

Before the Independent Hearings Panel
at Waimakariri District Council

under: the Resource Management Act 1991

in the matter of: Proposed private plan change RCP31 to the Operative
Waimakariri District Plan

and: **Rolleston Industrial Developments Limited**
Applicant

Summary of evidence of Tim Walsh

Dated: 3 August 2023

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SUMMARY OF EVIDENCE OF TIM WALSH

- 1 My full name is Timothy Carr Walsh. I am a senior planner practising with Novo Group Limited in Christchurch. My qualifications and experience are set out in full in my statement of evidence.

SUMMARY OF EVIDENCE

- 2 The matters raised in submissions and in the Officer's Report have been addressed in my evidence in chief. The following paragraphs are from the summary of that evidence.
- 3 To provide sufficient development capacity to accommodate predicted housing growth in the district, the Waimakariri District Council has identified New Development Areas on the outskirts of Rangiora and Kaiapoi with the assumption that they will accommodate between 5,000 and 7,000 new dwellings. Analysis undertaken to inform my evidence indicates that the capacity of the New Development Areas is most likely to deliver between 3,200 and 4,400 dwellings, which is 1,800 to 2,600 fewer dwellings than assumed. This significant development capacity shortfall means there is not enough land available to provide for housing demand. Further, a possible underestimation of demand may exacerbate the problem.
- 4 Because large scale intensification in the Waimakariri context is not likely given the clear lack of demand for higher density housing, additional land needs to be identified to solve the development capacity problem. Demand for housing is focused in the east of the district where various development constraints have been identified. Accounting for the constraints, there are few alternatives available, including expansion of existing centres. Of the less constrained land, North Mandeville intensification and northwest Rangiora expansion are possibilities, but are highly unlikely to deliver the required capacity. Conversely, the plan change site in Ōhoka is readily available and would make a substantial contribution to reducing the shortfall. It stands out as a suitable candidate for rezoning given it provides a large contiguous area of land that can be developed comprehensively and in a timely manner.
- 5 While PC31 is not anticipated by the planning documents, the NPS-UD enables consideration of its merits because it provides significant development capacity, contributes to a well-functioning urban environment, and enables development that is well-connected along transport corridors.
- 6 On the merits, I consider the proposal is appropriate because:
 - 6.1 The plan change site has low exposure to natural hazards. While it is at some risk of flooding (less so than many other areas), modelling has determined that minimal mitigation is required to

ensure that development of the site does not worsen flooding beyond the site.

- 6.2 The potential costs associated with the loss of productive land are outweighed by benefits of providing development capacity.
 - 6.3 The distance of Ōhoka from coastal areas and the ability to manage flooding risk contribute to the resilience of the PC31 land to impacts of climate change.
 - 6.4 The proposal supports reductions in GHG gas emissions due to the removal of dairying from the land and the Applicant is taking practical steps in the design of development to support a reduction in emissions arising from the development and occupation of dwellings and commercial buildings, and emissions arising from transport.
 - 6.5 The plan change site can be serviced with all the necessary infrastructure.
 - 6.6 The proposal provides convenience for the local population. The commercial offering is likely to be anchored by a supermarket and would also be expected to accommodate a small mix of food and beverage retail, commercial services, and potentially health care facilities and a preschool.
 - 6.7 The proposal will lead to an improvement to waterway ecology which is a matter of importance to Te Ngāi Tūāhuriri Rūnanga.
 - 6.8 The proposal provides good connectivity and accessibility at the local scale, and acceptable levels beyond.
 - 6.9 The proposal maintains the rural village character of Ōhoka while providing a compact and consolidated urban form.
- 7 I consider that the proposal will give effect to the NPS-UD, and give effect to the CRPS and achieve consistency with the District Plan (except for those directive provisions regarding urban growth which are resolved by Policy 8 of the NPS-UD).
 - 8 Overall, I consider that the proposal is the most appropriate way of achieving the purpose of the Act, and that the purpose of the Act is achieved.

S42A OFFICER MEMORANDUM

- 9 The 2 August memorandum from the s42A Officer to the Panel sets out matters that are resolved and that remain in contention.

- 10 Paragraph 17 of the memorandum says that the identification of shared cycle/pedestrian paths along Bradleys, Whites and Mill roads is not mentioned in the ODP. In fact, a required 2.5-metre-wide shared path for Bradleys and Whites is referenced at the third sentence of the third paragraph of the 'Movement Network' section in the ODP. Page 5 of the visual supplement appended to the evidence of Mr Compton-Moen includes a visualisation of the shared path as part of Landscape Treatment A.
- 11 No shared path has been identified on Mill Road because there is an existing path along the southern side which is separated from the road. Council may decide to widen this path in the future if it becomes necessary.
- 12 Paragraph 19 questions the proposed urban design requirements will work. Rule 31.1.1.9A requires dwellings to be in accordance with any relevant Council approved design guidelines. Similarly, Rule 31.1.1.50A requires any fencing to be in accordance with the guidelines.
- 13 As the Officer points out, these guidelines are yet to be developed. However, this is required by the ODP as follows:

Development controls and design guidelines specific to the development area shall be prepared and submitted to Council for approval. The guidelines will ensure that development is of the quality and character required to maintain the rural village character of Ōhoka. An independent design approval process will be established and most likely administered by a professional residents' association which would appoint an architect and landscape architect to review and approve proposals to demonstrate compliance with Rule 31.1.1.9A of the District Plan.
- 14 The guidelines will be developed at subdivision stage and will also direct the design of:

street furniture, lighting and all other structures in the public realm ... to reflect the rural characteristics with regard to design, type, scale, material and colour...
- 15 An additional rule has been proposed (see new Rule 31.4.8 in **Attachment 2**) that requires discretionary activity consent (rather than non-complying) where compliance is not achieved. This would automatically be the case if the design guidelines had not been developed and/or agreed at the time dwellings are proposed. I suggest that this would strongly motivate the developer to formulate the guidelines at subdivision consent stage.

- 16 There is precedent for the proposed approach. The Jacks Point Resort Zone in the Queenstown-Lakes District has a controlled activity rule¹ where the one of the matters of control includes “compliance with any relevant Council approved development controls and design guidelines”. This works well in Jacks Point and has resulted in a high-quality residential neighbourhood with a distinctive character.
- 17 The Jacks Point Residential Design Guidelines 2019 can be found on the Jacks Point website². The guidelines for Ōhoka would be different, given the different context and objectives, but the Jacks Point guidelines provide an example of how design matters are covered in such documents.

RESPONSE TO SUBMITTER EVIDENCE

Evidence of Ainsley McLeod for Transpower

- 18 As set out in the evidence of Ms McLeod, the Transpower submission seeks the following relief:
- 18.1 *“retain the existing Rural Zone over the area of land that is traversed by the National Grid, including an area that provides an appropriate buffer corridor within which sensitive activities will be avoided and ensures that Transpower’s ability to operate, maintain, upgrade and develop the National Grid is not compromised;*
- 18.2 *include provisions for subdivision and land use activities in the vicinity of the National Grid that reflect the provisions sought and supported in Transpower’s submission on the Proposed District Plan;*
- 18.3 *include an explicit requirement for Transpower to be consulted as part of any application for subdivision consent to ensure that any future subdivision design does not compromise Transpower’s ability to operate, maintain, upgrade and develop the National Grid (including through the maintenance of on-going access to the transmission line support structures); and*
- 18.4 *include explicit direction that landscape treatments in the vicinity of the National Grid be designed and implemented to achieve compliance with NZECP 34:2001 and the Electricity (Hazards from Trees) Regulations 2003 (including when planting reaches maturity)”.*
- 19 I agree that it is appropriate to address Transpower’s concerns in the plan change proposal, except in relation to the relief sought at

¹ Rule 12.2.3.2.vii.c of the Operative Queenstown-Lakes District Plan.

² jackspoint.com/building-at-jacks-point

paragraph 18.1. I do not consider it necessary or appropriate to retain rural zoning beneath the National Grid. There are numerous examples within the district and throughout the country where land beneath the National Grid is zoned for development. For example, this same corridor traverses Business 2 zoned land at Southbrook further to the north. Further, retaining rural zoning would be anomalous and result in a narrow corridor of land not easily able to be used for rural zone purposes.

