



**AGENDA FOR THE MEETING OF
DISTRICT PLAN COMMITTEE
TO BE HELD AT THE
SELWYN DISTRICT COUNCIL OFFICES,
2 NORMAN KIRK DRIVE, ROLLESTON
ON WEDNESDAY 24 MAY 2017
COMMENCING AT 9.00AM**

Committee Members

Independent Chair

Tim Harris (Environmental Services Manager)

Selwyn District Council

Mayor Sam Broughton

Councillor Mark Alexander

Councillor Jeff Bland

Councillor Debra Hasson

Councillor Murray Lemon

Councillor Malcolm Lyall

Councillor Pat McEvedy

Councillor Grant Miller

Councillor John Morten

Councillor Bob Mugford

Councillor Nicole Reid

Councillor Craig Watson

David Ward (Chief Executive)

Te Taumutu Rūnanga

Hirini Matunga

Environment Canterbury

Councillor Peter Skelton

Project Sponsor

Jesse Burgess

Phone 347-2773

Project Lead

Justine Ashley

Phone 027 285 9458

Agenda Items

Item	Type of Briefing	Presenter(s)
Standing Items		
1. Apologies	Oral	
2. Declaration of Interest	Oral	
3. Deputations by Appointment	Oral	
4. Confirmation of Minutes	Written	
5. Outstanding Issues Register	Written	
Specific Reports		
6. Rezoning options for new 'greenfield' residential areas in the Malvern and Ellesmere Wards	Written / Powerpoint	Benjamin Rhodes
7. DPR Work Programme Update	Oral / Powerpoint	Justine Ashley

Standing Items

1. APOLOGIES

2. DECLARATION OF INTEREST

Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as a member and any private or other external interest they might have.

3. DEPUTATIONS BY APPOINTMENT

4. CONFIRMATION OF MINUTES

Minutes from the meeting of the District Plan Committee on 22 March 2017.



**District Plan Committee meeting
held on Wednesday 22 March 2017 at 9.00am
at Lincoln Event Centre,
15 Meijer Dr, Lincoln**

Present: Mayor S Broughton, Councillors M Alexander, J Bland, D Hasson, M Lemon, M Lyall, P McEvedy, B Mugford, N Reid, G Miller, C Watson and Mr P Skelton (ECAN)

In attendance: Chairperson (Environmental Services Manager - T Harris), Project Lead District Plan Review (J Ashley), Policy and Strategy Team Leader (B Rhodes), Senior Policy and Strategy Planner (C Friedel), Policy and Strategy Planners (A Mactier, E Larsen, G Wolfer), Planning Manager (J Burgess), Asset Manager (M Washington), G Bell (Corporate Services Manager), A Burton (District Plan Administrator), Mr K Tallentire (Implementation Manager, Greater Christchurch Urban Development Strategy) and note taker PA to Environmental Services Manager (K Hunt).

Standing Items:

1. Apologies

Apologies were received from Mr D Ward, and Cr Morten.

Moved: Mayor / Seconded: Cr Alexander

'That apologies for Mr D Ward and Councillor Morten be accepted.'

CARRIED

2. Declaration of Interest

Nil.

3. Deputations by Appointment

Nil.

4. Confirmation of Minutes

Councillors Hasson and Reid joined the meeting at 9.03am.

Moved – Councillor Lemon / Seconded – Councillor McEvedy

‘That the Committee accepts the minutes of the 22 February 2017 as being true and correct’.

CARRIED

5. Outstanding Issues Register

Nil.

6 Briefing on NPS on Urban Development Capacity

Mr Friedel spoke to his presentation and report.

Councillor Lyall joined the meeting at 9.07am.

It was commented that timeframes in relation to the NPS-UDC and District Plan do not necessarily align. The key focus for Council in respect to the NPS-UDC was reviewing the settlement pattern within the Urban Development Strategy Area of the district and aligning this with infrastructure provision. Prebbleton is part of the Christchurch Urban Area, however the objectives and policies can be applied beyond the Statistics New Zealand’s high growth urban area boundaries.

A discussion then followed on whether additional areas are included, noting the need to investigate any shortfalls and community support for growth in certain townships.

In response to a question around West Melton and demand for further urban development, Mr Friedel commented there was a need to engage with property developers and other mandatory stakeholders. The Chair noted that the UDS does not identify any further growth beyond its current limits, but this could be revisited through the UDS Settlement Pattern Review. It was commented that if growth was to occur, then it would be important to have the appropriate infrastructure in place to support this.

Mr P Skelton joined the meeting at 9.15am.

A discussion on the growth of Prebbleton took place, where it was noted that due to the proximity of the motorway there was pressure to rezone land from residential/rural lifestyle blocks to business. This would be a future discussion as to how that growth or change in land use is to be managed.

The Mayor queried whether the NPS-UDC requirements would extend to the balance of the District as part of the District Plan Review. Officers responded

by outlining that the proportion of growth was significantly larger in the UDS Area when compared to the balance of the district and that Selwyn 2031 and the Area Plans have evaluated demand and capacity. Discussion followed on the Area Plans, which identified potential growth areas, constraints and the need for infrastructure. Communities want to grow and the Area Plans were supposed to enable this growth. The NPS-UDC is a parallel process to the District Plan Review, but there will be a need to have community input and discussion around the availability of land for development on a district-wide basis, particularly where ownership was proving to be a constraint. It was noted that Leeston and Darfield will be included in the DPR urban growth evaluations. There will be a separate presentation to the Committee on this.

Discussion took place on the requirement for Council to build feasible development capacity into projected growth to ensure land is feasible and commercially viable to develop.

There is a risk that the DPR may be delayed if the NPS-UDC is expanded beyond the UDS Area. These risks are being managed by coordinating the two processes. The Planning Manager noted that the NPS-UDC includes 'greenfield' development and intensification opportunities.

A discussion followed on whether there was capacity within the UDS to share resources, such as wastewater. It was commented that this would need to be discussed at the UDS management and governance levels and asset managers across boundaries. Mr Washington supported a collaborative approach and noted that Tai Tapu is still pumping wastewater to Christchurch City. Mr Washington went on to note that every town has issues, however there are also solutions.

Councillors Alexander, Lyall, Hasson and Reid volunteered to join the NPS-UDC Project Working Party.

Moved – Councillor Alexander / Seconded – The Mayor

'That the Committee:

- (i) Notes this presentation;*
- (ii) Endorses the scope of the NPS-UDC work stream; and*
- (iii) Resolves to appoint Councillors Alexander, Lyall, Hasson and Reid for the NPS-UDC Project Working Party."*

CARRIED

Meeting ended at 9.43 am

5. OUTSTANDING ISSUES REGISTER

Subject	Comments	Report Date / Action	Item Resolved or Outstanding

6. Rezoning options for new 'greenfield' residential areas in the Malvern and Ellesmere Wards

Author:	Benjamin Rhodes, Team Leader Strategy and Policy Planner
Contact:	03 347 2824

Purpose

Receive direction from the District Plan Committee on whether Council should proactively rezone 'greenfield' sites in the Ellesmere and Malvern Wards, or leave consideration of rezoning proposals to the District Plan Review submission phase.

