

APPLICATION FOR RESOURCE CONSENT

Omokoroa Town Centre, 404 Omokoroa Road



For Jace Investments Limited

20th March 2020

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Document Quality Assurance

Status: Version 1

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1.0 Applicant and Property Details

The details of the applicant and the site are as follows:

To:	Western Bay of Plenty District Council
Applicant's Name:	Jace Investments Limited
Site Address:	404 Omokoroa Road, Omokoroa
Legal Description:	Lot 1 Deposited Plan 307535
Site Area:	7.9099ha (Commercial zone 5.3 hectares)
District Plan Zoning:	Commercial Zone
Designations / Limitations:	Subject to Omokoroa Structure Plan Appendix 7 District Plan Land Subject to Road Designation for Roundabout

2.0 Introduction

Jace Investments Limited is the umbrella company to several subsidiary companies. Kiwigreen New Zealand Limited is the landowner and is one of Jace Investments subsidiary companies.

2.2 Site and Location Description

The subject site is located at 404 Omokoroa Road (Lot 1 Deposited Plan 307535) and has an overall area of 7.909 hectares. The site is currently planted and operating as a kiwifruit orchard. A residential dwelling is located near the main entrance to the property from Omokoroa Road.



The site is irregular in shape as the north and western boundaries of the site are bounded by a stream/gully system. The topography of the site gently contours from east to west, from approximately 12 metres at the stream to 32 metres at the highest point on the eastern boundary adjoining Omokoroa Road (see Figure 2).

The site is subject to split zoning in the Western Bay of Plenty District Plan, with around 5.3 hectares zoned Commercial in the Omokoroa Stage 2-1A area, and the balance of approximately 2.6 hectares is zoned Future Urban. The site comprises approximately half of the Stage 2 Commercial Zone allocated to the Omokoroa urban growth area. The remaining balance of the Stage 2 Commercial Zone has been consented for a Special Housing Area containing 242 dwellings north of the site and land recently purchased by the Ministry of Education at 412 Omokoroa Road, immediately south of the site.

Properties located to the west of the site are zoned Future Urban to accommodate a projected total population of 12,500 residents living in Omokoroa by the year 2026 (Property Economics Report 2009).

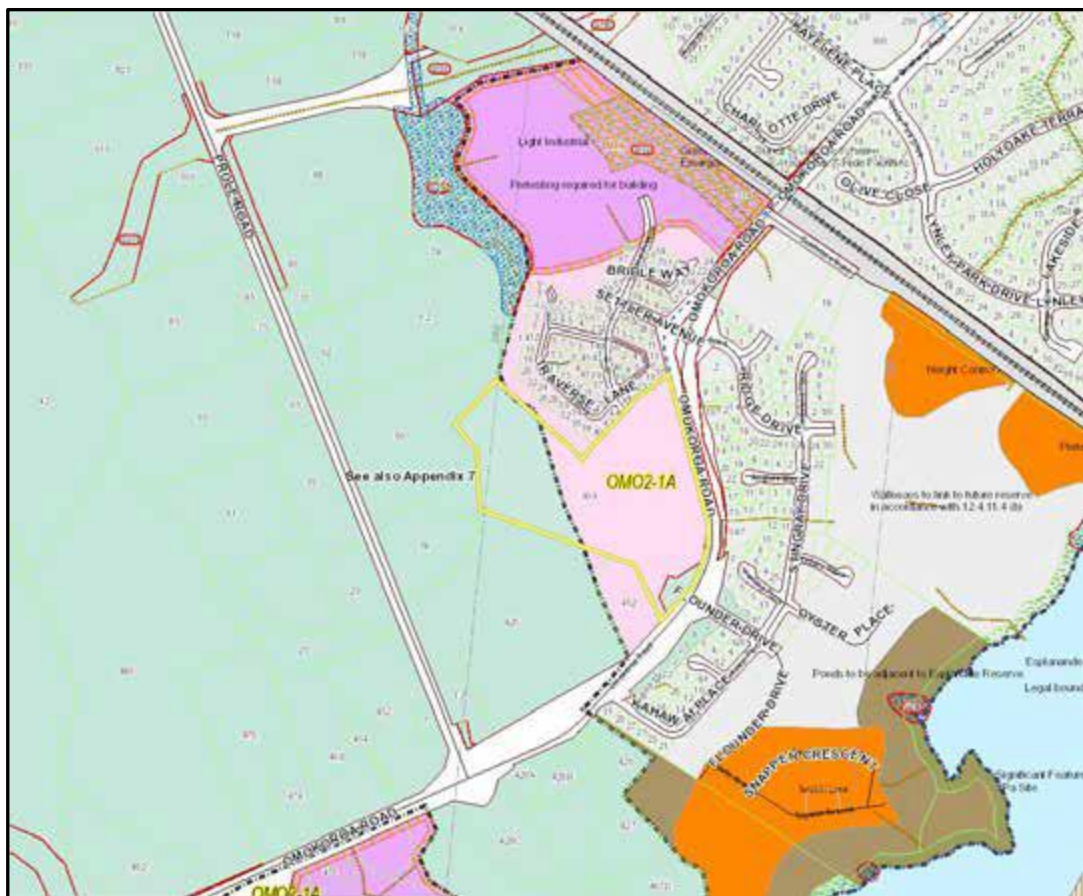


Figure 1- Operative Zoning (Site shown yellow outline)

This projection may be optimistic given development rates although recent subdivision development means that the numbers of new houses has been increasing substantially over the next few years. Council is also considering rezoning the balance future urban land at Omokoroa, which will provide a steady supply of urban land.

The existing commercial activity in Omokoroa includes a small neighbourhood shopping area at the northern extent of the Omokoroa peninsular on the corner of Hamurana Road and McDonnel Street. This comprises a few small tenancies, including cafe, dairy and takeaway store.

The existing neighbourhood centre at Omokoroa is located on Tralee Street which has approximately 4 hectares of land in total. Resource consent has recently been consented for a mixed use commercial and residential development on 1.6ha of land, being the remaining undeveloped land in this

commercial area. Other activities at this neighbourhood centre include an existing Fresh Choice supermarket, medical facilities and liquor store. This commercial area is located approximately 2.8km north of the proposed roundabout entrance to the operative Commercial zone.

The new Tralee Street development will yield approximately 9,000m² of commercial GFA. This developing commercial hub is centrally located for the northern extent of Omokoroa, but is also geographically constrained by surrounding residential development and would not be anticipated to support residential development at the southern end of the peninsula.

The application site is located on a secondary arterial road connecting Omokoroa peninsula to State Highway 2. There is a bus stop within 100 metres of the site, and two more located nearby. Pedestrian and cycle networks are established near the site and provide connections to the wider context of Tauranga City. Sustainable modes of transport are therefore accessible to the site and are encouraged within the community.

2.3 Proposal

The Masterplan

The Omokoroa Town Centre Masterplan is illustrated in Figure 2 (See also FP Drawings 2.1.10 & 2.1.10B). It outlines the proposed site layout, comprising a mixed-use retail/commercial precinct with medium density residential units, and visitor accommodation adding activation and passive surveillance to the town centre.

2.1 Vision

The proposal is for the development of the commercially zoned land to establish a vibrant mixed-use commercial town centre to service the growing Omokoroa community and nearby rural catchment. The town centre will comprise retail spaces, including a supermarket, shops, cafes/restaurants, bars, office space and a possible cinema.

Residential town houses and medium density apartments in the western portion of the site are also proposed. The vision for the site is to create a vibrant centre, encompassing a mix of uses, and establishing a destination for both the local Omokoroa catchment and rural catchment in close proximity to Omokoroa. Given the recreational attributes of Omokoroa and the new cycleway nearing completion, Omokoroa is likely to be a regional destination for recreation.

The overall design concept is to establish a town centre that includes different scales of retail and office space to accommodate a variety of businesses. The ultimate mix of tenancies will be market driven and respond to the needs of the community.

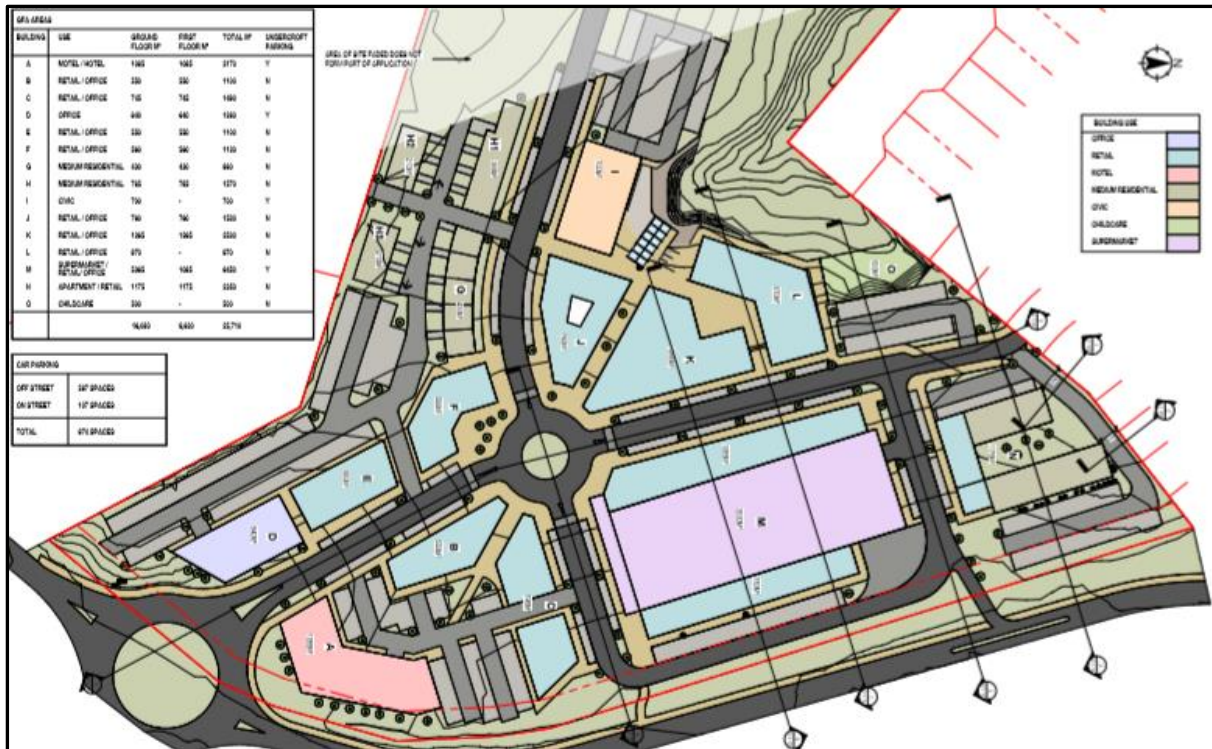


Figure 2- Omokoroa Town Centre Masterplan

Building Descriptions

The masterplan has colour coded the buildings to identify their uses.

The purple building (Building M) is a supermarket which is sleeved with smaller retail shops that face the main commercial street and also convenience retail that is located adjacent to Omokoroa Road. The reason for this design is to ensure the supermarket building doesn't dominate the town centre or deactivate the commercial streets. The main access to the supermarket will be from the side street from the internal roundabout. The supermarket will have a main entrance with a two-storey glazed façade to provide light to the supermarket but also make it visible to the street. Car parking for the supermarket and sleeved retail will be below the supermarket and adjacent to the convenience retail shops that face Omokoroa Road.

