

Before an Independent Hearings Panel
Appointed by Waimakariri District Council

under: the Resource Management Act 1991

in the matter of: Submissions and further submissions on the Proposed
Waimakariri District Plan

and: Hearing Stream 12D: Ōhoka rezoning request

and: **Carter Group Property Limited**
(Submitter 237)

and: **Rolleston Industrial Developments Limited**
(Submitter 160)

Memorandum of counsel regarding revised Ohoka provisions

Dated: 26 July 2024

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MEMORANDUM OF COUNSEL REGARDING REVISED OHOKA PROVISIONS

- 1 This memorandum is filed on behalf of Rolleston Industrial Developments Limited and Carter Group Property Limited (the *Submitters*) and accompanies the updated set of provisions for the Ohoka proposal (*revised provisions*) filed today pursuant to the Panel's direction at paragraph 6 of its Minute 31.
- 2 The purpose of the revised provisions is to respond to some of the concerns expressed by the Council and the Panel at Hearing Stream 12D about the level of certainty the provisions offer to ensure the intended outcomes of the rezoning request are actually realised should the land be rezoned.
- 3 These revised provisions will be considered at the planning expert conferencing for Hearing Stream 12D, in particular in the context of question 21 directed in Minute 31 relating to the certainty of proposed provisions.
- 4 We note that the Submitters have now instructed Mr David Compton-Moen to prepare a set of design guidelines (which are referred to in the revised provisions with the intention that these would be linked in the District Plan). These are being prepared currently and are expected to be available well before the reconvened hearing for Hearing Stream 12D.

Dated: 26 July 2024



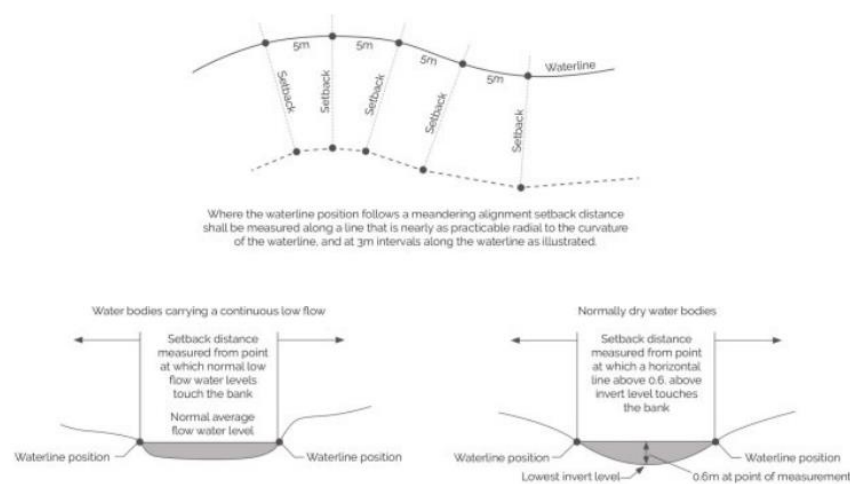
J M Appleyard / L M N Forrester
Counsel for Rolleston Industrial
Developments Limited and Carter
Group Property Limited

The submitter proposes the following changes to the Proposed Plan:

- To amend the Proposed Waimakariri District Plan planning maps by rezoning the site to a combination of SETZ, LLRZ, LCZ and NOSZ with overlays in respect of the SETZ to provide for a polo field and associated facilities and educational facilities.
- To amend the Proposed Waimakariri District Plan by inserting an Outline Development Plan for the site as below (see DEV-O-APP1).
- To amend the Proposed Waimakariri District Plan by including the Development Area within the Urban Flood Assessment Overlay.
- To amend the Proposed Waimakariri District Plan provisions as below (changes underlined or struck through).
- Any other consequential amendments including but not limited to renumbering of clauses.

Figure NATC-1: Interpretation of banks of water bodies

AMEND s42A RECOMMENDED INTERPRETATION



Setback distance measured from point at which normal low flow water levels touch the bed.

Normal ~~average~~ low flow water level

SETZ - Settlement Zone

Introduction

AMEND INTRODUCTORY TEXT

The purpose of the Settlement Zone is to provide for the smaller rural and beach settlements of the District. This is a mix of residential and commercial activities in a manner that provides services to the local rural or beach communities. These include the settlements of Ashley, Sefton, Cust, Ohoka, Waikuku Beach, Kairaki, The Pines Beach and Woodend Beach.