Recommendation

- **That the Committee receives the report.**

REPORT TO DISTRICT PLAN COMMITTEE

DATE: 24th May 2017

ISSUE: Rezoning options for new 'greenfield' residential areas in the Malvern and Ellesmere Wards

PREPARED BY: Ben Rhodes – Team Leader - Strategy and Policy Planner

EXECUTIVE SUMMARY

<i>Issue</i>	<i>There are two options for rezoning any new "greenfield" residential areas in Malvern and Ellesmere through the District Plan Review (DPR)</i>
<i>Purpose</i>	<i>Receive direction from the District Plan Committee on whether Council should proactively rezone 'greenfield' sites in the Ellesmere and Malvern Wards, or leave consideration of rezoning proposals to the DPR submission phase.</i>
<i>DPC Decision</i>	



1. Introduction to Issue

- 1.1 This report follows on from a discussion on zoning at the District Plan Committee (DPC) meeting on 23 November 2016. At this meeting clarity was sought by staff on the DPC's position on rezoning 'greenfield' land. For the Urban Development Strategy Area, there was no mandate for 'greenfield' zoning given the strong direction of chapter 6 of the Regional Policy Statement (RPS). For the wider district the Ellesmere and Malvern Area Plans (Area Plans) had recently been adopted and stated for most towns there was sufficient land available to accommodate projected population growth through to 2031, without Council needing to proactively rezone additional 'greenfield' land. In this context, and with an updated capacity assessment, it was staff's recommendation to not proactively rezone through the DPR and to leave the promotion of 'greenfield' zoning to submissions. The DPC accepted this recommendation. However, some concerns were raised in discussion around community expectations involving the implementation of the Area Plans.
- 1.2 This report seeks a direction from the DPC on whether Council should proactively zone 'greenfield' sites in the Ellesmere and Malvern Wards through the District Plan Review (DPR), or leave consideration of zoning 'greenfield' sites to the submission and hearing process.

2. Options for zoning land through the DPR

Option 1: Incorporation of proposed zoning in the notified District Plan (i.e. Council-led)

- 2.1 Option 1 would involve Council investigating and evaluating the appropriateness of zoning 'greenfield' sites with a view to notify these as new residential areas through the DPR. This would be a Council-led approach in a similar way to Plan Change 7 (PC7), which introduced the Living Z framework and Outline Development Areas in Rolleston and Lincoln. It is noted that PC7 was developed under different circumstances as it was required to give effect to the Regional Policy Statement (RPS) in response to projected population growth. Detailed analysis of the 'greenfield' sites to be rezoned had also previously been undertaken through the Rolleston and Lincoln Structure Plans. All Outline Development Plans identifying the location of road network connections, densities, reserves, local and neighborhood centres etc were prepared by the developers in conjunction with advice and feedback from SDC.
- 2.2 This level of detail has not been undertaken through the Area Plan process. As such, a Council-led approach involving the 'preferred future development areas' would involve Council absorbing the cost and taking on the risk of funding investigations, removing constraints to development and providing the infrastructure servicing required for development. The Council would also need to fund the progression of any rezoning proposal through the submission, hearing and appeal stages of the DPR, if it chose to continue with the proposals.

Option 2: Request for proposed zoning through a submission on the DPR (i.e. landowner-led)

- 2.3 Option 2 would involve landholders who desire their land to be zoned to residential to undertake the investigative and evaluative work in determining appropriateness of zoning as part of a submission on the DPR. In this option, Council would not be notifying any new 'greenfield' sites but would leave consideration of this through its response to any submissions. This would be a landowner-led approach and is very much akin to the Private Plan Change process. If Council

decide to take this approach then strong direction on the level information required for a submission seeking rezoning will have to be communicated early to enable landowners sufficient time to get the information together.

- 2.4 A landowner-led approach would involve the submitters absorbing the cost and taking on the risk of funding investigations and removing constraints to development. Council would have to take on costs of reviewing information provided in a submission to enable a recommendation to accept or reject the proposal. If Council accepts the submission and is approved then the land would be rezoned as part of the DPR process.

3. Selwyn 2031 District Development Strategy

- 3.1 The Area Plans were developed to implement an action of Selwyn 2031 District Development Strategy (Selwyn 2031). Selwyn 2031 provides an overarching strategic framework for achieving sustainable growth across the district to 2031. Selwyn 2031 emphasises the importance of adopting and implementing a strategic approach to managing urban growth as a means of strengthening the district's self-sufficiency and to ensure that it continues to be a great place to live, work and play.
- 3.2 Another key aspect of Selwyn 2031 is the Township Network¹, which provides the framework for managing the scale, character and intensity of urban growth across the whole district. This enables investment decisions by the Council to be made within an appropriate context and ensure that the infrastructure provided supports the population base of the township, having regard to its scale and relationship to the wider area. It will also present residents and businesses with an opportunity to achieve better living environments and greater economic growth by focusing on those investment decisions that will be of most benefit to each individual community. The township network provides the context for managing urban growth and a platform for strategic planning by:
- identifying the role of each township;
 - ensuring that the Council, community and other stakeholders have a clear understanding of where each township sits within the network and the reasons why;
 - ensuring that the community's expectations of the level of service received from the Council is commensurate to the role that each township will play in accommodating urban growth within the district;
 - enables the costs and benefits of providing infrastructure to be assessed at an appropriate context and scale.
- 3.3 The township network is important in the context of a zoning conversation as it will help guide decision making around proactively rezoning, if that's Council's direction, and/or responding to submissions for new zoning proposals.
- 3.4 The Township network is outlined below in Table 1:

¹ Pg 33, Selwyn 2031 District Development Strategy

Table 1: Township Network

District Centre - Rolleston	Functions as the primary population, commercial and industrial base of the district.
Sub-District Centre - Lincoln	Functions independently with a range of residential, commercial and industrial activities while providing support to surrounding Service and Rural Townships.
Service Townships - West Melton, Prebbleton, Darfield and Leeston	Function is based on providing a high amenity residential environment and primary services to Rural Townships and surrounding rural area.
Rural Townships - Arthur's Pass, Coalgate, Doyleston, Dunsandel, Glentunnel, Hororata, Kirwee, Lake Coleridge, Sheffield, Southbridge, Springfield, Springston, Tai Tapu, Waddington, Whitecliffs	Function is based on village characteristics with some services offered to the surrounding rural area.