The blue coloured buildings or portions of buildings (B, C, E, F, J, K, L, M, and N) represent the finer grained retail shops that will include cafés and restaurants (especially around the Plaza), commercial services, and other retail shops. The buildings have been designed to reflect the intent of the District Plan to establish a 2-storey format for commercial buildings with office space above ground floor retail. However, not all buildings are proposed to be 2 storeys as the anticipated demand for 1st storey commercial office space is likely to be limited. Sentinel Drive will however be the obvious key commercial street with buildings reducing in height towards the Kaimai Views subdivision and on the western side of the commercial site.

To ensure the commercial centre has presence two prominent buildings of sufficient scale will frame the main entrance to the town centre from Omokoroa Road. These include a motel (Building A) and also an office building (Building D). Both these buildings are proposed to be three storeys' in height, with two storeys facing Omokoroa Road. The office building will provide good passive surveillance of the car parking area adjacent to the MoE boundary.

The supermarket building (Building M) will have a large underground car park using the change in ground contour across the site strategically. The benefit of this is that the car park doesn't become a prominent feature of the town centre and is hidden within the building. Double sleeving the supermarket with finer grain retail activities will also disguise the supermarket to some extent, helping it to not dominate the town centre area, while still having sufficient presence to be visible. It is anticipated the southern façade of the supermarket would have a high portion of glazing which will be visible from both within the town centre but also from passing traffic on Omokoroa Road. The format would be similar to the Mount New World supermarket.



Figure 3- Reference Image of Supermarket Facade

A civic building (Building 'I') is identified to the western side of the Commercial zone. It benefits from having presence to the internal road network and fronts the reserve area to the north. Due to the change in topography in this area some terracing is proposed that can be used for passive recreation, This will be a focal point for the centre and there is an opportunity to connect to future walkways to be established in the drainage reserve connecting to the Kaimai Views subdivision. An under-croft car parking area will be located below the civic centre as well as an at grade car park. Both these car parking areas will service the civic building but also provide car parking for the public using the reserve area and shopping within the main street.

Residential terrace housing is proposed to the south west of the site (Buildings H1, H2, H3 and G), which may be either 2 storey or single storey format. This provides medium density housing within the town centre area helping promote a vibrant town centre. While these apartments are located at ground level and interface directly with the street, they will provide passive surveillance to the town centre during the evening and weekends when there is less commercial activity occurring in the town centre.

Building N on the North Eastern corner of the site is a mixed-use building of 3 storeys in height, reducing to 2 storeys adjacent to the Kaimai Views boundary. Small retail shops will be located adjacent to the road between Sentinel Avenue and Omokoroa Road.

A childcare centre is proposed on the northern portion of the town centre to provide an appropriate activity located adjacent to the Kaimai Views subdivision. This will have its own carparking area with allocated car parks. The play area will be able to benefit from the outlook over the gully drainage reserve area.

Roading

The town centre will be accessed via the designated roundabout on Omokoroa Road. The roads have been designed to be sympathetic to the existing urban form both adjacent to the site and also opposite the site. Sentinel Avenue will connect through to Omokoroa Road and will have a 20m wide road corridor. The formed carriageway will narrow as it approaches Kaimai Views subdivision to assist with traffic calming.

An internal roundabout of appropriate size and formation will be established within the town centre to enable traffic to travel freely at an appropriate speed through the town centre. The roundabout will be designed to be mountable so delivery trucks can travel to the supermarket service yard (P35 First Principles). The circulation route for trucks is circular to ensure that they travel back up to the roundabout on Omokoroa Road recognising that most will delivery vehicles will exit towards the State Highway.

To the west of the internal roundabout will be another local road servicing the commercial area and ultimately provide a connection through to the future urban area. There is an opportunity to provide a road connection through to Prole Road on the western boundary of the MoE site, which would provide active edges on all 4 school boundaries.

To the east of the internal roundabout will be a public road that will provide access to the supermarket car parking area and the car parking for Buildings A to C. A 6m wide lane-way will connect this road to another road linking through from Sentinel Avenue to Omokoroa Road. This lane-way will service the convenience retail facing Omokoroa Road that sleeves the supermarket building. Parallel car parks will service the convenience retail and use the lane way for manoeuvring.

Car parking

The car parking demand has been assessed by Stantec who have confirmed that the supply (off and on street) is sufficient for the town centre given its configuration and layout. The mix of allocated and public car parking spaces will be determined at time of detailed building design. However, there are 4 main car parking areas including car park adjacent to the MoE site, car parking for Buildings A – C, undercroft Supermarket car parking that will also service the main street retail, and the Car Parking adjacent to the Civic building. In addition to this car parking some activities have their own car parking such as the childcare, residential apartments (Building N) and terrace units (Buildings H and G), and underground car parking for the civic building. Overall, it is considered there is adequate car parking supply.

In the event that monitoring shows there was an ongoing shortfall of car parks, additional car parks could be established by extending the at-grade car park next to the civic centre into the balance Future Urban land. The probability of these additional car parks being required is considered to be low.

Plaza Area

The Plaza area is located on the north eastern side of Building F providing a sheltered area suitable for alfresco dining and provide a meeting point. It may also be a suitable location for some street art and or seating. As a congregation point it is anticipated the area would be paved to provide a higher level of amenity and distinguish the space.

Reserve Edge Treatment

The District Plan identifies the gully reserves have both a function for stormwater control but also provide an opportunity for walkways and passive recreation. The head of the gully has been identified as having been a potential area for relaxing, holding markets, or other civic activities. The buildings J, K and L create enclosure and a sense of intimacy for this space and a glass roofed gazebo style structure as a focal point for entertainment or market days. The entrance to this gully aspect combined with a terraced embankment (partial or wrap around) will create a unique identity and contribute to the sense of place for the Omokoroa Town Centre. There is also the opportunity to build in cultural design elements to landscaping to recognise Iwi and Hapu connections with the land.

Pedestrian and Cycle Connections

Omokoroa is in a unique position having an established network of walkways and cycleways in which to connect the town centre. The dual-purpose cycleway and footpath along the Western side of Omokoroa Road will provide excellent connectivity to the town centre. The pedestrian and road network through the town centre will be able to create key connection points as identified on the urban design plan. Roads through the town centre will be designed as low speed environments (30km/h maximum) suitable for sharing the road with bicycles and improving safety for pedestrians. Dedicated pedestrian crossings will assist in promoting a pedestrian priority to the town centre. Connections will also be possible through to the gully reserve area and future walkway linkages.

Subdivision & Staging

Subdivision consent is sought to establish the roads to vest in Council and create Commercial super lots, lots for infrastructure and for the drainage reserve area (See Appendix 14 – Subdivision Scheme Plan). The exact staging order is not yet known as this will be driven to some extent by the demand for commercial floor space, which will respond to the needs of the market as the population of Omokoroa increases. However, it is anticipated the supermarket and main retail street will be the first area to develop. The order of development works will follow the steps below.

1. Detailed design of roads and infrastructure completed, and earthworks finished contour design refined.
2. Bulk earthworks sufficient to establish the Sentinel Avenue (High Street) and super lots (1-5) either side will be completed.
3. Roads and infrastructure construction. Pump Station and associated reticulation established.
4. 224 and titles issued.
5. First buildings commence construction.

The subdivision plan has been prepared that will enable the proposed public roads to vest in Council. The balance land is effectively development super lots. These super lots will be developed in a logical order with roading and services established in general accordance with the services plan prepared by Lysaght Consultants and the MPAD subdivision scheme plan. Easements will be established over all

proposed public infrastructure where crossing the super lots. These easements are shown on the subdivision plan but will ultimately be refined following the detailed earthworks and services design. A separate lot is proposed for the pump station to vest in Council.

Due to the location of the size of the site bulk earthworks will be completed in one stage to enable the roads and infrastructure to be established. Bulk earthworks will be completed for the super lots also to enable 'shovel ready' development site available as and when market demand for additional commercial space is needed.

The super lots will be held together in one certificate of title until the detailed design of second phase earthworks, buildings and services is completed, at which point future subdivision applications, most likely freehold unit titles, will be made to address such matters as access, car parking and any additional easements needed for services. Allocation of car parking will be addressed too, which will include sub tenancies and areas to be held in common.

Earthworks

The proposal includes large scale earthworks of up to 50,000m³, which equates to approximately 1m cut to fill across the whole site as an average. An earthwork model has been prepared by First Principles taking into account the finished grades for roads, buildings and car parking areas (Drawings 2.1.03). The design has followed Council's Development Code in terms of achieving accessibility for pedestrians and also vehicles.

An erosion sediment and control plan will be prepared for the bulk earthworks consent to the Regional Council. This will address sediment control ponds and cut off drains and address the effects of sediment laden stormwater discharging to the drainage reserve. These will follow the BOPRC Stormwater and Erosion Control Guidelines.

Dust suppression will be by way of water source from Council's reticulated supply (capped at 50m³ per day) and also from the applicant's water bore which is located on site. Application of water will be by way of water cart at rate not less than 5mm per day over the exposed earthworks area.

Earthworks will be stabilised as soon as practicable to minimise effects of sediment run off. No earthworks will occur in winter months unless a resource consent for winter earthworks is obtained.

Consent Lapse Period

Due to the scale of the project and anticipated residential growth at Omokoroa, a 10-year resource consent term is sought from Council.

3.0 Activity Status

3.1 Resource Consents Applied For

The following resource consents are sought from Western Bay of Plenty District Council.

1. Land use consent for the town centre masterplan, associated buildings and activities, and development works including earthworks.
2. Subdivision consent to establish the super lots and lots for roads and infrastructure.
3. A certificate of compliance is sought with respect to the permitted works under the NES for Assessing and Managing Contaminants in Soil to Protect Human Health.

3.2 Operative Western Bay of Plenty District Plan

An assessment of the District Plan rule framework has been completed for all proposed activities. In summary, there are several performance standards for the Commercial zone which are not met, which relate to access, car parking, residential activities at ground floor etc. However, the town centre masterplan and proposed buildings generally comply with the overall vision for the Omokoroa Town Centre.

These non-compliances are considered within the assessment of environmental effects (AEE) (Section 4) and supporting Appendices.

The plan provides for Commercial activities within the Omokoroa Town Centre as an RDA pursuant to Rule 19.3.3(b)). This rule says all activities other than dwellings are RDA's subject to Council preparing a town centre plan. No town centre plan has been prepared by Council, and activity status is unclear. However, taking a conservative approach, Council may consider that the activity defaults to non-complying pursuant to Rule 4A.1.4, which states:

With the exception of those activities that are provided for in the general provision of the District Plan, any activity that is not listed in the activity lists in the District Plan shall require a resource consent for a Non-Complying Activity.

One other aspect of the proposal also triggers a non-complying activity classification. This is the second access onto Omokoroa Road (a strategic road being secondary Arterial road) which is a one way exit from the northern end of the town centre onto Omokoroa Road. The designated roundabout is also proposed to be established. As no formal written approval from WBOPDC has been provided, the activity is classified as non-complying pursuant to Rule 4B.4.2(a)(ii).

Overall, the proposal is a non-complying activity due to the establishment of access onto Omokoroa Road, and potentially, due to the proposed commercial activities being established without a Council prepared Town Centre Plan. We are mindful that this could be interpreted either way, but have taken a precautionary approach to activity classification.