- 20 In respect of the relief sought at paragraph 18.2, appropriate district plan rules can ensure the National Grid is protected from activities that may hinder the National Grid, specifically earthworks and structures. In terms of earthworks, Rule 23.1.1.10 of the District Plan requires that:

In relation to any overhead high voltage transmission line as shown on the District Plan Maps, earthworks shall not:

- a. exceed a depth of 300mm within 12 metres of any support structure foundation; or*
- b. reduce in the ground to conductor clearance below that which is specified in Table 4 of NZECP 34:2001; or*
- c. compromise the stability of any support structure.*

- 21 Rule 31.1.1.15 requires structures to be setback from overhead high voltage lines but not in relation to 66kV transmission lines, which is the line that traverses the site. Following discussions with Ms McLeod, the Applicant proposes the following rules in respect of setback of structures from the National Grid (I note these rules are also included in the amended plan provisions **Attachment 2**):

31. Health, Safety and Wellbeing – Rules

31.1 Permitted Activities

Setbacks For Structures

INSERT NEW RULE

31.1.1.15A In the Residential 4A Zone (Ōhoka) identified on District Plan Map 185, any structure shall be setback a minimum distance of 10m from the centre line of the 66kV National Grid transmission line, or foundation of an associated support structure.

31.5 Non-complying Activities

INSERT NEW RULE

31.5.10 Any land use which does not comply with Rule 31.1.1.15A is a non-complying activity.

- 22 In addition to the above, proposed amendments to the ODP text reflect the relief sought at paragraphs 18.3 and 18.4 above (see **Attachment 1**).
- 23 I consider the proposed amendments provide sufficient protection of 66kV transmission line that traverses the site.

Evidence of Joanne Mitten for Canterbury Regional Council

- 24 Ms Mitten considers that issues raised in the Regional Council submission regarding land contamination and flood hazard risk have been resolved but discusses the following issues which remain in contention:

24.1 Urban development which is unplanned and not required;

24.2 Inappropriate loss of versatile soils; and

24.3 Hydrology and aquatic ecology concerns.

- 25 I address these matters below.

Unplanned and unrequired urban development

- 26 Ms Mitten concludes that *"the out of sequence nature of the development in this location is contrary to the higher order policy direction regarding strategic growth in both the NPS-UD and the CRPS"*³.
- 27 I agree that the proposal is contrary to the directive CRPS provisions regarding urban growth and acknowledge that if the NPS-UD does not apply, or the plan change request is not consistent with it, there would be strong grounds for refusal of the request.
- 28 Ms Mitten considers that sufficient development capacity is already provided for in the district. I have provided a detailed assessment in my evidence in chief on this matter which suggests otherwise. Ms Mitten has not provided any critique of that assessment. Further, I do not consider the test of whether proposed development capacity is 'significant' relies on it being necessary – that is but one consideration. I note, as I do in my evidence in chief, that the NPS-UD seeks to ensure minimum capacity requirements are met and at all times. It does not seek to limit further capacity provided such additional capacity meets the other NPS-UD policy tests.

³ Paragraph 179 of Ms Mitten's evidence.

- 29 Ms Mitten also raises a concern that servicing uncertainty in respect of stormwater management may mean that the proposed development capacity will not be able to be realised. Relying on the evidence of Ben Wilkins for the Regional Council, Ms Mitten considers that required stormwater management facilities would likely intercept groundwater resulting in a consumptive take with associated consenting barriers. Mr O'Neill has addressed this concern in his evidence summary and demonstrates that there will be no consumptive take of groundwater. The required stormwater detention ponds will utilise the slope of the land in combination with bunding such that no excavation will be required below existing ground level. On that basis, I consider there is a high degree of certainty that the proposed plan change site can be serviced.
- 30 In terms of Policy 1 of the NPS-UD, Ms Mitten raises concerns in respect of accessibility by public transport and GHG emissions. Relying on the evidence of Mr Leonard Fleete for the Regional Council, Ms Mitten considers that it is not viable to provide public transport services to Ōhoka, and that an on-demand service would likely be unattractive. Mr Milner addresses these concerns in his evidence summary and finds:
- 30.1 A service designed to support Ōhoka would also benefit the wider catchment including Mandeville, western Kaiapoi and western Rangiora at a minimum.
 - 30.2 More than one vehicle would be involved in providing the service thus reducing delays.
 - 30.3 Significantly more funding for the proposed on-demand service would be raised through rates than suggested by Mr Fleete.
 - 30.4 Route 92 could be extended to the proposed Ōhoka park and ride facility for a limited number of services at peak times to satisfy commuter demand.
 - 30.5 On-demand services may be a more effective model for the district's urban centres with traditional fixed route services limited to linking Rangiora and Kaiapoi to Christchurch.
- 31 Ms Mitten suggests that the proposal will not support a reduction in GHG emissions while acknowledging that the Regional Council has not provided any evidence on the matter. As per my evidence in chief, I accept and rely on the evidence of Mr Farrelly who concludes that PC31 supports reductions in GHG emissions.

Inappropriate loss of versatile soils

- 32 Paragraph 128 of Ms Mitten's evidence identifies that my evidence focuses more on district plan provisions rather than those in the CRPS.

Ms Mitten provides the reason for this at her paragraph 131 with the following statement:

"there are no policies directly referring to versatile soils in Chapter 6 of the CRPS"

- 33 The CRPS versatile soil provisions in Chapter 5 do not apply to the Greater Christchurch sub-region. Regardless, my evidence in chief provides detailed consideration in respect of the loss of productive rural land, noting that versatile soils make up only 2.45% of the site.

Hydrology and aquatic ecology concerns

- 34 Relying on the evidence of Dr Greg Burrell, Ms Mitten is concerned about the impact of proposed urbanisation on hydrology of waterbodies and the extent to which paths and planting in proposed waterbody buffers will improve aquatic ecology. These concerns are addressed in the evidence of Bas Veendrick and the evidence summaries of Mr Taylor and Ms Drummond.

Hydrology

- 35 Mr Veendrick has assessed the likely impact of the proposed urbanisation on the existing hydrology of the site and finds that:

"it is likely that the groundwater recharge from the current (rural) development footprint is relatively small, which in turn means that changes to that recharge due to developing the site is likely to result in only minor changes in spring flow and spring water levels"⁴.

- 36 I accept and rely on Mr Veendrick's evidence which responds directly to the concerns raised by Dr Burrell. Mr Veendrick recommends the ODP be amended to include a requirement for groundwater and spring water level monitoring, and measures to maintain the natural flow path for groundwater. The ODP at **Attachment 1** has been amended accounting for this recommendation.

Riparian margins

- 37 Ms Drummond agrees with Dr Burrell that further direction should be included in the ODP regarding waterway buffer treatments. The ODP at **Attachment 1** has been amended to address the concern.

Evidence of Nick Boyes for Waimakariri District Council

- 38 Mr Boyes' evidence finds that the proposal is not supported by the CRPS, operative and proposed district plans or the District

⁴ Evidence of Bas Veendrick, paragraph 9.

Development Strategy, and the only pathway to approval is via the NPS-UD. We agree that the NPS-UD is of critical importance to the outcome of the request.

- 39 While the proposal is contrary to the directive planning provisions regarding the location of urban development/growth, I do not agree that there is *no* support in the policy framework for the proposal. Specifically, Policy 18.1.1.9 of the District Plan contemplates growth of the Ōhoka settlement. It is against the conditions of Policy 18.1.1.9 that the proposal has been carefully developed by a team of highly skilled expert advisors. As per my evidence in chief, I consider the proposal is consistent with this policy noting that the conditions cover a wide spectrum of matters.
- 40 In relying on the evidence of Mr Richard Knott, Mr Boyes consider that the proposal does not accord with Policy 18.1.1.9 of the District Plan and that the CRPS directs growth of the scale proposed by PC31 towards a Key Activity Centre. In my opinion, that is not entirely correct. The CRPS does not anticipate urban development outside of existing urban areas, Greenfield Priority Areas and Future Development Areas. Any urban development proposal (even if attached to a Key Activity Centre) would be contrary to the CRPS if outside the abovementioned areas. Any such proposal would, like PC31, be reliant on the application of the NPS-UD. Further, my evidence in chief has identified constraints that may affect further expansion of the Key Activity Centres in the district.
- 41 In terms of the District Plan Rural policy framework, Mr Boyes considers the proposal is not consistent with Policy 14.1.1.4 of the District Plan which seeks to "*Maintain rural character as the setting for Residential 4A and 4B Zones*". Mr Boyes refers to the explanation for this policy which recognises that residents in Residential 4A and 4B zones value an outlook [my emphasis] dominated by paddocks, trees, natural features, and agricultural, pastoral or horticultural activities. The outlook of residents within the Residential 4A and 4B zones at Ōhoka will be unchanged by the proposal. Views of the site from properties within these zones are obscured by existing mature trees/vegetation and development/activities within the Residential 3 Zone.
- 42 In discussing the above matter, Mr Boyes also expresses his view that the anticipated rural lifestyle subdivision of the site "*is in no way comparable or justifies the urban development of 850 to 900 residential allotments proposed by PC31*"⁵. Anticipated rural lifestyle subdivision has not been used to justify the proposal. It simply demonstrates that the existing open character of the site is unlikely to

⁵ Mr Boyes evidence, paragraph 38.

be preserved – which is something not contemplated by submitters or in the Officer's Report.

