

## Appendix A

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### APPENDIX 1 – PROPOSED CHANGES TO THE DISTRICT PLAN

Note:

- Changes originally proposed by Welhom Developments Ltd as part of the Request are shown underline and ~~strikethrough~~.
- Changes proposed and agreed by both Mr McDonnell and Ms Sweetman following the hearing are shown in ~~red underline and red strikethrough~~.
- Changes proposed by Ms Sweetman in her s42A Addendum and not supported by Mr McDonnell are shown in blue underline and ~~blue strikethrough~~.
- Changes proposed by Ms Sweetman following the hearing and not supported by Mr McDonnell are shown in green underline and ~~green strikethrough~~.

Maps

- Change the zoning of the Site from Rural Lifestyle Zone to General Residential Zone in the area outlined below.



Development Area

- Insert new section titled: 'DEV3 - Ratanui Development Area', with text as underlined below.

### **DEV3 - Ratanui Development Area**

#### **Introduction**

The Development Area provides for either a retirement village or residential development at the Site identified in DEV3- Figure 1: Ratanui Development Area Structure Plan.

This Section contains policies, rules and standards relating specifically to the Ratanui Development Area. The provisions in this chapter apply in addition to the underlying General Residential Zone provisions and the provisions contained in the Part 2: District-Wide Matters chapters.

<b>DEV3- P1</b>	<b><u>Retirement Villages Subdivision, Use and Development</u></b>
<u>Enable retirement villages and residential activities and subdivision in DEV3 – Ratanui Development Area where <del>the development</del> it is undertaken in generally accordance with DEV3- Figure 1: Ratanui Development Area Structure Plan including:</u>	

1. providing site access via a T-intersection with a right turn bay in the area indicated in the Structure Plan;
- ~~1-2. providing access to adjacent sites where residential subdivision and development is proposed;~~
- ~~2-3. providing water supply, wastewater and stormwater drainage systems, and underground power and telecommunications which meets the Council's Land Development Minimum Requirements;~~
4. creating a flood storage area in the general area indicated in the DEV3- Figure 1: Ratanui Development Area that provides for compensatory flood storage for events up to a 1% AEP event (including allowing for sea level rise and increased rainfall intensity) to mitigate the impacts of the development from removing existing floodplain storage on the Site;
5. creating large-centralised wetland areas in locations indicated in the DEV3- Figure 1: Ratanui Development Area Structure Plan to provide for stormwater management and for offsetting any loss of wetland habitat on the site. The wetland areas will:
  - a. provide flood storage for events up to a 1% AEP event (including allowing for sea level rise and increased rainfall intensity) to mitigate the stormwater impacts of the development on the downstream catchment;
  - b. provide stormwater treatment outcomes in accordance with Council's Land Development Minimum Requirements 2022;
  - c. provide for the offsetting of wetland loss elsewhere on the site by creating offset wetlands within the centralised wetland area(s) where:
    - i. the primary function of the offset areas is to create natural inland wetlands;
    - ii. the secondary function of offset areas is to provide flood storage and stormwater treatment functions;
    - iii. the offset areas are established and managed to ensure at least a net gain in indigenous biodiversity outcomes; positive environmental gain;
    - iv. the offset areas within the wetlands are clearly identified in plans and will exclude first flush areas designed to be cleaned out when sediment builds up;
6. ensure ensuring that development within the Site occurs in such a way that landscape and visual effects are managed, the development is sensitively integrated into the surrounding landscape, and an attractive and biodiverse planting structure is created for the Site including:
  - a. appropriate street tree and amenity planting, including riparian planting along the highly modified stream;
  - b. planting species and arrangements reflecting predominantly indigenous species which are typical of the coastal area and naturally occurring in the local area, as well as appropriate exotic amenity plantings;
  - ~~c. vegetated buffers on the southern extent of the Site that reflect the more 'wooded' character of the rural residential properties along Ratanui Road;~~

- c. boundary treatments around the entire perimeter of the development site, including landscaping, planting, fencing and/or earthbunds, as appropriate, that:
  - i. ensure integration between the new development and adjacent sites and the wider landform to soften the transition from a residential to rural lifestyle land use;
  - ii. take into account the topographical physical constraints of the site, the sensitivity of the interface, and the scale of development in proximity to the interface;
  - iii. are of sufficient width to achieve (i) and (ii) above; and
  - iv. do not apply where access is provided to adjacent sites.
- d. development platforms that are sensitively and effectively integrated into the existing terrain along the edges of the Site, particularly at the northern and eastern edges (retaining walls will be minimised in favour of natural batters and natural landforms will be retained and enhanced including through the planting of indigenous species and consideration will be given to retaining and enhancing natural landforms, where practicable); and
  - e. ~~providing an appropriate landscaped and/or vegetated buffer in areas indicated in the DEV3 Figure 1: Ratanui Development Area Structure Plan to soften the transition from a residential to rural lifestyle land use;~~
- 7. ensure ensuring building foundations are designed to resist liquefaction induced settlement; and
- 8. ensure ensuring any increase in lateral spread hazard and/or effects to neighbouring properties is avoided, including through providing a minimum setback for buildings or other protection or mitigation measures for adjacent property boundaries.