Objectives

PROPOSED AMENDMENT TO OBJECTIVE SETZ-O1 DELETED

Activity Rules

AMEND RULES SETZ-R15, SETZ-17, SETZ-18, SETZ-19, SETZ-20 & SETZ-22

SETZ-R15 Health care facility <i>This rule does not apply within the Ōhoka Settlement Zone</i>	
Activity Status: PER Where: <ol style="list-style-type: none">1. the activity shall only be located on sites with frontage and the primary entrance to a strategic road, arterial road or collector road;2. the maximum GFA of building occupied by the educational facility shall be 200m²;3. the hours of operation when the site is open to visitors, patients, clients, and deliveries shall be between the hours of 7:00am – 6:00pm Monday to Saturday;4. the facility shall not result in more than two non-residential activities within a residential block frontage; and5. the facility shall not include the parking or storage of more than one heavy vehicle on the site of the activity.	Activity status where compliance is not achieved: DIS
SETZ-R17 Convenience activity <i>This rule does not apply within the Ōhoka Settlement Zone</i>	
Activity Status: PER Where: <ol style="list-style-type: none">1. the maximum GFA of building occupied by the neighbourhood convenience retail activity shall be 75m².	Activity status where compliance is not achieved: DIS

SETZ-R18 Veterinary facility

This rule does not apply within the Ōhoka Settlement Zone

Activity Status: PER

Where:

1. the activity shall only be located on sites with frontage and the primary entrance to a strategic road, arterial road or collector road; and
2. the maximum GFA of building occupied by the veterinary facility shall be 200m².

Activity status where compliance is not achieved: DIS

SETZ-R19 Food and beverage outlet

This rule does not apply within the Ōhoka Settlement Zone

Activity Status: PER

Where:

1. the activity shall only be located on sites with frontage and the primary entrance to a strategic road, arterial road or collector road; and
2. the maximum GFA of building occupied by the food and beverage outlet shall be 200m².

Activity status where compliance is not achieved: DIS

SETZ-R20 Supermarket

This rule does not apply within the Ōhoka Settlement Zone

Activity Status: PER

Where:

1. the activity shall only be located on sites with frontage and the primary entrance to a strategic road, arterial road or collector road; and
2. the maximum GFA of building occupied by the supermarket shall be 400m².

Activity status where compliance is not achieved: DIS

SETZ-R22 Retirement village

This rule does not apply within the Ōhoka Settlement Zone.

<p>Activity Status: RDIS</p> <p>Where:</p> <ol style="list-style-type: none"> 1. the application is supported by a design statement. <p>Matters of discretion are restricted to:</p> <p>RES-MD2 - Residential design principles RES-MD7 - Outdoor storage</p> <p>Notification</p> <p>An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.</p>	<p>Activity status where compliance is not achieved: DIS</p>
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LCZ - Local Centre Zone**Activity Rules**

AMEND RULES LCZ-R4, LCZ-R21 & LCZ-R22

LCZ-R4 Retail activity	
<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. the floor area of the activity shall be within the following maximum GFA limits: <ol style="list-style-type: none"> a. within Woodend there is no limit; b. for Mandeville <u>and Ōhoka</u>, the maximum gross retail area for all retail activities in <u>each</u> the zone shall be 2700m²; c. for all other sites the activity shall be a maximum of 300m² GFA. 	<p>Activity status where compliance is not achieved: RDIS</p> <p>Matters of discretion are restricted to:</p> <p>CMUZ-MD11 - Residential development CMUZ-MD12 - Commercial activity distribution</p>

LCZ-R21 Trade supplier <i>This rule does not apply within the Ōhoka Local Centre Zone</i>	
Activity Status: RDIS Matters of discretion are restricted to: CMUZ-MD1 - Trade suppliers and Yard based suppliers	Activity status where compliance is not achieved: N/A

LCZ-R22 Yard-based activity <i>This rule does not apply within the Ōhoka Local Centre Zone</i>	
Activity Status: RDIS Matters of discretion are restricted to: CMUZ-MD1 - Trade suppliers and Yard based suppliers	Activity status where compliance is not achieved: N/A

Wāhanga waihanga - Development Areas

Existing Development Areas

INSERT ŌHOKA DEVELOPMENT AREA

O – Ōhoka Development Area

Introduction

The Ōhoka Development Area 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 the Development Area (DEV-O-APP1) include:

- a masterplanned expansion of Ōhoka achieving a high standard of urban design through implementation of the **Ōhoka design guidelines**.
- 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, additional residential units would 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.

Advisory note

The following provisions and Ōhoka Outline Development Plan (DEV-O-APP1) apply to the Ōhoka Development Area. All activities are also subject to other relevant District Plan provisions. For the avoidance of doubt, where there are any conflicts between Ōhoka Development Area provisions and other provisions in the District Plan, the Ōhoka Development Area provisions shall substitute the other provision.

