of Mike Moore for DEXIN
- Statement of Evidence of Melissa Pearson for DEXIN
- Statement of Evidence of Timothy James Heath for DEXIN
- Legal Submissions on behalf of DEXIN Investments Ltd
- Memorandum of Counsel on behalf of DEXIN Investments Ltd
- Memorandum of Woods Limited in Support of Howard Stone 20 Te Haunui Lane Pegasus
- Appendix 1 – Scheme Plan
- Appendix 2 – Te Haunui Servicing Report
- Appendix 3 – Geotechnical Appraisal Report

- Appendix 4 – Agricultural Use Report
- Evidence of Giles James Learman on behalf of Howard Stone
- Appendix 1: Geotechnical Appraisal Report
- Evidence of Neil Andrew Cox on behalf of Howard Stone
- Appendix 1: Memorandum on Te Haunui Lane
- Evidence of Joanne Katherine Sunde on behalf of Howard Stone
- Legal Submissions of Counsel for Howard Stone
- Supplementary Evidence of Joanne Sunde
- Memorandum of Counsel for Howard Stone

Appendix 2 – Recommended amendments to PDP provisions

DEXIN Further Submission Amendments are shown in black text with insertions underlined and deletions ~~struck-out~~.

Pegasus Resort Chapter Officer’s Report for Hearing Stream 10 and Right of Reply Recommended Amendments are shown in red text with underline and ~~strike-out~~ as appropriate.

S&E Corporation Requested Amendments as per Evidence of Melissa Pearson in response to issues raised in the Officer’s Report for Hearing Stream 10 are shown in orange text with underline.

Māketē Rezoning Request Officer’s Report for Hearing Stream 12A Recommended Amendments are shown in pink text with underline and ~~strike-out~~.

DEXIN Requested Amendments as per Evidence of Melissa Pearson in response to issues raised in the Officer’s Report for Hearing Stream 12A are shown in purple text with underline and ~~strike-out~~.

Additional text agreed to as part of the planning JWS on 17 July 2024 are shown in blue text with underline and ~~strike-out~~.

Amendments recommended by this Reply Report for Hearing Stream 12A Pegasus Resort Rezoning Requests are shown in dark blue 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, and an adjacent tourism Māketē and residential area to provide activities that are complementary to the resort. The zone provides for hotel and visitor accommodation, existing large residential lots, ~~medium density Māketē Residential area,~~ a spa and hot pool complex, golf education and golf country club facilities and a limited mix of commercial and associated ancillary activities, that support tourism activities associated with the Pegasus Resort and Māketē Village.

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 7A: Low Density Residential.

- Activity Area 7B: Māketē [Medium Density Residential](#).
- Activity Area 8: Māketē Village.

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 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](#)⁸³. 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 7A – Low Density 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 7A also include two additional residential sites that were created as balance lots and are now being developed for residential activity.

Activity Area 7B – Māketē [Medium Density Residential](#) provides for [medium density residential activity on the periphery of the Māketē Village](#). This area provides for multi-unit residential developments and a mix of duplex, [and terrace style, and stand-alone residential dwellings](#) with a high level of design quality.

Activity Area 8 – Māketē Village provides for a range of tourism and supporting commercial activities that will provide a visitor destination to complement Pegasus Resort. The foundation of the village will be a market area to provide for local producers to directly retail produce and to provide spaces to develop and enhance waahi taonga and mahinga kai. The area will be supplemented by visitor attractions that will showcase local artisan produce and provide educational and entertainment experiences to visitors to highlight sustainable production of food

⁸³ Consistency of terminology

and materials and to reflect the important cultural values of the area.⁸⁴

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.

⁸⁴ DEXIN [377.4]

Objectives	
SPZ(PR)-O1	<p>Tourist destination</p> <p>The establishment of <u>a regionally significant tourist destination based around an 18-hole international championship golf course. This provides for with existing large residential sites, incorporating hotel and visitor accommodation, spa/wellness and hot pool complex, golf education facility, <u>golf country club</u>⁸⁵, low density residential and <u>medium density māketē residential activities and māketē tourism activities with</u>⁸⁶ and limited small-scale commercial activity and ancillary activity.</u></p>
SPZ(PR)-O2	<p>Design components</p> <p>The development of <u>a spa/wellness and hot pool complex tourism resort⁸⁷ centred on a spa village, and tourism and residential activities centred on a Māketē Village⁸⁸ within a framework of open space and recreation facilities, that reflect the local open space, recreational, landscape, <u>cultural</u>⁸⁹ and visual amenity values and achieve urban design excellence consistent with the <u>Pegasus</u>⁹⁰ design guidelines.</u></p>
Policies	
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, <u>golf country club</u>⁹¹, <u>māketē tourism, residential activities and</u>⁹² small-scale commercial activities and ancillary activities; b. contributes to a strong sense of place, and a coherent, functional and safe neighbourhood; c. retains and supports the relationship to, and where possible enhances recreational features; d. is in accordance with the <u>Pegasus</u>⁹³ design guidelines; e. achieves a high level of landscape, visual and amenity values; and 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 <u>g. provides an authentic reflection of the cultural values of the area in collaboration with mana whenua; and</u>⁹⁴ 3. where the land is in interim use, the interim use shall not compromise the timely implementation of, or outcomes sought by, SPZ(PR)-APP1.
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>

⁸⁵ S&E Corp [416.2]

⁸⁶ DEXIN [377.5]

⁸⁷ S&E Corp [416.3]

⁸⁸ DEXIN [377.5]

⁸⁹ DEXIN [377.1, 377.2, 377.3, 377.15]

⁹⁰ Consistency of terminology

⁹¹ S&E Corp [416.4]

⁹² DEXIN [377.6]

⁹³ Consistency of terminology

⁹⁴ DEXIN [377.1, 377.2, 377.3, 377.15]

<p>SPZ(PR)-P3</p>	<p>Landscape and character</p> <p>Provide for the landscape character values of the golf course country club facilities and the background mountain range, particularly as viewed from public places, through master-planning, landscape design and massing of buildings <u>in accordance with the Pegasus Resort Urban Design Guidelines SPZ(PR)-APP2.</u>⁹⁵</p>
<p>SPZ(PR)-P4</p>	<p>Provision of commercial activities</p> <p>Ensure that the amenity values for visitors to the resort and the residents living in Activity Areas <u>7A and 7B</u> 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 <u>or māketē tourism</u>;⁹⁷ 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.
<p>SPZ(PR)-P5</p>	<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 setbacks; building height modulation and limits; roading purpose; built form; and streetscape design; 2. requiring all subdivision and development to be in accordance with the <u>Pegasus</u>⁹⁸ design guidelines; 3. encouraging design responses that respond to the cultural values and visual character of the area; 4. encouraging development <u>in Activity Areas 1-6</u> to be consistent with the existing distinctive architectural style of the golf resort buildings to ensure the character is retained; 5. <u>encouraging development in Activity Area 8 to be consistent with the distinctive architectural style of New Zealand rural buildings</u>;⁹⁹ 6. efficient design of vehicle access ways and car parking, which is adequately screened from <u>Main North Road/State Highway 1 (where applicable) and Pegasus Boulevard</u> with appropriately designed landscaping; and 7. provision of secure, visible and convenient cycle parking; <u>and</u> 8. <u>provision in Activity Area 7B and Activity Area 8 of accessible, useable and attractive open space.</u>¹⁰⁰
<p>SPZ(PR)-P6</p>	<p>Open areas</p> <p>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>
<p>SPZ(PR)-P7</p>	<p>Golf activity</p> <p>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.

⁹⁵ Consistency of terminology

⁹⁶ S&E Corp. [416.5]

⁹⁷ DEXIN [377.7]

⁹⁸ Consistency of terminology

⁹⁹ DEXIN [377.8]

¹⁰⁰ DEXIN [377.10]

SPZ(PR)-P8	Village fringe Provide for the relocation of two golf holes within the village fringe.
SPZ(PR)-P9	Residential development Provide for residential development located within Residential activity areas, 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.

Activity Rules

SPZ(PR)-R1 Construction or alteration of or addition to any building or other structure	
Activity status: PER Where: 1. the activity complies with all built form standards (as applicable).	Activity status when compliance not achieved: as set out in the relevant built form standards
SPZ(PR)-R2 Residential activity	
Activity status: PER Where: 1. the activity occurs within Activity Area 7A excluding Lot 212 DP 403716 and Lot 230 DP 417391); or 2. the activity occurs within Activity Area 7B. ¹⁰¹	Activity status when compliance is not achieved: DIS
Activity Status: CON Where: 1. the activity occurs within: a. Lot 212 DP 403716; and <u>or</u> Lot 230 DP 417391; <u>or</u> b. <u>Activity Area 7B</u> ; and 2. only one residential unit per site; <u>and</u> 3. <u>design of development in Activity Area 7B shall be in accordance with the Pegasus ¹⁰²<u>design guidelines SPZ(PR)-APP2.</u> Matters of control are restricted to: SPZ-PR-MCD2 - Residential design controls Design Considerations SPZ-PR-MCD3 – Transportation (for Activity Area 7B only) SPZ-PR-MCD4 – Amenity values (for Activity Area 7B only) SPZ-PR-MCD8 - Flooding hazard </u>	Activity status when compliance is not achieved: DIS

¹⁰¹ DEXIN [377.11]

¹⁰² Consistency of terminology

Activity status: NC Where: 1. the activity occurs within Activity Areas 1 to 6, <u>and 8.</u> ¹⁰³	Activity status when compliance is not achieved: N/A
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SPZ(PR)-R3 Residential unit

Activity status: PER Where: 1. the activity occurs within Activity Area 7A including Lot 212 DP 403716 and Lot 230 DP 417391); <u>or</u> 2. <u>the activity occurs within Activity Area 7B.</u> ¹⁰⁴	Activity status when compliance is not achieved: NC
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SPZ(PR)-R4 Minor residential unit

Activity status: PER Where: 1. the activity occurs within Activity Area 7A (including Lot 212 DP 403716 and Lot 230 DP 417391); 2. the maximum GFA of the minor residential unit shall be 80m ² (excluding any area required for a single car vehicle garage or carport); 3. there shall be only one minor residential unit per site; and 4. parking and access shall be from the same vehicle crossing as the principal residential unit on the site.	Activity status when compliance is not achieved: NC
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SPZ(PR)-R5 Accessory building or structure

Activity status: PER	Activity status when compliance is not achieved: N/A
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SPZ(PR)-R6 Major sports facility

Activity status: PER Where: 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 2,000m ² ; and 6. landscape components are designed in accordance with Pegasus ¹⁰⁵ design guidelines SPZ(PR)-APP2.	Activity status when compliance is not achieved: NC
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SPZ(PR)-R7 Recreation activities

¹⁰³ DEXIN [377.11]

¹⁰⁴ DEXIN [377.11]

¹⁰⁵ Consistency of terminology

<p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. the activity occurs within Activity Areas 3, 5 and 6. 	<p>Activity status when compliance is not achieved: NC</p>
<p>SPZ(PR)-R8 Helipad</p>	
<p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 2. the helipad is relocated within 10m of the location shown on SPZ(PR)-APP1; and 3. the helipad is not constructed over existing underground infrastructure. 	<p>Activity status when compliance is not achieved: NC</p>
<p>Advisory Note</p> <p>The location and design of any helipad must comply with Civil Aviation Rules, the Civil Aviation Act 1990 and other relevant legislation.</p>	
<p><u>SPZ(PR)-R9 Public Amenities</u></p>	
<p><u>Activity status: PER</u></p> <p><u>Where:</u></p> <ol style="list-style-type: none"> 1. <u>the activity occurs within Activity Area 8.¹⁰⁶</u> 	<p><u>Activity status when compliance is not achieved: DIS</u></p>
<p>SPZ(PR)-R9 New stormwater or recreation water bodies</p>	
<p>Activity status: CON</p> <p>Where:</p> <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)-APP1 and engineering requirements; and 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>Matters of control and discretion are restricted to:</p> <p>SPZ-PR-MCD1 - Stormwater or recreational water bodies</p> <p>Notification</p> <p>An application for a controlled 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)-R10 Visitor accommodation</p> <p><i>This rule does not apply to any hotel provided for under SPZ(PR)-R11.</i></p>	

¹⁰⁶ DEXIN [377.11]

<p>Activity status: RDIS</p> <p>Where:</p> <ol style="list-style-type: none"> 1. the activity occurs within Activity Area 2; 2. the maximum number of visitor accommodation units within Activity Areas 2 shall be 320; and 3. design of development shall be in accordance with the Pegasus¹⁰⁷ design guidelines SPZ(PR)-APP2. <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-MCD7 - Visitor accommodation</p> <p>SPZ-PR-MCD8 - Flooding hazard</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)-R11 Hotel</p>	
<p>Activity status: RDIS</p> <p>Where:</p> <ol style="list-style-type: none"> 1. the activity occurs within Activity Areas 1 and 4; and 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 Pegasus¹⁰⁸ design guidelines SPZ(PR)-APP2. <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>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)-R12 Spa/wellness and hot pool complex</p>	

¹⁰⁷ Consistency of terminology

¹⁰⁸ Consistency of terminology

<p>Activity status: RDIS</p> <p>Where:</p> <ol style="list-style-type: none"> 1. the activity occurs within Activity Area 1; and 2. design of development shall be in accordance with the Pegasus¹⁰⁹ design guidelines SPZ(PR)-APP2. <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>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)-R13 Commercial golf resort activity</p>	
<p>Activity status: RDIS</p> <p>Where:</p> <ol style="list-style-type: none"> 1. the activity occurs within Activity Areas 1 to 4; 2. there is a maximum of 2,500m² GFA within Activity Areas 1, 2, 3 and 4 combined, as shown on SPZ(PR)-APP1; 3. commercial golf resort activity in Activity Areas 1 to 4 shall be a maximum of 200m² GFA per tenancy; and 4. design of development shall be in accordance with the Pegasus¹¹⁰ design guidelines SPZ(PR)-APP2. <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>Activity status when compliance is not achieved: NC</p>
<p>SPZ(PR)-R14 Golf country club</p>	

¹⁰⁹ Consistency of terminology

¹¹⁰ Consistency of terminology

<p>Activity status: RDIS</p> <p>Where:</p> <ol style="list-style-type: none"> 1. the activity occurs within Activity Area 3; and 2. design of development shall be in accordance with the Pegasus¹¹¹ design guidelines SPZ(PR)-APP2. <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> <ol style="list-style-type: none"> 1. the activity occurs within Activity Area 4; and 2. design of development shall be in accordance with the Pegasus¹¹² design guidelines SPZ(PR)-APP2. <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)-R1X Māketete tourism activity</p>	
<p>Activity Status: RDIS</p> <p>Where:</p> <ol style="list-style-type: none"> 1. <u>The activity occurs within Activity Area 8; and</u> 2. <u>The design of development is in accordance with the Pegasus¹¹³ design guidelines SPZ(PR)-APP2.</u> <p>Matters of control and discretion are restricted to:</p> <p><u>SPZ-PR-MCD2 - Design considerations</u></p> <p><u>SPZ-PR-MCD3 - Transportation</u></p> <p><u>SPZ-PR-MCD4 - Amenity values</u></p> <p><u>SPZ-PR-MCD8 - Flooding hazard¹¹⁴</u></p>	<p>Activity status when compliance is not achieved: NC</p>

¹¹¹ Consistency of terminology

¹¹² Consistency of terminology

¹¹³ Consistency of terminology

¹¹⁴ DEXIN [377.11]

SPZ(PR)-R1X – Multi Unit Residential Development

Activity Status: RDIS

Where:

1. The activity occurs within Activity Area 7B; and
2. The activity results in the construction of four or more residential units per site or where the activity cannot be undertaken as a permitted activity under Rule **SPZ(PR)-RX**; and
3. The activity complies with the following built form standards:
 - a. SPZ(PR)-BFS3 Building Height;
 - b. SPZ(PR)-BFS4 Building Coverage;
 - c. SPZ(PR)-BFS6 Building and Structure Setbacks;
 - d. SPZ(PR)-BFSX Outdoor Living Space;
 - e. SPZ(PR)-BFSX Landscape Permeable Surfaces;
 - f. SPZ(PR)-BFSX Street Interface; and
 - g. SPZ(PR)-BFSX Height in Relation to Boundary
 - h. [SPZ\(PR\)-BFSX Number of adjoining residential units in Activity Area 7B](#)
4. design of development shall be in accordance with the [Pegasus](#)¹¹⁵ design guidelines¹¹⁶ SPZ(PR)-APP2.

Matters of control and discretion are restricted to:

SPZ-PR-MCD1 –Design Controls

SPZ-PR-MCD3 – Transportation

SPZ-PR-MCD4 – Amenity values

SPZ-PR-MCD8 – Flooding hazard¹¹⁷

Activity status when compliance is not achieved: DIS

SPZ(PR)-R16 Primary production

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.

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

¹¹⁵ Consistency of terminology

¹¹⁶ Consistency of terminology

¹¹⁷ DEXIN [377.11]

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	
<ol style="list-style-type: none"> 1. The minimum NFA (excluding garages, balconies, and any communal lobbies stairwells and plant rooms) per visitor accommodation unit shall be: <ol style="list-style-type: none"> a. Studio 25m²; b. One bedroom 35m²; c. Two bedroom 50m²; and d. Three or more bedrooms 80m²; 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; 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 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>Activity status when compliance is not achieved: RDIS</p> <p>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>
SPZ(PR)-BFS2 Visitor accommodation waste management	
<ol style="list-style-type: none"> 1. All visitor accommodation shall provide: <ol style="list-style-type: none"> a. a waste management area for the storage of rubbish and recycling of 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 open space. 	<p>Activity status when compliance is not achieved: RDIS</p> <p>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>
SPZ(PR)-BFS3 Building height	
<ol style="list-style-type: none"> 1. The maximum height of buildings above ground level shall be: <ol style="list-style-type: none"> a. Activity Area 1 - 16m at 3 storeys; b. Activity Area 2 - 12m at 3 storeys; c. Activity Area 3 - 9m at 2 storeys; d. Activity Area 4 - 14m at 3 storeys; e. Activity Area 5 - 8m at 2 storeys; f. Activity Area 6 - 6m at 1 story; and g. Activity Area 7A - 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); h. <u>Activity Area 7B – 12m-10m at 3-2 storeys; and</u> i. <u>Activity Area 8 – 9m at 2 storeys.</u>¹¹⁸ 2. The minimum height of buildings shall be: <ol style="list-style-type: none"> a. Activity Area 2 - 6m at 1 storey. 	<p>Activity status when compliance is not achieved: NC</p>

¹¹⁸ DEXIN [377.12]

Calculation method for SPZ(PR)-BFS5	
<p>1. For the purpose of calculating the height, the following shall be excluded:</p> <ol style="list-style-type: none"> items listed in the definition of height calculation; and 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. 	
SPZ(PR)-BFS4 Building coverage	
<p>1. The building coverage shall not exceed the maximum percentage of net site area:</p> <ol style="list-style-type: none"> Activity Area 1 - 35%; Activity Area 2 - 35%; Activity Area 3 - 20%; Activity Area 4 - 35%; Activity Area 5 - 3%; Activity Area 6 - 3%; Activity Area 7A - 20%; Activity Area 7B – 50%; and Activity Area 8 – 20%¹¹⁹ 	<p>Activity status when compliance is not achieved: RDIS</p> <p>Matters of control and discretion are restricted to:</p> <p>SPZ-PR-MCD2 - Design considerations</p> <p>SPZ-PR-MCD4 - Amenity values</p>
SPZ(PR)-BFS5 Living roof	
<p>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</p> <p>Matters of control and discretion are restricted to:</p> <p>SPZ-PR-MCD2 - Design considerations</p> <p>SPZ-PR-MCD4 - Amenity values</p>
SPZ(PR)-BFS6 Building and structure setbacks	
<p>1. Setbacks to be provided as per SPZ(PR)-APP1 as follows:</p> <ol style="list-style-type: none"> Pegasus Boulevard (Activity Areas 1 and 4) - 20m; Pegasus Boulevard (Activity Area 3) - 5m; <p>2. Setbacks to be provided in Activity Area 7A (excluding Lot 212 DP 403716 and Lot 230 DP 417391) as follows:</p> <ol style="list-style-type: none"> Any building or structure shall be no less than 10m from any internal boundary or road boundary; and <p>3. Setbacks to be provided in Activity Area 7A on Lot 230 DP 417391 as follows:</p> <ol style="list-style-type: none"> Any building or structure shall be no less than 3m from the road boundary with Taerutu Lane; and Any building or structure shall be no less than 10m from any internal boundary or other road boundary; 	<p>Activity status when compliance is not achieved: RDIS</p> <p>Matters of control and discretion are restricted to:</p> <p>SPZ-PR-MCD2 - Design considerations</p> <p>SPZ-PR-MCD4 - Amenity values</p> <p>SPZ-PR-MCD6 - Boundary setback</p> <p>Notification</p> <p>An application for a restricted discretionary activity under this rule is precluded from being publicly or limited notified.</p>

¹¹⁹ DEXIN [377.12]

4. Setbacks to be provided on Lot 212 DP 403716 as follows:
- a. Any building or structure shall be no less than 3m from the road boundary with Atkinsons Lane; and
 - b. Any building or structure shall be no less than 10m from any internal boundary or other road boundary.
5. Setbacks to be provided in Activity Area 7B as follows:
- a. Any building or structures adjoining a State Highway – 25m;
 - b. Any building or structure shall be set back a minimum of 1.5m from any road boundary except for:
 - i. any fence;
 - ii. poles and masts up to 6.5m in height above ground level;
 - iii. structures other than a fence, less than 10m² and less than 3m in height above ground level;
 - iv. any caravan;
 - v. the replacement, maintenance and minor upgrading of any infrastructure; and
 - vi. any structure or residential unit adjoining an accessway that does not have doors or windows that open into that accessway.
 - c. Any building or structure shall be set back a minimum of 1m from any internal boundary, except that buildings on adjoining sites which share a common wall, the internal setback shall not apply along that part of the internal boundary covered by such a wall.
6. Setbacks to be provided in Activity Area 8 as follows:
- a. Any building or structures adjoining a State Highway - 30m.¹²⁰

Exemption

The setback provisions do not apply to the temporary storage of non-motorised caravans.

SPZ(PR)-BFS7 Landscaping

1. The minimum amount of landscaped area in each activity area shall be:

- a. Activity Area 1 - 40%;
- b. Activity Area 2 - 30%;
- c. Activity Area 3 - 30%;
- d. Activity Area 4 - 40%;

Activity status when compliance is not achieved: NC

¹²⁰ DEXIN [377.12]

<ul style="list-style-type: none"> e. Activity Area 5 - 90%; and f. Activity Area 6 - 90%; and- g. Activity Area 8 – 50%.¹²¹ 	
SPZ(PR)-BFS8 Outdoor storage	
<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>	Activity status when compliance is not achieved: NC
SPZ(PR)-BFS9 Commercial waste management	
<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; or b. <u>a common waste management area for the storage of rubbish and recycling within Activity Area 8 of no less than 5m² per 100m² of commercial activity GFA within the activity area; and</u>¹²² c. waste management areas shall be screened or located behind buildings when viewed from any road or public space. 	Activity status when compliance is not achieved: DIS
SPZ(PR)-BFS10 Building and structures colours and reflectivity	
<p>1. Any buildings and structures within the Activity Areas 1 to 6, <u>and 7B and 8</u>¹²³ 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%. 	Activity status when compliance is not achieved: DIS
SPZ(PR)-BFS11 Residential buildings on Lot 212 DP 403716 and Lot 230 DP 417391	

¹²¹ DEXIN [377.12]

¹²² DEXIN [377.12]

¹²³ DEXIN [377.12]

1. All buildings must be constructed on-site from new or high quality recycled materials;
2. Exterior cladding for all buildings (except for the cladding of soffits or gable ends) shall be of the following materials:
 - a. brick; or
 - b. natural stone; or
 - c. river rock; or
 - d. texture plaster over brick, or polystyrene or other suitable sub base for plaster; or
 - e. stained or painted timber weather-board, wooden shingles, timber board batten; or
 - f. surface coated concrete block; or
 - g. solid plaster or glazing.
3. All roofing material on any building shall be either:
 - a. tiles (including clay, ceramic, concrete, decramastic, pre-coated or pressed steel); or
 - b. steel (comprising pre-painted, long run pressed or rolled steel); or
 - c. shingles; or
 - d. slate; or
 - e. membrane roofing.
4. No reflective or visually obtrusive roof, wall or joinery materials, colours or mirror glass may be used for any building;
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;
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;
7. No accessory building shall be erected except in conjunction with or following construction of the residential unit and all such buildings shall be constructed with permanent materials comprising timber, stone or other permanent materials in character with the residential unit;
8. Air conditioning units must not be set into or protrude from the building(s). Any external air conditioning units must be properly screened;
9. No building shall be erected, altered, placed or permitted to remain other than buildings designed for residential activity and any accessory building;
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
11. Only post and rail fences may be erected on side boundaries. No fencing is permitted on road frontage or any internal boundary.

Activity status when compliance is not achieved: DIS

SPZ(PR)-BFS12 Site layout Pegasus Resort ODP	
<ol style="list-style-type: none"> 1. Development shall be in accordance with SPZ(PR)-APP1. 2. For the purpose of this built form standard the following amendments do not constitute a breach of SPZ(PR)-APP1: <ol style="list-style-type: none"> a. development shall facilitate a road connection at fixed road access points 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; b. the provisions for breaks in the landscape buffer identified along the Pegasus Boulevard to 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 c. resizing, resiting¹²⁴ and the provision of additional proposed stormwater ponds. 	<p>Activity status when compliance not achieved: DIS</p>
SPZ(PR) – BFS13 Number of residential units in Activity Area 7B per site	
<ol style="list-style-type: none"> 1. In Activity Area 7B there shall be no more than 3¹²⁵ residential units. <u>per site</u>¹²⁵ 	<p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to:</p> <p><u>SPZ-PR-MCD2 - Design considerations</u></p> <p><u>SPZ-PR-MCD3 – Transportation</u></p> <p><u>SPZ-PR-MCD4 - Amenity values</u></p> <p>Notification</p> <p><u>An application for a restricted discretionary activity under this rule is precluded from being publicly or limited notified.</u></p>
SPZ(PR)-BFSX Number of adjoining residential units in Activity Area 7B	
<ol style="list-style-type: none"> 1. <u>In Activity Area 7B there shall be no more than 3 adjoining residential units in a single block.</u>¹²⁶ 	<p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to:</p> <p><u>SPZ-PR-MCD2 - Design considerations</u></p> <p>Notification</p> <p><u>An application for a restricted discretionary activity under this rule is precluded from being publicly or limited notified.</u></p>
SPZ(PR) – BFS14 Outdoor living space	

¹²⁴ Correction of minor error

¹²⁵ DEXIN [377.12]

¹²⁶ DEXIN [377.12]

<p>1. <u>In Activity Area 7B a residential unit at ground floor level must have an outdoor living space that is at least 20 square metres and that comprises a ground floor, balcony, patio, or roof terrace space that, -</u></p> <ol style="list-style-type: none"> <u>where located at ground level, has no dimension less than 3 metres; and</u> <u>where provided in the form of a balcony, patio, or roof terrace, is at least 8 square metres and has a minimum dimension of 1.8 metres; and</u> <u>is accessible from the residential unit; and</u> <u>may be grouped cumulatively by area in 1 communally accessible location; or located directly adjacent to the unit; and</u> <u>is free of buildings, parking spaces, and servicing and manoeuvring areas.</u> <p>2. <u>In Activity Area 7B a residential unit located above ground floor level must have an outdoor living space in the form of a balcony, patio, or roof terrace that-</u></p> <ol style="list-style-type: none"> <u>is at least 8 square metres and has a minimum dimension of 1.8 metres; and</u> <u>is accessible from the residential unit; and</u> <u>may be grouped cumulatively by area in 1 communally accessible location, in which case it may be located at ground level; or</u> <u>located directly adjacent to the unit.¹²⁷</u> 	<p><u>Activity status when compliance not achieved: RDIS</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p><u>SPZ-PR-MCD2 - Design considerations</u></p> <p><u>SPZ-PR-MCD4 - Amenity values</u></p> <p><u>Notification</u></p> <p><u>An application for a restricted discretionary activity under this rule is precluded from being publicly or limited notified.</u></p>
<p>SPZ(PR) – BFS15 Landscape permeable surfaces</p>	
<p>1. <u>Landscape permeable surfaces are to be provided in Activity Area 7B as follows:</u></p> <ol style="list-style-type: none"> <u>The minimum landscaped permeable surface of any site shall be 20% of the net site area.</u> <u>For the purpose of calculating the area of landscaped permeable surface the following areas can be included:</u> <u>any paths 1.1m wide or less; or</u> <u>open slat decks under 1m in height above ground level with a permeable surface underneath.¹²⁸</u> 	<p><u>Activity status when compliance not achieved: RDIS</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p><u>SPZ-PR-MCD2 - Design considerations</u></p> <p><u>SPZ-PR-MCD4 - Amenity values</u></p> <p><u>Notification</u></p> <p><u>An application for a restricted discretionary activity under this rule is precluded from being publicly or limited notified.</u></p>
<p>SPZ(PR) – BFS16 Street interface</p>	
<p>1. <u>In Activity Area 7B, where the site has direct road frontage, any residential unit or minor residential unit facing the road shall address the street as follows:</u></p> <ol style="list-style-type: none"> <u>Shall have a door that is directly visible and accessible from the street.</u> <u>Garage doors that face the street shall have a combined maximum width of 6.5m.¹²⁹</u> 	<p><u>Activity status when compliance not achieved: RDIS</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p><u>SPZ-PR-MCD2 - Design considerations</u></p> <p><u>SPZ-PR-MCD4 - Amenity values</u></p> <p><u>Notification</u></p> <p><u>An application for a restricted discretionary activity under this rule is precluded from being publicly or limited notified.</u></p>

¹²⁷ DEXIN [377.12]

¹²⁸ DEXIN [377.12]

¹²⁹ DEXIN [377.12]

SPZ(PR) – BFS17 Height in relation to boundary

1. Buildings must not project beyond a 60° recession plane measured from a point 4 metres vertically above ground level along all boundaries, as shown Figure SPZ(PR)-X. Where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the height in relation to boundary applies from the farthest boundary of that legal right of way, entrance strip, access site, or pedestrian access way. This standard does not apply to:
 - a. a boundary with a road;
 - b. existing or proposed internal boundaries within a site; and
 - c. site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.
2. Where the site is within the Urban Flood Assessment Overlay, the height of the Finished Floor Level specified in a Flood Assessment Certificate can be used as the origin of the recession plane instead of ground level, but only up to an additional 1m above original ground level.¹³⁰

Activity status when compliance not achieved: RDIS

Matters of discretion are restricted to:

SPZ-PR-MCD2 - Design considerations

SPZ-PR-MCD4 - Amenity values

Notification

An application for a restricted discretionary activity under this rule is precluded from being publicly or limited notified.

SPZ(PR)-BFS18 Outlook space (per unit)

1. In Activity Area 7B an outlook space must be provided for each residential unit as specified in this clause.
2. An outlook space must be provided from habitable room windows as shown in Figure [SPZ\(PR\)-X MRZ-5](#):
 - a. The minimum dimensions for a required outlook space are as follows:
 - b. a principal living room must have an outlook space with a minimum dimension of 4 metres in depth and 4 metres in width; and
 - c. all other habitable rooms must have an outlook space with a minimum dimension of 1 metre in depth and 1 metre in width.
 - d. The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies.
 - e. Outlook spaces may be over driveways and footpaths within the site or over a public street or other public open space.
 - f. Outlook spaces may overlap where they are on the same wall plane in the case of a multi-storey building.
 - g. Outlook spaces may be under or over a balcony.
 - h. Outlook spaces required from different rooms within the same building may overlap.
 - i. Outlook spaces must be clear and unobstructed by buildings; and
 - j. not extend over an outlook space or outdoor living space required by another dwelling.¹³¹

Activity status when compliance not achieved: RDIS

Matters of discretion are restricted to:

SPZ-PR-MCD2 - Design considerations

SPZ-PR-MCD4 - Amenity values

Notification

An application for a restricted discretionary activity under this rule is precluded from being publicly or limited notified.

SPZ(PR)-BFS19 Windows to Street

¹³⁰ DEXIN [377.12]

¹³¹ DEXIN [377.12]

<p>1. <u>In Activity Area 7B any residential unit facing the street must have a minimum of 20% of the street-facing facade in glazing. This can be in the form of windows or doors.</u>¹³²</p>	<p><u>Activity status when compliance not achieved: RDIS</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p><u>SPZ-PR-MCD2 - Design considerations</u></p> <p><u>SPZ-PR-MCD4 - Amenity values</u></p> <p><u>Notification</u></p> <p><u>An application for a restricted discretionary activity under this rule is precluded from being publicly or limited notified.</u></p>
<p><u>SPZ(PR)-BFS20 Landscaped Area</u></p>	
<p>1. <u>In Activity Area 7B a residential unit at ground floor level must have a landscaped area of a minimum of 20% of a developed site with grass or plants and can include the canopy of trees regardless of the ground treatment below them.</u></p> <p>2. <u>The landscaped area may be located on any part of the development site and does not need to be associated with each residential unit.</u>¹³³</p>	<p><u>Activity status when compliance not achieved: RDIS</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p><u>SPZ-PR-MCD2 - Design considerations</u></p> <p><u>SPZ-PR-MCD4 - Amenity values</u></p> <p><u>Notification</u></p> <p><u>An application for a restricted discretionary activity under this rule is precluded from being publicly or limited notified.</u></p>

¹³² DEXIN [377.12]

¹³³ DEXIN [377.12]

Matters of Control or Discretion

<p>SPZ-PR-MCD1</p>	<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.
<p>SPZ-PR-MCD2</p>	<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 guidelines¹³⁴, 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; j. the provision of open space.¹³⁵ 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.
<p>SPZ-PR-MCD3</p>	<p>Transportation</p> <ol style="list-style-type: none"> 1. Safe, resilient, efficient functioning and sustainable transport network for all transport modes, <u>including:</u> <ol style="list-style-type: none"> a. <u>In relation to Activity Area 8, the preparation of an Integrated Transportation Assessment that includes a modelling assessment of the impacts of the development enabled by the application on the future performance of:</u> <ol style="list-style-type: none"> i. the site accesses along Pegasus Boulevard adjacent to the SPZ(PR); and ii. the SH1 / Pegasus Boulevard roundabout or any future upgraded intersection replacing the roundabout. 2. Adverse effects on the character and amenity values of the surrounding area in terms of noise, vibration, dust, nuisance, glare or fumes. 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. 6. In relation to Activity Area 7B and Activity Area 8, the provision of adequate internal pedestrian connections.¹³⁶

¹³⁴ Consistency of terminology

¹³⁵ DEXIN [377.13]

¹³⁶ DEXIN [377.13]

<p>SPZ-PR-MCD4</p>	<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.
<p>SPZ-PR-MCD5</p>	<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.
<p>SPZ-PR-MCD6</p>	<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.

SPZ-PR-MCD8

Flooding hazard

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:
 - 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.

Definitions

Amend the definition of 'Māketē tourism activity' as follows:

"Means activities that support the tourism activities in the zone, including:

- a. wellness activities;*
- b. ~~food and beverage retail, cafes;~~*
- c. restaurants (excluding takeaway bars);*
- d. wine bars;*
- e. farmers markets;*
- f. artisan workshops and associated retail of products;*
- g. gift/souvenir shops;*
- h. ~~manufacturing of food or beverage goods;~~*
- i. cultural facilities;*
- j. entertainment activities;*
- k. ~~horticulture~~ agri-tourism and wine tourism; and*
- l. associated educational facilities."¹³⁷*

Amend the definition of 'Commercial golf resort activity':

"...