- 43 In respect of the NPS-UD, Mr Boyes questions whether the site forms part of the urban environment on the basis that the size of the proposed urban expansion is significantly larger than the existing Ōhoka settlement. I do not consider that consideration of the receiving environment is relevant. The site *is* part of the Greater Christchurch urban environment as discussed in my evidence in chief and in the legal submissions of the applicant.
- 44 In terms of the development capacity shortfall identified in my evidence in chief, Mr Boyes considers that it *"does not assist the potential success of PC31 to the extent suggested"*⁶. While the identified shortfall is significant, I do not suggest that it justifies approval of PC31 in and of itself. It is relevant however, given that Policy 2 of the NPS-UD obligates Council to provide sufficient development capacity, at all times, to meet demand.
- 45 Mr Boyes considers that Council simply needs go through a process of re-assessing the NDAs and potentially identifying additional land for housing. Such a process (including the Schedule 1 component) may well lead to an equivalent outcome as sought via PC31, albeit the process would take longer (perhaps considerably). The comprehensive planning of PC31 has required the evaluation of opportunities, constraints and issues for growth in the district in a manner that would otherwise occur through a strategic planning process. It remains to be seen whether Council will respond to the development capacity shortfall via the Proposed Plan process (noting that the applicant has submitted on the Proposed Plan seeking relief equivalent to PC31).
- 46 At his paragraph 82, Mr Boyes says that *"there are more suitable alternatives were [sic] the sequencing of infrastructure and connectivity by way of existing transport networks provide far better accessibility for people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport. Furthermore, alternative locations would better enable a diversity of housing types, including the intensification anticipated by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021. This would in terms [sic] result in better outcome sin [sic] terms of housing supply and affordability that can be achieved through PC31"*. I note that Mr Boyes does not identify what the 'suitable alternatives' are. Further, as per my evidence in chief and relying on the evidence of Messrs Yeoman, Akehurst, Sellars and Jones, I do not agree that intensification anticipated by the Resource Management (Enabling

⁶ Mr Boyes evidence, paragraph 66.

Housing Supply and Other Matters) Amendment Act 2021 will be realised to any significant extent in the district.

Evidence of Andrew Metherell

- 47 Mr Fuller has addressed the transport related issues raised by Mr Metherell for the Waimakariri District Council. My only comment relates to potential future traffic growth from identified potential rural residential areas at Oxford and Swannanoa.

- 48 The 2019 Waimakariri Rural Residential Development Strategy identified several locations suitable for future rural residential growth including at Oxford and Swannanoa. If rezoned and developed, these areas would send some additional traffic through the Tram Road / State Highway 1 interchange. Based on Mr Metherell's PC31 traffic distribution estimate, Mr Fuller considers that the interchange, in its current form, would accommodate the anticipated traffic growth in addition to at least 250 occupied dwellings within the plan change site.

- 49 If Mr Fuller's PC31 traffic distribution estimate (which sends more traffic via Tram Road compared to Mr Metherell's) is correct, the interchange may not accommodate additional traffic growth without an upgrade. However, this would be an issue for any proponent seeking rezoning of land at Oxford and/or Swannanoa to address through the necessary Schedule 1 process. In my view, it is not the applicant's issue to address given that PC31 has come before any potential rezoning at Oxford and/or Swannanoa.

CONCLUSION

- 50 The conclusions reached in my evidence in chief remain unchanged after consideration of submitter evidence.

Dated: 3 August 2023

Tim Walsh

ATTACHMENT 1: AMENDED OUTLINE DEVELOPMENT PLAN TEXT

Changes to the ODP text proposed via this evidence are emphasised in ~~struck through~~ and underlined red text.

OUTLINE DEVELOPMENT PLAN – ŌHOKA

Introduction

The Ōhoka Outline Development Plan ('**ODP**') provides for a comprehensive and carefully considered expansion of Ōhoka. The area covers approximately 156 hectares extending in a southwest direction from Mill Road and bounded on either side by Bradleys Road and Whites Road.

Key features of ODP area include:

- a village centre providing local convenience goods and services for residents and a small village square for community events/gatherings,
- provision for approximately 850 residential units, a school, and a retirement village (if a school is not developed, approximately 42 additional residential units could be established),
- provision for a polo field and associated facilities,
- a green and blue network providing for movement, recreation, and ecological enhancement of waterways, and
- high amenity streets appropriate for the rural setting.

All requirements specified below are to be designed/coordinated to the satisfaction of Council prior to approval of any subdivision consent application.

Land Use Plan

The development area shall achieve a minimum net density of 12 households per hectare, averaged over the Residential 2 zoned land. The zone framework supports a variety of site sizes to achieve this minimum density requirement. Staging is required to ensure the ODP area develops in a logical and appropriate manner in recognition of the current urban form of Ōhoka. Staging will proceed from the Mill Road end towards the southwest. Ōhoka Stream forms the first line of containment, the realigned and naturalised spring channel forms the second line, Ōhoka South Branch the third, and Landscape Treatment B the last.

Confirmation at the time of subdivision of each stage, and an assessment as to how the minimum net density of 12 households per hectare for the overall area can be achieved, will be required.

Residential activities are supported by key open spaces, waterbodies, and two small commercial centres, the larger of which is to become part of the village centre of Ōhoka. These commercial centres will provide good accessibility and help to meet some of the convenience needs of residents in the immediate area. Car parking within the village centre can provide a public transportation hub via the provision of park and ride services. It can also provide for ride sharing. The parking area will be of a high amenity standard enabling it to be integrated into a village square to provide additional hard surface area when required for community events, as well as providing for parking for the Ōhoka farmers market at the neighbouring Ōhoka Domain. Provision is also made to host the Ōhoka farmers market during winter months when ground conditions in the domain are unsuitable.

Provision is made for educational facilities in the area immediately adjoining the larger of the two commercial zones on Whites Road on the south side of the Ōhoka Stream. The prospect of developing such facilities will be subject to a needs assessment according to the Ministry of Education processes. If the Ministry decides that educational facilities are not required, additional residential properties will be developed at a minimum net density of 12 households per hectare.

Residential development shall retain rural village characteristics within the street environments and along property boundaries. Development controls and design guidelines specific to the development area shall be prepared and submitted to Council for approval. The guidelines will ensure that development is of the quality and character required to maintain the rural village character of Ōhoka. An independent design approval process will be established and most likely administered by a professional residents' association which would appoint an architect and landscape architect to review and approve proposals to demonstrate compliance with Rule 31.1.1.9A of the District Plan.

Movement Network

A road network and classification for the ODP site shall be developed that, together with the green network, delivers a range of integrated movement options. A key design principle of the movement network shall be facilitating movement towards the village centre and within the ODP site, particularly on foot or bicycle. In recognition of the character of the Ōhoka setting, several specific road types within the ODP area shall be developed with varying widths and layouts depending on the function and amenity. These are to be developed in collaboration with Council at subdivision consenting stage. Indicative cross-sections of the street types are shown in Figure 1.