Objectives

<u>DEV-O-01</u>	<p><u>Ōhoka Development Area</u></p> <p>A development area that provides for a comprehensive masterplanned expansion of Ōhoka that:</p> <ol style="list-style-type: none">1. <u>is sympathetic to, and integrated with, the existing settlement,</u>2. <u>delivers high quality urban design outcomes that reflect and enhance the characteristics of the existing settlement,</u>3. <u>enables the establishment of limited commercial activities to provide for day-to-day convenience needs of an expanded local community,</u>4. <u>supports residents to reduce their greenhouse gas emissions,</u>5. <u>enables education facilities, a retirement village, and a polo field with associated facilities, and</u>6. <u>delivers ecological enhancement and recreational amenities.</u>
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Policies

<u>DEV-O-P1</u>	<p><u>Development Area character and amenity</u></p> <p>Ensure that the Development Area:</p> <ol style="list-style-type: none">1. <u>maintains the characteristics of the settlement with:</u><ol style="list-style-type: none">a. <u>a lower residential density compared to residential zones in the larger urban centres of the district,</u>b. <u>minimal use of kerb and channelling, and intimate and informal streetscapes,</u>c. <u>retention, where possible, of established trees and establishment of large-scale trees and native plantings, and the use of rural style fencing, and</u>d. <u>protection against light pollution at night from outdoor lighting;</u>2. <u>achieves high quality urban form and function with a village centre located adjacent the existing settlement developed in accordance with Ōhoka design guidelines;</u>3. <u>provides for a pleasant residential environment minimising the adverse effects of noise and outdoor lighting, and maintaining a high level of visual amenity; and</u>
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	4. <u>provides for high levels of connectivity throughout the Development Area and with the existing settlement.</u>
DEV-O-P2	<p><u>Density of residential development</u></p> <p><u>In relation to the density of residential development:</u></p> <ol style="list-style-type: none"> 1. <u>provide for a variety of site sizes within the Development Area achieving a minimum net density of at least 12 lots or households per ha measured over the Settlement Zone, unless there are demonstrated constraints;</u> 2. <u>provide for a single residential unit on each residential site; and</u> 3. <u>provide for a retirement village.</u>
DEV-O-P3	<p><u>Local Centre Zone design and integration</u></p> <p><u>Within the Local Centre Zone:</u></p> <ol style="list-style-type: none"> 1. <u>Enable commercial, community, convenience and service activities in a manner consistent with LCZ-P1 while:</u> <ol style="list-style-type: none"> a. <u>maintaining the characteristics of the Ōhoka settlement,</u> b. <u>ensuring the centre is designed to achieve high quality urban design principles and a high standard of visual character and amenity in accordance with Ōhoka design guidelines,</u> c. <u>enabling the development of a supermarket, and</u> d. <u>limiting retail distribution effects on the nearby Local Centre Zone at Mandeville North.</u>
DEV-O-P4	<p><u>Transport safety and choice</u></p> <p><u>Ensure safe multi-modal access between the Development Area and key destinations including by way of:</u></p> <ol style="list-style-type: none"> 1. <u>road infrastructure upgrades, and</u> 2. <u>a public transport service between the Development Area and Kaiapoi and/or Rangiora.</u>
DEV-O-P5	<p><u>Supporting reductions in greenhouse gas emissions</u></p> <p><u>Encourage and enable residents to reduce and offset their greenhouse gas emissions by:</u></p> <ol style="list-style-type: none"> 1. <u>avoiding LPG connections and use within residential zones except for LPG for outdoor barbeque use,</u> 2. <u>requiring all residential units to be electric vehicle charging ready and include solar power generation, and</u> 3. <u>requiring tree and native planting on all residential properties.</u>

Activity Rules

DEV-O-R1 Buildings, structures, development, and landscaping within the Local Centre Zone Urban design	
Activity Status: CON PER	Activity status where compliance is not achieved: RDIS DIS
Where:	

<p>1. <u>the activity is certified by a qualified expert on a Council approved list as being in accordance with the Ōhoka design guidelines.</u> buildings, structures and development, including fencing and walls, that are deemed to be in accordance with any relevant Council approved design guidelines for the Development Area.</p> <p><u>Certification shall include sufficient detail to demonstrate how the activity accords with the design guidelines.</u></p>	<p>Matters of control or discretion are restricted to: <u>DEV-O-MCD1 – 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>
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<p>DEV-O-R2 Parking lot within the Local Centre Zone</p>	
<p>Activity Status: CON PER</p> <p>Where:</p> <p>1. <u>the activity is certified by a qualified expert on a Council approved list as being in accordance with the Ōhoka design guidelines.</u></p> <p><u>Certification shall include sufficient detail to demonstrate how the activity accords with the design guidelines.</u></p>	<p>Activity status where compliance is not achieved: RDIS N/A</p> <p>Matters of control or discretion are restricted to: <u>DEV-O-MCD1 – 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>

<p>DEV-O-R3 Educational facility within the Education Overlay</p>	
<p>Activity Status: CON PER</p> <p>Where:</p> <p>1. <u>the activity is certified by a qualified expert on a Council approved list as being in accordance with the Ōhoka design guidelines.</u></p> <p><u>Certification shall include sufficient detail to demonstrate how the activity accords with the design guidelines.</u></p>	<p>Activity status where compliance is not achieved: RDIS N/A</p> <p>Matters of control or discretion are restricted to: <u>DEV-O-MCD1 – 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>

