
OFFICER'S RESPONSE TO QUESTIONS FROM THE HEARINGS PANEL

DATE: 06 August 2021

HEARING: Strategic Directions

HEARING DATE: 09 – 13 August 2021

PREPARED BY: Robert Love – Team Leader Strategy and Policy

Introduction

The purpose of this report is to provide a written response to the questions posed by the Hearings Panel on the section 42A report for the Strategic Directions Chapter.

Questions and Answers

Paragraph or Plan reference	Question from the Hearings Panel
9.4.1	<p>A number of submissions say that climate change is the biggest issue facing us and the Plan lacks provisions to effectively address climate change effects. At 9.4.1 the author states - <i>a strategic objective is meant to be broad, not highlight narrow specific environmental issues or factors as highlighted in the submission...</i></p> <ul style="list-style-type: none">Given that climate change is a global issue with very wide-reaching consequences, can the author please further explain why it is too narrow an issue to be addressed by a district plan strategic objective?
Officer response:	<p><i>The submissions in question largely talk about climate change and the role of the PDP to stop it, rather than the effects of climate change. Climate change is not a RMA issue to be dealt with, this is the purpose of the Climate Change Response Act 2002. The RMA only deals with the effects of climate change, which this Plan addresses through provisions dealing with aspects like surface and coastal flooding, coastal inundation, and wildfire.</i></p> <p><i>The particular submission point raised in the paragraph (9.4.1) in question also talks about matters such as social protection and carbon sequestration which are either non-RMA matters, or are of a too narrow focus to warrant a specific strategic objective.</i></p>
9.4.2	<p>At paragraph 9.4.2 the author states - <i>It is not the place of the Plan to address climate change, only the effects of climate change.</i></p> <ul style="list-style-type: none">In light of the concept 'ki uta ki tai' embodied in SD-DI-03 and what it means in a general sense (i.e. everything is inter-related and connected) can the author

Paragraph or Plan reference	Question from the Hearings Panel
	please further explain why the Plan is limited to dealing with the effects of climate change and not climate change itself?
<i>Officer response:</i>	<i>I consider it to be outside of the scope of the RMA, and therefore the Plan, as s7(i) only refers to the effects of climate change. The Climate Change Response Act 2002 was created for the purpose of slowing the anthropogenic component of climate change.</i>
13.6.2	Minimise versus avoid, remedy and mitigate. <ul style="list-style-type: none"> Has consideration been made to defining the term minimise, (including minimises, minimisation) in order to provide for greater clarity and to avoid potential confusion as was outlined by the submission of Transpower?
<i>Officer response:</i>	<i>Consideration has been given to if 'minimise' should be defined or not and this is again specifically considered in paragraph 15.4 of the Part 1 s42a evidence. It was considered that the common understanding of the word was sufficient, especially with its widespread use and understanding throughout a multitude of planning documents.</i>
14.3	Where in the Plan would one find the criteria that is used to determine what is "reasonable" in relation to the phrase <i>no reasonable alternative</i> " used in in SD-IR-03.
<i>Officer response:</i>	<i>No specific criteria have been developed to determine this. Reasonableness is first decided by the provisions of the Plan that set the permitted activity thresholds for important infrastructure. If a resource consent is required then the consent assessment would determine if it is reasonable or not, based on the evaluation of alternatives provided by the applicant against the more detailed policy framework and assessment criteria contained in the Natural Hazards Chapter.</i>
15.3 & others	The recommendation here (and reasons) is specific to the original submissions, and not the further submissions. <ul style="list-style-type: none"> Can the author please confirm that as a general approach the Further Submissions are recommended for acceptance or rejection in accordance with your recommendations on the primary submissions to which they relate?
<i>Officer response:</i>	<i>Yes. Appendix 1 of the s42a report details which Further Submissions are recommended to be either accepted, accepted in part, or rejected in accordance with recommendation in respect of the primary submission that they relate to.</i>
15.3	It is noted that the two original submissions on SD-MWV-O1 (Partnership with Ngāi Tahu) are in support. Your recommendation is to accept those submissions, but the only reason provided is that " <i>no amendments have been recommended to the objective, so given this it is recommended that these submissions points be accepted</i> ". However, there are several further submissions in opposition which we will also need to consider in our deliberations. <ul style="list-style-type: none"> Can the author please provide a brief summary of the issues raised by the further submitters, and your recommendations with respect to the specific matters raised in those further submissions?
<i>Officer response:</i>	<i>Submissions were around either; that they consider the submission point seeks to rewrite the Plan, and the amendments sought are not supported by any contextual evidence.</i>