**Commented [GS1]:** I maintain that this should be retained - where practicable means that consideration will need to be given to retention, but does not require retention. I have slightly reworded it for clarity and removed the planting of indigenous species as this is covered by clause 6(b)

<u>DEV3- P2</u>	<u>Residential Activities and associated subdivision</u>
<p><u>Enable residential activities and associated subdivision in DEV3—Ratanui Development area where the development is generally consistent with DEV3 Figure 1: Ratanui Development Area Structure Plan including:</u></p> <ul style="list-style-type: none"> <li>1. <del>providing primary site access via a T intersection with a right turn bay in the area indicated in the Structure Plan as well as providing additional connectivity to adjacent sites;</del></li> <li>2. <del>considering the need for community facilities or reserves within the Site;</del></li> <li>3. <del>creating a flood storage area in the general area indicated in the DEV3 Figure 1: Ratanui Development Area that provides for compensatory flood storage for events up to a 1% AEP event (including allowing for sea level rise and increased rainfall intensity) to mitigate the impacts of the development from removing existing floodplain storage on the Site;</del></li> <li>4. <del>creating large centralised wetland areas in locations indicated in the DEV3 Figure 1: Ratanui Development Area Structure Plan to provide for stormwater management and for offsetting any loss of wetland habitat on the site. The wetland areas will:</del></li> </ul>	

- ~~a. provide flood storage for events up to a 1% AEP event (including allowing for sea level rise and increased rainfall intensity) to mitigate the stormwater impacts of the development on the downstream catchment;~~
- ~~b. provide stormwater treatment outcomes in accordance with Council's Land Development Minimum Requirements 2022;~~
- ~~c. provide for the offsetting of wetland loss elsewhere on the site by creating offset wetlands within the centralised wetland area(s) where:
 
  - ~~i. the primary function of the offset areas is to create natural inland wetlands;~~
  - ~~ii. the secondary function of offset areas is to provide flood storage and stormwater treatment functions;~~
  - ~~iii. the offset areas are established and managed to ensure a net positive environmental gain;~~
  - ~~iv. the offset areas within the wetland areas are clearly identified in plans and will exclude first flush areas designed to be cleaned out when sediment builds up;~~~~
- ~~5. ensure that development within the Site occurs in such a way that landscape and visual effects are managed, the development is sensitively integrated into the surrounding landscape, and an attractive and biodiverse planting structure is created for the Site including:
 
  - ~~a. appropriate street tree and amenity planting, including riparian planting along the highly modified stream;~~
  - ~~b. planting species and arrangements reflecting predominantly indigenous species which are typical of the coastal area, as well as appropriate exotic amenity plantings;~~
  - ~~c. vegetated buffers on the southern extent of the Site that reflect the more 'wooded' character of the rural residential properties along Ratanui Road;~~
  - ~~d. development platforms that are sensitively and effectively integrated into the existing terrain along the edges of the Site, particularly at the northern and eastern edges (retaining walls will be minimised in favour of natural batters where practicable); and~~
  - ~~e. providing an appropriate landscaped and/or vegetated buffer in areas indicated in the DEV3 - Figure 1: Ratanui Development Area Structure Plan to soften the transition from a residential to rural lifestyle land use;~~~~
- ~~6. ensure building foundations are designed to resist liquefaction induced settlement; and~~
- ~~7. ensure any increase in lateral spread hazard and/or effects to neighbouring properties is avoided, including through providing a minimum setback for buildings or other protection or mitigation measures for adjacent property boundaries.~~