4. Ellesmere and Malvern Area Plans

- 4.1 The Area Plans were adopted in September 2016. Their primary purpose is to serve as a high-level planning direction to guiding growth and sustainable management of Malvern and Ellesmere townships through to 2031. The Area Plans introduced a range of issues and opportunities to inform the ongoing strategic planning and management of township growth. Although non-statutory they are intended to help inform:
- The District Plan Review and other statutory planning processes;
 - Long Term Plan and Activity Management Plans;
 - Other Council, community and privately initiated projects and capital investment decisions.
- 4.2 Regarding residential growth, the Area Plans acknowledge that each town has capacity to meet growth projections through existing zoned land (i.e. developable land or 'plan-enabled' land). This existing capacity included zoned but undeveloped land (e.g. existing greenfield areas) or developed land with further development potential (e.g. infill). Further to this existing capacity the Area Plans also identify 'preferred future development areas' for most townships. These sites were identified to:
- 1) guide Council and land owners who may wish to zone land;
 - 2) identify constraints and capital works upgrades required to make land viable to develop.
- 4.3 The Area Plans outline² that they do not rezone land in themselves and that there are very few examples where there is an identified need for Council to promote additional residential zoning under the DPR. As mentioned above evidence suggested there is sufficient developable land available to accommodate projected household growth or that there are constraints which currently preclude additional development, which need to be addressed and overcome (e.g. infrastructure, flooding).

² Para.2 pg. 12, Ellesmere and Malvern Area Plans

- 4.4 The Area Plans do note³ that the identification of ‘preferred future development areas’ is only an initial step in the process to identify the appropriateness of any future land use zoning to enable development. The Area Plans recognise that the substantive merits of zoning land must be determined through the statutory process set out in the Resource Management Act (the Act), which could include the DPR (including via the submission process), a Council plan change or a privately-initiated request. The Area Plans are clear that the DPR could be a mechanism, among others, for implementing the Area Plans growth area.

5. Growth projections and capacity

- 5.1 To ascertain whether a town has sufficient land capacity to support growth the Selwyn District Council Growth Model projections were compared to the potential yield of the existing zoned land in each town. It is important to note that the potential yield is ‘theoretical’ in that it is an amount that is ‘plan-enabled’, through District Plan provisions and zoning. The yield has not factored in any site-specific constraints to development within this existing zoned land.
- 5.2 It is intended through the DPR to develop a more robust and detailed growth model that will more accurately determine the zoned land capacity of each township and the demand on land supply from a population projection perspective. These projections will include the demographic information recently provided by Dr Natalie Jackson to build in age considerations to understand not just how many households may be required but to inform what type of housing (and other services) may be needed. The DPR will review the existing zone framework and assess whether it meets demand considering future demographics of the district. This may result in changes to zoning patterns and housing types provided for. This will also enable more accurate consideration of land supply (e.g. is more greenfield land needed or is effective and efficient use of existing zoned land required?).
- 5.3 The existing growth model has been updated for the 2018/2028 Long Term Plan process. Although the overall population projections have not altered dramatically the number of households anticipated has increased to factor in the different numbers of people per household across the district and the declining numbers of people per household over time. Utilising these projections and the yields calculated through the Area Plans⁴ an update of the capacity of each town has been carried out to 2031 (14 years).
- 5.4 Four townships have been identified as having a potential short fall, these being Castle Hill, Dunsandel, Lake Coleridge and Rakaia Huts. The previous growth model allocated zero growth to Castle Hill, Lake Coleridge and Rakaia Huts due to land supply and/or constraints. This zero growth is also in line with Statistics NZ information. Even with the numbers in the updated growth model there is still at least a minimum of 9 years’ capacity in these towns. It is also important to note that in the context of the Township Network these towns are identified as rural townships and investment decisions around providing for growth and infrastructure should take this into consideration
- 5.5 As outlined in the Area Plans, there are constraints to growth (e.g. such as infrastructure, landscape, cultural) that will require investigation and funding to overcome. The cost and

³ Para.1, pg. 11 Ellesmere Area Plan & Para.8, pg. 10 Malvern Area Plan

⁴ It’s noted that the yield calculations adopted in the area plans may have altered, however these still give a reasonably accurate picture of capacity for each town. It’s acknowledged that potential yield can decrease on any given day as developments occur.

benefits of development may not stack up for some smaller towns. The process and issues around this are outlined in Section 5.0 below. Moving forward Council will need to consider and make decisions on where that investment and cost is best placed to service growth demand of the Ellesmere and Malvern Wards, having regard to the strategic directions embedded within Selwyn 2031, including the Township Network.

6. Section 32 information requirements for rezoning

- 6.1 District Plans that are developed using sound evidence and rigorous policy analysis lead to more robust, enduring provisions, and can mean issues are resolved early on in plan-making, reducing opposition during hearings or at appeal. As outlined in the Area Plans and mentioned above the substantive merit of zoning any site, including the ‘preferred future development areas’ must be determined through the statutory process set out in the Act. To determine the substantive merits of these areas investigations will be required which will include the commissioning of detailed technical reports. The purpose and requirement to do this work is to help inform section 32⁵ evaluation reports to demonstrate that the zoning has been well tested against the purpose of the Act and that the anticipated benefits outweigh costs and risks. In short, the evaluation must examine whether the objectives of the proposal (new zoning) are the most appropriate way to achieve the purpose of the Act.
- 6.2 To evaluate the efficiency and effectiveness of the proposal it is necessary to identify, quantify and assess the benefits and costs and to assess the risk of acting or not acting. To inform this evaluation key technical assessments will likely to be required to support any rezoning request, including:
- Geotech
 - Contamination
 - Transport
 - Infrastructure
 - Landscape
 - Economic
 - Planning
 - Urban design – ODP design
- 6.3 The approximate cost to undertake the above investigations for one site development is estimated to be between \$100,000 and \$120,000⁶. The size, scale and nature of any development would alter this cost but this provides an ‘average’ picture of costs.

7. Infrastructure provision, cost and programming

- 7.1 Aside from the initial s32 information and investigation costs any rezoning proposal will also need to consider the costs on, and supply of, infrastructure (e.g. from the 5 waters and roading, community services etc.). The Area Plans identified constraints to development in each town including the ‘preferred future development areas’. Many of these constraints require a

⁵ Section 32 (s32) is integral to ensuring transparent, robust decision-making in Resource Management Act (RMA) plans, plan changes and policy statements S32 requires new proposals to be examined for their appropriateness in achieving the purpose of the RMA, and the policies and methods of those proposals to be examined for their efficiency, effectiveness and risk.

⁶ Obtained through discussions with Planz Consultants

commitment from Council and the wider community around capital works upgrades, which are potentially significant in scale (e.g. community funding reticulated wastewater in Darfield, Leeston stormwater (underway) and wastewater infrastructure etc.).