Gateway treatments are located at the intersection of Mill Road and Bradleys Road, and on Whites Road at the intersection of Ōhoka Stream. The Mill Road / Bradleys Road gateway is directly at the intersection with a hard contrast from flat open rural land to a built-up edge supported by the verticality of landscape treatment. The Whites Road gateway will use the Ōhoka Stream as a distinct design feature. Combined with specific landscape treatment and bespoke design details, such as lighting and signage, this will create a strong rural gateway. The existing 100km/hr speed limit would ideally reduce to 60km/hr from the Ōhoka Stream gateway. There are potential minor traffic thresholds proposed at the southern boundaries of the ODP area at both Bradleys Road and Whites Road. The speed limit would ideally reduce to 80km/hr on Bradleys Road and Whites Road alongside the ODP frontage (outside the gateways). Regardless, two pedestrian/cycle crossings are to be provided across Whites Road, one near the Ōhoka Stream and the other near the commercial area.

The road classification shall deliver an accessible and coherent neighbourhood that provides safe and efficient access to the new development. The movement network for the area shall integrate into the existing and proposed pedestrian and cycle network beyond the ODP area. A 2.5m wide shared path is proposed with the Landscape Treatment Area A along Whites Road and Bradleys Road. Wherever possible, other bicycle and pedestrian routes shall be integrated into the green network within the ODP area. Cycling and walking shall otherwise be provided for within the road reserve and incorporated into the road design of the overall road network where applicable. Adequate space must be provided to accommodate bicycles and to facilitate safe and convenient pedestrian movements.

Trees in the road reserve will assist in reducing the perceived width of the road corridors and provide a sense of scale. Further, the street trees will break up the roof lines of the denser areas and provide shade and texture. The trees may be located between carriageway and footpaths on larger roads, and closer to the carriageway on smaller

roads. Swales will also assist in softening the road appearance, along with providing stormwater treatment. Aside from the functional aspects, the different street environments will significantly contribute to differentiating the ODP area from the typical suburban character found in the main centres of the District.

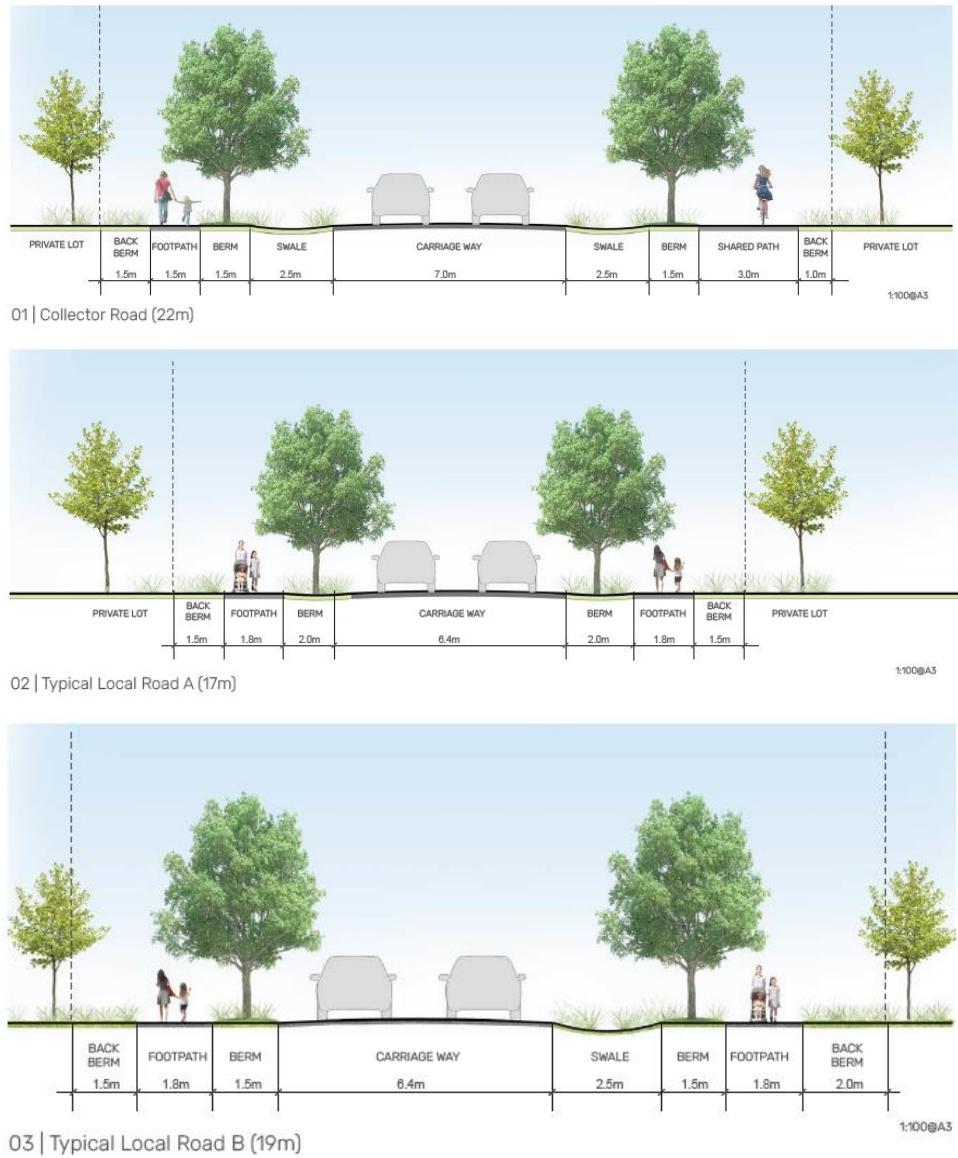


Figure 1: Indicative road cross-sections

The ODP provides road links to Mill Road, Bradleys Road and Whites Road. These intersections will be priority-controlled with priority given to the external road network. Direct vehicular access to private properties can be provided to Mill Road . Otherwise, no direct vehicular access to Bradleys Road and Whites Road is provided.

Water and Wastewater Network

Water reticulation is to be provided by the establishment of a new community drinking water scheme. A site of approximately 1,000m² will be provided within the development for water supply headworks infrastructure including treatment plant, storage reservoirs and reticulation pumps. Fire-fighting flows to FW2 standards will be provided for Residential 2 and business-zoned properties. Hydrants will be provided for emergency

requirements within the large lot property areas, zoned Residential 4A, in a similar manner to the neighbouring Mandeville and Ōhoka areas.

Wastewater will be reticulated to the Rangiora Wastewater Treatment Plant either via gravity reticulation or a local pressure sewer network or a combination of both. A new rising main connecting the development to the treatment plant is likely to be required.

Open Space, Recreation and Stormwater Management

The green network combines the open space, recreational reserves including pedestrian connections, and stormwater management throughout the ODP area. The green network largely follows waterways and provides access to open space for all future residents within a short walking distance of their homes. Pedestrian and cycle paths will integrate into the green network to ensure a high level of connectivity is achieved, and to maximise the utility of the public space.

Detailed stormwater solutions shall be determined by the developer at subdivision stage and in accordance with Environment Canterbury requirements. Stormwater management facilities shall be designed to integrate into both the movement and open space networks where practicable. Groundwater monitoring will assist in the design of the stormwater management facilities.

The proposed green and blue network provides an opportunity to create ecological corridors. Plant species in the new reserves and riparian margins shall include native tree and shrub plantings. The plant species selection process shall involve consultation with local Rūnanga. The green network will ensure that dwellings are setback an appropriate distance from waterbodies.

Supporting reductions in greenhouse gas emissions

To support reducing greenhouse gas emissions, district plan rules require additional tree planting on all residential properties and at least 15% of site area to be planted in native vegetation on larger properties. Further, all dwellings shall be required to be electric vehicle charging ready. This is to be enforced through developer covenants.

Character and amenity through landscape and design

The character of Ōhoka is strongly reliant on landscaping, in particular trees, in both public and private environments. The landscape treatment of the waterway margins may include large specimen trees, but will mostly be comprised of planted natives. Space for street trees is to be provided on both sides of all road types and are to be placed strategically to create an organic street scene avoiding a typical suburban street appearance. Additional tree planting is required on private properties via district plan rules.

An overall planting strategy is to be developed for the ODP site at subdivision consent stage.