(e) gift/souvenir shop and any ancillary artisan workshops"¹³⁸

¹³⁷ DEXIN [377.14]

¹³⁸ S&E Corp [416.15]

SUB – Wāwāhia whenua – Subdivision

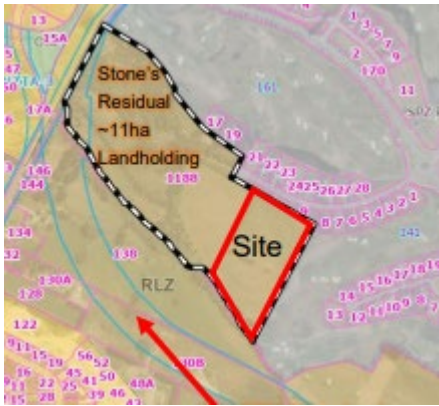
SUB-S1 Allotment size and dimensions			
1. All allotments created shall comply with Table SUB-1.		Activity status when compliance not achieved: In the Medium Density Residential Zone, any Industrial Zone and Special Purpose Zone (Kaiapoi Regeneration): DIS In any other zone: NC	
Table SUB-1: Minimum allotment sizes and dimensions			
Zone	Minimum allotment area	Internal square	Frontage (excluding rear lots)
Special Purpose Zone (Pegasus Resort)			
<ul style="list-style-type: none"> • Areas 1, 2, and 4, and 8 	No minimum	n/a	n/a
<ul style="list-style-type: none"> • <u>Area 7B</u> 	<u>n/a for the purpose of construction and use of residential units</u>	<u>n/a</u>	<u>n/a</u> ¹³⁹

¹³⁹ DEXIN [377.18]

• LOT 2 DP 80926	2000m²	n/a	n/a ¹⁴⁰
• All other areas	4ha	n/a	n/a

Mapping

Amend the map to rezone the part of 1188 Main North Road (20 Te Haunui Lane), as outlined in red below, as SPZ(PR).¹⁴¹



¹⁴⁰ Howard Stone [191.1] – consequential amendment

¹⁴¹ Howard Stone [191]

Amend the map to rezone the whole of 1250 Main North Road from RLZ to SPZ(PR).¹⁴²

SPZ(PR) Chapter Appendices

1. Amend SPZ(PR) – APP1 – ODP to include the DEXIN site (1250 Main North Road) as shown in Appendix 3.¹⁴³
2. Amend SPZ(PR) – APP1 – ODP to include the part of the Howard Stone site (20 Te Haunui Lane) as Activity Area 7A as shown in Appendix 4.¹⁴⁴
3. Amend SPZ(PR) – APP2 – Pegasus Design Guidelines as shown in Appendix 5.¹⁴⁵

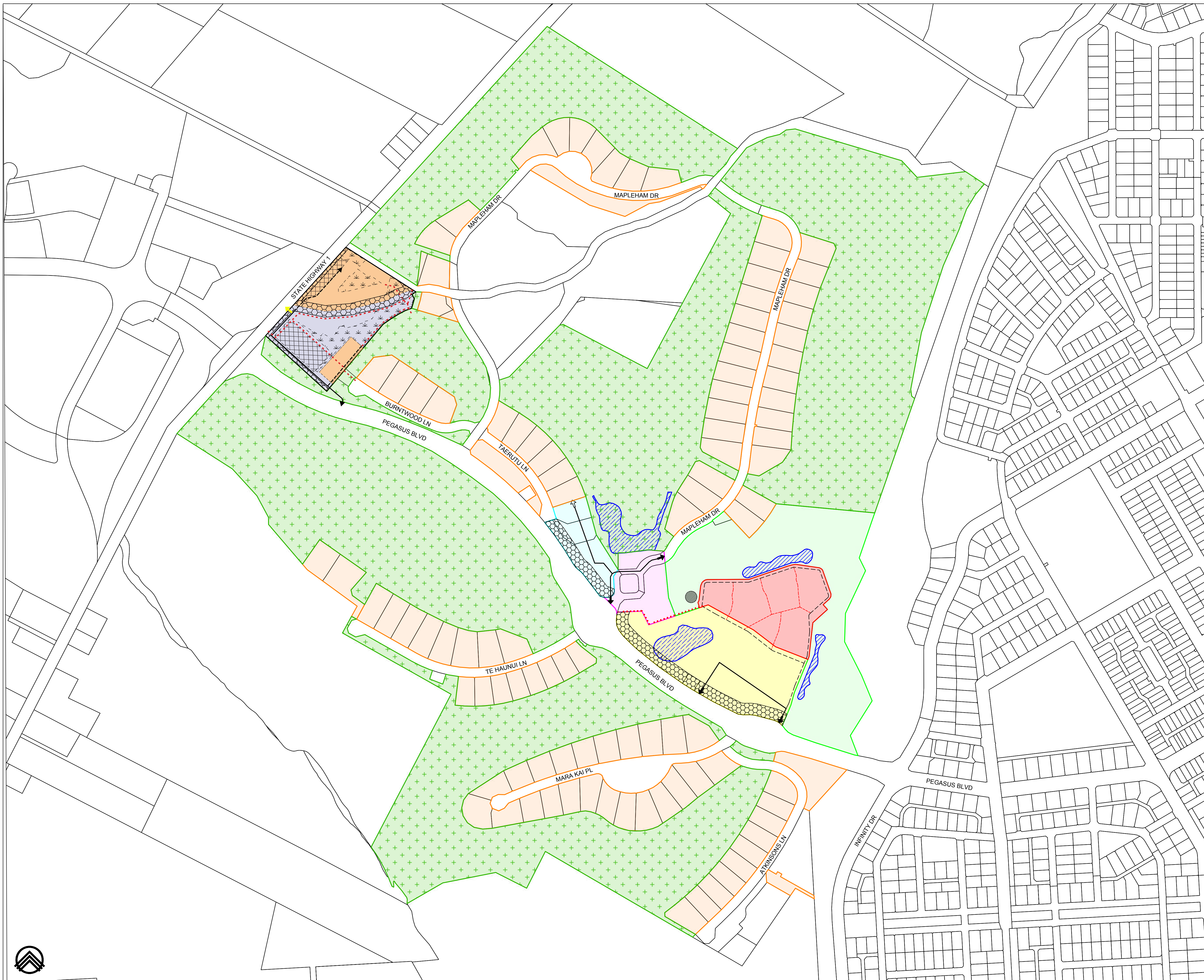
¹⁴² DEXIN [377]

¹⁴³ DEXIN [377.3]

¹⁴⁴ Howard Stone [191.2]

¹⁴⁵ DEXIN [377.15]

Appendix 3: Proposed amended SPZ(PR) Outline Development Plan with DEXIN site included



LIMITATIONS:
 1. THIS DRAWING IS LIMITED TO 4SIGHT CONSULTING'S WORKS AS CONTRACTED UNDER THE SIGNED OFFER OF SERVICE;

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DATE:	06 Aug 2024
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A1 SCALE:	1:3000
DESIGN:	JL, ZA, CC
DRAWN:	BC, CC
CHECKED:	JL
APPROVED:	JL

KEY:

	Activity Area 1: Spa (Hotels, Spa and hot pools)
	Activity Area 2: Spa Village (VA + Mixed uses)
	Activity Area 3: Golf Square (Golf Club, Country club + Mixed uses)
	Activity Area 4: Golf Village (Tourism, Education + Hotel)
	Activity Area 5: Village Fringe (Golf Course, Holes 1 - 2)
	Activity Area 6: Golf Course (Golf Course, Holes 3 - 18)
	Activity Area 7A: Low Density Residential
	Activity Area 7B: Māketē Residential
	Activity Area 8: Māketē Village
	Existing Ponds
	Proposed Ponds
	Landscaped Setback
	Landscaped Car Access & Circulation
	Open Space
	Private Road
	Indicative Roads
	Indicative Shared Space
	Indicative Pedestrian Link
	State Highway Emergency Exit
	Road Access point (Fixed location)
	Road Access point (Indicative location)
	Relocated Helipad

v4.1	07.08.24	FINAL ISSUE
v3.0	13.05.24	FINAL ISSUE
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PEGASUS GOLF COURSE

CLIENT: SPORTS AND EDUCATION CORPORATION
 C/- JOSEPH AND ASSOCIATED LTD

ADDRESS: MAPLEHAM DRIVE, PEGASUS 7648

DRAWING TITLE: OUTLINE DEVELOPMENT PLAN	DRAWING NO.: ODP-01
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Appendix 4: Proposed amended SPZ(PR) Outline Development Plan with Howard Stone site included



**Appendix 5 - Pegasus Resort Urban Design Guidelines with Activity Area 7B and
Activity Area 8: Marked-up version showing changes**





Document record

Issue	Revision	Author	QA	Date
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Final draft	V1.1	Zoë Avery	James Lunday	29.10.20
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Final Issue	V4.0	Edited by: Melissa Pearson Oscar Andrew Megan Tongue	James Lunday	06.08.24
Final Issue	V4.1	Edited by: Melissa Pearson Oscar Andrew Megan Tongue	James Lunday	08.08.24

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Outline Development Plan



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DATE:	06 Aug 2024
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DESIGN:	JL, ZA, CC
DRAWN:	BC, CC
CHECKED:	JL
APPROVED:	JL

KEY:

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	Activity Area 2: Spa Village (VA + Mixed uses)
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	Indicative Shared Space
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	State Highway Emergency Exit
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	Road Access point (Indicative location)
	Relocated Helipad

v4.1	07.08.24	FINAL ISSUE
v3.0	13.05.24	FINAL ISSUE
v2.1	27.11.20	FINAL ISSUE
v2.0	28.10.20	FINAL ISSUE
REVISION	DATE	DESCRIPTION

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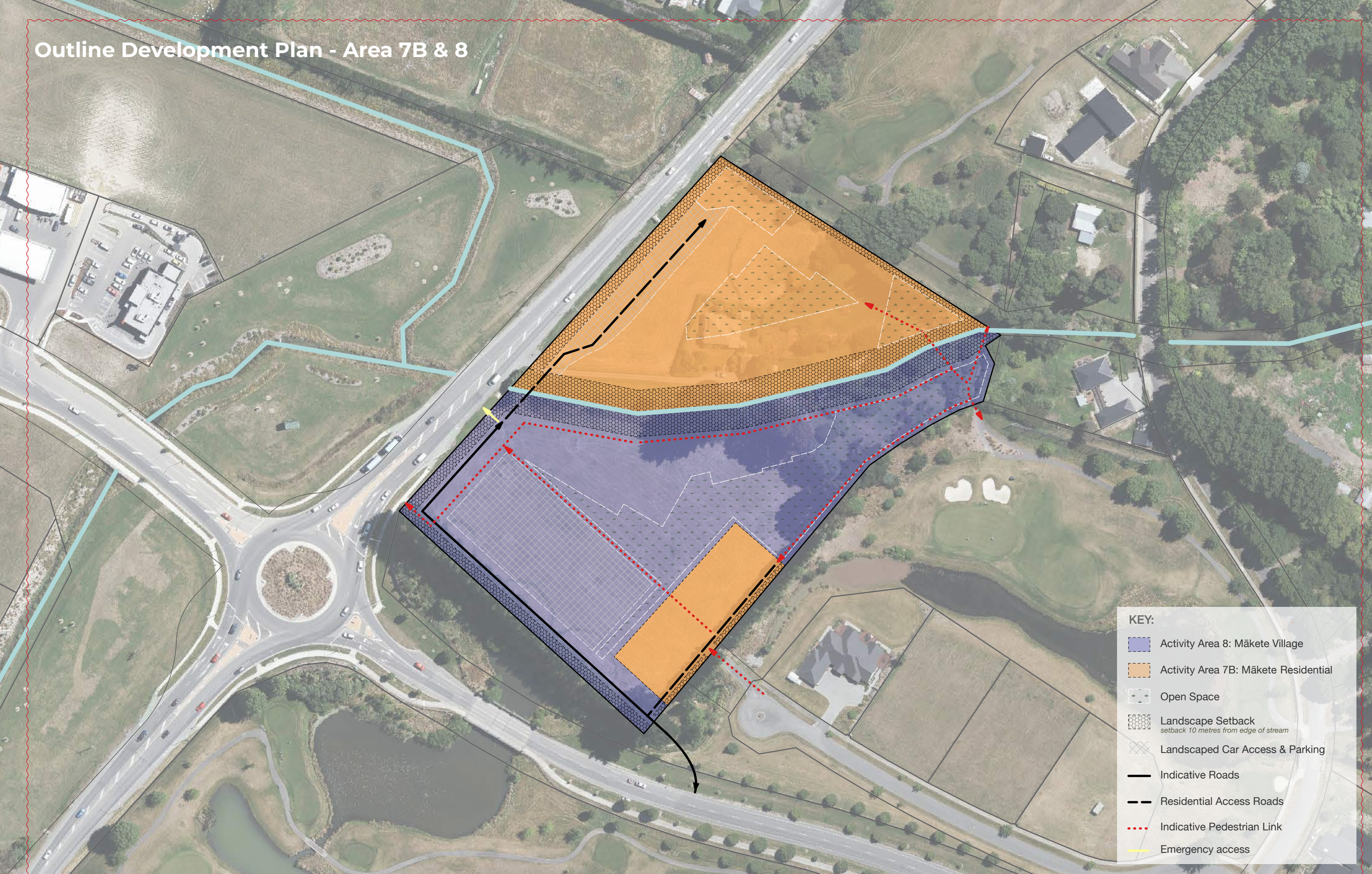
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





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Outline Development Plan - Area 7B & 8



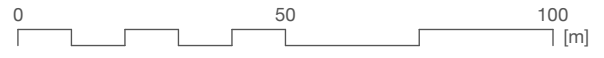
KEY:

-  Activity Area 8: Mäketē Village
-  Activity Area 7B: Mäketē Residential
-  Open Space
-  Landscape Setback
setback 10 metres from edge of stream
-  Landscaped Car Access & Parking
-  Indicative Roads
-  Residential Access Roads
-  Indicative Pedestrian Link
-  Emergency access

rev	date	details	by
B	23/04/2024	Revised ODP	CC
C	03/05/2024	Revised ODP	CC
D	08/05/2024	Revised ODP	CC
E	31/07/2024	Revised ODP	CC
F	06/08/2024	Final ODP	CC

scale: 1:1000 size: A2
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 drawn: CC checked: JL date 06/08/2024

project: pegasus mäkete
 name: final ODP
 drawing: 2304 F



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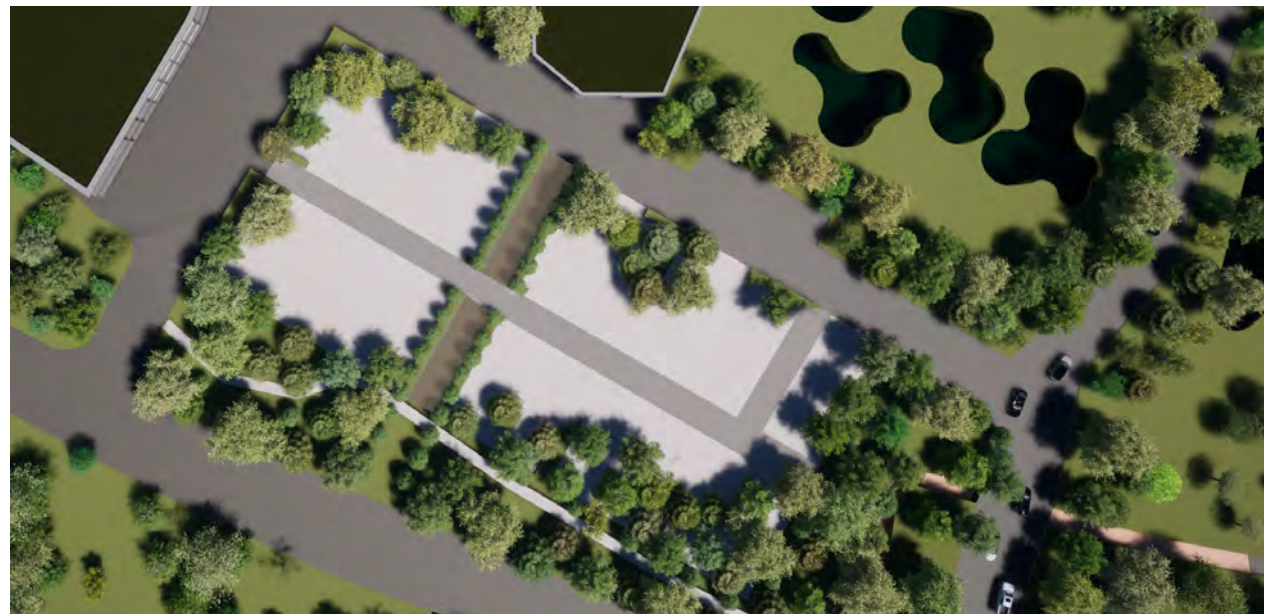
2.2.1.9 Car Parking: Spa Activity Area

Car parking controls aim to reduce the adverse effects of at-grade carparking or car parking buildings on Pegasus Resort and to ensure this space does not dominate or significantly detract from the landscaped quality of the area.

- Large 'at-grade' car parking spaces should be avoided to ensure views from surrounding public spaces of Pegasus Resort are maintained.
- Car parking buildings shall be appropriated modulated through façade treatment to ensure that they do not inappropriately undermine the character of Pegasus Resort and adjacent areas.
- Organic patterning of vegetation shall be used to appropriately screen reducing the dominance of parked cars and pavement alongside providing shade for parking in summer.
- Landscape planting to a high standard should be used to reduce the dominance of hard surfaces and avoid large areas of impermeable surfacing.
- Best practice urban design solutions should be used to avoid the dominance of car parking areas, including sleeved,

green roofed, underground, rear courtyard, screened or recessed parking.

- Coach/bus parking areas shall be appropriately landscaped.
- Car parks with more than one aisle shall include legible pedestrian circulation and refuge accommodating the main pedestrian desire line(s).
- Car parks shall have a minimum 1.5m wide plant strip at the head of the carpark (or equivalent garden island area within 5m proximity) each park, typically allowing for 0.5m wide mat groundcovers (accommodating car overhang), then 1m wide groundcover/shrub border). The 1.5 m wide plant strip does not need to be duplicated for nose to nose car parks.
- Plant areas internal to car park set-outs shall include groundcovers and canopy lifted trees enabling clear sight-lines between 0.7m and 2.5m above ground throughout for pedestrians and drivers.
- Plant areas on the periphery of car park set-outs shall have canopy separation between 1.5m and 2.5m above ground, ground plants can therefore accommodate low shrubbery.
- For every 5 car parks the plant strip (or garden island) shall include one specimen tree, minimum 45L grade.



2.2.4.7 Windows and Doors: Golf Village Activity Area

The aim of these controls is to ensure a sense of human scale is achieved throughout Pegasus Resort.

- Natural or stained timber, steel, powder coated aluminium or anodised aluminium joinery in a recessive colours is permitted.
- Windows are to be double-glazed, vertical in proportion and adjoining the golf course, to be toughened glass.
- All glazing is to be non-reflective and no mirrored glass is permitted.

2.2.4.8 Building Projections: Golf Village Activity Area

The use of verandas, porches and pergolas are encouraged to enhance the outdoor spaces provided for all year round use and encourage active frontages. Built form projections should be designed as connected elements to the main building form.

- Roof projections, such as chimneys and flues are to be compatible in materials and height with the main building form.
- Chimneys that are considered to be a strong built form element may exceed 1.1m in height and width to a maximum of 2m.
- Verandas, pergolas and balconies are to be of a proportion and scale to suit the development and provide space for people to sit and connect at street level, act as an activation extension to ground floor uses.

2.2.4.9 Car Parking: Golf Village Activity Area

Car parking controls aim to reduce the adverse effects of at-grade car parking, garaging or car parking structures on Pegasus Resort and to ensure these spaces do not dominate or significantly detract from the pedestrian orientated and landscaped quality of the area.

- The 'at-grade' car parking forming the central square should be treated in semi-permeable surface and landscaped to ensure views from surrounding public spaces of Pegasus Resort are maintained. This space should be versatile to function as a central square if required to for an event or extension of public realm to the surrounding uses.
- Any other 'at-grade' parking shall be appropriately landscaped to ensure the landscaped quality of views from surrounding public spaces of Pegasus Resort are maintained.
- Car parking buildings are not considered appropriate for the central square. If at any point this is deemed to be a requirement, the central open square shall be retained, and any building shall be appropriated modulated through façade treatment to ensure that it does not inappropriately undermine the character of Pegasus Resort and adjacent areas.
- Organic patterning of vegetation shall be used to appropriately screen reducing the dominance of parked cars and pavement alongside providing shade for parking in summer.

- Landscape planting to a high standard should be used to reduce the dominance of hard surfaces and avoid large areas of impermeable surfacing.
- Best practice urban design solutions should be used to avoid the dominance of car parking areas, including sleeved, green/living roofed, underground, rear courtyard, screened or recessed parking.
- Shed or garage doors and vehicle manoeuvring areas addressing the street shall be avoided. These buildings must be compatible with the main building using similar materials.
- Car parks with more than one aisle shall include legible pedestrian circulation and refuge accommodating the main pedestrian desire line(s).
- Car parks shall have a minimum 1.5m wide plant strip at the head of the carpark (or equivalent garden island area within 5m proximity) each park, typically allowing for 0.5m wide mat groundcovers (accommodating car overhang), then 1m wide groundcover/shrub border). The 1.5 m wide plant strip does not need to be duplicated for nose to nose car parks.
- Plant areas internal to car park set-outs shall include groundcovers and canopy lifted trees enabling clear sight-lines between 0.7m and 2.5m above ground throughout for pedestrians and drivers.
- Plant areas on the periphery of car park set-outs shall have canopy separation between 1.5m and 2.5m above ground, ground plants can therefore accommodate low shrubbery.
- For every 5 car parks the plant strip (or garden island) shall include one specimen tree, minimum 45L grade.

2.2.5 Village Fringe Activity Area

The Village Fringe contains the relocated Golf Holes 1 and 2 and acts as a buffer between the Spa Village and the larger lot residential properties to the north. This area aims to maintain the golf courses existing status and par level when the development occurs by providing the relocated holes 1 and 2, alongside enhancing the Resorts amenity and biodiversity with the use of vegetation, ponds and landscaped swales.

2.2.5.1 Coverage Controls: Village Fringe Activity Area

Maximum Site Coverage	3%
Minimum Landscape Coverage	90%
Maximum Paved / Impermeable Coverage	7%

2.2.5.2 Maximum Building Height: Village Fringe Activity Area

Maximum Building Height – 8m, 2 storeys

2.2.5.3 Building Setback: Village Fringe Activity Area

A minimum building setback of 5m shall be provided adjoining all boundaries. Within this setback, landscaping with species as defined in section 3 is encouraged.

On all boundaries with Activity Areas 1 and 2 at least 50% of this buffer area is to be established in plantings (with species as defined in section 3) designed to appropriately mitigate (screen, soften and balance) the visual impact of built elements in the adjacent activity areas.

2.2.7 MĀKETE RESIDENTIAL ACTIVITY AREA

The Residential Activity Area provides for 2 storey stand alone dwellings, duplexes and terraced house typologies, set in a landscaped environment and with links to the Māketē and Golf Course.

2.2.7.1 Coverage Controls: Māketē Residential Activity Area

Maximum Site Coverage	50%
Minimum Landscape Coverage	20%
Maximum Paved / Impermeable Coverage	20%

2.2.7.2 Maximum Height: Māketē Residential Activity Area

Maximum Building Height – 10m, 2 storeys

2.2.7.3 Maximum number of residential units: Māketē Residential Area

In the Māketē Residential Area there shall be no more than 27 residential units.

2.2.7.4 Building Setback/Landscaped Buffer: Māketē Residential Activity Area

A minimum building or structures setback of 25m shall be maintained to State Highway 1. Other zone or activity area boundaries where buildings are proposed within 20m of the boundary must, except for where vehicle entrances are cut through, be provided a minimum strip 3.5m wide to be completely planted in species identified in Section 3 with a minimum height of 0.5m. Planting in this area should include at least 1 tree capable of reaching 10m at maturity to be planted every 20m².

Alongside Taranaki Stream, except for where roads or pathways cross, setback areas are to be appropriately planted using locally appropriate indigenous species from within Section 3 to enhance the natural waterway values and should be free of any new structures (other than pathways and decks less than 1m in height).

2.2.7.5 Modulation of Buildings: Māketē Residential Activity Area

Consideration shall be given to breaking up the mass of building forms in excess of 15m in length. This can be done through the use of recesses, offsets, gable end projections, chimneys, balconies, and the use of façade variation and materials. Blank facades are to be avoided.

To minimise elongated building facades, there shall be no more than 3 adjoining residential units in a single housing block.

2.2.7.6 Roofs: Māketē Residential Activity Area

The aim of the following controls is to ensure a unified roofscape that does not detract from the surrounding landscape and the established built form.

- All buildings should follow a simple roof form that follow the architectural design of cottages, villas or pavilions. For a pavilion gabled roof a minimum pitch of 25° and maximum of 45°.
- It is recommended that simple roof forms are used.
- Mono-pitched roofs, exceeding 20% of the building footprint can be incorporated with a minimum pitch of 5° and maximum of 10° where the combination of roof forms is minimal.

- Lean-to structures are permitted and shall have a minimum roof pitch of 15° and a maximum pitch of 35°.
- Flat roofs that connect and link pitched roofed pavilions are acceptable but will generally not exceed 30% of the total roof area of the activity area. These roofs are encouraged to be accessible and/or have a living roof.
- No hip roofs are permitted.
- Eaves or overhangs are encouraged.
- Roofs shall have a Light Reflectivity Value (LRV) of between 5-22% in a neutral colour.
- Steel tray cladding/roof, Profiled Steel, Colorsteel or tiles are permitted limited to one form, with colours similar to Resene matte finish: Element; Grey Friars; Windswept; Squall; Ironsand; Lignite; High Tide; Charcoal or Karaka.
- A second roof finish to a secondary form such as a garage or lean-to may be permitted where it
- can be satisfied that the overall design will benefit from this feature.
- Down pipes and gutters will be in a colour matching the roof.
- Dormers are permitted and must be treated with same material as main roof.



2.2.8.9 Building Projections: Māketete Village Activity Area

The use of verandas, porches and pergolas is encouraged to enhance the outdoor spaces, encourage active frontages. Built form projections should be designed as connected elements to the main building form.

- Verandas, pergolas and balconies are to be of a proportion and scale to suit the development and provide space for people to sit and connect at street level, act as an activation extension to ground floor uses.
- A variety of covered outdoor spaces shall be provided to offer shelter and comfort in different weather conditions and throughout the year.

2.2.8.10 Car Parking: Māketete Village Activity Area

Car parking controls aim to reduce the adverse effects of at-grade carparking, garaging or car parking structures on Pegasus Resort and to ensure these spaces do not dominate or significantly detract from the pedestrian orientated and landscaped quality of the area.

- The 'at-grade' car parking along the boundary to the south should be treated in semipermeable surface and landscaped to provide a buffer between the Pegasus Boulevard/State Highway 1 roundabout and the Māketete Development.
- Car parking buildings are not considered appropriate for the Māketete Village Development. If at any point this is deemed to be a requirement, any building shall be appropriately modulated through façade treatment to ensure that it does not inappropriately undermine the character of Pegasus Resort and adjacent areas.

- Organic patterning of vegetation shall be used to appropriately screen reducing the dominance of parked cars and pavement alongside providing shade for parking in summer.
- Landscape planting to a high standard should be used to reduce the dominance of hard surfaces and avoid large areas of impermeable surfacing.
- Best practice urban design solutions should be used to avoid the dominance of car parking areas.
- Coach/bus parking areas shall be appropriately landscaped.

- Car parks with more than one aisle shall include legible pedestrian circulation and refuge accommodating the main pedestrian desire line(s).
- Car parks shall have a minimum 1.5m wide plant strip at the head of the carpark (or equivalent garden island area within 5m proximity) each park, typically allowing for 0.5m wide mat groundcovers (accommodating car overhang), then 1m wide groundcover/shrub border). The 1.5 m wide plant strip does not need to be duplicated for nose to nose car parks.
- Plant areas internal to car park set-outs shall include groundcovers and canopy lifted trees enabling clear sight-lines between 0.7m and 2.5m above ground throughout for pedestrians and drivers.
- Plant areas on the periphery of car park set-outs shall have canopy separation between 1.5m and 2.5m above ground, ground plants can therefore accommodate low shrubbery.
- For every 5 car parks the plant strip (or garden island) shall include one specimen tree, minimum 45L grade.

2.2.8.11 Landmark: Māketete Village Activity Area

A landmark structure or sculpture should be provided in this area to assist with way finding for the activity area. The landmark structure or sculpture should be designed by an artist or designer to articulate the cultural heritage and values of the site. Opportunity should be provided for a co-design process with Ngai Tuahuriri to assist with the articulation of cultural values.

2.3 Access

Vehicular access to buildings will be considered in terms of how it relates to wider urban design principles, such as the provision of access for deliveries, pickups and drop offs, parking access and disabled access. Access and movement of golf buggies will also need to be considered for the continued connection around the golf holes and golf club rooms.

2.4 Safety

The safety of the general public including users of the building requires assessment in terms of the buildings passive surveillance potential or 'eyes on the street', use of lighting, shared walkways and cycleways and any vehicle crossing.

3.0 Landscape

3.1 Landscape Guidelines

The aim of the landscape guidelines is to provide a framework of consistent and locally relevant plants to ensure a contiguous landscape theme is knitted throughout Pegasus Resort. Species chosen are those originally anticipated in the area, that will enhance biodiversity, alongside some selected exotic species that will provide seasonal colour.

The streetscape, wetlands, lakes, golf course and public realm will be designed and implemented by Pegasus Resort. Throughout the Resort, hard landscaping elements such as street furniture, lighting, paving types and signage will be consistent and appropriate to the scale and setting.

3.2 Minimum Landscape Requirements

The minimum amount of open park-like landscaped area in each Activity Area shall be:

1	Spa Activity Area	40%
2	Spa Village Activity Area	30%
3	Golf Square Activity Area	30%
4	Golf Village Activity Area	40%
5	Village Fringe Activity Area	90%
6	Golf Course Activity Area	90%
7B	Māketē Residential Activity Area	20%
8	Māketē Village Activity Area	50%

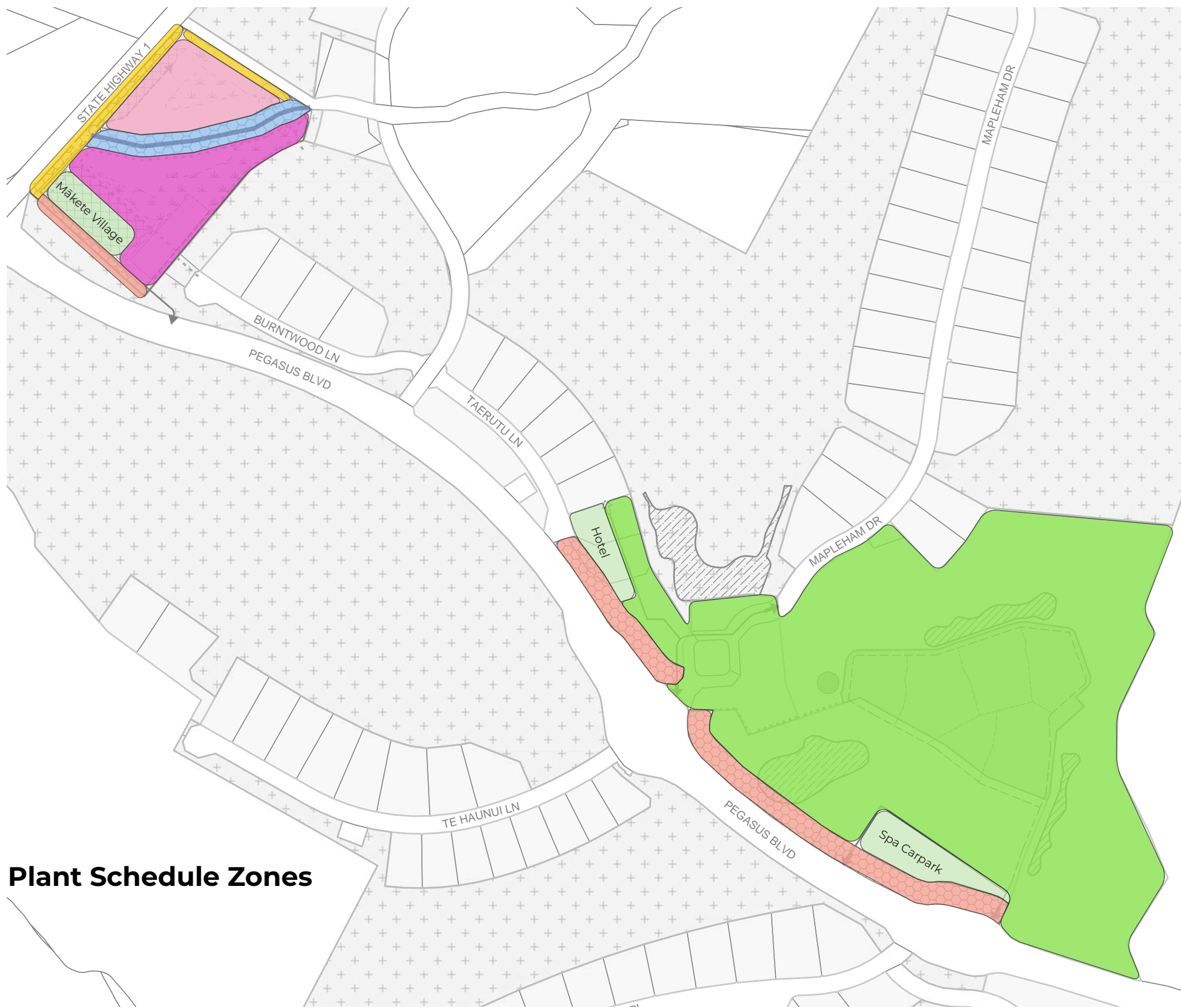
3.3 Summary Plant Species Schedule

A Summary Plant Species Schedule is outlined on pages 82 to 87, from which all planting is to be derived. The schedule refers to Planting Zones mapped on Page 80 and 81.

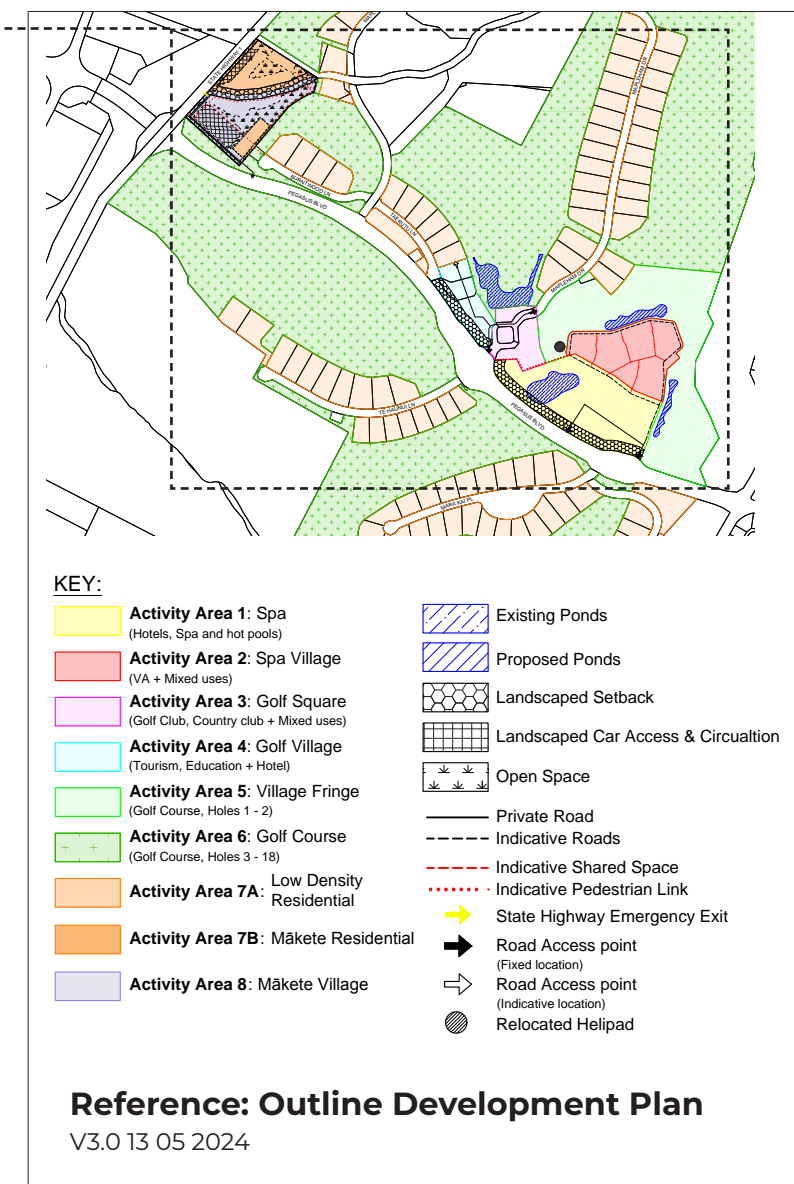
Additional species may be approved at the sole discretion of WDC.

Landscaping shall reflect and complement Pegasus's streetscape and public open space in terms of planting, material and layout. All landscaping shall be implemented and maintained by the lot owner at the time of construction of the building and completed prior to the occupation.