**DEV3-R1**

**Retirement Villages within the Ratanui Development Area**

<b>GRZ-R41 does not apply in addition to this Rule.</b>		
<p><u>Controlled Activity</u> <i>Restricted discretionary activity</i></p>	<p>1. <u>Where standards 2 to 11 of GRZ-R33 are complied with; and</u></p> <p>2. <u>Where a Landscape and Earthworks Plan is provided by a suitably qualified and experienced landscape architect addressing the matters listed in DEV3-P1.4 that contains the following information:</u></p> <p style="margin-left: 20px;">a. <u>Details of plantings proposed for the vegetated buffer shown in DEV3- Figure 1: Ratanui Development Area Structure Plan; and</u></p> <p style="margin-left: 20px;">b. <u>Details of design for the landscaped buffer (landscaping, fencing and/or planting) shown in DEV3- Figure 1: Ratanui Development Area Structure Plan.</u></p> <p><b>Note:</b></p> <ul style="list-style-type: none"> <li>• <del>No buildings shall be located in landscaped or vegetated buffers.</del></li> <li>• <del>For the avoidance of doubt GRZ-R41 does not apply to retirement villages within DEV3 – Ratanui Development Area.</del></li> </ul>	<p><b>Matters of control discretion</b></p> <p>1. <u>The degree to which the development is undertaken in general accordance with DEV3- Figure 1: Ratanui Development Area Structure Plan.</u></p> <p>2. <u>The matters in policy DEV3-P1.</u></p> <p>3. <u>The matters of discretion in GRZ-R41.</u></p>

**Commented [GS2]:** I maintain that restricted discretionary activity status is the most appropriate for the reasons set out in my s42A report and addendum report. I do not consider that the structure plan provides any greater certainty that would justify a controlled activity status for a retirement village than a residential development or subdivision, given that the same structure plan applies to all three. Further, the use of "generally" is a good indicator that there will be more assessment undertaken at consent stage, which in my mind makes controlled activity status inappropriate

<b>DEV3-R2 Subdivision within the Ratanui Development Area</b>		
<p><u>Restricted Discretionary Activity</u></p>	<p>1. <u>Where a Landscape and Earthworks Plan is provided by a suitably qualified and experienced landscape architect addressing the matters listed in DEV3-P2.5 that contains the following information:</u></p> <p style="margin-left: 20px;">a. <u>Details of plantings proposed for the vegetated buffer shown in DEV3- Figure 1: Ratanui Development Area Structure Plan; and</u></p> <p style="margin-left: 20px;">b. <u>Details of design for the landscaped buffer (landscaping,</u></p>	<p><b>Matters of discretion</b></p> <p>1. <u>The degree to which the development is undertaken in general accordance with DEV3- Figure 1: Ratanui Development Area Structure Plan.</u></p> <p>2. <u>The matters in policy DEV3-P1<del>2</del>.</u></p>

	<p>fencing and/or planting) shown in DEV3- Figure 1: Ratanui Development Area Structure Plan.</p> <p><b>Note:</b></p> <ul style="list-style-type: none"> <li><del>No buildings shall be located in landscaped or vegetated buffers.</del></li> </ul>	
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<b>DEV3-R3 Residential Activities within the Ratanui Development Area where there are four or more residential units per site</b>		
<i>Restricted Discretionary Activity</i>	<p>1. Where a Landscape and Earthworks Plan is provided by a suitably qualified and experienced landscape architect addressing the matters listed in DEV3-P2.5 that contains the following information:</p> <p>a. Details of plantings proposed for the vegetated buffer shown in DEV3- Figure 1: Ratanui Development Area Structure Plan; and</p> <p>b. Details of design for the landscaped buffer (landscaping, fencing and/or planting) shown in DEV3- Figure 1: Ratanui Development Area Structure Plan.</p> <p><b>Note:</b></p> <ul style="list-style-type: none"> <li><del>No buildings shall be located in landscaped or vegetated buffers.</del></li> </ul>	<p><b>Matters of discretion</b></p> <p>1. The degree to which the development is <u>undertaken</u> in general accordance with DEV3- Figure 1: Ratanui Development Area Structure Plan.</p> <p>2. The matters in policy DEV3-P12.</p>

<b>DEV3-R4 Retirement Villages within the Ratanui Development Area that do not comply with DEV3-R1.1</b>		
<i>Restricted Discretionary Activity</i>		<p><b>Matters of Discretion</b></p> <p>1. Where any of the standards under rule GRZ-R33 are breached, consideration of the effects of the standard not met.</p> <p>2. The effects of the retirement village on the safety of adjacent streets or public open spaces.</p>

		<ol style="list-style-type: none"> <li>3. The effects arising from the quality of the interface between the retirement village and adjacent streets or public open spaces.</li> <li>4. The extent to which articulation, modulation and materiality addresses adverse visual dominance effects associated with building length.</li> <li>5. When assessing the matters in 1 – 4, consider: <ol style="list-style-type: none"> <li>a. The need to provide for efficient use of larger sites; and</li> <li>b. The functional and operational needs of the retirement village.</li> </ol> </li> <li>6. The positive effects of the construction, development and use of the retirement village.</li> <li>7. The matters in GRZ-P28 and DEV3-P1.</li> </ol>
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<b>DEV3-R5</b>	<b><u>Any activity that is listed as a controlled or restricted discretionary activity that does not comply with one or more of the activity standards</u></b> <b><u>Any activity that does not comply with DEV3-R1.2; DEV3-R2.1 or DEV3-R3.1</u></b>
<u>Non-complying Activity</u>	