Specific measures to protect and enhance landscape values will be addressed at the time of subdivision, and development within the ODP area shall include:

- a. An assessment by a suitably qualified and experienced arborist, guided by a suitably qualified terrestrial ecologist, that:
 - i. Identifies trees that are to be retained and integrated into the development
 - ii. Specifies protection measures during construction to ensure survival of selected trees

To further support the distinct village character of Ōhoka, street furniture, lighting and all other structures in the public realm are to reflect the rural characteristics with regard to design, type, scale, material and colour. In particular, street lighting shall be specified to minimise light spill and protect the dark night sky. These can be considered as part of the development controls and design guidelines mentioned previously.

Landscape Treatment A

Landscape Treatment A shall be designed to assist in retaining a rural character along Whites and Bradley Roads and to screen development from public and private vantage points outside the ODP area. It shall consist of a 1.5-metre-wide grass strip at the site boundary with an adjoining 2.5-metre-wide gravel path and a 10-metre-wide native vegetation strip in the location identified on the ODP and include a post and rail fence or post and wire fence on the road side of the vegetation. Solid fencing within this strip is not permitted. This is combined with a 20m building setback, consistent with setbacks required in the rural zone.

The planting is to consist of the following species planted at 1000mm centres to achieve a minimum height of 5m once established:

- *Griselinia littoralis*, Broadleaf;
- *Cordyline australis*, Ti kouka;
- *Pittosporum tenuifolium*, Kohuhu;
- *Podocarpus totara*, Totara;
- *Phormium tenax*, Flax;
- *Dacrycarpus dacrydioides*, Kahikatea;
- *Sophora microphylla*, SI Kowhai;
- Korokia species; and
- *Cortaderia richardii*, SI Toetoe.

Landscape Treatment B

Landscape Treatment B, as indicated on the ODP, shall be designed to provide a visual buffer between the ODP site and adjacent rural land to the southwest. The treatment shall consist of retention of the existing shelter belts running along the southern boundary of the ODP site and planting a 6m wide landscape strip consisting of either (or a mix of) the following trees to achieve a minimum height of 5m with trees at a maximum spacing of 2000mm:

- *Pinus radiata*, Pine;
- *Cupressus Arizonia*, Arizona cypress;
- *Chaemaecyparis lawsoniana*, Lawson's Cypress;
- *Populus nigra*, Lombardy Poplar;
- *Podocarpus totara*, Totara (native);
- *Pittosporum eugenioides*, Tarata (native);
- *Phormium tenax*, Flax;
- *Prunus lusitanica*, Portuguese laurel; and
- *Griselinia littoralis*, Kapuka / Broadleaf (native).

Landscape Treatment C

Landscape Treatment C is proposed to be located toward the northern extent of the ODP area and act as a buffer between the ODP area and the existing Ōhoka Village properties on the southern side of Mill Road. Planting is to consist of a single row of *Prunus lusitanica* (Portuguese Laurel) along the shared internal boundaries to achieve a

minimum established height of 4m and a width of 2m, planted at a maximum spacing of 1500mm (within a 6m wide strip). This relates to the internal boundaries of 290 and 344 Bradleys Road; 507, 531 and 547 Mill Road; and 401 Whites Road.

The National Grid

The National Grid Islington – Southbrook A (ISL-SBK-A) 66kV transmission line traverses the site. The line starts at the Islington Substation in Christchurch and extends through the Christchurch, Waimakariri and Hurunui districts. The following matters will assist in ensuring the ability for Transpower to operate, maintain, upgrade and develop the National Grid is not compromised by future subdivision and land use.

Consultation

Transpower shall be consulted as part of any application for subdivision consent affecting the National Grid. Evidence of this consultation shall be provided to Council as part of any subdivision consent application.

Planting and maintenance of landscaping beneath the National Grid

Any landscaping in the vicinity of the National Grid shall be designed and implemented to achieve compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) and the Electricity (Hazards from Trees) Regulations 2003, including when planting reaches maturity.

Water Bodies and Freshwater Ecosystems

The ODP area contains several waterbodies with varying characteristics. Development of the ODP area provides potential for higher ecological values to be re-established through restoration and enhancement. This could include protected reserve space, native planting, naturalisation, and instream enhancement. Development shall protect and enhance selected water bodies and freshwater ecosystems within the ODP area and incorporate these features into the wider green and blue network of the site.

In terms of specific measures to be addressed at the time of subdivision in order to protect and enhance freshwater values and ecosystems, development within the ODP area shall:

- a. Include an assessment by a suitably qualified and experienced practitioner that:
 - i. Provides the results of ~~detailed~~ groundwater and spring water level and spring flow monitoring ~~and spring flow investigations~~ across the site to inform the construction methodologies that are applied in different parts of the site; and
 - ii. Specifies construction measures to ensure ~~appropriate management of that shallow groundwater is not diverted away from its natural flow path for those areas where the shallow groundwater (in water bearing seams or layers) is likely to be intercepted by service trenches and hardfill areas.~~
- b. Be in accordance with an Ecological Management Plan prepared by a suitably qualified and experienced practitioner that, as a minimum, includes:
 - i. Plans specifying spring head restoration, riparian management, waterway crossing management, and segregation of spring water and

untreated stormwater.

- ii. Aquatic buffer distances, including minimum waterbody setbacks for earthworks and buildings of:
 - 30 metres from the large central springhead and Northern Spring head identified on the ODP.
 - 20 metres from the Ōhoka Stream , ~~Northern Spring head~~, and Groundwater Seep origin.
 - 15 metres from Northern and Southern Spring Channel and South Ōhoka Branch.
 - 10 metres from the Groundwater Seep channel.
 - 5 metres from the South Boundary Drain along the furthestmost southwest boundary of the ODP area.
- iii. Ongoing maintenance and monitoring requirements that are to be implemented, including groundwater level, spring water level and spring flow monitoring.
- c. Maintain the perennial course of the lower Southern Spring Channel.
- d. Possible re-alignment of the Northern Spring Channel baseflow into the Southern Spring Channel downstream of the spring-fed ponds. Both channels are perennial and could be meandered and naturalised.
- e. Possible meandering and naturalisation of the Groundwater Seep.
- f. Riparian planting plans with a focus on promotion of naturalised ecological conditions, including species composition, maintenance schedules, and pest and predator controls.
- g. Stream ecology monitoring (i.e., fish, invertebrates, instream plants and deposited sediment surveys).

The aquatic buffers shall be protected by appropriate instruments (whether that be esplanade reserves/strips, recreation reserves or consent notice condition imposed setbacks) at the subdivision consent stage. Further, landscape design drawings of stream setbacks are to include input and approval from a qualified freshwater ecologist, with a minimum of the first 7 metres of the spring and stream setbacks to be reserved for riparian vegetation only, with no impervious structures and pathways as far as practicable away from the waterway.

Cultural

The importance of natural surface waterbodies and springs to Manawhenua is recognised and provided for by the ODP and the specific measures described above in respect of waterbodies and freshwater ecosystems that will support cultural values associated with the ODP area. The Ngāi Tahu Subdivision and Development Guidelines shall be referred to throughout the subdivision design process with guidance adopted where practical/applicable.

For all earthworks across the site, an Accidental Discovery Protocol will be implemented at the time of site development, in addition to appropriate erosion and sediment controls, to assist in mitigating against the potential effects on wahi tapu and wahi taonga values generally.

Detailed Site Investigation

Due to the previous agricultural land use including the storage and spreading of dairy effluent, a Detailed Site Investigation shall be carried out at subdivision consent stage. This investigation will identify what (if any) remediation is required to satisfy the requirements of the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011.

ATTACHMENT 2: AMENDED PLAN PROVISIONS

The plan change request proposes the following changes to the Waimakariri District Plan:

1. To amend the Waimakariri District Plan Planning Maps, by rezoning the site to Residential 2, Residential 4A and Business 4.
2. To amend Waimakariri District Plan Planning Maps, by inserting the Outline Development Plan included attached in **Attachment E**.
3. To amend the District Plan provisions as below (changes underlined or struck through, with changes made in response to the section 42a report emphasised in **red text**, changes made in response to the 2 August s42A memorandum in **orange text**, and changes made in response to submitter evidence in **green text**).
4. Any other consequential amendments including but not limited to renumbering of clauses.

Please note that all references to the originally proposed Residential 3 and 8 Zones have been removed.

Objectives and Policy

Definitions

INSERT NEW DEFINITION

Educational facilities

means land or buildings used for teaching or training by childcare services, schools, or tertiary education services, including any ancillary activities.