Plant Schedule Zones



Plant Schedule Zones

- Pegasus Boulevard Buffer
- State Highway One & Paper Rd Buffer
- Mākete Residential
- Mākete Village
- Riparian Corridor Water Margin
- Riparian Corridor Balance
- Carparks - 1. Mākete Village, 2. Hotel, 3. Spa
- Balance Development Area

Refer to Summary Plant Species Schedule
Page 80 to 85

Botanical	Common	Grade Guide	Spacing	Height x Width	Notes: Origin, EG/Dec, Pruning, Water	Pegasus Boulevard Buffer	SH1 & Paper Rd Buffer	Māketē Residential	Māketē Village	Riparian Corridor Water Margin	Riparian Corridor Balance	Carparks - Māketē Village, Hotel, Spa	Balance
Vegetative Framework Trees													
<i>Alnus cordata</i>	Italian alder	45L	5m	20 x 5	Exotic, Dec								
<i>Alnus incana</i>	Grey alder	45L	4m	15 x 4	Exotic, Dec								
<i>Betula utilis</i> 'jacquemontii'	White Himalayan birch	45L	3m	12 x 4	Exotic, Dec							Hotel	
<i>Cornus</i> 'Eddies's White Wonder'	Flowering dogwood	45L	3m	4 x 3	Exotic, Dec								
<i>Cercis canadensis</i> 'Forest Pansy'	Forest pansy	45L	3m	5 x 5	Exotic, Dec,								
<i>Dacrycarpus dacrydioides</i>	Kahikatea	45L	3m	30 x 5	Native, EG, Moist to Wet								
<i>Fraxinus angustifolia</i> 'Raywood'	Claret ash	80L	5m	10 x 6	Exotic, Dec,							Village	
<i>Magnolia</i> 'Little Gem'	Magnoila	45L	3m	6 x 4	Exotic, EG, Canopy lift								
<i>Populus yunnanensis</i>	Yunnan poplar	150cm	7m	25 x 15	Exotic, Dec								
<i>Podocarpus totara</i>	Totara	45L	5m	15 x 8	Native, EG								
<i>Prumnopitys taxifolia</i>	Matai	45L	5m	20 x 7	Native, EG								
<i>Sophora microphylla</i>	Kowhai	45L	3m	8 x 3	Native, Semi Dec								
<i>Quercus coccinea</i>	Scarlet oak	80L	8m	20 x 10	Exotic, Dec, Canopy Lift							Spa	
<i>Quercus ellipsoidalis</i>	Northern pin oak	80L	6m	15 x 8	Exotic, Dec, Canopy Lift							Hotel	
Small Tree/Large Shrub													
<i>Aristotelia serrata</i>	Makomako / wineberry	3L	1/2m ²	6 x 3	Native, Dec, Moist Soil,								
<i>Cordyline australis</i>	Ti kōuka / cabbage tree	3L	1/m ²	6 x 2	Native, EG, Moist Soil								
<i>Carmichaelia australis</i>	New Zealand broom	3L	1/2m ²	3 x 2	Native, EG, Full Sun								
<i>Carpodetus serratus</i>	Marbleleaf	3L	1/2m ²	8 x 10	Native, EG								
<i>Coprosma crassifolia</i>	Thick-leaved mikimiki	3L	1/2m ²	4 x 2	Native, EG								
<i>Coprosma lucida</i>	Shining karamu	3L	1/2m ²	5 x 3	Native, EG								
<i>Coprosma propinqua</i>	Mingimingi	3L	1/2m ²	4 x 2.5	Native, EG								
<i>Coprosma robusta</i>	Karamū	3L	1/2m ²	4 x 3	Native, EG								
<i>Coprosma rotundifolia</i>	Round-leaved coprosma	3L	1/2m ²	4 x 3	Native, EG								
<i>Coprosma rubra</i>	Mikimiki	3L	1/2m ²	3 x 3	Native, EG, Well drained soils								
<i>Dodonaea viscosa</i>	Akeake	3L	1/m ²	3 x 2	Native, EG								
<i>Elaeocarpus dentatus</i>	Hinau	3L	1/2m ²	10 x 7	Native, EG								
<i>Elaeocarpus hookerianus</i>	Pōkākā	3L	1/2m ²	12 x 15	Native, EG								
<i>Fuchsia excorticata</i>	Kotukutuku / Tree Fuchsia	3L	1/2m ²	6 x 3	Native, Dec, Moist Soil,								
<i>Griselinia littoralis</i>	Broadleaf	3L	1/m ²	6 x 2.5	Native, EG,								
<i>Hedycarya arborea</i>	Pigeonwood	3L	1/2m ²	5 x 4	Native, EG								
<i>Hoheria angustifolia</i>	Narrow-leaved Lacebark	3L	1/2m ²	6 x 3	Native, EG								
<i>Kunzea ericoides</i>	Kānuka	2L	1/m ²	7 x 3	Native, EG								
<i>Leptospermum scoparium</i>	Mānuka / tea tree	2L	1/m ²	4 x 3	Native, EG								
<i>Lophomyrtus obcordata</i>	Rohutui	3L	1/2m ²	5 x 2.5	Native, EG								

Plant Schedule Zones

- Pegasus Boulevard Buffer
- State Highway One & Paper Rd Buffer
- Māketē Residential
- Māketē Village
- Riparian Corridor Water Margin
- Riparian Corridor Balance
- Carparks - 1. Māketē Village, 2. Hotel, 3. Spa
- Balance Development Area

Refer to Plant Schedule Zones Page 78 to 79

Summary Plant Species Schedule

Page 1 of 3

Botanical	Common	Grade Guide	Spacing	Height x Width	Notes: Origin, EG/Dec, Pruning, Water	Pegasus Boulevard Buffer	SH1 & Paper Rd Buffer	Māketē Residential	Māketē Village	Riparian Corridor Water Margin	Riparian Corridor Balance	Carparks - Māketē Village, Hotel, Spa	Balance
Small Tree/Large Shrub CONT...													
Melicope simplex	Poataniwha	3L	1/2m ²	8 x 4	Native, EG								
Michelia 'Bubbles'	Michelia	10L	1m	4 x 3	Exotic, EG, Form prune to hedge								
Myoporum laetum	Ngaio	3L	1/2m ²	5 x 4	Native, EG								
Myrsine divaricata	Weeping mapou	3L	1/2m ²	6 x 3	Native, EG								
Olearia avicenniaefolia	Mountain akeake	3L	1/2m ²	4 x 3	Native, EG								
Olearia paniculata	Akiraho / golden akeake	3L	1/2m ²	4 x 2	Native, EG								
Pennantia corymbosa	Pennantia corymbosa	3L	1/2m ²	8 x 3	Native, EG								
Pittosporum eugenioides	Tarata / lemonwood	5L	1/2m ²	12 x 3	Native, EG								
Pittosporum tenuifolium	Kohuhu / black matipo	5L	1/2m ²	6 x 3	Native, EG								
Plagianthus regius	Lowland ribbonwood	10L	1m	12 x 4	Native, Semi Dec								
Pseudopanax crassifolius	Horoeka / Lancewood	10L	1m	3x1. 10x3	Native, EG								
Thyua occidentalis 'Smaragd'	Emerald cedar	10L	1m	3 x 1	Exotic, EG, Individual or Hedge								
Shrubbery/Hedge (typically 1 to 2 m)													
Austroderia richardii	South Island toetoe	3L	1/m ²	2 x 2	Native, EG								
Carex secta	Purei	1L	2/m ²	1.5 x 1.5	Native, EG								
Coprosma virescens	mikimiki	3L	1/m ²	2 x 1.5	Native, EG								
Corokia cotoneaster	Korokio	3L	1/m ²	2 x 3	Native, EG								
Corokia 'Geenty's Green'	Green corokia	8L	0.5m	1.5 x 2	Native, EG, From prune to hedge								
Dodonaea viscosa	Akeake	8L	0.7m	3 x 2	Native, EG, From prune to hedge								
Griselinia littoralis	Broadleaf	8L	0.7m	6 x 2.5	Native, EG, From prune to hedge								
Griselinia 'Broadway Mint'	Griselinia	8L	0.7m	4 x 3	Native, EG, Form prune to hedge								
Hebe salicifolia	Koromiko / hebe	2L	1/m ²	3 x 2	Native., EG								
Helichrysum lanceolatum	Niniao	2L	1/m ²	1.5 x 1.5	Native, EG								
Histiopteris incisa	Water Fern	1L	2/m ²	1.5 x 1.5	Native, EG								
Juncus edgariae (gregiflorous)	Wiwi	1L	2/m ²	1.5 x 1.5	Native, EG, Wetland								
Juncus pallidus	Wiwi / Giant Rush	1L	2/m ²	1.5 x 1.2	Native, EG								
Laurus nobilis	Bay tree	8L	0.7m	3 x 5	Exotic, EG, individual or hedge								
Muehlenbeckia astonii	Shrubby Tororaro	2L	1/m ²	2 x 1.5	Native, EG								
Phormium tenax	Harakeke / NZ flax	3L	1/m ²	3 x 2	Native, NZ								
Photina 'Red Robin'	Red robin	10L	1m	2 x 3	Exotic, EG, hedge								
Pseudopanax 'Cyril Watson'	Cyril watson	10L	1m	3 x 2	Native, EG, Form Prune to hedge								
Pseudopanax 'Dark Star'	Dark star	8L	0.7m	2 x 2	Native, EG, Form Prune to hedge								
Rhododendron varieties	Rhododendron	10L	1/m ²	1-2 x 2	Exostic, EG								
Teucrium parvifolium	Teucrium	2L	1/m ²	2 x 1	Native, Semi Dec								
Viburnum tinus 'Emerald Green'	Viburnum	8L	1/m ²	2 x 2	Exotic, EG								

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Refer to Plant Schedule Zones Page 78 to 79

Summary Plant Species Schedule

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Botanical	Common	Grade Guide	Spacing	Height x Width	Notes: Origin, EG/Dec, Pruning, Water	Pegasus Boulevard Buffer	State Highway One & Paper Rd Buffer	Māketē Residential	Māketē Village	Riparian Corridor Water Margin	Riparian Corridor Balance	Carparks - Māketē Village, Hotel, Spa	Balance
Groundcovers (typically under 1m)													
Apodasmia similis	Oioi	1L	3/m ²	1 x 1	Native, EG, water								
Anemanthele lessoniana	Wind grass	2L	2/m ²	1 x 1	Native, EG								
Asplenium bulbiferum	Hen & chicken fern	2L	2/m ²	0.7 x 0.7	Native, EG, shade,								
Baumea rubiginosa	Twig rush	1L	3/m ²	1 x 1	Native, EG, Wet / waterlogged soil								
Blechnum discolor	Piupiu crown fern	2L	2/m ²	0.8 x 1	Native, EG								
Blechnum minus	Swamp kiokio	1L	2/m ²	0.5 x 1	Native, EG, Moist Soil								
Carex flagellifera	NZ grass	2L	4/m ²	0.6 x 0.6	Native, EG								
Carex geminata	Wetland cutty grass	2L	2/m ²	1 x 1	Native, EG								
Carex maorica		2L	4/m ²	1 x 0.5	Native, EG								
Carex virgata	Pukio	2L	2/m ²	1 x 0.5	Native, EG, Moist/Wet Soil								
Carpodetus serratus prostrata	Prostarte marble leaf	3L	2/m ²	0.5 x 1	Native, EG								
Coprosma kirkii	Groundcover coprosma	3L	2/m ²	0.5 x 2	Native, EG								
Dietes grandiflora	Fairy iris	3L	2/m ²	1 x 1	Exotic, EG								
Euphorbia glauca	Waiūatua / shore spurge	3L	2/m ²	2 x 1	Native, EG								
Hebe varities	Hebe	3L	4/m ²	0.7 x 0.7	Native, EG, flower								
Microlaena avenacea	Bush rice grass	2L	4/m ²	0.5 x 0.5	Native, EG								
Microsorium pustulatum	Hounds tongue fern	2L	4/m ²	0.5 x 0.5	Native, EG								
Muehlenbeckia astonii	Shrubby tororaro	3L	2/m ²	2 x 1.5	Native, EG, Form Prune								
Phormium 'Emerald Green'	Dwarf green flax	3L	2/m ²	1 x 1	Native, EG, flower								
Pittosporum 'Golf Ball'	Golf ball	5L	3/m ²	0.8 x 1	Native, EG								
Polystichum neozelandicum	Common shield fern	2L	4/m ²	0.5 x 0.5	Native, EG								
Polystichum vestitum	Pūnui / prickly shield fern	2L	2/m ²	0.8 x 0.8	Native, EG								
Sophora prostrata *	Dwarf kowhai	5L	2/m ²	1 x 1.5	Native, EG								
Low Groundcovers (typically under 400mm)													
Acaena novae-zealandiae	Bidibidi	0.5L	2/m ²	0.2 x 1	Native, EG, Moist Soil								
Blechnum pennamarina	Alpine hard fern	1L	2/m ²	0.2 x 1	Native, EG								
Liriope varities	Liriope Mondo	0.5L	25/m ²	0.2 x 0.2	Exotic, EG								
Ophiopogon 'Black Dragon'	Black Mondo Grass	0.5L	25/m ²	0.2 x 0.2	Exotic, EG								
Phormium Pepe	Dwarf green flax	3L	4/m ²	0.4 x 0.4	Native, EG,								
Praitia angulata	Panakenake	0.5L	2/m ²	0.2 x 1	Native, EG								
Climbers													
Clematis paniculata	NZ clematis	5L	1/m	2 x 2	Native, EG, Requires support								
Passiflora tetrandra	Native Passionflower	5L	1/m	3 x 2	Native, EG, Requires support								
Trachelospermum jasminoides	Star jasmine	2L	2/m	3 x 3	Exotic, EG, climber/groundcover								
Wisteria variety	Wisteria	5L	1/m	3 x 3	Exotic, EG, climber								

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- Carparks - 1. Māketē Village, 2. Hotel, 3. Spa
- Balance Development Area

Refer to Plant Schedule Zones Page 78 to 79

Summary Plant Species Schedule

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Plant Zones Key Character Species

NOTE: Refer to Summary Plant Species Schedule Page 80 to 85 for more complete species collections

Pegasus Boulevard Buffer



Māketē Residential



State Highway One & Paper Rd Buffer



Māketē Village



Plant Zones Key Character Species

NOTE: Refer to Summary Plant Species Schedule Page 80 to 85 for more complete species collections

Riparian Corridor Water Margin



Riparian Corridor Balance



Carparks - 1. Māketē Village, 2. Hotel, 3.



Balance Development Area



Appendix 6 - Pegasus Resort Urban Design Guidelines with Activity Area 7B and Activity Area 8: Unmarked-up version





Document record

Issue	Revision	Author	QA	Date
Draft	V0.6	Zoë Avery	James Lunday	01.10.20
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1.0 Introduction

1.1 Context

Manaaki whenua, manaaki tangata, haere whakamua

Care for the land, care for the people, go forward

The following guidelines seek to ensure the development within the Pegasus Resort is of a high quality, delivers good urban design outcomes that reflect the Pegasus style, materiality and colour palette.

Pegasus Resort is located just north of Christchurch and close to the centre of Pegasus town. The resort encompasses an existing parklands-style par 72 – 18 hole championship golf course surrounding residential development and provides for a number of tourist facilities including, but not limited to, a Spa/Wellness and Hot Pool Complex, Hotel, Spa Village, Country Club, Golf Education Facility, associated activities and existing golf driving range, practice greens, pro shop, tennis courts, gymnasium, bar and cafe.

The Pegasus Resort Urban Design Guidelines (PRUDG) are issued by the developers, Sports and Education Corporation (SEC), and are intended to be administered by Waimakariri District Council (WDC). They reinforce the Outline Development Plan (ODP) and planning provisions for the Special Purpose Zone and form part of the District Plan. They contain on-going requirements and purchasers and lot owners must continue to comply with the Urban Design Guidelines.

Pegasus Golf Course was formally opened in 2010. Following an assessment of the potential for a district/regional tourist attraction, planning and design of a larger tourist Pegasus Resort around the existing Golf and Sports Club facilities, car park, driving

range and first two holes was undertaken. This document sets out the design philosophy and guidelines for Pegasus Resort's new central core based around six activity areas which seek to enhance the character of the resort:

- 1. Spa Activity Area** – Hotel, Wellbeing Spa and Hot Pools
- 2. Spa Village Activity Area** – Visitor Accommodation and mixed use
- 3. Golf Square Activity Area** – Country Club and mixed-use retail and hospitality
- 4. Golf Village Activity Area** – Tourism, Education and Hotel
- 5. Village Fringe** – Golf Course, Holes 1 and 2
- 6. Golf Course** – Holes 3-18
- 7. B. Māketē Residential**
- 8. Māketē Village**

The limits, controls and guidelines described in this document are set out under the set activity areas and seen as important tools in creating good urban design outcomes for the establishment of a successful new resort whilst protecting the existing appreciated amenity of Pegasus Golf Course. This document also references relevant planning requirements and rules under the Waimakariri District Plan. These Urban Design Guidelines have been created as a framework for Waimakariri District Council's discretion and inform approval decisions.

1.1.1 Updates to the Guidelines

It is envisaged that the Pegasus Resort Urban Design Guidelines will be updated from time to time to reflect lessons learned from completed projects or phases, and changes in the market or regulatory environment.

Context Plan

Ravenswood

Pegasus Golf Course

Lake Pegasus

Pegasus Town

Tūhaitara Coastal Park

Woodend

State Highway 1

Pegasus Boulevard

Ridge Walkway

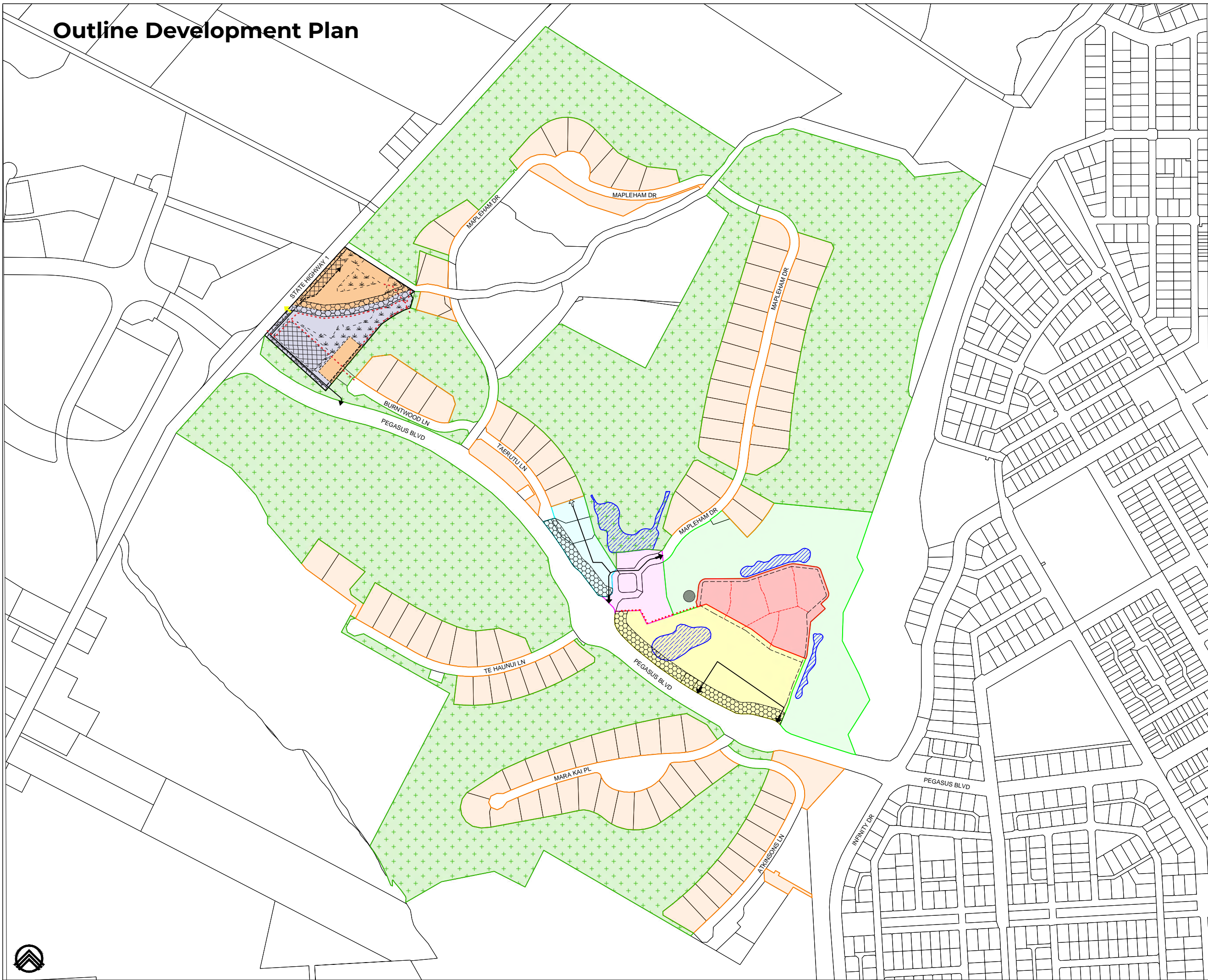
Gladstone Park

Tūtaepatu Lagoon

0 500 1000 m

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Outline Development Plan



LIMITATIONS:
1. THIS DRAWING IS LIMITED TO 4SIGHT CONSULTING'S WORKS AS CONTRACTED UNDER THE SIGNED OFFER OF SERVICE:

PROJECT NO.:	AA7138
DATE:	06 Aug 2024
A3 SCALE:	1:6000
A1 SCALE:	1:3000
DESIGN:	JL, ZA, CC
DRAWN:	BC, CC
CHECKED:	JL
APPROVED:	JL

KEY:

	Activity Area 1: Spa (Hotels, Spa and hot pools)
	Activity Area 2: Spa Village (VA + Mixed uses)
	Activity Area 3: Golf Square (Golf Club, Country club + Mixed uses)
	Activity Area 4: Golf Village (Tourism, Education + Hotel)
	Activity Area 5: Village Fringe (Golf Course, Holes 1 - 2)
	Activity Area 6: Golf Course (Golf Course, Holes 3 - 18)
	Activity Area 7A: Low Density Residential
	Activity Area 7B: Māketē Residential
	Activity Area 8: Māketē Village
	Existing Ponds
	Proposed Ponds
	Landscaped Setback
	Landscaped Car Access & Circulation
	Open Space
	Private Road
	Indicative Roads
	Indicative Shared Space
	Indicative Pedestrian Link
	State Highway Emergency Exit
	Road Access point (Fixed location)
	Road Access point (Indicative location)
	Relocated Helipad

v4.1	07.08.24	FINAL ISSUE
v3.0	13.05.24	FINAL ISSUE
v2.1	27.11.20	FINAL ISSUE
v2.0	28.10.20	FINAL ISSUE
REVISION	DATE	DESCRIPTION

FINAL ISSUE



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PROJECT:
PEGASUS GOLF COURSE

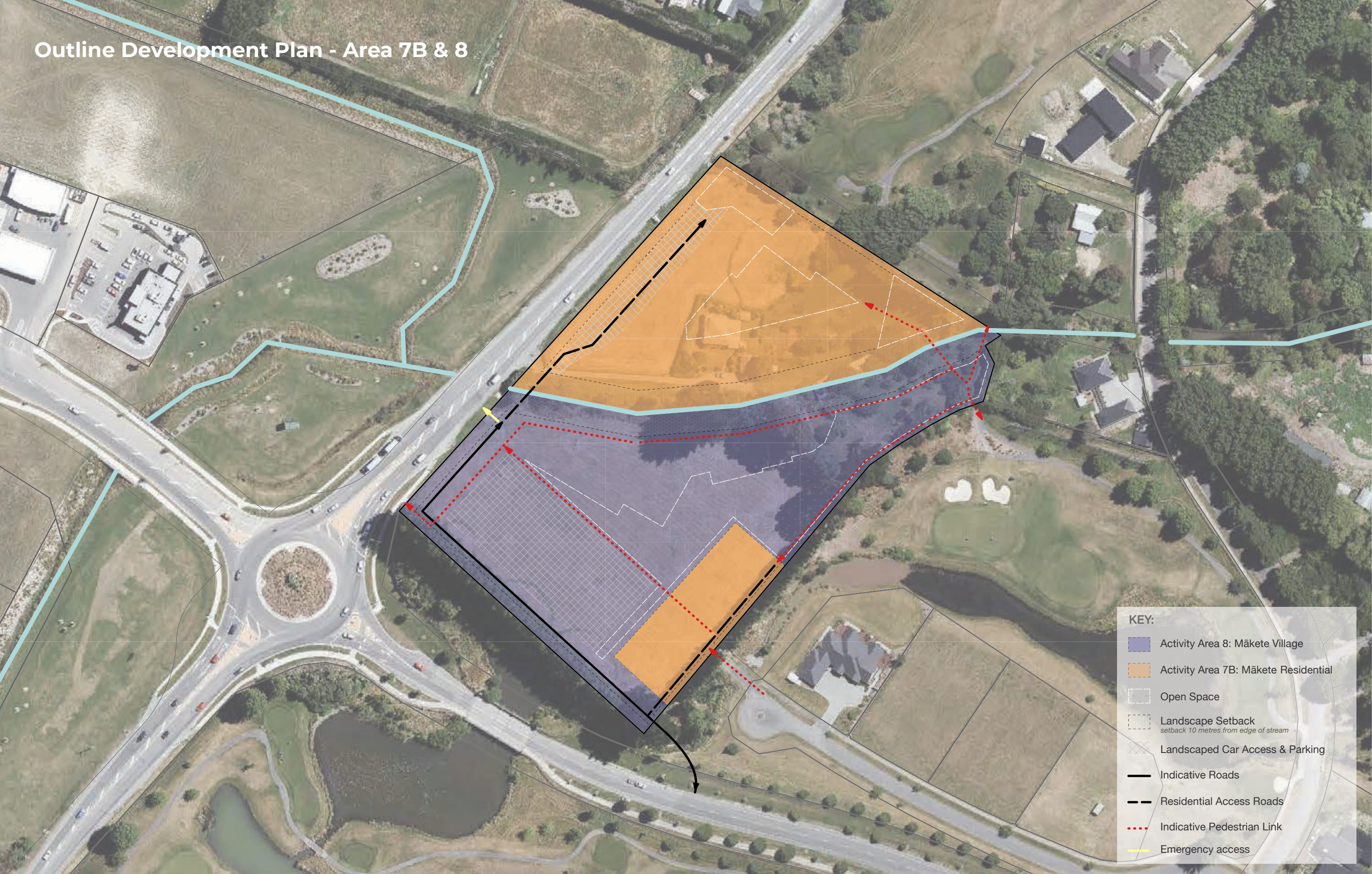
CLIENT: SPORTS AND EDUCATION CORPORATION
C/- JOSEPH AND ASSOCIATED LTD

ADDRESS: MAPLEHAM DRIVE, PEGASUS 7648

DRAWING TITLE: OUTLINE DEVELOPMENT PLAN	DRAWING NO.: ODP-01
---	-------------------------------



Outline Development Plan - Area 7B & 8



KEY:

- Activity Area 8: Mākete Village
- Activity Area 7B: Mākete Residential
- Open Space
- Landscape Setback
setback 10 metres from edge of stream
- Landscaped Car Access & Parking
- Indicative Roads
- Residential Access Roads
- Indicative Pedestrian Link
- Emergency access

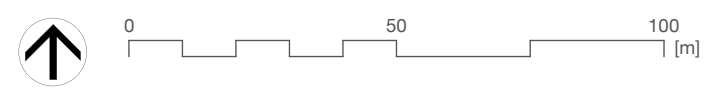
rev	date	details	by
B	23/04/2024	Revised ODP	CC
C	03/05/2024	Revised ODP	CC
D	08/05/2024	Revised ODP	CC
E	31/07/2024	Revised ODP	CC
F	06/08/2024	Final ODP	CC

scale: 1:1000 size: A2
 Do not scale drawings. Verify all dimensions on site
 drawn: CC checked: JL date 06/08/2024

project: pegasus mākete
 name: final ODP
 drawing: project 2304 rev F



client: DEXIN
Disclaimer: This plan has been prepared on behalf of and for the client. CGS accepts no liability or responsibility in respect upon this plan by any third party.





Tennis Courts

Putting Green

No. 1 Tee

Pegasus Golf Club

Helipad

Indicative Indoor Pool Domes

Spa Village

No. 2 Tee

Hotel

Spa

Indicative Outdoor Pools

Spa and Hotel Parking

Pegasus Boulevard

Hotel

Country Club

Golf Academy

Golf Square

Indicative Masterplan Areas 1-6

0 50 100m

Scale 1:1,250 @ A3 V2.2 Date: 28.10.2020



**Indicative Masterplan
Areas 7B-8**

0 50 100m

Scale 1:1,250 @ A3 V2.2 Date: 28.10.2020

1.2 Vision and Objectives

Pegasus Resort is expected to be a high-quality tourist destination which provides a parklands-style par72–18 hole championship Golf Course; Spa/Wellness and Hot Pool facility alongside visitor accommodation, and a complementary Māketē Village visitor destination. These Urban Design Guidelines are intended to assist Pegasus Resort to develop a strong sense of identity through the use of design criteria, building styles, forms, materiality and requirement to deliver high quality private public realm.

Pegasus Resort seeks to achieve a blend of consistency in materiality, palette and theme whilst allowing for originality and innovation in design.

Overarching Objectives for Pegasus Resort are:

- To create a sense of place and maintain a consistency of architecture and landscape that is appropriate for the location. This will be achieved through Tūrangawaewae with the recognition of identity and incorporation of this in the place by establishing the sense of character and quality of the built form and landscape with these guidelines. Reference and consideration shall be made to the Matapopore Urban Design Guide (2015).
- Where a cultural narrative is to be included within built form or landscape design responses these should be advanced through the articulation of Ngai Tuahuriri values. This has to be done by aligning the development values with Ngai Tuahuriri Kaupapa, kia atawhai kite iwi (care for the people), and by following the core principles outlined below;

Whakapapa (Identity and connection to Place);

Mahinga Kai (the knowledge and values associated with customary food gathering places and practices);

- *Mana Motuhake (able to act with independence and autonomy - designed to make all people feel they belong);*
- *Manaakitanga (extension of charity, hospitality, reciprocity and respect);*
- *Ture wairua (creating respectful places and spaces that embrace well-being, have deeper meanings, strengthen connection between mana whenua and their ancestral landscape).*

To allow for a diversity of built form that reflects the intent of each of the activity areas to allow for different kinds of buildings for different uses, appropriate form and pattern of use, movement, and visual variation.

To provide a connected, walkable and accessible resort linking pedestrian walkways and cycleways with the provision of shared paths to public transport/bus stops on Pegasus Boulevard.

To ensure Crime Prevention through Environmental Design (CPTED) has been considered and safety demonstrated in the design.

To ensure design is environmentally sustainable and innovative, to create places that protect and enhance natural features, water quality, ecosystems, culture and heritage, with reduced energy use and waste production.

The resort in itself is a visitor attraction and therefore the architecture, public realm and landscape must reflect this.

The guidelines and controls in this document are important tools in protecting and enhancing the amenity of Pegasus Resort.



1.3 Activity Area Objectives

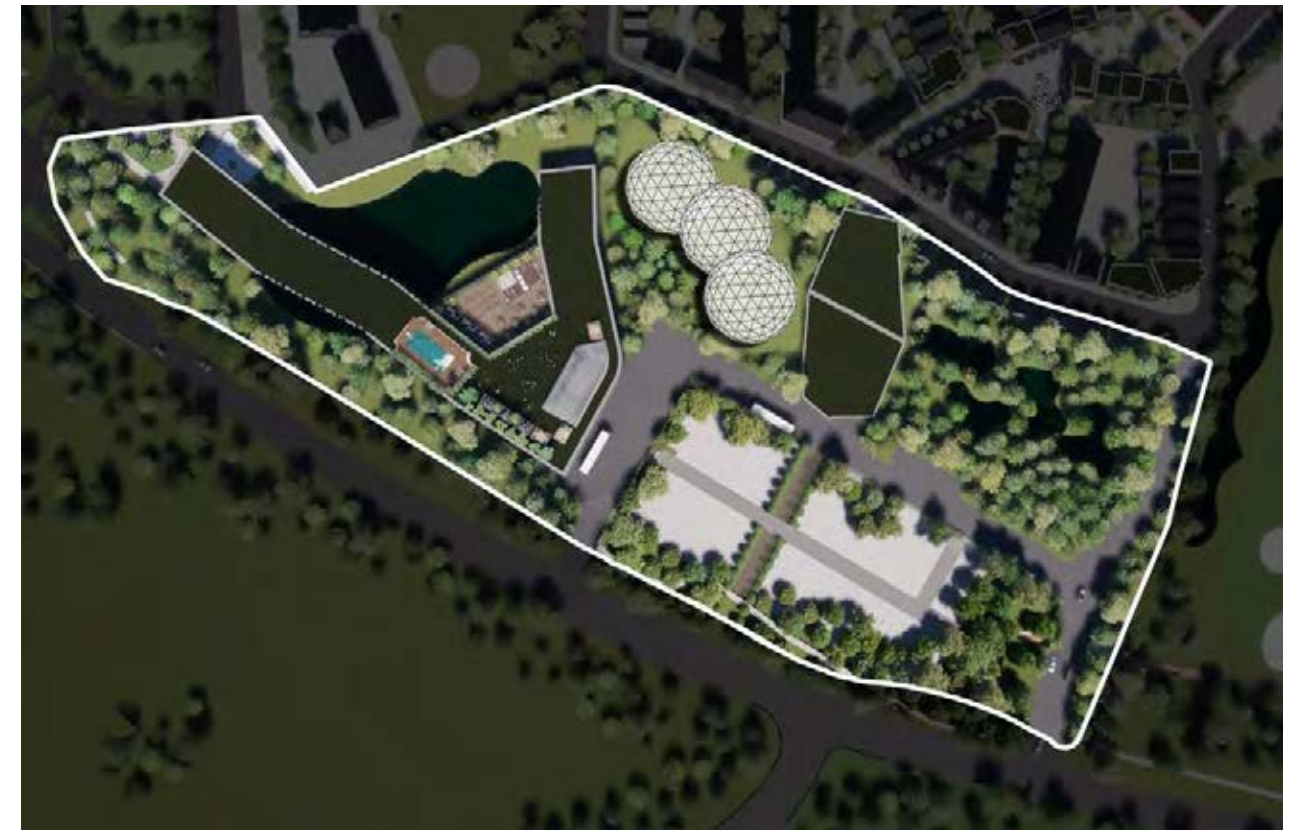
Pegasus Resort is made up of Eight activity areas which are described below with specific objectives detailed below. The key differences between these activity areas are the types of development enabled in each area (as guided by the Outline Development Plan (ODP)) and the extent to which key activities such as Commercial Golf Resort Activities and Visitor Accommodation can occur. This recognises that some activity areas predominantly perform functions relating to the existing golf course, while others will enable other major tourism related activities, and to allow each of these areas to develop a distinct character guided by these guidelines.



Activity Area 1 – Spa provides for the new 'district' of tourism activities, centered around the development of a Spa 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. There is a substantial need for car parking to support the activities of this zone. The masterplan shows a heavily landscaped car park. The intent is that cars sit within a landscape rather than landscape sitting in a carpark. At some point there may be more demand for further tourism activities and car parking will need to be provided in a structure.

The specific objectives for Spa Activity Area are:

- To ensure design of the spa, hot pools, pools, hotel, car parking and associated built form is that of a 'campus style' development where buildings are set within a landscape.
- To require all built form, including at-grade parking or parking buildings to be appropriately modulated to ensure visual variation in the façades of buildings and or parking to be adequately screened or landscaped.
- To encourage landscaping that reflects the surrounding natural landscape and is appropriate for the area, enhancing the amenity and biodiversity of the area.



Activity Area 2 – Spa Village provides for a range of supporting commercial and visitor accommodation activities that will allow for visitors to the tourism district to cater for their stay in a unique pedestrian environment. 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 'village' sense of place. The Spa Village will not provide for residential activities or other commercial activities typically associated with a neighbourhood or local centre – any commercial resort golf activity will need to demonstrate a link to supporting the key tourism activities provided for in Pegasus Resort.

These guidelines are intended to provide The specific objectives for Spa Village Activity Area are:

- To ensure the village creates an intimate, human scaled and cohesive environment.
- To ensure a provision of a variety of self-catering living/bedrooms units in the visitor accommodation.
- To provide for enclosed perimeter blocks that encourage active transport and prioritise pedestrians through the use of green streets and an active edged main street.



- To ensure that the public realm encourages 'eyes on the street', interaction and space for collective enjoyment by fronting living environments to the street.
- To create a public realm that encourages use and interaction.
- To encourage varied design within a palette of materials and finishes.
- To create a village with a level of convenience that retains strong connections to the surrounding landscape.
- To ensure streets are defined by buildings with modulation of roof lines and forms.

- To encourage verandas and awnings where appropriate to enhance the streetscape and pedestrian environment.
- To place vehicular access points away from pedestrian oriented Village street edges.
- To ensure the Village is walkable.
- To ensure fronts and backs of buildings are provided – with blocks having a sense of enclosure and spatial clarity.



Activity Area 3 – Golf Square contains the existing golf club facilities. The design of these buildings has set the tone and character for the built form of Pegasus Resort. This area includes a Country Club and associated activities directly related to the operation of the golf course.

The specific objectives for Golf Square Activity Area are:

- To ensure the Golf Square creates a Golf Club hub environment that builds on the existing architecture of the golf club and reads as a coherent place.
- To ensure any buildings or structures within the Golf Square provide active edges or activation of the public realm for example through hospitality and retail.



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. These are to reinforce the Golf Course and enclose the Golf Square.

The specific objectives for Golf Village Activity Area are:

- To consolidate the parking in a formal landscaped environment that reduces its visual impact.
- To enclose the Square with buildings and activities which define the space.
- To ensure that other parts of the Village Resort are well and safely connected to the square with pedestrian and cycleways.



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 larger lot residential properties located to the north.

The specific objectives for Village Fringe Activity Area are:

- To maintain the existing status and par level when development occurs by replacing the location of golf holes 1 and 2 to the Village Fringe area.
- To provide separation from the Spa Village through the use of landscaping with ponds, wetlands and landscaped swales to preserve the amenity appreciated by golfers and protect the village through carefully aligning the fairway.
- To enhance the amenity and biodiversity with the introduction of a range of native planting into the golf course.



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.