Rule Number & Description	Comment
<p>19.4.1 General (a) Building height, setback, alignment and design (i) All buildings shall be provided with a veranda not less than 2m wide, 3m above street level, 0.3m back from the kerb line and not more than 0.4m thick;</p>	<p>Does not Comply</p> <p>The Masterplan has identified key pedestrian streets where verandahs are considered necessary. This is shown on the Active and Important Building Façade Plan. Not all buildings will have verandahs such as the residential units, childcare centre, and the Civic building may be setback from the front boundary of the street.</p> <p>The proposed development internalises active frontages and places residential activities to the northern and north western boundaries. Given the proposed mix of activities the provision of verandah's has been included on most of the commercial buildings within the site facing the village green areas. As the verandah's do not cover the surrounding street network the proposal does not comply with this standard.</p> <p>Restricted Discretionary Activity (RDA)</p>
<p>19.4.1 Building Height</p> <p>Maximum height is 11m</p>	<p>Does not comply</p> <p>The site requires bulk earthworks to provide for appropriate road grades and transition areas to flatter car parking and/or access to buildings. Three storey buildings are proposed at the gateway to Omokoroa Town Centre and also Building N. These 3 storey areas are established using the change in contour. While it is possible to establish 3 storey buildings within 11 meters this may not account for changes to the natural contour. Measurements of the Masterplan model show various encroachments through the 11m maximum height plain.</p>
<p>19.4.1(a) (vii) Continuous retail frontage – Development in the Commercial Zone shall be constructed up to the road boundary except for vehicle access up to 6m wide per site.</p> <p>Each building shall have clear windows on the ground floor that must cover at least 50% of the building's frontage to a main street and at least 25% for all other streets and public areas, such as walkways and public parking areas.</p>	<p>Does not comply.</p> <p>The economic analysis has made reference to a target commercial GFA that can be supported by the ultimate catchment for the Omokoroa Town centre. As a consequence, the main commercial streets have the continuous retail frontage. The residential buildings will not have a continuous retail frontage or canopy and the civic building is set back slightly from the street as it will have some hard-landscaped areas surrounding the building.</p>

Rule Number & Description	Comment
	RDA
<p>19.4.1 (a)(viii) No car parking, other than underground parking, shall be located within 10m of any street boundary.</p>	<p>Does not Comply</p> <p>The masterplan generally complies with the 10m setback. However, there are some car parking areas that do not comply, such as between buildings A and B, the childcare centre, Building N, and car parking adjacent to the civic building (Building I).</p> <p>RDA</p>
<p>19.4.1 (b) Daylight All site boundaries adjoining Residential and Rural Zones:</p> <p>No part of any building /structure shall exceed a height equal to 2m height above ground level at all boundaries and an angle of 45° into the site from that point. Except where the site boundary is with a road in which case this rule shall not apply in respect to that boundary.</p> <p><u>Provided that:</u> A building /structure may encroach through the above daylighting plane where the written approval of the owner(s) of the immediately adjoining property to the specific encroachment is obtained.</p>	<p>Complies</p> <p>The only boundaries relevant to this provision are the boundaries with the Kaimai Views subdivision and the MoE school site.</p> <p>All buildings comply with the daylight standard provisions.</p>
<p>19.4.1 (c) Offices The floor area utilised for office purposes on the ground floor is not to exceed 20% of the total gross floor area of the ground floor of the building .</p> <p>Explanatory Note: This rule does not apply to Commercial Service activities.</p>	<p>Does not Comply</p> <p>All office activities are located above ground floor or are ancillary to the retail activity being less than 20% of the GFA.</p> <p>The exception is Building B. Given the identified demand for retail activities there is insufficient demand for retail on the ground floor of all buildings. Given the tenant is yet to be confirmed the office activity may fit within the definition of ‘commercial service’ and be permitted. However, this resource consent seeks flexibility to have non ‘commercial service’ offices at ground floor to provide more flexibility to end users.</p> <p>RDA</p>
<p>19.4.1 (d) Yards All buildings/structures</p> <p>Minimum 3m where a property adjoins a Residential, Rural Residential, Future Urban, Rural Zone or reserve boundary.</p>	<p>Complies</p>

Rule Number & Description	Comment
<p>Provided that: A building /structure may be located within a side or rear yard and up to a side or rear boundary where the adjoining property is a road or where the written approval of the owner of the immediately adjoining property to a specified lesser distance is obtained</p> <p>Except that: Where any yard adjoins:</p> <p>-A Strategic Road or a designation for a Strategic Road (except in the Commercial Zones in Katikati and Te Puke), it shall be a minimum of 10m;</p> <p>- A railway corridor or designation for railway purposes, it shall be a minimum of 10m.</p> <p>Provided that: On Secondary Arterial Roads, and any railway corridor or designation for railway purposes, lots created by way of an application for subdivision consent approved prior to 1 January 2010 will be exempt.</p>	<p>Does Not Comply</p> <p>With respect to Omokoroa Road – Building A is located 7m from the legal road boundary rather than 10m. This building will have a 2 storey façade facing Omokoroa Road of sufficient height to be prominent and help form the gateway to the Omokoroa Town centre (See FP SOU.01). All other buildings comply.</p>
<p>19.4.1 (e) Dwellings Commercial Zone rules shall apply, except as specified below:</p> <p>(i) Any habitable room in new residential activities established in the Commercial Zone shall be designed to meet an internal Leq noise level of 45dBA at all times;</p> <p>An acoustic design report from a suitably qualified acoustic engineer will be required to show that the required noise standards will be met;</p> <p>(ii) All dwellings shall be located above ground floor.</p>	<p>Does not Comply</p> <p>Due to the results of the economic assessment for retail activities it is not necessary to have commercial activities at ground floor throughout the whole town centre. Buildings G, H1 to H3 and N include residential dwellings at ground floor. The main retail street will not have any residential activities at ground level.</p>
<p>19.5(b)(i) No building shall exceed 50m in length across any continuous dimension and the commercial development is to provide a minimum 200m² pedestrian court/plaza to act as a point of focus and physical congregation within the centre</p>	<p>Complies</p> <p>All buildings will comply with this design standard.</p> <p>A 240m² plaza area is provided adjacent to Building F and will form a prominent focal point.</p>
<p>For every square metre of ground floor retail there shall be an equivalent upper floor area provided for other Permitted or Controlled Activities</p>	<p>Does not comply</p> <p>Not all buildings are 2 storey. Prominent buildings have been designed to be two or</p>

Rule Number & Description	Comment
	three stories to provide legibility to the town centre.
19.5(b)(iii) A portion of the required car parking is to be provided along the commercial/reserve boundary to facilitate shared us	Complies Car parking is located adjacent to the civic building (Building I) and will adjoin the stormwater reserve.
19.5(b)(iv) Access to Omokoroa Road shall be by way of a roundabout as shown in the Structure Plan and from the controlled intersection from the Industrial Zone.	Generally, complies Principal access is from the proposed structure plan roundabout at the primary gateway to the town centre. As part of the commercial zone and the industrial zone adjacent to the Railway land has been superseded by the SHA, a second access is proposed to Omokoroa Road as an exit only from the Commercial area. This is to reduce traffic flow driving through the SHA. RDA
19.5(c) Any habitable room in new residential activities shall meet an internal Leq noise level of 45dBA at all times. An acoustic design report from a suitably qualified acoustic engineer will be required at the time of building consent application to show that the required noise standards will be met.	Will comply The residential apartments will be designed with glazing, insulation, and ventilation to ensure that the 45dBA internal Leq standard is achieved.
19.5(d) Covered walkways of at least 3m in width are to be provided along the frontage of all buildings and a network of uncovered walkways/cycleways to connect the commercial area to the car parking, light industrial, reserves and residential lands. The uncovered walkways are to be a minimum of 1.5m wide constructed of asphalt, exposed aggregate or similar materials.	Generally, complies The main pedestrian street of the town centre, plaza area and convenience retail area will all have covered walkway areas as will the supermarket and underground car park. Parts of the town centre area have been selected for civic use or medium density residential apartments where covered walkways are not considered appropriate or necessary. RDA
19.5(e) Amenity planting and fencing at 1.8m high of service yards shall be provided incorporating a minimum width of 4m of vegetative planting achieving 4m in height. The Omokoroa Road boundary is also to be screen planted, with trees at a minimum height of 1.2m at the time of planting, to a minimum depth of 4m achieving a minimum 4m in height.	Will comply The amenity planting parallel to Omokoroa Road will comply with the 4m width and 4m height for specimen trees. A totally screened landscape is not proposed as this will reduce passive surveillance of Omokoroa Road and the town centre, particularly the convenience retail area.

Rule Number & Description	Comment
	Detailed landscape plans will be prepared for each building at time of building consent.
19.5(f) Lights within the Zone are to be no higher than 5m and be either standard or bollard design	Will comply A lighting plan will be prepared at time of development work approval for public roads, private roads, buildings and reserve areas.
19.5(g) Daylighting - Measured at the boundary, no part of any building /structure shall exceed a height equal to 2m plus the shortest horizontal distance between that part of the building /structure and the commercial/reserve boundary and the boundary with Omokoroa Road.	Complies
19.5(h) Carparking is to provide maximum convenience for the public using commercial or reserve facilities. Any such parking is to be screen planted along Omokoroa Road and all parking areas for more than ten cars are to include specimen trees to provide shade to 30% of the car parking areas in summer.	Complies/Will Comply
19.5 (i) The maximum coverage shall be 80% of land area	Complies
19.6.2 Subdivision (refer also to Section 12) (a) No minimum lot size. (b) Council may impose conditions regarding access to and from the existing and newly created lots.	Complies It is proposed to establish super lots to enable the development of the town centre and, in particular, the vesting of public roads and Council infrastructure. Easements are proposed over the super lots to provide access to infrastructure to vest in Council.
12.3.2.1 Lots for network Utilities, Reserves	Complies Lot 101 (Wastewater reserve) will be established for the proposed pump station. Lot 102 for drainage reserve.
12.3.7 Subdivision Scheme Plan	The scheme plan has been prepared in accordance with the information requirements.
12.4.1 Site Suitability	The CMW geotechnical report has assessed the suitability of the site for Commercial use and confirmed that the land is suitable and anticipated bulk earthworks being undertaken to achieve the finished ground level. A GCR would be provided by CMW and submitted to Council as part of the 224 certifications.