- 7.2 If Council proactively zones (i.e. Option 1) then the cost of meeting the infrastructure needs must be planned and financed for by Council. The infrastructure needs could be a transparent trigger for a deferred zoning but there will need to be commitment from Council (i.e. Long Term Plan) to provide it at a nominated time in the future.
- 7.3 A significant aspect to the s32 evaluation will be the quantification of benefits and costs. The financial cost of having to provide and service finance on infrastructure will be significant in many cases. The financial benefit to the wider community of any Council-led rezoning may be quite limited in low growth areas (i.e. to the individual landowner, jobs through construction phase etc.). There may be social benefits to providing more opportunities for growth but it is important to ensure this is not overridden by a financial burden for a community in servicing infrastructure that is not taken up. In short, the financial costs may outweigh the quantification of benefits. This relates to the risk identified previously that funding is put towards investigation of the 'preferred future development areas' but ultimately, the assessments demonstrate that they are not suitable for rezoning.
- 7.4 In financing any new infrastructure or upgrades Council takes on debt and obligations of servicing a loan and/or recouping its own investment. This is normally recouped through Development Contributions (DC). In areas of low growth there is a risk to Council that the amount of DC's recouped each year is not sufficient to service a loan. Alternatively, to reduce this risk, the DC may have to be so high that developments in low growth areas are not commercially feasible. In a scenario where a private developer promotes a zone change (through a submission on the new District Plan or through a private plan change) the infrastructure provision (including any upgrades) and cost of this falls on the developer, not Council. A recent example of this is the Southbridge Plan Change to rezone a rural block to Living 1. To service this land with wastewater a significant upgrade to the system was required. As the promoter of the change the developer had to show, among other s32 aspects, how the land would be serviced. This resulted in the cost of wastewater upgrades having to be paid by the developer to ensure services would be available at the time of subdivision. Had Council promoted this then the cost of infrastructure upgrades would have fell on the whole community.
- 7.5 As well as servicing any financing Council will also need to ensure that infrastructure requirements are programmed into the Long Term Plan (LTP) to provide services to zoned land or to uplift any deferrals. This provides some certainty to the community and the developers that the land is developable and when and how it will be available for serviced development. It is also important to note that where growth is provided for and occurs this invariably results in the need to upgrade community facilities, such as community centres, reserves, libraries etc – all things that need to be factored into Councils long term planning. As with the finance servicing issue there is a risk that Council's forward programming of infrastructure and community facilities, based on zoned land, is not required due to continued low growth. This may impinge on budget and planning for other infrastructure that may become more pressing.
- 7.6 As an example, an important question to consider for Darfield and Kirwee is: "does Council want to be initiating additional rezoning of greenfield land ahead of community discussion around

wastewater servicing?”. The results of this community discussion could dramatically change the potential land use opportunities (e.g. densities and housing typologies) in these towns.

- 7.7 Overall there is a cost risk to Council in proactively zoning areas of land and addressing infrastructure constraints. This is particularly the case in towns where there is already land available to meet growth projections. Going beyond what is needed or feasible in infrastructure capacity puts Council at risk of not being able service funding and/or increases community expectations around the provision of other facilities that is (potentially) inconsistent with the Township Network set out in Selwyn 2031.

8. Option 1 for zoning ‘greenfield’ sites: Incorporation of rezoning proposal as part of the notified District Plan

- 8.1 Option 1 involves Council undertaking the work to zone new ‘greenfield’ sites and will notify these through the DPR process. The Area Plans identify 35 ‘preferred future development areas’ across both Area Plans that would be a starting point for consideration for ‘greenfield’ zoning. These sites range in size and scale and indicate the preferred growth locations but not how large these areas need to be or are required to be. Utilising the approximate costs referred to above the estimated cost of undertaking s32 investigations for all 35 identified ‘preferred future development areas’ could potentially be up around \$2-3million (considering potential ‘bulk’ savings across multiple sites). Given the evaluative nature of the s32 process that is required to determine the costs and benefits (and overall merit) of a rezoning proposal there is a risk that even after completing the site-specific investigations, the s32 evaluations may not support rezoning (e.g. the costs outweigh the benefits). If Council proceeds with zoning then consideration will be required around whether it continues to fund the progression of any rezoning proposal and defend its inclusion through the submission, hearing and appeal stages of the DPR.
- 8.2 As well taking on the evaluation costs and the costs of progressing through the DPR process Council will also be financing the development/upgrade of servicing infrastructure. Although infrastructure provision is one of Councils core roles it is often provided in response to demand or a private plan change, where costs can be recouped with some confidence or met by a developer. If Council is to proactively zone then it will need to be prudent in its assessment of the demand for development of a ‘greenfield’ proposal to ensure that the cost of improving or developing new infrastructure can be recouped.
- 8.3 An alternative to looking at every ‘preferred future development area’ could be to pick some priority locations to investigate for zoning. However, staff would need strong guidance on how these sites would be selected to avoid picking ‘winners and losers’ although this still may be a community perception regardless. The above costs would still be applicable for the sites chosen but the scale could be significantly reduced.
- 8.4 Further to the above if any proactive zoning is promoted by Council then this will be bound to generate submissions on the notified District Plan from other landowners not identified as ‘preferred future development areas’. The evaluation of these alternative submission sites (which are inevitable and which may also be potentially suitable for development) comes with

substantial further costs in reviewing technical assessments and reporting on submissions. It is recognized that evaluating and responding to submissions will also be required in Option 2 (outlined below). However, in Option 2 Council will not have already undertaken the cost and time of promoting new 'greenfield' sites, as well as assessing others.

- 8.5 The cost and time of proactively rezoning 'preferred future development areas' also needs to be balanced against the potential existing capacity, including existing deferred zonings. Any s32 evaluation would need to rationalise why additional 'greenfield' land is required if there is existing deferred land available, particularly when the same constraints to zoning would apply (e.g. infrastructure). Should Council therefore be prioritising/resourcing the upliftment of existing deferred zones, rather than rezoning new sites? How deferred zonings are to be addressed already fall within the scope of DPR residential work program.
- 8.6 It is important to note that deferred zonings are a legitimate mechanism to use however the same level of information is required to determine if the zoning is the most appropriate to be put in place. It needs to be clear and transparent as to how the deferral is lifted (e.g. timing of infrastructure). It also needs to be clear what is permitted when the deferral is in place and what is permitted when it is lifted. This provides certainty for landholders and the community. A deferral would be void where an additional plan change is required to justify its appropriateness and provides uncertainty around permitted land uses. That work must have already been completed and tested. The legal advice in **Appendix 1** outlines this further.
- 8.7 Overall s32 requires a significant level of information to support a residential rezoning and the cost implications around Council proactively rezoning 'greenfield' sites Option 1) needs to be considered.

9. Option 2: Request for rezoning proposal through a submission on the notified District Plan

- 9.1 Option 2 does not *notify* any new 'greenfield' areas through the DPR. To put this another way the township boundaries will remain as they are at the time of notification. Once the District Plan is notified all landowners, including those who own the 'preferred future development areas' identified in the Area Plans will have an opportunity to lodge a submission on the District Plan seeking that their land be rezoned. The submission will need to be supported by a s32 evaluation, including all necessary technical assessments.
- 9.2 The Area Plans will still provide strategic guidance as to where any new 'greenfield' land is preferred and help Council in assessing and consider submissions. However, in this option the investigation costs and s32 evaluation will be borne and undertaken by the submitter to support their submission for rezoning. Council's cost will be limited to reviewing the information and making a recommendation to accept or reject the submission, which are costs that will be inevitable regardless of the option selected. Option 2 is very similar to private plan change process. This option still allows consideration for rezoning sites in line with the Area Plans but leaves the cost to the market, which if taken up would indicate a demand and/or opportunity for growth, more so than Council proactively rezoning ahead of any substantial land capacity requirements.