<p>DEV-O-R4 Polo ground and associated facilities within the Polo Grounds Overlay</p>	
<p>Activity Status: CON PER</p> <p>Where:</p> <p>1. <u>the activity is certified by a qualified expert on a Council approved list as</u></p>	<p>Activity status where compliance is not achieved: RDIS N/A</p>

<p><u>being in accordance with the Ōhoka design guidelines.</u></p> <p><u>Certification shall include sufficient detail to demonstrate how the activity accords with the design guidelines.</u></p>	<p><u>Matters of control or discretion are restricted to:</u></p> <p><u>DEV-O-MCD1 – Design considerations</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>
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<u>DEV-O-R5 Retirement village</u>	
<p>Activity Status: <u>CON PER</u></p> <p>Where:</p> <ol style="list-style-type: none"> <u>the activity is certified by a qualified expert on a Council approved list as being in accordance with the Ōhoka design guidelines.</u> <p><u>Certification shall include sufficient detail to demonstrate how the activity accords with the design guidelines.</u></p>	<p>Activity status where compliance is not achieved: <u>RDIS N/A</u></p> <p><u>Matters of control or discretion are restricted to:</u></p> <p><u>DEV-O-MCD1 –Design considerations</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>

<u>DEV-O-R6 Minor residential units</u>	
<p>Activity Status: <u>NC</u></p>	<p>Activity status where compliance is not achieved: <u>N/A</u></p>

Development Area Standards

<u>DEV-O-S1 Subdivision in the Development Area</u>	
<ol style="list-style-type: none"> <u>Any subdivision shall be in accordance with the Ōhoka design guidelines.</u> 	<p>Activity status when compliance not achieved: <u>DIS</u></p>

<u>DEV-O-S2 Residential yield in the Settlement Zone</u>	
<ol style="list-style-type: none"> <u>Residential subdivision shall provide for a minimum net density of 12 households per ha, except for areas where there are demonstrated constraints.</u> 	<p>Activity status when compliance not achieved: <u>DIS</u></p>

<u>DEV-O-S3 Subdivision in the Large Lot Residential Zone</u>	
<ol style="list-style-type: none"> <u>All allotments created shall have a minimum area of 2,500m² with a maximum average of 3,300m² for allotments within the subdivision</u> 	<p>Activity status when compliance not achieved: <u>DIS</u></p>

DEV-O-S4 Road infrastructure upgrades

1. The following road infrastructure upgrades shall be completed prior to issue of a completion certificate under section 224 of the RMA (other than for a boundary adjustment or creation of an allotment solely for utility purposes) for any subdivision of the Development Area:
 - a. a roundabout at the Flaxton Road / Threlkelds Road intersection with associated changes in priority at the Mill Road / Threlkelds Road intersection,
 - b. a roundabout at the Whites Road / Tram Road intersection,
 - c. a roundabout at the Bradleys Road / Tram Road intersection,
 - d. improvements at the Tram Road / State Highway 1 interchange, to increase the capacity for right turning traffic onto the south bound on-ramp, and
 - e. road widening of Tram Road between Bradleys Road and Jacksons Road

Activity status when compliance not achieved: DIS

DEV-O-S5 Public transport

1. Public transport shall be provided connecting the Development Area to Kaiapoi and/or Rangiora in accordance with the service described in DEV-O-APP1 including an appropriate legal mechanism to ensure delivery of the service for a period of not less than 10 years from the occupation of the first new residential unit constructed within the Development Area.
2. Prior to issue of a completion certificate under section 224 of the RMA (other than for a boundary adjustment or creation of an allotment solely for utility purposes) for any subdivision of the Development Area, a bond shall be entered into with

Activity status when compliance not achieved: NC

<p><u>Council to the value of 100% of the cost to deliver the service required by DEV-O-S4.1. The bond shall be held for 10 years from commencement of the proposed service with 5% of its value progressively released at six monthly intervals.</u></p> <p><u>This rule shall no longer apply should the Canterbury Regional Council elect to provide a public transport service to Ōhoka.</u></p>	
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<p><u>DEV-O-S6 Greenhouse gas reduction in residential zones</u></p>	
<p>1. <u>Any subdivision application shall provide that future residential titles are encumbered with an appropriate legal mechanism to require:</u></p> <ul style="list-style-type: none"> a. <u>LPG connections and use is prohibited except for outdoor barbeque use,</u> b. <u>all residential units are fitted with electric vehicle charging facilities, and</u> c. <u>all residential units include solar power generation.</u> 	<p><u>Activity status when compliance not achieved: NC</u></p>

<p><u>DEV-O-S7 Provision of retail activities</u></p>	
<p>1. <u>No more than 250 residential allotments shall be created within the Development Area until at least 800m² GFA of retail activity is established within the Ōhoka Local Centre Zone.</u></p>	<p><u>Activity status when compliance not achieved: DIS</u></p>