Rule Number & Description	Comment
	Earthworks will exceed the 300m2 maximum area permitted in the Omokoroa Stage 2 Structure Plan Area. Consultation has commenced with Pirirakau, Ngati Taka, and Ngati Ranginui. Appendix 7 of the District Plan has an agreed protocol which will be followed.
12.4.2 Contaminants in Soil	Will Comply A DSI has been completed and only identified localise contamination. The recommendations of the DSI will be followed and a resource consent applied to the Regional Council for remediation.
12.4.3.1 & 12.4.3.2 Future Servicing	Will comply See Services report and scheme plan.
12.4.4.1 General	Will Comply See TIA prepared by Stantec
12.4.4.2 Proposed Roads	Complies See TIA by Stantec
12.4.4.3 Street Landscaping	Will Comply Street landscaping is addressed in the Masterplan, Urban Design Statement and guidelines and also addressed in the Stantec TIA.
12.4.4.4 Property Access	Will Comply
(A) Lots to be formed by formed legal roads	See Stantec TIA and also Scheme Plan
(b) Access to Strategic Road	Refer to 4B.4.2
4D.3.3 Commercial Signage	Will Comply Signage will be on buildings in accordance with the permitted activity standards. The prominent gateway buildings should provide a legible visual cue to the town centre without the need for a freestanding tower sign.
4B.4.2 Access to Strategic Roads	Will Comply All new access will be via new road intersections. No vehicle crossings area proposed.
4B.4.4 Access to Urban Roads	Complies/Will comply

Rule Number & Description	Comment
	All vehicle crossings will be greater than 25m from an intersection and be formed during road construction. All access grades of ROW will comply.
4B.4.5 Loading path and space dimensions	Complies See Stantec TIA for HGV swept path assessment and commentary in Section 10 recommendations of TIA.
4B.5.6 On site Manoeuvring	Complies/Will comply All car parking and access shall be designed in accordance with NZS 2890.1 or other standards as described in the TIA.
4B.4.7 Parking Loading Requirements	Does not comply The car parking proposed has been assessed and confirmed as adequate for the anticipated car parking demand. See Stantec TIA car parking demand analysis which is consistent with Rule 4B.4.8 joint provision of car parking and loading. RDA
4B.4.10 Formation of parking and loading areas	Will comply
4B.4.12 Service lanes	Complies No service lanes are designated for this site. Shared pedestrian areas may also act as service vehicle access for retail shops overlooking the gully reserve.
4B.4.4 Access to Urban Roads	Complies/Will Comply Access to the newly created lots are shown on the master plan and are consistent with 4B.4.4
4B.4.8 Car Parking	Does not comply with permitted activity standards 4B.4.7. See Stantec assessment of car parking demand in accordance with Rule 4B.4.8(a) (Appendix 5). RDA
4B.4.5 Loading Path and Space Dimensions	Complies See the Stantec TIA Appendices and Section 10 of same report - Design Recommendations.

Rule Number & Description	Comment
4B.4.6 On Site Manoeuvring	<p>Complies</p> <p>Both cars and trucks can manoeuvre on site. See Stantec TIA</p>
4B.4.12 Service Lanes	<p>Complies</p> <p>No service lanes are identified on the planning maps for this area. The pedestrian accessways to the marketplace will be dual purpose and provide access for service vehicles at very low speed similar to Red Square Tauranga CBD.</p> <p>Service lanes and loading areas will be established but these will remain private or held in common ownership. The exception is the loading area on Sentinel Avenue to service smaller retail shops.</p>

Earthworks Classification

Rule 4A.5 classifies earthworks as a permitted activity. Plan Change 85 has been notified and decisions made with respect to earthworks of a volume greater than 1000m³. This effectively covers medium size earthworks between 1000m³ and 5000m³ at which point a resource consent from the Regional Council is required for large scale earthworks. At the time of preparing this resource consent application Western Bay of Plenty advised that the rules with respect to Plan Change 85 had no effect.

Earthworks volumes have been calculated at approximately 50,000m³ which provides for gentle recontouring of the site to achieve appropriate road grades that area also practical to include services in their alignment.

Overall Activity Classification

With respect to the Commercial zone rules the proposal is classified as a non-complying activity due to the secondary access proposed onto Omokoroa Road

4.0 Assessment of Environmental Effects

The key environmental effects relevant to this application include.

- Town Centre Design
- Urban Design Effects
- Bulk and Scale of Buildings
- Car parking Effects
- Traffic and Access Effects
- Infrastructure Servicing Effects
- Geotechnical Effects
- Noise Effects
- Economic Effects
- Archaeological Effects
- Cultural Effects
- Site Contamination Effects

4.1 Town Centre Design

The town centre design has drawn upon development outcomes sought by the District Plan, particularly the criteria and performance standards identified in Rule 19.5. To summarise, these are listed below with commentary as to how the town centre plan has responded to these criteria.

Mixed Use Areas – The town centre has been designed to have a mix of activities including general retail, cafes and restaurants, offices, a civic building and residential units. This mix will assist the town centre remaining a safe and vibrant area of Omokoroa (See Figure 11 – Urban Design Statement).

Visually broken building facades of a human scale – the architectural design has recognised the need to establish a modulated building form with some buildings having propriety over others in terms of the bulk and scale (See First Principles plan set – Appendix 3).

Muted Natural or Recessive Colours – There is a detailed design element that will be applied at time of detailed architectural design. A colour palette can be restricted to certain colours, however applying conditions of consent to limit the reflectivity of various paint colours may be a suitable condition of resource consent.

A maximum of One Connection to Omokoroa Road – The Omokoroa Structure Plan identifies a northern and southern roundabout connect from the Commercial zone to Omokoroa Road. The performance standard to have only one road connection to Omokoroa Road as prescribed by 19.5(b)(iv) isn't consistent with the updated Structure Plan – Road Projects Plan¹. This may have resulted from a change to the Structure Plan as a result of the Omokoroa SHA development, which amended the location of the roundabout. Because of the narrower road through the SHA site, it is

¹ Omokoroa Roundabouts are identified as Commercial Area Roundabout O7-2 and Special Housing Area Roundabout O8-1 (P17 – Appendix 7 DP)

proposed to have an additional exit only connection to Omokoroa Road on the north of the town centre site. Given the original intent to have a town centre with permeable road connections this is an appropriate solution and will minimise through traffic through the SHA and not detract from the safe operation of Omokoroa Road.

Landscaped Carparking and set back from Omokoroa Road – The site falls away from Omokoroa Road towards the stormwater reserve area. A 4m landscaped area is required along the whole length of Omokoroa Road for amenity planting, with the exception of access points for pedestrians and cyclists. This landscaping strip has been included in the Town Centre Plan and car parks will include specimen trees to provide shade and visually break up the car parking areas (See Urban Design Statement pages 5, 12, and 17).

Functional and Alternative Mixed Use (including residential) on upper floors – The town centre design includes mixed use buildings including commercial and residential mix (Building N) and also retail with office (several buildings). It is likely that Building D will have commercial service offices at ground floor and other offices above ground floor. A civic building is proposed at the head of the gully which will be a focal point for the centre and link to the green corridor towards the stormwater ponds. Car parking areas are disbursed across the town centre providing convenient parking and walking access to the shops (See First Principles drawings 2.1.10 & 2.1.10B)

An outlook and amenities that relate to the adjoining gully system – This has been achieved by designing buildings to face the head of the gully to provide an active edge to the reserve and create a focal point suitable for a market place. A glass roofed folly is proposed as a feature leading to a terraced area that will help provide a passive recreation area and connect to the network of walkways/cycleways that Council are promoting through drainage reserve areas. See Design Guidelines Statement (Page 8 & 14) and also First Principles drawings 2.1.18.

The Provision of Residential Accommodation to Promote Vibrancy in the commercial area -

Establishing residential activities within the town centre helps create a 24-hour surveillance and also provides a customer base for businesses. Two residential areas are proposed within the Town Centre including the terrace houses on the western side of the site and building N at the northern part of the site adjacent to Kaimai Views.

Building N will be a mixed-use building with commercial tenancies at grade to through road between Sentinel Avenue and Omokoroa Road. To reduce the buildings scale, it has been stepped back from the northern boundary with Kaimai views. While being on the southern side of the residential subdivision dominance effects are mitigated through this building design.

The terrace houses in Buildings H1-H3 and G will create a residential edge to a part of the town centre. While the District Plan promotes residential activities above ground floor, the economic analysis has identified that the demand for commercial GFA is similar to what has been promoted in this town centre design. This cluster of residential activity will also provide a transition to likely medium density residential activity on the applicants land zoned future urban. It is therefore considered to be appropriate and well located within the town centre design.

4.2 Urban Design Effects

The Urban Design Report has considered the urban design considerations of the town centre and immediate surrounds in some detail. The Omokoroa town centre outcomes sought by the District Plan include:

- (i) Mixed use areas;
- (ii) Visually broken building facades of a human scale;
- (iii) Muted natural or recessive colours;
- (iv) A maximum of one connection to Omokoroa Road thereby preserving that road's primary function as a transport corridor;
- (v) Landscaped carparking and set back from Omokoroa Road;
- (vi) Functional and alternative mixed use (including residential) on upper floors;
- (vii) An outlook and amenities that relate to the adjoining gully system;
- (viii) The provision of residential accommodation to promote vibrancy in the commercial area.

All these matters have been built into the town centre design.

The extension to Sentinel Avenue will ultimately be the main commercial street, which will include larger gateway buildings at the entrance from Omokoroa Road. Finer grain retail shops will be located in buildings B, E, F, J, K L and M. The supermarket, Building M, is sleeved with finer grain retail shops to help disguise the supermarket building and avoid it dominating the town centre.

The plaza area is located adjacent to building F and a marketplace space will be located adjacent to Buildings I, J, K and L overlooking the gully. There is an opportunity to establish some terracing² to create a transition from this cobbled pedestrian area to the vegetated gully, which also acts as a stormwater reserve. These two areas are the congregation focal points of the town centre and should create a usable and interesting urban area. It is anticipated some food and hospitality businesses would establish in these areas to activate them. These design elements along with quality architecture, hard and soft landscaping will create a vibrant town centre that is attractive to not only the Omokoroa community but also as a destination for visitors.

The location of commercial and residential activities within the town centre has taken into account the Kaimai Views subdivision development to the North, and also the recently acquired school site to the south. Connections for pedestrians and vehicles has been developed in accordance with the outcomes sought by the District Plan.

Carparking areas have been dispersed throughout the town centre and are either hidden behind or underneath buildings, located adjacent to the school site for practical dual use, or next to the civic building and marketplace, which is a requirement of the. Using these techniques helps avoid large car parking lots creating a more intimate and user-friendly town centre.

First Principles have prepared conceptual designs of buildings to help guide future detailed architectural design. These drawings are indicative but provide a clear indication of architectural

² See Urban Design Report Figure 7 and Page 14 shows the marketplace and terracing for passive recreation.

design and location of important facades and active frontages. This is discussed in some detail under Section 5.0 of the Urban Design report (See also Figure 6).

Consideration of how the site sits within the landscape has also been completed (See Urban Design report - Landscape Framework Plan P 12). This shows the connectivity to the reserve network including the harbour reserve and cycle network. It also shows 400m and 800m walking distance, which highlights the accessibility the new subdivisions will have to the centre. Importantly, these subdivisions are developed with houses rapidly being built through. It is anticipated that within 5 years these subdivisions will be close to being fully developed with houses.

The Urban design report also considers the 7 C's of the New Zealand Urban Design Protocol and how the proposal is consistent with those urban design qualities. Much of this commentary is also repeated within this AEE and the other technical reports supporting this application.

Overall, the town centre is well designed and maximises the opportunities of the site helping create a vibrant commercial focal point for the community. The centre will be legible and provide the community with a mixture of *retail, office, accommodation, and hospitality* experiences enhanced through good architecture with intimate spaces to meet, relax and enjoy the unique identity and character of Omokoroa.

4.2 Bulk and Scale of Buildings

4.2.1 Bulk and Location Overview

The bulk and scale of development is generally consistent with the performance standards of the Commercial zone. Buildings will vary between one and three storey's in height. Due to the fall on the site (natural ground) and the definition of height in the District Plan, some buildings will exceed the maximum height limit. This is necessary to create useable floor plates for commercial activities that need a flat single level floor.