- 9.3 An early example of the Area Plans providing a lead on development is in Doyleston. Staff have had discussions with a landholder who has expressed an interest in a private plan change to rezone one of the 'preferred future development areas'. The Area Plans outlined the opportunity as well as the constraints that needed to be considered. Discussions have been had with the landholder's representatives around how these constraints may be addressed. In this scenario, the costs will fall with the developer not Council and the community. This would be true for most private plan changes and for any submissions received through the DPR process.
- 9.4 Developers/landowners could also promote, and are likely to promote, sites beyond those identified in the Area Plans for rezoning through submissions. Again, in this case the landholder/developer must meet the information requirements and costs of a s32 evaluation.
- 9.5 If Council accepts and then approves sites promoted through submissions then infrastructure will either need to be available with capacity. If infrastructure is not available, or does not have capacity, then a zone may be accepted and approved with a deferral for infrastructure provision as a trigger. This enables Council time to plan for infrastructure and to ensure that the DC's can be put in place to pay for it. There is still a potential risk in the ability to service a loan, however this should be reduced with the quantitative analysis for cost and benefits. Risk should also be further reduced by the fact that the rezoning has been promoted by the market, where an assumption could be drawn that there is demand and willingness to develop.
- 9.6 The purpose of the Area Plans is to provide a strategic lead on development. In Option 2 the identification of preferred growth areas provides some clarity and direction but ultimately development and associated costs is driven and absorbed by the market and where market can sustain it. In short landholder/developers are taking the risk and funding a proposal rather than Council and the community. This gives Council and the community further assurance that any development promoted is feasible or has merit.

10. Conclusion

- 10.1 The Area Plans provide direction for strategic planning and management of township growth and outline opportunities and constraints for residential development. This is advantageous for landholders identified as a 'preferred future development area' however other landholders are not precluded from applying for rezoning.
- 10.2 The DPR provides an opportunity for Council to take a led and proactively zone 'greenfield' growth areas in line with the Area Plans (Option 1). This may meet community expectation on what the intent of the Area Plans were. However as noted above there are few examples of where there is a 'need' to rezone from a demand and plan enabled perspective. There is also a significant cost involved in the investigations, removing constraints to development and providing and funding infrastructure. Even where there is a 'need' some consideration should be given by Council as to whether it wants to invest and drive growth in some smaller, low growth towns.
- 10.3 Taking a landowner led approach (Option 2) to zoning 'greenfield' sites may not meet community expectations on delivery of the Area Plans but does remove the burden of cost to Council. The cost and risk is effectively left to the market to respond to opportunities and demand. This would

give more surety that any proposal for rezoning is more feasible as it is driven and paid for by the market, more so than Council leading in response to community expectation.

- 10.4 It is noted that further work on the growth model is to be undertaken where more detailed analysis of capacity and demand (including demographics) will be developed. This should provide better picture of each township's needs in relation to projected growth and age, more so than the current growth model and method for calculating capacity.

11. Next steps

- 11.1 If direction of DPC is to proactively rezone as part of the notified District Plan (i.e. Option 1) then a further discussion will be required to determine the scope of this work, impact on the DPR budget and timeframe for notification of the new District Plan.
- 11.2 Alternatively, if it is decided that any rezoning proposals will be considered as part of the DPR process through submissions (i.e. Option 2), staff can write to each of the landowners of the 'preferred future development areas' to advise them of the opportunity to lodge a submission on the new District Plan (and the associated information requirements).

Appendix 1 – Legal advice on deferred zonings

20 March 2017

To

Ben Rhodes
Selwyn District Council
PO Box 90
Rolleston 7643

From

Cedric Carranceja

By Email

ben.rhodes@selwyn.govt.nz

Dear Ben

Legality of using deferred zones

1. You have asked us for our opinion on the following issues:
 - (a) Are deferred zonings ultra vires?
 - (b) If not, are there circumstances in which deferred zonings may be ultra vires?
 - (c) If deferred zonings can be utilised, then what level of information is required to satisfy their use?
2. You have asked us to consider comments made in Commissioner John Milligan's decision of 19 February 2013 on Proposed Private Plan Change 24 to the Selwyn District Plan, in which he expressed concerns about the legality of a zone that was to be "*deferred until such time as a Council resolution is passed confirming the availability and capacity of a water supply for [the] site*". Specifically, Commissioner Milligan stated:

"At an early stage in the hearing I expressed the view (with which Mr Prebble – and I think Mr Garland – agreed) that an approach of this kind was open to objection on the basis that it attempted to achieve by informal means that for which the legislature required a specified (and formal) process.

If that view is right I must reject the provision in question – an unlawful provision (or an impractical one) can never be the "most appropriate" method for achieving anything. This issue was, however, not raised in any submission...
3. By way of summary it is our opinion that:
 - (a) The use of deferred zonings as a planning technique is not ultra vires in and of itself.
 - (b) However, deferred zoning provisions could be invalid if they are unclear or uncertain. The provisions must not reserve, by express subjective formulation, the right to decide whether activities are permitted before or after a deferral is lifted, or whether the deferral itself can be lifted. In addition, the provisions must not be so vague that a plan user is unable to determine whether an activity may be carried out before or after a deferral is lifted, or when a trigger condition is satisfied.

- (c) The information necessary to justify the use of deferred zonings will be that which is necessary to examine whether deferred zoning provisions are "most appropriate" having regard to the criteria specified in section 32 of the Resource Management Act 1991 ("RMA"). Amongst other things, information should identify the most appropriate zone for the present circumstances, the particular changed circumstances that would make the original zone no longer the most appropriate, the viability of those changed circumstances occurring (so as to avoid raising unmettable expectations), and the most appropriate zone should the changed circumstances eventuate.