**DEV3- Figure 1: Ratanui Development Area Structure Plan**

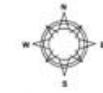
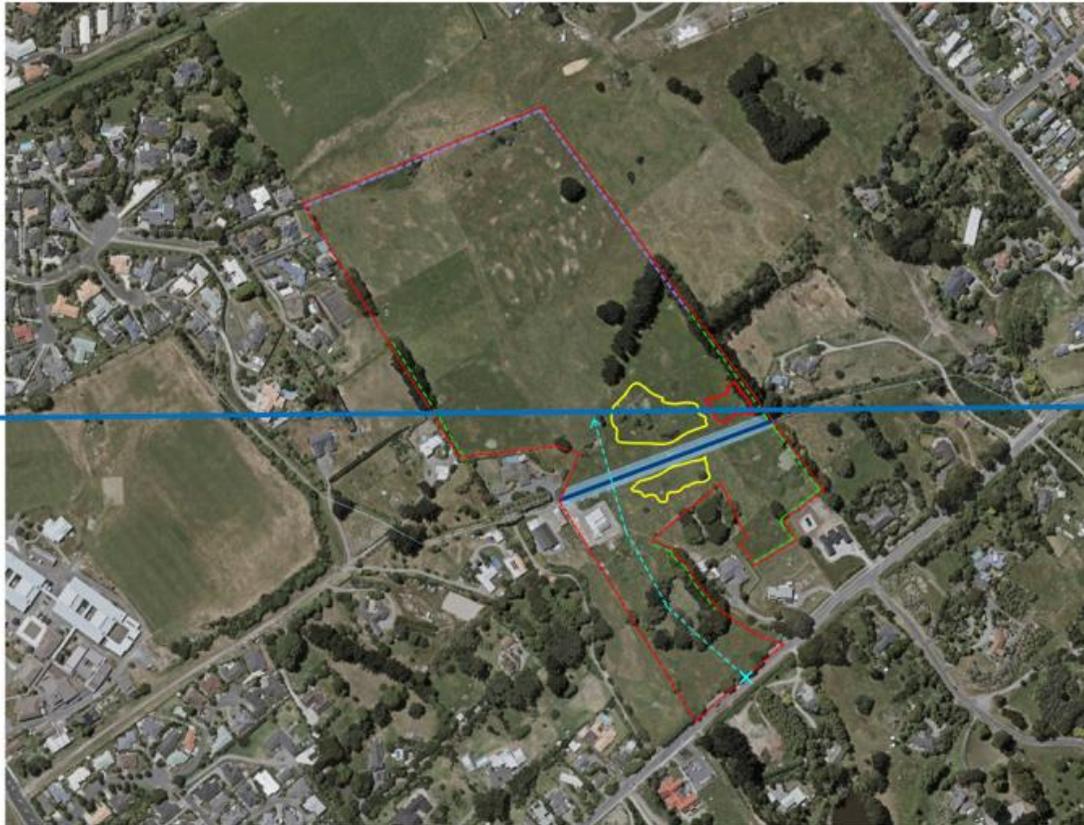
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STRUCTURE PLAN LEGEND	
SITE BOUNDARIES*	- - -
EXISTING HIGHLY MODIFIED STREAM*	—
INDICATIVE ACCESS*	X
INDICATIVE PRIVATE DRIVEWAY*	- - ->
INDICATIVE EXTENT OF CENTRAL RESTORATION WETLAND AND STORMWATER MANAGEMENT AREA*	—
INDICATIVE SIDE BATTERS ALONG HIGHLY MODIFIED STREAM*	—
INDICATIVE COMPENSATORY FLOOD STORAGE AREA*	—

\* FINAL EXTENT OF THESE AREAS TO BE CONFIRMED THROUGH RESOURCE CONSENT PROCESS

1 STRUCTURE PLAN-1



STRUCTURE PLAN LEGEND	
SITE BOUNDARIES*	- - - -
LANDSCAPE BUFFER*	- - - -
VEGETATED BUFFER*	- - - -
EXISTING HIGHLY MODIFIED STREAM*	—
INDICATIVE ACCESS*	X
INDICATIVE PRIVATE DRIVEWAY	→
INDICATIVE EXTENT OF CENTRAL RESTORATION WETLAND AND STORMWATER MANAGEMENT AREA*	—
INDICATIVE SIDE BATTERS ALONG HIGHLY MODIFIED STREAM*	—
INDICATIVE COMPENSATORY FLOOD STORAGE AREA*	—

\* FINAL EXTENT OF THESE AREAS TO BE CONFIRMED THROUGH REQUIRED CONSENT PROCESS

1 STRUCTURE PLAN-1  
1:1000