The location of buildings and building separation provides for transition points where floor levels can change. While the finished contours reduce the slope grade, necessary for car park and pedestrian areas, the fall on the site will remain towards the gully being the natural overland flow path.

The town centre design includes creating a prominent buildings to promote legibility. Some buildings will have 3 storeys but may exceed the permitted maximum height as a result of earthworks modifying the site to ensure road long sections and car parking areas have a suitable grade. Localised retaining will be required around the site, which will be kept to a minimum.

The building yard setback and overshadowing standards are met in respect to the Residential boundary interface on the northern boundary with Kaimai Views, which is fenced along the common boundary with the residential lots.

The supermarket building is the largest building on the site, which will retain presence but be softened through the modulation of the building, varied roof line and sleeving finer grained retail along both the main Omokoroa Street and also the convenience retail shops that face Omokoroa Road. The southern end of the building is proposed to have a two-storey glass façade providing a prominent and active edge to the town centre. This will help promote vibrancy.

Overall, the development will have a clear town centre legibility when viewed from other off-site locations and will appear to be a two storey format despite some discreetly designed under-croft car parking achieved using the natural site contours. The effects of building scale area acceptable and will provide legibility to the Omokoroa Town Centre. Effects on the adjacent residential zone will be less than minor due to compliance with daylighting, yards and maximum height. The effects are therefore considered to be less than minor.

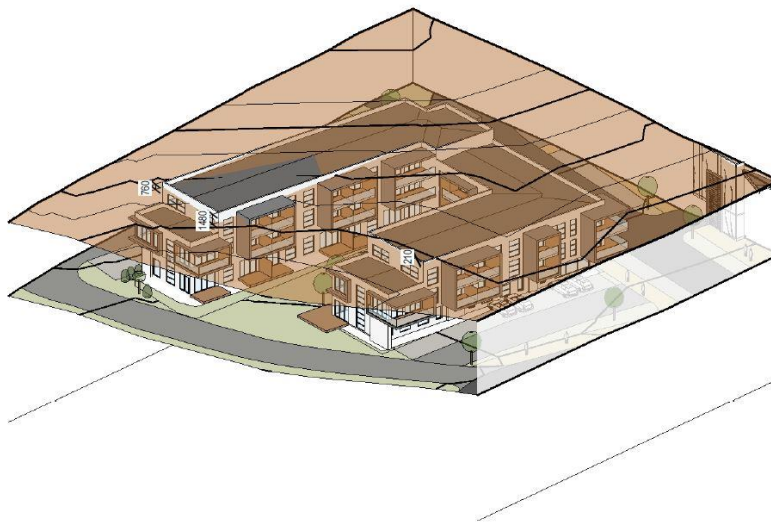
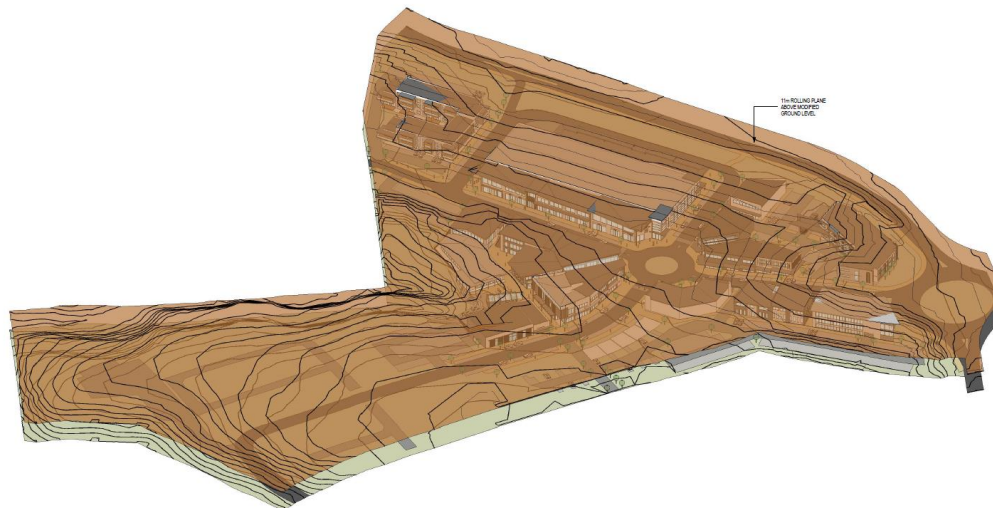
4.2.2 Specific Assessment of Height Encroachments

Subdivision forms part of the application, therefore on completion of the subdivision the ground level will be measured from the modified ground level resulting from the subdivision as per the District Plan definition of ground level.

***“Ground Level”** means the finished level of the ground at the time of the completion of the most recent subdivision in which additional lots were created, except that where no such subdivision has occurred, ground level shall be deemed to be the existing level of the ground. Council may require a survey to determine existing ground levels.*

For completeness encroachments above existing ground level are also included in the application so the effects of the ground level change and proposed buildings can be considered.

Rolling plane across site showing encroachments through modified ground level.



6 BUILDING N - HEIGHT INTRUSION,
MODIFIED GROUND

A summary of the building encroachments through the height plain from the modified ground level are as follows.

Building Reference	Height Encroachment	Comment
Building A	310 and 760mm	Nearest sensitive zone is opposite Omokoroa road – Effects considered less than minor.
Building D	Intrusion up to 2280mm on western side of gateway building adjacent to Sentinel Avenue.	The encroachment is separate from sensitive zones by a considerable distance 30m plus. Effects less than minor.

Building Reference	Height Encroachment	Comment
Building J	400mm northern corner of building adjacent to gully and marketplace	Minor encroachment no adverse effects.
Building N	760mm at north eastern corner increasing to 1480mm	Building located on southern side of Kaimai Views subdivision. Building setback from boundary. Effects are considered to be minor.
Building M	340 to 1840 on western side of building	Minor encroachment due to modulated roof line on western side of building and architectural feature providing legibility. Effects are less than minor.

A summary of the building encroachments through the height plain from the existing ground level are as follows.

Building Reference	Height Encroachment	Comment
Building A	between 1860 and 3750mm	Nearest sensitive zone is opposite Omokoroa road – Effects considered less than minor. Omokoroa road corridor 37m wide.
Building B	up to 2600mm	Effects internalised within the development and therefore less than minor.
Building C	up to 1110mm	Very small portion of roof above 11m height contour. Effects less than minor.
Building D	between 730 to 1800mm	The encroachment is separate from sensitive zones by a considerable distance 30m plus. Effects less than minor.
Building N	2500mm to 3680mm	Building located on southern side of Kaimai Views subdivision. Building setback from boundary. Effects are minor.
Building J	Up to 3155mm	More significant encroachment but effects internalised within the development. Effects less than minor.
Building K	Up to 2130	More significant encroachment but effects internalised within the development. Effects less than minor.
Building M	710-2300mm	More significant encroachment but effects due to modulated roof line on western side of building and architectural feature providing legibility. Effects are less than minor.

Bulk and Dominance Effects – As shown by the rolling plane images (FP Drawings 2.1.15D and 2.1.15E), any projections through the permitted rolling height plane above both existing and modified ground level will have minor effects due to the site being below the residential land to the East and North of the site and the proposed buildings being setback from all the site boundaries.

The finished ground contours establish a shallow amphitheatre on which the town centre will be built. Contour change and building modulation will help reduce any dominance effects, while recognising the town centre had to be legible and have some visual presence.

Daylighting – Daylighting recession plain to residential and rural boundaries is measured with the 2.0m / 45 degree plane as per below. The only building that this relates to is building N, against the northern boundary with Kaimai Views. As shown in the section below, building N does not encroach through the daylighting envelope.

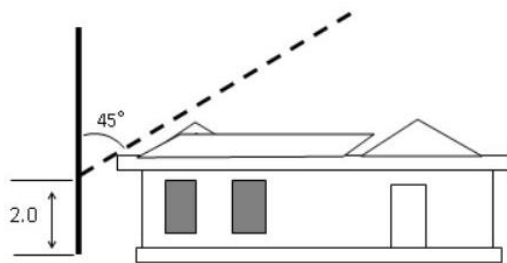


Figure 1: Daylighting Calculation

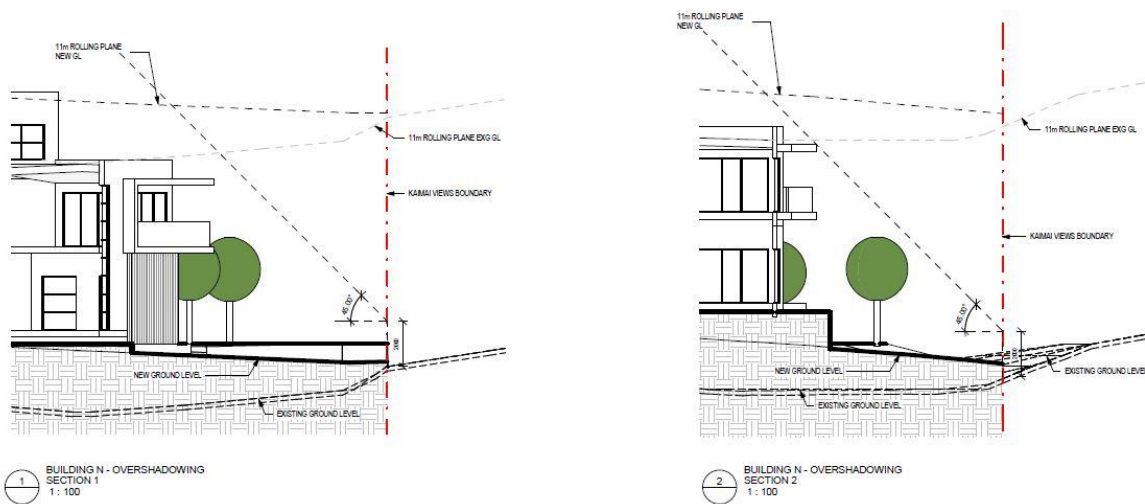


Figure 4 - Building N Daylighting

4.4 Traffic and Access Effects

Stantec has assessed the road network and expected traffic generation from the town centre development on the road network and assessed the town centre design, its connections to existing and proposed roads, and also pedestrian and cycle connectivity (See Appendix 7).

The Omokoroa Structure Plan identified the location and extent of the town centre and also the key connections onto the Omokoroa Road network. Stantec has commented on how the Omokoroa Structure Plan area has been developed with the Special Housing Area (Kaimai Views) using land zoned Commercial and Industrial. Also, a property at 412 Omokoroa Road has been purchased by the Ministry of Education for a new school. The balance commercial land is owned by the applicant and the proposed town centre design is generally consistent with the outcomes sought by the Omokoroa Structure Plan with respect to roading and transportation. The key transportation elements of the structure plan include a new roundabout connection to Omokoroa Road and a northern connection, now via access through the Kaimai Views subdivision.

As the Kaimai Views road reserve and formed carriageway is narrower than a normal through road an additional access point is proposed which is a northbound left out only. Stantec has recommended that a raised central median be established on Omokoroa Road to prevent right turn movements out of the town centre or from southbound Omokoroa Road traffic. Stantec discuss this in section 5.4.3 of the TIA recommending a standard tee intersection is proposed. This has been incorporated into the Structure Plan design.