4. We set out the reasons for our opinion below.

Legality of deferred zonings

5. The use of deferred zonings as a planning technique is not illegal or ultra vires in and of itself. We have found no case law which rules out the use of deferred zonings as a matter of law. By contrast, there are several instances where the Environment Court has confirmed the insertion of deferred zonings into district plans without concerns about the legality of the technique.¹
6. As noted at paragraph 2 above, Commissioner John Milligan has expressed a view that a zone that was to be deferred until such time as a Council resolution is passed confirming the availability and capacity of a water supply for a site, is unlawful on the basis that it is an attempt to achieve by informal means that for which the legislature required a specified and formal process, being a plan change. The Commissioner's decision does not refer to case law supporting that view.
7. However, the lifting of a deferral upon the passing of a Council resolution confirming the availability and capacity of infrastructure was specifically considered and approved by the Environment Court in *Akaroa Orchards Limited v Selwyn District Council*.² The Court was considering the appropriate zoning of land in Prebbleton at a time when development was constrained by the ability of the Christchurch City Council to deal with sewage in the Springs Road reticulation line to Christchurch, and also by the terms of an agreement between the City Council and Selwyn District Council over the annual volume to be piped to the city. The Court considered that there was a "*very real possibility*" that these constraints would be alleviated. As a solution, the parties to the appeal proposed a higher density living zone that would be deferred until such time as the Council resolves that there is adequate capacity to deal with the increased volume of sewage from higher density development. In accepting the parties' deferred zoning, the Court stated:
- ...we are satisfied that our infrastructural concerns in re-zoning the site are completely avoided by allowing for a deferred zoning. We conclude that the trigger mechanism of a council resolution that there is adequate capacity to service a particular area, is both certain and transparent. On that basis, parties will be aware at the time that resolution is passed that the deferred zoning is no longer effective and the zoning would then change from Living 1A2 to Living 1A5.*
8. In our opinion, there is no purported attempt to bypass the plan change process by informal means if the trigger mechanism for lifting a deferral is both certain and transparent on the face of the

¹ Examples include *Westbrooke v Tasman District Council* (W45/94); *Rutherford Family Trust v Christchurch City Council* (C26/2003) and (C173/2004); *Akaroa Orchards Limited v Selwyn District Council* (C85/2006); *Cracroft Residents Association Inc v Christchurch City Council* (C9/09).

² *Akaroa Orchards Limited v Selwyn District Council* (C85/2006).

provisions of the district plan which had already been through a public participatory district plan review process. The parties in *Akaroa Orchards*, as will any person reading the relevant provisions in the plan, will be aware that at the time a resolution is passed, the deferred zoning is no longer effective, and the zoning would change accordingly.

9. The Independent Hearings Panel ("IHP") considering the proposed Christchurch Replacement District Plan has recently observed that the deferred zoning technique is used reasonably extensively throughout New Zealand, and that there is nothing particularly unusual about it.³ Deferred zonings are utilised in district plans throughout New Zealand, with examples including the Hastings District Plan, the Horowhenua District Plan, the Christchurch City Plan and the Selwyn District Plan.
10. Although deferred zonings are not illegal or ultra vires in and of themselves, they will not be valid or appropriate in every case. As we will discuss below, the validity of deferred zoning provisions will be dependent on the clarity and precision of those provisions, while the appropriateness of those provisions depends on all the circumstances surrounding its proposed use on any particular occasion, as informed by an examination under section 32 of the RMA.

Deferred zoning provisions must be certain and clear to be valid

11. Provisions of a plan, including any deferred zoning provisions, must be clear and precise on their face so that those who administer the plan or are affected by it should be able to identify without difficulty the provisions which apply, and apply them accordingly. If a rule is unclear, it may be void for uncertainty.⁴ The IHP accepted that the use of a deferred zoning can be ruled out by uncertainty. Elements of deferred zoning provisions that need to be clear and precise include:
 - (a) The identification of those activities which are permitted while the deferral remains in place.
 - (b) The identification of those activities which are permitted after the deferral has lifted.
 - (c) The condition(s) and/or criteria that need to be met in order to trigger the lifting of a deferral ("**the trigger conditions**").
12. The need for clarity and precision when identifying activities that are permitted was considered by the High Court in *A R and M C McLeod Holdings Limited v Countdown Properties Limited*, which established two distinct propositions:⁵

The first is that a council may not reserve, by express subjective formulation, the right itself to decide whether or not a use comes within the category of predominant use. Council cannot, for example, put forward an Ordinance which says A will be a predominant use "if the Council is satisfied situation B exists". Predominant uses fall for objective ascertainment. That much certainty always is required. The second is that predominant use rights must not be described, even in objective fashion, in terms so nebulous that the reader is unable to determine whether or not a use may be carried on in the zone. This second aspect does not involve any express subjective formula. It involves, simply, invalidity through inherent vagueness.

³ Decision 35 (Open Space – Stages 2 and 3) of the Independent Hearings Panel appointed to hear and decide on submissions to the Christchurch Replacement District Plan, dated 12 August 2016.

⁴ *Murray v Tasman District Council* (W58/94). The Full Court in *Countdown Properties Limited v Dunedin City Council* (1994) NZRMA 145 confirmed that *McLeod* applies under the RMA.

⁵ (1990) 14 NZTPA 362, at 372-373.

[Our underlining for emphasis]

13. Accordingly, the deferred zoning provisions must not reserve, by express subjective formulation, the right to decide whether activities are permitted before or after a deferral is lifted, or whether the deferral itself can be lifted. In addition, the provisions must not be so vague that a plan user is unable to determine whether an activity may be carried out before or after a deferral is lifted, or whether a trigger condition is satisfied.
14. The need for clarity and precision in trigger conditions was recognised in *Akaroa Orchards*,⁶ where the Environment Court was satisfied that a trigger of a council resolution that there is adequate capacity to service a particular area was certain and transparent.
15. Examples of trigger conditions⁷ which are certain include those which provide for deferrals to be lifted upon:
 - (a) The transfer of specified land to the Council as reserve.
 - (b) The payment of costs for providing particular infrastructure.
 - (c) Obtaining all necessary resource consents to establish particular infrastructure.
 - (d) The registration of restrictive covenants requiring the planting of particular species of native plants in a specified area.
16. By contrast, possible examples of trigger conditions that are prone to being declared void may include those which provide for deferrals to be lifted:
 - (a) When the Council, in its absolute discretion, thinks fit.
 - (b) When the population has grown to an "appropriate level" (i.e. where there is no specified level, and it is left to a vague judgment call as to when the level is appropriate).
17. Having a small degree of vagueness or discretion may not necessarily invalidate deferred zoning provisions, but it may nonetheless be considered undesirable or unsatisfactory by the Courts. In the context of permitted activity rules, the Court in *Foodstuffs (Otago Southland) Properties Limited v Dunedin City Council*⁸ considered that a requirement for corner setbacks to provide "*enhanced pedestrian access*" lacked the certainty it preferred to find in district plan rules. However, the Court considered that it was not so vague that it could not be administered, because it is possible to determine whether a corner setback does in fact provide enhanced pedestrian access to an extent that is greater than negligible.

Information requirements to satisfy the use of deferred zonings

18. As with any other plan provision, the use of deferred zoning provisions can be ruled out as inappropriate as a consequence of an analysis under section 32 of the RMA. It is important that deferred zoning provisions are supported by sufficient information to establish that any objectives enabling the use of deferred zoning provisions are the most appropriate way to achieve the purpose

⁶ *Akaroa Orchards Limited v Selwyn District Council* (C85/2006).

⁷ Trigger conditions along similar lines as those listed were confirmed in the Environment Court's final decision in *Rutherford Family Trust v Christchurch City Council* (C173/2004).