The specific objective for the Golf Course Activity Area is:

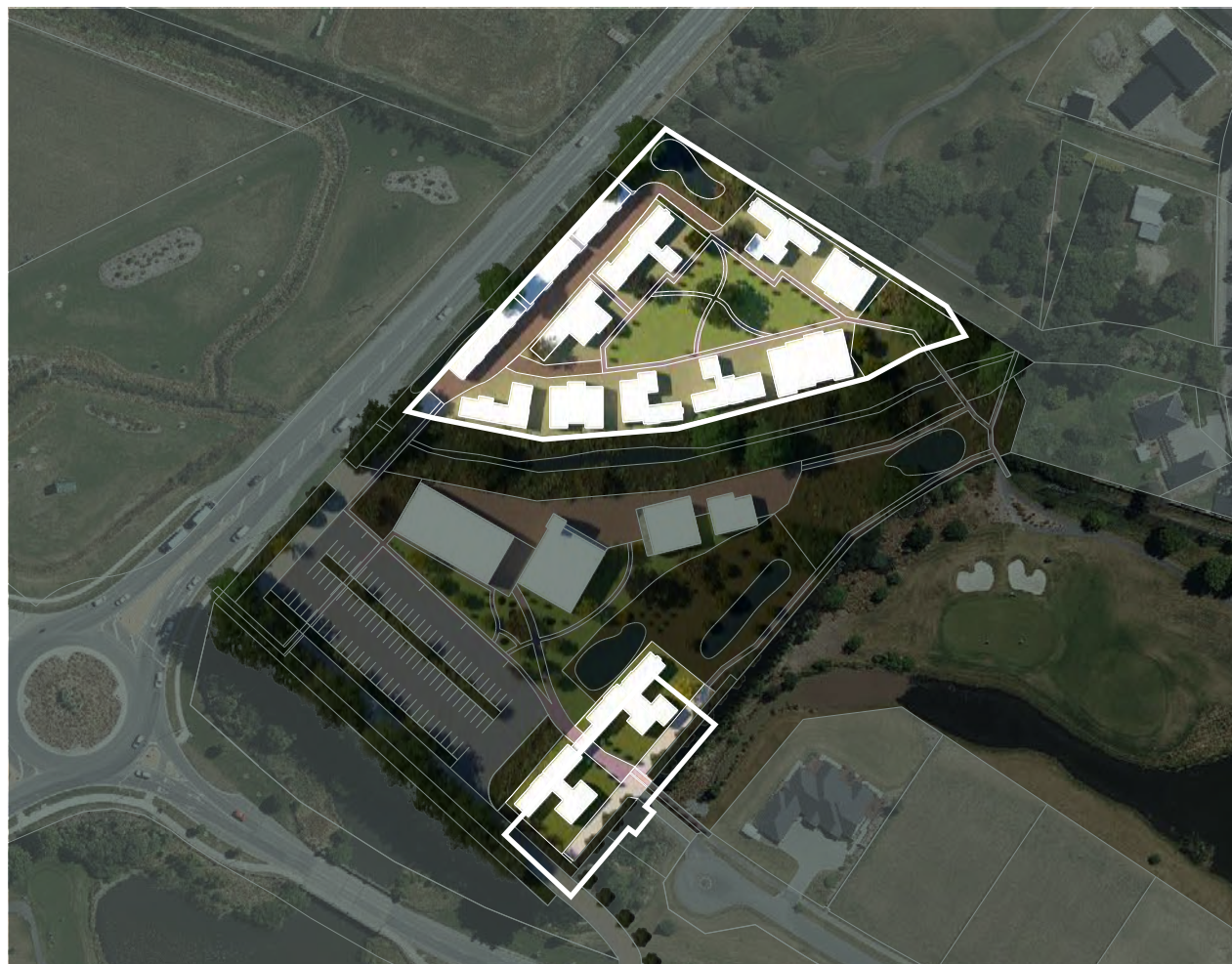
- To continue to provide for the 18-hole golf course and its maintenance and operation.



Activity Area 7B - Māketē Residential provides for residential activity on to the north of the Māketē Village. This area provides for developments and a mix of stand alone duplex and terrace style residential dwellings with a high level of design quality in a landscape setting.

The Specific Objectives for the Māketē Residential Activity Area are:

- To provide a variety of high quality stand alone duplex and terraced house typologies, with a connection to the surrounding facilities including the Māketē, Village, hot pools, Hotel and Golf Course.
- To require all built forms to be appropriately modulated to ensure visual variation in the façades of buildings.
- To ensure that other parts of the Māketē Village are well and safely connected to the Residential Area with pedestrian and cycleways



Activity Area 8 – Māketē Village provides for a range of tourism and supporting commercial activities that will provide a visitor destination to complement Pegasus Resort. The foundation of the village will be a market area to provide for local producers to directly retail produce and to provide spaces to develop and enhance waahi taonga and mahinga kai. The area will be supplemented by small scale commercial food and beverage operations and visitor attractions that will showcase local fine arts, artisan crafts, cultural activities and historical interpretation, which will reflect the important cultural values of the area. Educational and entertainment experiences for visitors will focus on sustainability, food

production, crafts, local history and cultural heritage.

There is a need for car parking to support the activities of this zone. The ODP shows the carparking placed in the southern portion of the site with a landscape buffer between the carparking and the road. This is intended to have low mounds with mostly low-level native planting and some larger trees. The interior of the site including the Māketē is intended to have pedestrian access only.

The Specific Objectives for the Māketē Village Activity Area are:



- To ensure the development creates an intimate, human scaled and cohesive environment with buildings providing activation to the public realm.
- To ensure the buildings are adjacent to a landscaped 'Village Green' which provides open space for recreation and can cater for a variety of outdoor events.
- To encourage verandas and awnings where appropriate to enhance the streetscape and pedestrian environment, and to provide a variety of outdoor seating and recreation spaces to provide shelter in different weather conditions.

- To require all built forms to be appropriately modulated to ensure visual variation in the façades of buildings.
- To encourage varied design within a palette of materials and finishes.
- To provide a range of entertainment and educational activities relating to themes of agriculture, horticulture, food production, winemaking, museum/historical interpretation, sustainability, arts, crafts and culture.
- To provide a space for local producers and makers to sell and promote their products.

- To develop and enhance waahi taonga and mahinga kai opportunities through developing spaces for culturally authentic entertainment and educational activities and through landscaping and biodiversity enhancement projects.
- To encourage landscaping that reflects the surrounding natural landscape and is appropriate for the area, enhancing the amenity and biodiversity of the area, and to protect the ecology and amenity of the existing creek.
- To minimise the impact of carparking by requiring extensive landscaping within and around the carpark and to create

a safe pedestrian environment in the interior of the site by limiting vehicular traffic to the perimeter.

- To ensure that other parts of the Pegasus Resort are well and safely connected to the Māketete development with pedestrian and cycleways.
- To retain historical and cultural artifacts and provide interpretative displays relating to the history of the site.
- To develop the design that has regard to Ngai Tuahuriri development values and cultural narrative.



Artistic rendering of Activity Areas 7B & 8 only - not to exact scale or layout of final development.



Concept Impression

2.0 Built Form

2.1 Design Considerations

The built form design considerations are intended to encourage a diversity of built form that will complement the overarching objectives of Pegasus Resort. Each of the Activity Areas have a different set of guidelines which aim to weave together to ensure Pegasus Resort:

- Maintains an appreciated amenity surrounding an international golf course;
- Complements the existing landscape and locale;
- Has diversity of built form and outdoor spaces;
- Has different buildings which do not overlook or overshadow one another, that respect the overall pattern of fronts, backs and sides;
- Connects with and enhances the architecture of the existing golf course club rooms and buildings;
- Provides variation of façades and appropriate visual scale through use of recesses and materiality adjoining the golf course and public realm (such as Pegasus Boulevard);
- Defines each of the activity areas and their associated uses; and
- References the local historical and cultural context, including working alongside mana whenua to provide authentic reflections of cultural values

2.2 Form + Massing Controls

The built form and massing of structures within Pegasus Resort have differing controls for each of the Activity Areas to ensure a consistency in scale and form is achieved to foster a sense of distinct character in each of the activity areas.

2.2.1 SPA ACTIVITY AREA

The Spa district provides for tourism activities, centred around the development of a wellness Spa and Hot Pools with an associated landmark hotel building. Buildings within this area will be larger than that typical of the area and as such need to set within a landscaped environment.

2.2.1.1 Coverage Controls: Spa Activity Area

Maximum Site Coverage	35%
Minimum Landscape Coverage	40%
Maximum Paved / Impermeable Coverage	25%

2.2.1.2 Maximum Building Height: Spa Activity Area

Maximum Building Height – 16m, 3 storeys.

2.2.1.3 Building Setback: Spa Activity Area

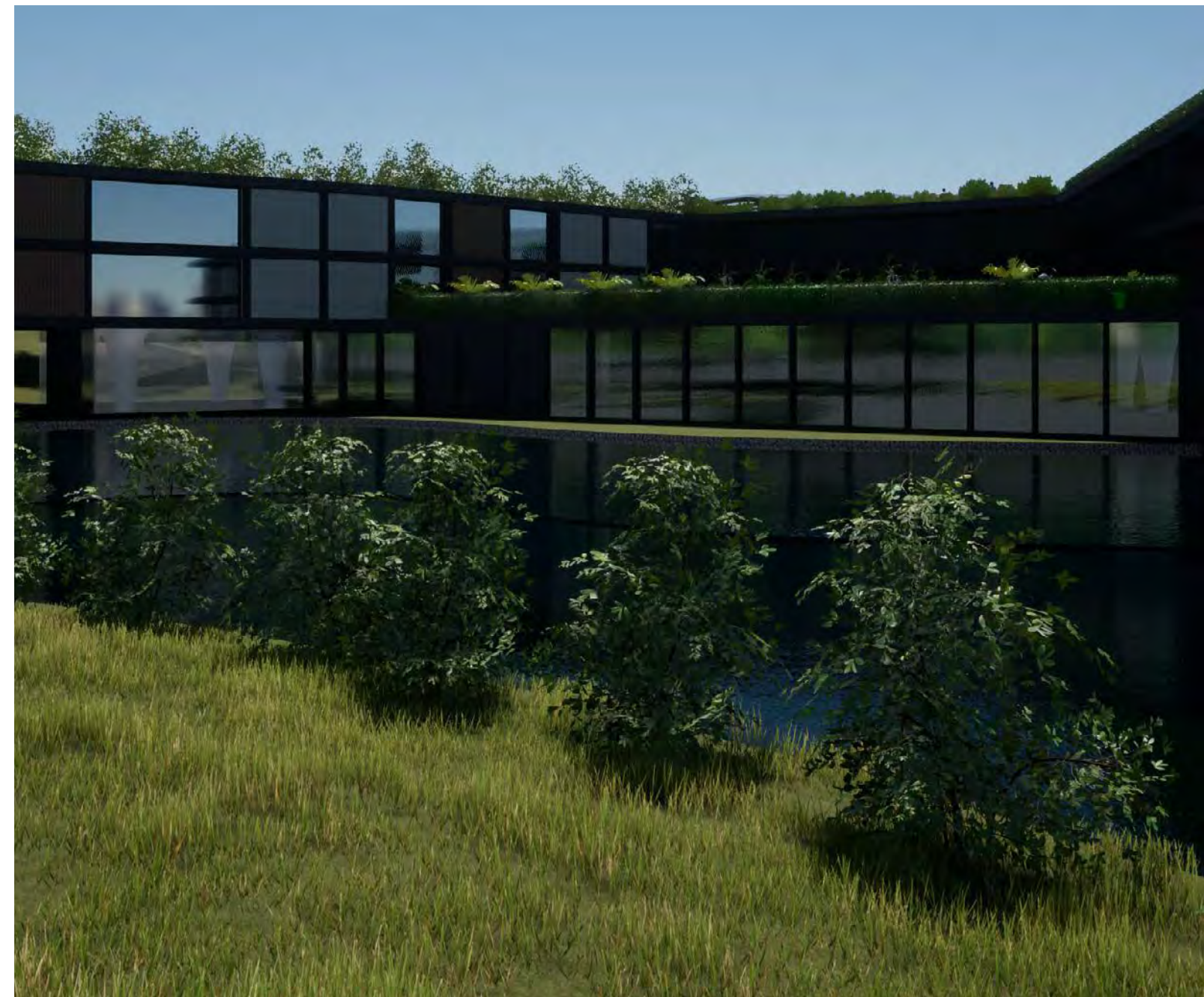
A minimum landscaped building setback of 20m shall be provided adjoining Pegasus Boulevard. Within this buffer zone mounding is encouraged and shall be on average 1m in height, of a natural shape and contour and planted with species as defined in section 3.

Planting in this area shall be designed and established to mitigate (screen, soften and balance) the visual impact and dominance of adjacent built form and any car parking areas. Planting within this area shall include at least 1 tree capable of reaching 15m height every 12m. These trees are to be at least 2.5m in height at the time of planting.

2.2.1.4 Modulation of Buildings: Spa Activity Area

Consideration shall be given to breaking up the mass of building forms in excess of 15m in length. This can be done through the use of recesses, gable end projections, chimney's, balconies, and the use of façade variation and materials (including the incorporation of living facades or walls). Blank facades are to be avoided.

At least 30% of the setback area is to be planted with locally appropriate native species (see Section 3.3). Planting plans for this area shall specify the grades of plants to be planted and demonstrate how a timely landscape impact shall be achieved. These plans shall also include the proposed measures to provide for successful establishment and appropriate on-going management.



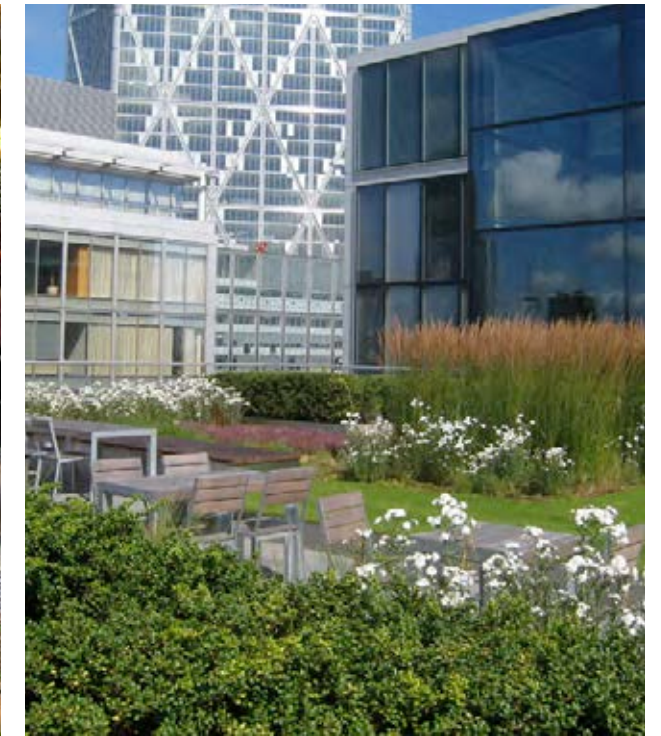


2.2.1.5 Roofs: Spa Activity Area

The aim of the following controls is to ensure a unified roofscape that does not detract from the surrounding landscape and the established built form.

- Flat roofs will be permitted within the Spa Activity Area, especially where these roofs are accessible and/or living roofs.
- Domes enclosing pools will be permitted if demonstrated that they are nestled into the landscape, do not use mirrored glazing or materials and are non-reflective.
- Buildings with a footprint over 2,000m² must include a living roof. For the purpose of activating a living roof (for example with a café or bar) a pavilion building may be able to exceed the maximum height limit by no more than 4m (measured from the finished floor level of the living roof), up to a maximum of 30% of the building footprint.

- All other buildings will follow a simple roof form that follow the architectural design of cottages, villas or pavilions. For a pavilion gabled roof a minimum pitch of 25° and maximum of 45°.
- It is recommended that simple roof forms are used.
- Mono-pitched roofs, exceeding 20% of the building footprint can be incorporated with a minimum pitch of 5° and maximum of 10° where the combination of roof forms is minimal.
- Eaves or overhangs are encouraged.
- Roofs shall have a Light Reflectivity Value (LRV) of between 5-22% in a neutral colour or Resene Heritage Colour.
- Steel tray cladding/roof, Profiled Steel, Coloursteel or tiles are permitted limited to one form, with colours similar to Resene matte finish: Element; Grey Friars; Windswept; Squall; Ironsand; Lignite; High Tide; Charcoal or Karaka.
- Down pipes and gutters will be in a colour matching the roof.



2.2.1.6 Wall Cladding: Spa Activity Area

The wall cladding controls aim to ensure that new buildings are complementary and blend into the immediate Pegasus Resort and wider landscape. Cladding materials shall be authentic, of quality with natural or recessive colours with a limited number of variations in finish.

The following cladding materials and colours are permitted;

- Fine faced concrete block for not more than 30% of the total exterior façade wall cladding;
- Concrete with a low light reflection coefficient (i.e. textured such as board formed or oxide additives) for not more than 30% of the total exterior façade, wall cladding;
- Brick either natural or painted in contemporary dark paint colours to match an LRV of 5-22%;
- Painted timber in contemporary dark paint colours to match an LRV of 5-22%;
- Natural timber cladding, vertically cladded, left to weather, oiled or stained to match an LRV of 5-22%;
- Board and batten stained to match an LRV of 5-22%; and
- Joinery, guttering, and downpipes should match roof colours.

Corrugated Iron or Hardie™ Flatboard is not permitted. Materials not listed in the list above may be considered appropriate at the sole discretion of WDC.

2.2.1.7 Windows and Doors: Spa Activity Area

The aim of these controls is to ensure a cohesive design is achieved throughout Pegasus Resort.

- Natural or stained timber, steel, powder coated aluminium or anodised aluminium joinery in a recessive colours is permitted.
- Windows are to be double-glazed, vertical in proportion and adjoining the golf course, to be toughened glass.
- All glazing is to be non-reflective and no mirrored glass is permitted.

2.2.1.8 Building Projections: Spa Activity Area

The use of verandas, porches and pergolas are encouraged to enhance the outdoor spaces provided for all year round use. Built form projections should be designed as connected elements to the main building form.

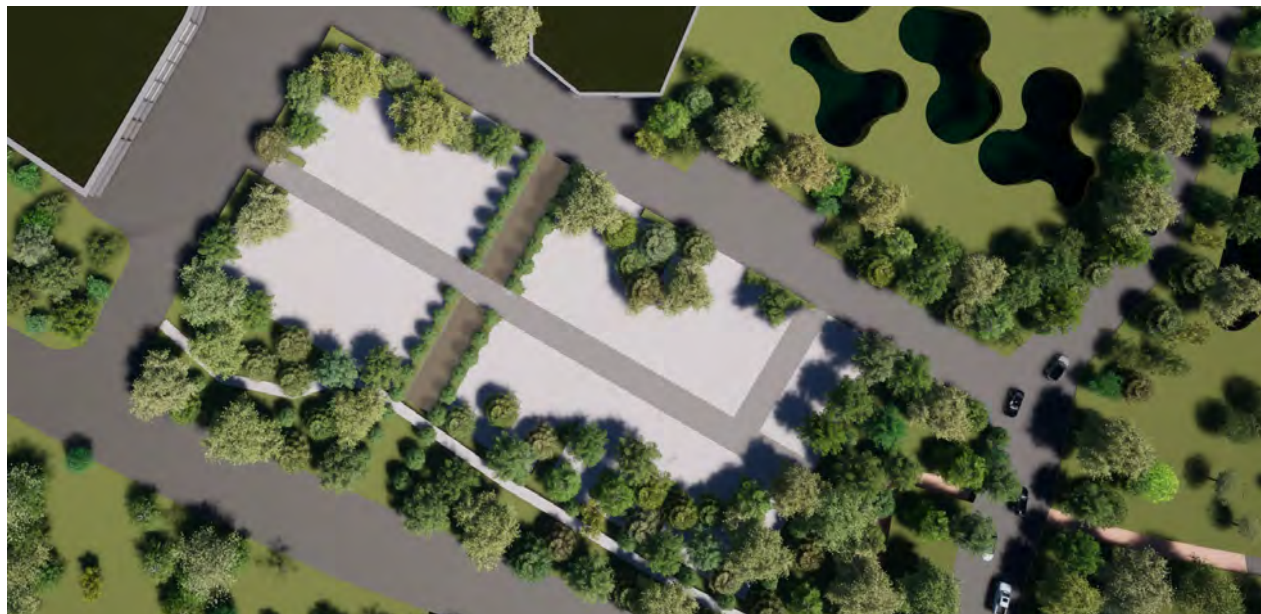
- Roof projections, such as chimneys and flues are to be compatible in materials and height with the main building form.
- Chimneys that are considered to be a strong built form element may exceed 1.1m in height and width to a maximum of 2m.
- Verandas, pergolas and balconies are to be of a proportion and scale to suit the development and provide space for people to sit and connect at street level, act as an activation extension to ground floor uses.



2.2.1.9 Car Parking: Spa Activity Area

Car parking controls aim to reduce the adverse effects of at-grade carparking or car parking buildings on Pegasus Resort and to ensure this space does not dominate or significantly detract from the landscaped quality of the area.

- Large 'at-grade' car parking spaces should be avoided to ensure views from surrounding public spaces of Pegasus Resort are maintained.
- Car parking buildings shall be appropriated modulated through façade treatment to ensure that they do not inappropriately undermine the character of Pegasus Resort and adjacent areas.
- Organic patterning of vegetation shall be used to appropriately screen reducing the dominance of parked cars and pavement alongside providing shade for parking in summer.
- Landscape planting to a high standard should be used to reduce the dominance of hard surfaces and avoid large areas of impermeable surfacing.
- Best practice urban design solutions should be used to avoid the dominance of car parking areas, including sleeved, green roofed, underground, rear courtyard, screened or recessed parking.
- Coach/bus parking areas shall be appropriately landscaped.
- Car parks with more than one aisle shall include legible pedestrian circulation and refuge accommodating the main pedestrian desire line(s).
- Car parks shall have a minimum 1.5m wide plant strip at the head of the carpark (or equivalent garden island area within 5m proximity) each park, typically allowing for 0.5m wide mat groundcovers (accommodating car overhang), then 1m wide groundcover/shrub border). The 1.5 m wide plant strip does not need to be duplicated for nose to nose car parks.
- Plant areas internal to car park set-outs shall include groundcovers and canopy lifted trees enabling clear sight-lines between 0.7m and 2.5m above ground throughout for pedestrians and drivers.
- Plant areas on the periphery of car park set-outs shall have canopy separation between 1.5m and 2.5m above ground, ground plants can therefore accommodate low shrubbery.
- For every 5 car parks the plant strip (or garden island) shall include one specimen tree, minimum 45L grade.



2.2.2 SPA VILLAGE ACTIVITY AREA

The Spa Village provides for an intimate and human scaled visitor accommodation experience with commercial activities allowing visitors to cater for the stay at the resort. The village will create a unique pedestrian environment centred around a small main street and active public realm.

It is important that the Spa Village creates:

- a public realm that encourages walkability, use and interaction.
- a built form with varied palette of materials and finishes.
- a level of convenience for users which retains strong connections to the surrounding landscape.
- streets that are defined by buildings with modulation of roof lines and forms.
- space for pedestrian activation of the street utilising verandas and awnings.
- a pedestrian oriented Village that has enclosure and spatial clarity.

2.2.2.1 Coverage Controls: Spa Village Activity Area

Maximum Site Coverage	35%
Minimum Landscape Coverage	40%
Maximum Paved / Impermeable Coverage	25%

2.2.2.2 Maximum and Minimum Heights: Spa Village Activity Area

Maximum Building Height – 12m, 3 storeys
 Minimum Building Height – 6m, 1 storey

2.2.2.3 Building Setback: Spa Village Activity Area

A maximum building setback of 2m shall be provided adjoining the ring road to allow for verandas and recesses. Within this set back area activations spaces are encouraged to provide passive surveillance and 'eyes on the street'.

2.2.2.4 Visitor Accommodation: Spa Village Activity Area

The minimum visitor accommodation unit size excluding garages, carports, balconies, and any communal lobbies stairwells and plant rooms will be:

Studio apartment	25m ²
1 Bedroom	35m ²
2 Bedroom	50m ²
3 Bedroom	80m ²

Private outdoor living space for each unit of 6m² and a minimum dimension of 1.5m.

2.2.2.5 Retail and Ancillary Activities: Spa Village Activity Area

These areas are to be specifically located in the portions of the buildings that will create activation of main thoroughfares, the Spa Village main street, connections from the Spa Activity Area and Golf Square to the Village.

Retail is to be located only on a main street with larger buildings located on the corners of street blocks.



2.2.2.6 Modulation of Buildings: Spa Village Activity Area

Consideration shall be given to breaking up the mass of building forms in excess of 15m in length in the village. This can be done through the use of façade variation, materials (including the incorporation of living facades or walls), recesses, gable end projections, chimney's, and balconies.

Blank facades are to be avoided.

All building forms should be modulated and varied with a rich mix of heights and roof forms and breaks in building typologies.

2.2.2.7 Roofs: Spa Village Activity Area

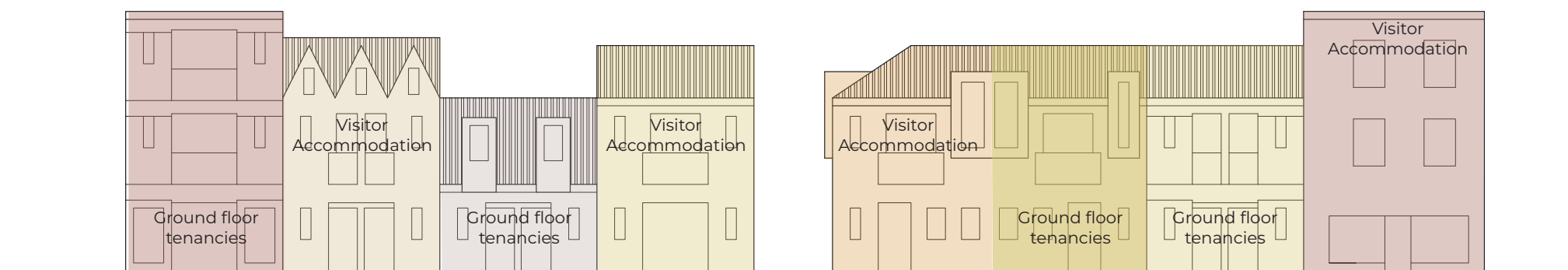
The aim of the following controls is to ensure a unified roofscape that does not detract from the surrounding landscape and the established built form.

- All buildings should follow a simple roof form that follow the architectural design of cottages, villas or pavilions. For a pavilion gabled roof a minimum pitch of 25° and maximum of 45°.
- It is recommended that simple roof forms are used.
- Mono-pitched roofs, exceeding 20% of the building footprint can be incorporated with a minimum pitch of 5° and maximum of 10° where the combination of roof forms is minimal.
- Lean-to structures are permitted and shall have a minimum roof pitch of 15° and a maximum pitch of 35°.
- Flat roofs that connect and link pitched roofed pavilions are acceptable but will

generally not exceed 30% of the total roof area of the activity area. These roofs are encouraged to be accessible and/or have a living roof.

- No hip roofs are permitted.
- Eaves or overhangs are encouraged.
- Roofs shall have a Light Reflectivity Value (LRV) of between 5-22% in a neutral colour.
- Steel tray cladding/roof, Profiled Steel, Coloursteel or tiles are permitted limited to one form, with colours similar to Resene matte finish: Element; Grey Friars; Windswept; Squall; Ironsand;

- Lignite; High Tide; Charcoal or Karaka.
- A second roof finish to a secondary form such as a garage or lean-to may be permitted where it can be satisfied that the overall design will benefit from this feature.
- Down pipes and gutters will be in a colour matching the roof.
- Dormers are permitted and must be treated with same material as main roof.



Typical Main Street

2.2.2.8 Wall Cladding: Spa Village Activity Area

The wall cladding controls aim to ensure that new buildings are complementary and blend into the immediate Pegasus Resort and wider landscape. Cladding materials shall be authentic, of quality with natural or recessive colours with a limited number of variations in finish.

The following cladding materials and colours are permitted;

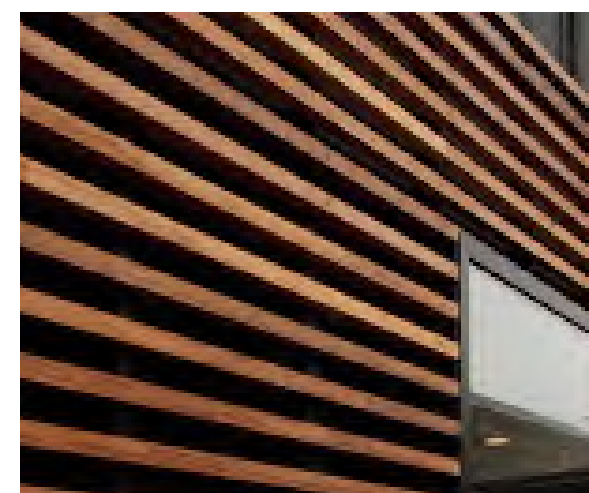
- Fine faced concrete block for not more than 30% of the total exterior façade wall cladding;
- Concrete with a low light reflection coefficient (i.e. textured such as board formed or oxide additives) for not more than 30% of the total exterior façade wall cladding;
- Brick either natural or painted in contemporary dark paint colours to match an LRV of 5-22%;
- Painted timber in contemporary dark paint colours to match an LRV of 5-22%;
- Natural timber cladding, vertically cladded, left to weather, oiled or stained to match an LRV of 5-22%;
- Board and batten stained to match an LRV of 5-22%; and
- Joinery, guttering, and downpipes should match roof colours;

Corrugated Iron or Hardie™ Flatboard is not permitted. Materials not listed in the list above may be considered appropriate at the sole discretion of WDC.

2.2.2.9 Windows and Doors: Spa Village Activity Area

The aim of these controls is to ensure a sense of human scale is achieved throughout the Village in Pegasus Resort.

- Natural or stained timber, steel, powder coated aluminium or anodised aluminium joinery in a recessive colours is permitted.
- Windows are to be double-glazed, vertical in proportion and adjoining the golf course, to be toughened glass.
- All glazing is to be non-reflective and no mirrored glass is permitted.
- Garage doors are to be timber stained or painted and in a recessive colour.



2.2.2.10 Building Projections: Spa Village Activity Area

The use of verandas, porches and pergolas are encouraged to enhance the outdoor spaces provided for all year round use and encourage active frontages. These controls aim to ensure that the public realm encourages 'eyes on the street', interaction and space for collective enjoyment by fronting living environments to the street. Built form projections should be designed as connected elements to the main building form.

- Roof projections, such as chimneys and flues are to be compatible in materials and height with the main building form.
- Chimneys that are considered to be a strong built form element may exceed 1.1m in height and width to a maximum of 2m.
- Verandas, pergolas and balconies are to be of a proportion and scale to suit the development and provide space for people to sit and connect at street level, act as an activation extension to ground floor uses.



2.2.2.11 Car Parking: Spa Village Activity Area

Car parking controls aim to reduce the adverse effects of at-grade carparking, garaging or car parking structures on Pegasus Resort and to ensure these spaces do not dominate or significantly detract from the pedestrian orientated and landscaped quality of the area.

- Vehicular access points shall be located away from pedestrian oriented Village street edges.
- Large 'at-grade' car parking spaces should be avoided to ensure views from surrounding public spaces of Pegasus Resort are maintained.
- Car parking buildings shall be appropriately modulated through façade treatment to ensure that they do not inappropriately undermine the character of Pegasus Resort and adjacent areas.
- Organic patterning of vegetation shall be used to appropriately screen reducing the dominance of parked cars and pavement alongside providing shade for parking in summer.
- Landscape planting to a high standard should be used to reduce the dominance of hard surfaces and avoid large areas of impermeable surfacing.
- Best practice urban design solutions should be used to avoid the dominance of car parking areas, including sleeved, green/living roofed, underground, rear courtyard, screened or recessed parking.
- Garage or carport design must be of a similar material as the main building.
- Garage doors and vehicle manoeuvring areas addressing the street shall be avoided.



2.2.3 GOLF SQUARE ACTIVITY AREA

The Golf Square provides for an international champion golf course hub with the existing golf club and its facilities, a Country Club and associated activities (such as hospitality and retail) that directly related to the operation of the golf course. These activities surround and enclose a Golf Square that is required to be safely connected to other parts of Pegasus Resort via a network of walkways and cycleways encouraging active transportation.

2.2.3.1 Coverage Controls: Golf Square Activity Area

Maximum Site Coverage	20%
Minimum Landscape Coverage	30%
Maximum Paved / Impermeable Coverage	50%

2.2.3.2 Maximum Building Height: Golf Square Activity Area

Maximum Building Height – 9m, 2 storeys

2.2.3.3 Building Setback: Golf Square Activity Area

A minimum building setback of 5m shall be provided adjoining Pegasus Boulevard. Within this setback landscaping is encouraged to create an aesthetic entrance to the Resort and planted with species as defined in section 3.

2.2.3.4 Modulation of Buildings: Golf Square Activity Area

Consideration shall be given to breaking up the mass of building forms in excess of 15m in length in the Golf Square. This can be done through the use of façade variation,

materials (including the incorporation of living facades or walls), recesses, gable end projections, chimney's, and balconies. Blank facades are to be avoided.

2.2.3.5 Roofs: Golf Square Activity Area

The aim of the following controls is to ensure a unified roofscape that does not detract from the surrounding landscape and the established built form of the Pegasus Golf Club.

- All buildings should follow a simple roof form that follow the architectural design of the Pegasus Golf Club. For a pavilion gabled roof a minimum pitch of 25° and maximum of 45°.
- Mono-pitched roofs, exceeding 20% of the building footprint can be incorporated with a minimum pitch of 5° and maximum of 10° where the combination of roof forms is minimal.
- Lean-to structures are permitted and shall have a minimum roof pitch of 15° and a maximum pitch of 35°.
- No hip roofs are permitted.
- Eaves or overhangs are encouraged.
- Roofs shall have a Light Reflectivity Value (LRV) of between 5-22% in a neutral colour.
- Steel tray cladding/roof, Profiled Steel, Coloursteel or tiles are permitted limited to one form, with colours similar to Resene matte finish: Element; Grey Friars; Windswept; Squall; Ironsand; Lignite; High Tide; Charcoal or Karaka.
- Down pipes and gutters will be in a colour matching the roof.



2.2.3.6 Wall Cladding: Golf Square Activity Area

The wall cladding controls aim to ensure that new buildings are complementary and blend into the immediate Pegasus Golf Club part of the Resort and wider landscape. Cladding materials shall be authentic, of quality with natural or recessive colours with a limited number of variations in finish.

The following cladding materials and colours are permitted;

- Concrete with a low light reflection coefficient (i.e. textured such as board formed or oxide additives) for not more than 30% of the total exterior façade wall cladding;
- Brick either natural or painted in contemporary dark paint colours to match an LRV of 5-22%;
- Painted timber in contemporary dark paint colours to match an LRV of 5-22%;
- Natural timber cladding, vertically cladded, left to weather, oiled or stained to match an LRV of 5-22%;
- Board and batten stained to match an LRV of 5-22%;
- Stone to match the existing golf club façade;
- Joinery, guttering, and downpipes should match roof colours;

Corrugated Iron or Hardie™ Flatboard is not permitted. Materials not listed in the list above may be considered appropriate at the sole discretion of WDC.

2.2.3.7 Windows and Doors: Golf Square Activity Area

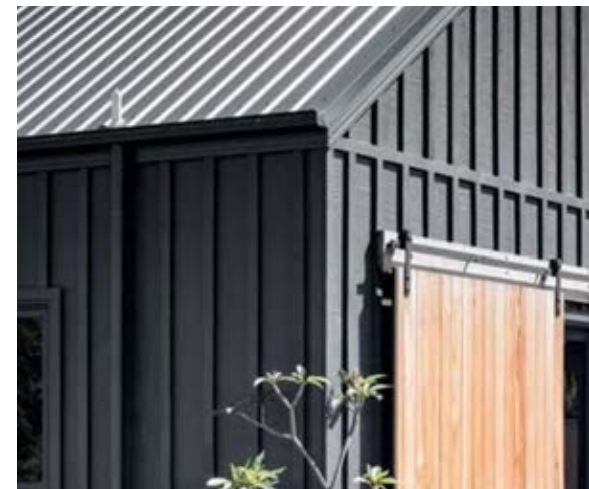
The aim of these controls is to ensure a sense of human scale is achieved throughout Pegasus Resort.

- Natural or stained timber, steel, powder coated aluminium or anodised aluminium joinery in a recessive colours is permitted.
- Windows are to be double-glazed, vertical in proportion and adjoining the golf course, to be toughened glass.
- All glazing is to be non-reflective and no mirrored glass is permitted.
- Shed or Garage doors are to be timber stained or painted and in a recessive colour.

2.2.3.8 Building Projections: Golf Square Activity Area

The use of verandas, porches and pergolas are encouraged to enhance the outdoor spaces provided for all year round use and encourage active frontages. Built form projections should be designed as connected elements to the main building form.

- Roof projections, such as chimneys and flues are to be compatible in materials and height with the main building form.
- Chimneys that are considered to be a strong built form element may exceed 1.1m in height and width to a maximum of 2m.
- Verandas, pergolas and balconies are to be of a proportion and scale to suit the development and provide space for people to sit and connect at street level, act as an activation extension to ground floor uses.



2.2.3.9 Car Parking: Golf Square Activity Area

Car parking controls aim to reduce the adverse effects of at-grade carparking, garaging or car parking structures on Pegasus Resort and to ensure these spaces do not dominate or significantly detract from the pedestrian orientated and landscaped quality of the area.

- The 'at-grade' car parking forming the central square should be treated in semi-permeable surface and landscaped to ensure views from surrounding public spaces of Pegasus Resort are maintained. This space should be versatile to function as a central square if required to for an event or extension of public realm to the surrounding uses.
- Car parking buildings are not considered appropriate for the central square. If at any point this is deemed to be a requirement, the central open square shall be retained and any building shall be appropriated modulated through façade treatment to ensure that it does not inappropriately undermine the character of Pegasus Resort and adjacent areas.
- Organic patterning of vegetation shall

be used to appropriately screen reducing the dominance of parked cars and pavement alongside providing shade for parking in summer.