The internal road network consists of an extension to Sentinel Avenue which will continue from Kaimai Views through to Omokoroa Road. An internal roundabout is proposed to enable service vehicles to access the supermarket and designated truck loading area. Stantec have confirmed the design parameters of this roundabout and the tracking curves through the town centre. They have confirmed that the design is logical, practical, and also provides for future connections through to the Future Urban land and western boundary of the MoE school site see conclusions Stantec report.

The Stantec report also considers the super lot design confirming access points to car parking areas, service/loading areas and road design is appropriate for the anticipated low traffic speed that has been designed to provide pedestrian connectivity and providing for bicycles.

The provision for public transport has been considered in section 6.5 of the transportation assessment including the location of existing bus route and also a recommendation that a bus route through the town centre be a long-term goal. The location of the centre to existing and potentially future public transport is excellent.

Given the above it is considered that the effects of traffic generation and impact on the existing road network is acceptable.

4.5 Carparking Effects

The Stantec transportation assessment has assessed the District Plan car parking standards and also assessed the car parking demand of the town centre using NZ Transport Agency Research Report Trips and Parking Related to Land Use (RR453). The car parking demand assessment identifies that 759 car parks are needed. The car parking provided is 92% of the assessed car parking demand (See 9.4.2 of the TIA). Stantec confirm that while there is a small shortfall (8%) of overall car parks from the ultimate car parking demand, the car parks provided should meet peak car parking demand.

Stantec have assessed the car parking layouts and confirmed the tracking curves are adequate. Ultimately each super lot will undergo detailed design which may fine tune the car parking layout and vehicle crossings onto the proposed road network.

The town centre is proposed to be developed in stages and may include one or more of the super lots depending on demand. Each stage will require a car parking demand assessment and confirmation that sufficient car parks will be provided. It is recommended a condition of consent is included in the resource consent to require this assessment.

Overall, the car parking supply is considered acceptable for the town centre.

4.6 Earthworks Effects

The site will require large scale earthworks to develop the site for the town centre of a scale similar to the adjacent residential subdivisions. A preliminary design for these earthworks has been completed as part of the town centre design model which indicate approximately 50,000m³ of cut to fill material is required. This quantity will be confirmed following detailed architectural and engineering design, which will affect the final finished contours.

The long sections through the site prepared by First Principles graphically show the extent of filling and cutting. CMW will provide an updated report to consider all proposed final grades prior to the works being undertaken.

Erosion and sediment control measures will be designed in accordance with the BOP Regional Council's Erosion and Sediment Control guidelines to ensure that no sediment laden runoff discharges to the gully area without proper treatment. Due to the natural contour of the site the dirty water will be contained and there is a low probability of adjacent land being adversely affected.

Dust suppression will be via application of water to the exposed earthworks area. Water sources include Council's reticulated supply up to 50m³ and from a water bore on the site RC63408 which provides for 1695m³ to be taken per week. The bore water can be stored in tanks so a water cart can refill on site without delay.

The earthworks effects will therefore be acceptable and in accordance with best practice.

4.7 Infrastructure Servicing Effects

An infrastructure report has been completed by Lysaght Consultants who have assessed the availability of the 3 waters (Appendix 6).

4.7.1 Water Supply

Existing infrastructure is located within the Omokoroa Road reserve, and within the Kaimai Views development in Sentinel Avenue. It is proposed to connect the network within the site to both of those locations as per the appended plans. Upgrades to the network are proposed as per the Lysaght Report, which conclude a new 200mm water main is needed in the eastern side of Omokoroa Road and also upgrading the 50mm rider main adjacent to Flounder Lane to a 200mm to complete the loop. Lysaght's have confirmed that with these upgrades there should be sufficient capacity to service the town centre for the predicted demand. It should be noted that the town centre development will take several years to complete so the impact on the network will be progressive rather than immediate.

4.7.2 Wastewater

The wastewater reticulation in Omokoroa was upgraded several years ago and the reticulated network has sufficient capacity. Lysaght Consultants has completed a preliminary layout of the wastewater system that will be gravity fed to a pump station within the site, which will pump the wastewater via a rising main to the existing wastewater system on Omokoroa Road. Lysaght's have confirmed there is adequate capacity in the network to receive the town centre's wastewater.

4.7.3 Stormwater

The stormwater network has been assessed by Lysaght Consultants who have confirmed that the downstream stormwater ponds include all the land within the Town Centre site. Preliminary stormwater reticulation design has been prepared using the finished contours of the site to discharge to the gully. This will require an outfall with energy dissipation devices and Lysaght recommend rock armouring the gully floor to prevent scour. The town centre road network including pedestrian paths provides for a secondary flow path towards the gully system. These flow paths will need to be designed to ensure that adjacent building floor levels are sufficiently elevated to avoid flooding from overland flows. This design will be completed during detailed engineering design.

Overall, the site can be easily serviced with stormwater infrastructure given the established downstream stormwater ponds and natural fall on the site towards the gully area.

4.7.4 Power

The site has an existing power connection which will require to be upgraded as the town centre is developed. We have written to Powerco but are awaiting their reply at the time of completing this AEE. Given the existing Commercial zoning and planned growth at Omokoroa it is anticipated the power supply will not be an issue.

A condition is offered requiring the loading on the power supply network to be assessed and upgraded if necessary.

4.7.5 Telecom

Ultra-fast Broadband is available in Omokoroa, As Ultrafast Fibre has recently completed the installation project.

We have also connected Chorus who have confirmed that a telecom supply through the centre can be provided as and when required.

4.8 Geotechnical Effects

CMW have completed a geotechnical investigation for the site to confirm the soil conditions and consider issues such as slope stability, liquefaction ability to reuse material on site for engineered fill. A building line restriction is identified on the CMW plan and has been taken into account when preparing the town centre plan.

The geotechnical report summarises key findings as follows.

- The proposed town centre development is considered to be geotechnically acceptable.

- The works will not worsen the instability of the site.
- There is no increase in instability to other property.
- Is not at risk for issues of instability arising from both on-site and off-site (for example, a landslip originating from an adjoining property)

The geotechnical effects are therefore acceptable.

4.9 Noise Effects

The effects of future activities will be subject to individual compliance with the noise standards of the Commercial zone. There are no special setback considerations required at the boundary between the Commercial zone and adjoining residential development to the north. Other residentially zoned land is located on the opposite side of Omokoroa Road and is therefore buffered by this separation.

The town centre design has located residential activities towards the northern boundary and western boundaries which in turn will establish a separation between the adjacent sensitive residential sites and true commercial activities.

Given the town centre design compliance with the noise standards of the District Plan are able to be met. The noise effects will therefore be acceptable.

We recommend the following Consent Conditions:

- *Noise from all activities on the site shall comply with the noise limits specified in Rule 4C.1.3.2 (b) of the District Plan.*
- *Noise from all construction activities shall comply with the noise limits specified in Rule 4C.1.3.1 of the District Plan.*
- *For residential units, an acoustic design certificate shall be provided at the time of building consent demonstrating the building has been designed so that the internal noise limits set out in Rule 4C.1.3.2 (c) are not exceeded. Where windows and doors must be closed in order to meet the internal noise standards, an alternative means of ventilation shall be provided which meets all relevant requirements of the Building Code Section G4.*

4.10 Economic Effects

The economic effects of the proposal have largely been considered at the time of zoning the land Commercial in the late 2000's. A 13-hectare Commercial zone was established at that time. Since then the Commercial zoned land area has been reduced in area as a result of the Special Housing Area at Kaimai Views and through land acquisition by the MoE, which has reduced the zoned Commercial land area to approximately 5 hectares.

RCG have been engaged to review the earlier economics reports that supported the original zoning and also a revised report by Property Economics that was commissioned by Foodstuffs in 2013 and a report by RPS in 2018 prepared for the Omokoroa Structure Plan Review. The Revised Property Economics report considers a much smaller commercial area of 2 hectares is required focused around the supermarket and convenience retail activities. RPS concluded a 3.5 hectare commercial centre is required to service the anticipated population at Omokoroa. RCG have analysed the assumptions of

all economic reports and undertaken their own research on population growth at Omokoroa. In summary, they have noted the following points.

1. RCG generally agree with a 3.5 ha town centre area excluding roads and reserves.
2. The proposed town centre is in line with the 3.5 ha town centre area (excluding roads).
3. The location of the town centre on the application site has similar or better attributes than other town centre options Council is considering.
4. The site is consistent with the Smartgrowth 'centre hierarchy'.
5. Stages 1 and 2 of Omokoroa Urban Growth Area are anticipated to be fully developed by 2029 (Smartgrowth assumptions).
6. The town centre is consistent with the outcomes sought by the District Plan.
7. The development of the town centre will have positive economic effects.
8. Any negative economic effects will be minor and limited to 'trade competition'.

The economic effects are therefore considered to be acceptable and consistent with the operative Commercial zoning.

4.11 Archaeological Effects

Archaeology BOP have undertaken and survey of the site to determine if archaeological sites are present. No archaeological sites were identified. There may be subsurface sites. Appendix 7 of the District Plan - Omokoroa Town Centre Structure Plan identifies a procedure for involving hapu and Iwi groups.

Archaeology BOP recommend obtaining an authority from the Historic Places Trust to modify, damage or destroy archaeological sites. This will be completed prior to earthworks commencing in consultation with Iwi and Hapu regarding potential cultural effects.

4.12 Cultural Effects

Consultation letters have been sent to Pirirakau, Ngati Taka and Ngati Ranginui. We have contacted the Iwi and Hapu and will continue to liaise with them during this processing of this resource consent. No archaeological sites have been identified but there may be subsurface features that may be uncovered during earthworks. A discovery protocol will be prepared with these Iwi/Hapu groups.

The masterplan aims to align with the outcomes sought by the operative District Plan, which amongst other matters seeks to create an active edge to the gully reserve. Hard and soft landscaping in this area will help transition from the urban space to the green drainage reserve area. There is an opportunity for cultural referencing in the design of landscaping and possibly the opportunity for urban art that could form a point of interest for the marketplace area. We will continue to consult with Iwi regarding these opportunities.

4.13 National Environmental Standard for Assessing and Managing - Contaminants in Soil to Protect Human Health (NES)

Geohazard Environment have completed a Detailed Site Investigation with respect to National Environmental Standard for Assessing and Managing - Contaminants in Soil to Protect Human Health (NES). Due to the kiwifruit orchards the site is identified as a HAIL site. Geohazard has undertaken soil samples across the whole site including the portion of the site that is zoned Future Urban. One sample was identified as above background levels for arsenic and additional sampling was completed to confirm the extent of the contamination. The contaminated area was localised and Geohazard consider that no remediation is necessary.

In addition to the arsenic contamination, fragments of relic shed cladding containing asbestos was also identified on the site and Geohazard sampled the soil to confirm the no asbestos was present in the soil. The soil samples confirmed this was the case and Geohazard has recommended a pick over to remove the material as no soil disturbance is required. The applicant has completed this pick over and disposed of the material to landfill.

The NES provides for the disturbance and removal of contaminated soil as a permitted activity under Section 8(3) of the regulations. For removal, up to 5m³ of material per 500m² of land area can be removed from the site provided it is disposed of to a facility authorised to receive such material. As the application site is 5ha, the maximum soil that can be removed from the site as a permitted activity is 500m³. It is estimated approximately 2m³ of material will be removed from around the arsenic hot spot and disposed of to an approved land fill. These works comply with the permitted activity standards of the NES and will be completed by appropriate qualified contractors in accordance with section 8 (3)(a) of the NES.

