

## Memo

**To** Chloe Trenouth, Ian Mayhew, Ken Tremaine, Ben Inger, David Whyte, David Klee  
**From** John Olliver, Stuart Penfold  
**Date** 22 October 2020  
**Job No.** 145860-16  
**Job name** Ohinewai Development  
**Subject** **Ohinewai Rezoning request hearing: Directions from the Commissioners**

We have been working on the 'self-contained' set of plan provisions as instructed by the Commissioners directions dated 14 October 2020. This memo outlines the drafting principles we have adopted and the current status:

1. The purpose is to have a set of provisions that are self-contained.
2. We have discounted the idea of identifying provisions in the District Plan that have not been submitted on and therefore could be relied on and would not need to be included in the 'self-contained' section because there are 'all of Plan' submissions and other submissions with undefined consequential outcomes.
3. The test we are using is whether the self-contained plan provisions will allow development to commence, either as permitted activities or via resource consents, without reference to any other parts of the District Plan.
4. These require an 'Ohinewai Structure Plan Precinct' to be developed, which will be a new Chapter 29 in the Plan. Setting it up as a multi-zone precinct is consistent with the National Planning Standards.
5. Using this test, we will import into the Precinct all the relevant permitted activity rules e.g. District wide infrastructure, network utilities, transport, hazardous substances, and definitions.
6. We will also import relevant objectives, policies and guidelines that may be referred to for guidance if a resource consent in the Precinct was being processed.
7. The provisions we are importing are the 'as notified' versions. There are large number of s42A recommendations and some Commissioners minutes on them, but they have no status.
8. The Ohinewai Structure Plan Precinct will be a large document; so far we have identified 16 Chapters from the Plan that parts need to be imported from. They are:
  - Chapter 2: Tangata Whenua
  - Chapter 3: Natural Environment
  - Chapter 4: Urban Environment
  - Chapter 6: Infrastructure and Energy
  - Chapter 10: Hazardous substances and contaminated land



- Chapter 11: Natural Hazards and Climate Change
- Chapter 13: Definitions
- Chapter 14: Infrastructure and Energy
- Chapter 15: Natural Hazards and Climate Change
- Chapter 16: Residential Zone
- Chapter 17: Business Zone
- Chapter 20: Industrial Zone
- Appendix 3.1: Residential Subdivision Guidelines
- Appendix 3.3: Town Centre Guidelines
- Appendix 3.4: Multi Unit Development Guidelines
- Appendix 5: Hazardous Substances

9. We have grouped them into sections 29A-29E plus Appendices 29.1- 29.4. The key chapters are Chapter 29C Ohinewai Structure Plan Precinct Residential Zone, Chapter 29D Ohinewai Structure Plan Precinct Business Zone and Chapter 29E Ohinewai Structure Plan Precinct Industrial Zone.
10. Attached is a first draft of Chapter 29 for your information. The red underlined wording has been imported (with minor drafting revisions) from the draft plan provisions that were attached to John Olliver's rebuttal evidence. The track changes on top of those are amendments are those we are proposing in response to the Commissioners directions, the s42A Rebuttal report recommendations, and evidence and discussions with submitters.
11. The draft is very much a work in progress. Chapter 29C Residential Zone is the most advanced, with a range of track changes included. We suggest we focus on that initially. Many of the track changes will be replicated in the Business and Industrial Zone chapters.

Yours sincerely

**Bloxam Burnett & Olliver**

**John Olliver**

**Director**

027 482 2637

jolliver@bbo.co.nz

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