- Landscape planting to a high standard should be used to reduce the dominance of hard surfaces and avoid large areas of impermeable surfacing.
- Best practice urban design solutions should be used to avoid the dominance of car parking areas, including sleeved, green/living roofed, underground, rear courtyard, screened or recessed parking.
- Shed or garage doors and vehicle manoeuvring areas addressing the street shall be avoided. These buildings must be compatible with the main building using similar materials.

2.2.4 GOLF VILLAGE ACTIVITY AREA

The Golf Village provides for activities that support the champion golf course activity including a hotel and a Golf Education Facility that enclose the Golf Square creating an active hub. The Golf Village is required to be safely connected to other parts of Pegasus Resort via a network of walkways and cycleways encouraging active transportation.

2.2.4.1 Coverages Controls: Golf Village Activity Area

Maximum Site Coverage	35%
Minimum Landscape Coverage	40%
Maximum Paved / Impermeable Coverage	25%

2.2.4.2 Maximum Building Height: Golf Village Activity Area

Maximum Building Height – 14m, 3 storeys

2.2.4.3 Building Setback: Golf Village Activity Area

A minimum building setback of 20m shall be provided adjoining Pegasus Boulevard, 3m to the north-western boundary adjoining residential land use, and 5m adjoining the Golf Course Activity Area. Within these setbacks, landscaping is encouraged to create an aesthetic entrance to the Resort and planted with species as defined in section 3.

- 20m adjoining Pegasus Boulevard. Within this buffer area mounding is encouraged and shall be on average 1m in height, of a natural shape and contour and planted with species as defined in section 3. Planting in

this area shall be designed and established to mitigate (screen, soften and balance) the visual impact and dominance of adjacent built form and any car parking areas. Planting within this area shall include at least 1 tree capable of reaching 15m height every 12m. These trees are to be at least 2.5m in height at the time of planting. At least 30% of the setback area is to be planted with locally appropriate native species (see Section 3.3)

- 3m adjoining any residential boundary. Planting in this area shall be designed and established to mitigate (screen, soften and balance) the visual impact and dominance of adjacent built form and any car parking areas. Planting within this area shall include at least 1 tree capable of reaching 16m height every 5m. These trees are to be at least 2.5m in height at the time of planting. 100% of the setback area is to be planted with locally appropriate native species (see Section 3.3)

- 5m adjoining the Golf Course Activity Area boundary. Planting in this area shall be designed and established to mitigate (screen, soften and balance) the visual impact and dominance of adjacent built form and any car parking areas. Planting within this area shall include at least 1 tree capable of reaching 10m height every 15m (average). These trees are to be at least 2.5m in height at the time of planting. At least 50% of the setback area is to be planted with locally appropriate native species (see Section 3.3)

Planting plans for these setback areas shall specify the grades of plants to be planted and demonstrate how a timely landscape impact shall be achieved. These plans shall also include the proposed measures to provide for successful establishment and appropriate on-going management.

2.2.4.4 Modulation of Buildings: Golf Village Activity Area

Consideration shall be given to breaking up the mass of building forms in excess of 15m in length in the Golf Village. This can be done through the use of façade variation, materials (including the incorporation of living facades or walls), recesses, gable end projections, chimney's, and balconies. Blank facades are to be avoided.



2.2.4.5 Roofs: Golf Village Activity Area

The aim of the following controls is to ensure a unified roofscape that does not detract from the surrounding landscape and the established built form of the Pegasus Golf Club.

- Flat roofs will be permitted within the Golf Village Activity Area, especially where these roofs are accessible and/or living roofs.



2.2.4.6 Wall Cladding: Golf Village Activity Area

The wall cladding controls aim to ensure that new buildings are complementary and blend into the immediate Pegasus Golf Club part of the Resort and wider landscape. Cladding materials shall be authentic, of quality with natural or recessive colours with a limited number of variations in finish.

The following cladding materials and colours are permitted;

- Fine faced concrete block for not more than 30% of the total exterior façade wall cladding;
- Concrete with a low light reflection coefficient (i.e. textured such as board formed or oxide additives) for not more than 30% of the total exterior façade wall cladding;
- Brick either natural or painted in contemporary dark paint colours to match an LRV of 5-22%;
- Painted timber in contemporary dark paint colours to match an LRV of 5-22%;
- Natural timber cladding, vertically cladded, left to weather, oiled or stained to match an LRV of 5-22%;
- Board and batten stained to match an LRV of 5-22%; and
- Joinery, guttering, and downpipes should match roof colours.

Corrugated Iron or Hardie™ Flatboard is not permitted. Materials not listed in the list above may be considered appropriate at the sole discretion of WDC.

- Buildings with a footprint over 2,000m² must include a living roof. For the purpose of activating a living roof (for example with a café or deck) a pavilion building may be able to exceed the maximum height limit by no more than 4m (measured from the finished floor level of the living roof), up to a maximum of 30% of the building footprint.
- All other buildings will follow a simple roof form that follow the architectural design of cottages, villas or pavilions. For a pavilion gabled roof a minimum pitch of 25° and maximum of 45°.
- It is recommended that simple roof forms are used.
- No hip roofs are permitted.
- Eaves or overhangs are encouraged.
- Roofs shall have a Light Reflectivity Value (LRV) of between 5-22% in a neutral colour.
- Steel tray cladding/roof, Profiled Steel, Colursteel or tiles are permitted limited to one form, with colours similar to Resene matte finish: Element; Grey Friars; Windswept; Squall; Ironsand; Lignite; High Tide; Charcoal or Karaka.
- Down pipes and gutters will be in a colour matching the roof.

2.2.4.7 Windows and Doors: Golf Village Activity Area

The aim of these controls is to ensure a sense of human scale is achieved throughout Pegasus Resort.

- Natural or stained timber, steel, powder coated aluminium or anodised aluminium joinery in a recessive colours is permitted.
- Windows are to be double-glazed, vertical in proportion and adjoining the golf course, to be toughened glass.
- All glazing is to be non-reflective and no mirrored glass is permitted.

2.2.4.8 Building Projections: Golf Village Activity Area

The use of verandas, porches and pergolas are encouraged to enhance the outdoor spaces provided for all year round use and encourage active frontages. Built form projections should be designed as connected elements to the main building form.

- Roof projections, such as chimneys and flues are to be compatible in materials and height with the main building form.
- Chimneys that are considered to be a strong built form element may exceed 1.1m in height and width to a maximum of 2m.
- Verandas, pergolas and balconies are to be of a proportion and scale to suit the development and provide space for people to sit and connect at street level, act as an activation extension to ground floor uses.

2.2.4.9 Car Parking: Golf Village Activity Area

Car parking controls aim to reduce the adverse effects of at-grade car parking, garaging or car parking structures on Pegasus Resort and to ensure these spaces do not dominate or significantly detract from the pedestrian orientated and landscaped quality of the area.

- The 'at-grade' car parking forming the central square should be treated in semi-permeable surface and landscaped to ensure views from surrounding public spaces of Pegasus Resort are maintained. This space should be versatile to function as a central square if required to for an event or extension of public realm to the surrounding uses.
- Any other 'at-grade' parking shall be appropriately landscaped to ensure the landscaped quality of views from surrounding public spaces of Pegasus Resort are maintained.
- Car parking buildings are not considered appropriate for the central square. If at any point this is deemed to be a requirement, the central open square shall be retained, and any building shall be appropriated modulated through façade treatment to ensure that it does not inappropriately undermine the character of Pegasus Resort and adjacent areas.
- Organic patterning of vegetation shall be used to appropriately screen reducing the dominance of parked cars and pavement alongside providing shade for parking in summer.

- Landscape planting to a high standard should be used to reduce the dominance of hard surfaces and avoid large areas of impermeable surfacing.
- Best practice urban design solutions should be used to avoid the dominance of car parking areas, including sleeved, green/living roofed, underground, rear courtyard, screened or recessed parking.
- Shed or garage doors and vehicle manoeuvring areas addressing the street shall be avoided. These buildings must be compatible with the main building using similar materials.
- Car parks with more than one aisle shall include legible pedestrian circulation and refuge accommodating the main pedestrian desire line(s).
- Car parks shall have a minimum 1.5m wide plant strip at the head of the carpark (or equivalent garden island area within 5m proximity) each park, typically allowing for 0.5m wide mat groundcovers (accommodating car overhang), then 1m wide groundcover/shrub border). The 1.5 m wide plant strip does not need to be duplicated for nose to nose car parks.
- Plant areas internal to car park set-outs shall include groundcovers and canopy lifted trees enabling clear sight-lines between 0.7m and 2.5m above ground throughout for pedestrians and drivers.
- Plant areas on the periphery of car park set-outs shall have canopy separation between 1.5m and 2.5m above ground, ground plants can therefore accommodate low shrubbery.
- For every 5 car parks the plant strip (or garden island) shall include one specimen tree, minimum 45L grade.

2.2.5 Village Fringe Activity Area

The Village Fringe contains the relocated Golf Holes 1 and 2 and acts as a buffer between the Spa Village and the larger lot residential properties to the north. This area aims to maintain the golf courses existing status and par level when the development occurs by providing the relocated holes 1 and 2, alongside enhancing the Resorts amenity and biodiversity with the use of vegetation, ponds and landscaped swales.

2.2.5.1 Coverage Controls: Village Fringe Activity Area

Maximum Site Coverage	3%
Minimum Landscape Coverage	90%
Maximum Paved / Impermeable Coverage	7%

2.2.5.2 Maximum Building Height: Village Fringe Activity Area

Maximum Building Height – 8m, 2 storeys

2.2.5.3 Building Setback: Village Fringe Activity Area

A minimum building setback of 5m shall be provided adjoining all boundaries. Within this setback, landscaping with species as defined in section 3 is encouraged.

On all boundaries with Activity Areas 1 and 2 at least 50% of this buffer area is to be established in plantings (with species as defined in section 3) designed to appropriately mitigate (screen, soften and balance) the visual impact of built elements in the adjacent activity areas.

This planting shall provide for the establishment of trees capable of reaching at least 10m height every 15m (average). These trees are to be at least 2.5m in height at the time of planting. Planting plans for this area shall specify the grades of plants to be planted and demonstrate how a timely landscape impact shall be achieved. These plans shall also include the proposed measures to provide for successful establishment and appropriate on-going management.

2.2.5.4 Modulation of Buildings: Village Fringe Activity Area

Consideration shall be given to breaking up the mass of building forms in excess of 15m in length in the Village Fringe. This can be done through the use of façade variation, materials (including the incorporation of living facades or walls), recesses, gable end projections, chimney's, and balconies. Blank facades are to be avoided.

2.2.5.5 Roofs: Village Fringe Activity Area

The aim of the following controls is to ensure a unified roofscape that does not detract from the surrounding landscape and the established built form of the Pegasus Golf Club.

- All buildings should follow a simple roof form that follow the architectural design of the Pegasus Golf Club. For a pavilion gabled roof a minimum pitch of 25° and maximum of 45°.
- No hip roofs are permitted.
- Eaves or overhangs are encouraged.
- Roofs shall have a Light Reflectivity Value (LRV) of between 5-22% in a neutral colour.

- Steel tray cladding/roof, Profiled Steel, Colursteel or tiles are permitted limited to one form, with colours similar to Resene matte finish: Element; Grey Friars; Windswept; Squall; Ironsand; Lignite; High Tide; Charcoal or Karaka.
- Down pipes and gutters will be in a colour matching the roof.

2.2.5.6 Wall Cladding: Village Fringe Activity Area

The wall cladding controls aim to ensure that new buildings are complementary and blend into the immediate Pegasus Golf Club part of the Resort and wider landscape. Cladding materials shall be authentic, of quality with natural or recessive colours with a limited number of variations in finish.

The following cladding materials and colours are permitted;

- Concrete with a low light reflection coefficient (i.e. textured such as board formed or oxide additives) for not more than 30% of the total exterior façade wall cladding;
- Brick either natural or painted in contemporary dark paint colours to match an LRV of 5-22%;
- Painted timber in contemporary dark paint colours to match an LRV of 5-22%;
- Natural timber cladding, vertically cladded, left to weather, oiled or stained to match an LRV of 5-22%;
- Board and batten stained to match an LRV of 5-22%;
- Stone to match the existing golf club façade;
- Joinery, guttering, and downpipes should match roof colours;

Corrugated Iron or Hardie™ Flatboard is not permitted. Materials not listed in the list above may be considered appropriate at the sole discretion of WDC.

2.2.5.7 Windows and Doors: Village Fringe Activity Area

The aim of these controls is to ensure a sense of human scale is achieved throughout Pegasus Resort.

- Natural or stained timber, steel, powder coated aluminium or anodised aluminium joinery in a recessive colours is permitted.
- Windows are to be double-glazed, vertical in proportion and adjoining the golf course, to be toughened glass.
- All glazing is to be non-reflective and no mirrored glass is permitted.
- Shed or Garage doors are to be timber stained or painted and in a recessive colour.

2.2.5.8 Building Projections: Village Fringe Activity Area

The use of verandas, porches and pergolas are encouraged to enhance the outdoor spaces provided for all year round use and encourage active frontages. Built form projections should be designed as connected elements to the main building form.

- Roof projections, such as chimneys and flues are to be compatible in materials and height with the main building form.
- Chimneys that are considered to be a strong built form element may exceed 1.1m in height and width to a maximum of 2m.

- Verandas, pergolas and balconies are to be of a proportion and scale to suit the development and provide space for people to sit and connect at street level, act as an activation extension to ground floor uses.

2.2.5.9 Car Parking: Village Fringe Activity Area

Car parking controls aim to reduce the adverse effects of at-grade carparking, garaging or car parking structures on Pegasus Resort and to ensure these spaces do not dominate or significantly detract from the pedestrian orientated and landscaped quality of the area.

- 'At-grade' car parking or parking buildings are not considered appropriate for the Village Fringe.
- If at any point this is deemed to be a requirement, the car parking should be appropriately landscaped to retain the character and landscape amenity of Pegasus Resort. Organic patterning of vegetation shall be used to appropriately screen reducing the dominance of parked cars and pavement alongside providing shade for parking in summer. Landscape planting to a high standard should be used to reduce the dominance of hard surfaces and avoid large areas of impermeable surfacing.

2.2.6 GOLF COURSE ACTIVITY AREA

The Golf Course contains the balance of the existing golf course, holes 3 to 18, and enables the ongoing operation and development of this course as a Major Sports Facility.

2.2.6.1 Coverage Controls: Golf Course Activity Area

Maximum Site Coverage	3%
Minimum Landscape Coverage	90%
Maximum Paved / Impermeable Coverage	7%

2.2.6.2 Maximum Building Height: Golf Course Activity Area

Maximum Building Height – 6m, 1 storey

2.2.6.3 Building Setback: Golf Course Activity Area

A minimum building setback of 4m shall be provided adjoining all boundaries. Within this setback, landscaping with species as defined in section 3 is encouraged.

2.2.6.4 Modulation of Buildings: Golf Course Activity Area

Consideration shall be given to breaking up the mass of building forms in excess of 15m in length in the Golf Course. This can be done through the use of façade variation, materials (including the incorporation of living facades or walls), recesses, gable end projections, chimney's, and balconies. Blank facades are to be avoided.

2.2.6.5 Roofs: Golf Course Activity Area

The aim of the following controls is to ensure a unified roofscape that does not detract from the surrounding landscape and the established built form of the Pegasus Golf Club.

- All buildings should follow a simple roof form that follow the architectural design of the Pegasus Golf Club. For a pavilion gabled roof a minimum pitch of 25° and maximum of 45°.
- No hip roofs are permitted.
- Eaves or overhangs are encouraged.
- Roofs shall have a Light Reflectivity Value (LRV) of between 5-22% in a neutral colour.
- Steel tray cladding/roof, Profiled Steel, Coloursteel or tiles are permitted limited to one form, with colours similar to Resene matte finish: Element; Grey Friars; Windswept; Squall; Ironsand; Lignite; High Tide; Charcoal or Karaka.
- Down pipes and gutters will be in a colour matching the roof.

2.2.6.6 Wall Cladding: Golf Course Activity Area

The wall cladding controls aim to ensure that new buildings are complementary and blend into the immediate Pegasus Golf Club part of the Resort and wider landscape. Cladding materials shall be authentic, of quality with natural or recessive colours with a limited number of variations in finish.

The following cladding materials and colours are permitted;

- Concrete with a low light reflection coefficient (i.e. textured such as board formed or oxide additives) for not more than 30% of the total exterior façade wall cladding;
- Brick either natural or painted in contemporary dark paint colours to match an LRV of 5-22%;
- Painted timber in contemporary dark paint colours to match an LRV of 5-22%;

- Natural timber cladding, vertically cladded, left to weather, oiled or stained to match an LRV of 5-22%;
- Board and batten stained to match an LRV of 5-22%;
- Stone to match the existing golf club façade;
- Joinery, guttering, and downpipes should match roof colours;

Corrugated Iron or Hardie™ Flatboard is not permitted. Materials not listed in the list above may be considered appropriate at the sole discretion of WDC.

2.2.6.7 Windows and Doors: Golf Course Activity Area

The aim of these controls is to ensure a sense of human scale is achieved throughout Pegasus Resort.

- Natural or stained timber, steel, powder coated aluminium or anodised aluminium joinery in a recessive colours is permitted.
- Windows are to be double-glazed, vertical in proportion and adjoining the golf course, to be toughened glass.
- All glazing is to be non-reflective and no mirrored glass is permitted.
- Shed or Garage doors are to be timber stained or painted and in a recessive colour.

2.2.6.8 Building Projections: Golf Course Activity Area

The use of verandas, porches and pergolas are encouraged to enhance the outdoor spaces provided for all year round use and encourage active frontages. Built form projections should be designed as connected elements to the main building form.

- Roof projections, such as chimneys and flues are to be compatible in materials and height with the main building form.
- Chimneys that are considered to be a strong built form element may exceed 1.1m in height and width to a maximum of 2m.
- Verandas, pergolas and balconies are to be of a proportion and scale to suit the development and provide space for people to sit and connect at street level, act as an activation extension to ground floor uses.

2.2.6.9 Car Parking: Golf Course Activity Area

Car parking controls aim to reduce the adverse effects of at-grade carparking, garaging or car parking structures on Pegasus Resort and to ensure these spaces do not dominate or significantly detract from the pedestrian orientated and landscaped quality of the area.

- 'At-grade' car parking or parking buildings are not considered appropriate for the Village Fringe.
- If at any point this is deemed to be a requirement, the car parking should be appropriately landscaped to retain the character and landscape amenity of Pegasus Resort. Organic patterning of vegetation shall be used to appropriately screen reducing the dominance of parked cars and pavement alongside providing shade for parking in summer. Landscape planting to a high standard should be used to reduce the dominance of hard surfaces and avoid large areas of impermeable surfacing.

2.2.7 MĀKETE RESIDENTIAL ACTIVITY AREA

The Residential Activity Area provides for 2 storey stand alone dwellings, duplexes and terraced house typologies, set in a landscaped environment and with links to the Māketē and Golf Course.

2.2.7.1 Coverage Controls: Māketē Residential Activity Area

Maximum Site Coverage	50%
Minimum Landscape Coverage	20%
Maximum Paved / Impermeable Coverage	20%

2.2.7.2 Maximum Height: Māketē Residential Activity Area

Maximum Building Height – 10m, 2 storeys

2.2.7.3 Maximum number of residential units: Māketē Residential Area

In the Māketē Residential Area there shall be no more than 27 residential units.

2.2.7.4 Building Setback/Landscaped Buffer: Māketē Residential Activity Area

A minimum building or structures setback of 25m shall be maintained to State Highway 1. Other zone or activity area boundaries where buildings are proposed within 20m of the boundary must, except for where vehicle entrances are cut through, be provided a minimum strip 3.5m wide to be completely planted in species identified in Section 3 with a minimum height of 0.5m. Planting in this area should include at least 1 tree capable of reaching 10m at maturity to be planted every 20m².

Alongside Taranaki Stream, except for where roads or pathways cross, setback areas are to be appropriately planted using locally appropriate indigenous species from within Section 3 to enhance the natural waterway values and should be free of any new structures (other than pathways and decks less than 1m in height).

2.2.7.5 Modulation of Buildings: Māketē Residential Activity Area

Consideration shall be given to breaking up the mass of building forms in excess of 15m in length. This can be done through the use of recesses, offsets, gable end projections, chimneys, balconies, and the use of façade variation and materials. Blank facades are to be avoided.

To minimise elongated building facades, there shall be no more than 3 adjoining residential units in a single housing block.

2.2.7.6 Roofs: Māketē Residential Activity Area

The aim of the following controls is to ensure a unified roofscape that does not detract from the surrounding landscape and the established built form.

- All buildings should follow a simple roof form that follow the architectural design of cottages, villas or pavilions. For a pavilion gabled roof a minimum pitch of 25° and maximum of 45°.
- It is recommended that simple roof forms are used.
- Mono-pitched roofs, exceeding 20% of the building footprint can be incorporated with a minimum pitch of 5° and maximum of 10° where the combination of roof forms is minimal.

- Lean-to structures are permitted and shall have a minimum roof pitch of 15° and a maximum pitch of 35°.
- Flat roofs that connect and link pitched roofed pavilions are acceptable but will generally not exceed 30% of the total roof area of the activity area. These roofs are encouraged to be accessible and/or have a living roof.
- No hip roofs are permitted.
- Eaves or overhangs are encouraged.
- Roofs shall have a Light Reflectivity Value (LRV) of between 5-22% in a neutral colour.
- Steel tray cladding/roof, Profiled Steel, Colorsteel or tiles are permitted limited to one form, with colours similar to Resene matte finish: Element; Grey Friars; Windswept; Squall; Ironsand; Lignite; High Tide; Charcoal or Karaka.
- A second roof finish to a secondary form such as a garage or lean-to may be permitted where it
- can be satisfied that the overall design will benefit from this feature.
- Down pipes and gutters will be in a colour matching the roof.
- Dormers are permitted and must be treated with same material as main roof.



2.2.7.7 Wall Cladding: Māketē Residential Activity Area

The wall cladding controls aim to ensure that new buildings are complementary and blend into the immediate Pegasus Golf Club part of the Resort and wider landscape. Cladding materials shall be authentic, of quality with natural or recessive colours with a limited number of variations in finish.

The following cladding materials and colours are permitted;

- Concrete with a low light reflection coefficient (i.e. textured such as board formed or oxide additives) for not more than 30% of the total exterior façade wall cladding;
- Brick either natural or painted in contemporary dark paint colours to match an LRV of 5-22%;
- Painted timber in contemporary dark paint colours to match an LRV of 5-22%;
- Natural timber cladding, vertical or horizontal, left to weather, oiled or stained to match an LRV of 5-22%;
- Board and batten stained to match an LRV of 5-22%;
- Stone to match the existing golf club façade;
- Joinery, guttering, and downpipes should match roof colours;

Corrugated Iron or Hardie™ Flatboard are not permitted. Materials not listed in the list above may be considered appropriate at the sole discretion of WDC.

2.2.7.8 Windows and Doors: Māketē Residential Activity Area

The aim of these controls is to ensure a sense of human scale is achieved throughout Pegasus Resort.

- Natural or stained timber, steel, powder coated aluminium or anodised aluminium joinery in a recessive colours is permitted.
- Windows are to be double-glazed, vertical in proportion and adjoining the golf course, to be toughened glass.
- All glazing is to be non-reflective and no mirrored glass is permitted.
- Shed or Garage doors are to be timber stained or painted and in a recessive colour.

2.2.7.9 Building Projections: Māketē Residential Activity Area

The use of verandas, porches and pergolas is encouraged to enhance the outdoor spaces provided for all year round use. Built form projections should be designed as connected elements to the main building form.

- Roof projections, such as chimneys and flues are to be compatible in materials and height with the main building form.
- Chimneys that are considered to be a strong built form element may exceed 1.1m in height and width to a maximum of 2m.
- Verandas, pergolas and balconies are to be of a proportion and scale to suit the development and provide space for people to sit and connect at street level, act as an activation extension to ground floor uses.

2.2.7.10 Car Parking: Māketē Residential Activity Area

Car parking controls aim to reduce the adverse effects of at-grade carparking, garaging or car parking structures on Pegasus Resort and to ensure these spaces do not dominate or significantly detract from the pedestrian orientated and landscaped quality of the area.

- If at any point this is deemed to be a requirement, the car parking should be appropriately landscaped to retain the character and landscape amenity of Pegasus Resort. Organic patterning of

vegetation shall be used to appropriately screen reducing the dominance of parked cars and pavement alongside providing shade for parking in summer. Landscape planting to a high standard should be used to reduce the dominance of hard surfaces and avoid large areas of impermeable surfacing.

- 'At-grade' car parking or parking buildings are not considered appropriate for the Village Fringe.



2.2.8 MĀKETE VILLAGE ACTIVITY AREA

The Māketē Village Activity Area provides for a market space, supported by a number of small scale, boutique commercial, retail and food and beverage operations. The focus is on agriculture, food production, arts, crafts and culture and historical interpretation.

2.2.8.1 Coverage Controls: Māketē Village Activity Area

Maximum Site Coverage	20%
Minimum Landscape Coverage	50%
Maximum Paved / Impermeable Coverage	30%

2.2.8.2 Maximum Height: Māketē Village Activity Area

Maximum Building Height – 9m, 2 storeys

2.2.8.3 Building Setback: Māketē Village Activity Area

A minimum building or structures setback of 30 m shall be maintained to State Highway 1. Adjoining State Highway 1 landscaped buffers, except for where the emergency vehicle entrance is cut through, provide a minimum 7m wide strip that is to be developed with low, naturalistic mounding up to 1.0m high and completely planted in species identified in Section 3 with a minimum height of 0.5m. At least 1 tree capable of reaching 10m at maturity is to be planted per 20m².

Alongside Taranaki Stream, except for where roads or pathways cross, setback areas are to be appropriately planted using locally appropriate indigenous species from within Section 3 to enhance the natural waterway values and should be free of any new structures (other than pathways and decks less than 1m in height).



2.2.8.4 Commercial and Retail Activities: Māketē Village Activity Area

The Market Building is to be located between the car parking and the Taranaki Stream, while also having frontage and activation onto the Village Green. Buildings should open out to the creek to the north and the Village Green to the south, with good pedestrian access between and around buildings.

2.2.8.5 Modulation of Buildings: Māketē Village Activity Area

Consideration shall be given to breaking up the mass of building forms in excess of 15m in length. This can be done through the use of recesses, offsets, gable end projections, chimneys, balconies, and the use of façade variation and materials. Blank facades are to be avoided.

2.2.8.6 Roofs: Māketē Village Activity Area

The aim of the following controls is to ensure a unified roofscape that does not detract from the surrounding landscape and the established built form.

- Gable roof or monopitch roofs that reference local agricultural vernacular are preferred, although a contemporary interpretation of these forms is encouraged.
- Flat roofs that connect and link pitched roofed pavilions are acceptable but will generally not exceed 30% of the total roof area of the activity area.
- It is recommended that simple roof forms are used.
- Eaves or overhangs are encouraged.
- Roofs shall have a Light Reflectivity Value (LRV) of between 5-22% in a neutral colour or Resene Heritage Colour.
- Steel tray cladding/roof, profiled metal roofing are permitted, with colours similar to Resene matte finish: Element; Grey Friars; Windswept; Squall; Ironsand; Lignite; High Tide; Charcoal or Karaka.
- Down pipes and gutters will be in a colour matching the roof.
- No hip roofs are permitted.



2.2.8.7 Wall Cladding: Māketē Village Activity Area

The wall cladding controls aim to ensure that new buildings form a cohesive development within a limited palate of materials. Cladding materials shall be authentic and reference the local agricultural heritage. A contemporary interpretation of traditional agricultural materials and forms is encouraged.

The following cladding materials and colours are permitted;

- Concrete with a low light reflection coefficient (i.e. textured such as board formed or oxide additives)
- Brick; red clay brick or similar natural and traditional colours.
- Painted timber, painted in colours typical of traditional agricultural activities
- Natural timber cladding, vertical or horizontal, left to weather, oiled or stained to match an LRV of 5-22%;
- Board and batten stained to match an LRV of 5-22%;
- Corrugated, trapezoidal profiled or tray type colour coated steel, colours typical of traditional agricultural activities.



- Stone; local stone or river stone.
- Joinery, guttering, and downpipes should match roof colours;

Hardie™ Flatboard is not permitted. Materials not listed in the list above may be considered appropriate at the sole discretion of WDC.

2.2.8.8 Windows and Doors: Māketē Village Activity Area

The aim of these controls is to ensure a cohesive design is achieved throughout Pegasus Resort.

- Natural or stained timber, steel, powder coated aluminium or anodised aluminium joinery in recessive colours are permitted.
- Windows are to be double-glazed and reference shape and proportion of traditional agricultural buildings. Large areas of glazed curtain walls should be avoided.
- All glazing is to be non-reflective and no mirrored glass is permitted.

2.2.8.9 Building Projections: Māketete Village Activity Area

The use of verandas, porches and pergolas is encouraged to enhance the outdoor spaces, encourage active frontages. Built form projections should be designed as connected elements to the main building form.

- Verandas, pergolas and balconies are to be of a proportion and scale to suit the development and provide space for people to sit and connect at street level, act as an activation extension to ground floor uses.
- A variety of covered outdoor spaces shall be provided to offer shelter and comfort in different weather conditions and throughout the year.

2.2.8.10 Car Parking: Māketete Village Activity Area

Car parking controls aim to reduce the adverse effects of at-grade carparking, garaging or car parking structures on Pegasus Resort and to ensure these spaces do not dominate or significantly detract from the pedestrian orientated and landscaped quality of the area.

- The 'at-grade' car parking along the boundary to the south should be treated in semipermeable surface and landscaped to provide a buffer between the Pegasus Boulevard/State Highway 1 roundabout and the Māketete Development.
- Car parking buildings are not considered appropriate for the Māketete Village Development. If at any point this is deemed to be a requirement, any building shall be appropriately modulated through façade treatment to ensure that it does not inappropriately undermine the character of Pegasus Resort and adjacent areas.

- Organic patterning of vegetation shall be used to appropriately screen reducing the dominance of parked cars and pavement alongside providing shade for parking in summer.
- Landscape planting to a high standard should be used to reduce the dominance of hard surfaces and avoid large areas of impermeable surfacing.
- Best practice urban design solutions should be used to avoid the dominance of car parking areas.
- Coach/bus parking areas shall be appropriately landscaped.
- Car parks with more than one aisle shall include legible pedestrian circulation and refuge accommodating the main pedestrian desire line(s).
- Car parks shall have a minimum 1.5m wide plant strip at the head of the carpark (or equivalent garden island area within 5m proximity) each park, typically allowing for 0.5m wide mat groundcovers (accommodating car overhang), then 1m wide groundcover/shrub border). The 1.5 m wide plant strip does not need to be duplicated for nose to nose car parks.
- Plant areas internal to car park set-outs shall include groundcovers and canopy lifted trees enabling clear sight-lines between 0.7m and 2.5m above ground throughout for pedestrians and drivers.
- Plant areas on the periphery of car park set-outs shall have canopy separation between 1.5m and 2.5m above ground, ground plants can therefore accommodate low shrubbery.
- For every 5 car parks the plant strip (or garden island) shall include one specimen tree, minimum 45L grade.

2.2.8.11 Landmark: Māketete Village Activity Area

A landmark structure or sculpture should be provided in this area to assist with way finding for the activity area. The landmark structure or sculpture should be designed by an artist or designer to articulate the cultural heritage and values of the site. Opportunity should be provided for a co-design process with Ngai Tuahuriri to assist with the articulation of cultural values.

2.3 Access

Vehicular access to buildings will be considered in terms of how it relates to wider urban design principles, such as the provision of access for deliveries, pickups and drop offs, parking access and disabled access. Access and movement of golf buggies will also need to be considered for the continued connection around the golf holes and golf club rooms.

2.4 Safety

The safety of the general public including users of the building requires assessment in terms of the buildings passive surveillance potential or 'eyes on the street', use of lighting, shared walkways and cycleways and any vehicle crossing.

3.0 Landscape

3.1 Landscape Guidelines

The aim of the landscape guidelines is to provide a framework of consistent and locally relevant plants to ensure a contiguous landscape theme is knitted throughout Pegasus Resort. Species chosen are those originally anticipated in the area, that will enhance biodiversity, alongside some selected exotic species that will provide seasonal colour.

The streetscape, wetlands, lakes, golf course and public realm will be designed and implemented by Pegasus Resort. Throughout the Resort, hard landscaping elements such as street furniture, lighting, paving types and signage will be consistent and appropriate to the scale and setting.

3.2 Minimum Landscape Requirements

The minimum amount of open park-like landscaped area in each Activity Area shall be:

1	Spa Activity Area	40%
2	Spa Village Activity Area	30%
3	Golf Square Activity Area	30%
4	Golf Village Activity Area	40%
5	Village Fringe Activity Area	90%
6	Golf Course Activity Area	90%
7B	Māketē Residential Activity Area	20%
8	Māketē Village Activity Area	50%

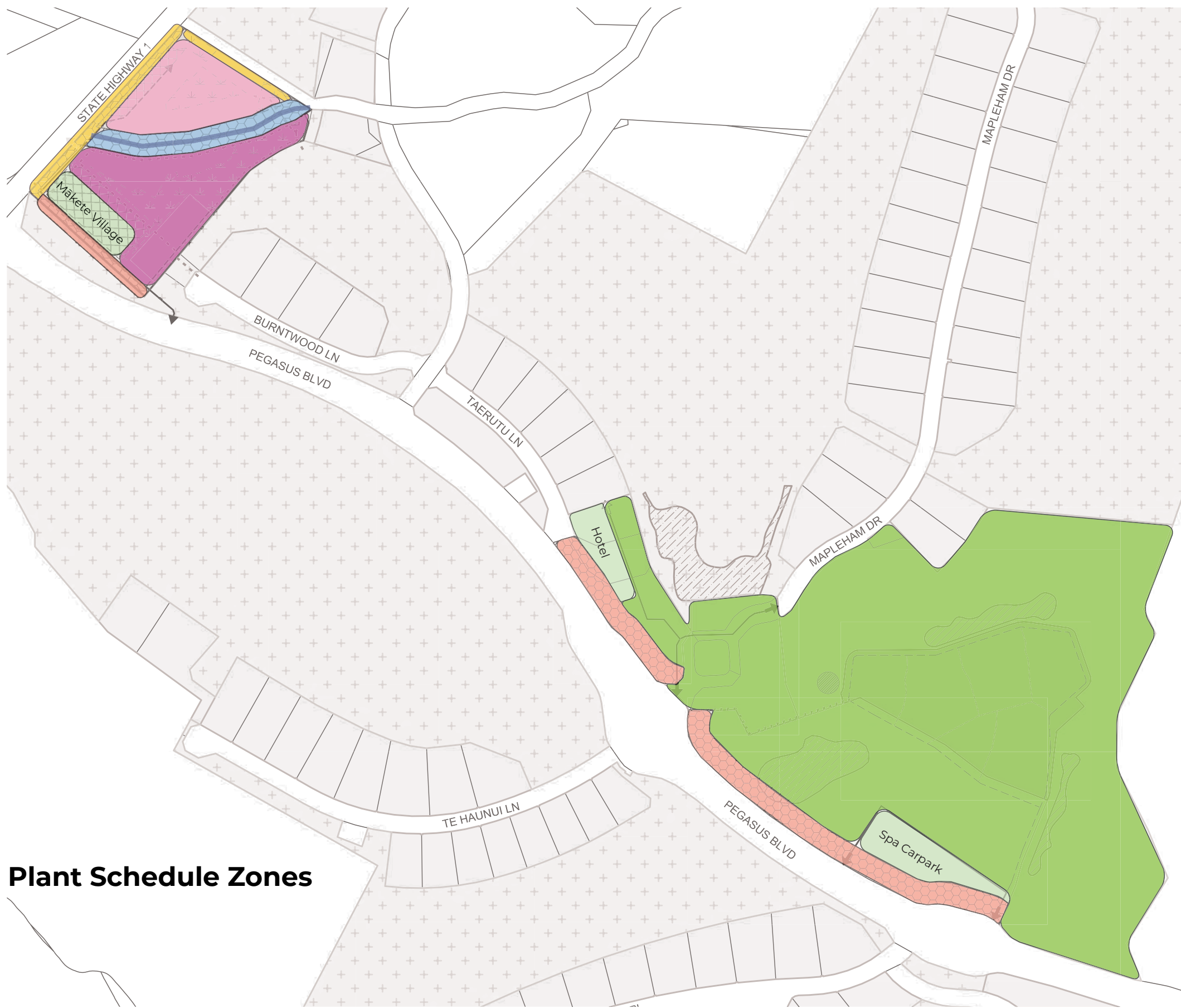
3.3 Summary Plant Species Schedule

A Summary Plant Species Schedule is outlined on pages 82 to 87, from which all planting is to be derived. The schedule refers to Planting Zones mapped on Page 80 and 81.