16 Business Zones

AMEND POLICY

Policy 16.1.1.1

...

Reason

...

The Business 4 Zone provides for activities existing at 20 June 1998, and limited future expansion of retail and business activities with similar effects on the southwestern corner of Williams and Carew Streets in Kaiapoi (District Plan Maps 104 and 105), and the Lilybrook Shops on the corner of Percival Street and Johns Road, Rangiora (District Plan Maps 113 and 117). This zoning recognises the commercial zoning that these sites enjoyed under the Transitional District Plan. The Business 4 Zone also provides for a local community business zones at West Kaiapoi (District Plan Map 104), ~~and~~ within the Mandeville North settlement (District Plan Map 182) and at Ōhoka (District Planning Map 185).

INSERT NEW POLICY

Policy 16.1.1.12

Provide for retail and business activities in the Ōhoka Business 4 Zone, in a way that:

- a) maintains the characteristics of the Ōhoka settlement as set out in Policy 18.1.1.9;
- b) provides for limited business activities to provide for day-to-day convenience needs of the local community, is designed to achieve high quality urban design principles and a high standard of visual character and amenity; and
- c) limits retail distribution effects on the nearby Business 4 Zone at Mandeville North.

AMEND

Principal Reasons For Adopting Objectives, Policies and Methods 16.1.4

...

The Business 4 Zone enables site-specific areas of existing retail and business activity located outside of the Kaiapoi and Rangiora town centres. The effects of activities are known for those already developed, including those impacting on adjoining residential areas. Activity and development standards constrain the scale and nature of possible future effects. A specific policy and rule framework exists for the Business 4 Zone in West Kaiapoi, ~~and the Business 4 Zone in Mandeville North and Ōhoka~~ to ensure suitable scale and characteristics of any development within the zone and with regard to Mandeville North to recognise community desires.

18. Constraints on Subdivision and Development

AMEND POLICY

Policy 18.1.1.9

Ensure that any growth and development of Ōhoka settlement occurs in a manner that:

- maintains a rural village character comprising a predominantly low density living environment with dwellings in generous settings;
- achieves, as far as practicable, a consolidated urban form generally centred around and close to the existing Ōhoka settlement;
- encourages connectivity with the existing village and community facilities;
- achieves quality urban form and function;
- allows opportunities for a rural outlook;

- encourages the retention and establishment of large-scale tree plantings and the use of rural style roads and fencing;
- limits the potential for reverse sensitivity effects;
- avoids significant flood hazards;
- promotes the efficient and cost-effective provision and operation of infrastructure;
- recognises the low lying nature of the area and the need to provide for stormwater drainage; and
- ensures that any residential development occurring in the Ōhoka settlement does not increase the flood risk within Ōhoka and adjoining areas.

Explanation

Growth of Ōhoka settlement, defined by the Residential ~~2, 3,~~ 4A and 4B zones, is constrained by the need to ensure that any future residential development maintains its rural village character. This is most likely to be achieved by consolidating growth around or adjacent to the existing urban area and ensuring that development complements the existing low density rural residential environment. A consolidated growth pattern will provide opportunities for establishing connections with the existing settlement and community facilities, including the Ōhoka School. This form of development is also anticipated to promote the efficient provision of reticulated water and wastewater infrastructure and reduce the potential for reverse sensitivity effects on surrounding rural activities.

It is important that any further rural residential development occurs in a way, and to an extent, that does not overwhelm the special semi-rural character of the settlement.

It is expected that the type of growth and development required to maintain the rural village character of Ōhoka is that of low density living, where larger allotments dwellings are situated within generous settings comprising an average lot size of between 0.5 – 1.0 hectare surround smaller properties which form a walkable community around the village centre. The presence of rural village attributes within ~~such~~ the low density residential areas, including the retention and establishment of large-scale tree plantings and the use of rural style roads and fencing, will also assist in maintaining the settlement's rural themed characteristics. This type of settlement pattern is anticipated to generate a high level of amenity, including opportunities for a range of lifestyle living activities and an aesthetic rural outlook. This can be achieved either by enabling views into open green space or by the establishment of treed vegetation areas within or adjoining properties.

Another development constraint for growth at Ōhoka is the need to avoid land subject to significant flood risk. It will therefore be necessary for any proposed development to demonstrate that the land is suitable for its intended use and is not subject to undue risk of inundation. This includes the impact of cumulative effects on the area's drainage systems.

INSERT POLICY

Policy 18.1.1.9A

Provide for activities that support the Ōhoka settlement including educational facilities, a retirement village and a polo field and associated facilities.

Rules

27 Natural Hazards

INSERT RULE

27.1.1.34 Within the Outline Development Plan area shown on District Plan Map 185, any dwellinghouse shall have a floor level of 400mm above the 0.5% Annual Exceedance Probability flood event, and 500mm above 0.5% Annual Exceedance Probability flood event in areas subject to flooding of determined by the following calculation where 'd' is depth is in meters and 'v' is velocity is in metres per second: $3.1-d*10 > v$.

30 Utilities and Traffic Management

PROPOSED AMENDMENTS TO RULES 30.1.1.9 AND 30.1.6.1.1. REMOVED.

31. Health, Safety and Wellbeing

Dwellinghouses

PROPOSED AMENDMENTS TO RULES 31.1.1.4 AND 31.1.1.6 REMOVED.

INSERT RULE

31.1.1.9A In the Residential 2 and 4A Zones, Ōhoka shown on District Plan Map 185, dwellinghouses shall be in accordance with any relevant Council approved design guidelines.

Structure Coverage

AMEND RULE

31.1.1.10 The structure coverage of the net area of any site shall not exceed:

...

n) 55% in Business 4 Zone in Ōhoka as shown on the District Plan Map 185

Setbacks For Structures

INSERT NEW RULE

31.1.1.15A In the Residential 4A Zone (Ōhoka) identified on District Plan Map 185, any structure shall be setback a minimum distance of 10m from the

centre line of the 66kV National Grid transmission line, or foundation of an associated support structure.

AMEND TABLE

Table 31.1: Minimum Structure Setback Requirements

Location	A setback is required from	Setback depth (minimum)
Rural Zone	Any road boundary	20m for any dwellinghouse 10m for any structure other than a dwellinghouse
	Any internal site boundary	20m for any dwellinghouse 3m for any structure other than a dwellinghouse
	Any existing dwellinghouse on an adjoining site	10m for any structure (excluding a dwellinghouse)
Rural Zone Maori Reserve 873 cluster housing	Any road boundary, any site boundary external to the cluster, and any existing dwellinghouse on an adjoining site	15m

<p>All Residential Zones other than the Residential 4A Zone (Wards Road, Mandeville North and Mill Road, Ōhoka), Residential 6A and 7, the Residential 4A Zone (Bradleys Road, Ōhoka) and the Mandeville Road – Tram Road Mandeville North Residential 4A Zone, and the Residential 4A Zone (Woodend Beach Road, Woodend)</p> <p>(excluding any comprehensive residential development)</p> <p>NOTE: See Rule 31.1.1.15</p>	<p>Any road boundary (other than a boundary to a strategic road or arterial road) or any accessway</p> <p>The zone boundary within Tuahiwi at the northern, eastern and southern extent as shown on District Plan Map 176B</p>	<p>2m</p> <p>15m</p>
<p>Comprehensive residential development within Residential 1, 2 and 6 Zones</p>	<p>The road boundary</p>	<p>2 m for any dwellinghouse</p> <p>4 m for any garage where the vehicle entrance is generally at a right angle to the road.</p> <p>5.5 m for a garage where the vehicle entrance faces the road, and the garage must not be located closer to the road boundary than the front façade of the associated dwellinghouse</p>