Development Area Built Form Standards

<p><u>DEV-O-BFS1 Tree planting in residential zones</u></p>	
<p>1. <u>All residential sites shall provide a minimum of:</u></p> <ul style="list-style-type: none"> a. <u>one tree capable of reaching a height of 8 metres at maturity within the road boundary setback for every 15 metres of road frontage (or part thereof) and;</u> b. <u>one additional tree capable of reaching a height of 8 metres at maturity elsewhere on the</u> 	<p><u>Activity status when compliance not achieved: DIS</u></p>

<p>property for every 400m² of site area (or part thereof).</p> <p>2. <u>All trees required by this rule shall be:</u></p> <p>a. <u>not less than 1.5 metres high at the time of planting; and</u></p> <p>b. <u>maintained and if dead, diseased or damaged, shall be replaced.</u></p>	
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DEV-O-BFS2 Native planting in the Large Lot residential zones	
<p>1. <u>All residential sites shall provide a minimum of 15% of the net site area planted in native vegetation.</u></p> <p>2. <u>All planting required by this rule shall be maintained and if dead, diseased or damaged, shall be replaced.</u></p>	<p>Activity status when compliance not achieved: DIS</p>

DEV-O-BFS3 Fencing in residential zones	
<p>1. <u>Any fencing on residential sites shall:</u></p> <p>a. <u>be no higher than 1.2m above ground level; and</u></p> <p>b. <u>be a rural-style post and wire or post and rail fence.</u></p>	<p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to: <u>DEV-O-MCD3 – Fencing</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>

DEV-O-BFS4 Roof colour in residential zones	
<p>1. <u>All roofing shall be coloured in the range of browns, greens, greys or black, with a light reflectivity value below 35%.</u></p>	<p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to: <u>DEV-O-MCD4 – Roofs</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>

DEV-O-S3 Polo facility in the Polo Grounds Overlay	
<p>1. <u>Any building or structure shall be set back a minimum of 10m from any residential site.</u></p>	<p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to:</p>

	<p>RES-MD2 – Residential design principles RES-MD5 – Impact on neighbouring property</p> <p>Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.</p>
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DEV-O-BFS5 Height in the Local Centre Zone	
1. <u>The maximum height of any building, calculated as per the height calculation, shall be 8m above ground level.</u>	Activity status when compliance not achieved: DIS

DEV-O-BFS6 Outdoor lighting in the Development Area	
<p>1. <u>All fixed exterior lighting shall be directed away from any adjacent roads and residential properties.</u></p> <p>2. <u>All outdoor lighting shall be shielded from above such that the edge of the shield shall be below the whole of the light source, so that all the light shines below the horizontal.</u></p> <p>3. <u>The correlated colour temperature of outdoor lighting shall not exceed 2500 K.</u></p>	<p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to: <u>DEV-O-MCD2 – Lighting</u></p>

Matters of Control and Discretion

<u>DEV-O-MCD1</u>	<p><u>Design considerations</u></p> <p>1. <u>The extent to which the design of development is in accordance with the relevant parts of the Ohoka design guidelines including:</u></p> <ul style="list-style-type: none"> a. <u>the bulk, scale, location and external appearance of buildings;</u> b. <u>the creation of active frontages adjacent to roads and public spaces;</u> c. <u>setbacks from roads and neighbours;</u> d. <u>landscaping;</u> e. <u>application of CPTED principles;</u> f. <u>focus on sustainable design to reduce carbon footprint; and</u> g. <u>provision for internal walkways, paths, and cycleways.</u>
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<u>DEV-O-MCD2</u>	<u>Lighting</u> <ol style="list-style-type: none"> 1. <u>Whether the lighting is necessary for operational or functional purposes.</u> 2. <u>Adverse effects on the amenity, well-being, health and safety of people.</u> 3. <u>The extent to which light spill or glare may impact on activities occurring on an adjoining property.</u>
<u>DEV-O-MCD3</u>	<u>Fencing</u> <ol style="list-style-type: none"> 1. <u>The extent to which alternative forms of fencing are in accordance with the Ohoka design guidelines.</u>
<u>DEV-O-MCD4</u>	<u>Roofs</u> <ol style="list-style-type: none"> 1. <u>The extent to which alternative roof colours adversely affect the visual amenity of the surrounding environment.</u>

Appendix

DEV-O-APP1 – Ōhoka Outline Development Plan

All requirements specified below are to be designed/coordinated to the satisfaction of Council prior to approval of any subdivision consent application. A discretionary resource consent is required for any subdivision application that does not comply with this Outline Development Plan pursuant to Subdivision Standard SUB-S4. The provisions within this Outline Development Plan are supported by the **Ōhoka design guidelines**.