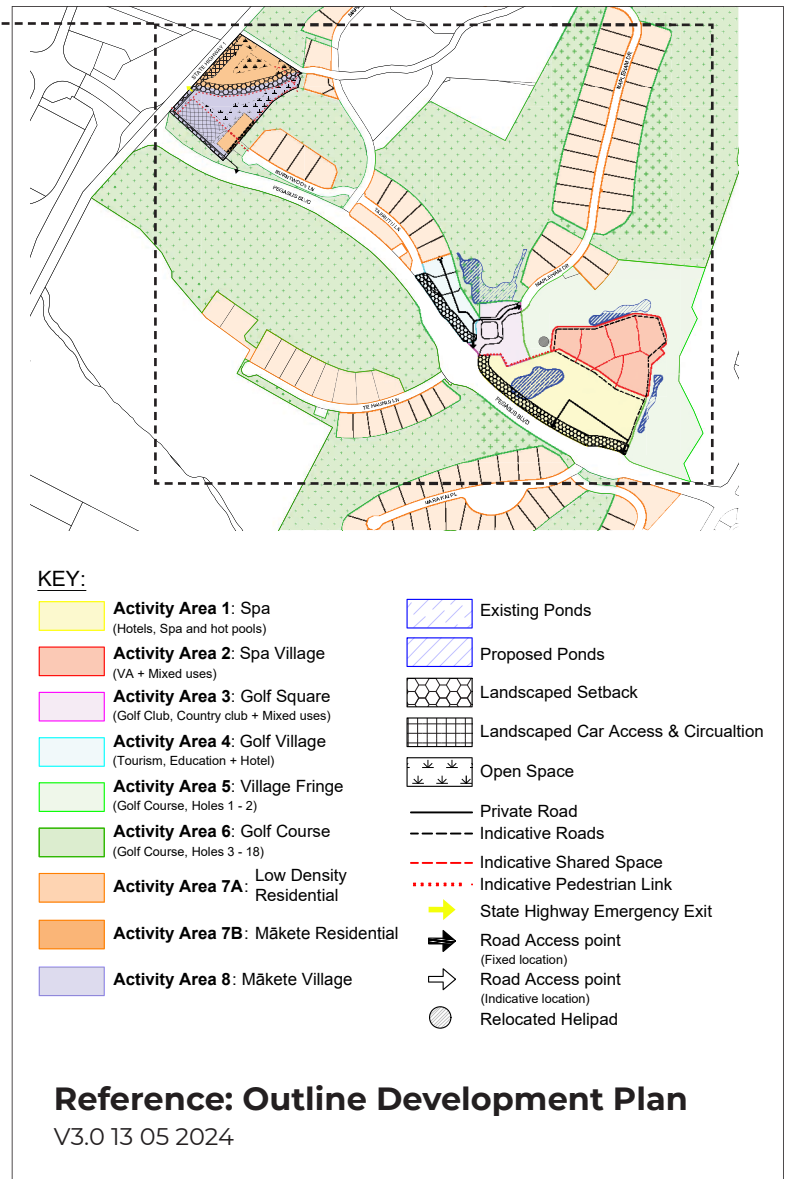
Additional species may be approved at the sole discretion of WDC.

Landscaping shall reflect and complement Pegasus's streetscape and public open space in terms of planting, material and layout. All landscaping shall be implemented and maintained by the lot owner at the time of construction of the building and completed prior to the occupation.





Plant Schedule Zones



Reference: Outline Development Plan
V3.0 13 05 2024

Plant Schedule Zones

- Pegasus Boulevard Buffer
- State Highway One & Paper Rd Buffer
- Mäkete Residential
- Mäkete Village
- Riparian Corridor Water Margin
- Riparian Corridor Balance
- Carparks - 1. Mäkete Village, 2. Hotel, 3. Spa
- Balance Development Area

Refer to Summary Plant Species Schedule
Page 80 to 85

Botanical	Common	Grade Guide	Spacing	Height x Width	Notes: Origin, EG/Dec, Pruning, Water	Pegasus Boulevard Buffer	SH1 & Paper Rd Buffer	Māketere Residential	Māketere Village	Riparian Corridor Water Margin	Riparian Corridor Balance	Village, Hotel, Spa	Carparks - Māketere	Balance
Vegetative Framework Trees														
<i>Alnus cordata</i>	Italian alder	45L	5m	20 x 5	Exotic, Dec									
<i>Alnus incana</i>	Grey alder	45L	4m	15 x 4	Exotic, Dec									
<i>Betula utilis</i> 'jacquemontii'	White Himalayan birch	45L	3m	12 x 4	Exotic, Dec								Hotel	
<i>Cornus</i> 'Eddies's White Wonder'	Flowering dogwood	45L	3m	4 x 3	Exotic, Dec									
<i>Cercis canadensis</i> 'Forest Pansy'	Forest pansy	45L	3m	5 x 5	Exotic, Dec,									
<i>Dacrycarpus dacrydioides</i>	Kahikatea	45L	3m	30 x 5	Native, EG, Moist to Wet									
<i>Fraxinus angustifolia</i> 'Raywood'	Claret ash	80L	5m	10 x 6	Exotic, Dec,								Village	
<i>Magnolia</i> 'Little Gem'	Magnoila	45L	3m	6 x 4	Exotic, EG, Canopy lift									
<i>Populus yunnanensis</i>	Yunnan poplar	150cm	7m	25 x 15	Exotic, Dec									
<i>Podocarpus totara</i>	Totara	45L	5m	15 x 8	Native, EG									
<i>Prumnopitys taxifolia</i>	Matai	45L	5m	20 x 7	Native, EG									
<i>Sophora microphylla</i>	Kowhai	45L	3m	8 x 3	Native, Semi Dec									
<i>Quercus coccinea</i>	Scarlet oak	80L	8m	20 x 10	Exotic, Dec, Canopy Lift								Spa	
<i>Quercus ellipsoidalis</i>	Northern pin oak	80L	6m	15 x 8	Exotic, Dec, Canopy Lift								Hotel	
Small Tree/Large Shrub														
<i>Aristolelia serrata</i>	Makomako / wineberry	3L	1/2m ²	6 x 3	Native, Dec, Moist Soil,									
<i>Cordyline australis</i>	Ti kōuka / cabbage tree	3L	1/m ²	6 x 2	Native, EG, Moist Soil									
<i>Carmichaelia australis</i>	New Zealand broom	3L	1/2m ²	3 x 2	Native, EG, Full Sun									
<i>Carpodetus serratus</i>	Marbleleaf	3L	1/2m ²	8 x 10	Native, EG									
<i>Coprosma crassifolia</i>	Thick-leaved mikimiki	3L	1/2m ²	4 x 2	Native, EG									
<i>Coprosma lucida</i>	Shining karamu	3L	1/2m ²	5 x 3	Native, EG									
<i>Coprosma propinqua</i>	Mingimingi	3L	1/2m ²	4 x 2.5	Native, EG									
<i>Coprosma robusta</i>	Karamū	3L	1/2m ²	4 x 3	Native, EG									
<i>Coprosma rotundifolia</i>	Round-leaved coprosma	3L	1/2m ²	4 x 3	Native, EG									
<i>Coprosma rubra</i>	Mikimiki	3L	1/2m ²	3 x 3	Native, EG, Well drained soils									
<i>Dodonaea viscosa</i>	Akeake	3L	1/m ²	3 x 2	Native, EG									
<i>Elaeocarpus dentatus</i>	Hinau	3L	1/2m ²	10 x 7	Native, EG									
<i>Elaeocarpus hookerianus</i>	Pōkākā	3L	1/2m ²	12 x 15	Native, EG									
<i>Fuchsia excorticata</i>	Kotukutuku / Tree Fuchsia	3L	1/2m ²	6 x 3	Native, Dec, Moist Soil,									
<i>Griselinia littoralis</i>	Broadleaf	3L	1/m ²	6 x 2.5	Native, EG,									
<i>Hedycarya arborea</i>	Pigeonwood	3L	1/2m ²	5 x 4	Native, EG									
<i>Hoheria angustifolia</i>	Narrow-leaved Lacebark	3L	1/2m ²	6 x 3	Native, EG									
<i>Kunzea ericoides</i>	Kānuka	2L	1/m ²	7 x 3	Native, EG									
<i>Leptospermum scoparium</i>	Mānuka / tea tree	2L	1/m ²	4 x 3	Native, EG									
<i>Lophomyrtus obcordata</i>	Rohutui	3L	1/2m ²	5 x 2.5	Native, EG									

Plant Schedule Zones

- Pegasus Boulevard Buffer
- State Highway One & Paper Rd Buffer
- Māketere Residential
- Māketere Village
- Riparian Corridor Water Margin
- Riparian Corridor Balance
- Carparks - 1. Māketere Village, 2. Hotel, 3. Spa
- Balance Development Area

Refer to Plant Schedule Zones Page 78 to 79

Summary Plant Species Schedule

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Botanical	Common	Grade Guide	Spacing	Height x Width	Notes: Origin, EG/Dec, Pruning, Water	Pegasus Boulevard Buffer	SH1 & Paper Rd Buffer	Māketē Residential	Māketē Village	Riparian Corridor Water Margin	Riparian Corridor Balance	Carparks - Māketē Village, Hotel, Spa	Balance
Small Tree/Large Shrub CONT...													
Melicope simplex	Poataniwha	3L	1/2m ²	8 x 4	Native, EG								
Michelia 'Bubbles'	Michelia	10L	1m	4 x 3	Exotic, EG, Form prune to hedge								
Myoporum laetum	Ngaio	3L	1/2m ²	5 x 4	Native, EG								
Myrsine divaricata	Weeping mapou	3L	1/2m ²	6 x 3	Native, EG								
Olearia avicenniaefolia	Mountain akeake	3L	1/2m ²	4 x 3	Native, EG								
Olearia paniculata	Akiraho / golden akeake	3L	1/2m ²	4 x 2	Native, EG								
Pennantia corymbosa	Pennantia corymbosa	3L	1/2m ²	8 x 3	Native, EG								
Pittosporum eugenioides	Tarata / lemonwood	5L	1/2m ²	12 x 3	Native, EG								
Pittosporum tenuifolium	Kohuhu / black matipo	5L	1/2m ²	6 x 3	Native, EG								
Plagianthus regius	Lowland ribbonwood	10L	1m	12 x 4	Native, Semi Dec								
Pseudopanax crassifolius	Horoeaka / Lancewood	10L	1m	3x1. 10x3	Native, EG								
Thyua occidentalis 'Smaragd'	Emerald cedar	10L	1m	3 x 1	Exotic, EG, Individual or Hedge								
Shrubbery/Hedge (typically 1 to 2 m)													
Austroderia richardii	South Island toetoe	3L	1/m ²	2 x 2	Native, EG								
Carex secta	Purei	1L	2/m ²	1.5 x 1.5	Native, EG								
Coprosma virescens	mikimiki	3L	1/m ²	2 x 1.5	Native, EG								
Corokia cotoneaster	Korokio	3L	1/m ²	2 x 3	Native, EG								
Corokia 'Geenty's Green'	Green corokia	8L	0.5m	1.5 x 2	Native, EG, From prune to hedge								
Dodonaea viscosa	Akeake	8L	0.7m	3 x 2	Native, EG, From prune to hedge								
Griselinia littoralis	Broadleaf	8L	0.7m	6 x 2.5	Native, EG, From prune to hedge								
Griselinia 'Broadway Mint'	Griselinia	8L	0.7m	4 x 3	Native, EG, Form prune to hedge								
Hebe salicifolia	Koromiko / hebe	2L	1/m ²	3 x 2	Native., EG								
Helichrysum lanceolatum	Niniaio	2L	1/m ²	1.5 x 1.5	Native, EG								
Histiopteris incisa	Water Fern	1L	2/m ²	1.5 x 1.5	Native, EG								
Juncus edgariae (gregiflorous)	Wiwi	1L	2/m ²	1.5 x 1.5	Native, EG, Wetland								
Juncus pallidus	Wiwi / Giant Rush	1L	2/m ²	1.5 x 1.2	Native, EG								
Laurus nobilis	Bay tree	8L	0.7m	3 x 5	Exotic, EG, individual or hedge								
Muehlenbeckia astonii	Shrubby Tororaro	2L	1/m ²	2 x 1.5	Native, EG								
Phormium tenax	Harakeke / NZ flax	3L	1/m ²	3 x 2	Native, NZ								
Photina 'Red Robin'	Red robin	10L	1m	2 x 3	Exotic, EG, hedge								
Pseudopanax 'Cyril Watson'	Cyril watson	10L	1m	3 x 2	Native, EG, Form Prune to hedge								
Pseudopanax 'Dark Star'	Dark star	8L	0.7m	2 x 2	Native, EG, Form Prune to hedge								
Rhododendron varieties	Rhododendron	10L	1/m ²	1-2 x 2	Exostic, EG								
Teucrium parvifolium	Teucrium	2L	1/m ²	2 x 1	Native, Semi Dec								
Viburnum tinus 'Emerald Green'	Viburnum	8L	1/m ²	2 x 2	Exotic, EG								

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Refer to Plant Schedule Zones Page 78 to 79

Summary Plant Species Schedule

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Botanical	Common	Grade Guide	Spacing	Height x Width	Notes: Origin, EG/Dec, Pruning, Water	Pegasus Boulevard Buffer	SH1 & Paper Rd Buffer	Māketē Residential	Māketē Village	Riparian Corridor Water Margin	Riparian Corridor Balance	Carparks - Māketē Village, Hotel, Spa	Balance
Groundcovers (typically under 1m)													
Apodasmia similis	Oioi	1L	3/m ²	1 x 1	Native, EG, water								
Anemanthele lessoniana	Wind grass	2L	2/m ²	1 x 1	Native, EG								
Asplenium bulbiferum	Hen & chicken fern	2L	2/m ²	0.7 x 0.7	Native, EG, shade,								
Baumea rubiginosa	Twig rush	1L	3/m ²	1 x 1	Native, EG, Wet / waterlogged soil								
Blechnum discolor	Piupiu crown fern	2L	2/m ²	0.8 x 1	Native, EG								
Blechnum minus	Swamp kiokio	1L	2/m ²	0.5 x 1	Native, EG, Moist Soil								
Carex flagellifera	NZ grass	2L	4/m ²	0.6 x 0.6	Native, EG								
Carex geminata	Wetland cutty grass	2L	2/m ²	1 x 1	Native, EG								
Carex maorica		2L	4/m ²	1 x 0.5	Native, EG								
Carex virgata	Pukio	2L	2/m ²	1 x 0.5	Native, EG, Moist/Wet Soil								
Carpodetus serratus prostrata	Prostarte marble leaf	3L	2/m ²	0.5 x 1	Native, EG								
Coprosma kirkii	Groundcover coprosma	3L	2/m ²	0.5 x 2	Native, EG								
Dietes grandiflora	Fairy iris	3L	2/m ²	1 x 1	Exotic, EG								
Euphorbia glauca	Waiūatua / shore spurge	3L	2/m ²	2 x 1	Native, EG								
Hebe varities	Hebe	3L	4/m ²	0.7 x 0.7	Native, EG, flower								
Microlaena avenacea	Bush rice grass	2L	4/m ²	0.5 x 0.5	Native, EG								
Microsorium pustulatum	Hounds tongue fern	2L	4/m ²	0.5 x 0.5	Native, EG								
Muehlenbeckia astonii	Shrubby tororaro	3L	2/m ²	2 x 1.5	Native, EG, Form Prune								
Phormium 'Emerald Green'	Dwarf green flax	3L	2/m ²	1 x 1	Native, EG, flower								
Pittosporum 'Golf Ball'	Golf ball	5L	3/m ²	0.8 x 1	Native, EG								
Polystichum neozelandicum	Common shield fern	2L	4/m ²	0.5 x 0.5	Native, EG								
Polystichum vestitum	Pūnui / prickly shield fern	2L	2/m ²	0.8 x 0.8	Native, EG								
Sophora prostrata *	Dwarf kowhai	5L	2/m ²	1 x 1.5	Native, EG								
Low Groundcovers (typically under 400mm)													
Acaena novae-zealandiae	Bidibidi	0.5L	2/m ²	0.2 x 1	Native, EG, Moist Soil								
Blechnum pennamarina	Alpine hard fern	1L	2/m ²	0.2 x 1	Native, EG								
Liriope varities	Liriope Mondo	0.5L	25/m ²	0.2 x 0.2	Exotic, EG								
Ophiopogon 'Black Dragon'	Black Mondo Grass	0.5L	25/m ²	0.2 x 0.2	Exotic, EG								
Phormium Pepe	Dwarf green flax	3L	4/m ²	0.4 x 0.4	Native, EG,								
Praitia angulata	Panakenake	0.5L	2/m ²	0.2 x 1	Native, EG								
Climbers													
Clematis paniculata	NZ clematis	5L	1/m	2 x 2	Native, EG, Requires support								
Passiflora tetrandra	Native Passionflower	5L	1/m	3 x 2	Native, EG, Requires support								
Trachelospermum jasminoides	Star jasmine	2L	2/m	3 x 3	Exotic, EG, climber/groundcover								
Wisteria variety	Wisteria	5L	1/m	3 x 3	Exotic, EG, climber								

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Refer to Plant Schedule Zones Page 78 to 79

Summary Plant Species Schedule

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Plant Zones Key Character Species

NOTE: Refer to Summary Plant Species Schedule Page 80 to 85 for more complete species collections

Pegasus Boulevard Buffer



Māketē Residential



State Highway One & Paper Rd Buffer



Māketē Village



Plant Zones Key Character Species

NOTE: Refer to Summary Plant Species Schedule Page 80 to 85 for more complete species collections

Riparian Corridor Water Margin



Riparian Corridor Balance



Carparks - 1. Māketete Village, 2. Hotel, 3.



Balance Development Area



3.4 Mounding + Landforms

Mounding is encouraged within the landscape buffer zones or building setbacks adjoining Pegasus Boulevard and shall be on average 1m in height, of a natural shape and contour and planted with species as defined above.

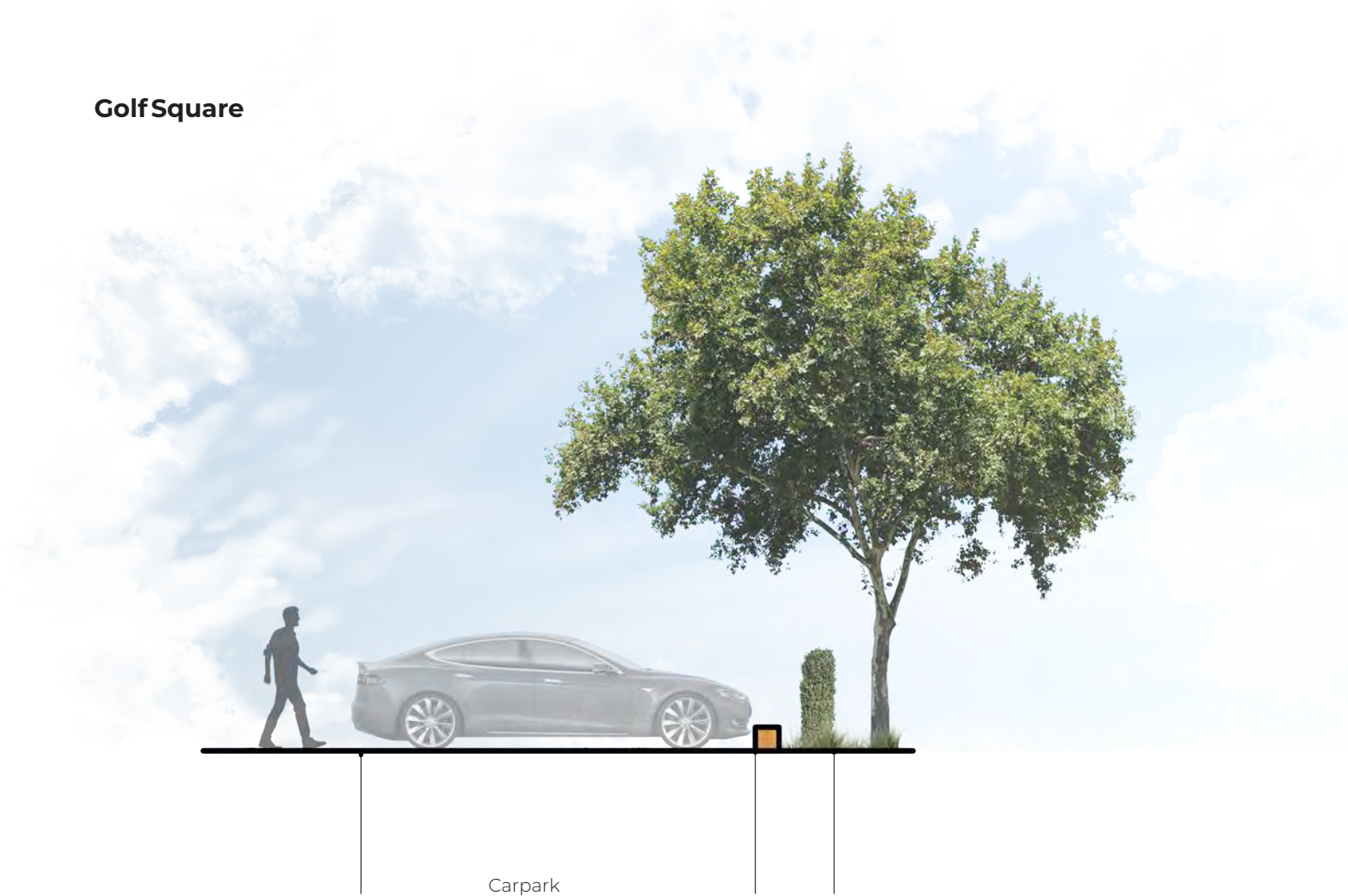
3.5 Hardscaping

The hardscaping for Pegasus Resort is based around it being simple, basic and natural surface materials.

- The use of concrete, stone, gravel and timber in their simple unpretentious form.
- Exposed aggregate concrete is encouraged as the primary surface for footpaths and paving alongside natural stone for feature paving and edging.
- The use of stone kerbs is encouraged in preference to concrete kerbs for all activity areas.
- Stone, exposed aggregate concrete paths, wooden boardwalks, gravel or hoggins are encouraged for pedestrian walkways.
- The provision of grassed swales adjoining the internal roads is encouraged (excluding the Spa Village Activity Area where the buildings should have limited setbacks from the road).
- Green streets within the Spa Village are to reflect best practice urban design principles in terms of stormwater runoff, pedestrian prioritisation, accessibility, biodiversity of planting and passive surveillance.
- Fencing shall be formed of in situ concrete, wooden post and rail fencing, or hedging and shall not exceed 1.2m in height (with the exception of the hot pools).
- The Spa Hot Pools, Outdoor Pools or Tennis Courts will consider fencing that meets the building requirements and this shall be finished in a dark recessive colour.

CrossSections

Golf Square



Link Road



Loop Road



3.6 Lighting

- All fixed lighting shall be directed away from adjacent roads and properties.
- Any building or fence constructed or clad in metal, or material with reflective surfaces shall be painted or otherwise coated with a non-reflective finish.
- No activity shall result in a greater than 3.0 lux spill, horizontal and vertical, of light onto any property located outside of the SPZ-PR, measured at any point inside the boundary of the adjoining property.
- External lighting shall be limited to down lighting only.
- Lighting design shall reflect best practise urban design standards, including Crime Prevention through Environmental Design (CPTED).

3.7 Street Numbering + Letterboxes

- Street Numbers are to be designed to complement the building façade, such as shown on flat black steel.
- Letterboxes will be integral to a wall or landscape so that the mail slot is the only part of the letterbox showing. Letterboxes mounted on a post are not permitted.

3.8 Ancillary Buildings + Structures

3.8.1 Site Utilities + Storage Areas

Meter boxes for utilities are to be flush mounted into walls and covered having regard to surrounding cladding.

Storage areas (including rubbish and recycling bins) shall be located in the rear yard (if within the village) and screened from the street, reserves, footpaths and neighbours.

Screening shall compliment the landscaping in terms of plant palette, materiality, colour and finish and to a height of no more than 1.5m.

All utilities on site such as water, gas, electricity and telecommunications shall be underground or contained within the buildings structure.

3.8.2 Clothes Lines

Clothes lines shall be located rear yards and be no higher than 1.6m.

3.8.3 Signage

Building facades will include platforms for future signage to avoid signage not being 'read' as an integrated part of the building façade and appropriate to the character of Pegasus Resort.

3.8.4 Other

Any boats, trailers or caravans must be parked within the lot and are not permitted to be stored on any reserve, road corridor, road verge or public open space.

The property owner must ensure that yards adjoining the street or open space reserves are maintained to a high standard all year. If occupied by tenants, the owner shall ensure the maintenance of the yards. This includes, but is not limited to, the mowing of lawns, maintenance of hedges and weed removal.



Appendix 1

Design Approval Application Form



Appendix 7 - Recommended responses to submissions and further submissions

To distinguish between the recommended responses in the s42A report and the recommended responses that arise from this report:

- Recommendations from this report in response to evidence are shown in blue text (with underline and ~~strike-out~~ as appropriate).

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this s42A 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	3.2	Reject <u>Accept in part</u>	The consequential amendments to district-wide provisions have been provided with FS101 and updated in technical evidence. <u>These</u> include a definition of 'Māketē	No <u>Yes</u>

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this s42A Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			provisions would be identified and circulated to submitters prior to the hearing.			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, A definition of 'Agricultural tourism activities' was requested in the original submission, and the requested wording of the definition was provided with the further submission renamed as 'Māketē tourism'. This has been amended with a definition of 'Māketē tourism activity' as per the Joint Witness Statement – DEXIN Rezoning Request (planning), and this Reply Report.	
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.</i>	3.2	Reject Accept in part	<i>See the relevant section of the s42A report.</i>	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this s42A Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			<i>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 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 Accept in part	<i>See the relevant section of the s42A report.</i> <i>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 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	3.3	Reject Accept	See the relevant section of the s42A report, and reasoning for revised recommendation in this Reply Report.	No Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this s42A Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			<p>and would allow more dwellings. Current access provision indicates future development. Supports zones such as the RLZ ensuring rural areas retain amenity.</p> <p>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.</p>				
FS79	Ravenswood Developments Ltd		<p><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.</i></p> <p><i>Approve the rezoning sought.</i></p>	3.3	RejectAccept	<i>See the relevant section of the s42A report.</i>	No
FS100	S&E Corp		<p><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.</i></p> <p><i>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</i></p>	3.3	N/A	<i>See the relevant section of the s42A report.</i>	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this s42A Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			<i>Development Plan, to ensure there are no unintended consequences for the main SPZ(PR) zone.</i>				
FS101	DEXIN		<p><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.</i></p> <p><i>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></p>	3.3	N/A	<i>See the relevant section of the s42A report.</i>	No
377.16	DEXIN	Planning maps	<p>Oppose the proposed Rural Lifestyle zoning of 1250 Main North Road. 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</p>	3.2	Reject/Accept	See the relevant section of the s42A report, and reasoning for revised recommendation in this Reply Report.	No/Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this s42A Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			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		<p><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.</i></p> <p><i>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></p>	3.2	RejectAccept in part	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	3.2	RejectAccept	See the relevant section of the s42A report, and reasoning for revised recommendation in this Reply Report.	NoYes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this s42A Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			<p>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).</p>				
FS100	S&E Corp		<p>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.</p> <p>S&E Corp seeks that Council approve the submission of DEXIN Investment Limited in full, to enable the development of the</p>	3.2	Reject Accept in part	<i>See the relevant section of the s42A report.</i>	<i>No</i>

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this s42A Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			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</i>	3.2	N/A	<i>See the relevant section of the s42A report.</i>	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this s42A Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			<i>1250 Main North Road site will not impact upon the existing residential lots and housing in the SPZ-PR.</i>				
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	<i>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, and amendments as set out in this Reply Report.	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 Accept in part	<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	3.2	<i>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	Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this s42A Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			requested in the submission.			subject site, and amendments as set out in this Reply Report.	
FS100	S&E Corp		<p><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.</i></p> <p><i>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></p>	3.2	Reject Accept in part	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 Accept in part	See the relevant section of the s42A report. I recommend accepting in part the definition of 'Agricultural tourism activities'. This relief requested was amended to 'Māketete tourism' in FS101. This has now been amended with a definition of 'Māketete tourism activity' as	No Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this s42A Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
						per the Joint Witness Statement – DEXIN Rezoning Request (planning), and this Reply Report.	
FS100	S&E Corp		<p><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.</i></p> <p><i>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></p>	3.2	RejectAccept in part	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	RejectAccept in part	See the relevant section of the s42A report. Amend as per revised wording set-out in this Reply Report.	No Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this s42A Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
FS100	S&E Corp		<p>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.</p> <p>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).</p>	3.2	Reject Accept in part	See the relevant section of the s42A report.	No
Pegasus Resort - Objectives							
377.5	DEXIN	SPZ(PR)-O1	Amend SPZ(PR)-O1 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 Accept in part	See the relevant section of the s42A report. Amend as per revised wording set out in this Reply Report.	No Yes
FS100	S&E Corp		<p>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</p>	3.2	Reject Accept in part	See the relevant section of the s42A report.	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this s42A Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			<p><i>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.</i></p> <p><i>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></p>				
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 Accept in part	See the relevant section of the s42A report. Amend as per revised wording set-out in this Reply Report.	No 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.</i>	3.2	Reject Accept in part	See the relevant section of the s42A report.	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this s42A Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			<i>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>				
377.6	DEXIN	SPZ(PR)-P1	Amend SPZ(PR)-P1 to include reference to medium density residential and agricultural tourism.	3.2	Reject Accept in part	See the relevant section of the s42A report. Amend as per revised wording set-out in this Reply Report which instead refers to māketē tourism and residential activities.	No Yes
FS100	S&E Corp		<p><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.</i></p> <p><i>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></p>	3.2	Reject Accept in part	See the relevant section of the s42A report.	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this s42A Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
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 Accept in part	See the relevant section of the s42A report. Amend as per revised wording set-out in this Reply Report which instead refers to māketē tourism.	No Yes
FS100	S&E Corp		<p><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.</i></p> <p><i>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></p>	3.2	Reject Accept in part	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 Accept	See the relevant section of the s42A report. Amend as per revised wording set-out in this Reply Report which also include other consequential amendments to the rezoning request.	No Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this s42A Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
FS100	S&E Corp		<p><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.</i></p> <p><i>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></p>	3.2	<u>Reject</u> <u>Accept in part</u>	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		<p><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</i></p>	3.2	Reject	See the relevant section of the s42A report.	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this s42A Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			<p><i>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.</i></p> <p><i>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></p>				
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 Accept in part	See the relevant section of the s42A report. Amend as per revised wording set-out in this Reply Report which instead refers to Activity Area 7B Māketē Residential and Activity Area 8 Māketē Village.	No 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</i>	3.2	Reject Accept in part	See the relevant section of the s42A report.	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this s42A Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			<p><i>potential to become a flagship site drawing tourists off the main highway towards the SPZ(PR) and Pegasus township.</i></p> <p><i>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></p>				
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 Accept in part	See the relevant section of the s42A report. Amend as per revised wording set-out in this Reply Report.	No Yes
FS100	S&E Corp		<p><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.</i></p> <p><i>S&E Corp seeks that Council approve the submission of DEXIN Investment Limited in full, to enable the development of the</i></p>	3.2	Reject Accept in part	See the relevant section of the s42A report.	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this s42A Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			<i>1250 Main North Road site to proceed as an integral part of the SPZ(PR).</i>				
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 Accept in part	See the relevant section of the s42A report. Amend as per revised wording set-out in this Reply Report.	No 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 Accept in part	<i>See the relevant section of the s42A report.</i>	<i>No</i>

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this s42A Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
Pegasus Resort - Appendices							
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 Accept	See the relevant section of the s42A report. See revised ODP in this Reply Report.	No Yes
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	See the relevant section of the s42A report.	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	See the relevant section of the s42A report.	No
377.3	DEXIN	SPZ(PR)-APP1	The Special Purpose Zone - Pegasus Resort and its associated Pegasus Resort Outline Development Plan and Pegasus	3.2	Accept in part	Accept the amendments to provide for cultural values that apply to the whole of	Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this s42A Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			Design Guidelines be adopted along with amendments requested by the submitter.			the SPZ(PR) and are unspecific to the subject site, and amendments as set out in this Reply Report.	
FS100	S&E Corp		<p><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.</i></p> <p><i>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></p>	3.2	Reject Accept in part	See the relevant section of the s42A report.	No
377.15	DEXIN	SPZ(PR)-APP2	<p>Incorporate proposed design guidelines for proposed Activity Areas 7B and 8 at 1250 Main North Road into the SPZ(PR)-APP2 - Pegasus Design Guidelines.</p> <p>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.</p>	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, and amendments as set out in this Reply Report.	No Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this s42A Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
FS100	S&E Corp		<p>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.</p> <p>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).</p>	3.2	Reject Accept in part	See the relevant section of the s42A report.	No
FS101	DEXIN		<p>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.</p>	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, and amendments as set out in this Reply Report.	Yes

**Appendix 8 – Memorandum from Rodney Yeoman: Stream 12A Pegasus Resort
Provision of Information to Inform Response**



Memo

To: Jessica Manhire, Development Planning Unit, Waimakariri District Council

From: Rodney Yeoman, Director

Date: 29 July 2024

Re: Stream 12A Pegasus Resort Provision of Information to Inform Response

The purpose of this memo is to provide information in relation to the commissioners' questions on the Pegasus Resort Special Zone. These questions are set out in Minute 28 – Reply Report Questions for Hearings Streams 12A and B, Appendix 1, as follows:

13. Please advise whether you agree with Mr Yeoman's evidence that because Pegasus Resort is a SPZ, it is not part of the NPS-UD consideration for capacity or demand, which focuses on residential and business zones. You may wish to obtain legal advice on this, taking into account the legal submissions presented at the hearing. Does the NPS-UD require that consideration is given to providing and ensuring that there is a range of housing options, and the provision of housing in particular locations?
14. In particular, and in liaison with Mr Yeoman as may be appropriate, do you agree that if location specific demand is demonstrated for this specific type of residential development (which the Panel was told is unique in the Waimakariri District), that failing to provide sufficient capacity to meet that location specific demand for this type of development may conflict with the following objectives and policies in the NPS-UD:
 - a. Objective 2 (improve affordability and supporting competitive land and development markets);
 - b. Objective 3 (enabling more people to live in areas where there is high demand relative to other areas);
 - c. Policy 1 (meet needs in terms of location); and
 - d. Policy 2 (provide at least sufficient capacity to meet expected demand).
16. Please provide any updated recommendations in respect to the DEXIN updated ODP and provisions, including the density limitation of 27 dwellings in Activity Area 7B.

Provision of Information to Inform Response

I address each of the three questions, to provide available information to inform your response to the commissioners. The first two questions (13 and 14) relate to the application of the NPS-UD in relation to Pegasus Resort which is a special purpose zone. The third question (16) relates to the density of residential activity that is proposed by the submitter.



a) Q13 Should Pegasus Resort SPZ be included in NPS-UD assessment of housing?

First, the NPS-UD is focused on the housing and business land outcomes in the Urban Environment. The NPS-UD does not mention Special Purpose Zones (SPZ) in relation to housing in the NPS-UD, nor does it provide a definition of what constitutes “housing land”. I note that clause 3.37 Monitoring does mention some residential zones, but there is no mention of SPZ. The NPS-UD does mention SPZ in relation to business land (Interpretation 1.4(1)), “to the extent it allows business uses”. This relates to the fact that most SPZ are defined for unique/large-scale commercial or government activities which have business activities (i.e. Airport, Port, Corrections, Military, Hospital, Stadium, University, Tourism Activity, Māori purpose, etc). In my opinion the omission of any reference in the NPS-UD to considering a residential role of SPZ when a business role is specifically referred to, means that there is no definitive direction in the NPS-UD that SPZ should be included in the assessment of housing land within the Urban Environment. A plain reading of the NPS-UD would suggest that there is no such requirement.

Second, the definition of Urban Environment set out in Interpretation 1.4(1) of the NPS-UD requires that land be predominantly urban in character and within a housing and labour market of at least 10,000 people. I consider that Pegasus Resort SPZ is predominantly used for recreational tourism activity (golf course and open space) with low levels of ancillary accommodation and resort facilities. However the Pegasus Resort is adjacent to Woodend and Pegasus, which are both urban. I also acknowledge that the Pegasus Resort may be within a housing and labour market of at least 10,000 people because of its proximity to Woodend and Christchurch, and I would expect that most of the staff at the resort will come from the Christchurch Urban Environment. Therefore, in my opinion it would be debateable whether Pegasus Resort is Urban Environment because it may not pass both of the conjunctive requirements in the NPS-UD. In my opinion the Pegasus Resort SPZ is predominantly used for tourism activity in a rural setting.

Third, the NPS-UD Interpretation 1.4(4) refers to National Planning Standards which has Zone Framework at Standard 8. This standard notes each zone to be used by councils, and in terms of residential zones states that these are “Areas used predominantly for residential activities and buildings”. Some examples of SPZ are named in the standards and they are “Areas used predominantly for operation and development of” each special purpose. While I accept that there can be accommodation provided within SPZ (i.e. barracks, care beds, rehabilitation, halls of residents, crew houses, etc) that these are auxiliary to the main use of the land and should not be relied upon by council to meet the needs of the community.

Fourth, I have reviewed the other Tier 1 council Housing Capacity Assessments, and none of these assessments have included assessment of SPZ for tourism activities. The Ministry for the Environment (MFE) guidelines also make no mention that an assessment of housing in the NPS-UD should include SPZ tourism activities. I have reviewed Queenstown District Lakes Councils latest Housing Capacity



Assessment (2021), and note that none of the SPZ tourism resorts (Millbrook Resort, The Hills Resort, Hogans Gully Resort, Waterfall Park Resort) which are similar to Pegasus Resort are included, either in the demand or capacity assessment. All of these Housing Capacity Assessments have been reviewed by MFE, and to my knowledge the exclusion of SPZ tourism resorts has not been raised as an issue by the reviewers. I do not consider that there is a requirement to assess housing need to this fine level in the NPS-UD. This indicates to me that any dwelling capacity created in SPZ will be a type of ‘bonus’ capacity that provides for a unique and specific type of dwelling that is not required to be enabled in the Urban Environment housing market to operate efficiently.