As the DSI found that no other areas of the site contained any contaminants in or on the land above background concentrations as per section 5(9), the NES does not apply to the remainder of the site.

The environmental effects with respect to site contamination are considered to be less than minor.

4.14 Conclusion

In conclusion, the environmental effects resulting from the proposed town centre commercial design and associated commercial and residential activities are considered to be acceptable and anticipated by the District Plan.

The design of the town centre has made the most of the site and achieved the specific outcomes sought by the District Plan with respect to the Omokoroa Town Centre. The new town centre will achieve a very high standard or urban design quality and will contribute positively with the Omokoroa environment in accordance with the outcomes sought by the District Plan. The environmental effects will be positive for the community and less than minor with respect to neighbouring sensitive zones and adjacent Ministry of Education.

5.0 Statutory Assessment

5.1 Objectives and Policies Assessment

Commercial Zone

Extracts from the Explanatory Statement of the Commercial Zone

A new town centre has been planned at Omokoroa to support its existing and future planned population of 12,000 people as well as the surrounding rural catchment.

Council has a Built Environment Strategy to assist in achieving good urban design outcomes in line with the New Zealand Urban Design Protocol and to promote the principles embodied within the Crime Prevention through Environmental Design national standard.

Important issues for the Commercial Zone include the containment of the Commercial Zone and also ensuring that activities within the Zone are managed so not to adversely affect adjacent residential areas. It is also important to ensure that residential activities in the Commercial Zone do not detract from the viable operation of the commercial area. Special provisions are included in the Commercial Zone to avoid reverse sensitivity effects.

Commercial Zone Significant issues

19.1.4 The adverse effects on visual amenity resulting from large and/or badly designed buildings /structures and including potential adverse effects from lighting and inappropriate signage.

19.1.5 Commercial activities attract large numbers of people resulting in a large number of traffic movements, generating adverse effects such as pedestrian/vehicle conflict, noise, dust, fumes, odour, and a large concentration of people which can lead to noise, privacy and behaviour issues affecting the amenity of the area.

19.1.6. The adverse effects of commercial activities such as rubbish generation, smell and noise.

19.1.7. Non-commercial activities such as dwellings have the potential to improve the vibrancy of town centres and improve safety outside normal retail hours provided they are appropriately located and designed.

19.1.9. The adverse effects of heavy transport travelling through commercial centres especially pedestrian/vehicle conflict and associated noise/dust/odour problems

19.1.10. There is a need to integrate pedestrian and cycleways both to and within commercial centres to minimise reliance on motorised transport.

Objectives

19.2.1 Objectives

- 1. Consolidated commercial centres that are vibrant commercial environments that encourage social and cultural interaction.*
- 2. Well designed commercial centres which reflect accepted urban design principles.*
- 3. Convenient and safe commercial centres.*
- 4. Commercial development of a scale that is appropriate for the location.*
- 5. Public, civic and private space that relate well to each other.*
- 6. Commercial centres that have a high level of amenity.*
- 7. Commercial Zones in which commercial activities can operate effectively and efficiently, without undue restraint from non-commercial uses which may require higher amenity values.*
- 8. Important heritage buildings and landscape features are retained.*
- 9. An efficient network of road, cycle and pedestrian linkages connecting the District's commercial centres to surrounding urban areas.*
- 10. The development of commercial centres and associated transportation networks that enhance social, economic and cultural activity through attention to design detail and the integration of the public, civic and private places nearby and therein.*
- 11. The development of town centres that complement adopted documents compiled with the respective communities such as town centre plans and comprehensive development plans.*

Policies

- 1. Provide for the comprehensive development of commercial areas, including the redevelopment of multiple commercial sites by:
 - (a) Encouraging the aggregation of land titles in accordance with the relevant town centre plan.*
 - (b) Providing incentives (such as a reduction in the required number of onsite car parks) to off-set the acquisition of land required to achieve relevant town centre plan design outcomes.**
- 2. New development or redevelopment of commercial centres is consistent with the design elements of the relevant adopted town centre plans.*
- 3. Limit the establishment of commercial activities in non-commercial zones.*
- 4. Ensure buildings /structures in Commercial Zones:
 - (a) Provide sufficient shelter for pedestrians so as to protect them from the natural elements.*
 - (b) Do not compromise pedestrian access unless the characteristics of the locality of the site or the site itself are such that verandas or other forms of pedestrian shelter are not required.*
 - (c) Support the development of areas that encourage social interaction.**

5. *Encourage alternative routes for heavy transport so as to avoid adverse effects such as danger to pedestrians, dust, noise and odour associated with such movements through commercial centres.*
6. *Ensure noise levels are such as to maintain a reasonable quality commercial environment.*
7. *Locate residential activities so they do not conflict with the integrity of the Zone and are designed and located so as to avoid reverse sensitivity effects such as noise.*
8. *Prevent non-commercial activities that conflict with or detract from the integrity of the Commercial Zone.*
9. *Apply financial contributions and other consent conditions to assist in avoiding or mitigating potential adverse effects of future subdivision and development.*
10. *Identify and protect Significant Heritage and Landscape Features.*
11. *Apply height limits that are appropriate for the location of the Commercial Zone especially in relation to smaller communities such as Maketu, Pukehina and Paengaroa where large commercial buildings /structures could detract from the amenity of the area.*
12. *Promote pedestrian and cycle accessibility by controlling the location and design of accessways.*
13. *Require retail frontages to be orientated towards streets and other public areas, such as public walkways and parking areas.*
14. *Ensure that development in Commercial Zones is designed and constructed to be consistent with the New Zealand Urban Design Protocol and National Guidelines for Crime Prevention through Environmental Design.*

4B.2.1 Objectives – Transportation, Access, Parking and Loading

- 4B.2.1 .1. *To provide an integrated, efficient, safe and sustainable transportation network that supports the social and economic wellbeing, and land use pattern of the sub-region as defined in this District Plan and that maintains or enhances the regional strategic linkages.*
- 4B.2.1 .2. *To provide for more efficient land use, development and subdivision of existing areas in a way that recognises and integrates with the functions of different road types, transport modes and the defined transportation network.*
- 4B.2.1 .3. *To encourage the use and development of alternative modes of transport including, but not limited to, public transport, cycling, walking and other non-vehicular forms of transport that provide for an integrated, efficient, safe and sustainable transport network.*
- 4B.2.1 .4. *To provide safe and efficient public carparks in town centres.*

4B.2.2 Policies – Transportation, Access, Parking and Loading

1. *To recognise and provide for the existing and future transport network including the linkages to other districts and regions.*
2. *To avoid, remedy or mitigate the adverse effects of land use, development and subdivision on the safety, efficiency, sustainability and capacity of the transportation network.*

3. *To manage the land use, development and subdivision of areas to achieve compatibility with the roads they front and the wider transportation network, with particular regard to the potential effects on that network, including, but not limited to, the safe and efficient provision of site access at the local level and intersections within the wider network and the effects of reverse sensitivity experienced between the operation and use of the transportation network and the establishment of adjacent land uses.*
4. *To ensure the integrated management of road, rail, sea and air transport networks to facilitate the long-term efficient and sustainable management of the wider transportation network.*
5. *To recognise and provide for network wide effects of land use change on transport networks by assessing the effects of land use change across the networks affected. 6 February 2013 Section 4B - Transportation, Access, Parking & Loading 5*
6. *To recognise and provide for the function of each road as described in the road hierarchy, and provide for the efficient use of that road type, by managing the intensity and form of land use, development and subdivision that impact on these roads.*
7. *To encourage the efficient use of land particularly in identified land use zones to reduce the potential impacts on the transportation network.*
8. *To ensure land use, development and subdivision planning provides for the implementation of multi-modal transport activities including public transport, walking and cycling facilities that address the identified need for new facilities/networks or enhance existing facilities/networks.*
9. *To maintain or enhance the sustainable and efficient use of arterial and collector roads through the use of transport optimisation methods and techniques (for example traffic demand management) that encourage adjacent land uses to provide access in keeping with the function of the road in the roading hierarchy and support alternative modes of transport.*
10. *The access, parking and loading effects of activities on the transportation network shall be avoided, remedied or mitigated with particular regard given to the level of service the road provides within the District's roading hierarchy.*
11. *Activities should be established and operate in a manner which ensures safe and effective on-site and off-site vehicle parking, manoeuvring and access and pedestrian access.*
12. *Provide safe, usable and attractive networks and associated linkages for pedestrians, cyclists and motor vehicles.*
13. *To ensure that the amenity value and public safety in town centres are not affected by vehicle movements across footpaths to and from on-site parking areas.*
14. *That Council be the preferred provider of parking facilities in the town centre.*

4C.1.2.1 Objective - Amenity

An environment free of unreasonable noise in accordance with the character and amenity of the zone within which the noise is generated and received. 4C.1.2.2

4C.1.2.2 Policies - Amenity

1. *Ensure activities do not generate noise levels inconsistent with the character and amenity of the zone in which the generated noise is received.*

2. Exempt from the maximum permitted noise level requirements are those activities which are an integral part of accepted management practices of activities associated with production land in rural areas as well as other activities clearly of a temporary nature (e.g. construction works, military training exercises).

3. Have regard to any relevant New Zealand standards, guidelines, or codes of practice in the assessment of applications for resource consents.

4D.2.1 Objectives – Signs

1. Maintenance and enhancement of the visual amenity of the District from the adverse effects of signs while recognising the different sensitivities of different locations.
2. Avoidance of the adverse effects of signs on the safe and efficient operation of roads within the District.
3. Mitigation of the adverse effects on traffic safety of activities which attract people to the site where the activities are taking place. 4D.2.2

Policies 1 - Signs

1. Signs should be of a size, type, colour, number and/or location as to maintain and enhance the visual amenity of the respective zone.
2. Signs visible from roads should be positioned and designed so that the signs do not distract motorists or otherwise impair their ability to drive safely.

7.2.1 Objectives – Historic Heritage

1. Protection and preservation of a unique or representative range of historic heritage items of value to the community and to the nation.
2. The protection and conservation of buildings and objects of historic heritage value to the District.
3. That the Kaitiakitanga of tangata whenua in relation to sites and objects of cultural and natural heritage is respected.

7.2.2 Policies – Historic Heritage

1. Public awareness and appreciation of historic heritage resources should be increased so as to minimise adverse effects on the historic heritage feature or on the spirituality associated with the site or feature.
7. Tangata whenua should be consulted regarding the identification, protection and management of sites and objects considered to be of cultural and natural heritage value.

10.2.1 Objectives – Infrastructure

1. Development, operation, maintenance and upgrading of infrastructure and network utility systems and services so as to efficiently and effectively meet the current and foreseeable needs of the District.
6. The establishment and management of land use activities, or undertaking of subdivision in a way that avoids, remedies or mitigates potential reverse sensitivity effects that may impact on the safe, effective and efficient operation of infrastructure and network utilities.

10.2.2 Policies – Infrastructure

1. Provision of infrastructure and network utility development should be sequenced in a way that integrates with the long-term planning and funding mechanisms of local authorities and central government policies, directions and strategies.

4. Assessment of resource consent applications should have regard to the functional, locational, technical and operational requirements of infrastructure and network utilities. Recognition shall be afforded to the requirements of, and constraints on, the efficient and effective development, operation, maintenance, and upgrading of infrastructure and network utilities.