⁸ (W53/93)

of the RMA, and that the deferred zoning provisions themselves are the most appropriate way to achieve all relevant objectives. An examination of deferred zoning provisions will require (amongst other things) an assessment of the efficiency and effectiveness of the proposed deferral provisions to achieve the objectives of the plan, and the identification of other reasonably practicable options for achieving the objectives. The Council will need to collect sufficient information to enable it to undertake these assessments.

19. From a section 32 perspective, there appears to be two underlying assumptions of deferred zones:
 - (a) That a particular set of zone provisions is assessed to be the "most appropriate" in the present circumstances.
 - (b) However, if particular changes occur to those circumstances at some future time, then the original zone provisions will not be the "most appropriate", and instead, different zone provisions will be the "most appropriate".
20. Accordingly, information to satisfy the use of deferred zonings must be that which identifies, under section 32:
 - (a) The most appropriate zone for the present circumstances.
 - (b) The particular changed circumstances would make the original zone no longer the most appropriate. The changed circumstances must be able to be clearly defined so as to enable the drafting of valid trigger conditions, for the reasons given at paragraphs 11 to 16 above.
 - (c) The most appropriate zone should the changed circumstances eventuate.
21. A section 32 assessment should consider whether the changed circumstances are viable, so as to avoid raising unmeetable expectations. The viability of a trigger occurring was a relevant consideration in *Foreworld Developments Limited v Napier City Council*,⁹ where the Environment Court considered that a deferred zoning triggered by the provision of sewage infrastructure was inappropriate in circumstances where the Council was not prepared to commit to the provision of such infrastructure, and had no intention to do so within the life of the plan. The Court was concerned that providing a deferred zoning in such circumstances would raise "unmeetable expectations" and put the Council under pressure to spend money that it has decided to commit elsewhere. The *Foreworld* situation can be contrasted to that in *Akaroa Orchards*, where the Court was satisfied that deferred zoning provisions triggered by the provision of sewage infrastructure were appropriate in circumstances where there was a "very real possibility" that infrastructural constraints would be alleviated. More recently, in approving a deferred quarry zone triggered by (amongst other things) the grant of particular resource consents and the lifting of reserve status, the IHP considered that viability is to be assessed in the narrow sense of whether an outcome is possible, not whether the applications for resource consent and lifting reserve status will ultimately succeed.¹⁰

⁹ (W8/2005)

¹⁰ Decision 35 (Open Space – Stages 2 and 3) of the Independent Hearings Panel appointed to hear and decide on submissions to the Christchurch Replacement District Plan, dated 12 August 2016, at paragraph 311.

22. In order to identify the most appropriate zone should the changed circumstances eventuate (i.e. after the trigger conditions are met), the Council will need ensure that all other issues relevant to the appropriateness of the alternative zone are examined under section 32. Thus, and by way of example, if the sole trigger for rezoning land from rural to urban is the (future) provision and availability of sewer infrastructure, then all other issues relating to the appropriateness of an urban zone should have already been examined in the section 32 analysis. For instance, if issues relating to natural hazards, urban form, amenity and reverse sensitivity are relevant, then the Council will need sufficient information to examine whether an urban zoning will be "most appropriate" in light of those issues. It would be inappropriate to provide a deferred urban zone triggered by availability of infrastructure in circumstances where the land is assessed as otherwise unsuitable for urban development due to high hazard risks or reverse sensitivity issues that are unable to be satisfactorily addressed.
23. It is also important to have information which identifies other reasonably practicable options to using deferred zoning provisions. Other options may prove to be more appropriate than deferred zones, for example from an efficiency and effectiveness perspective. In *Save the Bay Limited v Christchurch City Council*,¹¹ the Council asked the Court to consider whether the zoning of the Taylors Mistake Bach zone should be deferred until the owners of the 14 baches to be removed or rebuilt in the zone have executed agreements relating to the occupation of baches in the zone, and the removal of baches from the foreshore. However, the Court concluded that a deferred zoning is not necessary under section 32 for this purpose, and instead confirmed a simpler zone rule that achieved the same aim in the following terms:
- The construction or placement of a bach shall be prohibited unless a corresponding unscheduled bach is demolished or removed from the Conservation 1A zone.*
24. We hope our general observations assist you in assessing the appropriateness of utilising deferred zoning provisions as a planning technique in the next iteration of the Selwyn District Plan. We can provide more specific comments should you have any particular type of deferred zoning mechanism in mind.
25. Please do not hesitate to contact us should you have any queries arising.

Yours sincerely



Cedric Carranceja
Special Counsel

Direct: 64 3 371 3532
Mobile: 64 21 616 742
Email: cedric.carranceja@buddlefindlay.com

¹¹ (C40/2003)

The proposed Selwyn District Plan

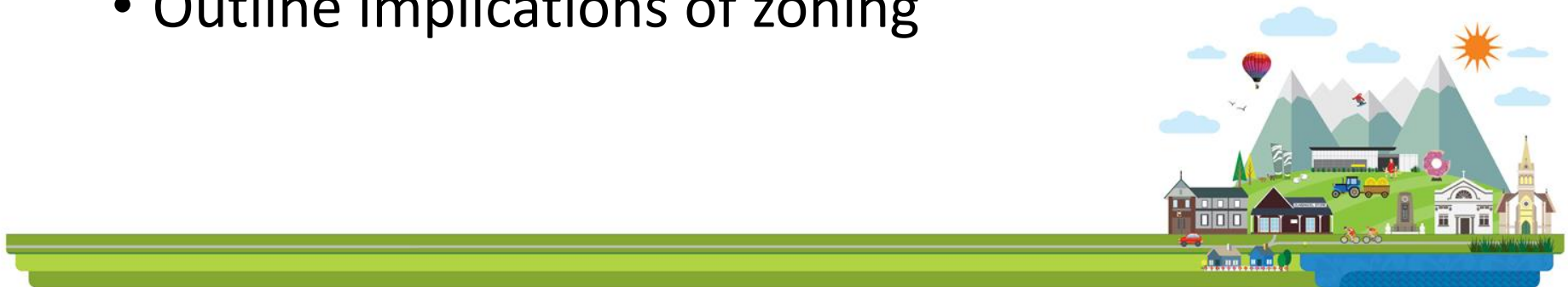


Rezoning options for 'greenfield' residential areas in the
Malvern and Ellesmere Wards

24 May 2017

Overview

- Seek direction on options for zoning of Area Plan 'preferred' sites
- Provide context of previous discussions
- Overview of Malvern and Ellesmere Area Plan
- Outline implications of zoning



Context

- Recommended that proactively zoning 'greenfield' development areas was not required and that zoning of these areas could be addressed in response to submissions (DPC Meeting November 2016)
- Caveat that continued monitoring of development and updated growth model
- Only related to 'greenfield' sites not intensification of existing zones



Options for zoning

- Option 1: Incorporation of rezoning proposal as part of the notified District Plan
 - Meets community expectation
 - Council absorbs costs
 - Question of commercial viability/feasibility
- Option 2: Request for rezoning proposal through a submission on the notified District Plan
 - Does not meet community expectation, left to market
 - Market absorbs costs
 - More certainty of commercial viability/feasibility