In conclusion, if the proposed capacity in SPZ(PR) is found to be urban, then I consider that it would not be significant within the context of the NPS-UD (i.e. much less than 0.6% increase in capacity for the three main towns). Therefore, whether or not SPZ(PR) is included will not materially alter the demand or supply outcomes.

I acknowledge that, if one accepts that the submission is for Tourism Resort accommodation in a rural setting to meet a niche market, then potentially this supply could be important. The merits of the submission can be considered within the RMA and the local planning framework. However, in my opinion, the sufficiency tests defined in the NPS-UD do not need to assess this bespoke type of activity, and hence it is correct that the WCGM22 did not assess the demand or supply for tourism resorts.

I agree that it would be beneficial to obtain a legal opinion on the interaction of the policies, objectives, and the requirements to undertake a Housing Capacity Assessment. I agree that the NPS-UD Policy 1 requires decisions that contribute to well-functioning urban environment by enabling a “variety of homes”. How this relates to the sufficiency tests in Policy 2, Clause 3.2, and 3.27, which prescribe how assessments are undertaken for housing which are defined at a high level, is not clear. However, I consider that there is no defined requirement to assess or have sufficient capacity for tourism resort housing in the NPS-UD.

b) Q14 Interaction of Policy 1 (variety of homes, Obj1 and Obj2) and Policy 2 (sufficiency tests, Clause 3.2, and 3.27)

The assessment in the NPS-UD sufficiency tests does not require councils to consider residential demand for individual zones, or even individual locations in the urban area (Policy 2, 3.2, or 3.27). The assessments are framed using higher order geographies, mostly in terms of Urban Environment – i.e. is there sufficient capacity in the urban area to meet the demand? The assessments are also required to consider demand and supply in terms of broad types of housing – standalone and attached, but not for very specific types of dwellings such as villas on a golf course.

From a practical perspective, demand for housing in the main urban areas of Waimakariri (Rangiora, Woodend, and Kaiapoi) is driven by people moving to the area from the Christchurch Urban Environment. Specifically, there is very little natural growth in the resident population (i.e. births only



marginal above deaths) in the District. Most growth in the population is driven by net internal migration (90%) and a small amount of net international migration.¹ In my opinion, most people moving to the district could be accommodated in multiple locations which means that an assessment of demand at a location level can only be indicative of a potential outcome and does not definitively show that there is going to be a need in a location.

I consider that the sufficiency tests in the NPS-UD are defined as a minimum requirement, which means that councils can provide more capacity to meet the other policies and objectives of the NPS-UD. The sufficiency test is designed to ensure that at a minimum there is enough capacity to meet expected demand, but not to require assessment of every sub-market or zone. In my opinion the submissions presented in this hearing should be considered on their merits regardless of the outcome of the sufficiency test, and that this assessment should include the wider aspects of the NPS-UD – i.e. Policy 1, Objective 2 and Objective 3.

However, as discussed above I agree that it would be beneficial to obtain a legal opinion on the interaction of the policies, objectives, and the requirements to undertake a Housing Capacity Assessment.

c) Q16: Density Limit Activity Area 7B

The 7B Activity Area is proposed to be 10,220m² and a (new) density limit of 27 dwellings. This would mean a lot size of between 200-300m² of land per dwelling, depending on how much land is required for roading, open space, and other non-developable uses. From an economic perspective this density is similar to development that is being achieved in Woodend and the other main urban areas (Rolleston and Kaiapoi).

However, I acknowledge the intended purpose that these dwellings would be to cater for tourist demand associated with the Pegasus Resort (as discussed in Mr Heath's evidence for the submitter). Also, the rest of the Pegasus Resort which surrounds the site consists of recreational land with low levels of accommodation and resort facilities. Therefore, in this context, I consider that the proposal would be relatively low density when considered in conjunction with the wider context of the resort as a whole.

In my opinion the proposed density limit is unlikely to materially change the outcomes in terms of economic costs and benefits.

¹ Statistics New Zealand (2023) Components of Population Change.



Memo

To: Jessica Manhire, Development Planning Unit, Waimakariri District Council

From: Rodney Yeoman, Director

Date: 29 July 2024

Re: Stream 12A Pegasus Resort Provision of Information to Inform Response

The purpose of this memo is to provide information in relation to the commissioners' questions on the Pegasus Resort Special Zone. These questions are set out in Minute 28 – Reply Report Questions for Hearings Streams 12A and B, Appendix 1, as follows:

13. Please advise whether you agree with Mr Yeoman's evidence that because Pegasus Resort is a SPZ, it is not part of the NPS-UD consideration for capacity or demand, which focuses on residential and business zones. You may wish to obtain legal advice on this, taking into account the legal submissions presented at the hearing. Does the NPS-UD require that consideration is given to providing and ensuring that there is a range of housing options, and the provision of housing in particular locations?
14. In particular, and in liaison with Mr Yeoman as may be appropriate, do you agree that if location specific demand is demonstrated for this specific type of residential development (which the Panel was told is unique in the Waimakariri District), that failing to provide sufficient capacity to meet that location specific demand for this type of development may conflict with the following objectives and policies in the NPS-UD:
 - a. Objective 2 (improve affordability and supporting competitive land and development markets);
 - b. Objective 3 (enabling more people to live in areas where there is high demand relative to other areas);
 - c. Policy 1 (meet needs in terms of location); and
 - d. Policy 2 (provide at least sufficient capacity to meet expected demand).
16. Please provide any updated recommendations in respect to the DEXIN updated ODP and provisions, including the density limitation of 27 dwellings in Activity Area 7B.

Provision of Information to Inform Response

I address each of the three questions, to provide available information to inform your response to the commissioners. The first two questions (13 and 14) relate to the application of the NPS-UD in relation to Pegasus Resort which is a special purpose zone. The third question (16) relates to the density of residential activity that is proposed by the submitter.



a) Q13 Should Pegasus Resort SPZ be included in NPS-UD assessment of housing?

First, the NPS-UD is focused on the housing and business land outcomes in the Urban Environment. The NPS-UD does not mention Special Purpose Zones (SPZ) in relation to housing in the NPS-UD, nor does it provide a definition of what constitutes “housing land”. I note that clause 3.37 Monitoring does mention some residential zones, but there is no mention of SPZ. The NPS-UD does mention SPZ in relation to business land (Interpretation 1.4(1)), “to the extent it allows business uses”. This relates to the fact that most SPZ are defined for unique/large-scale commercial or government activities which have business activities (i.e. Airport, Port, Corrections, Military, Hospital, Stadium, University, Tourism Activity, Māori purpose, etc). In my opinion the omission of any reference in the NPS-UD to considering a residential role of SPZ when a business role is specifically referred to, means that there is no definitive direction in the NPS-UD that SPZ should be included in the assessment of housing land within the Urban Environment. A plain reading of the NPS-UD would suggest that there is no such requirement.

Second, the definition of Urban Environment set out in Interpretation 1.4(1) of the NPS-UD requires that land be predominantly urban in character and within a housing and labour market of at least 10,000 people. I consider that Pegasus Resort SPZ is predominantly used for recreational tourism activity (golf course and open space) with low levels of ancillary accommodation and resort facilities. However the Pegasus Resort is adjacent to Woodend and Pegasus, which are both urban. I also acknowledge that the Pegasus Resort may be within a housing and labour market of at least 10,000 people because of its proximity to Woodend and Christchurch, and I would expect that most of the staff at the resort will come from the Christchurch Urban Environment. Therefore, in my opinion it would be debateable whether Pegasus Resort is Urban Environment because it may not pass both of the conjunctive requirements in the NPS-UD. In my opinion the Pegasus Resort SPZ is predominantly used for tourism activity in a rural setting.

Third, the NPS-UD Interpretation 1.4(4) refers to National Planning Standards which has Zone Framework at Standard 8. This standard notes each zone to be used by councils, and in terms of residential zones states that these are “Areas used predominantly for residential activities and buildings”. Some examples of SPZ are named in the standards and they are “Areas used predominantly for operation and development of” each special purpose. While I accept that there can be accommodation provided within SPZ (i.e. barracks, care beds, rehabilitation, halls of residents, crew houses, etc) that these are auxiliary to the main use of the land and should not be relied upon by council to meet the needs of the community.

Fourth, I have reviewed the other Tier 1 council Housing Capacity Assessments, and none of these assessments have included assessment of SPZ for tourism activities. The Ministry for the Environment (MFE) guidelines also make no mention that an assessment of housing in the NPS-UD should include SPZ tourism activities. I have reviewed Queenstown District Lakes Councils latest Housing Capacity



Assessment (2021), and note that none of the SPZ tourism resorts (Millbrook Resort, The Hills Resort, Hogans Gully Resort, Waterfall Park Resort) which are similar to Pegasus Resort are included, either in the demand or capacity assessment. All of these Housing Capacity Assessments have been reviewed by MFE, and to my knowledge the exclusion of SPZ tourism resorts has not been raised as an issue by the reviewers. I do not consider that there is a requirement to assess housing need to this fine level in the NPS-UD. This indicates to me that any dwelling capacity created in SPZ will be a type of ‘bonus’ capacity that provides for a unique and specific type of dwelling that is not required to be enabled in the Urban Environment housing market to operate efficiently.

In conclusion, if the proposed capacity in SPZ(PR) is found to be urban, then I consider that it would not be significant within the context of the NPS-UD (i.e. much less than 0.6% increase in capacity for the three main towns). Therefore, whether or not SPZ(PR) is included will not materially alter the demand or supply outcomes.

I acknowledge that, if one accepts that the submission is for Tourism Resort accommodation in a rural setting to meet a niche market, then potentially this supply could be important. The merits of the submission can be considered within the RMA and the local planning framework. However, in my opinion, the sufficiency tests defined in the NPS-UD do not need to assess this bespoke type of activity, and hence it is correct that the WCGM22 did not assess the demand or supply for tourism resorts.

I agree that it would be beneficial to obtain a legal opinion on the interaction of the policies, objectives, and the requirements to undertake a Housing Capacity Assessment. I agree that the NPS-UD Policy 1 requires decisions that contribute to well-functioning urban environment by enabling a “variety of homes”. How this relates to the sufficiency tests in Policy 2, Clause 3.2, and 3.27, which prescribe how assessments are undertaken for housing which are defined at a high level, is not clear. However, I consider that there is no defined requirement to assess or have sufficient capacity for tourism resort housing in the NPS-UD.

b) Q14 Interaction of Policy 1 (variety of homes, Obj1 and Obj2) and Policy 2 (sufficiency tests, Clause 3.2, and 3.27)

The assessment in the NPS-UD sufficiency tests does not require councils to consider residential demand for individual zones, or even individual locations in the urban area (Policy 2, 3.2, or 3.27). The assessments are framed using higher order geographies, mostly in terms of Urban Environment – i.e. is there sufficient capacity in the urban area to meet the demand? The assessments are also required to consider demand and supply in terms of broad types of housing – standalone and attached, but not for very specific types of dwellings such as villas on a golf course.

From a practical perspective, demand for housing in the main urban areas of Waimakariri (Rangiora, Woodend, and Kaiapoi) is driven by people moving to the area from the Christchurch Urban Environment. Specifically, there is very little natural growth in the resident population (i.e. births only



marginal above deaths) in the District. Most growth in the population is driven by net internal migration (90%) and a small amount of net international migration.¹ In my opinion, most people moving to the district could be accommodated in multiple locations which means that an assessment of demand at a location level can only be indicative of a potential outcome and does not definitively show that there is going to be a need in a location.

I consider that the sufficiency tests in the NPS-UD are defined as a minimum requirement, which means that councils can provide more capacity to meet the other policies and objectives of the NPS-UD. The sufficiency test is designed to ensure that at a minimum there is enough capacity to meet expected demand, but not to require assessment of every sub-market or zone. In my opinion the submissions presented in this hearing should be considered on their merits regardless of the outcome of the sufficiency test, and that this assessment should include the wider aspects of the NPS-UD – i.e. Policy 1, Objective 2 and Objective 3.

However, as discussed above I agree that it would be beneficial to obtain a legal opinion on the interaction of the policies, objectives, and the requirements to undertake a Housing Capacity Assessment.

c) Q16: Density Limit Activity Area 7B

The 7B Activity Area is proposed to be 10,220m² and a (new) density limit of 27 dwellings. This would mean a lot size of between 200-300m² of land per dwelling, depending on how much land is required for roading, open space, and other non-developable uses. From an economic perspective this density is similar to development that is being achieved in Woodend and the other main urban areas (Rolleston and Kaiapoi).

However, I acknowledge the intended purpose that these dwellings would be to cater for tourist demand associated with the Pegasus Resort (as discussed in Mr Heath's evidence for the submitter). Also, the rest of the Pegasus Resort which surrounds the site consists of recreational land with low levels of accommodation and resort facilities. Therefore, in this context, I consider that the proposal would be relatively low density when considered in conjunction with the wider context of the resort as a whole.

In my opinion the proposed density limit is unlikely to materially change the outcomes in terms of economic costs and benefits.

¹ Statistics New Zealand (2023) Components of Population Change.

Appendix 9 - Legal advice: Definition of urban environment

9 May 2024

To

Peter Wilson and Andrew Willis
Waimakariri District Council
Private Bag 1005
Rangiora 770

Copy to

Matthew Bacon

From

Cedric Carranceja
Jenna Silcock

By Email

andrew.willis@wmk.govt.nz
peter.wilson@wmk.govt.nz
matthew.bacon@wmk.govt.nz

Dear Peter and Andrew

Waimakariri Proposed District Plan – Definition of urban environment

1. The residential rezoning hearings on the Waimakariri Proposed District Plan (**Proposed Plan**) are scheduled to occur in July 2024. To inform Council officers' preparation of section 42A reports for the residential rezoning hearings, you have asked us for advice regarding the definition of "urban environment" in the National Policy Statement on Urban Development 2020 (**NPS-UD**).
2. More specifically, you have asked:
 - (a) Who determines whether an area is "*intended to be*" predominantly urban in character and part of a housing and labour market of 10,000 people for the purposes of defining an "urban environment" under the NPS-UD? Is it the local authority or can it be anybody?
 - (b) Is Table 1 in the Appendix to the NPS-UD relevant to determining what and where an 'urban environment' is, and if so, how?
 - (c) If there is inconsistency between the NPS-UD and the Canterbury Regional Policy Statement (**CRPS**), for example, in terms of where or how an "urban environment" is to be identified, then how is this to be reconciled in a district plan?
3. As will become evident in considering this letter, to answer your specific questions, it was necessary for us to comment on wider related issues arising from the NPS-UD and the Amendment Act, including in relation to explaining the differing purposes and functions of the NPS-UD and the Amendment Act.
4. As a summary response to your specific queries, we consider that:
 - (a) The person who determines what is "*intended to be*" predominantly urban in character and part of a housing and labour market of 10,000 people for the purposes of defining an "urban environment" under the NPS-UD is dependent on the particular purpose and context that the

phrase "urban environment" is used in the NPS-UD. Although in some cases, such intention will be that of Council (e.g. when preparing a future development strategy under the NPS-UD), that intention could be held by any person for the purposes of policy 8 of the NPS-UD, which anticipates such person having the opportunity to demonstrate, through a submission or private plan change, with associated evidence, their intention for an area of land to be predominantly urban in character and part of a housing and labour market of 10,000 people.

- (b) Tables 1 and 2 in the Appendix to the NPS-UD do not demarcate the boundaries of the various Tier 1 and Tier 2 urban environments listed in those tables. However, they provide relevant context that must be considered in ascertaining what and where those urban environments are, on a case-by-case basis, having regard to context, evidence and purpose.
- (c) The Waimakariri District Plan needs to "give effect to" both the NPS-UD and the CRPS. The Supreme Court decisions in *King Salmon*¹ and *Port of Otago*² identified principles as to how higher order documents should be given effect to as part of plan change processes. The starting point is whether there is a conflict between the NPS-UD and the CRPS. In our view, the references to "Greater Christchurch urban environment" and "Greater Christchurch Tier 1 urban environment" in the CRPS do not define the "urban environment" for the NPS-UD. Therefore, an inconsistency with the NPS-UD "urban environment" definition does not arise. If there was a direct conflict which cannot be reconciled, then the NPS-UD would prevail over the CRPS.

5. In preparing our advice we have had regard to:

- (a) The two Joint Witness Statements – Urban Environment (Planning), for Day 1 dated 26 March 2024 and Day 2 dated 26 March 2024 (together referred to as **JWS**);
- (b) Extracts from other Independent Hearing Panel (**IHP**) decisions including the Selwyn District Council IPI Hearing Panel's decision on Rezoning Requests – Rolleston and the Independent Hearing's Panel's report to the councillors of the Kāpiti Coast District Council on Plan Change 2 under RMA Schedule 1, Part 6, clause 100 dated 20 June 2023; and
- (c) Relevant case law.

6. This advice covers a number of complex issues which have also been the subject of considerable thought and discussion by the Council team and other planning experts. The JWS illustrate that there are a range of opinions on relevant matters. While we have considered the JWS, we do not specifically comment on all matters expressed in the JWS but have sought to concentrate on salient points directly relevant to the queries you have raised (as summarised at paragraph 2 above).

7. We outline the reasons for our views below. Given the number of questions addressed, and length of the advice, we have provided a road map of the advice below:

- (a) Approach to interpretation is addressed at paragraphs 8 to 11;

¹ *Environmental Defence Society Inc v New Zealand King Salmon Company Ltd* [2014] NZSC 38; 1 NZLR 593.

² *Port Otago Limited v Environmental Defence Society* [2023] NZSC 112

- (b) Who determines whether an area is "*intended to be*" predominantly urban in character and part of a housing and labour market of 10,000 people for the purposes of defining an "urban environment" under the NPS-UD is addressed at paragraphs 12 to 30;
- (c) The relevance of Table 1 in the Appendix to the NPS-UD to determining what and where an 'urban environment' is addressed at paragraphs 31 to 47;
- (d) If there is inconsistency between the NPS-UD and CRPS how this to be reconciled in a district plan is addressed at paragraphs 48 to 58.

Approach to interpretation

8. Your query raises issues of interpretation of the NPS-UD and the RMA (as amended by the Amendment Act). The Courts ascertain the meaning of statutory instruments and plan provisions from their text and in light of their purpose.³ The Courts strive to give a provision its plain and ordinary meaning. However, regard needs to be had to the immediate context and, where any ambiguity, obscurity or absurdity arises, it may also be necessary to refer to other sections of the instrument or plan to derive a purposive interpretation.⁴
9. When interpreting provisions of a planning instrument, relevant factors to consider include:
 - (a) The text of the relevant provision in its immediate context;
 - (b) The purpose of the provision;
 - (c) The context and scheme of the plan and any other indications in it;
 - (d) The history of the plan;
 - (e) The purpose and scheme of the RMA;
 - (f) Any other permissive guides to meaning.⁵
10. Furthermore, when competing interpretations of a planning instrument are available, the interpretation ought to:
 - (a) Avoid absurdity or anomalous outcomes;
 - (b) Be consistent with the expectations of property owners; and
 - (c) Promote administrative practicality (e.g. rather than requiring lengthy historical research to assess lawfulness or otherwise).⁶
11. We have adopted the above approach to interpretation in this opinion.

³ Section 5 of the Interpretation Act 1999.

⁴ See for example, *Powell v Dunedin City Council* [2005] NZRMA 174 (CA); *Lower Hutt City Council (Re an Application)* (W46/07); *Nanden v Wellington City Council* [2000] NZRMA 562; *North Canterbury Clay Target Association Inc v Waimakariri District Council* [2014] NZHC 3021 at [17] – [18].

⁵ *Queenstown River Surfing Ltd v Central Otago District Council* [2006] NZRMA 1 at [7].

⁶ *Nanden v Wellington City Council* [2000] NZRMA 562; *Mount Field Limited v Queenstown Lakes District Council* 31 October 2008, Heath J, HC Invercargill CIV 2007-428-700.

Who determines whether an area is "*intended to be*" predominantly urban in character and part of a housing and labour market of 10,000 people for the purposes of defining an "urban environment" under the NPS-UD?

12. In order to answer your specific query about who determines whether an area is "*intended to be*" predominantly urban in character and part of a housing and labour market of 10,000 people for the purposes of defining an "urban environment" under the NPS-UD, it is necessary to comment on the wider purpose and context of the NPS-UD.

The meaning of the "urban environment" within the purpose and context of the NPS-UD

13. The NPS-UD definition of "urban environment" is:

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

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

[our underlining for emphasis]

14. As noted above, the Courts strive to give provisions their plain and ordinary meaning. The plain ordinary meaning of "urban environment" clearly seeks to capture land that is predominantly urban in character and part of a housing and labour market of at least 10,000 people. The definition also applies to land that is intended to be predominantly urban in character and part of a housing and labour market of at least 10,000 people. While the plain and ordinary meaning of the phrase "intended to be" is generally understood as referring to someone specifically planning or contemplating something (such as an outcome), the definition of urban environment does not specify who must hold the requisite intention. Thus, it is unclear from the definition whether an "urban environment" can include land that, for example, only a local authority intends to be predominantly urban in character and part of a housing and labour market of at least 10,000 people, or whether that intention can be held by any person at all.
15. As noted above, purpose and context are relevant to interpreting the meaning of provisions in a planning instrument. As the phrase "urban environment" in the NPS-UD serves different purposes within different contexts of the NPS-UD, these will need to be separately considered to ascertain how "urban environment" is to be interpreted. We note two specific purposes and contexts as examples below.

What is the "urban environment" for the purposes of a future development strategy and a housing development capacity assessment?

16. In some cases, the relevant context and purpose makes clear that an "urban environment" is confined to what is, or what the relevant local authority intends to be, predominantly urban in character and part of a housing and labour market of at least 10,000 people. For example, when preparing a future development strategy (**FDS**) for an "urban environment":
- (a) Clauses 3.12(1) and 3.12(3) confirm that it is tier 1 and 2 local authorities who are required to prepare an FDS (individually or jointly) for relevant tier 1 and 2 "urban environments".

- (b) Clause 3.13(1)(a)(i) provides that the purpose of an FDS is to promote long-term strategic planning by setting out:

"how a local authority intends to...achieve well-functioning urban environments in its existing and future urban areas".

[our underlining for emphasis]

17. In our view, the above clauses confirm that the requisite intention for an "urban environment" for the purposes of preparing an FDS must be held the relevant local authority (rather than any person), because the FDS sets out how the local authority intends to achieve well-functioning urban environments in the local authority's existing and future urban areas. Thus, within the context and purpose of an FDS, an "urban environment" is limited to what is, or what the relevant local authority intends to be, predominantly urban in character and part of a housing and labour market of at least 10,000 people. We have found nothing in the wider context of the NPS-UD to suggest local authorities must set out in an FDS how any and all persons might intend to achieve well-functioning urban environments within what all such persons might consider to be future urban areas.
18. Similarly, and by way of further example, we consider clause 3.25 (which requires a housing development capacity assessment for a tier 1 "urban environment" that is "plan-enabled") and the definition of "plan-enabled" (in clause 3.4(1)) anticipate that the requisite intention for an "urban environment" for the purposes of preparing a housing development capacity assessment must be held by the relevant local authority. Something that is identified as "plan-enabled" represents what the local authority intends to enable through that relevant plan.

What is the "urban environment" for the purposes of policy 8 of the NPS-UD?

19. In our opinion, the requisite intention for an "urban environment" for the purposes of implementing policy 8 of the NPS-UD is different from an FDS. NPS-UD policy 8 states:

Policy 8: Local authority decisions affecting urban environments are responsive to plan changes that would add significantly to development capacity and contribute to well-functioning urban environments, even if the development capacity is:

(a) unanticipated by RMA planning documents; or

(b) out-of-sequence with planned land release.

[our underlining for emphasis]

20. In our view, there is nothing in the context of policy 8 to suggest that the requisite intention for an "urban environment" for policy 8 to apply must only be held by a local authority. Rather, the context and purpose, as reinforced by clause 3.8 of the NPS-UD, better supports an interpretation of "urban environment" that allows for any person to have the requisite intention, as it will then enable policy 8 of the NPS-UD to fulfil its intent of requiring local authority decision-making affecting "urban environments" to be responsive plan changes for unanticipated or out-of-sequence developments.
21. If the phrase "urban environments" in policy 8 was read down so that it could only ever apply to areas of land intended by a *local authority* (but not any other person) to be predominantly urban in character and part of a housing and labour market of at least 10,000 people, then that would significantly reduce the effect of policy 8, because it could only ever apply local authority decisions affecting those areas where local authorities have intended to be predominantly urban in character

and part of a housing and labour market of at least 10,000 people as reflecting in RMA planning documents (which is defined to include regional policy statements, regional plans and district plans).

22. In our view, policy 8 intends that a person other than a local authority (e.g. a developer) can be a plan change proponent or a submitter, and that proponent/submitter can have the opportunity to demonstrate via evidence presented in support of that plan change proposal or submission, their intent that the plan change land area will be *predominantly urban in character and part of a housing and labour market of at least 10,000 people*, even where urbanisation of that relevant land is not intended (or anticipated) by any local authority in their RMA planning documents (including the CRPS and any district plans).

Does the more recent definition of "urban environment" in section 77F the RMA change things?

23. The definition of "urban environment" in the NPS-UD has been in force since 20 August 2020. Just over a year later (on 20 December 2021), the Amendment Act introduced a definition of "urban environment" into the RMA that differs from the definition of that term in the NPS-UD. Notably, the Government has not, either via the Amendment Act or through other means, sought to align the definition of "urban environment" in the NPS-UD with that in the RMA.

24. In contrast to the definition of "urban environment" in the NPS-UD, the definition of "urban environment" in section 77F of the RMA is specifically limited to require the requisite intention to be held by a specified territorial authority:

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

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

[our underlining for emphasis]

25. We consider the RMA definition of "urban environment" is deliberately and materially different from the NPS-UD, as it serves a very specific purpose in the context of the RMA as recently amended by the Amendment Act.
26. Section 77F of the RMA confirms that the RMA definition of "urban environment" applies only for the purposes of sections 77G to 77T and Schedule 3A of the RMA. Sections 77G to 77T and Schedule 3A were introduced by the Amendment Act to require "specified local authorities" to bring in new intensification requirements (including applying new medium density residential standards in residential zones). The definition of "specified local authorities" was also introduced into section 2 of the RMA by the Amendment Act.⁷

⁷ Amended section 2 of the RMA now includes the following definition:

"**specified territorial authority** means any of the following:

- (a) every tier 1 territorial authority;
- (b) a tier 2 territorial authority that is required by regulations made under section 80I(1) to prepare and notify an IPI;
- (c) a tier 3 territorial authority that is required by regulations made under section 80K(1) to prepare and notify an IPI"

27. In our view, the purpose of, and the context provided by the Amendment Act supports a conclusion that the phrase "by the specified territorial authority" was deliberately included in clauses (a) and (b) of the RMA definition of "urban environment" to clarify and confine the scope of the new intensification requirements that "specified territorial authorities" must implement when promulgating an intensification planning instrument (**IPI**). In particular, the obligation under Amendment Act on specified territorial authorities is to use an IPI to implement the Amendment Act's intensification directives within land that is, or is intended by a "specified territorial authority" to be, predominantly urban in character and part of a housing and labour market of at least 10,000 people, but not to land that others intend to be predominantly urban in character and part of a housing and labour market of at least 10,000 people.
28. The deliberateness of the RMA having a different definition of "urban environment" from the NPS-UD is supported by the fact that the Amendment Act did not change the NPS-UD definition of "urban environment", despite the Amendment Act requiring changes to other parts of the NPS-UD (policy 3) via new section 77S(1).
29. Furthermore, the Minister for the Environment has not exercised powers under sections 53(2) and 77S(2) to change the NPS-UD to remove inconsistencies or potential inconsistencies between the NPS-UD and the Amendment Act. This also suggests the difference in the two definitions of "urban environment" is intended, and not an inconsistency requiring correction.
30. Accordingly, the definition of "urban environment" in the RMA is specific to promulgating an IPI under the Amendment Act, and does not alter that under the NPS-UD:
 - (a) For the purposes of an FDS and a housing development capacity assessment, an "urban environment" is limited to what is, or what the relevant local authority intends to be, predominantly urban in character and part of a housing and labour market of at least 10,000 people.
 - (b) For the purposes of policy 8 of the NPS-UD, a person other than a local authority (e.g. a developer) has the opportunity to demonstrate via evidence presented in support of a plan change proposal or submission, that they have the requisite intention that the land they seek to develop will be "*predominantly urban in character*" and "*part of a housing and labour market of at least 10,000 people*", even where urbanisation of that relevant land is not intended (or anticipated) by any local authority in their RMA planning documents (including the CRPS and any district plans).

Is Table 1 in the Appendix to the NPS-UD relevant to determining what and where an ‘urban environment’ is, and if so, how?

31. The Appendix in the NPS-UD is entitled "Tier 1 and tier 2 urban environments and local authorities". Within the Appendix is Table 1 which provides:

Table 1

Tier 1 urban environment	Tier 1 local authorities
Auckland	Auckland Council
Hamilton	Waikato Regional Council, Hamilton City Council, Waikato District Council, Waipā District Council
Tauranga	Bay of Plenty Regional Council, Tauranga City Council, Western Bay of Plenty District Council
Wellington	Wellington Regional Council, Wellington City Council, Porirua City Council, Hutt City Council, Upper Hutt City Council, Kāpiti Coast District Council
Christchurch	Canterbury Regional Council, Christchurch City Council, Selwyn District Council, Waimakariri District Council

32. Table 1 should be considered alongside the following definitions in clause 1.4 of the NPS-UD that specifically refer to the NPS-UD Appendix:

***tier 1 local authority:** means each local authority listed in column 2 of table 1 in the Appendix, and **tier 1 regional council** and **tier 1 territorial authority** have corresponding meanings*

***tier 1 urban environment** means an urban environment listed in column 1 of table 1 in the Appendix*

***tier 3 urban environment** means an urban environment that is not listed in the Appendix*

[our underlining for emphasis]

33. The following can be observed from a consideration of Table 1 and the above definitions:

- (a) "Christchurch" is a tier 1 urban environment. However, neither Table 1 nor anything else in the NPS-UD demarcates or otherwise specifies what constitutes the Christchurch tier 1 urban environment in terms of the area(s) it covers by location(s) and spatial extent. The NPS-UD does not, for example, state that the "Christchurch" tier 1 urban environment is the whole of "Greater Christchurch" as defined in the CRPS, or that it is only those parts of "Greater Christchurch" identified in Map A of the CRPS as existing urban areas and/or priority areas and/or future development areas and/or areas within a projected infrastructure boundary. The CRPS, Map A, or any other planning document (e.g. the Waimakariri District Plan) is not mentioned in the NPS-UD as the source for defining what is the "Christchurch" is a tier 1 urban environment.
- (b) Waimakariri District Council is mentioned in column 2 of Table 1 as one of four Tier 1 local authorities for the Christchurch Tier 1 urban environment, which implies that the Christchurch Tier 1 urban environment must include areas that fall within the jurisdiction of all four local authorities. Thus, the Christchurch Tier 1 urban environment cannot be confined to a single district, such as within the district of Christchurch City, but rather, there will be parts of the Christchurch Tier 1 urban environment that must fall within the Waimakariri District.

- (c) As the definition of "tier 1 urban environment" refers to an "urban environment", the "Christchurch" tier 1 urban environment must be also an "urban environment". Accordingly, ascertaining what constitutes the "Christchurch" tier 1 urban environment for the purposes of the NPS-UD invokes a need to consider and apply the NPS-UD definition of "urban environment". Accordingly, in the next section, we proceed to comment on how the definition of "urban environment" needs to be used to define what constitutes the "Christchurch" tier 1 urban environment.
- (d) Bay of Plenty Regional Council is identified as both a Tier 1 and Tier 2 local authority in Tables 1 and 2 respectively. This confirms that an urban environment (whether tier 1 or tier 2) is not simply demarcated by the local authority boundaries listed in the tables (e.g. the whole of the Bay of Plenty Region is not a Tier 1 urban environment, nor a Tier 2 urban environment). Rather, it implies an exercise needs to be undertaken to identify what is the tier 1 "urban environment" and/or the tier 2 "urban environment" within a local authority's boundaries, having regard to the NPS-UD definition of "urban environment".

Defining an urban environment

34. The NPS-UD definition of "urban environment" (see paragraph 13 above) will capture an area of land with the following characteristics:
- (a) It can be any area of land *"regardless of size, and irrespective of local authority or statistical boundaries"*. Accordingly, an "urban environment" could include areas of land that straddle local authority or statistical boundaries. This is reinforced by:
 - (i) NPS-UD policy 10 which anticipates that territorial authorities that share jurisdiction over urban environments (e.g. because they straddle local authority boundaries) would work together when implementing the NPS-UD;
 - (ii) Tables 1 and 2 in Appendix 1 of the NPS-UD which lists, with one exception (Auckland), multiple regional and local authorities containing an urban environment.
 - (b) It is, or is intended to be:
 - (i) *"predominantly urban in character"*.
 - (ii) *"part of a housing and labour market of at least 10,000 people"*.
35. We agree with the Council planners that the "urban environment" definition could be described as a conjunctive, two limb test.⁸ Unfortunately, the NPS-UD provides no specific guidance regarding when an area of land could be considered as being *"predominantly urban in character"* and *"part of a housing and labour market of at least 10,000 people"*. Accordingly, we provide some general guidance on what these phrases mean below.

⁸ Section 42A officers position paper for planning expert conferencing, see JWS – Day 1 at pages 21 to 22.

Predominantly urban in character?

36. As the experts at expert conferencing agreed, the term predominantly is "important".⁹ In terms of plain ordinary meaning:
- (a) "*Predominant*" means constituting the main or strongest element; prevailing.¹⁰
 - (b) "*Urban character*" means characteristic of a city or town.¹¹
37. Accordingly, to be "*predominantly urban in character*", the relevant areas of land must have as its main, strongest, or prevailing element the characteristics of a city or town. We consider that a determination of whether an area is "*predominantly urban in character*" is ultimately a matter of application of substantive judgement and expertise, having regard to particular facts and circumstances applying to that area. The exercise of such judgement could potentially be informed by input provided by a landscape architect or expert on urban character.
38. Importantly therefore, the Christchurch tier 1 urban environment, which must be an "urban environment", must necessarily exclude any areas of Waimakariri District where there is no evidence that it is, or is intended to be¹², predominantly urban in character.

Part of a housing and labour market of at least 10,000 people?

39. With regards to the phrase "*part of a housing and labour market of at least 10,000 people*", the following can be observed:
- (a) Firstly, an area of land need not, in and of itself, constitute a housing and labour market of at least 10,000 people. Rather, it is sufficient for the area of land to be "*part of*" such a market.
 - (b) Secondly, the phrase requires that the area of land be part of a "*housing and labour market*" of at least 10,000 people, not part of an *area* of at least 10,000 people.
40. Accordingly, an area of land can be "*part of a housing and labour market of at least 10,000 people*" without forming part of an "*area*" containing at least 10,000 people. As noted at paragraph 34(a) above, the definition of "urban environment" is open to an area being small and separated from a larger area that constitutes the majority of the relevant market. Thus, and by way of example, a town in the Waimakariri District could be "*part of a housing and labour market of at least 10,000 people*" in combination with another area such as Christchurch City, provided there is an evidential basis to support a conclusion that the two areas constitute "*a housing and labour market of at least 10,000 people*".
41. Ultimately, the determination of whether an area is "*part of a housing and labour market of at least 10,000 people*" requires an exercise of substantive judgement and expertise, having regard to particular facts and circumstances that apply. The exercise of such judgement could potentially be informed an economist or market expert.

⁹ JWS – Day 1 at paragraph 21.

¹⁰ *The New Shorter Oxford English Dictionary* (6th ed, Oxford University Press, 2007).

¹¹ *Ibid.*

¹² By the relevant person for the particular purpose/context – see for example paragraph 30 above.