Land Use Plan

The Development Area shall achieve a minimum net density of 12 households per hectare, averaged over the Settlement zoned land. The zone framework supports a variety of site sizes to achieve this minimum density requirement. Staging is required to ensure the Development Area develops in a logical and appropriate manner in recognition of the current urban form of Ōhoka. In general, 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 a small commercial centre which is to become part of the village centre of Ōhoka. This commercial centre will provide good accessibility and help to meet some of the convenience needs of residents in the immediate area. A car parking area within the village centre will ~~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 Local Centre Zone 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. **The Ōhoka design guidelines and development controls specific to the Development Area will ensure the retention of** ~~Development shall retain existing~~ **the green open** characteristics of the Ōhoka settlement, particularly 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 overarching purpose of the guidelines ~~would be~~ **is** to ensure development is of the quality and character required to ~~main~~**retain** the **dominant** ~~existing~~ characteristics of Ōhoka. **The guidelines will apply to subdivision and public realm within the Development Area and key activities including the village centre, school, retirement village and polo facility covering matters such as** ~~all development including~~ built form, fencing/walls, ~~landscaping~~ **planting, streetscape, and parking.** ~~The guidelines also provide the basis for built form standards DEV-O-BFS1 to DEV-O-BFS4. , and public spaces~~ **The guidelines have the following design objectives and shall cover (without being limited to) the following matters:**

Context and character:

Ensuring that design of development (especially landscaping and fencing) is in keeping with the character of development anticipated for the area and relevant natural, heritage and cultural features.

Promote generous planting of trees and native vegetation.

Promote community connectivity in residential areas by creating open property boundaries.

Maintain consistency in landscape treatments between public and private spaces while allowing individuality on a property-by-property basis.

Protect the night-time ambience of the surrounding environment by ensuring that light pollution is kept to a minimum.

Relationship to the street, public open spaces and neighbours:

Ensuring that development engages with and contributes to adjacent streets and public open spaces to contribute to them being safe and attractive, while avoiding unacceptable loss of privacy.

Residential amenity:

~~Ensuring good access to sunlight, privacy, and provision of useable outdoor living areas.~~

Built form and appearance:

~~Promote a consistency of landscaping that is appropriate for the location.~~

~~Ensuring that the design of buildings minimises visual bulk.~~

Access, parking and servicing:

~~Ensuring good access and integration of space for parking and servicing. and~~

~~Ensure outdoor storage and rubbish bins are is appropriately located and screened.~~

~~Minimise the prominence of vehicles and maintain pedestrian priority in public spaces.~~

Safety:

~~Ensuring the incorporation of CPTED principles to achieve a safe, secure environment.~~

Stormwater:

~~Ensuring that appropriate provision is made for stormwater is appropriately managed recognising the low-lying nature of the Development Area and the high water table and providing for low impact natural drainage.~~

Sustainability:

~~Ensuring the incorporation of environmental efficiency measures in the design.~~

~~Encourage an ecological approach to planting including through use of species endemic to the area.~~

~~An independent design approval process will be established, and most likely administered by a professional residents' association, which would appoint suitably qualified experts' professions (such as architects, urban designers and landscape architects) selected from a Council approved list. These experts would to review and certify approve proposals relating to demonstrate compliance with rules DEV-O-R1, DEV-O-R2, DEV-O-R3, DEV-O-R4 and DEV-O-R5.~~

Movement Network

~~A road network and classification for the Development Area 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 Development Area, particularly on foot or bicycle. In recognition of the character of the Ōhoka setting, several specific road types within the Development 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.