Residential 4A Zone (Bradleys Road, Ōhoka) shown on District Plan Map 169 and the Mandeville Road – Tram Road Mandeville North Residential 4A Zone shown on District Plan Map 182	Any road boundary	15m
	Any internal site boundary	5m
Residential 4A Zone (Wards Road, Mandeville North) shown on District Plan Map 162, Residential 4A Zone (Mill Road, Ōhoka) shown on District Plan Map 160 and Woodend Beach Road shown on District Plan Map 171)	Any boundary from a local road	10m
Residential 4A Zone (Mill Road, Ōhoka) shown on District Plan Map 160	Mill Road boundary	15m
	Any internal site boundary	5m
All Residential Zones, other than Residential 6, 6A and 7, where the site fronts onto a strategic or arterial road	The road boundary of any strategic or arterial road	6m, or 4m for any garage where the vehicle entrance is generally at right angles to the road
Residential 5 Zone	Any site boundary adjoining an accessway for allotments 15, 16, 17, 27, 28 and 29 shown on District Plan Map 140	4m
Residential 6A Zone (other than areas identified on District Plan Map 142 as	Any internal site boundary, other than boundaries with accessways	2m for any structure other than garages and structures above garages

excluded from the setback requirement)		
Residential 6A	Boundaries with accessways	10m for any structure other than a garage and structures above garages NOTE: Refer to Figure 31.1 and Rule 31.1.1.16
Residential 7	Any road boundary (other than to an arterial road) or any accessway	2m for any dwellinghouse within Area A 3m for any dwellinghouse within Areas B and C 5.5m for any structure other than a dwellinghouse within Areas A, B and C 6m
	The road boundary of any arterial road	2m
	Any internal site boundary	20m
	Any site boundary of 309 Island Road being Lot 1 DP 62400	

Business 2, 3 and 6 Zones, where the site fronts onto a strategic or arterial road	The road boundary of any strategic or arterial road	10m
Business 2, 3, 5 and 6 Zones, and Woodend Business 1 Zone where the site is adjacent to a Residential Zone or a Rural Zone boundary	The zone boundary, or where the zone boundary is a road, the road boundary	10m
Business 4: Williams/Carew Zone and Business 4: Mandeville North	Any road boundary	6m
	Any internal site boundary	5m
Business 5 Zone at Kaiapoi	The zone boundary, the Smith Street boundary, and any site boundary adjoining a reserve	10m
All Zones	All 110kV overhead high voltage electrical lines as shown on District Plan Maps	32 metres either side of the centreline
	All 220kV and 350kV overhead high voltage electrical lines as shown on District Plan Maps where the span length is less than 375 metres	32 metres either side of the centreline
	All 220kV overhead high voltage	

	<p>electrical lines as shown on District Plan Maps where the span length is 375 metres or greater</p> <p>All 350kV overhead high voltage electrical lines as shown on the District Plan Maps where the span length is greater than 375 metres</p>	<p>37 metres either side of the centreline</p> <p>39 metres either side of the centreline</p>
<u>Residential 4A Zone (Ōhoka) shown on District Plan Map 185</u>	<p><u>Any road boundary</u></p> <p><u>Any internal site boundary</u></p>	<p><u>10m</u></p> <p><u>5m</u></p>
<u>Business 4 (Ōhoka) shown on District Plan Map 185</u>	<u>Any residential zone</u>	<u>3m</u>

Structure Height

PROPOSED AMENDMENTS TO RULE 31.1.1.24 REMOVED.

AMEND RULE

31.1.1.35 Any structure in the ~~Mandeville North~~ Business 4 Zone at Mandeville North or Ōhoka shall not exceed a height of 8 metres.

Screening and Landscaping

AMEND RULE

31.1.1.39 Where a site within any Business Zone, other than the Business 4 – West Kaiapoi Zone and Business 4 Zone at Ōhoka, shares a boundary with any Residential Zone, the site shall be screened from the adjoining Residential Zone site(s) to a minimum height of 1.8m except where a lesser

height is required in order to comply with Rule 30.6.1.24, for unobstructed sight distances.

AMEND RULE

31.1.1.50 Within the Residential 4A Zone, Bradleys Road, Ōhoka identified on District Plan Map 169 and the Residential 4A Zone, Ōhoka identified on District Plan Map 185 any fences/walls within any boundary setback shall be:

- a) limited to a maximum height of 1.2m and a minimum height of 0.6m; and*
- b) limited to traditional post and wire or post and rail fences, and be at least 50% open; and*
- c) of a length equal to or greater than 80% of the length of the front boundary.*

INSERT NEW RULE

31.1.1.50A Within the Residential 2 Zone, Ōhoka identified on District Plan Map 185, fencing/walls shall be in accordance with any relevant Council approved design guidelines.

INSERT NEW RULE

*31.1.1.53 Within the Residential **2 and** 4A zones shown on District Plan Map 185, landscaping for all residential properties (excluding retirement village activities) shall provide a minimum of:*

- a) one tree within the road boundary setback for every 15 metres of road frontage (or part thereof) and;*
- b) one additional tree elsewhere on the property for every 400m² of site area (or part thereof);*
- c) all trees shall be not less than 1.5 metres high at the time of planting;*
- d) all trees and landscaping required by this rule shall be maintained and if dead, diseased or damaged, shall be replaced; **and***
- e) for all allotments greater than 2,500m² in area, no less than 15% of the site shall be planted in native vegetation.*

PROPOSED RULE 31.1.1.54 REMOVED.

31.2 Controlled Activities

PROPOSED AMENDMENT TO RULE 31.2.2 REMOVED.

PROPOSED RULE 31.2.3 REMOVED.

31.3 Discretionary Activities (Restricted)

INSERT RULE

31.3.9 A retirement village, in the Residential 2 Zone as shown on District Plan Map 185 that meets all applicable conditions for permitted activities under Rule 31.1 shall be a restricted discretionary activity.

In considering any application for a resource consent under Rule 31.3.9 the Council shall, in deciding whether to grant or refuse consent, and in deciding whether to impose conditions, restrict the exercise of discretion to the following matters:

a) Whether the development, while bringing change to existing environments, is appropriate to its context, taking into account:

i. Context and character:

The extent to which the design, including landscaping, of the village is in keeping with, or complements, the scale and character of development anticipated for the surrounding area and relevant significant natural, heritage and cultural features.

ii. Relationship to the street, public open spaces and neighbours:

Whether the village

- engages with and contributes to adjacent streets and any other adjacent public open spaces to contribute to them being safe and attractive, and
- avoids unacceptable loss of privacy on adjoining residential properties.

iii. Built form and appearance:

The extent to which the village is designed to minimise the visual bulk of the buildings and provide visual interest, and consistency with any relevant Council approved design guidelines.

iv. Access, parking and servicing:

The extent to which the village provides for good access and integration of space for parking and servicing particularly to cater for the safety of elderly, disabled or mobility-impaired persons.

v. Safety:

The extent to which the village incorporate CPTED principles to achieve a safe, secure environment.

vi. Stormwater

The adequacy of proposed stormwater management within the site.

vii. Sustainability measures

The extent to which, where practicable, incorporation of environmental efficiency measures in the design, including passive solar design principles that provide for adequate levels of internal natural light and ventilation.

Any application arising from this rule shall not be publicly notified.

INSERT NEW RULE

31.3.10 Educational facilities in the Residential 2 Zone within the educational facilities overlay as shown on District Plan Map 185 that meets all applicable conditions for permitted activities under Rule 31.1, and where no more than 250 students are enrolled shall be a restricted discretionary activity.

In considering any application for resource consent under Rule 31.3.10, the Council shall, in deciding whether to grant or refuse consent, and in deciding whether to impose conditions, restrict the exercise of discretion to the following matters:

a) Whether the development, while bringing change to existing environments, is appropriate to its context, taking into account:

i. Context and character:

The extent to which the design of the educational facility is in keeping with, or complements, the scale and character of development anticipated for the surrounding area and relevant significant natural, heritage and cultural features.

ii. Relationship to the street and public open spaces:

Whether the educational facilities engage with and contribute to adjacent streets, and any other adjacent public open spaces to contribute to them being safe and attractive.

iii. Built form and appearance:

The extent to which the educational facilities are designed to minimise the visual bulk of the buildings and provide visual interest.

iv. Access, parking and servicing:

The extent to which the educational facilities provide for good access and integration of space for parking and servicing.

v. Safety:

The extent to which the educational facilities incorporate CPTED principles to achieve a safe, secure environment.

vi. Stormwater

The adequacy of proposed stormwater management within the site.

vii. Sustainability measures

The extent to which, where practicable, incorporation of environmental efficiency measures in the design, including passive solar design principles that provide for adequate levels of internal natural light and ventilation.

Any application arising from this rule shall not be publicly notified.