42. The need to make a substantive judgement of what constitutes an "urban environment", including when determining whether an area is "*part of a housing and labour market of at least 10,000 people*" was recently considered by the Independent Hearings Panel (IHP) that considered Western Bay of Plenty District Council's (WBOPDC) intensification planning instrument. Similar to Waimakariri District Council, the WBOPDC is also listed in Table 1 of the Appendix to the NPS-UD as being a tier 1 local authority despite its district being mostly rural. The relevant tier 1 urban environment for WBOP is listed in column 1 of Table 1 as "Tauranga".
43. While not binding, we consider the IHP's recommendations¹³ nonetheless provides some useful guidance to assist in ascertaining what is an "urban environment".
44. In its recommendations, the IHP considered that only the townships of Ōmokoroa and Te Puke should be considered part of the Tauranga urban environment, having regard to their commuting distance to Tauranga City. More remote townships such as Katikati and Waihi Beach were not considered part of the Tauranga housing and job market, and thus excluded from the urban environment. Relevantly, the IHP stated:
- 2.3 *Both Ōmokoroa and Te Puke could, and in the opinion of the IHP should, be considered part of the Tauranga urban environment. Indeed, it is undoubtedly due to the proximity to the high-growth city of Tauranga that WBOPDC was indicated by the Ministry for the Environment to be a Tier 1 Council. Since both settlements are within commuting distance of Tauranga (Te Puke is around 25 minutes to Tauranga in clear traffic and Ōmokoroa is around 20 minutes), it is considered likely that at least a proportion of current and future residents will travel to Tauranga for work and to access goods and services.*
- ...
- 2.5 *Council anticipates that the future population of each town will be over 10,000 and for that reason they are considered "urban environments" under the RMAA 2021. However, the Act also points out that "urban environments" are areas of land, irrespective of territorial authority or statistical boundaries that are, or are intended to be, part of a housing and labour market of at least 10,000 people.*
- ...
- 3.30 *Council put forward its position that urban areas in the district were treated as being 'subject to their own housing and labour markets', and therefore only Te Puke and Ōmokoroa have or are likely to have markets of at least 10,000 people within the scope of the plan change.*
- 3.31 *The IHP takes a different view to both parties on this question. It is our view that urban areas within a commuting distance of Tauranga are effectively part of the 'urban environment' of Tauranga. Indeed, the reason for which WBOPDC was judged to be a Tier 1 Council was that it lies at the periphery of Tauranga, which is growing rapidly.*
- 3.32 *The direction of the NPS-UD and MDRS is to provide for intensification so that urban growth is provided for less through peripheral greenfield expansion and more through development within the existing urban area, ensuring the infrastructure is used efficiently and realising the benefits of 'well-functioning urban environments'.*
- 3.33 *It is noted that the townships of Katikati and Waihi Beach are a considerable distance beyond Ōmokoroa and are unlikely to attract a large number of commuters to*

¹³ <https://www.westernbay.govt.nz/repository/libraries/id:25p4fe6mo17q9stw0v5w/hierarchy/property-rates-building/district-plan/district-plan-changes/PC92%20%26%20NOR%20IHP%20Recommendation%20Reports/PC92-IHP-Recommendation-Report.pdf>

Tauranga. The IHP do not consider them to be part of the 'housing and job market' of Tauranga and for that reason, agrees that the only areas of the district that should be subject to the MDRS and NPS-UD are Te Puke and Ōmokoroa.

[our underlining for emphasis]

45. On the basis of its findings, the IHP determined that the implementation of the Amendment Act and Policy 3 of the NPS-UD was limited to Ōmokoroa and Te Puke, as they were the only settlements within the district that met the definition of "urban environment" in the NPS-UD.
46. Accordingly, we consider the Christchurch tier 1 urban environment, which must be an "urban environment", must necessarily exclude any areas of Waimakariri District where there is no evidence that it is, or is intended to be¹⁴, part of a housing and labour market of at least 10,000 people. While judgement and evidence is required (as noted at paragraph 41 above), we would observe that the closer a town is to Christchurch City, the more likely it will be part of the housing and job market of Christchurch.

Concluding comments

47. In summary, our advice above results in a conclusion that Map A of the CRPS does not define what an "urban environment" is for the purpose of the NPS-UD definition of "urban environment". While Map A can provide an indication of what local authorities intend to be "predominantly urban in character"¹⁵, there may be areas outside those identified that might also be "predominantly urban in character" on a case-by case assessment, as noted by planning experts in the JWS.¹⁶ There is no obvious indication in Map A regarding what local authorities intend to be part of a housing and labour market of at least 10,000 people.

If there is inconsistency between the NPS-UD and the Canterbury Regional Policy Statement (CRPS), for example, in terms of where or how an "urban environment" is to be identified, then how is this to be reconciled in a district plan?

48. As you know, section 74(1) of the RMA requires a territorial authority to prepare and change its district plan *"in accordance with"* (among other things) a "national policy statement" (section 74(1)(ea)). A district plan must *"give effect to"* (relevantly) both:
 - (a) *"any national policy statement"*; and
 - (b) *"any regional policy statement"*.¹⁷
49. The Supreme Court decisions in *King Salmon*¹⁸ and *Port of Otago*¹⁹ identified principles as to how higher order documents should be given effect to as part of plan change processes, with the decisions being focused on the implementation of the New Zealand Coastal Policy Statement.²⁰

¹⁴ By the relevant person for the particular purpose/context – see for example paragraph 30 above.

¹⁵ As the experts agreed in the JWS Day 1 at paragraph 15(a) and 16. We have assumed that paragraph 16, which states "All experts agree with this statement", refers to the note in the bold text contained in paragraph 15(a).

¹⁶ This is consistent with the planning experts view, as recorded in the JWS Day 1 at paragraph 16(a) and 17. We have assumed that paragraph 17, which states "All experts agree with this statement", refers to the note in the bold text contained in paragraph 16(a).

¹⁷ Section 75(3)(a) and (c) of the RMA.

¹⁸ *Environmental Defence Society Inc v New Zealand King Salmon Company Ltd* [2014] NZSC 38; 1 NZLR 593.

¹⁹ *Port Otago Limited v Environmental Defence Society* [2023] NZSC 112.

²⁰ As recognised in the JWS – Day 2 at Q2, page 4.

There is High Court authority to support the application of the principles in *King Salmon* as a method for resolving tensions between provisions in all planning documents.²¹

50. The following principles, derived from case law and the RMA, are relevant for plan change processes:
- (a) The phrase "give effect to", means "implement" which is a "strong directive, creating a firm obligation of the part of those subject to it".²²
 - (b) However, what is required to implement a directive, in an NPS or the CRPS, will be "affected by what it relates to, that is, what must be given effect to."²³
 - (c) A requirement to give effect to a policy which is framed in a specific and unqualified way may, in a practical sense, be more prescriptive than a requirement to give effect to a policy that is worded at a high level of abstraction.²⁴ The language of policies is "significant, particularly in determining how directive they are intended to be and thus how much or how little flexibility a sub-ordinate decision-maker might have."²⁵
 - (d) The RMA has a settled hierarchy:

*"The hierarchy of planning documents is as follows – first there are documents which are the responsibility of central government – specifically national environmental standards, national policy statements and New Zealand coastal policy statements. Policy statements of whatever type state objectives and policies which must be given effect to in lower order planning documents. Secondly, there are those documents which are the responsibility of regional councils – namely regional policy statements and regional plans. Thirdly, there are those documents which are the responsibility of territorial authorities – specifically district plans."*²⁶
 - (a) Lower order policy documents are required to "give effect to" higher order policy documents. Relevantly, the CRPS is required to "give effect to" the NPS-UD, with the RMA prescribing a process for amending regional policy statements to "give effect to" an NPS. Under section 62(3), a regional policy statement must "give effect to a national policy statement". A local authority is required by section 55 to amend a regional policy statement to give effect to a national policy statement, where such amendments are necessary.
 - (b) The hierarchal nature of RMA plans mean it is generally not necessary to resort to Part 2 or higher order documents to determine appropriate plan provisions unless there is invalidity, uncertainty or incompleteness.²⁷

²¹ *Royal Forest and Bird Protection Society of New Zealand Inc v Bay of Plenty Regional Council* [2017] NZHC 3080.

²² *Environmental Defence Society Inc v New Zealand King Salmon Company Ltd* [2014] NZSC 38; 1 NZLR 593 at [77].

²³ *Ibid*, and affirmed in *Royal Forest and Bird Protection Society of New Zealand Inc v Bay of Plenty Regional Council* [2017] NZHC 3080 at [49].

²⁴ *Environmental Defence Society Inc v New Zealand King Salmon Company Ltd* [2014] NZSC 38; 1 NZLR 593 at [75]-[80].

²⁵ *Port Otago Limited v Environmental Defence Society* [2023] NZSC 112 at [61].

²⁶ *Environmental Defence Society Inc v New Zealand King Salmon Company Ltd* [2014] NZSC 38; 1 NZLR 593 at [11].

²⁷ *Ibid* at [90].

- (e) Where an apparent conflict between particular policies exists, decision-makers should first "make a thoroughgoing attempt to find a way to reconcile them".²⁸ Paying "close attention" to the wording of policies may mean an apparent conflict dissolves.²⁹

Urban environment in NPS-UD and CRPS

51. We understand your concern relates to a potential inconsistency between the NPS-UD definition of "urban environment" and the way the CRPS identifies the "urban environment". However, for the reasons given below, we consider the CRPS does not give rise to any inconsistency in terms of how an "urban environment" is to be identified for Christchurch under the NPS-UD.
52. We discussed the definition of "urban environment" in the NPS-UD at paragraphs 13 to 47 above.
53. The CRPS does not have a definition of "urban environment"³⁰ but the phrases "Greater Christchurch urban environment" and "Greater Christchurch Tier 1 urban environment" are used in Chapter 6 of the CRPS. The principal reasons and explanation for Objective 6.2.1a states:
- "The Greater Christchurch Tier 1 urban environment is the area shown on Map A."*
54. The reference to "Greater Christchurch urban environment" was introduced via changes to Chapter 6 of the CRPS in 2022 pursuant to section 55 of the RMA and clause 3.6(4) of the NPS-UD. Clause 3.6(4) of the NPS-UD only anticipates the insertion of housing bottom lines without the use of a Schedule 1 process. Accordingly, there were no changes made to Map A. Map A does not include any reference to Greater Christchurch Tier 1 urban environment, nor any other "urban environment" within the map, whether spatially, or via some annotation, or in the key. We agree with the Council's planners that there is uncertainty and ambiguity as to what line (if any) on Map A refers to an "urban environment" for Greater Christchurch, leaving room for differences of opinion.³¹
55. The starting point is whether there is an inconsistency between the urban environment, as defined by the NPS-UD, and what the CRPS says about the Greater Christchurch urban environment.
56. In our opinion, the references to "Greater Christchurch urban environment" and "Greater Christchurch Tier 1 urban environment" in the CRPS are not definitions and do not define what an "urban environment" is for the purposes of the NPS-UD. Amongst other things, there is no indication in those phrases, that they represent, relate to, account for, or otherwise have regard to, the elements of what constitutes an "urban environment" under the NPS-UD as discussed above. Amongst other things, there is no indication that Map A shows an area that is, or is intended to be "part of a housing and labour market of at least 10,000 people", nor a complete identification of an area that is, or is intended to be, "predominantly urban in character". As noted at paragraph 47 above, while Map A can provide an indication of what local authorities intend to be "predominantly urban in character", there may be areas outside those identified that might also be "predominantly

²⁸ Ibid at [131].

²⁹ *Royal Forest and Bird Protection Society of New Zealand Inc v New Zealand Transport Agency* [2024] NZSC 26 at [203].

³⁰ As the s42A officers position paper for planning conferencing identifies the CRPS does define "urban activities" and urban (see page 19-20 of JWS – Day 1).

³¹ The uncertainty is reflected in the different opinions of the experts summarised at paragraph 13(b) of the JWS – Day 1.

urban in character" on a case-by case assessment, as noted by planning experts in the JWS.³² Therefore, an inconsistency with the NPS-UD "urban environment" definition does not arise in the CRPS.

57. We also note the phrases "Greater Christchurch urban environment" and "Greater Christchurch Tier 1 urban environment" are only used in the context of Objective 6.2.1a. Accordingly, to the extent an "urban environment" is identified for the purposes of the CRPS, it would only apply for the purposes of Objective 6.2.1a. Even if there was some inconsistency between the NPS-UD "urban environment" and the CRPS "urban environment", the latter would only be relevant for the purposes of Objective 6.2.1a of the CRPS, and cannot dictate what an "urban environment" is under the NPS-UD. As discussed above, the NPS-UD uses "*urban environment*" in different contexts and in different ways.
58. If we assume there is a direct conflict between the CRPS "urban environment" and the NPS-UD "urban environment", then there would be an argument that the CRPS does not "give effect to" the NPS-UD. In that case, a decision-maker would need to enquire into and make a finding as to whether that is the case. If so, then generally speaking, the NPS-UD definition would "prevail" over the CRPS definition being the higher order document and the later in time (all other things being equal).³³

³² This is consistent with the planning experts view, as recorded in the JWS Day 1 at paragraph 16(a) and 17. We have assumed that paragraph 17, which states "All experts agree with this statement", refers to the note in the bold text contained in paragraph 16(a).

³³ See for example *King Salmon*.

Concluding comments

59. We trust the above advice is of assistance. We appreciate our advice covers a broad range of complex issues and we would be happy to address any comments, questions or concerns you may have.

Yours faithfully
Buddle Findlay

Two handwritten signatures in blue ink. The first signature is a long, sweeping cursive line. The second signature is a more compact, stylized cursive script.

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Appendix 10 – Legal advice SPZ(PR): Stream 12A Pegasus Resort – Cultural Impact Assessment weighting and NPS-UD housing provision

3 September 2024

To

Jessica Manhire
Waimakariri District Council
215 High Street
Rangiora 7400

Copy to

Matthew Bacon

From

Cedric Carranceja

By Email

jessica.manhire@wmk.govt.nz
matthew.bacon@wmk.govt.nz

Dear Jessica

Stream 12A Pegasus Resort – Cultural Impact Assessment weighting and NPS-UD housing provision

1. You are preparing a right of reply for Waimakariri Proposed District Plan (**Proposed Plan**) hearing stream 12A in relation to the Specific Purpose Zone (Pegasus Resort) (**SPZ(PR)**) rezoning requests. You have asked for advice regarding:
 - (a) What weight should the Panel be giving to the cultural impact assessment (**CIA**) provided by the submitter DEXIN Investments Limited (**DEXIN**), given that it was not mandated by Mahaanui Kurataiao Limited (**Mahaanui**)?
 - (b) Does the NPS-UD require that consideration is given to providing and ensuring that there is a range of housing options, and the provision of housing in particular locations (in particular housing in tourism resorts)?
2. In summary we consider that:
 - (a) If the submitter's CIA has not been mandated by manawhenua, and manawhenua hold a different view about cultural impacts than the author of the CIA, then that would be a reason to give the CIA much less weight than it could have, had it been mandated and supported by manawhenua.
 - (b) While housing type and location are relevant to consider in terms of housing demand, provision and capacity, the NPS-UD (with two exceptions) neither mandates nor prohibits consideration being given to the provision of a *particular type* of housing at a *particular location*, such as providing resort housing at a particular tourism resort. A consideration of whether or not housing of a particular type should be provided in a particular location is ultimately a matter for merits assessment of what is most appropriate, having evaluated all evidence before the Panel.
3. We provide our reasons below.

What weight should the Panel be giving to the CIA provided by DEXIN, given that it was not mandated by MKT?

4. We summarise our understanding of the relevant background as follows:

- (a) DEXIN lodged a submission on the Proposed Plan seeking to rezone its property at 1250 Main North Road, Pegasus (**Property**) from Rural Lifestyle to SPZ(PR) (**Proposal**).
- (b) In support of the rezoning, DEXIN provided the Proposed Plan hearings panel (**Panel**) a CIA prepared by Mr Nigel Harris as an independent provider to Kakano Aotearoa 2017 Limited. The CIA concluded that little or minimal impact on cultural values is foreseen. However, that conclusion is preceded by a statement in the CIA regarding a lack of support from Mahaanui on behalf of the Rūnanga as follows:

"While there has been positive feedback from individual mana whenua on aspects of the proposal, particularly the opportunities for mana whenua to establish activities that let them realise their cultural aspirations, MKT on behalf of the Rūnanga did not provide their support for the rezoning on grounds of impacts to the wider cultural landscape of importance to them."

[Our underlining for emphasis]

- (c) During the hearing the Panel asked DEXIN for a copy of Mahaanui's response to the Proposal. Mahaanui's response, which was provided after the hearing¹, contains feedback from the mandated kaitiaki representatives of Te Ngāi Tūāhuriri Rūnanga who hold manawhenua over the Property area.² In summary, the feedback Mahaanui recorded that Rūnanga:
 - (i) have many concerns regarding the Proposal, primarily associated with the sensitivity of the area and the potential disturbance the development could have on Kaiapoi pā and the protection and restoration of mahinga kai sites;
 - (ii) consider the location is of high cultural significance;
 - (iii) recommend DEXIN undertakes the proposal in an alternative location that is less likely to compromise or place pressure on sites of significance to manawhenua;
 - (iv) consider the location is not culturally appropriate for the type of development proposed.

5. The Panel, like the Environment Court³, is not bound by the usual rules of law about evidence. Section 41(1)(b) of the RMA provides that section 4B of the Commissions of Inquiry Act 1908 applies to every hearing conducted by a local authority or a person given delegated authority to conduct hearings, such as the Hearings Panel. Section 4B of the Commissions of Inquiry Act 1908 confirms that the Hearings Panel:

¹ Attached to a Memorandum of Counsel on behalf of DEXIN dated 7 June 2024.

² Mahaanui feedback, at pages 1 and 6.

³ Section 276(2) of the RMA.

"...may receive as evidence any statement, document, information, or matter that in its opinion may assist it to deal effectively with the subject of the inquiry, whether or not it would be admissible in a Court of law".

[our underlining for emphasis]

6. Accordingly, there is no legal barrier preventing the Panel from admitting the CIA for consideration, provided the Panel forms the opinion that it may provide some assistance to deal with the subject matter(s) it is considering. However, it remains important for the Panel to determine what *weighting* is appropriate to apply to the CIA.
7. The appropriate weighting to be given to a CIA (or any other evidence) is ultimately a matter for the Panel to consider in the exercise of its substantive evaluation. Factors that can be considered in weighting include whether and to what extent the CIA is relevant, reliable, focused, probative, and provides substantial assistance to the decision-maker.
8. However, for a CIA, a relevant factor to weighting is a consideration of whether and to what extent Māori / tangata whenua groups with mandate for the relevant area provided, participated in, or informed the CIA, and supported its conclusions. That is because those persons who hold manawhenua are best placed to identify impacts of any proposal on the physical and cultural environment valued by them.⁴ Accordingly, the Courts are particularly keen to hear from those Māori / tangata whenua groups with mandate for the relevant area. In a case where different groups of Māori assert claims of mandate resulting in difficulties for a local authority regarding which groups to consult and to advise applicants to consult, the Court has considered the safer course would be to consult, and encourage others to consult, with all groups who claim mandate.⁵
9. In *SKP Inc v Auckland Council*⁶ the High Court accepted that having representative status is relevant to the weight to be given to competing evidence on cultural effects. However, representative status is not an end in itself. For example, the Court would not be assisted in its merits evaluation of cultural effects by mere evidence on the identity of the correct representative entity.⁷ Weighting can still be affected by other factors such as those mentioned in paragraph 7 above. For evidence of cultural effects based on beliefs, weighting can be affected by whether the beliefs are probative and capable of being tested, particularly where there is conflicting evidence to be assessed.⁸
10. Suffice to say that all other weighting factors being equal, a CIA will carry much more weight if mandated Māori / tangata whenua provided, participated in, or informed, the CIA and supported its conclusions, when compared to a CIA that had no input or support from them.
11. Accordingly, if the Panel is satisfied that the submitter's CIA has not been mandated by Rūnanga as manawhenua, and that manawhenua hold a different view about cultural impacts than the author of

⁴ *Tauranga Environmental Protection Society v Bay of Plenty Regional Council* [2021] NZHC 1201 at [66]; *Waste Management NZ Ltd v Hauraki District Council* [2024] NZEnvC 047 at [259].

⁵ *Serenella Holdings Ltd v Rodney District Council* [2004] ELHNZ 298 at [20].

⁶ *SKP Inc v Auckland Council* [2020] NZHC 1390.

⁷ *Ibid* at [55].

⁸ *Waste Management NZ Ltd v Hauraki District Council* [2024] NZEnvC 047 at [203] to [204], which describes a "rule of reason" approach as a starting point to properly understand the beliefs, values and traditions on which the evidence was based, and to assess the credibility and reliability of the evidence.

the CIA, then that would be a reason to give the CIA much less weight than it could have, had it been mandated and supported by manawhenua. However, as representative status is not an end in itself, the Panel still needs to substantively evaluate the CIA (and the Mahaanui feedback), having regard to other factors such as those identified in paragraph 7 above, in determining the final weight the Panel considers appropriate to attach to the CIA.

Does the NPS-UD require that consideration is given to providing and ensuring that there is a range of housing options, and the provision of housing in particular locations (in particular housing in tourism resorts)?

12. The context for your legal query arises from Panel question 13 in Minute 28 which is:
 13. *Please advise whether you agree with Mr Yeoman's evidence that because Pegasus Resort is a SPZ, it is not part of the NPS-UD consideration for capacity or demand, which focuses on residential and business zones. You may wish to obtain legal advice on this, taking into account the legal submissions presented at the hearing. Does the NPS-UD require that consideration is given to providing and ensuring that there is a range of housing options, and the provision of housing in particular locations?*
13. In terms of additional relevant background, you have advised that while giving oral evidence during hearing stream 12A, Mr Yeoman mentioned that the NPS-UD does not require an assessment of sufficiency for bespoke types of proposals such as demand for resort living or the supply of resort capacity at the Pegasus resort as a special purpose zone, because the NPS-UD is focused on residential and business land more generally.

Approach to interpretation

14. Your query raises issues of interpretation of the NPS-UD. The Courts ascertain the meaning of statutory instruments and plan provisions from their text and in light of their purpose.⁹ The Courts strive to give a provision its plain and ordinary meaning. However, regard needs to be had to the immediate context and, where any ambiguity, obscurity or absurdity arises, it may also be necessary to refer to other sections of the instrument or plan to derive a purposive interpretation.¹⁰
15. When interpreting provisions of a planning instrument, relevant factors to consider include:
 - (a) The text of the relevant provision in its immediate context;
 - (b) The purpose of the provision;
 - (c) The context and scheme of the plan and any other indications in it;
 - (d) The history of the plan;
 - (e) The purpose and scheme of the RMA; and
 - (f) Any other permissive guides to meaning.¹¹

⁹ Section 10 of the Legislation Act 2019.

¹⁰ See for example, *Powell v Dunedin City Council* [2005] NZRMA 174 (CA); *Lower Hutt City Council (Re an Application)* (W46/07); *Nanden v Wellington City Council* [2000] NZRMA 562; *North Canterbury Clay Target Association Inc v Waimakariri District Council* [2014] NZHC 3021 at [17] – [18].

¹¹ *Queenstown River Surfing Ltd v Central Otago District Council* [2006] NZRMA 1 at [7].

16. Furthermore, when competing interpretations of a planning instrument are available, the interpretation ought to:
 - (a) Avoid absurdity or anomalous outcomes;
 - (b) Be consistent with the expectations of property owners; and
 - (c) Promote administrative practicality (e.g. rather than requiring lengthy historical research to assess lawfulness or otherwise).¹²
17. We have adopted the above approach to interpretation in this opinion.

Is housing in a special purpose zone excluded from consideration under the NPS-UD?

18. Before answering your specific query, we briefly comment on Mr Yeoman's view that the NPS-UD does not require an assessment of bespoke type of proposals such as demand for resort living or the supply of resort capacity at the Pegasus resort as a special purpose zone, because the NPS-UD is focused on residential and business zones.
19. You have advised, and have asked us to assume for the purposes of this opinion, that it is at least arguable that the existing Pegasus resort SPZ(PR) and the Property lie within an "urban environment" as defined in the NPS-UD. We have previously provided the Council with advice regarding the NPS-UD definition of "urban environment" in which we considered (amongst other things) that for the purposes of policy 8 of the NPS-UD, a developer or submitter has the opportunity to demonstrate through evidence, their intention for an area of land to be predominantly urban in character and part of a housing and labour marker of 10,000 people, in order to fall within the NPS-UD definition of "urban environment".¹³
20. While we agree with Mr Yeoman that the NPS-UD has a focus on residential and business land more generally, that is not an exclusive focus of the NPS-UD. In our opinion, the mere fact that the Pegasus Resort is a SPZ does not mean that it must be excluded from consideration of housing capacity or demand under the NPS-UD. Rather, the NPS-UD anticipates that housing capacity or demand in a SPZ can be considered, at least where the zone is within an urban environment and has provisions that provide for housing use. We outline below the various ways a SPZ can be considered in respect of different tasks anticipated by the NPS-UD.
21. Firstly, with regards to local authority monitoring, clause 3.9(1)(a) requires local authorities to monitor (amongst other things) the demand for, and supply, of dwellings "*in relation to each urban environment*" in their district or region. The clause imposes no limitation on what type of zone within an urban environment is to be monitored for housing demand and supply. Thus, and by way of example, monitoring is not strictly limited to housing demand and supply in urban residential zones, but could include housing demand and supply in urban non-residential zones such as commercial, mixed-use or special purpose zones in an urban environment.

¹² *Nanden v Wellington City Council* [2000] NZRMA 562; *Mount Field Limited v Queenstown Lakes District Council* 31 October 2008, Heath J, HC Invercargill CIV 2007-428-700.

¹³ Buddle Findlay opinion on the definition of "urban environment" dated 9 May 2024.

22. Secondly, with regards to local authority preparation of a Housing and Business Development Capacity Assessment (**HBA**):

(a) Clause 3.19(2) anticipates that a HBA would, at a minimum, assess demand and capacity "*within the boundaries of...urban environments*". Similar to monitoring clause 3.9(1)(a), clause 3.19(2) imposes no limitation on what type of zone in an urban environment would be assessed for housing demand and supply.

(b) Furthermore, the NPS-UD provides local authorities with a discretion (but imposes no obligation) to undertake a HBA that extends to zones beyond the boundaries of an urban environment. This means a local authority can choose to include in a HBA an assessment of demand and capacity of special purpose zones outside of an urban environment. Clause 3.19(2) states:

The HBA applies "at a minimum, to the relevant tier 1 or tier 2 urban environments of the local authority (ie, must assess demand and capacity within the boundaries of those urban environments), but may apply to any wider area."

[our underlining for emphasis].

23. Thirdly, with regards to the Panel's consideration and evaluation of evidence on housing demand and capacity, policy 2 of the NPS-UD is not focused on capacity and demand for residential or business "zones" per se. Rather, policy 2 is concerned about providing at least sufficient development capacity to meet expected demand "*for housing*", with no requirement to limit assessment to one type of zone (such as residential zones). Accordingly, the Panel can consider demand and capacity for housing beyond just residential zones. For ease of reference, policy 2 states:

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

[our underlining for emphasis].

24. Fourthly, the NPS-UD definition of "development capacity", which is used in multiple provisions of the NPS-UD, is concerned about the capacity of land to be developed for housing based on (amongst other things) "*the zoning, objectives, policies, rules, and overlays that apply in the relevant proposed and operative RMA planning documents*". The definition of "development capacity" does not restrict the consideration of the capacity of land to be developed for housing to a particular type of zone (e.g. a residential zone), but is open to considering whether, for example, land has capacity to be developed for housing based on a commercial, mixed-use or special purpose zone, having regard to the provisions that apply to such zones. This is reinforced by NPS-UD clause 3.4(2) which anticipates that land is zoned for housing use if housing use is a permitted, controlled, or restricted discretionary activity on that land. Thus, and by way of example, if the provisions for a commercial, mixed-use or special purpose zone provide for housing use as a permitted, controlled, or restricted discretionary activity, then those provisions could be considered when assessing whether there is at least sufficient development capacity to meet expected demand for the purposes policy 2, or whether it would add significantly to "development capacity" for the purposes of policy 8.

25. Accordingly, the mere fact that the Pegasus Resort is a SPZ does not mean that it must be excluded from consideration of housing capacity or demand under the NPS-UD. Rather, a SPZ can be considered, at least where the zone is within an urban environment and has provisions that provide for housing use.

Does the NPS-UD require that consideration is given to providing and ensuring that there is a range of housing options, and the provision of housing in particular locations (in particular housing in tourism resorts)?

26. For the purposes of our opinion, we have assumed the query regarding providing and ensuring that there is a "range" of housing options is in regards to a range of housing *type* in particular *locations*, such as resort housing at a particular tourism resort location.
27. The NPS-UD anticipates that local authorities will consider both *type* and *location* on matters of housing demand, provision and capacity. For example:
- (a) With regards to housing demand, clause 3.24(1) requires a HBA to estimate demand for additional housing in different "*locations*" and in terms of dwelling "*types*".
 - (b) With regards to housing provision, policy 1 anticipates that planning decisions will contribute to WFUEs that will (amongst other things) have or enable a variety of homes that meets the needs of different households in terms of (amongst other things) "*type*" and "*location*".
 - (c) With regards to housing capacity, clause 3.25(2) requires development capacity in a HBA to be quantified as numbers of dwellings in different "*locations*" including in existing and new urban areas, and of different "*types*", including standalone dwellings and attached dwellings.
28. However, while both housing *type* and *location* are relevant to consider in terms of housing demand, provision and capacity, the NPS-UD (with two exceptions which are not relevant to the issues at hand¹⁴) neither mandates nor prohibits consideration being given to the provision of housing for a *particular type* at a *particular location*, such as providing resort housing at a particular tourism resort. Thus, other than the two exceptions in footnote 14, there is no requirement on local authorities to include in its HBA an assessment of a particular dwelling type at a particular location, but nor is there any prohibition from local authorities choosing to do so. Similarly, the NPS-UD does not require the Panel to provide a particular type of housing at a particular location, but nor does it prevent the Panel from considering whether it is most appropriate to do so (in section 32 terms) having evaluated the evidence before it.
29. In our view, a consideration of whether or not a particular type of housing should be provided in a particular location is ultimately a matter for merits evaluation by the Panel of what is most appropriate, having regard to evidence, including any evidence that provides more granularity on

¹⁴ NPS-UD mandates an assessment:

- of dwelling types that distinguishes between standalone dwellings and attached dwellings as a minimum – see for example clauses 3.2(1)(b), 3.24(3) and 3.25(2)(b); and
- of dwelling location that distinguishes between existing and new urban areas – see for example clauses 3.2(1)(a) and 3.25(2)(a);

but does not mandate further granularity on assessing dwelling types or locations in the urban environment.

dwelling demand/provision/capacity by type and/or location. For example, the NPS-UD leaves it open for a Panel to evaluate:

- (a) Whether there is sufficient evidence of demand for housing in a particular location that is unique/exclusive to that location (rather than evidence that people demanding housing at that particular location would also demand housing in alternative locations)?
- (b) Whether there is sufficient evidence of demand for housing that is unique/exclusive to a particular type (rather than evidence that people demanding housing of that particular type would also demand other housing typologies)?
- (c) Whether there is sufficient evidence that the only way identified demand for housing can be met is to provide housing of a particular type at a particular location (rather than evidence that the identified demand could also be met by other types or locations of housing supply)?
- (d) Whether there is sufficient evidence that providing housing supply of a particular type of housing at a particular location better satisfies all of the NPS-UD requirements (including WFUE objective 1 and policy 1) than alternative types/locations of housing supply?
- (e) Whether there is sufficient evidence that providing housing supply of a particular type of housing at a particular location is most appropriate (in section 32 terms)?

Concluding comments

30. We trust the above advice is of assistance. We would be happy to arrange further discussions and address any questions or comments you may have.

Yours faithfully
Buddle Findlay



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**Appendix 11 – Memorandum from Shane Binder: Stream 12A Pegasus Resort
transport feedback**

WAIMAKARIRI DISTRICT COUNCIL

MEMO

FILE NO AND TRIM NO: DDS-14-05-12.10 / 240712114974

DATE: 23 July 2024

MEMO TO: Jessica Manhire, Policy Planner (WDC)

FROM: Shane Binder, Senior Transportation Engineer (WDC)

SUBJECT: Hearing Stream 12A transport feedback - Pegasus submissions

1. 1250 Main North Road

The Hearing Panel has asked the following questions of me:

Mr Binder is asked to respond to the revised [DEXIN] ODP, and in particular the proposed new accesses and walk and cycle connections. What is the implication for the development of the site if Waka Kotahi NZTA does not fund pedestrian and cycle infrastructure as part of the Woodend Bypass? What would the implication be if there are no improvements to pedestrian and cycle infrastructure access across State Highway 1?

If Waka Kotahi NZTA does not construct a shared use path along the Woodend Bypass extension (north from Pineacres or the Kaiapoi town centre), I consider that our Council will face a challenging environment to fund an equivalent facility, at least until there is a change in direction from Government. However, I am unable to predict whether our Council would be able to find alternate funds for a Kaiapoi-to-Woodend cycle facility or safe non-motorised crossing to Ravenswood.

I accept that tourists would be expected to “trip chain” with other destinations north (e.g., Waipara wineries, Hanmer Springs) and thus, I do not anticipate a major effect from a failure to construct longer-distance walking/cycling infrastructure between Kaiapoi and Pegasus.

However, I consider that the proposed elements in the development that are not exclusively orientated to tourists – chiefly the residential subdivision and hospitality activities that would rely on local patronage as well – will be far more effected by provision (or lack) of a safe walking/cycling connection to the Ravenswood Key Activity Centre and destinations south (e.g., Woodend town centre, Christchurch). The new residents would rely on the connection for employment, education, and other “day-to-day” activities, while the commercial establishments will draw customers from Ravenswood (and potentially Woodend). While this is an existing deficiency (and one that we continue to seek solutions with Waka Kotahi on), I do not consider it appropriate to situate medium density residential and hospitality activities in this area if safe walking/cycling access cannot be provided west to Ravenswood and east to Pegasus.

In regard to the proposed site access, I note latest revision is proposing access to/from SH1 be limited to emergency vehicles and non-motorised use only. I support this change as appropriate given the likely change to SH1 access as part of the Woodend Bypass project. This also results in vehicular traffic all accessing the site exclusively from a new access point on Pegasus Blvd (with the exception of 4 lots gaining access from Burntwood Lane).

While I have not been able to fully recreate the peak hour trip generation found in Mr Smith’s evidence (para 26, 27, 70), I am reasonably confident that the equivalent daily traffic will be in the range of 1,600-1,650 vehicles. I note for context that this daily volume of traffic is most commonly found on Collector Roads in our District. In my previous response, I had considered the access onto Pegasus Blvd in the context of a vehicle crossing. Given this daily volume is now proposed to be concentrating exclusively on the Pegasus Blvd connection, I would no

longer consider a standard vehicle crossing to be appropriate or safe. Rather, a formal road-to-road intersection is the appropriate connection type (although I am not prepared to comment on the jurisdictional matter of who would own/maintain the internal roads/accesses at this point).

I also note the present speed limit on Pegasus Blvd is 70 km/h and is unlikely to change in the foreseeable future. While Mr Smith has suggested anecdotal evidence of observed lower speeds, Council's last tube counts in 2023 just east of the proposed intersection showed a median speed of 65 km/h and an 85th percentile speed of 71 km/h. I refer to Table TRAN-5 in the Proposed District Plan, which provides minimum road intersection separation distances. Given a 130m separation from the existing edge of SH1 (which may or may not be impacted by the future Woodend Bypass) and a 250m separation from the Mapleham Drive intersection, the minimum road intersection separation distance (550m) is not met for a posted speed limit of 60, 70 or 80 km/h. As such, I would not support the primary site access through an intersection at this location in the present speed environment.

I do note that there appears to be a 20m wide corridor providing access to Burntwood Lane. I acknowledge that Burntwood Lane, with a 6.5m carriageway, is not ideally suited in its present configuration to carry this level of traffic, but I also note it has only four other lots attached so is likely far below capacity. However, I understand this option is not supported by the submitter so I have not considered it further. I also understand that changing the speed limit on Pegasus Blvd is outside the bounds of this hearing process, but would be open to reconsidering the proposal if the speed limit were to be reduced such that a new intersection could safely be situated between SH1 and Mapleham Drive.

I note as an aside that Council has had limited engagement with Waka Kotahi NZTA around their future plans for the SH1 corridor.

2. 20 Te Haunui Lane

In regard to the submission for 20 Te Haunui Lane, if it is to be evaluated within an NPS-UD context, I would not consider it to have "good transport accessibility," given the distance to walk to public transport (1.2-1.4 km), the frequency of this public transport, and distance from "everyday" activities. I consider that these barriers will lead to most trips from the site being chiefly undertaken in private motor vehicles, and thus not supporting a reduction in greenhouse gas emissions from transport.

If evaluated in a "peri-urban" large-lot residential context, the existing roading network is adequate to meet transport needs from the resulting development. The roading network generally has excess capacity to accommodate the vehicles that could be generated by this submission. And while I do not consider the existing non-motorised connections to be competitive for "everyday" activities, they do provide a relatively safe and complete connection to the broader network. However, as discussed earlier in relation to 1250 Main North Road, the concerns around non-motorised connectivity to Woodend/Ravenswood and vehicular capacity on SH1 to Christchurch remain unless the Woodend Bypass is constructed (as has been signalled by Waka Kotahi).

Appendix 12 – Email from NZTA on non-motorised transport

From: Mike Blyleven <Michael.Blyleven@nzta.govt.nz>
Sent: Monday, 12 August 2024 8:45 AM
To: Shane Binder
Cc: Andrew Willis; Matthew Bacon; Mark Buckley; Jessica Manhire
Subject: RE: NZTA future plans for SH1 corridor

Follow Up Flag: Follow up
Flag Status: Flagged

Caution: [THIS EMAIL IS FROM AN EXTERNAL SOURCE] DO NOT CLICK links or attachments unless you recognise the sender

Hi Shane

The NZTA do not have any plans for further improvements at the Trams Road on/off ramps beyond the recently installed traffic signals.

The Tram Road bridge is quite narrow and the lane configuration has to be accommodated within those constraints. Looking ahead we will continue to monitor the performance of the SH network to identify where and when improvements may be required.

Re Item 4

As part of the RoNS project we are investigating a grade separated interchange at Pegasus that would have the SH traffic going over Bob Robertson/Pegasus Boulevard. This would mean that people, including walkers and cyclists, would not have to cross the major SH traffic flow. The final form of this intersection will be identified during this current Scope Confirmation phase, expected for completion by the end of 2024.

Regards

Michael Blyleven
Principal Transport Planner
New Zealand Transport Agency