12.2.1 Objectives - Subdivision

1. Subdivision and development that provides for and reinforces the existing built form and local character of an area.

2. Subdivision and development is planned in an integrated manner and provided with the necessary infrastructure and services to ensure that the land is able to be used for its intended purpose.

3. Infrastructure and services are designed and constructed to minimum standards which will result in improved environmental outcomes without significant additional cost to the community.

4. Sufficient infrastructure capacity is provided to ensure the efficient and equitable provision of services to all land in the catchment.

5. Comprehensive assessment of development proposals to ensure that the full effect of the proposal is able to be determined.

6. Subdivision and development that minimises the effects from stormwater run-off.

7. Subdivision design and development that takes into account the principles of optimum energy efficiency and the benefits of renewable energy.

12.2.2 Policies – Subdivision and Development

1. All urban subdivision is to have regard to subdivision guidelines contained in the Development Code, Built Environment Strategy and urban design protocols and guidelines which provide urban design outcomes.

2. The design of subdivision is in accordance with structure plans .

3. Require subdivision to be undertaken in accordance with any staging requirements to ensure the effective and efficient servicing of land within the catchment.

4. Require subdivision and development to provide infrastructure and services to meet the reasonably foreseeable needs of other land in the vicinity of the development .

5. Require subdivision and development to comply with the minimum standards in the Development Code for the provision of infrastructure and services, or to an alternative standard which is as effective and efficient in the long term and results in improved environmental outcomes.

6. Require all subdivision and development proposals submitted to Council to include a comprehensive assessment prepared in accordance with the information requirements of the Development Code.

7. Subdivision and development practices that take existing topography, drainage and soil conditions into consideration with the aim of minimising the effects of stormwater run-off.

Objectives and Policies Commentary

The vision for the site is to create a viable and vibrant town centre, encompassing a mix of uses, and establishing a destination for both the local catchment and greater Western Bay of Plenty Sub-Region (Obj 19.2.1.1, 19.2.1.2, 19.2.1.4). The range of potential tenancies within the centre will cater for social and cultural diversity and provide opportunities for interaction. i.e at the Plaza area or marketplace areas.

The town centre has been comprehensively designed taking into consideration site constraints and the immediate context, including surrounding subdivisions and uses and also the wider landscape context (Obj 12.2.1.1, 12.2.1.2, Pol 12.2.2.7)). It's design is generally consistent with the Omokoroa Structure Plan outcomes for the town centre and the Council's Development Code (Pol 12.2.2.2, 12.2.2.5). Care has been taken on edge treatment to ensure compatible land uses with boundaries adjoining Kaimai Views (Obj 19.2.1.11, Pol 19.2.1.1, Obj 4C.1.2.1).

Key pedestrian/cycle and vehicle connections make the town centre permeable, encouraging connections from adjacent sites, and promoting sustainable forms of transport. Consideration of the existing public transport routes and also future alternate routes once the town centre is established will provide for multi modal transport (Obj 19.2.1.9, 4B.2.1.1, 4B.2.1.3).

Adequate car parking for both visitors and staff will be provided for within the town centre, with on street car parks and specimen tree planting helping to slow the traffic speed of the high street (Obj 4B.2.1.4, Pol 4B.2.2.11) . The location of the car parks has been carefully located throughout the town centre to avoid having a dominant large tar sealed area. The southern car parking area provides for weekend use of the school fields being located immediately adjacent. It is considered that this will help the town centre to be vibrant throughout the week and weekend (Pol 4B.2.2.4).

The proposed building architecture is contemporary, however respectful to surrounding land uses, i.e residential townhouses will address the street and the mixed use building N, which has been designed to have the top floor set further back from further from Kaimai Views complying with the overshadowing rules (19.2.1.4). Active retail frontages have been identified for the main street but is a focus for the whole development to promote safety both during the day and night (Pol 19.2.2.13).

A strong use of trees and landscaped areas within the public realm will draw from the greenery of the Gully reserve area and the reserve network proposed. As outlined in the Urban Design Statement, the town centre masterplan adequately meets the seven 'c's described in the New Zealand Urban Design Protocol.

The town centre is located towards the southern end of the Omokoroa Peninsular, making it convenient for existing and proposed residential areas The centre will be accessible via foot, bicycle, and bus through the existing route along Omokoroa Road and Tralee Street, with bus stops within close walking distance of the town centre (19.2.1.4(b), 4B2.1.3).

CPTED principles have been employed within the masterplan design. These include:

- Design to create permeability to surrounding sites, multiple pedestrian connections are proposed, both from the surrounding walking and cycle network and also the future networks

of the gully reserve area and access to and around the proposed civic building (Obj 19.2.1.5, Obj 19.2.1.10).

- Passive surveillance of the centre will be provided from the residential component looking over public realm, and from the first-floor office spaces during daytime hours. Activation of The new high street, through front doors to the street, also helps provides a level of passive surveillance (4B.2.2.12).
- Lighting will be particularly important within the centre, especially around the pedestrian areas and marketplace area at the head of the gully reserve. Providing clear, well-lit routes to and from this area will be important to maintain safety for the community. This will designed during detailed design of the buildings and hard landscape areas.

Shared surfaces are employed to provide priority to pedestrians, but these areas may also be used for service vehicle access to commercial premises. The use of paving, bollards and potentially speed humps in certain areas will help to ensure pedestrian safety (Pol 4B.2.2.13).

The infrastructure required for the town centre is either established or within close proximity to the site and able to be efficiently and effectively extended. New infrastructure will integrate into the existing networks. Capacities have been considered and proposed upgrades have been documented in the services report (Obj 12.2.2.3, Obj 10.2.1.1, Obj 10.2.1.2, Policies 10.2.2.1). The town centre will be developed in stages with appropriate infrastructure for each stage (Pol 12.2.2.3). Subdivision will facilitate the staging including vesting of roads and infrastructure with balance land forming super lots.

Based on the above the town centre masterplan is in line with the objectives and policies of the District Plan, and in line with the Omokoroa Structure Plan.

5.2 Part II of RMA

In *RJ Davidson Family Trust v Marlborough District Council* [2018] NZCA 316 the Court of Appeal set out that an assessment against Part 2 of the RMA is only recommended where there is a relevant deficiency in the planning instruments. In this case, the District Plan provisions adequately address the matters associated with the development of Commercial land for the Omokoroa town centre, therefore, the assessment of the relevant District Plan provisions as described within this AEE have already given substance to the principles set out in Part 2 of the Act.

For completeness, we provide an assessment against Part 2. It has been determined that the matters set out at Part 2 should prevail over other provisions of the Act or other planning documents in the event of there being a conflict between these.

Section 5 RMA

Under section 5(1), the purpose of the RMA is to promote the sustainable management of natural and physical resources, with “sustainable management” defined under Section 5(2) as meaning:

“Managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while –

- a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonable foreseeable needs of future generations; and*

- b) *Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
- c) *Avoiding, remedying, or mitigating any adverse effects of activities on the environment.”*

Comment

As demonstrated within the AEE and urban design report, the proposed town centre is well connected to its surrounding context, through a number of pedestrian and cycle links, and access to an existing bus route, therefore promoting sustainable means of transport. There is an opportunity in the future to have the bus route amended to stop within the town centre which would further enhance accessibility through public transport. It will be a place for people to work, shop, socialise, and relax which will result in positive social and economic effects.

The masterplan design has been refined through an urban design review process to make the most of the opportunities unique to the site to create a town centre design with a strong sense of place and a focal point for the Omokoroa community.

The proposal is consistent with the purpose of the Resource Management Act.

Section 6 RMA – Matters of National Importance

There are no matters of national importance relevant to this proposal.

Section 7 RMA – Other Matters

The relevant sections of Section 7 of the Act include:

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to -

- (b) the efficient use and development of natural and physical resources:*
- (c) the maintenance and enhancement of amenity values:*
- (f) maintenance and enhancement of the quality of the environment:*

Comment

The town centre masterplan design makes good use of the finite commercial land resource. Amenity values of the nearby residential area have been maintained by locating town houses on the west and a mixed-use apartment building to the northern boundaries of the site. The plaza area which will include restaurant and café activities have been located away from the periphery of the site to ensure noise standards are complied with.

The establishment of plaza and marketplace areas will provide for passive recreation within the commercial area creating also a destination and meeting point for the community. Both these areas will have active edges to ensure they remain vibrant and also safe.

The quality of the environment will be enhanced through the creation of quality urban landscape treatments and the establishment of good quality architecture that interacts positively with adjacent sites.

Section 8 RMA – The Treaty of Waitangi

There are no relevant effects in relation to the principles of the Treaty of Waitangi. No archaeological sites are recorded on the application site. There are future opportunities for place naming that may draw from historic events at Omokoroa.

Conclusion

For the reasons above, the proposal is consistent with purpose and principles outlined in Part 2 of the Resource Management Act 1991.

5.3 Notification

The applicant requests that the resource consent application be publicly notified pursuant to Section 95A of the RMA.

6.0 Conclusion

The town centre masterplan design responds positively to the established urban environment and has taken into account likely future land uses to the south and future urban activities to be located on the balance of the applicant's land (currently zoned Future Urban).

This site has been zoned Commercial for the purposes of establishing a town centre at Omokoroa for over ten years. This is consistent with the SmartGrowth centres hierarchy. As the site is located adjacent to approximately 1000 residential sections developed south of the ECMTRL, which are rapidly being built upon, an immediate urban community is within walking/cycling distance to the town centre once established. The centre is also accessible to the developed residential suburb north of the railway line via the walkway and cycleway and only 1.2km from the State Highway, so also accessible to the rural catchment.

The master plan has been developed in collaboration with the applicant's project team with an independent urban design peer review and commentary from Council staff. The outcomes of this review confirms a strong land use strategy, which provides for a true mix of land uses which will meet the needs of the local and wider community through the provision of a wide range of retail options, supermarket, food and beverage options, commercial services, office space, motel and civic amenities. First Principles architects have designed the buildings to meet the requirements of the Omokoroa Area Master Plan for the Commercial zone including mixed use buildings, visually broken facades, adaptable buildings, open air amenity spaces and inclusion of a variety of residential accommodation. Compliance with this design vision will help create a vibrant commercial area and focal point for the community to enjoy. The proposal will result in positive social, environmental, and economic effects.

Overall, the proposed town centre masterplan and the buildings, roads and amenity spaces are consistent with the objectives and policies and town centre outcomes sought by the operative District Plan and Councils Built Environment Strategy.

It is considered the gateway test for non-complying activities to have been met on both accounts being consistent with the objectives and policies of the District Plan and having environmental effects that are minor.

Appendix 1 – Certificates of Title

Appendix 2 – Town Centre Masterplan

Appendix 3 –Architectural Plans and Cross-sections

Appendix 4 – Urban Design Statement

Appendix 5 – Urban Design Peer review

Appendix 6 – Civil Engineering Report

Appendix 7 – Transportation Assessment

Appendix 8 – Geotechnical Report

Appendix 9 – Detailed Site Investigation – Soil Contamination

Appendix 10 – Economic Report

Appendix 11 – Archaeological Assessment

Appendix 12 – Iwi / Hapu Consultation

Appendix 13 - Consultation Utility Providers

Appendix 14 – Subdivision Scheme Plan