Paragraph or Plan reference	Question from the Hearings Panel
	<i>The Further Submission points are generic further submissions (from the same planning consultant) across a wide range of submission points, and are not directly relevant to the relief sought on this provision.</i>
18.4	<p>CDHB seek that SD-UDF-03 is amended to include a reference to “... environments that protect or improve prospects for long-term health and wellbeing.” At paragraph 18.4 the author recommends rejecting that relief, for reasons that include reference to SF-UDF-01 which is primarily about urban land forms and features.</p> <ul style="list-style-type: none"> Can the author please explain why the use of the words ‘sustainable’ and ‘community needs’ in an urban growth context would put health outcomes at the forefront of the reader’s mind? Can the author please explain why the reasoning in paragraph 7.4, in particular the reference to the NPS-UD, does not lead to a recommendation to accept the relief sought by CDHB for SD-UDF-03?
Officer response:	<p><i>As a general note, all of the Strategic Objectives sit alongside each other with no one in particular taking primacy. Given this, if an issue or aspect has been dealt with in another Strategic Objective, then an attempt has been made to not duplicate it in another Strategic Objective.</i></p> <p><i>Given this approach I consider that the health of the community is adequately addressed directly through the recommended amendment to SD-DI-O1 which will include ‘health’. Furthermore it will be addressed indirectly through the proposed wording of SD-UFD-O1 by the use of ‘sustainable’ and ‘community needs’ albeit not expressly stating that a sustainable environment will most likely be a healthy environment, and that the health of the community is a key community need.</i></p> <p><i>Effectively a Strategic Objective cannot be all things to everything or else they can become overly complex, and potentially diluted and invite conflict between each one.</i></p>
19.3	While it appears correct that Objective GRUZ-01 addresses the matters of concern to the submitters who seek a new Rurally Based Strategic Objective, would referring to rural primary production activities somewhere in the existing Strategic Objectives, for example in SD-DI suite of objectives, enhance the Plan’s clarity and certainty?
Officer response:	<p><i>The inclusion of matters dealing with rural production or more generally relating to the expectation for rural areas has planning merit by increasing the clarity and certainty for that particular area.</i></p> <p><i>The exclusion of a Rurally Based Strategic Objective is due to reasons of duplication, as the broad aspects are already dealt with in the Strategic Objectives, and more specifically in GRUZ-O1.</i></p> <p><i>While a new Strategic Objective could be included, which may provide more clarity and certainty for the Plan’s expectation for the rural area and rural production, it could set a precedent that each individual zone may then need its own Strategic Objective.</i></p> <p><i>Essentially it becomes a balancing act between providing certainty and clarity and providing a streamlined plan that contains strategic direction without unnecessarily duplicating the provisions of underlying chapters.</i></p>

Paragraph or Plan reference	Question from the Hearings Panel
SD-IR-Objectives	<p>Effects of Important Infrastructure.</p> <p>At a strategic objective level how does the Plan recognise and provide for infrastructure (e.g. local roads) that are not included in the definition of important infrastructure?</p>
<i>Officer response:</i>	<p><i>For the very few pieces of infrastructure which are not considered to be important infrastructure (local roads may be the only item), there is high level support through Strategic Objectives such as SD-DI-O1 ‘Selwyn is an attractive and pleasant place to live, work, and visit, where development: is well-connected, safe, accessible, and resilient’. In order to achieve this aspect people need to be able to move around, and at times local roads would be needed to facilitate this. Additionally, SD-DI-O2 also provides high level support for all forms of infrastructure.</i></p> <p><i>With the definition for ‘important infrastructure’ and the items within it being closely aligned with the RPS definitions for Strategic Infrastructure, Regional Significant Infrastructure, and Critical Infrastructure, local roads were not deemed to be of such high significance as to warrant inclusion within the Strategic Directions. However, they are specifically dealt with in the Transport Chapter.</i></p>