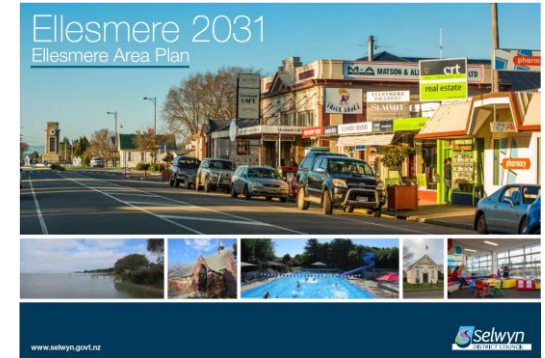
Selwyn 2031

- Selwyn 2031 provides direction on growth management over whole district
- Area Plans an Action of S2031
- Township network provides the framework for managing the scale, character and intensity of urban growth



Area Plans

- Area Plans outline Councils approach to growth management of the Ellesmere and Malvern Wards
- In developing the Area Plans the growth capacity of each township was reviewed
- It was concluded for every town that no new residential areas are required to accommodate growth out to 2031
- 'Preferred future development areas' were identified to outline where the towns should grow when required



New Growth Model

- Scope of works has gone out to engage a consultant to develop a new growth model
- Will involve more detailed existing capacity analysis
- Intended to build in the age weighted components out line in Natalie Jacksons demographic reports.
- Can build in infrastructure constraints



s32 Information Requirements

- Substantive merit of zoning must be determined through the statutory process set out in the RMA
- s32 evaluation reports under RMA examine appropriateness
- Evaluation of efficiency and effectiveness of a proposal (i.e. new zoning) need to identify and:
 - assess the benefits and costs of effects
 - quantify the benefits and costs (if practicable)
 - assess the risk of acting or not acting



Cost of Zoning

- \$100,000 - \$120,000 approx. per site
- Deferred zonings require same level of information and evaluation.
- As s32 is an evaluation, the costs could be found to outweigh the benefits and therefore it may not be appropriate to proceed



Infrastructure Costs

- Cost and supply of infrastructure, including 5 waters, transportation and community services.
- Area Plans identified constraints to development in each town including the 'preferred future development areas'.
- Option 1 requires cost of meeting infrastructure needs and removing constraints fall on Council.
- Option 2 requires landholders/submitters to address this through the submission process.
- Risk in ability to service loans or recoup investments.



	Pro's	Con's
OPTION 1 - Proactive rezoning (Council-led)	Meeting Community expectations	Cost in investigations paid for by Council and community
	Ensure growth or dramatic changes growth is provided for	Cost in meeting infrastructure requirements fall on Council and community
		On-going long term planning for land that may not be developed
		No guarantee that land is appropriate for zoning or that other areas may also be suitable (or better suited) for development
		Uncertainty around commercial viability
		Open to challenge through submissions, with the costs of defending the rezoning falling on Council.
		Increase community expectation on growth
		Zoning ahead of key community discussions around infrastructure
		May be difficult to justify the provision of additional greenfield land rather than resourcing the upliftment of existing deferred zones.
OPTION 2 - Leave to submissions (landowner-led)	Costs fall to market	Community expectation of land being rezoned not met, although opportunities still exist for the rezoning to occur through the DPR process (via submission)
	Infrastructure constraints addressed by market	Council may need to respond in future to land capacity requirements (e.g. Council plan change)
	Commercial viability better understood	

Direction

- **Proactive rezoning (Option 1) or leave to submissions (Option 2)?**
- Option 1 may require further discussions on scope and will impact on DPR budget and potentially timeframe
- Option 2 will require early notification to landholders
- Can continue to monitor and re-assess growth issues when new growth model received



7. DPR Work Programme Update

Author:	Justine Ashley, District Plan Review Project Lead
Contact:	03 347 2811

Purpose

Provide the District Plan Committee an overview on progress and activities for the District Plan Review.

Recommendation

- **That the Committee receives the presentation.**

The proposed Selwyn District Plan



DPR Work Programme Update

24 May 2017

Overview of progress and activities

- Update on scopes of work
- Information and project management software
- Update on risk register
- Forward meeting agenda



Scopes of Work

- Procurement process has been initiated for the first wave of scopes of work to the DPR Supplier Panel, with 26 scopes of work scheduled for release up until end of May 2017.
- Another 10 scopes of work are ready for final review.
- The scopes of work included in the 'first wave' relate to:
 - Some of the larger topics, including Growth Modelling, Business, Transport, Natural Hazards, Natural Environment and Energy & Infrastructure
 - More discrete District-Wide topics, including Noise, Vibration, Signage, Lighting and Glare, Heritage Items and Protected Trees, Community & Recreation Facilities, Emergency Services
 - Strategic engagement and communications



Scopes of Work

- Suppliers are to be appointed in accordance with DPR Procurement Plan.
- The Project Team are currently preparing briefing notes for the consultant teams appointed to each Scope of Work.
- There are a number of scopes of work that are still to be prepared, procured and managed on an on-going basis.
- The 'second wave' of scopes of work will primarily relate to the Residential and Rural Topics.



Information and Project Management Software

- In-house Information Services staff have developed a new Sharepoint software package 'BARI', which has been specifically designed for the DPR project.
- All DPR related documents are to be stored in BARI, with external access available to consultants who are part of the Project Team.
- BARI has also been designed as a project management tool, which will enable tracking of timeframes and budgets for each individual DPR Topic and the DPR Project as a whole.



Risk Register

- DPR project-wide risk register is being regularly monitored and updated.
- The most significant risk that continues to require careful management is the impact of the National Policy Statement for Urban Development Capacity (NPS-UDC).
- The main challenge will be integrating the NPS-UDC workstream into the DPR process, which also requires simultaneous changes to the Regional Policy Statement.
- These matters are being addressed through the Greater Christchurch Partnership Settlement Pattern Review Project.



Risk Register

- Other risks to the DPR Project include those stemming from the recently enacted Resource Legislation Amendment Act 2017.
- In particular, new National Planning Standards must in place within 2 years (i.e. March 2019) to improve consistency across RMA plans and policy statements. Standards will relate to:
 - The structure and form of the District Plan;
 - Standardised definitions;
 - Electronic functionality (E-Plan format).
- Amendments to the District Plan must be made within 5 years (unless another time is specified in the Standard).
- Project Team will ensure that all Standards gazetted prior to the notification of the new District Plan are incorporated (as much as possible)



Forward Meeting Agenda

June DPC Meeting:

- Matters arising from the delivery of Scopes of Work [new standing agenda item].
- New optional planning processes for the DPR (Resource Legislation Amendment Act 2017).

July DPC Meeting:

- Matters arising from the delivery of Scopes of Work [new standing agenda item].
- Strategic Communications and Engagement [TBC].



Any Questions?