INSERT NEW RULE

31.2.11 A polo field and associated facilities in the Residential 2 Zone within the polo facilities overlay as shown on District Plan Map 185 where:

- a) structures so not exceed a height of 8m, and
 - b) structures are set back no less than 10m from any residential site
- shall be a restricted discretionary activity.

In considering any application for resource consent under Rule 31.2.11, the Council shall, in deciding whether to grant or refuse consent, and in deciding whether to impose conditions, restrict the exercise of discretion to the following matters:

- a) Whether the development, while bringing change to existing environments, is appropriate to its context, taking into account:
 - i) landscape planting consistent with the rural village character of the Ōhoka settlement and to assist the integration of the proposed development within the site and neighbourhood.
 - ii. the location and design of vehicle and pedestrian access and on-site manoeuvring.
 - iii. creation of visual quality and variety through the separation of buildings and in the use of architectural design, detailing, glazing, materials, colour and landscaping.
 - viii consistency with any relevant Council approved design guidelines.
 - viii. where practicable, incorporation of environmental efficiency measures in the design, including passive solar design principles that provide for adequate levels of internal natural light and ventilation.
 - ix. the proposed stormwater management within the site

Any application arising from this rule shall not be publicly notified.

INSERT RULE

31.2.12 In the Residential 2 and 4A Zones, Ōhoka shown on District Plan Map 185, occupation of more than 250 dwellings shall be a restricted discretionary activity.

In considering any application for resource consent under Rule 31.2.12, the Council shall, in deciding whether to grant or refuse consent, and in deciding whether to impose conditions, restrict the exercise of discretion to the

effects on the safety and efficiency of the Tram Road / State Highway 1 interchange.

Any application arising from this rule shall not be publicly notified and shall be limited notified only to Waka Kotahi – New Zealand Transport Agency (absent its written approval).

31.1.4 Discretionary Activities

INSERT NEW RULE

31.4.5 A retirement village, in the Residential 2 Zone as shown on District Plan Map 185 that does not meet all applicable conditions for permitted activities under Rule 31.1 shall be a discretionary activity.

INSERT NEW RULE

31.4.6 Educational facilities in the Residential 2 Zone within the educational facilities overlay as shown on District Plan Map 185 that does not meet all applicable conditions for permitted activities under Rule 31.1, or/and where more than 250 students are enrolled shall be a discretionary activity.

INSERT NEW RULE

31.4.7 A polo field and associated facilities in the Residential 2 Zone within the polo facilities overlay as shown on District Plan Map 185 that does not meet the conditions under Rule 31.3.11 shall be a discretionary activity.

INSERT NEW RULE

31.4.8 Any land use which does not comply with Rules 31.1.1.9A and 31.1.1.50A shall be a discretionary activity.

31.5 Non-complying Activities

INSERT NEW RULE

31.5.10 Any land use which does not comply with Rule 31.1.1.15A is a non-complying activity.

Retail Activities and Traffic Matters

31.26 Discretionary Activities

INSERT NEW RULE

31.26.4 Retail activity exceeding a total of 2,700m² Gross Floor Area within the Business 4 Zones, Ōhoka shown on District Plan Map 185 except any retail activity associated with a farmers market.

32. Subdivision

32.1.1 Standards and Terms

Allotment Areas and Dimensions

PROPOSED AMENDMENT TO TABLE REMOVED

Residential 4A Zone

AMEND RULE

32.1.1.11 The minimum area for any allotment created by subdivision in any Residential 4A Zone shall be 2500m². The average area of all allotments in any Residential 4A Zone shall not be less than 5000m² except within the Residential 4A Zone (Ōhoka) identified on District Plan Map 185 where the average area of all allotments shall not be more than 3300m². Any allotment over 1ha in area is deemed to be 1ha for the purposes of this rule.

Outline Development Plans

AMEND RULE

32.1.1.28 Subdivision within the following areas shall generally comply with the Outline Development Plan for that area.

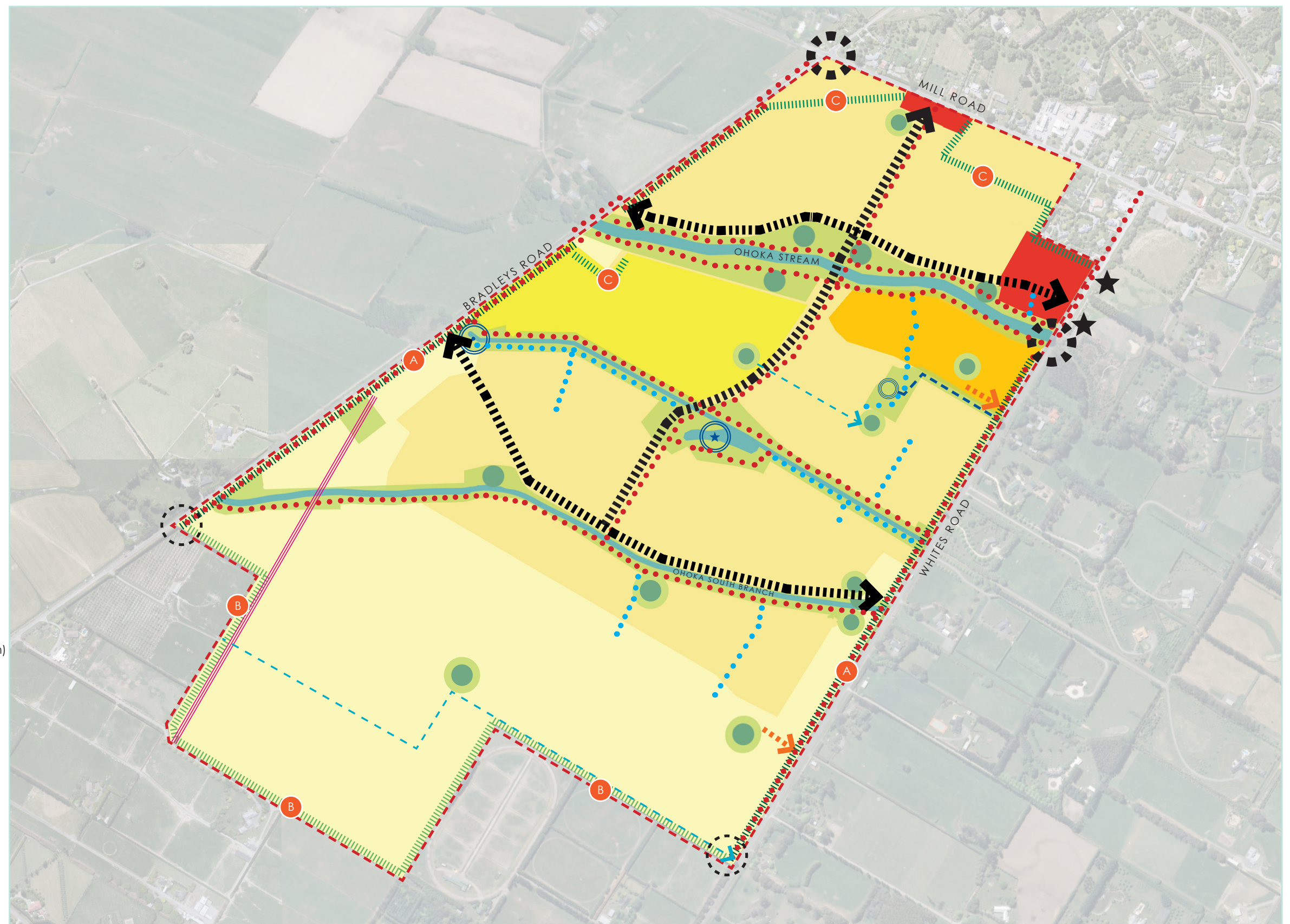
...

ak) The Residential 2 and 4A Zones and Business 4 Zone (Ōhoka) identified on District Plan Map 185 including the associated Outline Development Plan text.

32.3 Discretionary Activities

INSERT NEW RULE

32.3.7Any subdivision that does not comply with Rule 32.1.1.28.ak is a discretionary activity.



A. OUTLINE DEVELOPMENT PLAN - 535 MILL ROAD, OHOKA

LANDSCAPE AND VISUAL IMPACT ASSESSMENT

PROPOSAL - OUTLINE DEVELOPMENT PLAN

535 MILL ROAD, OHOKA - PLAN CHANGE