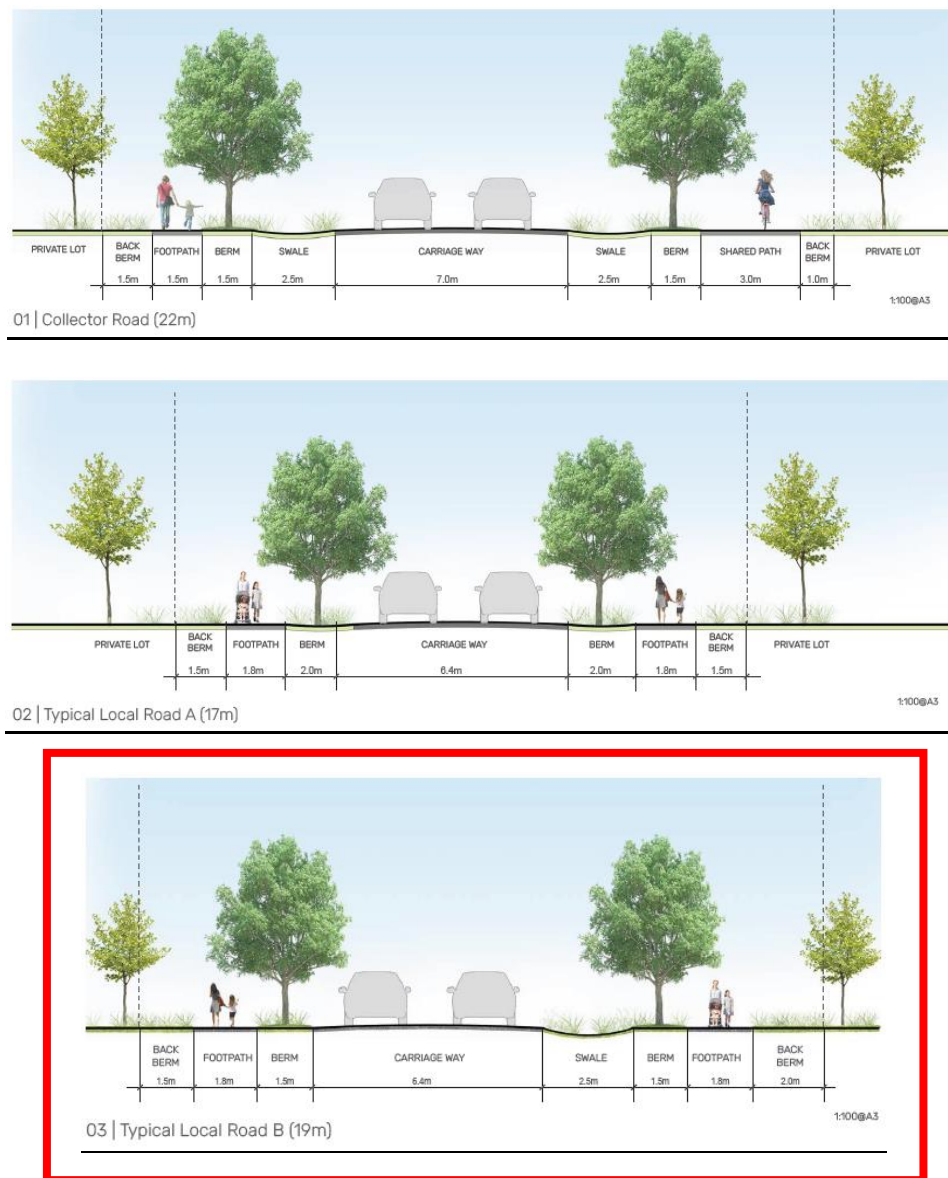


Figure 1: Indicative road cross-sections

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 Development 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 Development Area 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 Development 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 Development 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. The management, design and/or treatment of roads within the subdivision shall achieve an appropriately low-speed environment, accounting for the safety and efficiency of all road users.

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 Development Area from the typical suburban character found in the main centres of the District.

The Outline Development Plan 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.

The following transport network upgrades are required to accommodate growth and traffic from the Development Area (noting that the upgrades are required regardless of whether the Development Area is developed):

- Road widening of Tram Road between Bradleys Road and Jacksons Road,
- Flaxton Road / Threlkelds Road intersection roundabout with associated changes in priority at the Mill Road / Threlkelds Road intersection,
- Whites Road / Tram Road roundabout,
- Bradleys Road / Tram Road roundabout, and
- Improvements at the Tram Road / State Highway 1 interchange to increase the capacity for right turning traffic onto the south bound on-ramp capacity upgrade.

In addition to these upgrades, consideration shall be given to whether the development warrants minor works to carriageways and roadside hazards, including roadside signage and/or line markings, on Whites and Bradleys roads (on the stretches between Tram Road to Mill Road), Mill Road (where impacted by the development) and Threlkelds Road. These works would be developer funded.

All works relating to Council road assets will be funded, in part, by development contributions levied at subdivision stage. If any of the upgrades are required earlier than scheduled to respond to growth in the wider network, a developer agreement may be required to enable the works to be implemented without undue delay.

The developer shall consult with Waka Kotahi in respect of the upgrade works required in respect of the Tram Road / State Highway 1 interchange.

Public Transport

A public transport service shall be provided connecting Ōhoka to Kaiapo and/or Rangiora that:

- Connects tightly with Christchurch express services to Christchurch,
- Minimises morning connection times,
- Allows time for delays in afternoon connection times,
- Keeps departure times as consistent through the day as possible, and
- Minimises wait times evenly between arriving and departing all-stop services.

The Ōhoka terminus shall be situated in the Local Centre Zone adjacent the park and ride facility and provide a suitable shelter facility. The terminus location is sufficient to service initial subdivision stages. As the Development Area is developed towards the south, up to two additional bus stops shall be provided within the Settlement Zone in accordance with New Zealand Transport Agency spacing standards. The internal collector road network will allow a bus to perform a clockwise loop from the terminus returning to Mill Road (via Bradleys Road or Mill Road) and onward to Kaiapo or Rangiora.

The location of the termini of the service in Kaiapo and/or Rangiora shall be determined at the time of subdivision in consultation with Council and the Canterbury Regional Council.

