

Item 2**Draft District Plan Change 30 (Ohiro Road)****Note from the following Section 274 Parties to the appeal**

- |                                       |                   |
|---------------------------------------|-------------------|
| 1. Brooklyn Residents Association     | 4. Trevor Bradley |
| 2. Friends of Owhiro Stream           | 5. Geoff Melvin   |
| 3. Southern Environmental Association | 6. Bob Waters     |

We would like to make a number of points, on a "without prejudice" basis. The latest draft of the private plan change, presented to you today, is moving in the right direction. However, we feel strongly that in its current form it is still not an acceptable solution.

Our main areas of concern (apart from some remaining technical/editing errors) are as follows:

- The constraints map (Appendix) contains some important errors in the northern portion, such as exclusion of steep bush-clad gully areas from areas of development constraints.
- The criteria within the proposed plan change still require further drafting work, and pay insufficient attention to necessary urban design characteristics such as consistency with existing suburban form, and community amenity and cohesion.
- There is insufficient attention to the environmental constraints on necessary infrastructure which crosses or encroaches on land identified as subject to development constraints.

A number of areas of our concern could be provided for through a concise Design Guide, which we feel may be preferable to trying to continually refine the Plan Change wording. We are prepared to continue to work with the Council, in consultation with the appellant, to develop this Design Guide and resolve other issues within a relatively short agreed time frame.

**We are not holding out unreasonably** – we have made significant compromises on our former outright opposition to any change in zoning. We have also made further significant compromises. Nor are we extending the scope of our proposals. Since December 2009 our proposals have all been based on and bounded by a set of principles which have not expanded (see overleaf). They are less restrictive than those we had at the time of the original hearing.

Our proposals have formed the basis for the recent progress in several matters relating to the plan change. But the progress has only been partial at this point in time. In summary, we are reasonably happy with partial progress made to date and we acknowledge that the appellant and councils have shown goodwill to get to this stage. However, only limited discussions between the parties have been held in regard to the current draft, and we have well-developed bottom lines which cannot be compromised. It is not sufficient to say that the plan represents "the most onerous residential provisions in the city" (a claim we reject); that is no use at all if the concept of the subdivision design and the proposed text are flawed owing to the nature of the site.

Therefore it would be premature for the Council at this stage to attempt to close off discussion and attempt to impose a flawed compromise, when we could certainly do better. Neither the council nor the community can take the risk of another disastrous subdivision so we have to get this right.

**Therefore, we urge the Committee to ask staff to continue negotiations in order to further improve the draft Plan Change, with the intention of reaching agreement with all parties regarding any negotiated solution which may be presented to the Court at a later date.**

Regulatory Processes Cttee  
16 June 2010  
Reference 039/10RP(A)

**Principles for change in zoning proposed at December 2009 Regulatory Committee meeting**

- Requires some certainty over final density of development
- Significant areas are too steep for any earthworks and must be left in native bush.
- Buffer strips on all streams required
- Roading to council standards will be a major constraint
- Likewise traffic density at key Brooklyn and Willis Street intersections
- Requires control over scale and control of cuts and fills, runoff and impermeable surfaces
- Requires provisions for open space and good urban form