The vehicle(s) providing the service shall be electric powered bus with 22-seat plus eight standing capacity, wheelchair access and bicycle racks. Unless fare integration with Canterbury Regional Council contracted services is in place, the service shall be provided without charge.

An appropriate legal mechanism shall be established to ensure the implementation and ongoing delivery of the service shall be provided for a period of not less than 10 years from the occupation of the first new residential unit constructed within the Development Area unless the Canterbury Regional Council elects to provide a similar service. To secure the implementation and ongoing delivery of the service, the developer shall enter into a bond with Council to the value of 100% of the cost to deliver the service. The bond shall be held

for 10 years from commencement of the proposed service with 5% of its value progressively released at six monthly intervals.

Amendments to the proposed service, and agreements securing its delivery, will be able to be made by mutual agreement with Council at any stage.

Supporting reductions in greenhouse gas emissions

In addition to the public transport service detailed above, measures to support reducing greenhouse gas emissions include a requirements (DEV-O-S1) for additional tree planting (DEV-O-BFS1) and for at least 15% of site area to be planted in native vegetation (DEV-O-BFS2) on all residential properties, and a requirement (DEV-O-BFS2) for at least 15% of site area to be planted in native vegetation on larger properties.

Further, LPG use shall be prohibited within the Development Area, except for LPG for outdoor barbeque use, and all residential units shall be required to be electric vehicle charging ready and include solar power generation as required by DEV-O-S6. These requirements shall be enforced by a legal instrument that is binding on all future residential allotment owners such as developer covenants.

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 Area for water supply headworks infrastructure including treatment plant, storage reservoirs and reticulation pumps. Fire-fighting flows to FW2 standards will be provided for Settlement and Local Centre zoned properties. Hydrants will be provided for emergency requirements within the Large Lot Residential Zone, in a similar manner to the neighbouring Mandeville and Ohoka 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 Natural Open Space Zone, recreational reserves including pedestrian connections, and stormwater management throughout the Development 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 Canterbury Regional Council 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 stormwater solutions shall be cognisant of a 26-hectare area adjacent the Whites Road boundary that ~~may~~ cannot be ~~able to be~~ attenuated. The stormwater solutions for development of the site shall demonstrate hydraulic neutrality up to the 50-year event. If neutrality cannot be achieved, the density of development within the 26-hectare area may need to be reduced.

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 buildings are setback an appropriate distance from waterbodies.

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 appearance. Additional tree planting is required on private properties.

An overall planting strategy is to be developed for the Development Area at subdivision consent stage.

Specific measures to protect and enhance landscape values will be addressed at the time of subdivision including:

- 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 fully screen development from public and private vantage points outside the Development 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 Outline Development Plan 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 1520m building setback, consistent with setbacks required in the adjacent Rural Lifestyle Zone.

The planting is to consist of the following species, or similar, 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 Outline Development Plan, shall be designed to provide a visual buffer between the Development Area 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 Development Area and planting a 6m wide landscape strip consisting of either (or a mix of) the following trees, or similar, 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 Development Area and act as a buffer between the Development Area and the existing Ōhoka Village properties on the southern side of Mill Road. The treatment shall be a planted single row consisting of one of the below species, or similar, 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.

- Prunus lusitanica (Portuguese Laurel)
- Pittosporum eugenioides (Tarata, Lemonwood)
- Pittosporum tenuifolium (Kohuhu, Black Matipo)

- Griselinia littoralis (Broadleaf)
- Kunzea ericoides (Kanuka)
- Leptospermum scoparium (Maunuka)

Approval, Implementation and Maintenance

All proposed planting within Landscape Treatments A, B and C and the green and blue networks will be subject to Council approval. A landscape management plan shall be developed to ensure a successful outcome and provided for approval at Engineering Approval Stage. The plan will provide direction on the establishment of planting, weed and pest control, replacement planting, irrigation and maintenance. The landscape maintenance period shall extend for five years following implementation.

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 Development Area contains several waterbodies with varying characteristics. Development of the Development 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 Development 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 Development Area shall:

- Include an assessment by a suitably qualified and experienced practitioner that:

- i. Provides the results of groundwater and spring water level and spring flow monitoring across the site to inform the construction methodologies that are applied in different parts of the site; and
 - ii. Specifies construction measures to ensure that shallow groundwater is not diverted away from its natural flow path for those areas where the shallow groundwater (in water bearing seems 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 Ohoka Stream 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.
- Any additionally identified springs shall be assessed to determine the appropriate aquatic buffer distance.
- 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.

Additional protection shall be afforded to ecological restoration within the Development Area and existing ecosystems in the surrounding area by the prohibition of the keeping and breeding of domestic cats. This requirement shall be enforced through a developer covenant.

Cultural

The importance of natural surface waterbodies and springs to Manawhenua is recognised and provided for by the Outline Development Plan and the specific measures described above in respect of waterbodies and freshwater ecosystems that will support cultural values associated with the Development 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.

DEV-O-APP1